



# Board of Regents Meeting

Friday, December 3, 2021

Varner Hall Board Room

3835 Holdrege Street

Lincoln, NE, 68503

## Board of Regents Meeting

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#### CONSENT AGENDA

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**AGENDA**  
**THE BOARD OF REGENTS**  
**OF THE UNIVERSITY OF NEBRASKA**  
**Varner Hall, 3835 Holdrege Street**  
**Lincoln, NE 68583-0745**  
**Friday, December 3, 2021**  
**9:00 a.m.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON OCTOBER 8, 2021
- IV. PRESENTATIONS  
Bryan Slone, President, Nebraska Chamber of Commerce and Industry
- V. KUDOS  
Chelsea Bartling, *University of Nebraska at Kearney*  
Megan Counley, *University of Nebraska-Lincoln*  
Luther Mardock, *University of Nebraska Medical Center*  
Hanna Wanzenried Solberg, *University of Nebraska at Omaha*
- VI. RESOLUTIONS
- VII. HEARINGS  
Revisions to the UNL Bylaws and Academic Rights and Responsibilities Committee Procedures
- VIII. PRESIDENT’S REMARKS
- IX. PUBLIC COMMENT

The Standing Rules of the Board provide that any person who gives 24 hours’ 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.

- X. UNIVERSITY CONSENT AGENDA
  - A. ACADEMIC AFFAIRS  
University of Nebraska System
    - 1. President’s Personnel Recommendations, Addendum X-A-1
  - B. BUSINESS AND FINANCE  
University of Nebraska at Omaha
    - 1. Approval to display Milo Bail Statue outside the Milo Bail Student Center at UNO pursuant to RP-6.2.7(3)(c), Addendum X-B-1



XI. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

University of Nebraska-Lincoln

1. Approval to eliminate the Bachelor of Science in Agricultural and Environmental Sciences Communication in the Department of Agricultural Leadership, Education, and Communication in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-A-1
2. Approval to eliminate the Bachelor of Science in Grassland Ecology and Management in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-A-2
3. Approval to eliminate the Master of Science, Doctor of Philosophy, and Graduate Certificate in Survey Research and Methodology in the College of Business at UNL, Addendum XI-A-3
4. Approval to create the Graduate Certificate in Educational Neuroscience in the Department of Educational Psychology in the College of Education and Human Sciences at UNL, Addendum XI-A-4
5. Approval of revisions to the UNL Bylaws and the Academic Rights and Responsibilities Committee Procedures, Addendum XI-A-5

B. BUSINESS AND FINANCE

University of Nebraska at Kearney

1. Approval of funding to complete the Warner Hall Renovation at UNK, Addendum XI-B-1

University of Nebraska-Lincoln

2. Approval of long-term Ground Lease Agreement with Woodbury Corporation for the property located at 401 North 9<sup>th</sup> Street, Lincoln, Addendum XI-B-2
3. Approval of Program Statement for the Lied Center for Performing Arts Renovation and Addition at UNL, Addendum XI-B-3
4. Approval of Budget Increase and Guaranteed Maximum Price (GMP) Contract Amendment for Phase 2 North Stadium Expansion at UNL, Addendum XI-B-4
5. Approval of Program Statement for Westbrook Music Building Replacement Project at UNL, Addendum XI-B-5
6. Approval of funding to complete Kimball Recital Hall Renovation at UNL, Addendum XI-B-6
7. Approval of funding to complete Bessey Hall Renovation at UNL, Addendum XI-B-7
8. Approval of funding to complete Morrill Hall Renovation at UNL, Addendum XI-B-8
9. Approval of funding to complete Pershing Military & Naval Science Building Renovation at UNL, Addendum XI-B-9

University of Nebraska Medical Center

10. Approval of Interlocal Cooperation Agreement with the City of Omaha in support of Project NExT, Addendum XI-B-10

C. FOR INFORMATION ONLY

1. Amendment of the Standing Rules of the Board of Regents, Addendum XI-C-1

D. REPORTS

1. Report on renaming the Bachelor of Science in Agricultural Education to the Bachelor of Science in Agricultural Leadership, Education, and Communication in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-D-1
2. Report on renaming the Bachelor of Science in Business Administration in Law and Business to the Bachelor of Science in Business Administration in Business and Law at UNL, Addendum XI-D-2
3. Report on renaming the Graduate Certificate in Financial and Housing Counseling to the Graduate Certificate in Financial Counseling in the Department of Child, Youth, and Family Studies in the College of Education and Human Sciences at UNL, Addendum XI-D-3
4. Report on expedited approval of the Graduate Certificate in Additive Manufacturing in the Department of Mechanical and Materials Engineering in the College of Engineering at UNL, Addendum XI-D-4
5. Report on expedited approval of the Graduate Certificate in Bioanalytical Chemistry in the Department of Chemistry in the College of Arts and Sciences at UNL, Addendum XI-D-5
6. Report on expedited approval of the Graduate Certificate in Chromatography and Analytical Separations in the Department of Chemistry in the College of Arts and Sciences at UNL, Addendum XI-D-6
7. Report on expedited approval of the Graduate Certificate in Financial Analytics in the Department of Finance in the College of Business at UNL, Addendum XI-D-7
8. Report on expedited approval of the Graduate Certificate in Sales Excellence in the Department of Marketing in the College of Business at UNL, Addendum XI-D-8
9. Report on Othmer-Topp Endowment Fund secondary priority uses for the fiscal year ended June 30, 2021, Addendum XI-D-9
10. Report on naming of selected spaces within the Rod Rhoden Business Innovation Center in Mammel Hall at UNO pursuant to RP-6.2.7(3)(b), Addendum XI-D-10
11. Report on Bids and Contracts, Addendum XI-D-11
12. Report on Quarterly Status of Capital Construction Projects, Addendum XI-D-12
13. Report on revisions to rules and regulations for faculty and student self-government organizations: Faculty Senate Bylaws at UNMC, Addendum XI-D-13



## 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, December 3, 2021, at 9:00 a.m. in the Boardroom at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska.

In accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents*, notice is hereby given that at the above-described meeting, amendments to the *Bylaws of the University of Nebraska-Lincoln* and the Academic Rights and Responsibilities Committee Procedures shall be proposed, as detailed in attached agenda item.

An agenda of subjects not related to the proposed amendments to the *Bylaws of the University of Nebraska-Lincoln* and the Academic Rights and Responsibilities Committee Procedures will be subsequently posted in accordance with the law, the Bylaws, and rules which govern the Board of Regents. When so posted, the full agenda for the meeting will be 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>.

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

Dated: November 22, 2021

A handwritten signature in blue ink, reading "Philip J. Bakken".

Philip J. Bakken  
Corporation Secretary  
Board of Regents  
University of Nebraska

### Board of Regents

Varner Hall | 3835 Holdrege Street | Lincoln, NE 68583-0745 | 402.472.3906 | FAX: 402.472.1237 | [nebraska.edu/regents](https://nebraska.edu/regents)



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

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

Dated: November 24, 2021

A handwritten signature in blue ink, reading "Philip J. Bakken".

Philip J. Bakken  
Corporation Secretary  
Board of Regents  
University of Nebraska

### Board of Regents

Varner Hall | 3835 Holdrege Street | Lincoln, NE 68583-0745 | 402.472.3906 | FAX: 402.472.1237 | [nebraska.edu/regents](https://nebraska.edu/regents)

**X. UNIVERSITY CONSENT AGENDA**

**A. ACADEMIC AFFAIRS**

University of Nebraska System

1. President's Personnel Recommendations, Addendum X-A-1

**B. BUSINESS AND FINANCE**

University of Nebraska at Omaha

1. Approval to display Milo Bail Statue outside the Mail Bail Student Center at UNO pursuant to RP-6.2.7(3)(c), Addendum X-B-1

## **The President's Personnel Recommendations**

Addendum X-A-1

Meeting Date: December 3, 2021

### **New Appointment**

#### University of Nebraska at Omaha

Adrian Dowell, Vice Chancellor (Special) and Director of Athletics (Special); effective 12/01/2021, \$255,000, FY, 1.00 FTE.

### **Adjustments**

#### University of Nebraska System

Chris Kabourek, Senior Vice President (Special) and Chief Financial Officer (Special); effective 11/01/2021, \$390,000, FY, 1.00 FTE. Add title of Senior Vice President. Remove title of Vice President for Business and Finance.

#### University of Nebraska-Lincoln

Mary LaGrange, Interim Vice Chancellor for Business and Finance (Special); effective 01/03/2022, \$280,000, FY, 1.00 FTE. Add title of Interim Vice Chancellor for Business and Finance. Remove title of Associate Vice Chancellor for Business and Finance.

Robert Wilhelm, Interim Executive Vice Chancellor for Academic Affairs (Special); effective 11/20/2021, \$361,799, FY, 1.00 FTE. Add title of Interim Executive Vice Chancellor for Academic Affairs. Remove title of Vice Chancellor for Research and Economic Development.

#### University of Nebraska Medical Center

Susan Kraft Mann, Interim Vice Chancellor for Business, Finance, and Business Development (Special); effective 11/01/2021, \$239,954, FY, 1.00 FTE. Add title Interim Vice Chancellor for Business, Finance, and Business Development. Remove title of Assistant Vice Chancellor and Director, Office of Budget and Fiscal Analysis.

Daniel Shipp, Vice Chancellor for Strategic Initiatives (Special) and Associate to the Chancellor (Special); effective 11/01/2021, \$235,000, FY, 1.00 FTE. Add title Vice Chancellor for Strategic Initiatives. Remove title of Vice Chancellor for Student Success.

#### University of Nebraska at Omaha

James Kamm, Interim Vice Chancellor for Business and Finance (Special); effective 11/01/2021, \$198,750 (includes \$162,750 base salary and \$3,000 stipend per month), FY, 1.00 FTE. Add title Interim Vice Chancellor for Business and Finance and \$3,000 stipend per month effective 11/01/2021 until permanent replacement is appointed. Remove title of Assistant Vice Chancellor for Business and Finance.

Cathy Pettid, Interim Associate Vice Chancellor for Student Success (Special) and Dean of Students (Special); effective 11/01/2021, \$204,422 (includes \$170,222 base salary and \$2,850 stipend per month), FY, 1.00 FTE. Add title Interim Associate Vice Chancellor for Student Success and \$2,850 stipend per month effective 11/01/2021 until permanent replacement is appointed. Remove title of Assistant Vice Chancellor for Student Success.

TO: The Board of Regents  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Display of a life size Milo Bail Statue outside the Milo Bail Student Center at University of Nebraska at Omaha (UNO)

RECOMMENDED ACTION: Approve the display of the Milo Bail Statue outside the Milo Bail Student Center, at UNO, pursuant to the Board of Regents Policy RP-6.2.7.3.c.

PREVIOUS ACTION: None

EXPLANATION: President Carter and Chancellor Li have approved the display of the Milo Bail Statue at UNO.

Donor: Al & Beverly Thomsen

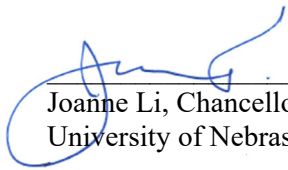
Description: Life size bronze Milo Bail statue

With the donation as stated above, the Board of Regents expresses its deepest gratitude and appreciation for the Donors' generous support to the University of Nebraska and UNO.


Under the Board of Regents Policy RP-6.2.7.3.c. the naming of a building or wing of a building, a fountain, a monument, or large campus area such as a plaza or street in honor of an individual, a family, or an organization shall be approved by the Board of Regents upon the recommendation of the Chancellor responsible for the Facility and the President.

SPONSOR: Douglas A. Ewald  
Vice Chancellor for Business, Finance and Business Development

RECOMMENDED:



\_\_\_\_\_  
Joanne Li, Chancellor  
University of Nebraska at Omaha



\_\_\_\_\_  
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021

## **XI. UNIVERSITY ADMINISTRATIVE AGENDA**

### **A. ACADEMIC AFFAIRS**

#### University of Nebraska-Lincoln

1. Approval to eliminate the Bachelor of Science in Agricultural and Environmental Sciences Communication in the Department of Agricultural Leadership, Education, and Communication in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-A-1
2. Approval to eliminate the Bachelor of Science in Grassland Ecology and Management in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-A-2
3. Approval to eliminate the Master of Science, Doctor of Philosophy, and Graduate Certificate in Survey Research and Methodology in the College of Business at UNL, Addendum XI-A-3
4. Approval to create the Graduate Certificate in Educational Neuroscience in the Department of Educational Psychology in the College of Education and Human Sciences at UNL, Addendum XI-A-4
5. Approval of revisions to the UNL Bylaws and the Academic Rights and Responsibilities Committee Procedures, Addendum XI-A-5

### **B. BUSINESS AND FINANCE**

#### University of Nebraska at Kearney

1. Approval of funding to complete the Warner Hall Renovation at UNK, Addendum XI-B-1

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2. Approval of long-term Ground Lease Agreement with Woodbury Corporation for the property located at 401 North 9<sup>th</sup> Street, Lincoln, Addendum XI-B-2
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5. Approval of Program Statement for Westbrook Music Building Replacement Project at UNL, Addendum XI-B-5
6. Approval of funding to complete Kimball Recital Hall Renovation at UNL, Addendum XI-B-6



7. Approval of funding to complete Bessey Hall Renovation at UNL, Addendum XI-B-7
8. Approval of funding to complete Morrill Hall Renovation at UNL, Addendum XI-B-8
9. Approval of funding to complete Pershing Military & Naval Science Building Renovation at UNL, Addendum XI-B-9

University of Nebraska Medical Center

10. Approval of Interlocal Cooperation Agreement with the City of Omaha in support of Project NExT, Addendum XI-B-10

**C. FOR INFORMATION ONLY**

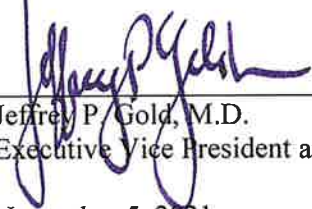
1. Amendment of the Standing Rules of the Board of Regents, Addendum XI-C-1

TO:	The Board of Regents  Academic Affairs Committee	Addendum XI-A-1
MEETING DATE:	December 3, 2021	
SUBJECT:	Elimination of the Bachelor of Science in Agricultural and Environmental Sciences Communication in the Department of Agricultural Leadership, Education and Communication in the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln	
RECOMMENDED ACTION:	Approval to eliminate the Bachelor of Science (BS) in Agricultural and Environmental Sciences Communication at the University of Nebraska-Lincoln (UNL)	
PREVIOUS ACTION:	<p>January 24, 2014 – The renaming of the BS in Agricultural Journalism to the BS in Agricultural and Environmental Sciences Communication in the Department of Agricultural Leadership, Education and Communication in the College of Agricultural Sciences and Natural Resources at UNL was reported to the Board.</p> <p>June 13, 1992 – The Board approved the merger of the Department of Agricultural Education and Department of Agricultural Communications and the name change of the merged departments to the Department of Agricultural Leadership, Education and Communication at UNL.</p> <p>The BS in Agricultural Education at UNL was established prior to modern records of Board approvals.</p>	
EXPLANATION:	<p>The proposal to eliminate the BS in Agricultural and Environmental Sciences Communication at UNL is part of a curricular modernization within the Department of Agricultural Leadership, Education and Communication. The modernization is designed to better serve and prepare students for eventual careers in this diverse field. Significant curricular elements of this degree, however, will still be offered as a formal option within the BS in Agricultural Leadership, Education and Communication. Students currently enrolled in the major will have the option to complete their degree program or switch to the newly-renamed BS degree and relevant option.</p> <p>This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.</p>	
PROGRAM SAVINGS:	There are no anticipated savings associated with this elimination.	
SPONSORS:	<p>Michael J. Boehm Vice President, Agriculture and Natural Resources, University of Nebraska Harlan Vice Chancellor, Institute of Agriculture and Natural Resources, University of Nebraska-Lincoln</p>	

Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

RECOMMENDED:

  
\_\_\_\_\_  
Jeffrey P. Gold, M.D.  
Executive Vice President and Provost

DATE:

November 5, 2021

TO: The Board of Regents Addendum XI-A-2  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Elimination of the Bachelor of Science in Grassland Ecology and Management in the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln

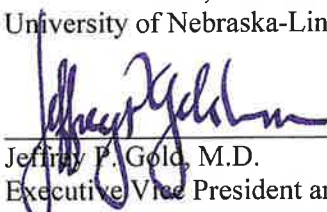
RECOMMENDED ACTION: Approval to eliminate the Bachelor of Science (BS) in Grassland Ecology and Management in the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln (UNL)

PREVIOUS ACTIONS: February 7, 2020 – The renaming of the BS in Grazing Livestock Systems to the BS in Grassland Systems in the Center for Grassland Studies at UNL was reported to the Board.  
April 21, 2006 – The renaming of the undergraduate major in Rangeland Ecosystems to Grassland Ecology and Management with a BS in Grassland Ecology and Management was reported to the Board.

EXPLANATION: The proposed elimination of the BS in Grassland Ecology and Management is the final step in a modernization and curricular update within this discipline. The current Grassland Studies major had been renamed and reported to the Board of Regents and to the Coordinating Commission for Postsecondary Education in February 2020. The major now includes an option in Grassland Ecology and Management. The small number of students enrolled in the Grassland Ecology and Management BS degree will be allowed to complete their program of study.  
This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM SAVINGS: There are no anticipated savings associated with this elimination.

SPONSORS: Michael J. Boehm  
Vice President, Agriculture and Natural Resources, University of Nebraska  
Harlan Vice Chancellor, Institute of Agriculture and Natural Resources,  
University of Nebraska-Lincoln  
Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

RECOMMENDED:   
Jeffrey P. Gold, M.D.  
Executive Vice President and Provost

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-A-3  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Elimination of the Master of Science, Doctor of Philosophy, and Graduate Certificate in Survey Research and Methodology in the College of Business at the University of Nebraska-Lincoln

RECOMMENDED ACTION: Approval to eliminate the Master of Science (MS), Doctor of Philosophy (PhD), and Graduate Certificate in Survey Research and Methodology in the College of Business at the University of Nebraska-Lincoln (UNL)

PREVIOUS ACTIONS: June 12, 2009 – Expedited approval of the Graduate Certificate in Survey Research and Methodology at UNL was reported to the Board.

April 6, 2002 – The Board approved the PhD in Survey Research and Methodology at UNL.

June 1, 1996 – The Board approved the MS in Survey Research and Methodology at UNL.

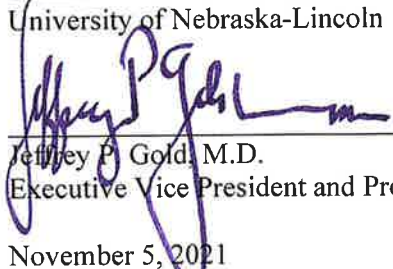
EXPLANATION: There are no enrolled students in the MS, PhD or Graduate Certificate in Survey Research and Methodology (SRAM); the program Director left UNL in 2019. Given the lack of student interest in this interdisciplinary program, its elimination is warranted. Coursework offered as part of other academic programs, cross-listed to create the SRAM curriculum, will continue to be offered by those departments.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM SAVINGS: There are no anticipated savings associated with this elimination.

SPONSORS: Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

RECOMMENDED:   
Jeffrey P. Gold, M.D.  
Executive Vice President and Provost

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-A-4  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Creation of the Educational Neuroscience Graduate Certificate in the Department of Educational Psychology in the College of Education and Human Sciences at the University of Nebraska-Lincoln

RECOMMENDED ACTION: Approval to create Educational Neuroscience Graduate Certificate in the Department of Educational Psychology in the College of Education and Human Sciences at the University of Nebraska-Lincoln (UNL)

PREVIOUS ACTIONS: March 15, 1985 – The Board approved the renaming of the Master of Arts (M.A.), Master of Education (M.Ed.), and Educational Specialist (Ed.S.) degrees in Educational Psychology and Social Foundations to the M.A., M.Ed., and Ed.S. degrees in Educational Psychology.

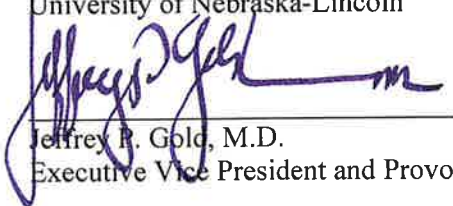
EXPLANATION: The proposed in-person 12-credit hour Educational Neuroscience Graduate Certificate is designed to provide competencies in foundational neuroscience principles, neuroanatomy and analytical techniques, neural foundations of speech/language development and literacy, and the interpretation of neuroscience principles related to emotional and cognitive development. Current and perspective students indicate that receiving formal recognition of these core competencies would be an asset to their career development and future job searches, as school districts apply educational neuroscience research to classroom and extracurricular settings. All coursework will partially satisfy requirements towards master's degree programs in Special Education and Communication Disorders and in Educational Psychology.

This proposal has been approved by the Executive Graduate Council. It also has been reviewed by the Council of Academic Officers and the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty or resources are needed to operate this certificate.)

SOURCE OF FUNDS: N/A

SPONSORS: Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

RECOMMENDED: Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln  
  
Jeffrey R. Gold, M.D.  
Executive Vice President and Provost

DATE: November 5, 2021



December 7, 2020

Susan Fritz, Executive Vice President & Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583

via email

Dear Susan,

I am forwarding materials related to a proposal from the College of Education and Human Sciences to create a Graduate Certificate in Educational Neuroscience, a joint effort by the Departments of Educational Psychology and Special Education & Communication Disorders, to meet a growing demand for expertise in the field. Courses are already established, and there are adequate existing resources and faculty to support the program.

The proposal has the support of the Dean of the College of Education and Human Sciences, the Associate Vice Chancellor and Dean of Graduate Education, the Executive Vice Chancellor, and the Academic Planning Committee. It has my approval and I am requesting you approve it as well.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Elizabeth Spiller, Executive Vice Chancellor  
Tim Carr, Associate Vice Chancellor and Dean of Graduate Education  
Sherri Jones, Dean, College of Education and Human Sciences  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor and Chief Administrative Officer  
Suzi Tamerius, Project Coordinator  
Kurt Geisinger, Chair, Academic Planning Committee  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Cathy Robertus, Executive Assistant to the Provost

# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln (UNL)
<b>Name of Proposed Graduate Certificate</b>
Educational Neuroscience
<b>Name of Program</b>
Educational Psychology
<b>Other Programs Offered in this Field by this Institution</b>
None
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
42.2706: Physiological Psychology/Psychobiology
<b>Subject Code</b>
EDPS, SLPA, PSYC
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Educational Psychology
<b>All Units Participating in the Graduate Certificate</b>
Special Education and Communication Disorders, Educational Psychology
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
Eric Buhs (EDPS) Carrie Clark (EDPS) Hideo Suzuki (EDPS) Yingying Wang (SECD)
<b>Proposed Delivery Site</b>
UNL City Campus, UNL East Campus
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input checked="" type="checkbox"/> On-campus only <input type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission



## II. Details

### A. Description of Proposed Certificate Program

Neuroscience and neuroscience research in education-related areas is one of the fastest growing research areas in the U.S. and internationally. Educational Neuroscience is a rapidly emerging field that incorporates the study of neurodevelopment in typically and atypically developing populations. It brings together researchers in basic neuroscience (e.g., cognitive, developmental, social, and affective), applied neuroscience in education (speech/language/literacy development) and child psychology. This particular certificate program will cover a range of skills important to most educational contexts.

These areas include neuroanatomy, physiology and brain function and acquisition and analyses of neuroimaging and other data acquisition procedures. For this certificate, there will be a specific focus on emotional and cognitive development and on the neural foundations of speech/language development and literacy. Speech and language development, for example, is an excellent example of the inherently interdisciplinary nature of the program because language development delays frequently serve as indicators of later cognitive performance, socio-emotional interactions, academic functioning, and potential problems. Learning the neurobiological aspects of language development also helps students learn how to apply basic neuroscientific findings to a broad range of applied educational contexts that include central aspects of the learning and cognition focus maintained by the Educational Psychology Developmental and Learning Sciences program.

### B. Learning Outcomes

- Foundation of basic neuroscience principles, neuroanatomy, and neuroscience data acquisition and analytic techniques.
- Ability to apply relevant neuroscience principles to educational contexts: Affective processing and management (including psychopathology), cognitive development, speech/language development, and language and literacy applications.
- Ability to apply and interpret underlying neuroscience principles to challenges learners present in educational contexts.

### C. Admission

Per current UNL policy, students applying to the proposed graduate certificate must have completed a bachelor's degree and must officially submit a Graduate Studies application through the online application portal, including paying the application fee. All certificate applicants will be required to submit GRE scores and evidence of English proficiency if needed. All certificate applicants will be required to submit a short personal statement about why they want to pursue the certificate and fill out a Course of Studies form (see attached). Currently, a minimum of any four of the seven courses offered must be included to fulfill requirements. Certificate applicants who are currently enrolled in a graduate program at the University of Nebraska will be required to submit a single letter of recommendation from their primary academic advisor stating the advisor supports the student completing the certificate. Certificate applicants not currently enrolled in a graduate program at the University of Nebraska will be required to submit three letters of recommendation.

### Certificate Program Curriculum

Four courses (12 hrs.) are required to complete the graduate certificate in Educational Neuroscience. There are currently seven courses available, including two offered from UNMC. PSYC 865 and EDPS 922 will comprise the introductory, core courses required for all program students, with two additional courses serving as elective courses that allow the student to tailor the focus of the certificate to cognitive and/or language development. All of the graduate certificate courses are allowable for the master's degree programs in Special Education and Communication Disorders and Educational Psychology.

	Educational Psychology MA Credit Hours	Speech Language Pathology MS Credit Hours	Educational Neuroscience Certificate Credit Hours
<b>Required Courses for Master's Degree</b>			
EDPS 851 Psychology of Adolescence	3		
EDPS 854 Human Cognition and Instruction	3		
EDPS 960 Advanced Cognitive Psychology in Education	3		
EDPS 961 Cognitive Development	3		
EDPS 967 Motivation	3		
EDPS 859 Statistical Methods	3		
EDPS 800 Foundations of Educational Research	3		
SLPA 862 Cognition And Language in Adults		3	
SLPA 864 Language Disorders - Ages 5 to 21		3	
SLPA 886 Augmentative and Alternative Communication		3	
SLPA 967 Motor Aspects of Verbal Communication		3	
SLPA 874 Clinical Decision Making I		3	
SLPA 875 Clinical Decision Making II		3	
SLPA 966 Swallowing Disorders		3	
SLPA 998 Research Other Than Thesis		3	
<b>Elective Courses for Master's Degree</b>			
PSYC 865 Behavioral Neuroscience	3	3	3*
EDPS 991 Developmental Cognitive Neuroscience	3	3	3
EDPS 922 Mind, Brain & Education	3	3	3*
SLPA 995 Doctoral Seminar: Neural Basis of Reading	3	3	3
SLPA 995 Doctoral Seminar: Neuroimaging & Language Disorders	3	3	3
EDPS 855 Teaching Learners to Learn	3		
EDPS 898 Instructional and Motivational Accommodations for Diverse Learners	3		
EDPS 991 Applied Social Psychology	3		
EDPS 989 Psychology of Reading and Writing	3		
SLPA 862A Language Disorders In Special Populations - Birth to Three		3	
SLPA 862J Severe Disabilities and Autism		3	
SLPA 884 Deaf or Hard of Hearing: Speech & Language Issues		3	
SLPA 888 Linguistic Needs of Bilingual and Culturally Different Students		3	
SLPA 982 Acquired Brain Injury		3	
SLPA 987 Aphasia in Adults		3	
SLPA 988 Dementia		3	
<b>Courses Taught at UNMC</b>			
NSC 820 Methods in Neuroscience			3
NSC 932 Systems Neuroscience			3
<b>Total</b>	<b>36</b>	<b>45</b>	<b>12</b>

\*Core course required for all certificate candidates.

#### **D. Completion of Requirements**

The certificate advisory board (consisting of three appointed tenure-line faculty, with at least one representing each department) will review all Course of Study forms and approve or deny all substitution requests at the time of application. Per the Office of Graduate Studies policy, students completing a graduate certificate must apply for graduation and pay the graduation fee. An application for graduation will trigger an email from Graduate Studies to the department. Verification of the completion of the certificate requirements will be conducted by the Graduate Support Staff in the graduate certificate's home department, Educational Psychology, and forwarded to the Graduate Faculty Committee for approval. Any questions with regards to requirements will be addressed by the certificate advisory board.

#### **E. Evaluation of Program**

The ongoing evaluation of the certificate program will include reporting the number of applicants each year, the number of awarded certificates each year, and breaking those numbers down by degree vs. non-degree seeking students, home department, and other demographic variables. Total number of credits hours also will be tracked, as will the specific courses being used by students to complete the certificate requirements. Students also will be informally surveyed to determine the need for additional sections of existing courses or whether additional courses could increase the attractiveness of the certificate program.

#### **F. Impact on Other Units and Programs**

The certificate will provide a valuable, tangible addition to graduate student programs across the social sciences and offer students additional experience and certificate recognition that will help increase their marketability across a range of careers linked to this rapidly expanding and increasing influential area of neuroscience research.

There are no negative or competitive issues anticipated – no other similar programs currently exist w/in the UNL or University of Nebraska systems.

#### **G. Impact on Course Subject Codes**

No subject codes need to be created, modified, or deleted in relation to the creation of this certificate program.

### **III. Review Criteria**

#### **A. Adequacy of Resources:**

##### **1. Faculty/Staff**

All courses currently exist (several proposed courses may be added at a later date) and are taught by current, tenure-stream faculty as part of their regular teaching assignments.

##### **2. Physical Facilities and Equipment**

No additional facilities or equipment needs are required or anticipated

##### **3. Instructional Equipment and Informational Resources**

No additional instructional equipment needs are required or anticipated

##### **4. Budget Projections [see Table 1 and Table 2].**

There are no projected expenses beyond current department resources as currently allocated.

## **B. Evidence of Need and Demand**

Current graduate students have indicated a strong desire for formal recognition for completion of the set of course offerings as an asset to their career development and future job searches. Applied and community interest is also high. School districts increasingly consume educational neuroscience research and apply to classroom and extracurricular settings. Special Education and Communication Disorders faculty and Educational Psychology faculty consistently receive inquiries from prospective graduate students. The level of national research interest (including funding initiatives from federal agencies) and the level of current and prospective student interest indicate strong growth potential. In the U.S. there are currently only a small handful of programs in educational neuroscience (as of 3.1.19 there appear to be less than ten). We anticipate that marketing centered around the proposed program will accelerate interest further.

## **V. Additional Review Criteria**

### **A. Centrality to UNL Role and Mission**

The Educational Neuroscience certificate program supports a central role of UNL because it significantly expands the educational opportunities for Nebraskans and the broader community, including international components. The interdisciplinary focus of the program also will help further integrate multiple disciplines across the university (which meets one of CEHS values in pursuing their mission). The program also will further advance essential connections between the teaching and research missions of UNL. All of the teaching faculty involved are also very active researchers and performing cutting-edge research that will inform the classroom and certificate program content.

### **B. Relationship of the proposal to the NU Strategic Framework**

[The Board of Regents requires language about the relationship of the proposal to the NU Strategic Framework. That document is available at the NU website <http://nebraska.edu/strategic-framework.html>]

This certificate will contribute to several key aspects of the UNL strategic framework by creating a quality academic program that is readily available to a broad range of graduate students from various disciplines, will contribute to workforce development across a range of educational disciplines, and the professional training that we will provide will increase university engagement with the state.

The following indicators are likely areas of impact:

- Enrollment increase: a cutting-edge certificate program such as this one, with few national competitors, will be attractive to students in CEHS and UNL in general.
- International student enrollment: this certificate also will be attractive to international students considering CEHS and UNL for their education.
- Workforce development: The workforce demands of the educational communities and professions in Nebraska are presenting an increasing focus on educational neuroscience and related impacts.

### **C. Consistency with the Comprehensive Statewide Plan for Post-Secondary Education**

[Nebraska's statewide goals/plan can be found here:  
<https://ccpe.nebraska.gov/sites/ccpe.nebraska.gov/files/doc/CompPlan.pdf>]

This certificate program will contribute to the status of UNL as an exemplary institution that will help meet the workforce needs of the state. By harnessing the research and teaching expertise of Educational Psychology and Special Education and Communication Disorders department faculty in educational neuroscience, this program will actively contribute to the on-going development of novel and impactful educational offerings for UNL students. It will help create skilled graduates (Chapter 2 of the Statewide plan) in an area that is increasing demand in K-12 educational contexts and in public policy and programs. The presence of these graduates in the Nebraska educational workforce also will likely contribute to the formation of future partnerships between educational communities in the state and the university (Chapter 5 of the Statewide plan) by publicizing and applying this emerging neuroscience-based discipline.

**D. Avoidance of Unnecessary Duplication**

There are no similar or overlapping certificate or graduate programs at UNL or any of the other campuses in the system.

## VI. Appendices

**A. Letters of Support**

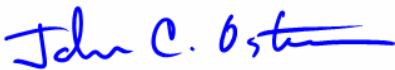
**B. Course Schedules and Descriptions**

January 31, 2020

Dear Dean Carr,

On behalf of the College of Arts & Sciences I have reviewed the proposal for a Graduate Certificate in Educational Neuroscience. I can lend the endorsement of the College of Arts & Sciences to this proposal. This has potential to appeal to students in several of our programs, especially Psychology and Biological Sciences.

Sincerely,



John C. Osterman  
Associate Dean for Academic Programs

November 13, 2020

Dr. Elizabeth Spiller  
Executive Vice Chancellor  
208 Administration Building  
Lincoln, NE 68588-0420

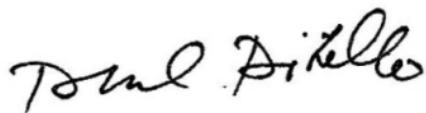
Dear Dr. Spiller:

I am writing in response to your request for input about the proposed graduate certificate program in Educational Neuroscience. As you may know the Department of Psychology offers considerable education and training in the neurosciences. Our Neuroscience & Behavior Ph.D. program is the second largest in the department, with 11 core faculty. As of this fall, we also offer a Neuroscience specialty “option” for undergraduates majoring in Psychology. We developed this option in response to high levels of interest in neuroscience expressed by our undergraduate students. Psychology’s investment on neuroscience also includes five resident faculty at CB3, including Director, Dr. Cary Savage.

Educational Neuroscience focuses on the neurological processes underlying learning and education. It is a growing area that occupies a unique niche within the larger field of neuroscience. The College of Education and Human Sciences, and Educational Psychology in particular, is well positioned to offer and administer a new certificate program in the area. I support their efforts to do so.

There is cutting edge neuroscience work being conducted in many units across campus. For example, in addition to the efforts in Psychology and CB3, significant neuroscience research is being conducted in Engineering and Biological Sciences. These efforts are largely siloed, however, with little interaction among the various groups. Given the growing popularity of neuroscience, it could be beneficial to have more coordination among neuroscience researchers on campus. Regular communication between the various stakeholders could lead to productive collaborations and reduce the possibility of redundancy. The neuroscience faculty in Psychology and I would be happy to help facilitate these interactions.

Sincerely,



David DiLillo, Ph.D.  
Willa Cather Professor & Chair



*September 20, 2019*

*To: CEHS Graduate Curriculum Committee*

*From: Ron Nelson and Michael Scheel*

*Reference: Certificate Program in Educational Neuroscience*

We have reviewed the materials associated with the joint EDPS/SECD Certificate Program in Educational Neuroscience. We understand that EDPS has agreed to be the administrative home for the Certificate Program. We approve the Certificate Program and believe that it will address the interest of many students to better understand the role of neuroscience in education.

*Ron Nelson*  
*Michael J. Scheel*



## **Educational Neuroscience Certificate Proposal: Course Schedules and Descriptions**

### **SLPA 995 Doctoral Seminar: Neuroimaging & Language Disorders**

Schedule: Offered every fall semester

#### *Course description:*

This is a graduate-level seminar course and is designed to explore special topics in recent neuroscience research of language/reading impairment. This course also aims to introduce various neuroimaging techniques including functional Magnetic Resonance Imaging (fMRI), functional Near-Infrared spectroscopy (fNIRs), Magnetoencephalography (MEG), and Electroencephalogram (EEG). Students will have hands-on experience on real neuroimaging data and learn how to process different types of neuroimaging data through lab sessions.

Students will demonstrate knowledge and skills in the areas listed below:

1. Foundation Knowledge about brain research on topics related to language/reading impairment.
2. Understanding characteristics of different neuroimaging techniques.
3. Hands-on experience on analyzing various neuroimaging data.
4. Demonstrating critical thinking through evaluating current literature on language/reading impairment.
5. Formulating hypotheses of a research topic and developing strategies to test hypotheses.
6. Mastering research methods.
7. Learning scientific communication through in-class presentation.

### **SLPA 995 Doctoral Seminar: Neural Basis of Reading**

Schedule: Offered every fall semester

#### *Course description:*

This is a graduate-level course and is designed to address language and literacy acquisition with a special focus on reading development from birth to school-age. Through in-class discussions and case studies, students will learn how to apply assessments and evaluate appropriateness of assessment/treatment plan in evaluating or treating children with reading impairment. In addition, students will learn evidence-based practice in reading intervention and learn how to collect qualitative and quantitative data to monitor progress.

At the end of the course, it is anticipated that students will be able to understand core concepts, research and clinical issues central to reading acquisition.

1. Learn basic concepts, terminology, and theory in reading acquisition.
2. Understand behavioral assessments which can be used to evaluate a child's pre-reading or reading skills.
3. Apply assessment and/or treatment questions to case examples.
4. Evaluate appropriateness of assessment and/or treatment plans.

5. Develop evidence-based experiments.
6. Understand the use of qualitative and quantitative data in monitoring treatment progress.
7. Master interprofessional interactions through role playing.

### **EDPS 991: Developmental Cognitive Neuroscience**

Schedule: Offered spring semesters, alternating years (Spring 2019, Spring 2021, etc.)

#### *Course description:*

This is an advanced reading and discussion-based course that will focus on current findings and research in the area of developmental cognitive neuroscience. You will learn about how neuroimaging, genetics, animal neuroscience, neuropsychological case studies, and other biology-based measures have informed the understanding of children's cognitive development, including memory development, language development, reading and mathematics, and social cognition. You will be encouraged to consider whether and how these findings translate to and inform applied practice in diverse educational contexts.

#### Course goals:

- You will develop a solid foundational knowledge of different stages/processes of brain development and how these neural changes coincide with changes in children's cognitive processes.
- You will be able to describe the importance of a developmental perspective in neuroscience and will apply this perspective when evaluating neuroscience research.
- You will be able to distill relevant information from the developmental cognitive neuroscience literature to inform applied practice in educational and therapeutic contexts.

### **EDPS 922: Mind, Brain, and Education**

Schedule: Offered every fall semester

#### *Course Description:*

This is a graduate-level introductory course, designed to provide graduate students (especially, those who pursue their career in the field of education) with the overview of educational neuroscience. Educational neuroscience has increasingly gained prominence as an interdisciplinary science that integrates neuroscience, psychology, and education. Although we primarily focus on neuropsychological perspectives on major educational issues, it is not required for students to have any background in neuroscience – graduate students from any program and department are welcome.

The goals are (1) to understand the neurobiological mechanisms in educational contexts and (2) to encourage students to apply the neuropsychological knowledge to their academic interests, such as teaching, learning, child/adolescent well-being in schools, and so forth. To achieve these goals, I widely cover current trends and research in developmental, cognitive, affective, clinical, and social neuroscience, as well as physiology and genetics, that have implications for promoting learning performance and healthy development in children and adolescents.

## **PSY 865: Behavioral Neuroscience**

Schedule: Offered every spring semester

### *Course description:*

Psychology is the study of the mind and behavior. Behavioral Neuroscience (also known as Physiological Psychology) is one branch of psychology that focuses on the biological bases of behavior, particularly focusing on the role of the brain.

The goal of this class is to provide a broad overview of this large, complex and highly interesting field. The semester will be organized into 4 sections, each followed by a non-cumulative exam. Section 1 will cover neuroanatomy, neurochemistry (including addiction) and brain development and aging. Section 2 will focus on sensorimotor processing and control. Section 3 will feature homeostatic processes (including obesity), sleep, and normal and abnormal emotion processing. Finally, section 4 will cover topics of neuropsychology, including memory, attention, executive functioning, language, and clinical neuropsychological assessment.

The course will closely follow the chapter organization of our text, with a few additional topics thrown in, based on my research experience in the field. The instructor will provide separate readings as needed for these topics.

# EDPS 991: Developmental Cognitive Neuroscience

Thursdays, 9.30AM – 12.20PM

Rm 139 TEAC



Instructor name: Caron (Carrie) Clark

Office: 241 TEAC

Contact info: [cclark4@unl.edu](mailto:cclark4@unl.edu); (402) 472 2248

Office hours: By appointment. I am generally in my office on Tuesday afternoons and Thursday afternoons.

**Course prerequisites:** NA. However, it is strongly recommended that you take a course in general cognitive development prior to taking this course.

**Required materials:** NA. Readings will be posted on CANVAS

**Recommended texts:** Johnson, M. H., & de Haan, M. (2015). Developmental

Cognitive Neuroscience, 4<sup>th</sup> Ed. London: Wiley Blackwell.

This is an advanced reading and discussion-based course that will focus on current findings and research in the area of developmental cognitive neuroscience. You will learn about how neuroimaging, genetics, animal neuroscience, neuropsychological case studies, and other biology-based measures have informed the understanding of children's cognitive development, including memory development, language development, reading and mathematics, and social cognition. You will be encouraged to consider whether and how these findings translate to and inform applied practice in diverse educational contexts.

## Course goals

- You will develop a solid foundational knowledge of different stages/processes of brain development and how these neural changes coincide with changes in children's cognitive processes.
- You will be able to describe the importance of a developmental perspective in neuroscience and will apply this perspective when evaluating neuroscience research.
- You will be able to distill relevant information from the developmental cognitive neuroscience literature to inform applied practice in educational and therapeutic contexts.

The course is structured to help you meet these objectives in the following ways: 1) I will provide an overview each week of the main findings and debates from developmental cognitive neuroscience research on the topic; 2) you will reflect on and provide summaries of the readings to develop your knowledge and encourage you to consider different perspectives; 3) you will select one topic and prepare an in-depth literature review on this topic; 4) you will consider practical implications of developmental cognitive research during student facilitations and reflections and when preparing an information sheet for a lay audience based on a specific area of developmental cognitive neuroscience research.

## Course Requirements

Assessment	Points
Reading summaries/reflections	70
Class facilitation	50
Literature review	90
Public information sheet	40

## Reading summaries/reflections (70 points)

On ten separate occasions (see course schedule below), you should prepare a two-page summary and reflection based on all of the readings for the week, i.e., you can integrate the 'topical' and standard

readings. Each summary will be worth 7 points. Your summary should be submitted in class and you should use it to inform your discussion of the readings. The summary should address the following questions:

- 1) Summarize the key assertions or take-home points from the readings in a few sentences
- 2) How do the readings compliment or contradict each other and how do they relate to other points we've considered in the course?
- 3) How is the role of development highlighted in the readings or, if not, how could the authors have better integrated a developmental perspective?
- 4) What are some limitations or confusing points in the reading and why?
- 5) What are 2 practical points or conclusions you took from the readings that you or an educational practitioner could use? If you couldn't come up with practical points, explain why.

### **Class facilitation (50 points)**

At the beginning of the semester, each student will be assigned a week to present on. You should choose a paper that relates to the topic for that week in a practical, applied way or that reflects a controversial, topical issue. I will post potential papers on CANVAS and you are free to use these papers but you are also free to search for and select a different paper that interests you, as long as it is related in some way to the topic and as long as it relates to neurocognitive development. There are many, many other topics you could choose, e.g., music and brain development, substance exposure and neurocognitive development, social discrimination and cognitive development, inflammation and cognitive development, etc. Be sure to send me the paper you choose one week prior to the class so that I can post it on CANVAS. You should prepare a brief summary of the reading to present to your peers. You should also prepare 3 discussion questions for the class. Note: If nobody is assigned to present on a given week, we will discuss a paper that I select. The grading rubric for this assignment is as follows.

Student is well-prepared and clearly has researched the topic. Students who send their papers late will lose points.	15
Student provides a clear summary of the reading	10
Student presents thoughtful discussion questions	10
Student uses readings and research to provide recommendations for practice and application	10
Student notes at least 2 directions for further research	5

### **Literature review (90 points, due in class on the final day of class)**

Select one topic from the class schedule that interests you (e.g., declarative memory development, spatial development, reading development, social cognition, stress, plasticity).

- Write a review of developmental cognitive neuroscience literature on this topic.
- Your review should discuss current perspectives and findings, controversial or unresolved issues, and directions for further research.
- You may prefer to curtail your discussion to a particular age range (e.g., prenatal development, infancy, childhood, adolescence, aging populations) or specific aspect of the topic, e.g., theory of mind. You may also discuss the research in relation to a population with atypical development, e.g., ADHD, autism, learning disabilities, or a genetic abnormality OR you may review the relation of neurocognitive development to a social, demographic or cultural factor, e.g. health disparities, gender identity.
- You should note the strengths and limitations of research approaches to this topic.
- Your review should be 8-10 double-spaced, 12-point font pages in length (not including references). Please note that I am happy to read and provide critical feedback on your paper or discuss your ideas at any time prior to 1 week before the due date. I encourage you to talk to me regularly about your progress in thinking.

The grading rubric is as follows:

Student selects appropriate sources and includes at least 8 citations from peer-reviewed journal articles	10
The paper is focused on <i>neurological perspectives</i> and <i>cognitive development</i>	10
The paper is well organized and presents a logical, coherent argument or thesis. Studies are integrated appropriately in relation to this argument and there is good flow.	20
The student provides an in-depth discussion of the limitations and strengths of the various studies he/she selects	20
Multiple viewpoints, perspectives or approaches to the topic are presented and discussed	10
The student provides a logical, coherent conclusion with directions for future research	10
The paper is formatted according to APA standards and well-edited	10

### Public information sheet (40 points, due in class on the final day of class)

You should prepare a 1-2 page information sheet appropriate for a lay audience based on your literature review topic. The information sheet should provide research-informed advice and information about the topic that a parent, teacher, or other non-academic audience member might find useful and applicable. For instance, if your literature review was based on mathematics, you could explain the importance of the 'approximate number system' for mathematics development and suggest ways in which educators and parents might encourage children's approximate number sense based on your literature review. The information sheet should follow the NebGuide framework (<http://extensionpubs.unl.edu/search/?category=YFA>). All points should be based on the research you have reviewed but should convey the research in simple language that is appropriate for a non-academic audience. You may wish to provide a list of non-academic, appropriate resources/websites that people could consult for useful ideas and educational activities. You should prepare a 5-minute overview of your information sheet to share with the class on the final day of the course. Each student in the class will also receive a copy of your information sheet. Your peers will provide ratings of your presentation and pamphlet. That is, they will rate how useful and appealing they find the information sheet. Although you do not need to use APA-formatted citations in the guide itself, you should provide a list of references that support your points at the end of the guide.

The information sheet is written in simple, non-academic language that could be easily understood by a lay audience	10
The student has provided practical tips and advice that is accurate and in-keeping with the literature he/she has reviewed	15
The information sheet is visually appealing and easy to read, with appropriate headings, white space, and images	5
Class peers provide a positive review of the information sheet	10

Below is a summary of my grading policy for the course:

Letter Grade	%	Points
<b>A+</b>	95-100	238-250
<b>A</b>	90-94	225-237
<b>A-</b>	85-89	213-224
<b>B+</b>	80-84	200-212
<b>B</b>	75-79	188-199
<b>B-</b>	70-74	175-187
<b>C</b>	60-69	150-174
<b>D</b>	50-59	125-149
<b>F</b>	<50	<125

## **OTHER IMPORTANT INFORMATION**

### **Accommodations**

Any student who feels that she or he may need an accommodation based on the impact of a disability for any part of this course is encouraged to contact me privately to discuss any accommodation needs as determined by Services for Students with Disabilities. This includes students with mental health disabilities like depression and anxiety. It is the policy of the University of Nebraska-Lincoln to provide individualized accommodations to students with documented disabilities that may affect their ability to fully participate in course activities or meet course requirements. To receive accommodation services, students must be registered with Student Disabilities Services, which is located in 232 Canfield (472-3787).

### **Diversity statement**

The University of Nebraska-Lincoln is committed to a pluralistic campus community through Affirmative Action and Equal Opportunity. We assure reasonable accommodation under the Americans with Disabilities Act. Students with disabilities are encouraged to contact me for a confidential discussion of their individual needs for academic accommodation. It is the policy of the University of Nebraska-Lincoln to provide flexible and individualized accommodation to students with documented disabilities that may affect their ability to fully participate in class activities or to meet course requirements. To receive accommodation services, students must be registered with the Services for Students with Disabilities (SSD) office, 132 Canfield Administration, 472-3787 voice or TTY.

As an academic and member of the UNL community, I value diversity and inclusion in the classroom and in research. I encourage you to think of my classroom as a place where we value different perspectives, a learning environment that is open to all, and a place for research-informed discussion and debate.

### **Academic honesty**

Academic honesty is essential to the existence and integrity of an academic institution. The responsibility for maintaining that integrity is shared by all academic community members. To further serve this end, the University supports a Student Code of Conduct, which addresses the issue of academic dishonesty. For more information, see <http://cehs.unl.edu/edpsych/academic-integrity/> and <http://www.unl.edu/gradstudies/current/integrity#plagiarism>. As a graduate student, you can be expelled from university for academic dishonesty and I will report it to the disciplinary committee, no exceptions!

### **Citations and formatting**

To avoid plagiarism and ensure academic honesty, you need to cite all of your sources using APA format. Losing grades just because of poor referencing is ... well... sad. That said, you may not have used APA formatting if you are in a different field. In this case, the following websites will be helpful to you: <https://owl.english.purdue.edu/owl/resource/560/01/>; <http://www.apastyle.org>; <http://www.bibme.org>

APA format includes a citation in the text of your paper after an assertion:

- Reference to some work (Surname/s, year).
- e.g., This effect was replicated using a wuzzle and a shnuzzel of a voke (Thing1 & Thing2, 2005).

AND a reference at the end of the paper in a reference list:

- Surname, F.M., Surname, F.M., & Surname, F.M. (year). Title of paper. Title of the journal, Vol(Num), firstpage – lastpage. DOI.
- e.g., Thing1, I.A., & Thing2, I.A. (2005). Bad things happen when I fail to cite. Journal of made up stuff, 4(8), 99-1000. Doi: IAMNOTREAL98765.

The authoritative source on APA formatting is: APA (2010). The publication manual of the American Psychological Association, 6th ed. Washington, DC: APA.



### Schedule of topics (subject to change as needed)

	Date	Topic	Readings	Potential student topics
1	01/10	Intro to the course and basic brain anatomy	K.R. Gibson (2011). Neuroanatomy for the non-specialist. In <i>Brain Maturation and Cognitive Development</i> . K.R.Gibson & A.C. Peterson Eds. New Brunswick: Aldine Transaction.	
2	01/17	Prenatal brain development	Stiles, J., & Jernigan, T.L. (2010). The basics of brain development, <i>Neuropsychol. Review</i> , 20, 327-344.  Hoff, A.J., et al. (2013). On the development of functional brain connectivity in the young brain. <i>Frontiers in Human Neuroscience</i> , 7, 650.	
3*s	01/24	Theoretical and methodological approaches and methods in developmental cognitive neuroscience	Westermann et al., (2007). Neuroconstructivism. In <i>The Wiley-Blackwell handbook of Childhood cognitive development</i> . U Goswami (Ed.) London: Wiley-Blackwell.  D'Souza, H. & Karmiloff-Smith, A. (2017). Neurodevelopmental Disorders. <i>WIREs Cognitive Science</i> , 8, e1398.	Prenatal stress and the DOHAD model
4*s	01/31	Genetic and epigenetic mechanisms	Johnson, M.H., & de Haan (2015). From gene to brain. <i>Developmental Cognitive Neuroscience</i> , pp. 32-42. London: Wiley Blackwell.  Lester, B.M., Conradt, E., & Marsit, C. (2016). Introduction to the special section on epigenetics. <i>Child Dev</i> , 87, 29-37.  Tucker-Drob, E., Briley, D.A., & Harden, K.P. (2013). Genetic and environmental influences on cognition across development and context. <i>Current Directions in Psychological Science</i> , 22, 349.	The “genetics of success/intelligence”
5*s	02/07	Early foundations: Perception, orienting and exogenous attention	Knudsen (2004). Sensitive periods in the development of brain and behavior. <i>Journal of Cognitive Neuroscience</i> , 16, 1412-1425.  Amso, D., & Scerif, G. (2015). The attentive brain: insights from developmental cognitive neuroscience. <i>Nature Reviews Neuroscience</i> , 16, 606-619.  Colombo, J. (2001). The development of attention in infancy. <i>Annual Rev. Psych</i> , 52, 337-367.	Nutrition/the microbiome and neurocognitive development
6*	02/14	Development of memory (focus on implicit memory)	Bauer, P.J. (2007). Toward a neuro-developmental account of the development of declarative memory. <i>Developmental Psychobiology</i> , 50, 19-31.  Nelson, C.A. Ontogeny of Human Memory. In <i>Brain Development and Cognition: A Reader</i> .	LECTURE & MATERIALS ONLINE <b>DO NOT COME TO CLASS</b>

			Eds. Johnson, M.A., Munakata, Y., Gilmore, R., London: Blackwell.	
7*s	02/21	Development of memory (focus on autobiographical memory)	Ghetti & Bunge (2012). Neural changes underlying the development of episodic memory during middle childhood. <i>Developmental Cognitive Neuroscience</i> , 2, 381.	The role of sleep in learning and memory
8*s	02/28	Development of visuospatial processing	de Haan, M., Nelson, C.A. & Thomas, K.M. (2006) <i>Neuroscience of cognitive development</i> , pp. 100-107. Honoken, N.J.: Wiley.  Stiles, J., Briana, P. & Ark, W. The development of visuospatial processing. In <i>Handbook of developmental cognitive neuroscience</i> , 2 <sup>nd</sup> ed. Nelson, C.A., & Luciana, M. (Eds). Cambridge, MA: MIT.	Video games and visuo-spatial development
9*s	03/07	Development of language	Weiss-Croft, L. J., & Baldeweg, T. (2015). Maturation of language networks in children: A systematic review of 22 years of functional MRI. <i>NeuroImage</i> , 123, 269-281.  Kuhl, P.K. (2011). Early language learning and literacy: Neuroscience implications for education. <i>Mind, Brain and Education</i> , 5, 128-142.  Berken et al., (2017). Early bilingualism, language attainment and brain development. <i>Neuropsychologia</i> , 98, 220-227.	Autism and early speech processing
10*s	03/14	Development of executive control and endogenous attention	Perone, S., Almy, B., & Zelazo, P.D. Toward and understanding of the neural basis of executive function development. In <i>The Neurobiology of Brain and Behavioral Development</i> . Gibb, R. & Kolb, B. (Eds). London: Elsevier.  Luna, B., Padmanabhan, A., & O'Hearn, K. (2010). What has fMRI told us about the development of executive control through adolescence. <i>Brain &amp; Cognition</i> , 72, 101.	The dual process model and adolescent risk-taking
	03/21	SPRING BREAK		ENJOY!!!
11*s	03/28	Development of social cognition	Kilford, E.J., Garret, E. & Blakemore, S.J. (2016). The development of social cognition in adolescence. An integrated perspective. <i>Neuroscience and Biobehavioral Reviews</i> , 70, 106-120.  Soto-Icaza, P., Aboitiz, F. & Billeke, P. (2015). Development of social skills in children: Neural and behavioral evidence for the elaboration of cognitive models. <i>Frontiers in Neuroscience</i> , 9, article 333.	Impact of media exposure on brain and cognitive development

12*s	04/04	Neural development of academic skills	<p>Hruby, G. G., &amp; Goswami, U. (2011). Neuroscience and reading: A review for reading education researchers. <i>Reading Research Quarterly</i>, 46, 156-172.</p> <p>Dehaen, S. &amp; Cohen, L. (2007). Cultural recycling of cortical maps. <i>Neuron</i>, 65, 384-398.</p> <p>Ansari, D. (2010). Neurocognitive approaches to development of numerical and mathematical cognition: The perils of neglecting the role of development. <i>Learning and Individual Differences</i>, 20, 123-129.</p>	Sex differences and similarities in brain development
13s*	04/11	Stress and the developing brain	<p>Lupien, S.J., McEwan, B., Gunnar, M., &amp; Heim, C. (2009). Effects of stress throughout the lifespan on the brain, behavior, and cognition. <i>Nature Reviews Neuroscience</i>, 10, 434-445.</p> <p>Chen, Y. &amp; Baram, T.Z. (2016). Toward understanding how understanding early-life stress reprograms cognitive and emotional development. <i>Neuropsychopharmacology</i>, 41, 197-206.</p>	Childhood poverty and neurocognitive development
14s*	04/18	Neuroplasticity: Challenges, promises, and implications	<p>Bryck, R.L., &amp; Fisher, P.A. (2012). Training the brain: Practical applications of neural plasticity from the intersection of cognitive neuroscience, developmental psychology and prevention science. <i>American Psychol</i>, 67, 87-100.</p> <p>Jolles, D.D., &amp; Crone, E.A. (2012). Training the developing brain: A neurocognitive perspective. <i>Frontiers in Human Neuroscience</i>, 6, 76.</p>	'Brain training' and cognitive aging
15	04/25	Information sheet presentations and course wrap-up		

\*Students may provide a summary/reflection.

S Student presentation topic

## EDPS 922 – Mind, Brain, and Education

Fall Semester 2018

College of Education and Human Sciences

University of Nebraska-Lincoln

### **Class Meetings:**

Thursdays, 9:00 a.m. – 11:50 a.m., Burnett Hall (BURN) 202

**Instructor:** Hideo Suzuki, Ph.D.

**Office Location:** Teachers College Hall (TEAC) 230

**Office Hours:** Mondays, 4:20 p.m. – 5:20 p.m. or by appointment

**E-mail:** [hsuzuki2@unl.edu](mailto:hsuzuki2@unl.edu)

**Course Credit:** 3 hours

### **Required Readings:**

- Mareschal, D., Butterworth, B., & Tolmie, A. (2013). *Educational neuroscience*, Oxford, UK: Wiley-Blackwell.
- Selected reading materials (see *Course Schedule* in the below).
  - These readings will be available online on Canvas during the semester. You are expected to read the assigned reading for class preparation.

### **Optional Reading:**

American Psychological Association. (2010). *The publication manual of the American Psychological Association* (6th ed.), Washington, DC: American Psychological Association.

### **Course Objectives and Descriptions:**

This is a graduate-level introductory course, designed to provide graduate students (especially, those who pursue their career in the field of education) with the overview of educational neuroscience. Educational neuroscience has increasingly gained prominence as an interdisciplinary science that integrates neuroscience, psychology, and education. Although we primarily focus on neuropsychological perspectives on major educational issues, it is not required for students to have any background in neuroscience – graduate students from any program and department are welcome!

The goals are (1) to understand the neurobiological mechanisms in educational contexts and (2) to encourage students to apply the neuropsychological knowledge to their academic interests, such as teaching, learning, child/adolescent well-being in schools, and so forth. To achieve these goals, I widely cover current trends and research in developmental, cognitive, affective, clinical, and social neuroscience, as well as physiology and genetics, that have implications for promoting learning performance and healthy development in children and adolescents.

### **Class Format:**

Prior to each class, students write a reaction paper reflecting on the previous class and do a week's reading assignment. In class, students briefly present their reaction paper, share their thoughts and opinions with other peers, and review the previous class materials. Then, I use PowerPoint slides and give a lecture providing neurobiological information, which helps students

understand the topic and readings of the week. The outline of my lecture is available on Canvas. Lastly, a group of students presents one research paper (labeled as “*R*” in the *Course Schedule*) from the week’s readings and leads a class discussion of them.

### Course Requirements:

1. Class participation (10 points)

I grade students’ class participations based on my perception of their contributions to class discussions. Students need to be actively involved in presenting their own opinions and listening the opinions of others in class discussions. These actions are essential in a career path and many ways in life.

2. Short reaction papers (5 points × 14 papers)

In each class, students need to submit a 1- or 2-paged reaction paper (hand- or type-written) in response to the *previous class* (not upcoming topic). In class, students present a summary of their reaction paper and share their thoughts and opinions with other peers. The purpose of this activity is (1) to review your understanding of the previous materials, (2) to improve your critical thinking skills, and (3) to understand other students’ perspectives. Here are some examples that can be discussed in a reaction paper:

- What do you think about a research finding?
- Do you agree or disagree with a research finding? Why?
- Can you address different viewpoints on the previous theme?
- Assess whether a research finding can be applicable in educational contexts.

3. Class presentations (40 points)

In each week, there are three reading materials which students have to read prior to class. One of the reading materials is a research paper (labeled “*R*” in the *Course Schedule*), whereas the other two are conceptual/review papers which include Mareschal et al’s (2013) chapters (labeled “*C*” in the *Course Schedule*). Each student is paired with another peer/other peers and presents the research paper from the week’s readings in collaboration with the peer. To prepare for their presentations, students should use the “Reading Guide for Neuroimaging Article” document, which is available on Canvas. Please fill it out, bring its copies to class, and present an overview of the research paper in 20 min according to the “Reading Guide for Neuroimaging Article.” At the end of their presentations, students also need to lead and facilitate a discussion of the research paper (e.g., raising questions, educational implications) in class.

4. Written Papers (40 points × 2 papers)

There are mid-term and final papers, which are 10-12 paged, type-written, double-spaced, and 12-point font. Detailed information about these paper assignments is announced later. Students need to format the papers according to the APA writing style. For details, please refer to *The publication manual of the American Psychological Association* (6th ed.) or OWL (<https://owl.english.purdue.edu/owl/resource/560/01/>).

**Course Grades and Grading Scale:**

A student's performance is evaluated in the following. Course grades are posted on Canvas.

<b>Coursework</b>	<b>Points</b>
Class participation	10
Reaction papers	70
Class presentations	40
Written papers	80
Total	200

Below is a summary table of my grading policy.

<b>Letter Grade</b>	<b>Percentage</b>	<b>Points</b>
A+	97-100	194-200
A	93-96	186-193
A-	90-92	180-185
B+	87-89	174-179
B	83-86	166-173
B-	80-82	160-165
C+	77-79	154-159
C	73-76	146-153
C-	70-72	140-145
D+	67-69	134-139
D	63-66	126-133
D-	60-62	120-125
F	0-59	0-119

**Academic Honesty:**

Academic honesty is essential to the existence and integrity of an academic institution. The responsibility for maintaining that integrity is shared by all academic community members. To further serve this end, the University supports a Student Code of Conduct (<http://stuafs.unl.edu/dos/code>) which addresses the issue of academic dishonesty. Plagiarism or academic dishonesty (in any aspect of the course) may result in a failing grade and applicable penalties according to UNL guidelines.

**Accommodations:**

Any student who feels that she or he may need an accommodation based on the impact of a disability is encouraged to contact me privately to discuss any needs for accommodations.

**Diversity Statement:**

The University of Nebraska-Lincoln is committed to a pluralistic campus community through Affirmative Action and Equal Opportunity. In order to foster an open and comfortable learning environment, this class will follow the Diversity Policy at UNL: [http://stuafs.unl.edu/sa\\_policies\\_diversity.shtml](http://stuafs.unl.edu/sa_policies_diversity.shtml)

**Services for Students with Disabilities:**

Students with disabilities are encouraged to contact the instructor or teaching assistant for a confidential discussion of their individual needs for academic accommodation. It is the policy of

the University of Nebraska-Lincoln to provide flexible and individualized accommodations to students with documented disabilities that may affect their ability to fully participate in course activities or to meet course requirements. To receive accommodation services, students must be registered with the Services for Students with Disabilities (SSD) office (<http://www.unl.edu/ssd/>), 132 Canfield Administration, 472-3787 voice or TTY.

### Availability of the UNL Writing Center:

I strongly recommend all students to visit the UNL Writing Center (<http://www.unl.edu/writing/home>) for their writing, especially for their final paper. To earn a better score, a final paper should be clear and well-organized.

### Course Schedule (schedule may be subject to change as needed by instructor):

Dates	Topic and reading assignment of the week	Coursework
Aug. 23	<b>Week 1: Introduction to Educational Neuroscience</b> <ul style="list-style-type: none"> <li>• <i>Supplemental</i>: Chapter 1 (Mareschal et al., 2013).</li> <li>• <i>Supplemental</i>: Fischer, K.W., Goswami, U., &amp; Geake, J. (2010). The future of educational neuroscience. <i>Mind, Brain, and Education</i>, 4(2), 68-80.</li> </ul>	Presentation assignment
<b>Complex Brain Functions</b>		
Aug. 30	<b>Week 2: Nervous System and Neuroimaging Methods</b> <ul style="list-style-type: none"> <li>• C: Chapter 2 (Mareschal et al., 2013).</li> <li>• C: Mayfield Clinic. (April, 2018). <i>Anatomy of the brain</i>. Available at <a href="https://mayfieldclinic.com/pe-anatbrain.htm">https://mayfieldclinic.com/pe-anatbrain.htm</a>.</li> </ul>	RP #1
Sep. 6	<b>Week 3: Brain Development</b> <ul style="list-style-type: none"> <li>• C: Stiles, J., &amp; Jernigan, T.L. (2010). The basics of brain development. <i>Neuropsychology Review</i>, 20(4), 327-348.</li> <li>• C: Giedd, J.N., &amp; Rapoport, J.L. (2010). Structural MRI of pediatric brain development: What have we learned and where are we going? <i>Neuron</i>, 67(5), 728-734.</li> <li>• R: Goddings, A.L., Mills, K.L., Clasen, L.S., Giedd, J.N., Viner, R.M., &amp; Blackmore, S.J. (2014). The influence of puberty on subcortical brain development. <i>Neuroimage</i>, 88, 242-251.</li> </ul>	RP #2 CP #1
Sep. 13	<b>Week 4: Attention</b> <ul style="list-style-type: none"> <li>• C: Petersen, S. E., &amp; Posner, M. I. (2012). The attention system of the human brain: 20 years after. <i>Annual Review of Neuroscience</i>.</li> <li>• C: Knudsen, E. I. (2007). Fundamental components of attention. <i>Annual Review of Neuroscience</i>, 30, 57-78.</li> <li>• R: Murphy, C.M., Christakou, A., Daly, E.M., Ecker, C., Giampietro, V., Brammer, M., Smith, A.B., Johnston, P., Robertson, D.M., MRC AIMS Consortium, Murphy, D.G., &amp; Rubia, K. (2014). Abnormal functional activation and maturation of fronto-striato-temporal and cerebellar regions during sustained attention in autism spectrum</li> </ul>	RP #3 CP #2

	disorder. <i>American Journal of Psychiatry</i> , 171(10), 1107-1116.	
Sep. 20	<b>Week 5: Memory</b> <ul style="list-style-type: none"> <li>C: Squire, L. R., &amp; Wixted, J. T. (2011). The cognitive neuroscience of human memory since H.M. <i>Annual Review of Neuroscience</i>, 34, 259-288.</li> <li>C: Klingberg, T. (2010). Training and plasticity of working memory. <i>Trends in Cognitive Sciences</i>, 14, 317-324.</li> <li>R: Talavage, T.M., Nauman, E.A., Breedlove, E.L., Yoruk, U., Dye, A.E., Morigaki, K.E., Feuer, H., &amp; Leverenz, L.J. (2014). Functionally-detected cognitive impairment in high school football players without clinically-diagnosed concussion. <i>Journal of Neurotrauma</i>, 31(4), 327-338.</li> </ul>	RP #4 CP #3
Sep. 27	<b>Week 6: Emotion</b> <ul style="list-style-type: none"> <li>C: Chapter 11 (Mareschal et al., 2013).</li> <li>C: Cozolino, L. (2013). How emotional attunement stimulates learning. In <i>The social neuroscience of education: Optimizing attachment and learning in the classroom</i> (pp. 139-158). New York, NY: W. W. Norton &amp; Company.</li> <li>R: Romund, L., Raufelder, D., Flemming, E., Lorenz, R.C., Pelz, P., Gleich, T., Heintz, A., &amp; Beck, A. (2016). Maternal parenting behavior and emotion processing in adolescents-an fMRI study. <i>Biological Psychology</i>, 120, 120-125.</li> </ul>	RP #5 CP #4
Oct. 4	<b>Week 7: Planning, Decision Making, and Reasoning</b> <ul style="list-style-type: none"> <li>C: Chapter 9 (Mareschal et al., 2013).</li> <li>C: Johnson, M.H., &amp; de Haan, M. (2015). Prefrontal cortex, working memory, and decision-making. In <i>Developmental cognitive neuroscience</i> (4th ed.) (pp. 183-196). West Sussex, UK: John Wiley &amp; Sons.</li> <li>R: Chang, H.-J., Kang, J. Ham, B.-J., &amp; Lee, Y.-M. (2016). A functional neuroimaging study of the clinical reasoning of medical students. <i>Advances in Health Sciences Education</i>, 21(5), 969-982.</li> </ul>	RP #6 CP #5
<b>Brain Functions in Education</b>		
Oct. 11	<b>Week 8: Executive Functions</b> <ul style="list-style-type: none"> <li>C: Chapter 12 (Mareschal et al., 2013).</li> <li>C: Allan, J.L., McMinn, D., &amp; Daly, M. (2016). A bidirectional relationship between executive function and health behavior: Evidence, implications, and future directions. <i>Frontiers in Neuroscience</i>, 10, 386.</li> <li>R: Spielberg, J.M., Galarce, E.M., Ladouceur, C.D., McMakin, D.L., Olino, T.M., Forbes, E.E., Silk, J.S., Ryan, N.D., Dahl, R.E. (2015). Adolescent development of</li> </ul>	RP #7 CP #6 Mid-term paper due



	inhibition as a function of SES and gender: Converging evidence from behavior and fMRI. <i>Human Brain Mapping</i> , 36, 3194-3203.	
Oct. 18	<b>Week 9: Speech, Language, and Literacy</b> <ul style="list-style-type: none"> <li>• C: Chapter 6 (Mareschal et al., 2013).</li> <li>• C: Chapter 7 (Mareschal et al., 2013).</li> <li>• R: Chai, X.J., Berken, J.A., Barbeau, E.B., Soles, J., CHalahan, M., Chen, J.K., &amp; Klein, D. (2016). Intrinsic functional connectivity in the adult brain and success in second-language learning. <i>Journal of Neuroscience</i>, 36(3), 755-761.</li> </ul>	RP #8 CP #7
Oct. 25	<b>Week 10: Mathematical and Visuospatial Learning</b> <ul style="list-style-type: none"> <li>• C: Chapter 8 (Mareschal et al., 2013).</li> <li>• C: Butterworth, B., Varma, S., &amp; Laurillard, D. (2011). Dyscalculia: From brain to education. <i>Science</i>, 332(6033), 1049-1053.</li> <li>• R: Price, G.R., Mazzocco, M.M., &amp; Ansari, D. (2013). Why mental arithmetic counts: Brain activation during single digit arithmetic predicts high school math scores. <i>Journal of Neuroscience</i>, 33(1), 156-163.</li> </ul>	RP #9 CP #8
Nov. 1	<b>Week 11: Social Development</b> <ul style="list-style-type: none"> <li>• C: Chapter 10 (Mareschal et al., 2013).</li> <li>• C: Burnett, S., Sebastian, C., Cohen Kadosh, K., &amp; Blakemore, S.J. (2011). The social brain in adolescence: Evidence from functional magnetic resonance imaging and behavioural studies. <i>Neuroscience and Biobehavioral Reviews</i>, 35, 1654-1664.</li> <li>• R: von Der Heide, R., Vyas, G., &amp; Olson, I.R. (2014). The social network-network: Size is predicted by brain structure and function in the amygdala and paralimbic regions. <i>Social Cognitive and Affective Neuroscience</i>, 9(12), 1962-1972.</li> </ul>	RP #10 CP #9
Nov. 8	<b>Week 12: Internalizing Behavior Problems</b> <ul style="list-style-type: none"> <li>• C: Tseng, W.L., Leibenluft, E., &amp; Brotman, M.A. (2014). A systems neuroscience approach to the pathophysiology of pediatric mood and anxiety disorders. <i>Current Topics in Behavioral Neurosciences</i>, 16, 297-317.</li> <li>• C: Elliott, R., Zahn, R., Deakin, J.F., &amp; Anderson, I.M. (2011). Affective cognition and its disruption in mood disorders. <i>Neuropsychopharmacology</i>, 36(1), 153-182.</li> <li>• R: Barch, D., Pagliaccio, D., Belden, A., Harms, M.P., Gaffrey, M., Sylvester, C.M., Tillman, R., &amp; Luby, J. (2016). Effects of hippocampal and amygdala connectivity on the relationship between preschool poverty and school-</li> </ul>	RP #11 CP #10

	age depression. <i>American Journal of Psychiatry</i> , 173(6), 625-634.	
Nov. 15	<b>Week 13: Externalizing Behavior Problems</b> <ul style="list-style-type: none"> <li>• C: Crone, E.A., van Duijvenvoorde, A.C.K., &amp; Peper, J.S. (2016). Annual research review: Neural contributions to risk-taking in adolescence – developmental changes and individual differences. <i>Journal of Child Psychology and Psychiatry</i>, 57(3), 353-368.</li> <li>• C: Friedman, L.A., &amp; Rapoport, J.L. (2015). Brain development in ADHD. <i>Current Opinion in Neurobiology</i>, 30, 106-111.</li> <li>• R: Hummer, T.A., Wang, Y., Kronenberger, W.G., Dunn, D.W., &amp; Mathews, V.P. (2015). The relationship of brain structure to age and executive functioning in adolescent disruptive behavior disorder. <i>Psychiatry Research: Neuroimaging</i>, 231(3), 210-217.</li> </ul>	RP #12 CP #11
Nov. 22	No Class (Thanksgiving Vacation)	
Nov. 29	<b>Week 14: Cognitive and Emotional Intelligence</b> <ul style="list-style-type: none"> <li>• C: Deary, I.J. (2012). Intelligence. <i>Annual Review of Psychology</i>, 63, 453-482.</li> <li>• C: Bechara, A., &amp; Bar-On, R. (2006). Neurological substrates of emotional and social intelligence: Evidence from patients with focal brain lesions. In J.T. Cacioppo, Visser, P.S., &amp; Pickett, C.L. (Eds.), <i>Social neuroscience: People thinking about thinking people</i> (pp. 13-40). Cambridge, MA: MIT Press.</li> <li>• R: Brouwer, R.M., van Soelen, I.L., Swagerman, S.C., Schnack, H.G., Ehli, E.A., Kahn, R.S., Hulshoff Pol, H.E., &amp; Boomsma, D.I. (2014). Genetic associations between intelligence and cortical thickness emerge at the start of puberty. <i>Human Brain Mapping</i>, 35(8), 3760-3773.</li> </ul>	RP #13 CP #12
Dec. 6	<b>Week 15: Neuropsychological Implications in Education</b> <ul style="list-style-type: none"> <li>• <i>Supplemental</i>: Chapter 3 (Mareschal et al., 2013).</li> </ul>	RP #14 Final paper due

Note: RP=Reaction Papers; CP=Class Presentations.

**PSYC 465/865 BIOS 465**  
**Behavioral Neuroscience**  
**Spring 2019**  
**Tue/Thur 2-3:15**  
**LPH 141**

**Instructor:** Dr. Cary Savage  
**TA:** Caitlin Masterson

**Office:** Center for Brain, Biology and Behavior (CB3) CR level (entrance at southeast corner of stadium)  
**Office Hours:** Tuesday/Thursday 3:30-4:30, or by appointment  
**Email:** [csavage@unl.edu](mailto:csavage@unl.edu) [cmasterson2@unl.edu](mailto:cmasterson2@unl.edu)

### **Course Description**

Psychology is the study of the mind and behavior. Behavioral Neuroscience (also known as Physiological Psychology) is one branch of psychology that focuses on the biological bases of behavior, particularly focusing on the role of the brain. The goal of this class is to give you a broad overview of this large, complex and highly interesting field. The semester will be organized into 4 sections, each followed by a non-cumulative exam. Section 1 will cover neuroanatomy, neurochemistry (including addiction) and brain development and aging. Section 2 will focus on sensorimotor processing and control. Section 3 will feature homeostatic processes (including obesity), sleep, and normal and abnormal emotion processing. Finally, section 4 will cover topics of neuropsychology, including memory, attention, executive functioning, language, and clinical neuropsychological assessment. The course will closely follow the chapter organization of our text, with a few additional topics thrown in, based on my research experience in the field. I will provide separate readings as needed for these topics.

### **Required Text**

Breedlove and Watson (2018): *Behavioral Neuroscience* (8<sup>th</sup> edition)  
Occasional additional readings (journal articles) may be uploaded on Canvas

### **Course Objectives**

Students should aim to accomplish the following goals by the end of the course:

1. Identify and describe the various methods used to study the biological basis of behavior
2. Describe how information transfer and communication occur in the brain
3. Understand the roles of the major neurotransmitters and neural systems that are implicated in various psychological processes, such as cognition, emotion and motor control.
4. Read and critically evaluate behavioral neuroscience research
5. Understand the neural processes underlying different cognitive processes
6. Identify the major regions of the brain and describe their basic functions
7. Learn to synthesize a body of literature

### **Policies**

**Electronics:** Please minimize cell phone use and use laptops for note-taking only.

**Late assignments:** If an assignment is turned in within 24 hours of the due time and date, 10% will be deducted, and within 48 hours, 20% will be deducted. Assignments will not be accepted if they are over 48 hours late unless there are documentable serious problems. This should be very rare. If you have a documentable illness or emergency, the late policy is negotiable based on UNL policy. Please make sure to contact me as soon as possible in such circumstances.

**Students with disabilities:** It is the policy of the University of Nebraska-Lincoln to provide flexible and individualized accommodations to students with documented disabilities that may affect their ability to fully participate in course activities or to meet course requirements. To receive accommodation services, students must be registered with the Services for Students with Disabilities (SSD) office, 132 Canfield Administration, 472-3787 voice or TTY.

**Academic Integrity:** As students and scientists, we are expected to hold ourselves to a high academic standard. Therefore, we will conduct ourselves in accordance with the regulations of The University of Nebraska's Student Handbook. All violations (e.g., plagiarism, cheating, and/or inappropriate behavior) will be taken seriously and will be handled in accordance with University policy.

**Extra Credit:** Students are encouraged to participate in research offered in the Department of Psychology. Extra credit will be awarded for up to 10 SONA research credits. For each SONA credit completed, you will earn an added 0.5% on your final grade; thus, you can add up to 5% to your final grade. No more than ½ of SONA research credits (up to 5 SONA points) can be obtained through online studies (i.e., you are encouraged to sign up for IN-PERSON research studies). \*Be sure you list this course when signing up for studies to receive credit.

### **Expectations**

**Readings:** You are expected to read all required materials before the date on the class schedule (see below). We will cover some, but not all sections of the chapters during class. Therefore, it is important that you read the material (book chapters and outside readings) on your own outside of class. Exam material may include assigned material that was not reviewed in class.

**Participation:** Class attendance is expected. I may cover materials not included in the text and these are fair game for exams. You will have great difficulty doing well in this class if you do not attend on a regular basis. In fact, if you cannot maintain a high attendance rate, please drop this course.

**Exams:** There will be 4 exams, which you will take in the Exam Commons (see <https://its.unl.edu/dlc/students/> for more information). You will need to schedule a time to take the exams on your own. These tests are non-cumulative. Exam material will come from class lectures, the text, and assigned readings. If you are going to miss an exam, it is best to tell me beforehand and we can set up a time for you to take the exam *early*. I understand emergencies happen, so everyone will be allowed 1 make-up exam; however, 10% will be deducted from your final exam grade for each day you are late taking the exam. Exam format will include mostly multiple choice, true/false, and some short answers. Taken together, the 4 exams will count for 80% of your final grade (20% each).

- Regarding the final exam: we will not have a "final"; as exams are non-cumulative, exam 4 will be the last exam for the semester.

**Research Paper:** You are required to write a research paper of at least 5 pages in length (1-in margins, 12pt font, Times New Roman, double-spaced) on a behavioral neuroscience topic of your choosing (with my approval- see course outline). For this paper, you will research a topic and write a literature review using 5-7 empirical articles from professional, peer-reviewed journals. You may access peer-reviewed journals through online databases. The best online database is PubMed (<https://www.ncbi.nlm.nih.gov/pubmed>). The paper should not simply describe the studies; it must synthesize the material and be critical and evaluative. Try to come up with some original thoughts. You will submit your paper through Canvas. This will count for 15% of your final grade.

**Motivation Symposium Summary Paper:** The 2019 Nebraska Symposium on Motivation will be held April 11-12. We will not have class on April 11 but you will be required to attend the symposium during class time. If possible, I strongly encourage you to attend as much of the symposium as you can. You will be required to write a 1-2 page (1-in margins, 12pt font, Times New Roman, double-spaced) summary of what you learned/found interesting during the symposium. You will submit your paper through Canvas. This will count for 5% of your final grade.

**Grading:** A total of 100 points is available for your final grade.

Exam 1	20pts
Exam 2	20pts
Exam 3	20pts
Exam 4	20pts
Research Paper	15pts
Symposium Summary Paper	5pts
Total	100 points

The following scale is used to assign grades:

A: 90+

B+: 87-89

B: 80-86

C+: 77-79

C: 70-77 (Pass)

D: 60-69

F:  $\leq 59$

## Course Outline (tentative)

Jan 8	Introduction to Behavioral Neuroscience	Chapter 1
Jan 10	Functional Neuroanatomy and Neuroimaging	Chapter 2
Jan 15	Neurophysiology/neurochemistry	Chapters 3/4
Jan 17	Regulatory Behaviors: Addiction	Chapter 4
Jan 22	Lifespan Brain Development: Early development	Chapter 7
Jan 24	Lifespan Brain Development: Aging and Dementia	Chapter 7
Jan 29	Review for Exam 1	

**Exam 1 available**  
**January 29<sup>th</sup> – February 2<sup>nd</sup>**

Jan 31	Tour of the Center for Brain, Biology and Behavior	Attendance encouraged but not mandatory
Feb 5	Sensory Processing	Chapter 8
Feb 7	Hearing	Chapter 9
Feb 12	Vision	Chapter 10
Feb 14	Motor Control	Chapter 11
Feb 19	Review for Exam 2	

**Exam 2 available**  
**February 19<sup>th</sup> - 23<sup>rd</sup>**

Feb 21	Homeostasis	Chapter 13
Feb 26	Regulatory Behaviors: Obesity	Chapter 13
Feb 28	Sleep	Chapter 14
March 5	Emotion	Chapter 15
March 7	Psychopathology	Chapter 16; Research Paper Topic Due
March 12	Review for Exam 3	

**Exam 3 available**  
**March 12<sup>th</sup> – 16<sup>th</sup>**

March 14	Learning and Memory	Chapter 17
March 19	No class, Spring Break	
March 21	No class, Spring Break	
March 26	Learning and Memory	Chapter 17
March 28	Attention and Higher Cognition	Chapter 18
April 2	Attention and Higher Cognition	Chapter 18
April 4	Language	Chapter 19
April 9	Traumatic Brain Injury	Assigned readings

*Research Paper Due 4/10*

April 11	Nebraska Symposium on Motivation	
April 16	Savage at NIH. No class	
April 18	Neuropsychological Assessment	Assigned readings; Symposium Paper Due
April 23	Review for Exam 4	

**Exam 4 available**  
**April 23<sup>rd</sup> – 27<sup>th</sup>**

April 25	Last day of class. The big picture of neuroscience (not tested)	
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\*Reminder: no exam during finals week

# **SLPA 995 – Section 006: Neuroimaging and Language Disorders**

**Fall/2019**

**Program Affiliation:** Special Education and Communication Disorders

**Class Meetings:** Wednesday 3:00 P.M. – 4:40 PM, in 302 BKC

**Credit:** 2 – 3 hours

**Instructor:** Yingying Wang, Ph.D.

[yingying.wang@unl.edu](mailto:yingying.wang@unl.edu)

Office hours by appointment, schedule via email

Office: C67 East Stadium, 402-472-0106

## **Course Description**

This is a graduate-level seminar course and is designed to train students from diverse backgrounds to understand the characteristics of various types of brain imaging techniques and their applications in the field of communication disorders. This seminar course aims to introduce six neuroimaging techniques including functional Magnetic Resonance Imaging (fMRI), MRI, functional Near-Infrared spectroscopy (fNIRS), Magnetoencephalography (MEG), Electroencephalogram (EEG), and Diffusion-Weighted Imaging (DWI). Students will have hands-on experience with some brain imaging data and learn how to analyze different types of brain imaging data. Through interactive discussion and literature review, students will practice how to generate neuroscience questions in their research fields of interests and apply appropriate brain imaging techniques to answer their research questions.

## **Course Prerequisites**

None.

## **Course Objectives**

The overall goal is to broaden graduate students' interests in brain research and encourage them to apply brain imaging techniques to do research in their fields of interests. The detailed objectives are listed as follows:

1. Understanding the characteristics of different brain techniques.
2. Providing hands-on experience with analyzing various brain imaging data.
3. Demonstrating critical thinking through evaluating current literature on neuroscience research related to language/reading impairments.
4. Formulating hypotheses of a research topic by choice and developing research strategies to test hypotheses.
5. Mastering research design and methods in the context of brain imaging research.
6. Learning scientific communication through the in-class presentation.
7. Producing a National Institute of Health (NIH)-style specific aim page.

## **Rationale Statement**

This course is an elective course in the speech-language pathology (SLP) graduate degree to broaden those who are interested in neuroscience to have foundation knowledge about brain imaging techniques. It is also open to diverse students from other graduate degree such as Psychology, Biomedical Engineering, Educational Psychology or related fields.

## **Competency Assignment for Professional Organization (ASHA)**

This is an elective course for SLP graduate students and is also open to other graduate students who have interests in brain imaging techniques. Therefore, the main core competencies for ASHA are not tracked for this course. However, SLP graduate students will be engaged with knowledge competencies related to integrating research principles into evidence-based clinical practice.

## **Teaching/Learning Methods**

The format of this class will be a mix of lectures, discussions, and labs.

## **Readings Assignments**

There is no required text for this course. However, you are encouraged to own some books from the list of the recommended reading materials and read journal articles from this list of the recommended professional journals.

#### Recommended Reading Materials:

- Penny, W. D., Friston, K. J., Ashburner, J. T., Kiebel, S. J., & Nichols, T. E. (Eds.). (2011). *Statistical parametric mapping: the analysis of functional brain images*. Elsevier. ISBN-13: 978-0123725608.
- Carter, M., Shieh, J., (Eds.). (2015). *Guide to Research Techniques in Neuroscience*. Second Edition, Elsevier, ISBN-13: 978-0128005118.
- Passingham, R. E., & Rowe, J. B. (2016). *A short guide to brain imaging: The neuroscience of human cognition*. Oxford University Press, USA. ISBN-13: 978-0198709138.

#### Recommended Professional Journals:

- Brain
- Brain Research
- Cerebral Cortex
- Human Brain Mapping
- NeuroImage

#### Technology/Material/Equipment Requirements

None. If you don't have MATLAB installed in your computer, you can use computers in the Ricketts lab located on the third floor of Barkley Memorial Center.

#### Course Requirements

1. Class Discussions (points: 10)  
You will be graded based on your participation and responses to the in-class discussions.
2. Assignments (points: 30)  
You will be graded based on your responses to the take-home assignments related to the hands-on lab sessions.
3. Final written product (points: 30)  
The student will write a National Institution of Health (NIH)-style specific aim page (1 page).
4. Class presentation (points: 25)  
The student will present the research plan (~30 minutes) in class. The other students will judge, make comments, and ask questions during class.
5. Classroom participation (points: 5)  
Classroom participation is not only attendance but also engagement. Students are expected to attend all classes and participate in the in-class discussions. Attendance will be taken each class, and attendance records will be considered when assigning a final course grade. Perfect attendance and actively participating in class discussion will get 5 points. Absence without 24-hour advance written notice will result in a point deduction.

The grading scale is as follows:

A+	97.50-100	B+	87.50-89.99	C+	77.50-79.99	D+	67.50-69.99
A	92.50-97.49	B	82.50-87.49	C	72.50-77.49	D	62.50-67.49
A-	90.00-92.49	B-	80.00-82.49	C-	70.00-72.49	D-	60.00-62.49
						F	< 60

#### Class Expectations

1. Students are responsible for all information presented in class as well as independent analysis of information from the readings directly.
2. Learning outside the classroom is essential to enhance your in-class learning experience. Plan to work 4-6 hours per week outside of class to review various literature. You are encouraged to meet with fellow classmates outside of class to study lecture notes, discuss readings, and work on written assignments. However, all assignments except for group projects must be the work of an individual. DO NOT TURN IN DUPLICATE ANSWERS.



- Readings will not always be discussed in class. However, you are responsible for knowing the information contained in the readings and class lectures. The lecture PowerPoint presentation and other course-related materials will be in electronic form on Canvas.
- All written assignments will follow the guidelines contained in the publication manual of the American Psychological Association (APA). This book may be found at the following link: <http://www.apa.org/books/4200061.html>
- If you need extra help communicating your thoughts in the written form (i.e, writing a paper) you may wish to consult the writing center on campus. The University of Nebraska-Lincoln Writing Center can provide you with meaningful support as you write for this class as well as for every course in which you enroll. Trained peer consultants are available to talk with you as you plan, draft, and revise your writing. Please check the Writing Center website for locations, hours, and information about scheduling appointments. [www.unl.edu/writing](http://www.unl.edu/writing).

### **Tentative Schedule of Course Topics and Readings**

<b>Date</b>	<b>#</b>	<b>Topic</b>	<b>Readings</b>	<b>Assignments Due*</b>
8/28	1	Introduction	Syllabus	N/A
9/4	2	MRI and its applications	Assigned Readings in Canvas	N/A
9/11	3	fMRI and its applications	Assigned Readings in Canvas	N/A
9/18	4	fNIRs and its applications	Assigned Readings in Canvas	N/A
9/25	5	lab: <b>BKC 113 NL3 Wang Lab</b>	Assigned Readings in Canvas	N/A
10/2	6	CB3 Tour and fNIRS live demo	Assigned Readings in Canvas	<b>Assignment 1</b>
10/9	7	EEG/MEG and its applications	Assigned Readings in Canvas	N/A
10/16	8	DWI and its applications	Assigned Readings in Canvas	N/A
10/23	9	No Class – Extra time for lab assignment	Assigned Readings in Canvas	N/A
10/30	10	Assignment 2 Lab	Assigned Readings in Canvas	<b>Assignment 2</b>
11/6	11	NIH style specific aim and presentation	Assigned Readings in Canvas	N/A
11/13	12	Research Methods and Design I	Assigned Readings in Canvas	N/A
11/20		No Class – Extra time for writing	Assigned Readings in Canvas	N/A
11/27		No Class - Thanksgiving Holiday	N/A	N/A
12/4	13	Research Methods and Design II	N/A	N/A
12/11	14	In-Class Presentation and Course Summary and Q & A	N/A	N/A
12/18		No Class - Final Exam Week	N/A	<b>12/18 11 p.m.</b>

### **Exam Scheduling Policy**

If a student can't take an exam at the scheduled time, he/she should contact the instructor 24 hours in advance to reschedule the exam time and date. If 24-hour notice is not given, the exam will not be rescheduled and the student will receive a grade of zero for the exam. If there is a medical or other significant emergency which keeps the student from attending the exam without 24-hour notice, the instructor may ask for documentation (e.g., doctor note, police report) and a makeup is at the discretion of the instructor.

### **Class Attendance Policy**

Students are expected to attend all classes and to keep up with the class information if absent. Attendance will be taken each class. If a student can't make it to the class, he/she should contact the instructor 24 hours in advance to get written permission. If 24-hour notice is not given, the student will get point reduction for his/her attendance. If there is a medical or another significant emergency which keeps the student from attending the class without 24-hour notice, the instructor may ask for documentation (e.g., doctor note, police report).

### **Statement of Academic Dishonesty**

"Academic honesty is essential to the existence and integrity of an academic institution. The responsibility for maintaining that integrity is shared by all members of the academic community. To further serve this end, the University supports a Student Code of Conduct which addresses the issue of academic dishonesty."

### **Diversity Statement**

"The University strives to make all learning experiences as accessible as possible. If you anticipate or experience barriers based on your disability (including mental health, chronic or temporary medical conditions), please let me know immediately so that we can discuss options privately. To establish reasonable accommodations, I may request that you register with Services for Students with Disabilities (SSD). If you are eligible for services and register with their office, make arrangements with me as soon as possible to discuss your accommodations so they can be implemented in a timely manner. SSD contact information: 232 Canfield Admin. Bldg.; 402-472-3787."

### **Use of Cell phone and Laptop During Class**

Cell phone must be turned off or on silent mode during class. Students are not allowed to call, text, or surf during class. If you need to take an emergency call or text, you need to leave the class and return when finished. Laptop must be turned off or on silent mode during class. Laptop can only be used to take notes.

### **UNL Student Code of Conduct**

Download Link: <http://stuafs.unl.edu/DeanofStudents/Student%20Code%20of%20Conduct%20May%20Rev%202014%20a.pdf>

Students are expected to adhere to the UNL Student Code of Conduct. "The community of scholars at the University of Nebraska Lincoln is dedicated to personal growth and academic excellence. By choosing to join the community, each member agrees to comply with certain standards of civilized behavior; and therefore, the University of Nebraska Lincoln adopts this Student Code of Conduct, in order that it might: 1) promote a campus environment that supports its educational, research, and outreach missions; 2) protect the members of the community and its resources from disruption and harm; 3) provide a guide to appropriate individual and group behavior; and 4) foster ethical standards and civic virtues, all in keeping with the STUDENT STATEMENT OF VALUES adopted by the Association of Students of the University of Nebraska Lincoln on January 15, 2014." (page 1)

### **Professionalism and Civility**

You are expected to exhibit professional behavior that demonstrates respect for the learning environment. This includes being on time for class, maintaining attention/alertness during class, and refraining from use of technology except as it relates to instructor-directed in-class activities pertinent to the class in session. Cell phones must be silenced and put away while in the classroom. Net surfing, reading emails, working on assignments for other classes, etc. are not permitted during class time as a courtesy to your fellow students and instructor. It is each student's responsibility to monitor your own behavior and wakefulness. If you find yourself feeling sleepy, it is fine to remove yourself from the classroom, take a few minutes to refresh, and then return to the classroom, though you will be responsible for any missed information.

The nature of the course material may include graphic images and information about medical conditions and surgical procedures. Additionally, course content may touch on a variety of controversial topics including matters of race, gender, culture, religion, morality, sexuality, and violence. If you anticipate discomfort during such content, you should sit near an exit so that, if necessary, you may step out of the room for a few minutes. As with any other self-initiated break, you will be responsible for any missed information. Furthermore, you have a right to believe whatever you believe about such matters and to express your views (when relevant to the course and in accordance with the principles of professionalism and civility previously described) even when others in the class may disagree or be offended by your views. You also have the right to express disagreement with the views of others, including the instructor, and to decide whether or not to modify your views. Your grade in the class will be based on understanding and reasoning, not on your opinion, though you should be aware that the ASHA Code of Conduct delineates certain professional behaviors that are mandated regardless of one's personal beliefs.

Your work is expected to adhere to professional standards in terms of spelling, grammar, use of first-person language consistent with IDEA standards, appropriate APA-formatted citations of work derived from another source, and timeliness. The grade for any assignment submitted late will be reduced by 5% of its available points for each day overdue, unless the student makes other arrangements with the instructor at least 7 days prior to the assignment due date.

### **Weather Emergencies (more: <http://emergency.unl.edu/unlalert> )**

The decision to close the University because of severe weather or other reasons shall be made by the Chancellor. The Director of University Communications will notify radio and television stations and other appropriate media. Every effort will be made to have closedown information in the news media by 6:00 a.m. for day classes and by 2:00 p.m. for night classes. **During an emergency, the UNL community and public will receive information through the web and news media as well as by email and text through [UNL Alert](#).**

### **Safety**

The safety of all individuals in SECD is of utmost importance to the department. General emergency information can be found on the UNL police department website at <http://www.unl.edu/emergency/>. Faculty and students are strongly encouraged to sign up for the UNL Text Alert system, which provides messages during emergency situations. Sign-up can be completed at: <http://emergency.unl.edu/unlalert> The phone number for UNL police is 402-472-2222. If there is an immediate emergency, dial 911.

The following is a list of topics that may require action. Preparation is the best way to manage emergency situations. Please consider reviewing the policies and procedures for the following possible incidents each semester:

Tornado: <http://emergency.unl.edu/procedure/tornado>

Fire: <http://emergency.unl.edu/procedure/fire>

Active Shooter: <http://emergency.unl.edu/procedure/shooting-incident>

Shots Fired: <http://emergency.unl.edu/shotsfired>

### **Continuity of Instruction**

If face-to-face classes are officially suspended due to a pandemic or other catastrophe, I will strive to continue instruction to those that can participate. If face-to-face classes are suspended, you will receive an email from me and I will post a Canvas Announcement that details how we will communicate and what you can expect during the time that classes are suspended. Students should check these sources regularly for course information.

### **Copies of Work**

It is recommended that students make a copy of any submitted assignments they turn into the instructor as a record and a back-up of their work.

### **Sharing Course Materials**

Examinations, course handouts, and course PowerPoint slides may not be posted on electronic websites or shared with other people without the written consent of the instructor. Posting or otherwise sharing copies of examinations from this class is not permitted.

### **Caveat**

This syllabus represents a written contractual agreement between us. Occasionally, it may be necessary to revise the syllabus to meet students' or university needs. The instructor reserves the right to revise this syllabus if the need arises. Advance notification will be provided to you.

# **SLPA 995 – Section 007: Neural Basis of Reading**

## **Fall/2019**

**Program Affiliation:** Special Education and Communication Disorders  
**Class Meetings:** Wednesday 5:00 P.M. – 6:40 PM, in 302 BKC  
**Credit:** 2 – 3 hours  
**Instructor:** Yingying Wang, Ph.D.  
[yingying.wang@unl.edu](mailto:yingying.wang@unl.edu)  
Office hours by appointment, schedule via email  
Office: C67 East Stadium, 402-472-0106

### **Course Description**

This is a graduate-level course and is designed to address language and literacy acquisition with a special focus on reading development from birth to school-age. Through in-class discussions and case studies, students will learn how to apply assessments and evaluate the appropriateness of assessment/treatment plans in evaluating or treating children with reading impairment. In addition, students will learn evidence-based practice in reading intervention and learn how to collect qualitative and quantitative data to monitor progress.

### **Course Prerequisites**

None.

### **Course Objectives**

This course complies with the ASHA Knowledge and Skills statement regarding the provision of services to individuals with language/literacy impairment. Upon successful completion of this course, it is anticipated that students will be able to understand core concepts, research and clinical issues central to language/literacy acquisition. Students will demonstrate knowledge and skills in the areas listed below:

1. Learn basic concepts, terminology, and theory in reading acquisition.
2. Understand behavioral assessments that can be used to evaluate a child's pre-reading or reading skills.
3. Apply assessment and/or treatment questions to case examples.
4. Evaluate the appropriateness of assessment and/or treatment plans.
5. Develop evidence-based experiments.
6. Understand the use of qualitative and quantitative data in monitoring treatment progress.
7. Master interprofessional interactions through role-playing.

### **Rationale Statement**

This course is an elective course in the speech-language pathology (SLP) graduate degree to broaden those who are interested in both language and literacy to have foundation knowledge about language and reading development. It is also open to diverse students from another graduate degree such as Psychology, Educational Psychology or related fields.

### **Competency Assignment for Professional Organization (ASHA)**

This is an elective course for SLP graduate students and is also open to other graduate students who have interests in brain imaging techniques. Therefore, the main core competencies for ASHA are not tracked for this course. However, SLP graduate students will be engaged with knowledge competencies related to language/reading impairments.

### **Teaching/Learning Methods**

The format of this class will be a mix of lectures and discussions.

### **Readings Assignments**

There is no required text for this course. However, you are encouraged to own some books from the list of the recommended reading materials and read journal articles from this list of the recommended professional journals.

### **Recommended Reading Materials:**

- The neural basis of reading / edited by Piers L. Cornelissen, et al. [et al.] ISBN-13: 978-0195300369, Oxford University Press | 2010, Available at LOVE (Call number: LB1050.5 .N456 2010)
- Carol McDonald Connor, Peggy McCardle, (2015) Advances in reading intervention: research to practice to research. ISBN-13: 978-1598579680
- Beck, I. L., McKeown, M. G., & Kucan, L. (2013). Bringing words to life: Robust vocabulary instruction (2nd ed.). New York: Guilford. ISBN-13: 978-1462508167
- Gunning, T. G. (2013). Creating literacy instruction for all students (8th ed.). Boston: Allyn and Bacon. ISBN-13: 978-0132685795
- Trelease, J. (2013). Read Aloud Handbook (7th ed.) New York: Penguin Books.
- Kamhi, A. G. & Catts, H. W. (2012). Language and reading disabilities (3rd ed.), Boston: Allyn and Bacon. ISBN-13: 978-0137072774
- Stanislas Dehaene, (2010). Reading in the Brain. ISBN-13: 978-0143118053

#### Recommended Professional Journals:

- Journal of Speech, Language, and Hearing Research, American Speech-Language Hearing Association (ASHA)
- Reading and Writing, Springer
- Scientific Studies of Reading, Society for the Scientific Study of Reading (SSSR)

#### Technology/Material/Equipment Requirements

None.

#### Course Requirements

1. Class Discussions (points: 30)  
You will be graded based on your participation and responses to the in-class discussions.
2. Role-Playing (points: 20)  
You will be graded based on your participation and preparation in two in-class role-playings.
3. Take-home Mid-term Quiz (points: 20)  
An online quiz will be given to evaluate your foundational knowledge learned from the class.
4. Final written product (points: 25)  
You will be given a case to evaluate and write a treatment.
5. Classroom participation (points: 5)  
Classroom participation is not only attendance but also engagement. Students are expected to attend all classes and participate in the in-class discussions. Attendance will be taken each week, and attendance records will be considered when assigning a final course grade. Perfect attendance and actively participating in class discussion will get 5 points. Absence without 24-hour advance written notice will result in a point deduction.

The grading scale is as follows:

A+	97.50-100	B+	87.50-89.99	C+	77.50-79.99	D+	67.50-69.99
A	92.50-97.49	B	82.50-87.49	C	72.50-77.49	D	62.50-67.49
A-	90.00-92.49	B-	80.00-82.49	C-	70.00-72.49	D-	60.00-62.49
						F	< 60

#### Class Expectations

1. Students are responsible for all information presented in class as well as independent analysis of information from the readings directly.
2. Learning outside the classroom is essential to enhance your in-class learning experience. Plan to work 4-6 hours per week outside of class to review various literature. You are encouraged to meet with fellow classmates outside of class to study lecture notes, discuss readings, and work on written assignments. However, all assignments except for group projects must be the work of an individual. DO NOT TURN IN DUPLICATE ANSWERS.
3. Readings will not always be discussed in class. However, you are responsible for knowing the information contained in the readings and class lectures. The lecture PowerPoint presentation and other course-related materials will be in electronic form on Canvas.

4. All written assignments will follow the guidelines contained in the publication manual of the American Psychological Association (APA). This book may be found at the following link: <http://www.apa.org/books/4200061.html>
5. If you need extra help communicating your thoughts in the written form (i.e, writing a paper) you may wish to consult the writing center on campus. The University of Nebraska-Lincoln Writing Center can provide you with meaningful support as you write for this class as well as for every course in which you enroll. Trained peer consultants are available to talk with you as you plan, draft, and revise your writing. Please check the Writing Center website for locations, hours, and information about scheduling appointments. [www.unl.edu/writing](http://www.unl.edu/writing).

### **Tentative Schedule of Course Topics and Readings**

<b>Date</b>	<b>#</b>	<b>Topic</b>	<b>Readings</b>	<b>Assignments Due*</b>
8/28	1	Introduction	Syllabus	N/A
9/4	2	Language and Literacy	Assigned Readings in Canvas	N/A
9/11	3	In-Class Discussion	Assigned Readings in Canvas	N/A
9/18	4	The Neural Basis of Reading	Assigned Readings in Canvas	N/A
9/25	5	In-Class Discussion	Assigned Readings in Canvas	N/A
10/2	6	CB3 Tour and Reading assessments	Assigned Readings in Canvas	N/A
10/9	7	Reading interventions	Assigned Readings in Canvas	N/A
10/16	8	In-Class Discussion	Assigned Readings in Canvas	N/A
10/23	9	No Class – Extra time for studying mid-term	Assigned Readings in Canvas	N/A
10/30	10	Case studies	Assigned Readings in Canvas	N/A
11/6	11	Role-play	Assigned Readings in Canvas	<b>Mid-term</b>
11/13	12	Role-play & Case studies	Assigned Readings in Canvas	N/A
11/20		No Class – Extra time for final case report	Assigned Readings in Canvas	N/A
11/27		No Class - Thanksgiving Holiday	N/A	N/A
12/4	13	Research Methods and Design	N/A	N/A
12/11	14	Course Summary and Q & A	N/A	N/A
12/18		No Class - Final Exam Week	N/A	<b>12/18 11 p.m.</b>

### **Exam Scheduling Policy**

If a student can't take an exam at the scheduled time, he/she should contact the instructor 24 hours in advance to reschedule the exam time and date. If 24-hour notice is not given, the exam will not be rescheduled and the student will receive a grade of zero for the exam. If there is a medical or another significant emergency which keeps the student from attending the exam without 24-hour notice, the instructor may ask for documentation (e.g., doctor note, police report) and makeup is at the discretion of the instructor.

### **Class Attendance Policy**

Students are expected to attend all classes and to keep up with the class information if absent. Attendance will be taken each class. If a student can't make it to the class, he/she should contact the instructor 24 hours in advance to get written permission. If 24-hour notice is not given, the student will get point reduction for his/her attendance. If there is a medical or another significant emergency which keeps the student from attending the class without 24-hour notice, the instructor may ask for documentation (e.g., doctor note, police report).

### **Statement of Academic Dishonesty**

"Academic honesty is essential to the existence and integrity of an academic institution. The responsibility for maintaining that integrity is shared by all members of the academic community. To further serve this end, the University supports a Student Code of Conduct which addresses the issue of academic dishonesty."

### **Diversity Statement**

"The University strives to make all learning experiences as accessible as possible. If you anticipate or experience barriers based on your disability (including mental health, chronic or temporary medical conditions), please let me know immediately so that we can discuss options privately. To establish reasonable accommodations, I may



request that you register with Services for Students with Disabilities (SSD). If you are eligible for services and register with their office, make arrangements with me as soon as possible to discuss your accommodations so they can be implemented in a timely manner. SSD contact information: 232 Canfield Admin. Bldg.; 402-472-3787."

### **Use of Cell phone and Laptop During Class**

Cell phone must be turned off or on silent mode during class. Students are not allowed to call, text, or surf during class. If you need to take an emergency call or text, you need to leave the class and return when finished. Laptop must be turned off or on silent mode during class. Laptop can only be used to take notes.

### **UNL Student Code of Conduct**

Download Link: <http://stuafs.unl.edu/DeanofStudents/Student%20Code%20of%20Conduct%20May%20Rev%202014%20a.pdf>

Students are expected to adhere to the UNL Student Code of Conduct. "The community of scholars at the University of Nebraska Lincoln is dedicated to personal growth and academic excellence. By choosing to join the community, each member agrees to comply with certain standards of civilized behavior; and therefore, the University of Nebraska Lincoln adopts this Student Code of Conduct, in order that it might: 1) promote a campus environment that supports its educational, research, and outreach missions; 2) protect the members of the community and its resources from disruption and harm; 3) provide a guide to appropriate individual and group behavior; and 4) foster ethical standards and civic virtues, all in keeping with the STUDENT STATEMENT OF VALUES adopted by the Association of Students of the University of Nebraska Lincoln on January 15, 2014." (page 1)

### **Professionalism and Civility**

You are expected to exhibit professional behavior that demonstrates respect for the learning environment. This includes being on time for class, maintaining attention/alertness during class, and refraining from use of technology except as it relates to instructor-directed in-class activities pertinent to the class in session. Cell phones must be silenced and put away while in the classroom. Net surfing, reading emails, working on assignments for other classes, etc. are not permitted during class time as a courtesy to your fellow students and instructor. It is each student's responsibility to monitor your own behavior and wakefulness. If you find yourself feeling sleepy, it is fine to remove yourself from the classroom, take a few minutes to refresh, and then return to the classroom, though you will be responsible for any missed information.

The nature of the course material may include graphic images and information about medical conditions and surgical procedures. Additionally, course content may touch on a variety of controversial topics including matters of race, gender, culture, religion, morality, sexuality, and violence. If you anticipate discomfort during such content, you should sit near an exit so that, if necessary, you may step out of the room for a few minutes. As with any other self-initiated break, you will be responsible for any missed information. Furthermore, you have a right to believe whatever you believe about such matters and to express your views (when relevant to the course and in accordance with the principles of professionalism and civility previously described) even when others in the class may disagree or be offended by your views. You also have the right to express disagreement with the views of others, including the instructor, and to decide whether or not to modify your views. Your grade in the class will be based on understanding and reasoning, not on your opinion, though you should be aware that the ASHA Code of Conduct delineates certain professional behaviors that are mandated regardless of one's personal beliefs.

Your work is expected to adhere to professional standards in terms of spelling, grammar, use of first-person language consistent with IDEA standards, appropriate APA-formatted citations of work derived from another source, and timeliness. The grade for any assignment submitted late will be reduced by 5% of its available points for each day overdue, unless the student makes other arrangements with the instructor at least 7 days prior to the assignment due date.

### **Weather Emergencies (more: <http://emergency.unl.edu/unlalert> )**

The decision to close the University because of severe weather or other reasons shall be made by the Chancellor. The Director of University Communications will notify radio and television stations and other appropriate media. Every effort will be made to have closedown information in the news media by 6:00 a.m. for

day classes and by 2:00 p.m. for night classes. **During an emergency, the UNL community and public will receive information through the web and news media as well as by email and text through [UNL Alert](#).**

### **Safety**

The safety of all individuals in SECD is of utmost importance to the department. General emergency information can be found on the UNL police department website at <http://www.unl.edu/emergency/>. Faculty and students are strongly encouraged to sign up for the UNL Text Alert system, which provides messages during emergency situations. Sign-up can be completed at: <http://emergency.unl.edu/unlalert> The phone number for UNL police is 402-472-2222. If there is an immediate emergency, dial 911.

The following is a list of topics that may require action. Preparation is the best way to manage emergency situations. Please consider reviewing the policies and procedures for the following possible incidents each semester:

Tornado: <http://emergency.unl.edu/procedure/tornado>

Fire: <http://emergency.unl.edu/procedure/fire>

Active Shooter: <http://emergency.unl.edu/procedure/shooting-incident>

Shots Fired: <http://emergency.unl.edu/shotsfired>

### **Continuity of Instruction**

If face-to-face classes are officially suspended due to a pandemic or other catastrophe, I will strive to continue instruction to those that can participate. If face-to-face classes are suspended, you will receive an email from me and I will post a Canvas Announcement that details how we will communicate and what you can expect during the time that classes are suspended. Students should check these sources regularly for course information.

### **Copies of Work**

It is recommended that students make a copy of any submitted assignments they turn into the instructor as a record and a back-up of their work.

### **Sharing Course Materials**

Examinations, course handouts, and course PowerPoint slides may not be posted on electronic websites or shared with other people without the written consent of the instructor. Posting or otherwise sharing copies of examinations from this class is not permitted.

### **Caveat**

This syllabus represents a written contractual agreement between us. Occasionally, it may be necessary to revise the syllabus to meet students' or university needs. The instructor reserves the right to revise this syllabus if the need arises. Advance notification will be provided to you.



**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**

**UNL Educational Neuroscience Graduate Certificate**

	(FY2020-21) Year 1		(FY2021-22) Year 2		(FY2022-23) Year 3		(FY2023-24) Year 4		(FY2024-25) Year 5		Total
<b>Personnel</b>	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
<b>Operating</b>											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>		\$0		\$0		\$0		\$0		\$0	<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**

**UNL Educational Neuroscience Graduate Certificate**

	(FY2020-21) Year 1	(FY2021-22) Year 2	(FY2022-23) Year 3	(FY2023-24) Year 4	(FY2024-25) Year 5	Total
Reallocation of Existing Funds						
Required New Public Funds						
1. State Funds						
2. Local Tax Funds (community colleges)						
Tuition and Fees <sup>1</sup>	\$8,184	\$16,368	\$16,368	\$16,368	\$16,368	\$73,656
Other Funding						
<b>Total Revenue</b>	<b>\$8,184</b>	<b>\$16,368</b>	<b>\$16,368</b>	<b>\$16,368</b>	<b>\$16,368</b>	<b>\$73,656</b>

<sup>1</sup> Tuition only. We anticipate students will complete six credits their first year in the program and six credits their second year in the program. We are assuming four new resident students per year and a four semester time to completion.

TO: The Board of Regents Addendum XI-A-5  
Academic Affairs

MEETING DATE: December 3, 2021

SUBJECT: Revisions and updates to the UNL Bylaws and the Academic Rights and Responsibilities Committee Procedures


RECOMMENDED ACTION: Approve revisions and updates to the UNL Bylaws and the Academic Rights and Responsibilities Committee Procedures

PREVIOUS ACTION: October 8, 2021 – The proposed revisions and updates to the UNL Bylaws and the Academic Rights and Responsibilities Committee Procedures were presented for information only in accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents*.

EXPLANATION: The revisions to the UNL Bylaws Section 3.1.5.2 entail identifying the Academic Rights and Responsibilities Committee as the duly elected faculty committee that will be consulted when an administrative officer is seeking to impose an administrative leave on a member of the academic staff. This change is necessary to accommodate on the UNL campus the recently approved revisions to Section 4.7 of the *Bylaws of the Board of Regents* pertaining to the new procedures for administrative leave of academic staff members.

The Academic Rights and Responsibilities Committee has recommended revisions and updates to the Academic Rights and Responsibilities Committee Procedures (including the Academic Freedom and Tenure-A Procedures, the Professional Conduct-A, the Grievance Procedures, and the Academic Freedom and Tenure-B Procedures) with input from the Faculty Senate Executive Committee. The Faculty Senate approved the revisions and updates at their meeting on November 6, 2018, and on November 3, 2020, approved changes related to the *Bylaws of the Board of Regents*, which were amended on April 9, 2021. The proposed revisions and updates have the full support of the UNL administration.

SPONSOR: Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

RECOMMENDED:   
Walter E. Carter, President  
University of Nebraska System

DATE: November 5, 2021

## **UNL Bylaw explanation and proposed changes**

*Summary of Changes:* We propose changes to Section 3.1.5.2 of UNL Bylaws, which outline “Other Responsibilities of the ARRC.” The overall change to this section entails identifying the ARRC as the duly elected faculty committee that will be consulted when an administrative officer is seeking to impose an administrative leave on a member of the academic staff. This change is necessary to accommodate on the UNL campus the proposed revisions to BOR Bylaws pertaining to the new procedures for administrative leave of academic staff members as outlined in the proposed revisions to Section 4.7 of Regent Bylaws. The ARRC is a logical committee to serve in this capacity. First, it is an existing elected committee that is already in place to quickly decide upon whether or not formal complaints filed with the ARRC are moved forward to a Special Committee (i.e., AFT-A, Grievance or Professional Conduct). Second, administrative leave may come to the ARRC as an initial step before filing a formal complaint with the ARRC seeking termination, which is automatically transmitted to an AFT-B Special Committee.

To accomplish this we are proposing revisions to parts B and C of Section 3.1.5.2 of UNL Bylaws. We revised section B in two ways. First, what was the last sentence of this section is now the first sentence. Second, we removed the specific information about suspension in anticipation of dismissal as well as cancellation of speakers and speak only generally about policies and processes concerned with academic freedom. Then, we added a new part C to explicitly identify the ARRC as the duly elected faculty committee that will review Administrative leaves. The remaining alphabetic ordering in Section 3.1.5.2 is simply adjusted to accommodate adding a new part C.

The proposed revisions shown as tracked-changes below were approved by ASUN and Faculty Senate last year – recent revisions to this document in order to accommodate final changes to Regent Bylaws are highlighted in yellow below:

### **UNL BYLAWS PROPOSED REVISION June 2021**

**3.1.5 Academic Rights and Responsibilities Committee.** The Academic Rights and Responsibilities Committee (ARRC) and its responsibilities are created by the University of Nebraska-Lincoln Faculty Senate as required by the University of Nebraska Regents Bylaws and are approved by the University of Nebraska Board of Regents. The ARRC has significant responsibility in ensuring that faculty members and administrators are appropriately apprised of rights, responsibilities, principles and procedures pertaining to matters of professional relationships.

**3.1.5.1** The ARRC has primary responsibility to ensure and to arrange an appropriate investigation or hearing when concerns or problems arise between a faculty member and the university and/or when problems related to academic freedom and tenure, professional conduct, and other grievances occur in the

professional relationships among faculty members and others in the University community, as stated in the ARRC Syllabus and the Bylaws of the Board of Regents.

### 3.1.5.2 Other Responsibilities of the ARRC.

A. To determine whether and to what extent recommendations of Special Committees convened by the chair of ARRC to hear particular cases have been acted upon, and to report on the status of ARRC cases to the President of the Faculty Senate;

~~B. To act with respect to matters of general policies concerning academic freedom and tenure; To provide for an effective process in representing the academic rights and responsibilities of the faculty; but not limited to, those related to suspension in anticipation of dismissal and cancellation of presentations by properly invited speakers; To act with respect to matters of general policies concerning academic freedom and tenure;~~

C. To serve as the ~~informal inquiry~~ **elected faculty** committee under procedures outlined in Board of Regent Bylaws section ~~4.7813~~ when an administrative officer is seeking to impose an ~~immediate suspension~~ **administrative leave** of ~~an professional academic staff~~ member;

D. ~~C.~~ To recommend actions to appropriate bodies in order to ensure academic rights and responsibilities of faculty members;

E. ~~D.~~ To communicate to all members of the University community appropriate channels for conveying and dealing with concerns about actual or perceived violations of faculty rights and responsibilities;

F. ~~E.~~ To propose to the Faculty Senate changes in operating procedures and guidelines for each of the Special Committees in accord with relevant provisions of the Bylaws of the Board of Regents;

G. ~~F.~~ To submit committee minutes and make an annual report to the Faculty Senate, while maintaining confidentiality concerning individual cases.

**UNL BYLAWS – CLEAN VERSION**  
**June 2021**

**3.1.5 Academic Rights and Responsibilities Committee.** The Academic Rights and Responsibilities Committee (ARRC) and its responsibilities are created by the University of Nebraska-Lincoln Faculty Senate as required by the University of Nebraska Regents Bylaws and are approved by the University of Nebraska Board of Regents. The ARRC has significant responsibility in ensuring that faculty members and administrators are appropriately apprised of rights, responsibilities, principles and procedures pertaining to matters of professional relationships.

**3.1.5.1** The ARRC has primary responsibility to ensure and to arrange an appropriate investigation or hearing when concerns or problems arise between a faculty member and the university and/or when problems related to academic freedom and tenure, professional conduct, and other grievances occur in the professional relationships among faculty members and others in the University community, as stated in the ARRC Syllabus and the Bylaws of the Board of Regents.

**3.1.5.2** Other Responsibilities of the ARRC.

A. To determine whether and to what extent recommendations of Special Committees convened by the chair of ARRC to hear particular cases have been acted upon, and to report on the status of ARRC cases to the President of the Faculty Senate;

B. To act with respect to matters of general policies concerning academic freedom and tenure; To provide for an effective process in representing the academic rights and responsibilities of the faculty;

C. To serve as the elected faculty committee under procedures outlined in Board of Regent Bylaws section 4.7 when an administrative officer is seeking to impose an administrative leave of an academic staff member;

D. To recommend actions to appropriate bodies in order to ensure academic rights and responsibilities of faculty members;

E. To communicate to all members of the University community appropriate channels for conveying and dealing with concerns about actual or perceived violations of faculty rights and responsibilities;

F. To propose to the Faculty Senate changes in operating procedures and guidelines for each of the Special Committees in accord with relevant provisions of the Bylaws of the Board of Regents;

G. To submit committee minutes and make an annual report to the Faculty Senate, while maintaining confidentiality concerning individual cases.

**RESPONSIBILITIES OF THE ACADEMIC RIGHTS AND RESPONSIBILITIES COMMITTEE  
AND  
PROCEDURES FOR HANDLING MATTERS OF ACADEMIC FREEDOM AND TENURE,  
GRIEVANCE, AND PROFESSIONAL CONDUCT  
University of Nebraska-Lincoln**

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**RESPONSIBILITIES OF THE ACADEMIC RIGHTS AND RESPONSIBILITIES COMMITTEE  
AND  
PROCEDURES FOR HANDLING MATTERS OF ACADEMIC FREEDOM AND TENURE,  
GRIEVANCE, AND PROFESSIONAL CONDUCT  
University of Nebraska-Lincoln**

**1. INTRODUCTION**

**1.1 Responsibilities of the Academic Rights and Responsibilities Committee.** The Academic Rights and Responsibilities Committee (ARRC) and its responsibilities are created by the UNL Faculty Senate, are described in its Syllabus of Campus-Wide Committees, and are approved by the University of Nebraska Board of Regents. Its Foundational Instruction, set forth in Section 3.4.1.5 of the UNL Bylaws, gives the ARRC both informational and quasi-judicial responsibilities.

**1.1.1** The ARRC has significant responsibility to ensure that faculty members and administrators are appropriately apprised of rights, responsibilities, principles, and procedures pertaining to matters of professional relationships.

**1.1.2** The ARRC has primary responsibility to ensure and to arrange an appropriate investigation or hearing when concerns or problems arise between a faculty member and the University and/or when concerns or problems related to academic freedom and tenure, grievance, and professional conduct occur in the professional relationships between faculty members and others in the University community, as stated in the Syllabus of Campus-Wide Committees and the Bylaws of the Board of Regents (Section 2.12.1).

**1.1.3** The ARRC has other responsibilities assigned from time to time by the Faculty Senate, including but not limited to those set forth in UNL Bylaw 3.4.1.2 3.1.5.2 “Other Responsibilities of the ARRC”.<sup>+</sup>

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<sup>+</sup>UNL Bylaw ~~3.4.1.2 3.1.5.2~~ sets forth these additional responsibilities:

~~3.4.1.2.1 A. To determine whether and to what extent recommendations of Special Committees convened by the chair of the ARRC to hear particular cases have been acted upon, and to report on the status of ARRC cases to the President of the Faculty Senate.~~

~~3.4.1.2.2 B. To provide for an effective process in representing the academic rights and responsibilities of the faculty including, but not limited to, those related to suspension in anticipation of dismissal and cancellation of presentations by properly invited speakers.~~

~~—— C. To act with respect to matters of general policies concerning academic freedom and tenure.~~

~~3.4.1.2.3 to act with respect to matters of general policies concerning academic freedom and tenure.~~

~~3.4.1.2.4 D To recommend actions to appropriate bodies in order to ensure academic rights and responsibilities of faculty members.~~

~~3.4.1.2.5 E To communicate to all members of the University community appropriate channels for conveying and dealing with concerns about actual or perceived violations of faculty rights and responsibilities.~~

~~3.4.1.2.6 F To propose to the Faculty Senate changes in operating procedures and guidelines for each of the Special Committees in accord with relevant provisions of the Bylaws of the Board of Regents.~~

~~3.4.1.2.7 G To submit committee minutes and make an annual report to the Faculty Senate, while maintaining confidentiality concerning individual cases.~~

## 1.2 Relationship of ARRC and ARRC Procedures to Special Committees and Codes of Procedures for

**Special Committees.** Chapter 4 of the Regents' Bylaws authorizes the faculty governing agency of each major administrative unit to create a faculty Grievance Committee, a faculty Committee on Academic Freedom and Tenure, and a faculty Professional Conduct Committee. The UNL Faculty Senate, with the approval of the University of Nebraska Board of Regents, has vested that authority in Special Committees established under the aegis of the ARRC. A description of the committees can be found in the Syllabus of Campus-Wide Committees of the Faculty Senate, available from the Faculty Senate Office and on the Faculty Senate website.

This document ("ARRC Procedures") indicates how complaints are to be received by the ARRC, assessed by it for sufficiency and jurisdiction, and transmitted to a Special Committee.

Other documents indicate how a complaint is to be handled after it has been transmitted to a Special Committee. Those documents are:

- 1.2.1 Code of Procedures for Special AFT-A Committees**, applicable to Special Academic Freedom and Tenure Committees considering complaints by a member of the professional staff alleging that action taken or threatened violates the complainant's academic freedom or academic tenure;
- 1.2.2 Code of Procedures for Special AFT-B Committees**, applicable to Special Academic Freedom and Tenure Committees considering complaints in which the President or the Board of Regents seeks to terminate a faculty member's Continuous Appointment or a faculty member's Special or Specific-Term Appointment prior to its termination date;
- 1.2.3 Code of Procedures for Special ~~PCA~~ PC Committees**, applicable to Special Professional Conduct Committees investigating complaints charging a member of the professional staff with professional misconduct other than misconduct as defined by Federal Misconduct in Science Regulations, complaints against UNL as an institution seeking institutional action as a remedy to alleged discrimination, and complaints alleging that the complaining member of the professional staff has been wrongly accused of professional misconduct;
- 1.2.4 Code of Procedures for Special Grievance Committees**, applicable to Special Grievance Committees considering complaints by a faculty member alleging a grievance not governed by any of the Codes of Procedures identified in Sections 1.2.1 to 1.2.3. ~~1.2.4.~~
- 1.2.5 Allegation of Professional Mmisconduct in Sscience** should be submitted to the Ooffice of the Vice Chancellor for Research and Economic Development. Charges of research misconduct are governed by the "University of Nebraska-Lincoln Policy on Procedures for Responding to Allegations of Research Misconduct" approved by the University of Nebraska Board of Regents, December 2, 2010.

The rules for determining applicability of these Codes of Procedures are set out in Section 5 of this document.

Any person contemplating filing a complaint with the ARRC should first consult not only this document, but also the Codes of Procedures for the various Special Committees, and, in appropriate circumstances, the relevant UNL policies pertaining to unlawful discrimination, sexual harassment, or other prohibited behavior ~~"Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harassment"~~ administered by the UNL Office of Institutional Equity and Compliance (IEC) or its successor if that office is renamed. ~~Aceess and Diversity Programs (EAD).~~

All of these documents in their current form are available from the Faculty Senate Office and on the Faculty Senate website. For information and advice concerning these procedures, contact the Chair of the ARRC.

**1.3 Academic Rights and Responsibilities.** All professional staff (including administrators and faculty members) of the University of Nebraska are entitled to enjoy and to exercise, without penalty, all the rights of an American citizen and the rights of academic freedom as specified in Regents Bylaw 4.2. It is essential to the University that all administrators and professional staff exercise and respect the exercise of these rights by others, and uphold the attendant responsibilities outlined in Regents Bylaw 4.1.

- 1.4 Duty of University Officials to Investigate and Take Action on Known or Alleged Discrimination.** University officials have a duty promptly to investigate and to take appropriate action on all known or alleged incidents of illegal discrimination. University officials in this context shall be defined as any individual employed by UNL with job authority or responsibility to
- 1.4.1** supervise, hire, assign or reassign responsibilities;
  - 1.4.2** recommend or grant promotion or demotion; and/or
  - 1.4.3** recommend or take any disciplinary or corrective actions.

## **2. DEFINITIONS**

As used in this document, unless the context otherwise requires:

**2.1 Chancellor** shall mean the Chancellor of UNL.

**2.2 Days** shall mean days on which University offices are open for business.

**2.3 Business Days** shall mean days on which University offices are open for business and are not marked as vacation or holiday days for students or faculty on UNL's academic calendar.

**2.34** ~~EAD IEC~~ shall mean the UNL Office of **Institutional** Equity and Compliance. ~~Access and Diversity Programs~~

**2.45** **Faculty Member** shall mean any staff member of UNL holding the academic rank of lecturer or above or equivalent rank (Regents' Bylaws 3.1.1.1 and 4.4).

**2.56** **Federal Misconduct in Science Regulations** shall mean regulations covering misconduct in federally sponsored scientific research, particularly, but not exclusively, that funded by the Public Health Service. The Office of the Vice Chancellor for Research and Economic Development provides guidance concerning which projects may be covered by these regulations and oversees cases involving allegations of research misconduct.

**2.67** **In Writing and Written**, when used to describe a communication, shall mean that the communication so described shall be either a paper document signed by the sender or an electronic communication that can be readily accessed by the sender and by the recipient.

**2.78** **Parties** shall mean the complainant(s) and the respondent(s).

**2.89** **President** shall mean the President of the University of Nebraska and shall include the authorized representative of the President. The President shall not extend such authorization to the Chancellor or staff members of any campus of the University.

**2.910 Professional Staff** shall mean all UNL personnel defined as professional staff by Regents' Bylaw 3.1.1.

**2.11 Academic Staff Member** shall be any individual holding an academic appointment. These appointments include faculty members holding the academic rank of assistant instructor and above, or other formally approved ranks, as referenced in Section 3.1.1.1 of Regents' Bylaws, as well as other academic staff members with the rank of postdoctoral research associate, research associate, research assistant, graduate assistant, graduate teaching assistant, or teaching fellow as referenced in Section 3.1.1.2 of Regents' Bylaws).

**2.120 Section**, unless otherwise noted, refers to a section of this document, ARRC Procedures.

**2.131 Vice Chancellor for Research** shall mean the Vice Chancellor for Research **and Economic Development** of UNL and shall include the authorized representative of the Vice Chancellor. The Vice Chancellor shall not extend such authorization to Deans with collegiate or divisional responsibility or to a staff member of any such college or division.

### **3. THE ARRC AND THE ARRC-PANEL**

**3.1 Membership of the ARRC.** The ARRC shall be composed of five tenured faculty members elected for staggered three-year terms by and from the Academic Assembly<sup>12</sup>, and if appointed by the President of the Faculty Senate in accordance with the Syllabus of Campus-Wide Committees, a non-voting liaison member. At the time of their election, no two members of the Committee shall have a primary academic appointment in the same college or division of UNL. No member of the faculty who holds any administrative appointment (including that of department chair or head **or equivalent**) **higher than department head or chair** shall be eligible to serve as a member of the Committee during the term of such administrative appointment. Committee members may succeed themselves. The Chair and Vice-Chair of the ARRC shall be elected annually by the ARRC.

**3.1.1 Voting.** The ARRC may take action only on concurrence of at least three members of the ARRC. The Chair of the ARRC may vote.

**3.1.2 Closed Meetings.** Meetings of the ARRC are not open to the public.

**3.1.3 Conflict of Interest for Members of the ARRC.** Conflict of interest occurs when a member of the ARRC

**3.1.3.1** is in the same department or equivalent unit as a party; or

**3.1.3.2** answers directly to a party; or

**3.1.3.3** has a direct voice in the salary or working conditions of a party; or

**3.1.3.4** has, or reasonably appears to have, a personal interest in the case or its outcome; or

**3.1.3.5** has provided counsel or assistance to a party relating to the case; or

**3.1.3.6** has participated in the efforts of an organization to provide counsel or assistance to a party relating to the case; or

**3.1.3.7** has any other relationship with a party that might prevent impartiality.

When a member of the ARRC has a conflict of interest, the member shall voluntarily withdraw from participation in matters related to that case. When a member of the ARRC is alleged to have a conflict of interest and does not voluntarily withdraw, the other members of the ARRC shall review the allegation and, if a conflict of interest is found by a majority of the other members of the ARRC, shall bar that person from further participation in matters related to that case. If more than one member of the ARRC withdraws or is barred, the President of the Faculty Senate shall appoint experienced temporary replacements for matters related to that case.

<sup>12</sup>Rules governing eligibility and representation are set forth in the Syllabus of Campus-Wide Committees of the Faculty Senate.

**3.2 Membership of the ARRC Panel.** ~~Each year the Academic Assembly shall elect 12 faculty members to three-year terms on the ARRC Panel. Of the 36 panel members, 32 must be tenured faculty and 4 must be faculty extension educators with equivalent rank of associate or full professor. Panel members may succeed themselves.~~

Each year the Academic Assembly shall elect 12 faculty members to three-year terms on the ARR Panel. Of the 36 panel members, 28 must be tenured faculty, 4 must be faculty extension educators with equivalent rank of associate or full professor, and 4 must be non-tenure track faculty other than extension educators with equivalent rank of associate or full professor. No member of the faculty who holds any administrative appointment (including that of department chair or head or equivalent) shall be eligible to serve as a member of the ARR Panel during the term of such administrative appointment. Panel members may succeed themselves.

**3.3 Membership of Special Committees.** ~~and of the Special Resource Group.~~

**3.3.1** The Chair of the ARRC is charged with selecting the members of any Special Committees that are convened. The members of these committees are chosen from the Academic Rights and Responsibilities (ARR) Panel. To the extent possible, assignment to Special Committees shall be based on a fair distribution of ARR Panel members by college, discipline, ethnicity, gender, and experience, taking account of recent service on past Special Committees. The Chair of the ARRC will determine which ARR Panel members are in their final year of service and communicate that information to the Faculty Senate Coordinator so that the Faculty Senate Committee on Committees can arrange an election for the succeeding year that will return an ARR Panel sufficiently diverse to ensure that Special Committees will be broadly representative of the faculty.

**3.3.2** Special Committees convened as Special AFT-A or Special AFT-B Committees shall be composed only of tenured or tenure-leading faculty members.

**3.3.3** If an extension educator is a party to a case being considered by a Special Grievance Committee or a Special Professional Conduct Committee, the Special Committee should include an extension educator from the ARR Panel, if possible. If one of the parties to a case before a Special Grievance Committee or a Special Professional Conduct Committee is a non-tenure-track faculty member other than an extension educator, the Special Committee should include a non-tenure-track faculty member other than an extension educator, if possible.

**3.3.4** If a member of a Special Committee has to withdraw from the Committee because of illness, time-constraints, or other good cause, the Chair of the ARRC will identify an appropriate replacement among ARR Panel members who are not serving on another Special Committee at the time of the withdrawal.

~~**3.3.5** Allegations of illegal discrimination and harassment should be submitted to the office of Institutional Equity and Compliance (IEC). Charges of illegal discrimination and harassment are governed by the UNL “Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harassment” administered by the IEC. If a party to a case of illegal discrimination and harassment feels that the IEC has misinterpreted the relevant statutes or reached an inappropriate conclusion, that party may file a grievance with the ARRC as described in section 4 of these procedures.~~

~~Early in the fall semester of each academic year the ARRC shall designate six members of the ARRC Panel for each of four Special Committees, a reserve group to serve on special committees if needed and~~

~~for a Special Resource Group. At least one member of the Special Resource Group shall be an Extension Educator. To the extent possible, assignment to Special Committees and to the Special Resource Group shall be based on a fair distribution of ARRC Panel members by college, discipline, ethnicity, gender, and experience with cases involving academic freedom and tenure, grievance, or professional conduct. As soon as possible thereafter, the Chair of the ARRC shall determine which members of the ARRC Panel have terms that will expire at the end of the current year. The Chair of the ARRC shall then assess the distributional needs for constructing Special Committees and the Special Resource Group for the succeeding year as set forth in this Section 3.3.1, provide that information to the Chair of the Committee on Committees, and work with the Committee on Committees on behalf of the ARRC to ensure that the election for the succeeding year will return an ARRC Panel sufficiently diverse that Special Committees and the Special Resource Group will be broadly representative of the faculty.~~

~~3.3.2—Each Special Committee shall be assigned a number from 1 to 4. Cases shall be assigned to the Special Committees in numerical order. Only when the ARRC decides to convene a Special Committee as provided in Section 5 shall its membership be announced and its Chair and Vice Chair elected.~~

~~3.3.3—If a Special Committee to be convened as a Special AFT-A Committee or a Special AFT-B Committee includes an extension educator, that extension educator shall be ineligible to serve and shall be replaced on the Special Committee as provided in Section 3.3.5.~~

~~3.3.4—If a Special Committee to be convened as a Special Grievance Committee as a Special Professional Conduct-A Committee, to consider a case to which an extension educator is a party does not include an extension educator, the Chair of the ARRC shall by lot identify one member of the Special Committee to be replaced by an extension educator as provided in Section 3.3.5.~~

~~3.3.5—If any member of a Special Committee is ineligible or unable to serve, the Chair of the ARRC prior to the commencement of the Special Committee Hearing may appoint an eligible temporary substitute from the ARRC Panel. If no member of the ARRC Panel is available, the ARRC with the approval of the Executive Committee of the Faculty Senate may appoint an eligible temporary substitute from faculty members with experience as an elected member of ARRC or as a member of a Special Committee.~~

~~3.3.6—If a Special Committee to be convened as a Special PC-A Committee is to hear a discrimination complaint filed by other than a member of the Academic/Administrative or Other Academic Staff, the Special PC-A Committee shall be augmented by the addition of three members of the committee to which the complaint would have been referred had the complainant been formally charged under the UNL “Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harassment.” If the additional members are to be students or staff members, the Chair of the ARRC shall consult with the chair of the committee from which the augmenting members are to be drawn before making the selections. Students or staff added to a Special PC-A Committee may participate fully in the opinion of the students or staff added to the Special PC-A committee differs from that of the regular members of the Special PC-A Committee, their opinion and the rationale for that opinion shall be included in the report of the Special PC-A Committee.~~

~~3.4 Functions of the Special Resource Group. Members of the Special Resource Group may be appointed by the ARRC to perform the following functions:~~

~~3.4.1—to serve as Special Conciliators;~~

~~3.4.2—to serve as a resource when person seeking relief under these procedures need advice or help in focusing issues or drafting formal complaints;~~

~~3.4.3—to consult with the administration concerning possible summary suspensions under Section 7;~~



~~3.4.4 to serve as a temporary replacement for a member of a Special Committee as provided in Section 3.3.5.~~

**3.4 Other Functions of ARR Panel Members.** ARR Panel members may be appointed by the ARRC to perform the following functions:

3.4.1 to serve as Special Conciliators or ARRC observers; or

3.4.2 to serve as a resource when persons seeking relief under these procedures need advice or help in focusing issues or drafting formal complaints.;

~~3.4.3 to consult with the administration concerning possible summary suspensions under section 7.1.~~

**3.5 Communications.** The Chair of the ARRC receives communications for the ARRC and speaks for it. All communications with the ARRC shall be addressed or redirected to the Chair of the ARRC. Other members of the ARRC should discourage contacts outside the regular process, and should direct those who make them to the Chair of the ARRC.

**3.6 Dissemination of Personnel Information.** Service on the ARRC makes members privy to sensitive information and allegations involving the personal and professional lives of members of the University community. UNL Bylaw ~~2.9~~ 2.10 describes limitations on the collection and dissemination of personnel information. In addition, Federal Regulations Governing Misconduct in Science require great care to protect the interests of informants and the accused. Some information received by members of the ARRC may be protected by this Bylaw and these regulations. Violators of these requirements could be subject to sanctions for professional misconduct.

**3.7 General Responsibilities of the Chair of the ARRC.** The responsibilities of the Chair of the ARRC include:

3.7.1 convening and presiding over meetings of the ARRC;

3.7.2 serving as contact person and spokesperson for the ARRC;

3.7.3 employing informal methods of dispute resolution under Section 4.1;

3.7.4 reporting results of ARRC and Special Committee elections, and reporting ARRC and Special Committee vacancies requiring replacements under Section 3.1.3 or Section 3.3.~~5~~ 4, to the President of the Faculty Senate;

3.7.5 maintaining committee files and protecting confidential material;

3.7.6 reporting to the Committee on Committees which members of the ARRC Panel will be leaving the Panel, and working with the Committee on Committees on behalf of the ARRC to identify prospective nominees for the ARRC Panel who would satisfy the membership criteria set out in Section 3.3.1;

3.7.7 ensuring that Special Committees are properly instructed about hearing procedures at the beginning of a case;

3.7.8 appointing substitutes to serve on Special Committees when vacancies occur, as provided in Section ~~3.3.5~~ 3.3.4;

3.7.9 advising persons alleging misconduct in science to make the allegation to the Vice Chancellor for Research and Economic Development. ~~Select and appoint an ARRC Observer if a party to an inquiry into an incidence of scientific misconduct expresses a desire to have an ARRC Observer. The Chair of the ARRC also is a voting member of the Conflict of Interest in Research Committee (CIRC) in the Office of the Vice Chancellor for Research and Economic Development;-~~

3.7.10 ensuring that the ARRC conducts the follow up activities specified in Section 8;

3.7.11 ensuring that the Faculty Senate Office and Faculty Senate website have available complete and current copies of the ARRC Procedures and the Codes of Procedures for the various Special Committees; ~~and~~

**3.7.12** keeping accurate records of expenditures for activities of the ARRC and arranging for reimbursements from the Chancellor's office; and-

**3.7.13** insuring that the chairs or heads and deans of faculty serving on Special Committees are informed of ~~the~~ ~~their~~ faculty member's service.

**3.8 Observer.** The ARRC may appoint an Observer to observe the process of a Special Committee and to report concerns to the Chair of the ARRC. The Chair of the ARRC may also be asked to appoint an ARRC Observer for cases of scientific misconduct being investigated by the Office of Research and Economic Development. The role of Observer is open to anyone who:

**3.8.1** is a member of the UNL Professional Staff (Regents Bylaw 3.1.1) and eligible for election to the UNL Faculty Senate (UNL Bylaw 3.1.4);

**3.8.2** does not serve in the same department or equivalent unit with any party, witness, or Special Committee member;

**3.8.3** has no other relationship with a member of the Special Committee that might create, or reasonably appear to create, a conflict of interest for that Special Committee member;

**3.8.4** does not answer directly to a party or a witness;

**3.8.5** has no direct voice in the salary or working conditions of a party or a witness;

**3.8.6** does not have, and does not reasonably appear to have, a personal interest in the case or in its outcome;

**3.8.7** has not provided counsel or assistance to either party relating to the complaint; and

**3.8.8** has no other relationship with a party, organization, or a witness that might interfere with the investigative process or prevent the person from impartially carrying out the duties of Observer.

**3.8.9 The Role of the ARRC Observer in AFT, Professional Misconduct, and Grievance Cases:** The ARRC Observer is expected to attend the pre-hearing conference and the hearing conducted under the procedures described in the ARRC documents for AFT, Professional Misconduct, and Grievance cases. The ARRC Observer should introduce himself or herself at the time of the pre-hearing conference and the hearing and explain that the role of the ARRC Observer is to act as a neutral observer of the proceedings and to report any irregularities or concerns to the chair of the ARRC. The ARRC Observer is not expected to participate in the discussions at the pre-hearing conference and hearing except as they pertain to scheduling or other non-substantive issues. During the hearing, the ARRC Observer will sit in the audience behind the two parties. The Chair of the Special Committee will include the ARRC Observer in the distribution of material and communications (including email messages) relevant to the proceedings prior to the commencement of the Special Committee deliberations. The ARRC Observer will observe all confidentiality requirements as stipulated in the ARRC procedures.

**3.8.10 The Role of the ARRC Observer in Inquiries Concerning Scientific Misconduct (ORED):** An ARRC Observer shall be present throughout the Inquiry and/or Investigation process, unless declined in writing by the respondent. The ARRC Observer shall not have voting rights, shall keep all information from the process confidential, and shall not participate in any way in the process. As a prerequisite to serving in this role, the ARRC Observer shall sign a written confidentiality agreement to ensure non-disclosure. The Observer is responsible for reporting any concerns about the process to the Research Integrity Officer (RIO) during the Research Misconduct process. After the entire process is complete, the ARRC Observer shall report to the ARRC Chair regarding completion and general information about the process to handle the allegation.

**3.9 Members of ARRC, Special Committees, ~~the Special Resource Group~~ and Other Participants Protected by Regents' Bylaw Section 6.8.** Participation in the work of the ARRC, and the Special Committees shall be deemed part of the duties of faculty members and thus subject to the protections afforded by Section 6.8 of the Regents' Bylaws. ~~Special Committees, and the Special Resource Group shall~~



~~be deemed part of the duties of faculty members and thus subject to the protections afforded by Section 6.8 of the Regents Bylaws.~~

### 3.10 ARRC Attorney.

**3.10.1** Because of potential conflicts of interest, the ARRC shall not seek or accept advice from anyone to whom a party is answerable or who may be in a position of giving advice or legal counsel to a party or to any person or body that may later act on a Report of a Special Committee.

**3.10.2** The ARRC may select and hire an independent attorney, subject to the approval of the General Counsel of the University and the President of the Faculty Senate. Bills for the attorney's services shall be processed through the office of the General Counsel of the University.

## 4. PROCEDURES FOR INITIATING ACTIONS BY THE ARRC

Initial contacts with the Chair of the ARRC usually are informal and confidential. However, the Chair of the ARRC may be obligated to report certain information, including, but not limited to known or alleged incidents of illegal discrimination and known or alleged violations of Federal Misconduct in Science Regulations.

The ARRC shall oversee the process of and render judgment pertaining to the imposition of an ~~immediate suspension~~ administrative leave ~~of absence~~ by an administrative officer on ~~f~~ an academic ~~professional~~ staff member. In all other instances, ~~The~~ the ARRC itself shall not investigate the substance of complaints or conduct hearings. No formal action to initiate Special Committee proceedings shall be taken by the ARRC unless a Formal Written Complaint is filed by the person seeking relief and is approved by the ARRC under Section 4.6.

When initially approached by a complainant ~~person seeking relief~~ under these procedures, the Chair of the ARRC first shall determine whether the allegations potentially are governed by Federal Misconduct in Science Regulations,<sup>23</sup> and if so, shall refer the complainant ~~person seeking relief~~ to the Vice Chancellor for Research and Economic Development.

### 4.1 Informal Efforts to Resolve Disputes.

**4.1.1** If the allegations are not governed by Federal Misconduct in Science Regulations, the Chair of the ARRC shall explain available options ~~for informal resolution of the problem. Because the formal dispute resolution procedures are time-consuming and burdensome, it is always better to find informal solutions rather than to follow the procedures for Formal Written Complaints. Informal efforts to resolve conflict may include, including~~ the following:

**4.1.1.1** With the permission of the ~~person seeking relief~~ complainant and after notice to the person(s) with whom conciliation is sought, the Chair of the ARRC may attempt an informal conciliation;

**4.1.1.2** With the permission of the ~~person seeking relief~~ complainant and after notice to the person(s) with whom conciliation is sought, the ARRC may appoint a member of the ~~Special Resource Group~~ **ARR Panel** to attempt an informal conciliation;

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<sup>23</sup>Initial allegations of misconduct potentially governed by Federal Misconduct in Science Regulations should be made to the Vice Chancellor for Research and Economic Development. If someone instead approaches the Chair of the ARRC with allegations potentially governed by Federal Misconduct in Science Regulations, the Chair of the ARRC shall consult with the Vice Chancellor for Research and Economic Development to determine whether Federal Misconduct in Science Regulations apply. If they do apply, the Chair of the ARRC shall refer the person making the allegations to the Vice Chancellor for Research and Economic Development. The Vice Chancellor for Research and Economic Development is then obligated

to conduct an inquiry in accordance with the “University of Nebraska-Lincoln Policy and Procedures for Responding to Allegations of Research Misconduct.” The university policies and procedures concerning research misconduct are available from the Office of the Vice Chancellor for Research and Economic Development and are posted on the Faculty Senate website.

4.1.1.3 With the permission of the ~~person seeking relief~~ complainant and the person against whom relief is sought, the ARRC may request that the Chancellor appoint a professional mediator (if the Chancellor approves the appointment of a paid mediator, the Chancellor shall designate funds for this service);

4.1.1.4 Where applicable, the ~~person seeking relief~~ complainant may pursue the informal and formal procedures set forth in the relevant UNL policies pertaining to unlawful discrimination, sexual harassment, or other prohibited behavior “~~UNL Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harasment~~”;

4.1.1.5 Where applicable, the ~~person seeking relief~~ complainant may seek relief in another forum;

~~4.1.1.6 The person seeking relief complainant may consult a university ombudsperson if such a person is available;~~

4.1.1.7 The ~~person seeking relief~~ complainant may submit a Formal Written Complaint to the ARRC as provided in Section 4.2. When explaining this option to the ~~person seeking relief~~ complainant, the Chair of the ARRC shall direct the attention of the ~~person seeking relief~~ complainant to these ARRC Procedures and the Codes of Procedures of the various Special Committees, and shall offer to appoint ~~a member of the Special Resource Group to assist the person seeking relief in focusing the issues and in preparing the Formal Written Complaint~~ an adviser drawn from the ARR Panel to assist the ~~person seeking relief~~ complainant in focusing the issue and in preparing the Formal Written Complaint.

~~4.1.2 Any other action under these procedures shall be suspended pending the outcome of any conciliation or mediation efforts undertaken under 4.1.1.1, 4.1.1.2, or 4.1.1.3. However, the person seeking relief may pursue the informal and formal procedures set forth in “UNL Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harassment” either before or concurrently with any action under these procedures.~~

## **4.2 Formal Written Complaints:**

~~4.2.1 Mandatory Elements of Formal Written Complaints. A Formal Written Complaint shall contain the following mandatory elements:~~

~~4.2.1.1 a clear and concise statement identifying each complainant and each complainant’s mailing address and telephone number;~~

~~4.2.1.2 a clear and concise statement identifying the person(s) against whom the complaint is made;~~

~~4.2.1.3 a clear and concise statement outlining the facts giving rise to the complaint;~~

~~4.2.1.4 a clear and concise statement identifying the relevant standards the complainant thinks should be used to evaluate the complaint;~~

~~4.2.1.5 a clear and concise statement identifying how the complainant thinks the relevant standards have been violated;~~

~~4.2.1.6 a clear and concise statement of the remedy, sanction, or other personal relief or institutional change the complainant seeks, and from whom;~~

~~4.2.1.7 a clear and concise statement of the type of Special Committee the complainant thinks to be appropriate; and~~

~~4.2.1.8 if the Formal Written Complaint is filed by the Vice Chancellor for Research and Economic Development alleging violation of Federal Misconduct in Science Regulations,~~

~~identification of the relevant Federal Regulations and the Federal procedures and deadlines the Vice Chancellor for Research and Economic Development thinks to be applicable.~~

~~**4.2.2 Jurisdiction of Special Committees to Hear Formal Written Complaints.** The ARRC Special Committees have jurisdiction to consider the following Formal Written Complaints:~~

~~**4.2.2.1** A Formal Written Complaint filed with the Chair of the ARRC by a members of the professional staff alleging that action taken, or threatened, violates the complainant's academic freedom or academic tenure (AFT-A);~~

~~**4.2.2.2** A Formal Written Complaint filed with the chair of the ARRC by the President or by the Board of Regents under Regents Bylaw 4.14.2 seeking to terminate the appointment of a faculty member (AFT-B);~~

**4.1.2** Any other action under these procedures shall be suspended pending the outcome of any conciliation or mediation efforts undertaken under 4.1.1.1, 4.1.1.2, 4.1.1.3, or 4.1.1.6. However, the ~~person seeking relief~~complainant may pursue the informal and formal procedures set forth in the relevant UNL policies pertaining to unlawful discrimination, sexual harassment, or other prohibited behavior either before or concurrently with any action under these procedures.

## **4.2 Formal Written Complaints**

**4.2.1 Mandatory Elements of Formal Written Complaints.** Formal Written Complaints must be written clearly and concisely. Poorly written complaints that are confusing or unclear may lead to a decision not to convene a special committee to hear the complaint. Formal Written Complaints shall contain the following Mandatory Elements:

~~**4.2.1.1** A~~ clear and concise statement identifying each complainant and each complainant's mailing address and telephone number;

~~**4.2.1.2** A~~ clear and concise statement identifying the person(s) against whom the complaint is made;

~~**4.2.1.3** A~~ clear and concise statement outlining the facts giving rise to the complaint;

~~**4.2.1.4** A~~ clear and concise statement identifying the relevant standards of the complainant thinks should be used to evaluate the complaint;

~~**4.2.1.5** A~~ clear and concise statement identifying how the complainant thinks the relevant standards have been violated;

~~**4.2.1.6** A~~ clear and concise statement of the remedy, sanction, or other personal relief or institutional change the complainant seeks, and from whom;

~~**4.2.1.7** A~~ clear and concise statement of the type of Special Committee the complainant thinks to be appropriate; and

~~**4.2.1.8** If the Formal Written Complainant is filed by the Vice Chancellor for Research and Economic Development alleging violation of Federal Misconduct in Science Regulations, identification of the relevant Federal Regulations and the Federal procedures and deadlines the Vice Chancellor for Research and Economic Development thinks to be applicable.~~

**4.2.2 Jurisdiction of Special Committees to Hear Formal Written Complaints.** The ARRC Special Committees have jurisdiction to consider the following Formal Written Complaints:

~~**4.2.2.1** A Formal Written Complaint f~~iled with the Chair of the ARRC by a member of the professional staff under Regents' Bylaw 4.15.2(a) alleging that action taken, or threatened, violates the complainant's academic freedom or academic tenure (AFT-A);

~~**4.2.2.2** A Formal Written Complaint filed with the Chair of the ARRC by the President or by the Board of Regents under Regents' Bylaw 4.14.2 4.15.2(b) seeking to terminate the appointment of a faculty member or as authorized in Regents' Bylaws 4.13.4.2 4.7.4.1 imposing an~~

administrative leave of absence through the end of an academic specific-term or special appointment period (AFT-B);

**4.2.2.3** A Formal Written Complaint filed with the Chair of the ARRC under Regents' Bylaw 4.16 charging a member of the professional staff with professional misconduct ~~or unlawful discrimination, including sexual and other prohibited harassment~~ (~~PC-A~~ PC);

**4.2.2.4** A Formal Written Complaint filed with the Chair of the ARRC by a member of the professional staff charging that the complainant has been wrongly accused of professional misconduct (~~PC-A~~ PC);

**4.2.2.5** Allegations of illegal discrimination and sexual misconduct should be submitted to the Office of Institutional Equity and Compliance (IEC). Charges of illegal discrimination and sexual misconduct are generally initially governed by the IEC. The IEC may forward an unlawful discrimination or sexual misconduct complaint against a professional staff member to the ARRC under Regents' Bylaws ~~s-Section~~ 4.16 (PC). If a faculty member who is party to a case of illegal discrimination and sexual misconduct feels that the IEC has misinterpreted the relevant statutes or reached an inappropriate conclusion, that faculty member may file a complaint with the ARRC under Regents' Bylaws ~~s-Section~~ 4.14 (Grievance).

~~**4.2.2.5** A Formal Written Complaint filed with the EAD IEC and forwarded by that office to the Chair of the ARRC charging a member of the professional staff with professional misconduct or unlawful discrimination, including sexual and other prohibited harassment (PC-A PC);~~

**4.2.2.6** A Formal Written Complaint filed with the Chair of the ARRC against UNL as an institution seeking institutional action as a remedy to alleged discrimination (~~PC-A~~ PC);

**4.2.2.7** A Formal Written Complaint against UNL as an institution which has been filed with the ~~EAC~~ IEC and forwarded by that office to the Chair of the ARRC, seeking institutional action as a remedy to alleged discrimination (~~PC-A~~ PC).

**4.2.2.8** A Formal Written Complaint filed with the Chair of the ARRC under Regents' Bylaw 4.14 by a faculty member alleging any other grievance (Grievance).

**4.3 Formal Written Complaints Stating a Claim or Claims within the Jurisdiction of More than One Special Committee.** If the Formal Written Complaint states a claim or claims for which relief might be granted under more than one Code of Procedures, the following rules shall apply:

**4.3.1** If the Formal Written Complaint was filed by the President or by the Board of Regents under Regents' Bylaw ~~4.14.2~~ 4.15.2 (b) seeking to terminate the appointment of a faculty member, the Formal Written Complaint shall be assigned to a Special AFT-B committee and the Code of Procedures for AFT-B shall be applicable;

**4.3.2** If the Formal Written Complaint includes an allegation that action taken, or threatened, violates the complainant's academic freedom or academic tenure under Regents' Bylaw 4.15.2(a), the Formal Written Complaint shall be assigned to a Special AFT-A Committee and the Code of Procedures for AFT-A shall be applicable;

**4.3.3** If the Formal Written Complaint includes a charge of professional misconduct against a member of the professional staff or a charge that a member of the professional staff has been wrongly accused of professional misconduct, but does not fall within Section 4.3.1 or ~~4.3.2, or 4.3.3~~, the Formal Written Complaint shall be assigned to a Special ~~PC-A~~ PC Committee and the Code of Procedures for Special ~~PC-A~~ PC Committees shall be applicable.

**4.4 Discretion to Assign Two or More Complaints to a Single Special Committee.** If two or more Formal Written Complaints before the ARRC at the same time involve common core issues that might efficiently and fairly be resolved in a single proceeding, the ARRC may, with the consent of all parties,

assign those Formal Written Complaints to a single Special Committee for resolution of the issues that are common to both and of those that are not.

#### **4.5 Deadlines for ARRC Action on Formal Written Complaints.**

**4.5.1** If the Formal Written Complaint was filed by the President or by the Board of Regents under Regents Bylaw ~~4.14.2~~ 4.15.2 (b) seeking to terminate the appointment of a faculty member, the ARRC immediately shall convene a Special AFT-B Committee as provided in Section 5.

**4.5.2** If the Formal Written Complaint includes allegations of unlawful or unprofessional discrimination, the ARRC immediately shall:

**4.5.2.1** provide a copy of the Formal Written Complaint to the ~~EAD~~ IEC for preliminary investigation of the allegations of discrimination; and

**4.5.2.2** without waiting for the results of the ~~EAD~~ IEC preliminary investigation, decide whether to convene a Special Committee as provided in Section 4.~~5.4.6~~. In deciding whether to convene a Special Committee, the ARRC shall not consider the results of any ~~EAD~~ IEC preliminary investigation; if the ARRC decides to convene a Special Committee, the results of any ~~EAD~~ IEC investigation may be considered by the Special Committee.<sup>4</sup>

**4.5.3** Within 30 days after receipt of a Formal Written Complaint that does not fall within Sections 4.5.1 the ARRC shall either:

**4.5.3.1** decide to convene a Special Committee as provided in Section 4.6 or decide not to convene a Special Committee as provided in Section 4.7, and notify each complainant in writing of its decision; or

**4.5.3.2** determine that for good cause shown extenuating circumstances require a longer time for the decision requirement by Section ~~4.5.4.1~~ 4.5.3, and notify each complainant in writing of its determination, of the reasons for the delay, and of the new deadline for taking the actions required by Section ~~4.5.4.1~~ 4.5.3.

**4.6 Decision to Convene a Special Committee under ARRC Bylaw Section 4.5.3.** If the ARRC determines that the Formal Written Complaint that has been submitted to the ARRC for review:

**4.6.1** satisfies the Mandatory Elements requirements of Section 4.2.1; and

**4.6.2** states a claim within the jurisdiction of one or more Special Committees; and

**4.6.3** states a claim which, if proven, could be sufficient to warrant a recommendation of relief or institutional change by an ARRC Special Committee; and

~~4.6.4~~ states a claim based in whole or in part on an alleged act or failure to act by a respondent that either

**4.6.4.1** occurred within one year ~~from the event(s) forming the basis of the Formal Written Complaint or before the complainant's initial contact with the ARRC; or~~

**4.6.4.2** could not with reasonable diligence have been discovered by a complainant ~~more than~~ within one ~~year from the event(s) forming the basis of the Formal Written Complaint; year before the complainant's initial contact with the ARRC;~~ the ARRC shall convene an appropriate Special Committee as provided in Section 5.

**4.7 Decision Not to Convene a Special Committee under ARRC Bylaw Section 4.5.3** ~~4.~~ If the ARRC determines that the Formal Written Complaint ~~is unclear or confusing and~~

**4.7.1** does not ~~satisfy~~ ~~include clear and concise statements of~~ the Mandatory Elements requirements of Section 4.2.1; or

**4.7.2** does not state a claim within the jurisdiction of one or more Special Committees; or

**4.7.3** does not state a claim which, if proven, could be sufficient to warrant a recommendation of relief or institutional change by an ARRC Special Committee; or

4.7.4 does not state a claim based in whole or in part on an alleged act or failure to act by a respondent that either

4.7.4.1 occurred within one year from the event(s) forming the basis of the formal written complaint, before the complainant's initial contact with the ARRC, or

4.7.4.2 could not with reasonable diligence have been discovered by a complainant more than within one year from the event(s) forming the basis of the formal written complaint: before the complainant's initial contact with the ARRC;

the ARRC shall not convene a Special Committee and shall notify each complainant in writing of its decision and of the reasons for its decision, including feedback concerning suggested changes if the complainant wishes to file an amended Formal Written Complaint.

~~4.8 Motions to Reconsider. A complainant dissatisfied with a decision of the ARRC not to convene a Special Committee may, within 5 days after receipt of the decision, in writing request the ARRC to reconsider.~~

**4.8 Motions to Reconsider.** A complainant dissatisfied with a decision of the ARRC not to convene a Special Committee may, within 5 days after receipt of the decision, request in writing that request the ARRC to reconsider. The request to reconsider should include justification for the request. The ARRC shall complete its reconsideration within 30 days and notify each complaint complainant in writing of its decision and the reasons for the decision.

~~4.9 Amended Formal Written Complaints. If the ARRC decides not to convene a Special Committee on the grounds that the Formal Written Complaint does not satisfy the Mandatory Elements requirements of Section 4.2.1, it may, if requested by a complainant, appoint a member of the Special Resource Group to assist the complainant in focusing the issues and in preparing an amended Formal Written Complaint.~~

**4.9 Amended Formal Written Complaints.** If the ARRC decides not to convene a Special Committee on the grounds that the Formal Written Complaint does not satisfy the Mandatory Elements requirements of Section 4.2.1, it may, if requested by a complainant, appoint a member of the ARR Panel to assist the complainant in focusing the issues and in preparing an amended Formal Written Complaint. Amended Formal Written Complaints must be submitted within 30 days of receipt of the notice that the original complaint does not satisfy the requirements in Section 4.2.1. They will be dealt with following the procedures set out in Section 4.5.3, 4.6, 4.7, and 4.8.

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<sup>4</sup>~~See Section 3.3. of the UNL Policy and Procedures on Unlawful Discrimination, Including Sexual and Other Prohibited Harassment: Within 15 working days of the receipt of the complaint from either the complainant or the hearing committee, the EAD shall determine through a preliminary investigation whether it finds a basis for a complaint under this policy. The results of this investigation shall be presented to the complainant, the respondent, and the hearing committee. The hearing committee may consider the preliminary investigation report as evidence at the hearing.~~



**4.10 Finality of ARRC Decisions nNot to Convene aA Special Committee.** If no complainant files an amended Formal Written Complaint or requests reconsideration, or if the ARRC decides not to convene a Special Committee after considering an amended Formal Written Complaint or a request for reconsideration, the decision not to convene a Special Committee shall be final.

## **5. CONVENING SPECIAL COMMITTEES**

**5.1 Convening a Special Committee.** When the ARRC decides to convene a Special Committee, the Chair of the ARRC shall:

**5.1.1** ascertain whether the ~~predesignated~~ potential members of the Special Committee satisfy the membership requirements for a Special Committee of that type; ~~and if not, appoint substitutes as provided in Section 3.3.5;~~

**5.1.2** ascertain ~~from the predesignated member of the Special Committee~~ whether ~~they~~ potential members of the Special Committee from the ARR Panel are available to serve and whether their participation would present a conflict of interest; ~~a predesignated member of the Special Committee cannot serve, appoint a substitute as provided in Section 3.3.5;~~

**5.1.3** convene the Special Committee, provide the applicable Code of Procedures to the members of the Special Committee and to the ARRC Observer, if any, discuss the applicable Code of Procedures with the Special Committee, preside over the election of the Chair of the Special Committee, and, without further commentary or discussion, present the complaint to the Special Committee;

**5.1.4** forward names as follows:

**5.1.4.1** If the Special Committee is an AFT-B Committee, forward the name of the Chair of the AFT-B Special Committee to the President of the University of Nebraska, to the ~~C~~hancellor, and to the ~~Faculty~~ Senate President;

**5.1.4.2** In all other instances, forward the names of the parties and their departments and the name of the Chair of the Special Committee to the Faculty Senate President and to the Chancellor, or if the Chancellor is a party, to the President of the University of Nebraska.

**5.2 Agreement Reached Informally.** If, after a matter is brought to the ARRC, it is resolved by mutual agreement among the parties, the complainant shall file a written notice that a resolution has been reached with the Chair of ARRC, and if a Special Committee has been convened, with the Chair of the Special Committee. Any party to a written agreement signed by each of the parties may file a copy of the written agreement with the Chair of the ARRC. The Chair of the ARRC shall deliver the written agreement to the Coordinator of the Faculty Senate for inclusion in the ARRC archives in the Faculty Senate Office under specified conditions of access.

**5.3 Academic Advisors.** Each party is entitled to, but not required to, have an ~~A~~cademic ~~A~~advisor. Each party shall submit a request for an ~~A~~cademic ~~A~~advisor, indicating who will serve in this capacity, to the Special Committee Chair. The purpose of an ~~A~~cademic ~~A~~advisor is to accompany and consult privately with the party at the Pre-Hearing Conference and the Investigative Hearing. The ~~A~~cademic ~~A~~advisor may also respond to questions from the Special Committee Chair, and may address procedural questions to the Special Committee Chair, but under ordinary circumstances may not otherwise participate in proceedings.

## **6. ADHERENCE TO PROCEDURES**

**6.1** If a party has good reason to believe that a Special Committee is out of compliance with applicable procedures, the matter should be brought to the attention of the Chair of the Special Committee. Procedural questions that the Chair of the Special Committee cannot resolve promptly and that are so important that failure to resolve them would undermine the credibility of the Special Committee may be referred by the Chair of the Special ~~C~~ommittee or by a party to the ARRC for resolution. The ARRC shall resolve the issues after obtaining the views of the parties and of the Special Committee.

The Chair of the ARRC shall inform the parties and the Special Committee of the ARRC decision and direct them to follow the decision.

- 6.2 If a party has good reason to believe that the ARRC is out of compliance with these procedures, the matter should be brought to the attention of the Chair of the ARRC. If the Chair cannot resolve the question quickly and informally after consultation with all parties, it should be presented to the President of the Faculty Senate as the guarantor of the procedures.

## 7. ~~ROLE OF ARRC IN ADMINISTRATIVE LEAVES OF ABSENCE SUMMARY SUSPENSIONS IN ANTICIPATION OF DISMISSAL~~ AND SPEAKER CANCELLATIONS

- 7.1 Any suspension or administrative leave of absence of an ~~professional~~ academic staff member by an administrative officer not resulting from the outcome of a Special Committee hearing must be ~~informally~~ reviewed by the ARRC as specified under UNL Bylaws ~~section 3.15.2 (e)~~ 3.1.5.2 (c) in “Other Responsibilities of the ARRC.”. What constitutes an ~~immediate suspension~~ administrative leave and under what circumstances an ~~immediate suspension~~ administrative leave of absence may be applied are outlined in Regents’ Bylaws ~~Section 4.13.7~~ 4.7 (“Administrative Leave of Absence ~~Sanctions, Suspensions, and/or Termination of a Professional Staff Member: Definition~~”). The role of the ARRC is to oversee and assess the validity of an imposed ~~immediate suspension~~ administrative leave of absence on a ~~professional~~ academic staff member by an administrative officer. The procedures for the ARRC to follow for reviewing an ~~immediate suspension~~ administrative leave of absence are specified under Regents Bylaw ~~section 4.13.28~~ 4.7.2 (“Procedures for Imposing Leave ~~Procedures for Immediate Suspension of a Professional Staff Member~~”).

The ARRC must complete its review and make its recommendation about the leave within 10 business days after being notified of an ~~the immediate suspension~~ administrative leave of absence. ~~Following this review~~ The ARRC Chair shall inform the administrative officer and the ~~professional~~ academic staff member of the committee’s recommendations and ~~notifies~~ shall notify the ~~professional~~ academic staff member of their right to due process. – The ARRC must render a recommendation as to whether the leave is warranted given the circumstances, and whether any of the terms or conditions of the leave should be modified given the circumstances. The administrative officer shall fully inform the ARRC of everything that is known about the need for the leave. The ARRC is prohibited from disseminating this sensitive information in accordance with Section 3.6 ~~of ARRC Procedures~~ and UNL Bylaw 2.10 ~~of UNL Bylaws~~.

Any suspension or ~~suspension~~ administrative leave of absence through the end of a contract or one that is indefinite is a termination and will be treated as such by the administration filing an AFT-B complaint with the ARRC. ~~as defined in Regents Bylaws section 4.7.1 (“Suspension”)~~. Therefore, the administrative officer must inform the ARRC if the ~~professional~~ academic staff member’s contract will ~~expire prior to the 90-calendar day~~ could expire during the potential duration of the leave. Regents’ Bylaw ~~Section 4.13.4~~ 4.7.4 ~~of Regent Bylaws~~ (“Reinstatement”) allows for the initial leave to last for 90 days as well as an additional 90-day extension of the leave. A leave may not extend beyond 180 days unless the administration files an AFT-B or PC complaint against the person put on leave. If the person’s contract will end during any part of this extended timeframe, then the administration is required to file an AFT-B complaint seeking termination for cause of the person placed on leave as specified in Regents’ Bylaws ~~Section 4.13.4.2~~ 4.7.4.1 (“Expiration of Appointment While on Leave”). If the individual would like to waive their right to a termination hearing, then they may do so in writing to the Chancellor and the Chair of the ARRC. ~~immediate suspension limit or prior to the expected completion of a Special Committee hearing. In this instance, the ARRC should also rule as to whether a suspension through end of contract is appropriate or whether formal termination proceedings are warranted.~~



~~Suspension in anticipation of dismissal is appropriate only pending an AFT hearing. When a question arises concerning dismissal, faculty members shall not be suspended from duties assigned by their University appointment during the time needed to resolve the question, unless there is clear threat of physical harm or serious disruption of University programs by the person to be suspended. Before suspending the faculty member the Chancellor (or the Vice Chancellor designated by the Chancellor) shall contact the Chair of the ARRC to arrange a meeting with three members of the Special Resource Group ARR Panel selected by the Chair of the ARRC. This meeting shall occur prior to suspension, if possible, but in any case within 48 hours to the suspension. The purpose of this procedure is three fold: first, to ensure that less stringent action has been considered; second, to protect against claims of arbitrary or capricious action; and third, to ensure that the faculty member is informed of the right to due process. If possible, the Chancellor (or the designated Vice Chancellor) shall reassign the faculty member to other appropriate duties should suspension occur. Pursuant to Regents Bylaw 4.14.2(I i), the suspended faculty member's salary will continue during any period of suspension and an assignment to other duties shall not diminish the faculty member's salary.~~

7.2 Canceling the presentation of a properly invited speaker is appropriate only if there is a clear threat of physical harm or a serious disruption of University programs if the presentation goes forward. Before such a cancellation, the Chancellor (or the Vice Chancellor designated by the Chancellor) shall contact the Chair of the ARRC to arrange a meeting with the ARRC to discuss the proposed cancellation. This meeting shall occur prior to the cancellation unless rare and compelling circumstances make that impossible; in the latter case, the meeting shall be held within 48 hours of the cancellation. The purpose of this meeting is to insure that less stringent alternatives for action have been considered and that when cancellation is imperative, alternative modes of presenting the material have been explored, and to protect against claims that the action was based on considerations inimical to academic freedom.

## 8. FOLLOW UP BY THE ARRC

**8.1 Chancellor's (or President's) Response to Special Committee Recommendations.** In response to recommendations made by a Special Committee, the Chancellor (or, if the Chancellor is a party or a witness, the President) shall within 30 days provide a written response to the Chair of the ARRC indicating:

- 8.1.1 the recommendations that have been accepted and the action taken;
- 8.1.2 the recommendations that have been rejected in part or completely; and
- 8.1.3 for each recommendation rejected, reasons responsive to the Committee's rationale for proposing it.

The Chancellor (or President) shall decide upon Special Committee recommendations on the basis of the evidence submitted to the Special Committee and the report of the Special Committee. Unless clearly erroneous, the findings of fact made by the Special Committee shall be accepted. The Chancellor (or President) shall give the Special Committee's findings and conclusions due consideration, and shall take into account the fact that the Special Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Special Committee.

Copies of the Chancellor's (or President's) written response shall be sent to the parties concerned, the Special Committee, and to the Faculty Senate President. If the response rejects or changes the recommendations made by the Special Committee, the ARRC shall inform the President of the Faculty Senate who shall provide each member of the Senate Executive Committee with a copy of the Final Report and of the response, and shall put the matter on the agenda of the next Senate Executive Committee meeting for whatever action the Senate Executive Committee may deem appropriate. ~~Members of the Senate Executive Committee will observe the confidentiality requirements described in Section 3.6, and 3.8.9, and 3.8.10 -of the procedures.~~

**8.2 ARRC Review of Implementation of Recommendations.** The ARRC shall determine the extent to which recommendations of all Special Committees have been implemented, and shall report its findings to the President of the Faculty Senate and in its annual report to the Senate.

**8.3 ARRC Meeting with the Special Committee.** After the Final Report has been filed, the ARRC shall meet with the Special Committee and any others considered appropriate by the Chair of the ARRC to thank the Special Committee for its work, to collect all copies of documents, and to hear from the Special Committee any suggestions about how the work of the ARRC and its Special Committees might be improved.

**CODE OF PROCEDURES FOR  
SPECIAL ACADEMIC FREEDOM & TENURE - A (AFT-A) COMMITTEES  
University of Nebraska-Lincoln**

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**CODE OF PROCEDURES FOR  
SPECIAL ACADEMIC FREEDOM & TENURE - A (AFT-A) COMMITTEES  
University of Nebraska-Lincoln**

**1 INTRODUCTION**

**1.1 Academic Rights and Responsibilities.** All professional staff (including administrators and faculty members) of the University of Nebraska are entitled to enjoy and to exercise, without penalty, all the rights of an American citizen and the rights of academic freedom as specified in Regents Bylaw 4.2. It is essential to the University that all administrators and professional staff exercise these rights and respect their exercise by others, and uphold the attendant responsibilities outlined in Regents Bylaw 4.1.

**1.2 Duty of University Officials to Investigate and to Take Action on Known or Alleged Discrimination.** University Officials have a duty promptly to investigate and to take appropriate action on all known or alleged incidents of illegal discrimination. University officials in this context shall be defined as any individual employed by UNL with job authority or responsibility to

**1.2.1** supervise, hire, assign or reassign responsibilities;

**1.2.2** recommend or grant promotion or demotion; and/or

**1.2.3** recommend or take any disciplinary or corrective actions.

**1.3 Authority and Jurisdiction of Special AFT-A Committees.**

**1.3.1** Regents Bylaw 4.15.2(a) ~~4.4~~ authorizes a Faculty Academic Freedom and Tenure Committee to ~~consider~~ complaints by any faculty member alleging any procedural or substantive grievance that constitutes an allegation that action taken, or threatened, violates the complainant's academic freedom or academic tenure. The UNL Faculty Senate, with the approval of the University of Nebraska Board of Regents, has vested that authority in Special AFT-A Committees established under the aegis of the Academic Rights and Responsibilities Committee (ARRC). A description of the committees can be found in the Syllabus of Committees of the Faculty Senate, available from the Faculty Senate Office and on the Faculty Senate website.

**1.3.2** The Code entitled "Responsibilities of the Academic Rights and Responsibilities Committee and Procedures for Handling Matters of Academic Freedom and Tenure, Grievance and Professional Conduct" ("ARRC Procedures") indicates how complaints are to be received by the ARRC, assessed for sufficiency and jurisdiction, and transmitted to a Special Committee.

**1.3.3** This “Code of Procedures for Special AFT-A Committees” indicates how a complaint is to be handled after the ARRC has transmitted it to a Special AFT-A Committee.

**1.3.4** The ARRC Procedures and the Code of Procedures for Special AFT-A Committees in their current form are available from the Faculty Senate Office and on the Faculty Senate website. Any faculty member contemplating filing a complaint with the ARRC should first consult both documents. For information and advice concerning these procedures, contact the Chair of the ARRC.

## **2 DEFINITIONS**

As used in this Code of Procedures for Special AFT-A Committees, unless the context otherwise requires:

**2.1 Chancellor** shall mean the Chancellor of UNL.

**2.2 Days** shall mean days on which University offices are open for business.

**2.3 Faculty Member** shall mean any staff member of UNL holding the academic rank of lecturer or above or equivalent rank (Regents Bylaws 3.1.1.1 and 4.4).

**2.4 In Writing** and **Written**, when used to describe a communication, shall mean that the communication so described shall be either a paper document signed by the sender or an electronic communication that can be readily accessed by the sender and by the recipient.

**2.5 Parties** shall mean the complainant(s) and the respondent(s).

**2.6 President** shall mean the President of the University of Nebraska and shall include the authorized representative of the President. The President shall not extend such authorization to the Chancellor or staff members of any campus of the University.

**2.7 Section**, unless otherwise noted, refers to a section of this Code of Procedures for Special AFT-A Committees.

## **3 GENERAL RULES GOVERNING SPECIAL AFT-A COMMITTEES**

**3.1 Quorum.** Each Special AFT-A Committee has six tenured members. If a member of the Special AFT-A Committee withdraws or is barred prior to commencement of the Hearing, the Chair of the Special AFT-A Committee shall notify the Chair of the ARRC, and the Chair of the ARRC shall make every reasonable effort to appoint a suitable replacement as provided in Section 3.3.4 of the ARRC Procedures. In an emergency, and with the consent of the parties, a hearing may be conducted with one member absent, but a member absent from the hearing may not participate in subsequent

deliberations. In no case may the Special AFT-A Committee proceed with the Hearing with fewer than five members present.

**3.2 Voting.** The Special AFT-A Committee may take action only on concurrence of four members. The Chair may vote.

**3.3 Expiration of Term.** A member of the Special AFT-A Committee whose term on the ARR Panel expires during a case shall continue to serve until the case is concluded.

**3.4 Conflict of Interest.** Conflict of Interest occurs when a member of the Special AFT-A Committee

**3.4.1** is in the same department or equivalent unit as a party or witness; or

**3.4.2** answers directly to a party or witness; or

**3.4.3** has a direct voice in the salary or working conditions of a party or witness; or

**3.4.4** has, or reasonably appears to have, a personal interest in the case or its outcome; or

**3.4.5** has provided counsel or assistance to a party relating to the grievance; or

**3.4.6** has participated in the efforts of an organization to provide counsel or assistance to a party relating to the case; or

**3.4.7** has any other relationship with a party that might prevent impartiality.

When a member of the Special AFT-A Committee discovers that the member has a conflict of interest, the member shall voluntarily withdraw from participation. When a member of the Special AFT-A Committee is alleged to have a conflict of interest and the member does not voluntarily withdraw, the ARRC shall review the allegation and, if a conflict of interest is found, shall bar that person from further participation.

**3.5 Communications.**

**3.5.1** The Chair of the Special AFT-A Committee receives communications for the Committee and speaks for it. Both complainant and respondent shall address communications concerning the case only to the Chair of the Special AFT-A Committee. Special AFT-A Committee members should discourage contacts outside the regular process, and should direct those who make them to the Chair of the Special AFT-A Committee.

**3.5.2** The Chair of the Special AFT-A Committee shall keep all parties informed of any substantive communications and contacts, including those that arise outside the normal process.

**3.5.3** If the Chair of the Special AFT-A Committee has difficulty communicating with a party or other necessary participant, the Chair of the Special AFT-A Committee may consult with the Chair of the ARRC about ways to resolve the communication problem.

**3.6 Dissemination of Personnel Information.** Participation in Special AFT-A Committee proceedings makes participants privy to sensitive information and allegations involving the personal and professional lives of members of the University community. UNL Bylaw 2.10 describes limitations on the collection and dissemination of personnel information. Some information obtained as part of an AFT-A proceeding may be protected against broader dissemination by this Bylaw. Violators of this Bylaw could be subject to sanctions for professional misconduct.

**3.7 Open Hearings.** AFT-A Hearings, but not Pre-Hearing Conferences or other AFT-A proceedings, ordinarily are open to the public. However, the Special AFT-A Committee may order a Hearing closed if

**3.7.1** prior to the Pre-Hearing Conference, a party in writing requests that the Hearing be closed;

**3.7.2** all parties consent; and

**3.7.3** the Special AFT-A Committee determines that there is good cause why the Hearing should be closed.

If the Hearing is closed, only those persons identified in Section 6.1 may be present.

**3.8 Academic Advisors.** Each party may choose an Academic Advisor who may accompany and advise the party at the Pre-Hearing Conference and the Hearing. A party's academic advisor may consult privately with that party. At the Pre-Hearing Conference and the Hearing, academic advisors may respond to questions from the Chair and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing. The role of Academic Advisor is open to any person who:

**3.8.1** is a member of the UNL Academic Assembly (UNL Bylaw 3.3.1) or has emeritus faculty status at UNL;

**3.8.2** is not in the same department or equivalent unit as a witness (other than the party being advised) before or a member of the Special AFT-A Committee;

**3.8.3** has no other relationship with a member of the Special AFT-A Committee that might create, or reasonably might seem to create, a conflict of interest for that Special AFT-A Committee member;

**3.8.4** has no direct voice in the salary or working conditions of a party or witness; and

**3.8.5** has no other relationship with a party, an organization, or a witness that might interfere with the investigative process.

**3.9 Counsel and Advice for the Special AFT-A Committee.**

**3.9.1** Because of potential conflicts of interest, the Special AFT-A Committee shall not seek or accept advice from anyone to whom a party is answerable or who may be in a position of giving advice or legal counsel to a party or to any person or body that may later act on the Report of the Special AFT-A Committee.

**3.9.2** The Special AFT-A Committee may receive advice from the ARRC attorney selected pursuant to section 3.10.2 of the ARRC Procedures.



**3.9.3** Nothing in this Section 3.9 shall prevent full participation by a member of the Special AFT-A Committee who is also an attorney.

### **3.10 Termination of Pending AFT-A Proceedings.**

**3.10.1** If at any time all complainants in writing ask the Chair of the Special AFT-A Committee that the Formal Written Complaint be withdrawn, or all parties in writing notify the Chair of the Special AFT-A Committee that they have reached a settlement of the case, the Special AFT-A Committee shall terminate the proceedings and shall not deliver the Final Report described in Section 8. However, in such circumstances the Special AFT-A Committee may, on its own initiative, make written recommendations authorized by Sections 8.2.2 and 8.2.3

**3.10.1.1** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the grievance; and

**3.10.1.2** concerning ways to correct any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the grievance.

Termination of the proceedings under this section shall not preclude the Special AFT-A Committee, or members of the Special AFT-A Committee, from making the “Communications Regarding Matters Outside the Scope of the Formal Written Complaint” authorized by Section 10.

Resignation from the University by any party shall not necessarily prevent the Special AFT-A Committee from completing its deliberations and delivering the Final Report described in Section 8.

**3.11 Timely Completion.** Unless the ARRC, for good cause shown, authorizes a longer period of time, the Special AFT-A Committee shall complete its investigation and deliver its report within 150 days of receiving the Formal Written Complaint from the Chair of the ARRC.

### **3.12 Adherence to Procedures.**

If a party has good reason to believe that the Special AFT-A Committee is out of compliance with these procedures, the matter should be brought to the attention of the Chair of the Special AFT-A Committee. Procedural questions that the Chair of the Special AFT-A Committee cannot resolve promptly and that are so important that failure to resolve them would undermine the credibility of the Special AFT-A Committee may be referred by the Chair of the Special AFT-A Committee or by a party to the ARRC for resolution. The ARRC shall resolve the issues after obtaining the views of the parties and of the Special AFT-A Committee. The Chair of the ARRC shall inform the parties and the Special AFT-A Committee of the ARRC decision and direct them to follow the decision.

**3.12.1** If a party has good reason to believe that the ARRC is out of compliance with these procedures or the ARRC Procedures, the party may invoke Section 6.2 of the ARRC Procedures.

#### **4 GENERAL RESPONSIBILITIES OF THE CHAIR OF THE SPECIAL AFT-A COMMITTEE, NOTICE, RESPONSE, ALLEGATIONS OF CONFLICT OF INTEREST, AND CHALLENGES TO THE ELIGIBILITY OF PROPOSED ACADEMIC ADVISORS**

**4.1 General Responsibilities of the Chair of the Special AFT-A Committee.** The responsibilities of the Chair of the Special AFT-A Committee include:

**4.1.1** convening and presiding over meetings of the Special AFT-A Committee;

**4.1.2** receiving communications for the Special AFT-A Committee and speaking for it;

**4.1.3** ensuring that all substantive communications are made available to all parties;

**4.1.4** maintaining a complete case file, including a record of all substantive communications, documents, verbatim transcripts of hearings, committee actions, and committee reports;

**4.1.5** providing a copy of the Formal Written Complaint, the Formal Written Response, the current ARRC Procedures, and the current Code of Procedures for Special AFT-A Committees to each member of the Special AFT-A Committee, and to the ARRC Observer, if any;

**4.1.6** arranging for accommodations for the Pre-Hearing Conference and for the Hearing, taking into account such factors as the time needed, the space needs of the Special Committee and parties and witnesses, the need for a separate accommodation for witnesses while waiting to testify, and access to other facilities that may be needed;

**4.1.7** moving the proceedings toward a conclusion as expeditiously as reasonably possible while respecting the rights and needs of all participants;

**4.1.8** notifying the Chair of the ARRC of any withdrawal from the Special AFT-A Committee to permit timely appointment of a substitute as provided in Section 3.3.4 of the ARRC Procedures;

**4.1.9** reminding participants of limitations on the dissemination of personnel information set forth in Section 3.6;

**4.1.10** arranging for timely consultation with the Chair of ARRC should procedural disputes arise;

**4.1.11** keeping accurate records of expenditures for activities of the Special Committee and arranging for reimbursements from the Chancellor's office; and

**4.1.12** arranging for the court reporter and verbatim transcript required by Section 6.5.

**4.2 Written Notice to the Parties.** Within 7 days after the Special AFT-A Committee has been convened, the Chair of the Special AFT-A Committee shall send to each party

the following:

- 4.2.1** a copy of the Formal Written Complaint;
- 4.2.2** a copy of the current Procedures of the Academic Rights and Responsibilities Committee;
- 4.2.3** a copy of the current Code of Procedures for AFT-A Committees;
- 4.2.4** a list of the members of the Special AFT-A Committee;
- 4.2.5** the name of the ARRC Observer or, if no ARRC Observer has been appointed, notice to the parties that they are entitled to request that an ARRC Observer be appointed; and
- 4.2.6** notice of the deadlines established in Section 4.3 and 4.4.

**4.3 Formal Written Responses from Respondents: Mandatory Elements and Deadline for Filing.** Within 20 calendar days from the date of receipt of the Formal Written Complaint from the Chair of the Special AFT-A Committee, each respondent shall file a Formal Written Response with the Chair of the Special AFT-A Committee. In addition, if a Formal Written Complaint was filed by an attorney for a complainant, each respondent shall within 20 calendar days from date of receipt of the complaint mail a copy of the Formal Written Response to said attorney by regular United States mail with sufficient postage attached, properly addressed to said attorney.

**4.3.1 Mandatory Elements.** Each Formal Written Response shall contain a clear and concise statement indicating which, if any, of the facts alleged in the Formal Written Complaint the respondent wishes to contest and a clear and concise statement indicating any ameliorating or other additional facts the respondent wishes to allege. Under Sections 4.5 and 7.2, if a respondent fails to file a timely Formal Written Response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**4.3.2 Optional Elements.** In addition, the Formal Written Response may include the following:

- 4.3.2.1** a clear and concise statement indicating which, if any, of the standards identified in the Formal Written Complaint the respondent wishes to contest;
- 4.3.2.2** a clear and concise statement of the standards, if any, the respondent believes to be appropriate for evaluating the complaint;
- 4.3.2.3** a clear and concise statement indicating which, if any, of the violations alleged in the Formal Written Complaint the respondent wishes to contest;
- 4.3.2.4** a clear and concise statement indicating which, if any, of the proposed remedies, sanctions, or other personal relief or prospective institutional change the respondent believes would be inappropriate.

The Chair of the Special AFT-A Committee may extend these deadlines for good cause shown.

**4.4 Deadline for Requests from Any Party Requesting an Academic Advisor, an ARRC Observer, and for Allegations of Conflict of Interest.** Within 15 days from the date of receipt of the Formal Written Complaint from the Chair of the Special AFT-A Committee,

**4.4.1** any party wishing to be advised by an academic advisor shall file a written request with the Chair of the Special AFT-A Committee identifying the proposed academic advisor;

**4.4.2** any party wishing to request that the ARRC appoint an ARRC Observer shall file a written request with the Chair of the Special AFT-A Committee;

**4.4.3** any party wishing to allege that a member of the Special AFT-A Committee has a conflict of interest shall file a written statement with the Chair of the Special AFT-A Committee setting forth the basis for the challenge.

The Chair of the Special AFT-A Committee may extend these deadlines for good cause shown.

**4.5 Procedure If No Respondent Files a Timely Formal Written Response.** If no respondent files a timely Formal Written Response, the uncontested allegations of fact in the Formal Written Complaint shall be deemed to be true, and the Chair of the Special Committee shall so notify the parties and shall schedule a meeting of the Special AFT-A Committee to prepare the Final Report required by Section 8.

**4.6 Procedure If a Respondent Files a Timely Formal Written Response.** If any respondent files a timely Formal Written Response, the Chair of the Special AFT-A Committee shall

**4.6.1** determine whether proposed academic advisors are eligible under Section 3.8, and if any party's proposed academic advisor is not eligible, invite that party to propose an eligible academic advisor;

**4.6.2** forward to each complainant and to each respondent a copy of each Formal Written Response and the names of proposed academic advisors; and

**4.6.3** forward to the Chair of the ARRC any request that an ARRC Observer be appointed.

**4.7 Party Challenges to Proposed Academic Advisors or ARRC Observer.**

**4.7.1** Any party may in writing challenge the eligibility of a proposed academic advisor by delivering the challenge to the Chair of the Special AFT-A Committee within 7 days after receipt of the name of the proposed academic advisor. If a challenged proposed academic advisor does not voluntarily withdraw, the Chair of the Special AFT-A Committee shall determine whether the proposed academic advisor is eligible. If the proposed academic advisor is not eligible, the party may propose another academic advisor. If the new proposed academic advisor appears to be eligible, the Chair of the Special AFT-A Committee shall notify parties of the new proposed academic advisor and afford parties an opportunity to challenge the new proposed academic advisor.

**4.7.2** Any party may in writing challenge the eligibility of a proposed ARRC Observer by delivering the challenge to the Chair of the Special AFT-A Committee within 7 days after receipt of the name of the proposed ARRC Observer. The Chair of the Special AFT-A Committee shall forward the challenge to the Chair of the ARRC. If a challenged ARRC Observer does not voluntarily withdraw, the Chair of the ARRC shall determine whether the proposed ARRC Observer is eligible. If the proposed ARRC Observer is not eligible, the ARRC may in writing propose another ARRC Observer to the Chair of the Special Committee. The Chair of the Special Committee shall in writing notify parties of the new proposed ARRC Observer and afford parties an opportunity to challenge the new proposed ARRC Observer.

## **5 PRE-HEARING CONFERENCE**

**5.1 Purpose.** As soon as possible after giving notice of a Formal Written Response contesting any allegations of the Formal Written Complaint and resolving any issues involving conflicts of interest and eligibility of proposed academic advisors and ARRC Observers, the Chair of the Special AFT-A Committee shall arrange a Pre-Hearing Conference with all parties in attendance

**5.1.1** to clarify the issues involved;

**5.1.2** to identify uncontroverted facts;

**5.1.3** to explore the possibility of a voluntary settlement of the case;

**5.1.4** to explain procedures applicable to the Hearing;

**5.1.5** to explain deadlines for identifying witnesses to be called and documents to be offered in accordance with Section 5.3; and

**5.1.6** to establish procedures for setting the date, time, and place of the Hearing.

After the Pre-Hearing Conference, the Chair of the Special Committee will provide in writing to all parties and members of the Special Committee a list of the uncontroverted facts established in the Pre-Hearing Conference as well as a list of issues to be resolved during the Investigative Hearing by the Special Committee.

### **5.2 Persons Who May Attend and Participate in the Pre-Hearing Conference:**

**5.2.1** the Chair of the Special AFT-A Committee;

**5.2.2** the parties;

**5.2.3** each party's attorney, if any;

**5.2.4** each party's academic advisor, if any;

**5.2.5** the ARRC attorney, if requested by the Chair of the Special AFT-A Committee; and

**5.2.6** the ARRC Observer, if any.

### **5.3 Notice of Hearing and Deadlines for Identification of Witnesses and Documents.** As soon as possible after the conclusion of the Pre-Hearing Conference, the Chair of the Special AFT-A Committee shall in writing give notice of the deadlines for identification of witnesses and documents and of the

date, time, and place of the Hearing to

- 5.3.1** each party;
- 5.3.2** each member of the Special AFT-A Committee;
- 5.3.3** each party's attorney, if any;
- 5.3.4** each academic advisor, if any;
- 5.3.5** the ARRC Observer, if any;
- 5.3.6** the Chair of the ARRC.

**5.4 Identification of Witnesses and Documents.** At least 10 calendar days before the Hearing each complainant shall give written notice to all other parties and to the Chair of the Special AFT-A Committee of the witnesses to be called and of documents to be offered in evidence at the Hearing. At least 5 calendar days before the Hearing, each respondent shall give written notice to all other parties and to the Chair of the Special AFT-A Committee of the witnesses to be called and of documents to be offered in evidence at the Hearing. No witnesses or documents not so listed shall be heard or received at the Hearing, except in cases of surprise, or for the purpose of rebutting oral testimony, or for other justifiable cause found to exist by the Special AFT-A Committee.

## **6 HEARING**

**6.1 Persons Who May Attend a Closed Hearing.** AFT-A Hearings, but not the Pre-Hearing Conference or other AFT-A proceedings, ordinarily are open to the public. However, if the Special AFT-A Committee orders a Hearing closed under Section 3.7, only the following persons may attend the Hearing:

- 6.1.1** members of the Special AFT-A Committee;
- 6.1.2** the parties;
- 6.1.3** each party's attorney, if any;
- 6.1.4** each party's academic advisor, if any;
- 6.1.5** the ARRC attorney, if requested by the Chair of the Special AFT-A Committee;
- 6.1.6** the ARRC Observer, if any; and
- 6.1.7** the court reporter; and witnesses, but no witness shall be present except when that witness is testifying and responding to questions.

**6.2 Order of Hearing.** The usual sequence of a Hearing is as follows:

- 6.2.1** introductions of all present (this will be repeated for each witness);
- 6.2.2** introduction of the case by the Chair of the Special AFT-A Committee;
- 6.2.3** complainant(s)' presentation of the Formal Written Complaint and evidence in support of the Formal Written Complaint, including all documentation and all witnesses;
- 6.2.4** respondent(s)' presentation of the Formal Written Response and evidence in support of the Formal Written Response, including all documentation and all witnesses;
- 6.2.5** presentation of documentation and testimony of witnesses requested by the Special AFT-A Committee;

- 6.2.6** rebuttal in support of the Formal Written Complaint;
- 6.2.7** closing statement(s) by Complainant(s), followed by closing statement(s) by Respondent(s);
- 6.2.8** statement by the Chair of the Special AFT-A Committee thanking participants and explaining post-Hearing procedures.

This order may be varied if the Chair of the Special AFT-A Committee determines that a clearer way of exploring the issues can be achieved, and if the Special AFT-A Committee and the parties agree.

### **6.3 Evidence and Witnesses.**

**6.3.1** Testimony shall be taken under oath. Each party shall have the right to cross-examine witnesses who testify and shall have the right to submit rebuttal testimony. Witnesses may testify and evidence may be received not only concerning relevant facts but also concerning relevant standards.

**6.3.2** Members of the UNL community shall cooperate with the Special AFT-A Committee in providing testimony or documents; however, a person shall not be required to give testimony or to produce documents in regard to any confidential communication for which the law provides a privilege. Refusal by anyone to provide documents or to testify in regard to any communication for which the law does not provide a privilege obstructs the process and shall be taken into consideration by the Special AFT-A Committee in its deliberations and in its preparation of the Final Report.

**6.3.3** In the event any party to the proceedings desires the issuance of a subpoena, such subpoena shall be issued at the direction of the Corporation Secretary, and may be served in the manner provided for subpoenas in the Nebraska Court Rules of Discovery.

**6.3.4** Witnesses not able to attend the hearing may present testimony taken by deposition in the manner provided for depositions in the Nebraska Courts.

~~6.3.4~~ ~~6.3.4~~ **6.3.5** The Special AFT-A Committee may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. It may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence; provided, that any party may file with the Committee at least 3 days before the hearing a written request that the rules of evidence followed by the District Courts in the State of Nebraska shall be applicable. If such a written request is filed, the Chair of the Special AFT-A Committee shall notify the parties that the proceedings shall comply with the principles of law with respect to proceedings in the District Courts in Nebraska, and all counsel and parties shall be bound by such rules and standards of ethics and codes of trial conduct as are applied

in the District Courts.

~~6.3.5~~ ~~6.3.5~~ **6.3.6** The Chair of the Special AFT-A Committee may in appropriate circumstances temporarily adjourn the Hearing.

**6.4 Format of Presentations and Questions.** To preserve orderly and civil proceedings, the Hearing shall be conducted by the Chair of the Special AFT-A Committee as follows:

**6.4.1** No person shall speak without prior recognition by the Chair of the Special AFT-A Committee.

**6.4.2** Each party and each witness may be questioned by members of the Special AFT-A Committee after the end of the presentation of that party or witness.

**6.4.3** When the Special AFT-A Committee has finished questioning a party or witness, each party may question that party or witness; alternatively, the parties may submit questions to the Chair of the Special AFT-A Committee which the Chair of the Special AFT-A Committee may ask on their behalf.

**6.4.4** The Chair of the Special AFT-A Committee may bar questions under Section 6.3.5. A party adversely affected by a decision to bar a question may appeal the decision of the Chair to the full Special AFT-A Committee

**6.4.5** A party's academic advisor may consult privately with that party, may respond to questions from the Chair, and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing.

## **6.5 Record of Hearing**

The Chair of the Special AFT-A Committee shall arrange for a court reporter to be present at the Hearing to produce a verbatim record of the Hearing. Bills for the court reporter's services shall be processed through the office of the General Counsel of the University. The verbatim record shall be made available to the parties and to the Special AFT-A Committee prior to the deliberations and decision of the Special AFT-A Committee required by Section 7. The verbatim record also shall be made available for inspection by the public as set forth in Section 8.3.

## **7 DELIBERATIONS AND DECISION**

**7.1** All deliberations shall be conducted in executive session with no one present except members of the Special AFT-A Committee, and the ARRC attorney, if invited.

**7.2** The complainant bears the burden of proving relevant facts by a preponderance



of the relevant evidence. If a respondent fails to file a timely written response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**7.3** Refusal by anyone to provide documents or to testify obstructs the process and shall be taken into consideration by the Special AFT-A Committee in its deliberations and preparation of the Final Report.

**7.4** The standards against which the charges are to be judged include applicable state and federal law; University bylaws, rules and regulations; established policies of the relevant administrative unit; appropriate professional and discipline based standards; applicable contracts; and academic principles and tradition. In the event of conflict between different University bylaws, rules or regulations, those of the more inclusive administrative unit shall prevail.

## **8 THE FINAL REPORT**

When the Special AFT-A Committee has completed its deliberations it shall prepare a Final Report setting forth the Special AFT-A Committee's disposition of each grievance alleged in the Formal Written Complaint. Communications regarding matters outside the scope of the Formal Written Complaint shall be addressed in accordance with the rules set forth in Section 10 below. The Final Report shall be limited to the following mandatory and optional elements.

**8.1 Mandatory Elements of the Final Report.** The Final Report shall contain, with respect to each grievance alleged in the Formal Written Complaint:

**8.1.1** specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based;

**8.1.2** identification of the standards against which the grievance is being judged; and

**8.1.3** the Special AFT-A Committee's conclusions concerning whether applicable standards have been violated.

Before preparing the elements of the Final Report required by Sections 8.1.2 and 8.1.3, the Chair of the Special AFT-A Committee shall send to each party a copy of a provisional draft of the specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based required by Section 8.1.1. Each party shall have five days after receipt of the provisional draft to submit written comments to the Chair of the Special AFT-A Committee suggesting specific changes to correct specific alleged inaccuracies in the provisional draft. No changes based upon such comments shall be made to the provisional draft without first providing other parties an opportunity to respond to the comments. If the Special AFT-A Committee decides not to make changes suggested in a written comment, that written comment and the Special AFT-A Committee's reasons for that decision shall be appended to the Final Report.

**8.2 Optional Elements of the Final Report.** In addition, the Final Report may contain one or more of the following:

**8.2.1 Recommendations.** The Final Report may include recommendations:

**8.2.1.1** concerning ways to redress any complaint the Special AFT-A Committee has determined to be justified;

**8.2.1.2** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the complaint;

**8.2.1.3** concerning correction of any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the complaint.

**8.2.2 Concurring or Dissenting Opinions.** The Final Report may include concurring or dissenting opinions, or both, concerning any mandatory or optional element of the report.

### **8.3 Delivery and Archiving of Verbatim Record, Case File, and Final Report.**

**8.3.1** The Chair of the Special AFT-A Committee shall

**8.3.1.1** deliver a copy of the Final Report, a copy of the verbatim record of the Hearing, and a copy of all exhibits to the Board of Regents;

**8.3.1.2** deliver a copy of the Final Report to each party, to the Chancellor, to the President, to the Chair of the ARRC, and to the President of the Faculty Senate; and

**8.3.1.3** deliver a copy of the Final Report and of the case file required by Section 4.1.4 to the Coordinator of the Faculty Senate.

**8.3.2** The Coordinator of the Faculty Senate shall

**8.3.2.1** obtain from the Corporate Secretary of the Board of Regents a copy of any committee report considered by the Board of Regents and a copy of the official record of the Board of Regents action;

**8.3.2.2** deposit any committee report considered by the Board of Regents, the official record of the Board of Regents action, a second copy of the Final Report, and the case file in the Faculty Senate Office under specified conditions of access; and

**8.3.2.3** deposit any committee report considered by the Board of Regents, the official record of the Board of Regents action, a second copy of the Final Report, and the case file in the University Archives under specified conditions of access.

## **9 FOLLOW UP TO THE REPORT**

**9.1 Chancellor's (or President's) Response to Recommendations.** In response to recommendations made by the Special AFT-A Committee, the Chancellor (or, if the Chancellor is a party or witness, the President) shall within 30 days provide a written

response to the Chair of the ARRC indicating:

**9.1.1** the recommendations that have been accepted and the action taken;

**9.1.2** the recommendations that have been rejected in part or completely; and

**9.1.3** for each recommendation rejected, reasons responsive to the Committee's rationale for proposing it.

The Chancellor (or President) shall decide upon Special AFT-A Committee recommendations on the basis of the evidence submitted to the Special AFT-A Committee and the report of the Special AFT-A Committee. Unless clearly erroneous, the findings of fact made by the Special AFT-A Committee shall be accepted. The Chancellor (or President) shall give the Special AFT-A Committee's findings and conclusions due consideration, and shall take into account the fact that the Special AFT-A Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Special AFT-A Committee. Copies of the Chancellor's (or President's) written response shall be sent to the parties, the Special Committee, to the President of the Faculty Senate, and to the Coordinator of the Faculty Senate for inclusion in the case files in the ARRC archives and in the University Archives.

If the final action taken ~~response-rejects~~ or changes the recommendations made by the Special AFT-A Committee, the ARRC shall inform the President of the Faculty Senate who shall provide each member of the Senate Executive Committee with a copy of the Final Report and of the response and shall put the matter on the agenda of the next Senate Executive Committee meeting for whatever action the Senate Executive Committee may deem appropriate.

**9.2 ARRC Review of Implementation of Recommendations.** The ARRC shall determine the extent to which recommendations of the Special AFT-A Committee have been implemented, and shall report its findings to the President of the Faculty Senate and in its annual report to the Senate.

**9.3 ARRC Meeting with the Special AFT-A Committee.** After the Final Report has been filed, the ARRC shall meet with the Special AFT-A Committee and any others considered appropriate by the Chair of the ARRC to thank the Special AFT-A Committee for its work, to collect all copies of documents, and to hear from the Special AFT-A Committee any suggestions about how the work of the ARRC and its special committees might be improved.

## **10 COMMUNICATIONS REGARDING MATTERS OUTSIDE THE SCOPE OF THE FORMAL WRITTEN COMPLAINT**

**10.1** In the course of an investigation, one or more members of the Special AFT-A Committee may conclude that the Special AFT-A Committee has heard allegations or

otherwise discovered information which, though outside the scope of the Formal Written Complaint and thus not subject to full investigation and evaluation by the Special AFT-A Committee, nonetheless suggests that actions or decisions have been taken or may be taken in violation of law, University policy, or academic principle.

**10.2** Such concerns shall not be addressed in the Final Report of the Special AFT-A Committee required by Section 8.0. However, the Special AFT-A Committee acting through its chair, or any member or members of the Special AFT-A Committee, may communicate those concerns in writing to the appropriate administrator for investigation and for whatever corrective action may be appropriate. In shaping the contents of and determining the recipients for such communications, those preparing the communications shall consult with the Chair of the ARRC.

**10.3** A copy of any such communication to an administrator shall at the same time be sent to

**10.3.1** the Chancellor; and

**10.3.2** the Chair of the ARRC; and

**10.3.3** any individual on whose actions, decisions, or practices the communication reflects; and

**10.3.4** if the communication reflects on the actions, decisions, or practices of a committee or unit, the individual who heads that committee or unit;

**10.3.5** if the communication reflects on the actions, decisions, or practices of the Chancellor, the President; and

**10.3.6** if the communication includes concerns about alleged unlawful discrimination, including sexual or other prohibited harassment, the UNL Office of Institutional Equity, ~~Access and Diversity Programs and Compliance~~ or its successor if the office is renamed.

**10.4** Such communications shall be deemed to be a part of the responsibility of Special AFT-A Committee members and, as such, to be subject to the same protections afforded all Special AFT-A Committee activities by Section 6.8 of the Regents Bylaws.

**CODE OF PROCEDURES FOR  
SPECIAL ACADEMIC FREEDOM & TENURE - B (AFT-B) COMMITTEES  
University of Nebraska-Lincoln**

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**CODE OF PROCEDURES FOR  
SPECIAL ACADEMIC FREEDOM & TENURE - B (AFT-B) COMMITTEES  
University of Nebraska-Lincoln**

**1 INTRODUCTION**

**1.1 Academic Rights and Responsibilities.** All professional staff (including administrators and faculty members) of the University of Nebraska are entitled to enjoy and to exercise, without penalty, all the rights of an American citizen and the rights of academic freedom as specified in Regents Bylaw 4.2. It is essential to the University that all administrators and professional staff exercise these rights and respect their exercise by others, and uphold the attendant responsibilities outlined in Regents Bylaw 4.1.

**1.2 Duty of University Officials to Investigate and to Take Action on Known or Alleged Discrimination.** University Officials have a duty promptly to investigate and to take appropriate action on all known or alleged incidents of illegal discrimination. University officials in this context shall be defined as any individual employed by UNL with job authority or responsibility to

**1.2.1** supervise, hire, assign or reassign responsibilities;

**1.2.2** recommend or grant promotion or demotion; and/or

**1.2.3** recommend or take any disciplinary or corrective actions.

**1.3 Authority and Jurisdiction of Special AFT-B Committees.**

**1.3.1** Regents Bylaw 4.15.2(b) 4—authorizes a Faculty Academic Freedom and Tenure Committee to consider complaints filed by the President or by the Board of Regents against any member of the faculty seeking to terminate his or her Continuous Appointment, Appointment for a Specific Term prior to the termination date stated in the appointment, or Special Appointment prior to its termination date. **The imposition of an administrative leave of absence through the end of an academic specific-term or special appointment period is a termination for cause and also requires a hearing by the Faculty Academic and Freedom Tenure committee as described in Regent Bylaws Section 4.13.4.2 4.7.4.1.** The UNL Faculty Senate, with the approval of the University of Nebraska Board of Regents, has vested that authority in Special AFT-B Committees established under the aegis of the Academic Rights and Responsibilities Committee (ARRC). A description of the committees can be found in the Syllabus of Committees of the Faculty Senate, available from the Faculty Senate Office and on the Faculty Senate website.

**1.3.2** The Code entitled “Responsibilities of the Academic Rights and Responsibilities Committee and Procedures for Handling Matters of Academic Freedom and Tenure, Grievance and Professional Conduct”(“ARRC Procedures”) indicates how complaints are to be received by the ARRC, assessed for sufficiency and jurisdiction, and transmitted to a Special Committee.

This “Code of Procedures for Special AFT-B Committees” indicates how a complaint filed by the President or by the Board of Regents against any member of the faculty seeking to terminate his or her Continuous Appointment, Appointment for a Specific Term prior to the termination date stated in the appointment, or Special Appointment prior to its termination date, is to be handled after the ARRC has transmitted it to a Special AFT-B Committee.

**1.3.3** The ARRC Procedures and the Code of Procedures for Special AFT-B Committees in their current form are available from the Faculty Senate Office and on the Faculty Senate website. For information and advice concerning these procedures, contact the Chair of the ARRC.

## **2 DEFINITIONS**

As used in this Code of Procedures for Special AFT-B Committees, unless the context otherwise requires:

**2.1 Chancellor** shall mean the Chancellor of UNL.

**2.2 Days** shall mean days on which University offices are open for business.

**2.3 Faculty Member** shall mean any staff member of UNL holding the academic rank of lecturer or above or equivalent rank (Regents Bylaws 3.1.1.1 and 4.4).

**2.4 In Writing and Written**, when used to describe a communication, shall mean that the communication so described shall be either a paper document signed by the sender or an electronic communication that can be readily accessed by the sender and by the recipient.

**2.5 Parties** shall mean the complainant(s) and the respondent(s).

**2.6 President** shall mean the President of the University of Nebraska and shall include the authorized representative of the President. The President shall not extend such authorization to the Chancellor or staff members of any campus of the University.

**2.7 Section**, unless otherwise noted, refers to a section of this Code of Procedures for Special AFT-B Committees.

## **3 GENERAL RULES GOVERNING SPECIAL AFT-B COMMITTEES**

**3.1—Quorum.** Each Special AFT-B Committee has six tenured members. If a member of the Special AFT-B Committee withdraws or is barred prior to commencement of the Hearing, the Chair of the Special AFT-B Committee shall notify the Chair of the ARRC, and the Chair of the ARRC shall make every reasonable effort to appoint a suitable replacement as provided in Section 3.3.4 of the ARRC Procedures. In an emergency, and



| with the consent of the parties, a hearing may be conducted with one member absent, but

a member absent from the hearing may not participate in subsequent deliberations. In no case may the Special AFT-B Committee proceed with the Hearing with fewer than five members present.

**3.23.1 Voting.** The Special AFT-B Committee may take action only on concurrence of four members. The Chair may vote.

**3.33.2 Expiration of Term.** A member of the Special AFT-B Committee whose term on the ARR Panel expires during a case shall continue to serve until the case is concluded.

**3.43.3 Conflict of Interest.** Conflict of Interest occurs when a member of the Special AFT-B Committee

~~3.4.1~~**3.3.1** is in the same department or equivalent unit as a party or witness; or

~~3.4.2~~**3.3.2** answers directly to a party or witness; or

~~3.4.3~~**3.3.3** has a direct voice in the salary or working conditions of a party or witness; or

~~3.4.4~~**3.3.4** has, or reasonably appears to have, a personal interest in the case or its outcome; or

~~3.4.5~~**3.3.5** has provided counsel or assistance to a party relating to allegations contained in the complaint; or

~~3.4.6~~**3.3.6** has participated in the efforts of an organization to provide counsel or assistance to a party relating to the case; or

~~3.4.7~~**3.3.7** has any other relationship with a party that might prevent impartiality.

When a member of the Special AFT-B Committee discovers that the member has a conflict of interest, the member shall voluntarily withdraw from participation. When a member of the Special AFT-B Committee is alleged to have a conflict of interest and the member does not voluntarily withdraw, the ARRC shall review the allegation and, if a conflict of interest is found, shall bar that person from further participation.

**3.53.4 Communications.**

~~3.5.1~~**3.4.1** The Chair of the Special AFT-B Committee receives communications for the Committee and speaks for it. Both complainant and respondent shall address communications concerning the case only to the Chair of the Special AFT-B Committee. Special AFT-B Committee members should discourage contacts outside the regular process, and should direct those who make them to the Chair of the Special AFT-B Committee.

~~3.5.2~~**3.4.2** The Chair of the Special AFT-B Committee shall keep all parties informed of any substantive communications and contacts, including those that arise outside the normal process.

~~3.5.3~~**3.4.3** If the Chair of the Special AFT-B Committee has difficulty communicating with a party or other necessary participant, the Chair of the

Special AFT-B

Committee may consult with the Chair of the ARRC about ways to resolve the communication problem.

**3.63.5 Dissemination of Personnel Information.** Participation in Special AFT-B Committee proceedings makes participants privy to sensitive information and allegations involving the personal and professional lives of members of the University community. UNL Bylaw ~~2.9~~ 2.10 describes limitations on the collection and dissemination of personnel information. Some information obtained as part of an AFT-B proceeding may be protected against broader dissemination by this Bylaw. Violators of this Bylaw could be subject to sanctions for professional misconduct.

**3.73.6 Closed Hearings.** AFT-B Hearings ordinarily are closed to the public. However, if the respondent prior to the conclusion of the Pre-Hearing Conference requests that the AFT-B Hearing be open to the public, the AFT-B Hearing shall be open to the public. If the Hearing is closed, only those persons identified in Section 6.1 may be present.

**3.83.7 Academic Advisors.** Each party may choose an Academic Advisor who may accompany and advise the party at the Pre-Hearing Conference and the Hearing. ~~A party's academic advisor may consult privately with that party. At the Pre-Hearing Conference and the Hearing, academic advisors may respond to questions from the Chair and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing.~~ The role of Academic Advisor is open to any person who:

~~3.8.1~~3.7.1 is a member of the UNL Academic Assembly (UNL Bylaw 3.3.1) or has emeritus faculty status at UNL;

~~3.8.2~~3.7.2 is not in the same department or equivalent unit as a witness (other than the party being advised) before or a member of the Special AFT-B Committee;

~~3.8.3~~3.7.3 has no other relationship with a member of the Special AFT-B Committee that might create, or reasonably might seem to create, a conflict of interest for that Special AFT-B Committee member;

~~3.8.4~~3.7.4 has no direct voice in the salary or working conditions of a party or witness; and

~~3.8.5~~3.7.5 has no other relationship with a party, an organization, or a witness that might interfere with the investigative process.

### **3.93.8 Counsel and Advice for the Special AFT-B Committee.**

~~3.9.1~~3.8.1 Because of potential conflicts of interest, the Special AFT-B Committee shall not seek or accept advice from anyone to whom a party is answerable or who may be in a position of giving advice or legal counsel to a party or to any person or body that may later act on the Report of the Special AFT-B Committee.

~~3.9.2~~3.8.2 The Special AFT-B Committee may receive advice from the ARRC attorney selected pursuant to section 3.10.2 of the ARRC Procedures.

~~3.9.3~~**3.8.3** Nothing in this Section 3.9 shall prevent full participation by a member of the Special AFT-B Committee who is also an attorney.

~~3.9.4~~**3.8.4**

### ~~3.10~~**3.9** Termination of Pending AFT-B Proceedings.

~~3.10.1~~**3.9.1** If at any time all complainants in writing ask the Chair of the Special AFT-B Committee that the Formal Written Complaint be withdrawn, or all parties in writing notify the Chair of the Special AFT-B Committee that they have reached a settlement of the case, the Special AFT-B Committee shall terminate the proceedings and shall not deliver the Final Report described in Section 8. However, in such circumstances the Special AFT-B Committee may, on its own initiative, make written recommendations authorized by Sections 8.2.2 and 8.2.3

~~3.10.1.1~~**3.9.1.1** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the complaint; and

~~3.10.1.2~~**3.9.1.2** concerning ways to correct any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the complaint.

Termination of the proceedings under this section shall not preclude the Special AFT-B Committee, or members of the Special AFT-B Committee, from making the “Communications Regarding Matters Outside the Scope of the Formal Written Complaint” authorized by Section 10.

~~3.10.2~~**3.9.2** Resignation from the University by any party shall not necessarily prevent the Special AFT-B Committee from completing its deliberations and delivering the Final Report described in Section 8.

~~3.11~~**3.10** **Timely Completion.** Unless the ARRC, for good cause shown, authorizes a longer period of time, the Special AFT-B Committee shall complete its investigation and deliver its report within 150 days of receiving the Formal Written Complaint from the Chair of the ARRC.

### ~~3.12~~**3.11** Adherence to Procedures.

~~3.12.1~~**3.11.1** If a party has good reason to believe that the Special AFT-B Committee is out of compliance with these procedures, the matter should be brought to the attention of the Chair of the Special AFT-B Committee. Procedural questions that the Chair of the Special AFT-B Committee cannot resolve promptly and that are so important that failure to resolve them would undermine the credibility of the Special AFT-B Committee may be referred by the Chair of the Special AFT-B Committee or by a party to the ARRC for resolution. The ARRC shall resolve the issues after obtaining the views of the parties and of the Special AFT-B Committee.

The Chair of the ARRC shall inform the parties and the Special AFT-B Committee of the ARRC decision and direct them to follow the decision.

~~3.12.23.11.2~~ If a party has good reason to believe that the ARRC is out of compliance with these procedures or the ARRC Procedures, the party may invoke Section 6.2 of the ARRC Procedures.

#### **4 GENERAL RESPONSIBILITIES OF THE CHAIR OF THE SPECIAL AFT-B COMMITTEE, NOTICE, RESPONSE, ALLEGATIONS OF CONFLICT OF INTEREST, AND CHALLENGES TO THE ELIGIBILITY OF PROPOSED ACADEMIC ADVISORS**

**4.1 General Responsibilities of the Chair of the Special AFT-B Committee.** The responsibilities of the Chair of the Special AFT-B Committee include:

**4.1.1** convening and presiding over meetings of the Special AFT-B Committee;

**4.1.2** receiving communications for the Special AFT-B Committee and speaking for it;

**4.1.3** ensuring that all substantive communications regarding the complaint are made available to all parties;

**4.1.4** maintaining a complete case file, including a record of all substantive communications, documents, verbatim transcripts of hearings, committee actions, and committee reports related to the complaint;

**4.1.5** providing a copy of the Formal Written Complaint, the Formal Written Response, the current ARRC Procedures, and the current Code of Procedures for Special AFT-B Committees to each member of the Special AFT-B Committee, and to the ARRC Observer, if any;

**4.1.6** arranging for accommodations for the Pre-Hearing Conference and for the Hearing, taking into account such factors as the time needed, the space needs of the Special Committee and parties and witnesses, the need for a separate accommodation for witnesses while waiting to testify, and access to other facilities that may be needed;

**4.1.7** moving the proceedings toward a conclusion as expeditiously as reasonably possible while respecting the rights and needs of all participants;

**4.1.8** notifying the Chair of the ARRC of any withdrawal from the Special AFT-B Committee to permit timely appointment of a substitute as provided in Section 3.3.5 of the ARRC Procedures;

**4.1.9** reminding participants of limitations on the dissemination of personnel information set forth in Section 3.6;

**4.1.10** arranging for timely consultation with the Chair of ARRC should procedural disputes arise;

**4.1.11** keeping accurate records of expenditures for activities of the Special Committee and arranging for reimbursements from the Chancellor's office; and

**4.1.12** arranging for the court reporter and verbatim transcript required by Section 6.5.

**4.2 Written Notice to the Parties.** Within 7 days after the Special AFT-B Committee has been convened, the Chair of the Special AFT-B Committee shall send to each party the following:

**4.2.1** a copy of the Formal Written Complaint;

**4.2.2** a copy of the current Procedures of the Academic Rights and Responsibilities Committee;

**4.2.3** a copy of the current Code of Procedures for AFT-B Committees;

**4.2.4** a list of the members of the Special AFT-B Committee;

**4.2.5** the name of the ARRC Observer or, if no ARRC Observer has been appointed, notice to the parties that they are entitled to request that an ARRC Observer be appointed; and

**4.2.6** notice of the deadlines established in Section 4.3 and 4.4.

**4.3 Formal Written Responses from Respondents: Mandatory Elements and Deadline for Filing.** Within 20 calendar days from the date of receipt of the Formal Written Complaint from the Chair of the Special AFT-B Committee, each respondent shall file a Formal Written Response with the Chair of the Special AFT-B Committee. In addition, if a Formal Written Complaint was filed by an attorney for a complainant, each respondent shall within 20 calendar days from date of receipt of the complaint mail a copy of the Formal Written Response to said attorney by regular United States mail with sufficient postage attached, properly addressed to said attorney.

**4.3.1 Mandatory Elements.** Each Formal Written Response shall contain a clear and concise statement indicating which, if any, of the facts alleged in the Formal Written Complaint the respondent wishes to contest and a clear and concise statement indicating any ameliorating or other additional facts the respondent wishes to allege. Under Sections 4.5 and 7.2, if a respondent fails to file a timely Formal Written Response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**4.3.2 Optional Elements.** In addition, the Formal Written Response may include the following:

**4.3.2.1** a clear and concise statement indicating which, if any, of the standards identified in the Formal Written Complaint the respondent wishes to contest;

**4.3.2.2** a clear and concise statement of the standards, if any, the respondent believes to be appropriate for evaluating the complaint;

**4.3.2.3** a clear and concise statement indicating which, if any, of the violations alleged in the Formal Written Complaint the respondent wishes to contest;

**4.3.2.4** a clear and concise statement indicating reasons, if any, why termination would be inappropriate.



The Chair of the Special AFT-B Committee may extend these deadlines for good cause shown.

**4.4 Deadline for Requests from Any Party Requesting an Academic Advisor, an ARRC Observer, and for Allegations of Conflict of Interest.** Within 15 days from the date of receipt of the Formal Written Complaint from the Chair of the Special AFT-B Committee,

**4.4.1** any party wishing to be advised by an academic advisor shall file a written request with the Chair of the Special AFT-B Committee identifying the proposed academic advisor;

**4.4.2** any party wishing to request that the ARRC appoint an ARRC Observer shall file a written request with the Chair of the Special AFT-B Committee;

**4.4.3** any party wishing to allege that a member of the Special AFT-B Committee has a conflict of interest shall file a written statement with the Chair of the Special AFT-B Committee setting forth the basis for the challenge.

The Chair of the Special AFT-B Committee may extend these deadlines for good cause shown.

**4.5 Procedure If No Respondent Files a Timely Formal Written Response.** If no respondent files a timely Formal Written Response, the uncontested allegations of fact in the Formal Written Complaint shall be deemed to be true, and the Chair of the Special Committee shall so notify the parties and shall schedule a meeting of the Special AFT-B Committee to prepare the Final Report required by Section 8.

**4.6 Procedure If a Respondent Files a Timely Formal Written Response.** If any respondent files a timely Formal Written Response, the Chair of the Special AFT-B Committee shall

**4.6.1** determine whether proposed academic advisors are eligible under Section 3.8, and if any party=s proposed academic advisor is not eligible, invite that party to propose an eligible academic advisor;

**4.6.2** forward to each complainant and to each respondent a copy of each Formal Written Response and the names of proposed academic advisors; and

**4.6.3** forward to the Chair of the ARRC any request that an ARRC Observer be appointed.

**4.7 Party Challenges to Proposed Academic Advisors or ARRC Observer.**

**4.7.1** Any party may in writing challenge the eligibility of a proposed academic advisor by delivering the challenge to the Chair of the Special AFT-B Committee within 7 days after receipt of the name of the proposed academic advisor. If a challenged proposed academic advisor does not voluntarily withdraw, the Chair of the Special AFT-B Committee shall determine whether the proposed academic advisor is eligible. If the proposed academic advisor is not eligible, the party may

propose another academic advisor. If the new proposed academic advisor appears to be eligible, the Chair of the Special AFT-B Committee shall notify parties of the new proposed academic advisor and afford parties an opportunity to challenge the new proposed academic advisor.

**4.7.2** Any party may in writing challenge the eligibility of a proposed ARRC Observer by delivering the challenge to the Chair of the Special AFT-B Committee within 7 days after receipt of the name of the proposed ARRC Observer. The Chair of the Special AFT-B Committee shall forward the challenge to the Chair of the ARRC. If a challenged ARRC Observer does not voluntarily withdraw, the Chair of the ARRC shall determine whether the proposed ARRC Observer is eligible. If the proposed ARRC Observer is not eligible, the ARRC may in writing propose another ARRC Observer to the Chair of the Special Committee. The Chair of the Special Committee shall in writing notify parties of the new proposed ARRC Observer and afford parties an opportunity to challenge the new proposed ARRC Observer.

## **5 PRE-HEARING CONFERENCE**

**5.1 Purpose.** As soon as possible after giving notice of a Formal Written Response contesting any allegations of the Formal Written Complaint and resolving any issues involving conflicts of interest and eligibility of proposed academic advisors and ARRC Observers, the Chair of the Special AFT-B Committee shall arrange a Pre-Hearing Conference with all parties in attendance

**5.1.1** to clarify the issues involved;

**5.1.2** to identify uncontroverted facts;

**5.1.3** to explore the possibility of a voluntary settlement of the case;

**5.1.4** to explain procedures applicable to the Hearing;

**5.1.5** to explain deadlines for identifying witnesses to be called and documents to be offered in accordance with Section 5.3; and

**5.1.6** to establish procedures for setting the date, time, and place of the Hearing.

After the Pre-Hearing Conference, the Chair of the Special Committee will provide in writing to all parties and members of the Special Committee a list of the uncontroverted facts established in the Pre-Hearing Conference as well as a list of issues to be resolved during the Investigative Hearing by the Special Committee.

### **5.2 Persons Who May Attend and Participate in the Pre-Hearing Conference:**

**5.2.1** the Chair of the Special AFT-B Committee;

**5.2.2** the parties;

**5.2.3** each party's attorney, if any;

**5.2.4** each party's academic advisor, if any;

**5.2.5** the ARRC attorney, if requested by the Chair of the Special AFT-B Committee; and

**5.2.6** the ARRC Observer, if any.

**5.3 Notice of Hearing and Deadlines for Identification of Witnesses and Documents.** As soon as possible after the conclusion of the Pre-Hearing Conference, the Chair of the Special AFT-B Committee shall in writing give notice of the deadlines for identification of witnesses and documents and of the date, time, and place of the Hearing to

**5.3.1** each party;

**5.3.2** each member of the Special AFT-B Committee;

**5.3.3** each party's attorney, if any;

**5.3.4** each academic advisor, if any;

**5.3.5** the ARRC Observer, if any;

**5.3.6** the Chair of the ARRC.

**5.4 Identification of Witnesses and Documents.** At least 10 calendar days before the Hearing each complainant shall give written notice to all other parties and to the Chair of the Special AFT-B Committee of the witnesses to be called and of documents to be offered in evidence at the Hearing. At least 5 calendar days before the Hearing, each respondent shall give written notice to all other parties and to the Chair of the Special AFT-B Committee of the witnesses to be called and of documents to be offered in evidence at the Hearing. No witnesses or documents not so listed shall be heard or received at the Hearing, except in cases of surprise, or for the purpose of rebutting oral testimony, or for other justifiable cause found to exist by the Special AFT-B Committee.

## **6 HEARING**

**6.1 Persons Who May Attend a Closed Hearing.** Only the following persons may attend a Closed Hearing:

**6.1.1** members of the Special AFT-B Committee;

**6.1.2** the parties;

**6.1.3** each party's attorney, if any;

**6.1.4** each party's academic advisor, if any;

**6.1.5** the ARRC attorney, if requested by the Chair of the Special AFT-B Committee;

**6.1.6** the ARRC Observer, if any; and

**6.1.7** the court reporter; and

**6.1.8** witnesses, but no witness shall be present except when that witness is testifying and responding to questions.

**6.2 Order of Hearing.** The usual sequence of a Hearing is as follows:

**6.2.1** introductions of all present (this will be repeated for each witness);

**6.2.2** introduction of the case by the Chair of the Special AFT-B Committee;

**6.2.3** complainant(s)' presentation of the Formal Written Complaint and evidence in support of the Formal Written Complaint, including all documentation and all witnesses;

**6.2.4** respondent(s)' presentation of the Formal Written Response and evidence in support of the Formal Written Response, including all documentation and all witnesses;

**6.2.5** presentation of documentation and testimony of witnesses requested by the Special AFT-B Committee; rebuttal in support of the Formal Written Complaint;

**6.2.6** closing statement(s) by Complainant(s), followed by closing statement(s) by Respondent(s);

**6.2.7** statement by the Chair of the Special AFT-B Committee thanking participants and explaining post-Hearing procedures.

This order may be varied if the Chair of the Special AFT-B Committee determines that a clearer way of exploring the issues can be achieved, and if the Special AFT-B Committee and the parties agree.

### **6.3 Evidence and Witnesses.**

**6.3.1** Testimony shall be taken under oath. Each party shall have the right to cross-examine witnesses who testify and shall have the right to submit rebuttal testimony. Witnesses may testify and evidence may be received not only concerning relevant facts but also concerning relevant standards.

**6.3.2** Members of the UNL community shall cooperate with the Special AFT-B Committee in providing testimony or documents; however, a person shall not be required to give testimony or to produce documents in regard to any confidential communication for which the law provides a privilege. Refusal by anyone to provide documents or to testify in regard to any communication for which the law does not provide a privilege obstructs the process and shall be taken into consideration by the Special AFT-B Committee in its deliberations and in its preparation of the Final Report.

**6.3.3** In the event any party to the proceedings desires the issuance of a subpoena, such subpoena shall be issued at the direction of the Corporation Secretary, and may be served in the manner provided for subpoenas in the Nebraska Court Rules of Discovery.

**6.3.4** Witnesses not able to attend the hearing may present testimony taken by deposition in the manner provided for depositions in the Nebraska Courts.

**6.3.5** The Special AFT-B Committee may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. It may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence; provided, that any party may file with the Committee at least 3 days before the hearing a written request that the rules of evidence followed by the District Courts in the State of Nebraska shall be applicable. If such a written request is filed, the Chair of the Special AFT-B Committee shall notify the parties that the proceedings shall comply with the principles of law with respect to proceedings in the District Courts in Nebraska, and

all counsel and parties shall be bound by such rules and standards of ethics and codes of trial conduct as are applied in the District Courts.

**6.3.6** The Chair of the Special AFT-B Committee may in appropriate circumstances temporarily adjourn the Hearing.

**6.3.7** In cases where the grounds for termination of an appointment are based in whole or in part on questions of professional competence, the report of the meeting of tenured faculty of the respondent's unit required by Regents Bylaw 4.14.(b)(2) shall be made a part of the record. Relevant testimony concerning professional competence from individual colleagues, students, and others also may be admitted.

**6.4 Format of Presentations and Questions.** To preserve orderly and civil proceedings, the Hearing shall be conducted by the Chair of the Special AFT-B Committee as follows:

**6.4.1** No person shall speak without prior recognition by the Chair of the Special AFT-B Committee.

**6.4.2** Each party and each witness may be questioned by members of the Special AFT-B Committee after the end of the presentation of that party or witness.

**6.4.3** When the Special AFT-B Committee has finished questioning a party or witness, each party may question that party or witness; alternatively, the parties may submit questions to the Chair of the Special AFT-B Committee which the Chair of the Special AFT-B Committee may ask on their behalf.

**6.4.4** The Chair of the Special AFT-B Committee may bar questions under Section 6.3.5. A party adversely affected by a decision to bar a question may appeal the decision of the Chair to the full Special AFT-B Committee

**6.4.5** A party's academic advisor may consult privately with that party, may respond to questions from the Chair, and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing.

## **6.5 Record of Hearing**

The Chair of the Special AFT-B Committee shall arrange for a court reporter to be present at the Hearing to produce a verbatim record of the Hearing. Bills for the court reporter's services shall be processed through the office of the General Counsel of the University. The verbatim record shall be made available to the parties and to the Special AFT-B Committee prior to the deliberations and decision of the Special AFT-B Committee

required by Section 7. The verbatim record also shall be made available for inspection by the public as set forth in Section 8.3.

## **7 DELIBERATIONS AND DECISION**

**7.1** All deliberations shall be conducted in executive session with no one present except members of the Special AFT-B Committee, and the ARRC attorney, if invited.

**7.2** The complainant bears the burden of proving relevant facts by a preponderance of the relevant evidence. If a respondent fails to file a timely written response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**7.3** Refusal by anyone to provide documents or to testify obstructs the process and shall be taken into consideration by the Special AFT-B Committee in its deliberations and preparation of the Final Report.

**7.4** The standards against which the charges are to be judged include applicable state and federal law; University bylaws, rules and regulations; established policies of the relevant administrative unit; appropriate professional and discipline based standards; applicable contracts; and academic principles and tradition. In the event of conflict between different University bylaws, rules or regulations, those of the more inclusive administrative unit shall prevail.

**7.5** Pursuant to Regents Bylaw **4.15.2(j)-4(j)**, the Special AFT-B Committee shall have the power to consider a request filed by any person, board or committee that alleges that a faculty member should be subject to sanctions less severe than appointment termination, and power to recommend in any case sanctions less severe than appointment termination where less severe sanctions seem appropriate.

## **8 THE FINAL REPORT**

When the Special AFT-B Committee has completed its deliberations it shall prepare a Final Report setting forth the Special AFT-B Committee's disposition of each charge alleged in the Formal Written Complaint. Communications regarding matters outside the scope of the Formal Written Complaint shall be addressed in accordance with the rules set forth in Section 10 below. The Final Report shall be limited to the following mandatory and optional elements.

**8.1 Mandatory Elements of the Final Report.** The Final Report shall contain, with respect to each charge in the Formal Written Complaint:

**8.1.1** specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based;

**8.1.2** identification of the standards against which the charge is being judged;

**8.1.3** the Special AFT-B Committee's conclusions concerning whether applicable standards have been violated; and

**8.1.4** if the Special AFT-B Committee concludes that applicable standards have been violated, whether termination or some lesser sanction is warranted.

Before preparing the elements of the Final Report required by Sections 8.1.2 and 8.1.3, the Chair of the Special AFT-B Committee shall send to each party a copy of a provisional draft of the specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based required by Section 8.1.1. Each party shall have five days after receipt of the provisional draft to submit written comments to the Chair of the Special AFT-B Committee suggesting specific changes to correct specific alleged inaccuracies in the provisional draft. No changes based upon such comments shall be made to the provisional draft without first providing other parties an opportunity to respond to the comments. If the Special AFT-B Committee decides not to make changes suggested in a written comment, that written comment and the Special AFT-B Committee's reasons for that decision shall be appended to the Final Report.

**8.2 Optional Elements of the Final Report.** In addition, the Final Report may contain one or more of the following:

**8.2.1 Recommendations.** The Final Report may include recommendations:

**8.2.1.1** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the complaint;

**8.2.1.2** concerning correction of any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the complaint.

**8.2.2 Concurring or Dissenting Opinions.** The Final Report may include concurring or dissenting opinions, or both, concerning any mandatory or optional element of the report.

**8.3 Delivery and Archiving of Verbatim Record, Case File, and Final Report.**

**8.3.1** The Chair of the Special AFT-B Committee shall

**8.3.1.1** deliver a copy of the Final Report, a copy of the verbatim record of the Hearing, and a copy of all exhibits to the Board of Regents;

**8.3.1.2** deliver a copy of the Final Report to each party, to the Chancellor, to the President, to the Chair of the ARRC, and to the President of the Faculty Senate; and

**8.3.1.3** deliver a copy of the Final Report and of the case file required by Section 4.1.4 to the Coordinator of the Faculty Senate.

**8.3.2** The Coordinator of the Faculty Senate shall

**8.3.2.1** obtain from the Corporate Secretary of the Board of Regents a copy of any committee report considered by the Board of Regents and a copy of the official record of the Board of Regents action;

**8.3.2.2** deposit any committee report considered by the Board of Regents, the official record of the Board of Regents action, a second copy of the Final Report, and the case file in the Faculty Senate Office under specified conditions of access; and

**8.3.2.3** deposit any committee report considered by the Board of Regents, the official record of the Board of Regents action, a second copy of the Final Report, and the case file in the University Archives under specified conditions of access.

## **9 FOLLOW UP TO THE REPORT**

**9.1 Chancellor's (or President's) Response to Recommendations.** In response to recommendations made by the Special AFT-B Committee, the Chancellor (or, if the Chancellor is a party **or a witness**, the President) shall within 30 days provide a written response to the Chair of the ARRC indicating:

**9.1.1** the recommendations that have been accepted and the action taken;

**9.1.2** the recommendations that have been rejected in part or completely; and

**9.1.3** for each recommendation rejected, reasons responsive to the Committee's rationale for proposing it.

Copies shall be sent to the parties, to the President of the Faculty Senate, and to the Coordinator of the Faculty Senate for inclusion in the case files in the ARRC archives and in the University Archives. If the response rejects or changes the recommendations made by the Special AFT-B Committee, the ARRC shall inform the President of the Faculty Senate who shall provide each member of the Senate Executive Committee with a copy of the Final Report and of the response and shall put the matter on the agenda of the next Senate Executive Committee meeting for whatever action the Senate Executive Committee may deem appropriate.

**9.2 ARRC Review of Implementation of Recommendations.** The ARRC shall determine the extent to which recommendations of the Special AFT-B Committee have been implemented, and shall report its findings to the President of the Faculty Senate and in its annual report to the Senate.

**9.3 ARRC Meeting with the Special AFT-B Committee.** After the Final Report has been filed, the ARRC shall meet with the Special AFT-B Committee and any others considered appropriate by the Chair of the ARRC to thank the Special AFT-B Committee for its work, to collect all copies of documents, and to hear from the Special AFT-B Committee any suggestions about how the work of the ARRC and its special committees might be improved.

## **10 COMMUNICATIONS REGARDING MATTERS OUTSIDE THE SCOPE OF THE FORMAL WRITTEN COMPLAINT**



**10.1** In the course of an investigation, one or more members of the Special AFT-B Committee may conclude that the Special AFT-B Committee has heard allegations or otherwise discovered information which, though outside the scope of the Formal Written Complaint and thus not subject to full investigation and evaluation by the Special AFT-B Committee, nonetheless suggests that actions or decisions have been taken or may be taken in violation of law, University policy, or academic principle.

**10.2** Such concerns shall not be addressed in the Final Report of the Special AFT-B Committee required by Section 8.0. However, the Special AFT-B Committee acting through its chair, or any member or members of the Special AFT-B Committee, may communicate those concerns in writing to the appropriate administrator for investigation and for whatever corrective action may be appropriate. In shaping the contents of and determining the recipients for such communications, those preparing the communications shall consult with the Chair of the ARRC.

**10.3** A copy of any such communication to an administrator shall at the same time be sent to

**10.3.1** the Chancellor; and

**10.3.2** the Chair of the ARRC; and

**10.3.3** any individual on whose actions, decisions, or practices the communication reflects; and

**10.3.4** if the communication reflects on the actions, decisions, or practices of a committee or unit, the individual who heads that committee or unit;

**10.3.5** if the communication reflects on the actions, decisions, or practices of the Chancellor, the President; and

**10.3.6** if the communication includes concerns about alleged unlawful discrimination, including sexual or other prohibited harassment, the UNL Office of Institutional Equity ~~Access and Diversity Programs and Compliance~~ or its successor if the office is renamed.

**10.4** Such communications shall be deemed to be a part of the responsibility of Special AFT-B Committee members and, as such, to be subject to the same protections afforded all Special AFT-B Committee activities by Section 6.8 of the Regents Bylaws.

**CODE OF PROCEDURES FOR  
SPECIAL GRIEVANCE COMMITTEES  
University of Nebraska-Lincoln**

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**CODE OF PROCEDURES FOR  
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**1 INTRODUCTION**

**1.1 Academic Rights and Responsibilities.** All professional staff (including administrators and faculty members) of the University of Nebraska are entitled to enjoy and to exercise, without penalty, all the rights of an American citizen and the rights of academic freedom as specified in Regents Bylaw 4.2. It is essential to the University that all administrators and professional staff exercise these rights and respect their exercise by others, and uphold the attendant responsibilities outlined in Regents Bylaw 4.1.

**1.2 Duty of University Officials to Investigate and to Take Action on Known or Alleged Discrimination.** University Officials have a duty promptly to investigate and to take appropriate action on all known or alleged incidents of illegal discrimination. University officials in this context shall be defined as any individual employed by UNL with job authority or responsibility to

**1.2.1** supervise, hire, assign or reassign responsibilities;

**1.2.2** recommend or grant promotion or demotion; and/or

**1.2.3** recommend or take any disciplinary or corrective actions.

**1.3 Authority and Jurisdiction of Special Grievance Committees.**

**1.3.1** Regents Bylaws 4.8 and ~~4.14~~ ~~4.13~~ authorize a Faculty Grievance Committee to consider complaints by any faculty member alleging any grievance.

The UNL Faculty Senate, with the approval of the University of Nebraska Board of Regents, has vested that authority in Special Grievance Committees established under the aegis of the Academic Rights and Responsibilities Committee (ARRC). A description of the committees can be found in the Syllabus of Committees of the Faculty Senate, available from the Faculty Senate Office and on the Faculty Senate website.

**1.3.2** The Code entitled “Responsibilities of the Academic Rights and Responsibilities Committee and Procedures for Handling Matters of Academic Freedom and Tenure, Grievance and Professional Conduct”(“ARRC Procedures”) indicates how complaints are to be received by the ARRC, assessed for sufficiency and jurisdiction, and transmitted to a Special Committee.

**1.3.3** This “Code of Procedures for Special Grievance Committees”indicates how a complaint is to be handled after the ARRC has transmitted it to a Special Grievance Committee.

**1.3.4** The ARRC Procedures and the Code of Procedures for Special Grievance Committees in their current form are available from the Faculty Senate Office and on the Faculty Senate website. Any faculty member contemplating filing a complaint with the ARRC should first consult both documents. For information and advice concerning these procedures, contact the Chair of the ARRC.

## **2 DEFINITIONS**

As used in this Code of Procedures for Special Grievance Committees, unless the context otherwise requires:

**2.1 Chancellor** shall mean the Chancellor of UNL.

**2.2 Days** shall mean days on which University offices are open for business.

**2.3 Faculty Member** shall mean any staff member of UNL holding the academic rank of lecturer or above or equivalent rank (Regents Bylaws 3.1.1.1 and 4.4).

**2.4 In Writing and Written**, when used to describe a communication, shall mean that the communication so described shall be either a paper document signed by the sender or an electronic communication that can be readily accessed by the sender and by the recipient.

**2.5 Parties** shall mean the complainant(s) and the respondent(s).

**2.6 President** shall mean the President of the University of Nebraska and shall include the authorized representative of the President. The President shall not extend such authorization to the Chancellor or staff members of any campus of the University.

**2.7 Section**, unless otherwise noted, refers to a section of this Code of Procedures for Grievances.

## **3 GENERAL RULES GOVERNING SPECIAL GRIEVANCE COMMITTEES**

**3.1 Quorum.** Each Special Grievance Committee has six members. If a member of the Special Grievance Committee withdraws or is barred prior to commencement of the Investigative Hearing, the Chair of the Special Grievance Committee shall notify the Chair of the ARRC, and the Chair of the ARRC shall make every reasonable effort to appoint a suitable replacement as provided in Section 3.3.4 of the ARRC Procedures. In an emergency, and with the consent of the parties, a hearing may be conducted with one member absent, but a member absent from the hearing may not participate in subsequent deliberations. In no case may the Special Grievance Committee proceed with the Investigative Hearing with fewer than five members present.

**3.2 Voting.** The Special Grievance Committee may take action only on concurrence of four members. The Chair may vote.

**3.3 Expiration of Term.** A member of the Special Grievance Committee whose term on the ARR Panel expires during a case shall continue to serve until the case is concluded.

**3.4 Conflict of Interest.** Conflict of Interest occurs when a member of the Special Grievance Committee

**3.4.1** is in the same department or equivalent unit as a party or witness; or

**3.4.2** answers directly to a party or witness; or

**3.4.3** has a direct voice in the salary or working conditions of a party or witness; or

**3.4.4** has, or reasonably appears to have, a personal interest in the case or its outcome; or

**3.4.5** has provided counsel or assistance to a party relating to the grievance; or

**3.4.6** has participated in the efforts of an organization to provide counsel or assistance to a party relating to the case; or

**3.4.7** has any other relationship with a party that might prevent impartiality.

When a member of the Special Grievance Committee discovers that the member has a conflict of interest, the member shall voluntarily withdraw from participation. When a member of the Special Grievance Committee is alleged to have a conflict of interest and the member does not voluntarily withdraw, the ARRC shall review the allegation and, if a conflict of interest is found, shall bar that person from further participation.

**3.5 Communications.**

**3.5.1** The Chair of the Special Grievance Committee receives communications for the Committee and speaks for it. Both complainant and respondent shall address communications concerning the case only to the Chair of the Special Grievance Committee. Special Grievance Committee members should discourage contacts outside the regular process, and should direct those who make them to the Chair of the Special Grievance Committee.

**3.5.2** The Chair of the Special Grievance Committee shall keep all parties informed of any substantive communications and contacts, including those that arise outside the normal process.

**3.5.3** If the Chair of the Special Grievance Committee has difficulty communicating with a party or other necessary participant, the Chair of the Special Grievance Committee may consult with the Chair of the ARRC about ways to resolve the communication problem.

**3.6 Dissemination of Personnel Information.** Participation in Special Grievance Committee proceedings makes participants privy to sensitive information and allegations involving the personal and professional lives of members of the University community. UNL Bylaw 2.10~~9~~ describes limitations on the collection and dissemination of personnel information. Some information obtained as part of a Grievance proceeding may be protected against broader dissemination by this Bylaw. Violators of this Bylaw could be subject to sanctions for professional misconduct.

**3.7 Closed Hearings.** Grievance proceedings, including the Pre-Hearing Conference and the Investigative Hearing, are considered to be investigative in nature. They are not open to the public, nor to witnesses except while they are presenting evidence and responding to questions.

**3.8 Academic Advisors.** Each party may choose an Academic Advisor who may accompany and advise the party at the Pre-Hearing Conference and the Investigative Hearing. ~~A party's academic advisor may consult privately with that party. At the Pre-Hearing Conference and the Hearing, academic advisors may respond to questions from the Chair and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing.~~ The role of Academic Advisor is open to any person who:

**3.8.1** is a member of the UNL Academic Assembly (UNL Bylaw 3.3.1) or has emeritus faculty status at UNL;

**3.8.2** is not in the same department or equivalent unit as a witness (other than the party being advised) before or a member of the Special Grievance Committee;

**3.8.3** has no other relationship with a member of the Special Grievance Committee that might create, or reasonably might seem to create, a conflict of interest for that Special Grievance Committee member;

**3.8.4** has no direct voice in the salary or working conditions of a party or witness; and

**3.8.5** has no other relationship with a party, an organization, or a witness that might interfere with the investigative process.

### **3.9 Counsel and Advice for the Special Grievance Committee.**

**3.9.1** Because of potential conflicts of interest, the Special Grievance Committee shall not seek or accept advice from anyone to whom a party is answerable or who may be in a position of giving advice or legal counsel to a party or to any person or body that may later act on the Report of the Special Grievance Committee.

**3.9.2** The Chair of the Special Grievance Committee may receive advice from the ARRC attorney selected pursuant to section 3.10.2 of the ARRC Procedures, but may not have an attorney present at the Investigative Hearing.

**3.9.3** Nothing in this Section 3.9 shall prevent full participation by a member of the Special Grievance Committee who is also an attorney.

### **3.10 Termination of Pending Grievance Proceedings.**

**3.10.1** If at any time all complainants in writing ask the Chair of the Special Grievance Committee that the Formal Written Complaint be withdrawn, or all parties in writing notify the Chair of the Special Grievance Committee that they have reached a settlement of the case, the Special Grievance Committee shall terminate the proceedings and shall not deliver the Final Report described in Section 8. However, in such circumstances the Special Grievance Committee may, on its own initiative, make written recommendations authorized by Sections 8.2.2 and 8.2.3

**3.10.1.1** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the grievance; and

**3.10.1.2** concerning ways to correct any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the grievance.

Termination of the proceedings under this section shall not preclude the Special Grievance Committee, or members of the Special Grievance Committee, from making the "Communications Regarding Matters Outside the Scope of the Formal Written Complaint" authorized by Section 10.

**3.10.2** Resignation from the University by any party shall not necessarily prevent the Special Grievance Committee from completing its deliberations and delivering the Final Report described in Section 8.

**3.11 Timely Completion.** Unless the ARRC, for good cause shown, authorizes a longer period of time, the Special Grievance Committee shall complete its investigation and deliver its report within 150 days of receiving the Formal Written Complaint from the Chair of the ARRC.

### **3.12 Adherence to Procedures.**

**3.12.1** If a party has good reason to believe that the Special Grievance Committee is out of compliance with these procedures, the matter should be brought to the attention of the Chair of the Special Grievance Committee. Procedural questions that the Chair of the Special Grievance Committee cannot resolve promptly and that are so important that failure to resolve them would undermine the credibility of the Special Grievance Committee may be referred by the Chair of the Special Grievance Committee or by a party to the ARRC for resolution. The ARRC shall resolve the issues after obtaining the views of the parties and of the Special Grievance Committee. The Chair of the ARRC shall inform the parties and the Special Grievance Committee of the ARRC decision and direct them to follow the decision.



**3.12.2** If a party has good reason to believe that the ARRC is out of compliance with these procedures or the ARRC Procedures, the party may invoke Section 6.2 of the ARRC Procedures.

#### **4 GENERAL RESPONSIBILITIES OF THE CHAIR OF THE SPECIAL GRIEVANCE COMMITTEE, NOTICE, RESPONSE, ALLEGATIONS OF CONFLICT OF INTEREST, AND CHALLENGES TO THE ELIGIBILITY OF PROPOSED ACADEMIC ADVISORS**

##### **4.1 General Responsibilities of the Chair of the Special Grievance Committee.**

The responsibilities of the Chair of the Special Grievance Committee include:

**4.1.1** convening and presiding over meetings of the Special Grievance Committee;

**4.1.2** receiving communications for the Special Grievance Committee and speaking for it;

**4.1.3** ensuring that all substantive communications regarding the grievance are made available to all parties;

**4.1.4** maintaining a complete case file, including a record of all substantive communications, documents, committee actions, and committee reports related to the grievance;

**4.1.5** providing a copy of the Formal Written Complaint, the Formal Written Response, the current ARRC Procedures, and the current Code of Procedures for Special Grievance Committees to each member of the Special Grievance Committee, and to the ARRC Observer, if any;

**4.1.6** arranging for accommodations for the Pre-Hearing Conference and for the Investigative Hearing, taking into account such factors as the time needed, the space needs of the Special Committee and parties and witnesses, the need for a separate accommodation for witnesses while waiting to testify, and access to other facilities that may be needed;

**4.1.7** moving the proceedings toward a conclusion as expeditiously as reasonably possible while respecting the rights and needs of all participants;

**4.1.8** notifying the Chair of the ARRC of any withdrawal from the Special Grievance Committee to permit timely appointment of a substitute as provided in Section 3.3.5 of the ARRC Procedures;

**4.1.9** reminding participants of limitations on the dissemination of personnel information set forth in Section 3.6;

**4.1.10** arranging for timely consultation with the Chair of ARRC should procedural disputes arise; and

**4.1.11** keeping accurate records of expenditures for activities of the Special Committee and arranging for reimbursements from the Chancellor's office.

**4.2 Written Notice to the Parties.** Within 7 days after the Special Grievance Committee has been convened, the Chair of the Special Grievance Committee shall send to each party the following:

**4.2.1** a copy of the Formal Written Complaint;

- 4.2.2** a copy of the current Procedures of the Academic Rights and Responsibilities Committee;
- 4.2.3** a copy of the current Code of Procedures for Grievances;
- 4.2.4** a list of the members of the Special Grievance Committee;
- 4.2.5** the name of the ARRC Observer or, if no ARRC Observer has been appointed, notice to the parties that they are entitled to request that an ARRC Observer be appointed; and
- 4.2.6** notice of the deadlines established in Section 4.3 and 4.4.

**4.3 Formal Written Responses from Respondents: Mandatory Elements and Deadline for Filing.** Within 15 days from the date of receipt of the Formal Written Complaint from the Chair of the Special Grievance Committee, each respondent shall file a Formal Written Response with the Chair of the Special Grievance Committee.

**4.3.1 Mandatory Elements.** Each Formal Written Response shall contain a clear and concise statement indicating which, if any, of the facts alleged in the Formal Written Complaint the respondent wishes to contest and a clear and concise statement indicating any ameliorating or other additional facts the respondent wishes to allege. Under Sections 4.5 and 7.2, if a respondent fails to file a timely Formal Written Response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**4.3.2 Optional Elements.** In addition, the Formal Written Response may include the following:

- 4.3.2.1** a clear and concise statement indicating which, if any, of the standards identified in the Formal Written Complaint the respondent wishes to contest;
- 4.3.2.2** a clear and concise statement of the standards, if any, the respondent believes to be appropriate for evaluating the complaint;
- 4.3.2.3** a clear and concise statement indicating which, if any, of the violations alleged in the Formal Written Complaint the respondent wishes to contest;
- 4.3.2.4** a clear and concise statement indicating which, if any, of the proposed remedies, sanctions, or other personal relief or prospective institutional change the respondent believes would be inappropriate.

The Chair of the Special Grievance Committee may extend these deadlines for good cause shown.

**4.4 Deadline for Requests from Any Party Requesting an Academic Advisor, an ARRC Observer, and for Allegations of Conflict of Interest.** Within 15 days from the date of receipt of the Formal Written Complaint from the Chair of the Special Grievance Committee,

**4.4.1** any party wishing to be advised by an academic advisor shall file a written request with the Chair of the Special Grievance Committee identifying the proposed academic advisor;

**4.4.2** any party wishing to request that the ARRC appoint an ARRC Observer shall file a written request with the Chair of the Special Grievance Committee;

**4.4.3** any party wishing to allege that a member of the Special Grievance Committee has a conflict of interest shall file a written statement with the Chair of the Special Grievance Committee setting forth the basis for the challenge.

The Chair of the Special Grievance Committee may extend these deadlines for good cause shown.

**4.5 Procedure If No Respondent Files a Timely Formal Written Response.** If no respondent files a timely Formal Written Response, the uncontested allegations of fact in the Formal Written Complaint shall be deemed to be true, and the Chair of the Special Committee shall so notify the parties and shall schedule a meeting of the Special Grievance Committee to prepare the Final Report required by Section 8.

**4.6 Procedure If a Respondent Files a Timely Formal Written Response.** If any respondent files a timely Formal Written Response, the Chair of the Special Grievance Committee shall

**4.6.1** determine whether proposed academic advisors are eligible under Section 3.8, and if any party=s proposed academic advisor is not eligible, invite that party to propose an eligible academic advisor;

**4.6.2** forward to each complainant and to each respondent a copy of each Formal Written Response and the names of proposed academic advisors; and

**4.6.3** forward to the Chair of the ARRC any request that an ARRC Observer be appointed.

**4.7 Party Challenges to Proposed Academic Advisors or ARRC Observer.**

**4.7.1** Any party may in writing challenge the eligibility of a proposed academic advisor by delivering the challenge to the Chair of the Special Grievance Committee within 7 days after receipt of the name of the proposed academic advisor. If a challenged proposed academic advisor does not voluntarily withdraw, the Chair of the Special Grievance Committee shall determine whether the proposed academic advisor is eligible. If the proposed academic advisor is not eligible, the party may propose another academic advisor. If the new proposed academic advisor appears to be eligible, the Chair of the Special Grievance Committee shall notify parties of the new proposed academic advisor and afford parties an opportunity to challenge the new proposed academic advisor.

**4.7.2** Any party may in writing challenge the eligibility of a proposed ARRC Observer by delivering the challenge to the Chair of the Special Grievance Committee within 7 days after receipt of the name of the proposed ARRC Observer. The Chair of the Special Grievance Committee shall forward the challenge to the Chair of the ARRC. If a challenged ARRC Observer does not voluntarily withdraw, the Chair of the ARRC shall determine whether the proposed ARRC Observer is eligible. If the proposed ARRC Observer is not eligible, the ARRC may in writing propose another ARRC Observer to the Chair of the Special Committee. The Chair of the Special Committee shall in writing notify parties of the new proposed ARRC Observer and afford parties an opportunity to challenge the new proposed ARRC Observer.

## **5 PRE-HEARING CONFERENCE**

**5.1 Purpose.** As soon as possible after giving notice of a Formal Written Response contesting any allegations of the Formal Written Complaint and resolving any issues involving conflicts of interest and eligibility of proposed academic advisors and ARRC Observers, the Chair of the Special Grievance Committee shall arrange a Pre-Hearing Conference with all parties in attendance

**5.1.1** to clarify the issues involved;

**5.1.2** to identify uncontroverted facts;

**5.1.3** to explore the possibility of a voluntary settlement of the case;

**5.1.4** to explain procedures applicable to the Investigative Hearing; and

**5.1.5** to establish procedures for setting the date, time, and place of the Investigative Hearing.

At the Pre-Hearing Conference each party shall provide every other party and the Chair of the Special Grievance Committee with a copy of any documentation to be introduced by the party at the Investigative Hearing and with a list of any witnesses to be called by the party at the Investigative Hearing. Also, the Chair of the Special Committee will provide in writing to all parties and members of the Special Committee a list of the uncontroverted facts established in the Pre-Hearing Conference as well as a list of issues to be resolved during the Investigative Hearing by the Special Committee.

## **5.2 Persons Who May Attend and Participate in the Pre-Hearing Conference:**

**5.2.1** the Chair of the Special Grievance Committee;

**5.2.2** the parties;

**5.2.3** each party's academic advisor, if any;

**5.2.4** the ARRC attorney, if requested by the Chair of the Special Grievance Committee; and

**5.2.5** the ARRC Observer, if any.

## **5.3 Meeting of the Special Grievance Committee after the Pre-Hearing Conference and Before the Investigative Hearing.**

**5.3.1** As soon as possible after the conclusion of the Pre-Hearing Conference, the Chair of the Special Grievance Committee shall provide each member of the Special Grievance Committee with the following:

**5.3.1.1** a copy of the Formal Written Complaint and a copy of each Formal Written Response;

**5.3.1.2** a copy of each party's written list of witnesses to be called and documentation to be introduced at the Investigative Hearing;

**5.3.1.3** a written summary of matters decided at the Pre-Hearing Conference.

**5.3.2** After a reasonable time to permit members of the Special Grievance Committee to review of these materials, the Chair of the Special Grievance Committee shall convene a meeting of the Special Grievance Committee, with only members of the Special Grievance Committee present, to determine whether the Special Grievance Committee wishes to call any additional witnesses or request any additional documentation. If the Special Grievance Committee decides to call any additional witnesses or request any additional documentation, the Chair of the Special Grievance Committee shall notify the parties in writing and shall make arrangements for the additional witnesses and documentation to be presented at the Investigative Hearing.

**5.4 Notice of Investigative Hearing.** As soon as possible after the conclusion of the meeting of the Special Grievance Committee in accordance with Section 5.3, the Chair of the Special Grievance Committee shall in writing give notice of the date, time, and place of the Investigative Hearing to

**5.4.1** each party;

**5.4.2** each member of the Special Grievance Committee;

**5.4.3** each academic advisor, if any;

**5.4.4** the ARRC Observer, if any;

**5.4.5** the Chair of the ARRC.

## **6 INVESTIGATIVE HEARING**

**6.1 Persons Who May Attend the Investigative Hearing:**

**6.1.1** members of the Special Grievance Committee;

**6.1.2** the parties;

**6.1.3** each party's academic advisor, if any;

**6.1.4** the ARRC Observer, if any;

**6.1.5** witnesses, but no witness shall be present except when that witness is testifying and responding to questions.

**6.2 Order of Investigative Hearing.** The usual sequence of an Investigative Hearing is as follows:

**6.2.1** introductions of all present (this will be repeated for each witness);

**6.2.2** introduction of the case by the Chair of the Special Grievance Committee;

- 6.2.3** complainant(s) presentation of the Formal Written Complaint and evidence in support of the Formal Written Complaint, including all documentation and all witnesses;
- 6.2.4** respondent(s)' presentation of the Formal Written Response and evidence in support of the Formal Written Response, including all documentation and all witnesses;
- 6.2.5** presentation of documentation and testimony of witnesses requested by the Special Grievance Committee;
- 6.2.6** rebuttal in support of the Formal Written Complaint;
- 6.2.7** closing statement(s) by Complainant(s), followed by closing statement(s) by Respondent(s);
- 6.2.8** statement by the Chair of the Special Grievance Committee thanking participants and explaining post-Investigative-Hearing procedures.

This order may be varied if the Chair of the Special Grievance Committee determines that a clearer way of exploring the issues can be achieved, and if the Special Grievance Committee and the parties agree.

### **6.3 Evidence and Witnesses.**

**6.3.1** The Special Grievance Committee may direct the parties, faculty members, and other officers of the University to produce specific relevant documents (including personnel and student records) for introduction at the Investigative Hearing.

**6.3.2** Members of the UNL community shall cooperate with the Special Grievance Committee in providing testimony or documents; however, a person shall not be required to give testimony or to produce documents in regard to any confidential communication for which the law provides a privilege. Refusal by anyone to provide documents or to testify in regard to any communication for which the law does not provide a privilege obstructs the process and shall be taken into consideration by the Special Grievance Committee in its deliberations and in its preparation of the Final Report.

**6.3.3** Witnesses may testify and evidence may be received not only concerning relevant facts but also concerning relevant standards. The Chair of the Special Grievance Committee may bar the introduction of documents, evidence, questions, and testimony reasonably deemed irrelevant, immaterial, ~~not~~-incompetent, or unduly repetitious. The Chair of the Special Grievance Committee also may bar the introduction of documents, evidence, and testimony if introduction would unfairly surprise another party and if the documents, evidence, or testimony could, with reasonable diligence, have been discovered or produced before the Pre-Hearing Conference. A party adversely affected by a decision to

bar the introduction of evidence may appeal the decision of the Chair to the full Special Grievance Committee.

**6.3.4** The Chair of the Special Grievance Committee may in appropriate circumstances temporarily adjourn the Investigative Hearing.

**6.4 Format of Presentations and Questions.** To preserve orderly and civil proceedings, the Investigative Hearing shall be conducted by the Chair of the Special Grievance Committee as follows:

**6.4.1** No person shall speak without prior recognition by the Chair of the Special Grievance Committee.

**6.4.2** Each party and each witness may be questioned by members of the Special Grievance Committee after the end of the presentation of that party or witness.

**6.4.3** When the Special Grievance Committee has finished questioning a party or witness, each party may question that party or witness; alternatively, the parties may submit questions to the Chair of the Special Grievance Committee which the Chair of the Special Grievance Committee may ask on their behalf.

**6.4.4** The Chair of the Special Grievance Committee may bar questions under Section 6.3.3. A party adversely affected by a decision to bar a question may appeal the decision of the Chair to the full Special Grievance Committee

**6.4.5** A party's academic advisor may consult privately with that party, may respond to questions from the Chair, and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Investigative Hearing.

## **7 DELIBERATIONS AND DECISION**

**7.1** All deliberations shall be conducted in executive session with no one present except members of the Special Grievance Committee, and the ARRC attorney, if invited.

**7.2** The complainant bears the burden of proving relevant facts by a preponderance of the relevant evidence. If a respondent fails to file a timely written response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**7.3** Refusal by anyone to provide documents or to testify obstructs the process and shall be taken into consideration by the Special Grievance Committee in its deliberations and preparation of the Final Report.

**7.4** The standards against which the charges are to be judged include applicable state and federal law; University bylaws, rules and regulations; established policies of the relevant administrative unit; appropriate professional and discipline based standards; applicable contracts; and academic principles and tradition. In the event of conflict between different University bylaws, rules or regulations, those of the more inclusive administrative unit shall prevail.

## **8 THE FINAL REPORT**

When the Special Grievance Committee has completed its deliberations it shall prepare a Final Report setting forth the Special Grievance Committee's disposition of each grievance alleged in the Formal Written Complaint. Communications regarding matters outside the scope of the Formal Written Complaint shall be addressed in accordance with the rules set forth in Section 10 below. The Final Report shall be limited to the following mandatory and optional elements.

**8.1 Mandatory Elements of the Final Report.** The Final Report shall contain, with respect to each grievance alleged in the Formal Written Complaint:

**8.1.1** specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based;

**8.1.2** identification of the standards against which the grievance is being judged; and

**8.1.3** the Special Grievance Committee's conclusions concerning whether applicable standards have been violated.

Before preparing the elements of the Final Report required by Sections 8.1.2 and 8.1.3, the Chair of the Special Grievance Committee shall send to each party a copy of a provisional draft of the specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based required by Section 8.1.1. Each party shall have five days after receipt of the provisional draft to submit written comments to the Chair of the Special Grievance Committee suggesting specific changes to correct specific alleged inaccuracies in the provisional draft. No changes based upon such comments shall be made to the provisional draft without first providing other parties an opportunity to respond to the comments. If the Special Grievance Committee decides not to make changes suggested in a written comment, that written comment and the Special Grievance Committee's reasons for that decision shall be appended to the Final Report.

**8.2 Optional Elements of the Final Report.** In addition, the Final Report may contain one or more of the following:

**8.2.1 Order of Reconsideration Under Regents Bylaw 4.14.2 4-13.2.** If the grievance alleged that inadequate consideration was given to relevant matters by the person or body that took the action or made the decision that led to the grievance, and if the Special Grievance Committee has determined that inadequate consideration of the relevant matters occurred, the Final Report of the Special Grievance



Committee shall state the facts found and the respects in which the consideration was inadequate. The Special Grievance Committee shall not substitute its judgment on the merits for that of the person, group, or groups that previously considered the decision. The Special Grievance Committee may order the matter reconsidered by the appropriate person, group, or groups, or recommend that other rectifying action be taken. Any such order of reconsideration shall indicate the person or unit that is to begin the reconsideration ordered by the Special Grievance Committee,<sup>1</sup> shall indicate reasonable time limits within which the reconsideration shall occur, and shall include the requirement that the file used for the reconsideration include the full Final Report of the Special Grievance Committee and any relevant further evidence submitted for the reconsideration.<sup>2</sup>

**8.2.2 Recommendations.** The Final Report may include recommendations:

**8.2.2.1** concerning ways to redress any grievance the Special Grievance Committee has determined to be justified;

**8.2.2.2** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the grievance;

**8.2.2.3** concerning correction of any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the grievance.

**8.2.3 Dissenting Opinions.** The Final Report may include concurring or dissenting opinions, or both, concerning any mandatory or optional element of the report.

### **8.3 Delivery and Archiving of Final Report.**

**8.3.1** The Chair of the Special Grievance Committee shall

**8.3.1.1** deliver a copy of the Final Report to each party, to the Chancellor (or, if the Chancellor is a party or witness, to the President), to the Chair of the ARRC, and to the President of the Faculty Senate; and

**8.3.1.2** deliver a copy of the Final Report and of the case file required by Section 4.1.4 to the Coordinator of the Faculty Senate.

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<sup>1</sup> Under Regents Bylaw 4.8(a), the complainant may exercise the right to designate that reconsideration begin at an earlier stage than that designated by the Special Grievance Committee, and may exercise the right to offer evidence for the reconsideration; a complainant who exercises these rights shall be deemed to have fully exercised the complainant's rights to reconsideration under that Bylaw.

<sup>2</sup> If a person or unit ordered to reconsider a decision does not thereafter correct procedural errors in the original consideration or refuses to consider all relevant information, the complainant may request that the ARRC reconvene the Special Grievance Committee as a Special Professional Conduct Committee.

**8.3.2** The Coordinator of the Faculty Senate shall

**8.3.2.1** place one copy of the Final Report and of the case file in ARRC archives in the Faculty Senate Office under specified conditions of access; and

**8.3.2.2** deposit a second copy of the Final Report and of the case file in the University Archives under specified conditions of access.

## **9 FOLLOW UP TO THE REPORT**

**9.1 Chancellor's (or President's) Response to Recommendations.** In response to recommendations made by the Special Grievance Committee, the Chancellor (or, if the Chancellor is a party or witness, the President) shall within 30 days provide a written response to the Chair of the ARRC indicating:

**9.1.1** the recommendations that have been accepted and the action taken;

**9.1.2** the recommendations that have been rejected in part or completely; and

**9.1.3** for each recommendation rejected, reasons responsive to the Committee's rationale for proposing it.

The Chancellor (or President) shall decide upon Special Grievance Committee recommendations on the basis of the evidence submitted to the Special Grievance Committee and the report of the Special Grievance Committee. Unless clearly erroneous, the findings of fact made by the Special Grievance Committee shall be accepted. The Chancellor (or President) shall give the Special Grievance Committee's findings and conclusions due consideration, and shall take into account the fact that the Special Grievance Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Special Grievance Committee.

Copies of the Chancellor's (or President's) written response shall be sent to the parties, to the Special Grievance Committee, to the President of the Faculty Senate, and to the Coordinator of the Faculty Senate for inclusion in the case files in the ARRC archives and in the University Archives. If the response rejects or changes the recommendations made by the Special Grievance Committee, the ARRC shall inform the President of the Faculty Senate who shall provide each member of the Senate Executive Committee with a copy of the Final Report and of the response and shall put the matter on the agenda of the next Senate Executive Committee meeting for whatever action the Senate Executive Committee may deem appropriate.

**9.2 ARRC Review of Implementation of Recommendations.** The ARRC shall determine the extent to which recommendations of the Special Grievance Committee have been implemented, and shall report its findings to the President of the Faculty Senate and in its annual report to the Senate.

**9.3 ARRC Meeting with the Special Grievance Committee.** After the Final Report has been filed, the ARRC shall meet with the Special Grievance Committee and any others considered appropriate by the Chair of the ARRC to thank the Special Grievance

Committee for its work, to collect all copies of documents, and to hear from the Special Grievance Committee any suggestions about how the work of the ARRC and its special committees might be improved.

## **10 COMMUNICATIONS REGARDING MATTERS OUTSIDE THE SCOPE OF THE FORMAL WRITTEN COMPLAINT**

**10.1** In the course of an investigation, one or more members of the Special Grievance Committee may conclude that the Special Grievance Committee has heard allegations or otherwise discovered information which, though outside the scope of the Formal Written Complaint and thus not subject to full investigation and evaluation by the Special Grievance Committee, nonetheless suggests that actions or decisions have been taken or may be taken in violation of law, University policy, or academic principle.

**10.2** Such concerns shall not be addressed in the Final Report of the Special Grievance Committee required by Section 8.0. However, the Special Grievance Committee acting through its chair, or any member or members of the Special Grievance Committee, may communicate those concerns in writing to the appropriate administrator for investigation and for whatever corrective action may be appropriate. In shaping the contents of and determining the recipients for such communications, those preparing the communications shall consult with the Chair of the ARRC.

**10.3** A copy of any such communication to an administrator shall at the same time be sent to

**10.3.1** the Chancellor; and

**10.3.2** the Chair of the ARRC; and

**10.3.3** any individual on whose actions, decisions, or practices the communication reflects; and

**10.3.4** if the communication reflects on the actions, decisions, or practices of a committee or unit, the individual who heads that committee or unit;

**10.3.5** if the communication reflects on the actions, decisions, or practices of the Chancellor, the President; and

**10.3.6** if the communication includes concerns about alleged unlawful discrimination, including sexual or other prohibited harassment, the UNL Office of ~~Institutional Equity and Compliance Access and Diversity Programs~~, or its successor if the office is renamed.

**10.4** Such communications shall be deemed to be a part of the responsibility of Special Grievance Committee members and, as such, to be subject to the same protections afforded all Special Grievance Committee activities by Section 6.8 of the Regents Bylaws.

**CODE OF PROCEDURES FOR  
SPECIAL PROFESSIONAL CONDUCT (PC) COMMITTEES  
University of Nebraska-Lincoln**

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## **1 INTRODUCTION**

**1.1 Academic Rights and Responsibilities.** All professional staff (including administrators and faculty members) of the University of Nebraska are entitled to enjoy and to exercise, without penalty, all the rights of an American citizen and the rights of academic freedom as specified in Regents Bylaw 4.2. It is essential to the University that all administrators and professional staff exercise these rights and respect their exercise by others, and uphold the attendant responsibilities outlined in Regents Bylaw 4.1.

**1.2 Duty of University Officials to Investigate and to Take Action on Known or Alleged Discrimination.** University Officials have a duty promptly to investigate and to take appropriate action on all known or alleged incidents of illegal discrimination. University officials in this context shall be defined as any individual employed by UNL with job authority or responsibility to

**1.2.1** supervise, hire, assign or reassign responsibilities;

**1.2.2** recommend or grant promotion or demotion; and/or

**1.2.3** recommend or take any disciplinary or corrective actions.

**1.3 Authority and Jurisdiction of Special PC Committees.**

**1.3.1** Regents Bylaws 4.16 authorizes a Faculty Professional Conduct Committee to consider complaints by any person charging a member of the professional staff with professional misconduct. The UNL Faculty Senate, with the approval of the University of Nebraska Board of Regents, has vested that authority in Special Professional Conduct Committees established under the aegis of the Academic Rights and Responsibilities Committee (ARRC). A description of the committees can be found in the Syllabus of Committees of the Faculty Senate, available from the Academic Senate Office and on the Faculty Senate website.

**1.3.2** The Code entitled “Responsibilities of the Academic Rights and Responsibilities Committee and Procedures for Handling Matters of Academic Freedom and Tenure, Grievance and Professional Conduct”(“ARRC Procedures”) indicates how complaints are to be received by the ARRC, assessed for sufficiency and jurisdiction, and transmitted to a Special Committee.

**1.3.3** This “Code of Procedures for Special PC Committees” indicates how a complaint alleging professional misconduct other than Federal Misconduct in Science is to be handled after the ARRC has transmitted it to a Special PC Committee. Complaints alleging violation of Federal Misconduct in Science Regulations should be directed to the Office of the Vice Chancellor for Research and Economic Development for resolution under the “University of Nebraska-Lincoln Policies and Procedures for Responding to Allegations of Research Misconduct.”

**1.3.4** The ARRC Procedures and the Code of Procedures for Special PC Committees in their current form are available from the Faculty Senate Office and on the Faculty Senate website. Any faculty member contemplating filing a complaint with the ARRC should first consult both documents. For information and advice concerning these procedures, contact the Chair of the ARRC.

## 2 DEFINITIONS

As used in this Code of Procedures for Special PC Committees, unless the context otherwise requires:

**2.1 Chancellor** shall mean the Chancellor of UNL.

**2.2 Days** shall mean days on which University offices are open for business.

**2.3 Faculty Member** shall mean any staff member of UNL holding the academic rank of lecturer or above or equivalent rank (Regents Bylaws 3.1.1.1 and 4.4).

**2.4 Federal Misconduct in Science Regulations** shall mean regulations covering misconduct in federally sponsored scientific research, particularly, but not exclusively, that funded by the Public Health Service. Consult the Office of the Vice Chancellor for Research to determine projects covered by these regulations.

**2.5 In Writing and Written**, when used to describe a communication, shall mean that the communication so described shall be either a paper document signed by the sender or an electronic communication that can be readily accessed by the sender and by the recipient.

**2.6 Parties** shall mean the complainant(s) and the respondent(s).

**2.7 President** shall mean the President of the University of Nebraska and shall include the authorized representative of the President. The President shall not extend such authorization to the Chancellor or staff members of any campus of the University.

**2.8 Section**, unless otherwise noted, refers to a section of this Code of Procedures for Special ~~PC-A~~ **PC** Committees.

**2.9 Vice Chancellor for Research** shall include the authorized representative of the Vice Chancellor. The Vice Chancellor shall not extend such authorization to Deans with collegiate or divisional responsibility or to a staff member of any such college or division.

### **3 GENERAL RULES GOVERNING SPECIAL PC COMMITTEES**

#### **3.1 Quorum.**

**3.1.1** Each Special PC Committee has six faculty members.

**3.1.2** If a member of the Special PC Committee withdraws or is barred prior to commencement of the Investigative Hearing, the Chair of the Special PC Committee shall notify the Chair of the ARRC, and the Chair of the ARRC shall make every reasonable effort to appoint a suitable replacement as provided in Section 3.3.4 of the ARRC Procedures. In an emergency, and with the consent of the parties, a hearing may be conducted with one faculty member absent, but a faculty member absent from the hearing may not participate in subsequent deliberations. In no case may the Special PC Committee proceed with the Investigative Hearing with fewer than five faculty members present.

**3.2 Voting.** The Special PC Committee may take action only on concurrence of four faculty members. The Chair may vote.

**3.3 Expiration of Term.** A member of the Special PC Committee whose term on the ARR Panel expires during a case shall continue to serve until the case is concluded.

**3.4 Conflict of Interest.** Conflict of Interest occurs when a member of the Special PC Committee

**3.4.1** is in the same department or equivalent unit as a party or witness; or

**3.4.2** answers directly to a party or witness; or

**3.4.3** has a direct voice in the salary or working conditions of a party or witness; or

**3.4.4** has, or reasonably appears to have, a personal interest in the case or its outcome; or

**3.4.5** has provided counsel or assistance to a party relating to the professional misconduct allegation; or

**3.4.6** has participated in the efforts of an organization to provide counsel or assistance to a party relating to the case; or



**3.4.7** has any other relationship with a party that might prevent impartiality.

When a member of the Special PC Committee discovers that the member has a conflict of interest, the member shall voluntarily withdraw from participation. When a member of the Special PC Committee is alleged to have a conflict of interest and the member does not voluntarily withdraw, the ARRC shall review the allegation and, if a conflict of interest is found, shall bar that person from further participation.

### **3.5 Communications.**

**3.5.1** The Chair of the Special PC Committee receives communications for the Committee and speaks for it. Both complainant and respondent shall address communications concerning the case only to the Chair of the Special PC Committee. Special PC Committee members should discourage contacts outside the regular process, and should direct those who make them to the Chair of the Special PC Committee.

**3.5.2** The Chair of the Special PC Committee shall keep all parties informed of any substantive communications and contacts, including those that arise outside the normal process.

**3.5.3** If the Chair of the Special PC Committee has difficulty communicating with a party or other necessary participant, the Chair of the Special PC Committee may consult with the Chair of the ARRC about ways to resolve the communication problem.

**3.6 Dissemination of Personnel Information.** Participation in Special PC Committee proceedings makes participants privy to sensitive information and allegations involving the personal and professional lives of members of the University community. UNL Bylaw 2.10 describes limitations on the collection and dissemination of personnel information. Some information obtained as part of a PC proceeding may be protected against broader dissemination by this Bylaw. Violators of this Bylaw could be subject to sanctions for professional misconduct.

**3.7 Closed Hearings.** PC hearings ordinarily are closed to the public. If the Investigative Hearing is closed to the public, then only those persons identified in Section 6.1 may be present. When an administrative officer is the complainant, then the Investigative Hearing shall be open to the public if requested to be so by the respondent prior to the conclusion of the Pre-Hearing Conference.

**3.8 Academic Advisors.** Each party may choose an Academic Advisor who may accompany and advise the party at the Pre-Hearing Conference and the Investigative Hearing. A party's academic advisor may consult privately with that party. At the Pre-Hearing Conference and the Hearing, academic advisors may respond to questions from the Chair and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Hearing. The role of Academic Advisor is open to any person who:

**3.8.1** is a member of the UNL Academic Assembly (UNL Bylaw 3.3.1) or has emeritus faculty status at UNL;

**3.8.2** is not in the same department or equivalent unit as a witness (other than the party being advised) before or a member of the Special PC Committee;

**3.8.3** has no other relationship with a member of the Special PC Committee that might create, or reasonably might seem to create, a conflict of interest for that Special PC Committee member;

**3.8.4** has no direct voice in the salary or working conditions of a party or witness; and

**3.8.5** has no other relationship with a party, an organization, or a witness that might interfere with the investigative process.

### **3.9 Counsel and Advice for the Special PC Committee.**

**3.9.1** Because of potential conflicts of interest, the Special PC Committee shall not seek or accept advice from anyone to whom a party is answerable or who may be in a position of giving advice or legal counsel to a party or to any person or body that may later act on the Report of the Special PC Committee.

**3.9.2** The Chair of the Special PC Committee may receive advice from the ARRC attorney selected pursuant to section 3.10.2 of the ARRC Procedures but may not have an attorney present at the Investigative Hearing.

**3.9.3** Nothing in this Section 3.9 shall prevent full participation by a member of the Special PC Committee who is also an attorney.

### **3.10 Termination of Pending PC Proceedings.**

**3.10.1** If at any time all complainants in writing ask the Chair of the Special PC Committee that the Formal Written Complaint be withdrawn, or all parties in writing notify the Chair of the Special PC Committee that they have reached a settlement of the case, the Special PC Committee shall terminate the proceedings and shall not deliver the Final Report described in Section 8. However, in such circumstances the Special PC Committee may, on its own initiative, make written recommendations authorized by Sections 8.2.2 and 8.2.3

**3.10.1.1** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the filing of the complaint; and

**3.10.1.2** concerning ways to correct any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the complaint.

Termination of the proceedings under this section shall not preclude the Special PC Committee, or members of the Special PC Committee, from making the “Communications Regarding Matters Outside the Scope of the Formal Written Complaint” authorized by Section 10.

**3.10.2** Resignation from the University by any party shall not necessarily prevent the Special PC Committee from completing its deliberations and delivering the Final Report described in Section 8.

### **3.11 Timely Completion.** Unless the ARRC, for good cause shown, authorizes a longer period of

time, the Special PC Committee shall complete its investigation and deliver its report within 150 days of receiving the Formal Written Complaint from the Chair of the ARRC.

### **3.12 Adherence to Procedures.**

**3.12.1** If a party has good reason to believe that the Special PC Committee is out of compliance with these procedures, the matter should be brought to the attention of the Chair of the Special PC Committee. Procedural questions that the Chair of the Special PC Committee cannot resolve promptly and that are so important that failure to resolve them would undermine the credibility of the Special PC Committee may be referred by the Chair of the Special PC Committee or by a party to the ARRC for resolution. The ARRC shall resolve the issues after obtaining the views of the parties and of the Special PC Committee. The Chair of the ARRC shall inform the parties and the Special PC Committee of the ARRC decision and direct them to follow the decision.

**3.12.2** If a party has good reason to believe that the ARRC is out of compliance with these procedures or the ARRC Procedures, the party may invoke Section 6.2 of the ARRC Procedures.

## **4 GENERAL RESPONSIBILITIES OF THE CHAIR OF THE SPECIAL PC COMMITTEE, NOTICE, RESPONSE, ALLEGATIONS OF CONFLICT OF INTEREST, AND CHALLENGES TO THE ELIGIBILITY OF PROPOSED ACADEMIC ADVISORS**

**4.1 General Responsibilities of the Chair of the Special PC Committee.** The responsibilities of the Chair of the Special PC Committee include:

**4.1.1** convening and presiding over meetings of the Special PC Committee;

**4.1.2** receiving communications for the Special PC Committee and speaking for it;

**4.1.3** ensuring that all substantive communications regarding the PC are made available to all parties;

**4.1.4** maintaining a complete case file, including a record of all substantive communications, documents, verbatim transcripts of the investigative hearing (if applicable), committee actions, and committee reports;

**4.1.5** providing a copy of the Formal Written Complaint, the Formal Written Response, the current ARRC Procedures, and the current Code of Procedures for Special PC Committees to each member of the Special PC Committee, and to the ARRC Observer, if any;

**4.1.6** arranging for accommodations for the Pre-Hearing Conference and for the Investigative Hearing, taking into account such factors as the time needed, the space needs of the Special

Committee and parties and witnesses, the need for a separate accommodation for witnesses while waiting to testify, and access to other facilities that may be needed;

**4.1.7** moving the proceedings toward a conclusion as expeditiously as reasonably possible while respecting the rights and needs of all participants;

**4.1.8** notifying the Chair of the ARRC of any withdrawal from the Special PC Committee to permit timely appointment of a substitute as provided in Section 3.3.5 of the ARRC Procedures;

**4.1.9** reminding participants of limitations on the dissemination of personnel information set forth in Section 3.6;

**4.1.10** arranging for timely consultation with the Chair of ARRC should procedural disputes arise;

**4.1.11** keeping accurate records of expenditures for activities of the Special Committee and arranging for reimbursements from the Chancellor's office; and

**4.1.12** when the complainant is an administrative officer, arranging for the court reporter and verbatim transcript required by Section 6.5.

**4.2 Written Notice to the Parties.** Within 7 days after the Special PC Committee has been convened, the Chair of the Special PC Committee shall send to each party the following:

**4.2.1** a copy of the Formal Written Complaint;

**4.2.2** a copy of the current Procedures of the Academic Rights and Responsibilities Committee;

**4.2.3** a copy of the current Code of Procedures for Special PC Committees;

**4.2.4** a list of the members of the Special PC Committee;

**4.2.5** the name of the ARRC Observer or, if no ARRC Observer has been appointed, notice to the parties that they are entitled to request that an ARRC Observer be appointed; and

**4.2.6** notice of the deadlines established in Section 4.3 and 4.4.

**4.3 Formal Written Responses from Respondents: Mandatory Elements and Deadline for Filing.** Within 20 calendar days from the date of receipt of the Formal Written Complaint from the Chair of the Special PC Committee, each respondent shall file a Formal Written Response with the Chair of the Special PC Committee.

**4.3.1 Mandatory Elements.** Each Formal Written Response shall contain a clear and concise statement indicating which, if any, of the facts alleged in the Formal Written Complaint the respondent wishes to contest and a clear and concise statement indicating any ameliorating or other additional facts the respondent wishes to allege. Under Sections 4.5 and 7.2, if a respondent fails to file a timely Formal Written Response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

**4.3.2 Optional Elements.** In addition, the Formal Written Response may include the following:

**4.3.2.1** a clear and concise statement indicating which, if any, of the standards identified in the Formal Written Complaint the respondent wishes to contest;

**4.3.2.2** a clear and concise statement of the standards, if any, the respondent believes to be appropriate for evaluating the complaint;

**4.3.2.3** a clear and concise statement indicating which, if any, of the violations alleged in

the Formal Written Complaint the respondent wishes to contest;

**4.3.2.4** a clear and concise statement indicating which, if any, of the proposed remedies, sanctions, or other personal relief or prospective institutional change the respondent believes would be inappropriate.

The Chair of the Special PC Committee may extend these deadlines for good cause shown.

**4.4 Deadline for Requests from Any Party Requesting an Academic Advisor, an ARRC Observer, and for Allegations of Conflict of Interest.** Within 15 days from the date of receipt of the Formal Written Complaint from the Chair of the Special PC Committee,

**4.4.1** any party wishing to be advised by an academic advisor shall file a written request with the Chair of the Special PC Committee identifying the proposed academic advisor;

**4.4.2** any party wishing to request that the ARRC appoint an ARRC Observer shall file a written request with the Chair of the Special PC Committee;

**4.4.3** any party wishing to allege that a member of the Special PC Committee has a conflict of interest shall file a written statement with the Chair of the Special PC Committee setting forth the basis for the challenge.

The Chair of the Special PC Committee may extend these deadlines for good cause shown.

**4.5 Procedure If No Respondent Files a Timely Formal Written Response.** If no respondent files a timely Formal Written Response, the uncontested allegations of fact in the Formal Written Complaint shall be deemed to be true, and the Chair of the Special Committee shall so notify the parties and shall schedule a meeting of the Special PC Committee to prepare the Final Report required by Section 8.

**4.6 Procedure If a Respondent Files a Timely Formal Written Response.** If any respondent files a timely Formal Written Response, the Chair of the Special PC Committee shall

**4.6.1** determine whether proposed academic advisors are eligible under Section 3.8, and if any party's proposed academic advisor is not eligible, invite that party to propose an eligible academic advisor;

**4.6.2** forward to each complainant and to each respondent a copy of each Formal Written Response and the names of proposed academic advisors; and

**4.6.3** forward to the Chair of the ARRC any request that an ARRC Observer be appointed.

**4.7 Party Challenges to Proposed Academic Advisors or ARRC Observer.**

**4.7.1** Any party may in writing challenge the eligibility of a proposed academic advisor by delivering the challenge to the Chair of the Special PC Committee within 7 days after receipt of the name of the proposed academic advisor. If a challenged proposed academic advisor does not voluntarily withdraw, the Chair of the Special PC Committee shall determine whether the proposed academic advisor is eligible. If the proposed academic advisor is not eligible, the party may propose another academic advisor. If the new proposed academic advisor appears to be eligible, the Chair of the Special PC Committee shall notify parties of the new proposed

academic advisor and afford parties an opportunity to challenge the new proposed academic advisor.

**4.7.2** Any party may in writing challenge the eligibility of a proposed ARRC Observer by delivering the challenge to the Chair of the Special PC Committee within 7 days after receipt of the name of the proposed ARRC Observer. The Chair of the Special PC Committee shall forward the challenge to the Chair of the ARRC. If a challenged ARRC Observer does not voluntarily withdraw, the Chair of the ARRC shall determine whether the proposed ARRC Observer is eligible. If the proposed ARRC Observer is not eligible, the ARRC may in writing propose another ARRC Observer to the Chair of the Special Committee. The Chair of the Special Committee shall in writing notify parties of the new proposed ARRC Observer and afford parties an opportunity to challenge the new proposed ARRC Observer.

## **5 PRE-HEARING CONFERENCE**

**5.1 Purpose.** As soon as possible after giving notice of a Formal Written Response contesting any allegations of the Formal Written Complaint and resolving any issues involving conflicts of interest and eligibility of proposed academic advisors and ARRC Observers, the Chair of the Special PC Committee shall arrange a Pre-Hearing Conference with all parties in attendance

**5.1.1** to clarify the issues involved;

**5.1.2** to identify uncontroverted facts;

**5.1.3** to explore the possibility of a voluntary settlement of the case;

**5.1.4** to explain procedures applicable to the Investigative Hearing; and

**5.1.5** to establish procedures for setting the date, time, and place of the Investigative Hearing.

At the Pre-Hearing Conference each party shall provide every other party and the Chair of the Special ~~PC-A-PC~~ Committee with a copy of any documentation to be introduced by the party at the Investigative Hearing and with a list of any witnesses to be called by the party at the Investigative Hearing. No witnesses or documents not so provided shall be heard or received at the Investigative Hearing, except in cases of surprise, or for the purpose of rebutting oral testimony, or for other justifiable cause found to exist by the Special PC Committee.

**5.2 Persons Who May Attend and Participate in the Pre-Hearing Conference:**

**5.2.1** the Chair of the Special PC Committee;

**5.2.2** the parties;

**5.2.3** each party's attorney, if any;

**5.2.4** each party's academic advisor, if any;

**5.2.5** the ARRC attorney, if requested by the Chair of the Special PC Committee; and

**5.2.6** the ARRC Observer, if any.

After the Pre-Hearing Conference, the Chair of the Special PC Committee will provide in writing to all parties a list of the uncontroverted facts established in the Pre-Hearing Conference as well as a list of issues to be resolved during the Investigative Hearing by the Special PC Committee.

### **5.3 Meeting of the Special PC Committee after the Pre-Hearing Conference and Before the Investigative Hearing.**

As soon as possible after the conclusion of the Pre-Hearing Conference, the Chair of the Special PC Committee shall provide each member of the Special PC Committee with the following:

**5.3.1.1** a copy of the Formal Written Complaint and a copy of each Formal Written Response;

**5.3.1.2** a copy of each party's written list of witnesses to be called and documentation to be introduced at the Investigative Hearing;

**5.3.1.3** a written summary of matters decided at the Pre-Hearing Conference.

**5.3.2** After a reasonable time to permit members of the Special PC Committee to review of these materials, the Chair of the Special PC Committee shall convene a meeting of the Special PC Committee, with only members of the Special PC Committee present, to determine whether the Special PC Committee wishes to call any additional witnesses or request any additional documentation. If the Special PC Committee decides to call any additional witnesses or request any additional documentation, the Chair of the Special PC Committee shall notify the parties in writing and shall make arrangements for any additional witnesses and documentation to be presented at the Investigative Hearing.

### **5.4 Notice of Investigative Hearing.** As soon as possible after the conclusion of the meeting of the Special PC Committee in accordance with Section 5.3, the Chair of the Special PC Committee shall in writing give notice of the date, time, and place of the Investigative Hearing to

**5.4.1** each party;

**5.4.2** each member of the Special PC Committee;

**5.4.3** each party's attorney, if any;

**5.4.4** each academic advisor, if any;

**5.4.5** the ARRC Observer, if any;

**5.4.6** the Chair of the ARRC.

## **6 INVESTIGATIVE HEARING**

### **6.1 Persons Who May Attend the Investigative Hearing:**

**6.1.1** members of the Special PC Committee;

**6.1.2** the parties;

**6.1.3** each party's attorney, if any;

**6.1.4** each party's academic advisor, if any;

**6.1.5** the ARRC Observer, if any;

**6.1.6** the court reporter, if applicable;

**6.1.7** witnesses, but no witness shall be present except when that witness is testifying and responding to questions.

### **6.2 Order of Investigative Hearing.** The usual sequence of an Investigative Hearing is as follows:

**6.2.1** introductions of all present (this will be repeated for each witness);

- 6.2.2** introduction of the case by the Chair of the Special PC Committee;
- 6.2.3** complainant(s)' presentation of the Formal Written Complaint and evidence in support of the Formal Written Complaint, including all documentation and all witnesses;
- 6.2.4** respondent(s)' presentation of the Formal Written Response and evidence in support of the Formal Written Response, including all documentation and all witnesses;
- 6.2.5** presentation of documentation and testimony of witnesses requested by the Special PC Committee;
- 6.2.6** rebuttal in support of the Formal Written Complaint;
- 6.2.7** closing statement(s) by Complainant(s), followed by closing statement(s) by Respondent(s);
- 6.2.8** statement by the Chair of the Special PC Committee thanking participants and explaining post-Investigative-Hearing procedures.

This order may be varied if the Chair of the Special PC Committee determines that a clearer way of exploring the issues can be achieved, and if the Special PC-A PC Committee and the parties agree.

### **6.3 Evidence and Witnesses.**

**6.3.1** The Special PC Committee may direct the parties, faculty members, and other officers of the University to produce specific relevant documents (including personnel and student records) for introduction at the Investigative Hearing. The parties shall be afforded an opportunity to obtain necessary witnesses and documentary evidence. All parties will cooperate with the Special PC Committee in securing witnesses and in making available documentary and other evidence.

**6.3.2** Members of the UNL community shall cooperate with the Special PC Committee in providing testimony or documents; however, a person shall not be required to give testimony or to produce documents in regard to any confidential communication for which the law provides a privilege. Refusal by anyone to provide documents or to testify in regard to any communication for which the law does not provide a privilege obstructs the process and shall be taken into consideration by the Special PC Committee in its deliberations and in its preparation of the Final Report.

**6.3.3** Testimony shall be taken under oath. Each party shall have the right to cross-examine witnesses who testify and shall have the right to submit rebuttal testimony. Witnesses may testify and evidence may be received not only concerning relevant facts but also concerning relevant standards. Witnesses not able to attend the hearing may provide testimony in writing. In cases where the grounds for professional misconduct are based in whole or in part on questions of professional competence, relevant testimony concerning professional competence from individual colleagues, students, and others from this, or other institutions may also be admitted.

**6.3.4** The Special PC Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every



possible effort will be made to obtain the most reliable evidence available. The Chair of the Special PC Committee may bar the introduction of documents, evidence, questions, and testimony reasonably deemed irrelevant, immaterial, not-competent or unduly repetitious. The Chair of the Special PC Committee also may bar the introduction of documents, evidence, and testimony if introduction would unfairly surprise another party and if the documents, evidence, or testimony could, with reasonable diligence, have been discovered or produced before the Pre-Hearing Conference. A party adversely affected by a decision to bar the introduction of evidence may appeal the decision of the Chair to the full Special PC Committee.

**6.3.5** The Chair of the Special PC Committee may in appropriate circumstances temporarily adjourn the Investigative Hearing.

**6.4 Format of Presentations and Questions.** To preserve orderly and civil proceedings, the Investigative Hearing shall be conducted by the Chair of the Special PC Committee as follows:

**6.4.1** No person shall speak without prior recognition by the Chair of the Special PC Committee.

**6.4.2** Each party and each witness may be questioned by members of the Special PC Committee after the end of the presentation of that party or witness.

**6.4.3** When the Special PC-A PC Committee has finished questioning a party or witness, each party may question that party or witness; alternatively, the parties may submit questions to the Chair of the Special PC-A PC Committee which the Chair of the Special PC Committee may ask on their behalf.

**6.4.4** The Chair of the Special PC Committee may bar questions under Section 6.3.3. A party adversely affected by a decision to bar a question may appeal the decision of the Chair to the full Special PC Committee

**6.4.5** A party's academic advisor may consult privately with that party, may respond to questions from the Chair, and may address procedural questions to the Chair, but under ordinary circumstances may not otherwise participate in the Investigative Hearing.

## **6.5 Record of Hearing**

When the complainant is an administrative officer, the Chair of the Special PC Committee shall arrange for a court reporter to be present at the Investigative Hearing to produce a verbatim record of the Investigative Hearing. Bills for the court reporter's services shall be processed through the office of the General Counsel of the University. The verbatim record shall be made available to the parties and to the Special PC Committee prior to the deliberations and decision of the Special PC Committee required by Section 7. The verbatim record also shall be made available for inspection by the public as set forth in Section 8.3.

## 7 DELIBERATIONS AND DECISION

7.1 All deliberations shall be conducted in executive session with no one present except members of the Special ~~PC-A~~ PC Committee, and the ARRC attorney, if invited.

7.2 The complainant bears the burden of proving relevant facts by a preponderance of the relevant evidence. If a respondent fails to file a timely written response or otherwise fails to contest an allegation of fact, the uncontested allegations of fact shall be deemed to be true.

7.3 Refusal by anyone to provide documents or to testify obstructs the process and shall be taken into consideration by the Special ~~PC-A~~ PC Committee in its deliberations and preparation of the Final Report.

7.4 The standards against which the charges are to be judged include applicable state and federal law; University bylaws, rules and regulations; established policies of the relevant administrative unit; appropriate professional and discipline based standards; applicable contracts; and academic principles and tradition. In the event of conflict between different University bylaws, rules or regulations, those of the more inclusive administrative unit shall prevail.

7.5 Students or staff added to a Special ~~PC-A~~ PC Committee pursuant to Section 3.3.6 of the ARRC Procedures may participate fully in discussions, hearings, and deliberations of the Special ~~PC-A-PC~~ PC Committee, but may not vote. If the opinion of students or staff added to the Special ~~PC-A~~ PC Committee

differs from that of the regular members of the Special ~~PC-A~~ PC Committee, their opinion and the rationale for that opinion shall be included in the report of the Special ~~PC-A~~ PC Committee.

## 8 THE FINAL REPORT

When the Special ~~PC-A~~ PC Committee has completed its deliberations it shall prepare a Final Report setting forth the Special ~~PC-A~~ PC Committee's disposition of each charge of professional misconduct in the Formal Written Complaint. Communications regarding matters outside the scope of the Formal Written Complaint shall be addressed in accordance with the rules set forth in Section 10 below. The Final Report shall be limited to the following mandatory and optional elements.

**8.1 Mandatory Elements of the Final Report.** The Final Report shall contain, with respect to each charge of professional misconduct alleged in the Formal Written Complaint:

8.1.1 specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based;

8.1.2 identification of the standards against which the charge of professional misconduct is being judged;

8.1.3 the Special ~~PC-A~~ PC Committee's conclusions concerning whether applicable standards have been violated; and

8.1.4 if the opinion of students or staff added to the Special ~~PC-A~~ PC Committee pursuant

to Section 3.3.6 of the ARRC Procedures differs from that of the regular members of the Special ~~PC-A~~ PC Committee, their opinion and the rationale for that opinion.

Before preparing the elements of the Final Report required by Sections 8.1.2 and 8.1.3, the Chair of the Special ~~PC-A~~ PC Committee shall send to each party a copy of a provisional draft of the specific findings of relevant fact and reference to the evidentiary foundations upon which those findings are based required by Section 8.1.1. Each party shall have five days after receipt of the provisional draft to submit written comments to the Chair of the Special ~~PC-A~~ PC Committee suggesting specific changes to correct specific alleged inaccuracies in the provisional draft. No changes based upon such comments shall be made to the provisional draft without first providing other parties an opportunity to respond to the comments. If the Special ~~PC-A~~ PC Committee decides not to make changes suggested in a written comment, that written comment and the Special ~~PC-A~~ PC Committee's reasons for that decision shall be appended to the Final Report.

**8.2 Optional Elements of the Final Report.** In addition, the Final Report may contain one or more of the following:

**8.2.1 Recommendations.** The Final Report may include recommendations:

**8.2.1.1** concerning appropriate sanctions for a respondent found to have committed professional misconduct, including but not limited to

**8.2.1.1.1** formal censure,

**8.2.1.1.2** restitution;

**8.2.1.1.3** non-reappointment at the end of the respondent's specific term appointment,

**8.2.1.1.4** removal from an administrative position,

**8.2.1.1.5** reduction in salary or adjustment in responsibilities,

**8.2.1.1.6** recommendation by the Chancellor to the President that the respondent be terminated under Regents Bylaws ~~4.14;~~ 4.7, 4.8, 4.9, 4.11, or 4.12;

**8.2.1.2** concerning ways to redress the consequences of any professional misconduct by the respondent;

**8.2.1.3** concerning ways to prevent recurrence of acts, decisions, or circumstances which may have contributed to the professional misconduct by the respondent;

**8.2.1.4** concerning correction of any deficiencies or anomalies found in the substance or application of bylaws, rules, regulations, policies, procedures, or customs which may have contributed to the filing of the charge of professional misconduct against the respondent.

**8.2.2 Concurring or Dissenting Opinions.** The Final Report may include concurring or dissenting opinions, or both, concerning any mandatory or optional element of the report.

**8.3 Delivery and Archiving of Verbatim Record (if applicable), Case File, and Final Report.**

**8.3.1** The Chair of the Special ~~PC-A~~ PC Committee shall

**8.3.1.1** deliver a copy of the Final Report to each party, to the Chancellor (or, if the Chancellor is a party, to the President), to the Chair of the ARRC, and to the President of the Faculty Senate;

**8.3.1.2** if the allegations of professional misconduct included allegations of unlawful discrimination, including sexual and other prohibited harassment, deliver a copy of the Final Report to the Office of **Institutional Equity and Compliance, Access and Diversity Programs**; and

**8.3.1.3** deliver a copy of the Final Report, a copy of all exhibits, and a copy of the case file required by Section 4.1.4 to the Coordinator of the Faculty Senate.

**8.3.2** The Coordinator of the Faculty Senate shall

**8.3.2.1** obtain a copy of the official record of actions taken against the respondent(s), if any;

**8.3.2.2** place one copy of the Final Report, a copy of all exhibits, **and** a copy of the case file required by section 4.1.4, and the official record of action taken (if any) in ARRC archives in the Faculty Senate Office under specified conditions of access; and

**8.3.2.1** deposit a second copy of the Final Report, a copy of all exhibits, **and** a copy of the case file required by section 4.1.4, and the official record of action taken (if any) in the University Archives under specified conditions of access.

## **9 FOLLOW UP TO THE REPORT**

**9.1 Chancellor's (or President's) Response to Recommendations.** In response to recommendations made by the Special **PC-A PC** Committee, the Chancellor (or, if the Chancellor is a party or witness, the President) shall within 30 days provide a written response to the Chair of the ARRC indicating:

**9.1.1** the recommendations that have been accepted and the action taken;

**9.1.2** the recommendations that have been rejected in part or completely; and

**9.1.3** for each recommendation rejected, reasons responsive to the Committee's rationale for proposing it.

The Chancellor (or President) shall decide upon Special Professional Conduct Committee recommendations on the basis of the evidence submitted to the Special Professional Conduct Committee and the report of the Special Professional Conduct Committee. Unless clearly erroneous, the findings of fact made by the Special Professional Conduct Committee shall be accepted. The Chancellor (or President) shall give the Special Professional Conduct Committee's findings and conclusions due consideration, and shall take into account the fact that the Special Professional Conduct Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Special Grievance Committee.

Copies of the Chancellor's (or President's) written response shall be sent to the parties, to the Special Professional Conduct Committee, to the President of the Faculty Senate, and to the Coordinator of the Faculty Senate for inclusion in the case files in the ARRC archives and in the University Archives. If the response rejects or changes the recommendations made by the Special **PC-A PC** Committee, the ARRC shall inform the President of the Faculty Senate who shall provide each member of the Senate Executive Committee with a copy of the Final Report and of the response and shall put the matter on the agenda of the next Senate Executive Committee meeting for whatever action the Senate Executive

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Committee may deem appropriate.

**9.2 ARRC Review of Implementation of Recommendations.** The ARRC shall determine the extent to which recommendations of the Special ~~PC-A~~ PC Committee have been implemented, and shall report its findings to the President of the Faculty Senate and in its annual report to the Senate.

**9.3 ARRC Meeting with the Special PC-A PC Committee.** After the Final Report has been filed, the ARRC shall meet with the Special ~~PC-A~~ PC Committee and any others considered appropriate by the Chair of the ARRC to thank the Special ~~PC-A-PC~~ Committee for its work, to collect all copies of documents, and to hear from the Special ~~PC-A-PC~~ Committee any suggestions about how the work of the ARRC and its special committees might be improved.

## **10 COMMUNICATIONS REGARDING MATTERS OUTSIDE THE SCOPE OF THE FORMAL WRITTEN COMPLAINT**

**10.1** In the course of an investigation, one or more members of the Special ~~PC-A~~ PC Committee may conclude that the Special ~~PC-A~~ PC Committee has heard allegations or otherwise discovered information which, though outside the scope of the Formal Written Complaint and thus not subject to full investigation and evaluation by the Special ~~PC-A~~ PC Committee, nonetheless suggests that actions or decisions have been taken or may be taken in violation of law, University policy, or academic principle.

**10.2** Such concerns shall not be addressed in the Final Report of the Special ~~PC-A~~ PC Committee required by Section 8.0. However, the Special ~~PC-A-PC~~ Committee acting through its chair, or any member or members of the Special ~~PC-A-PC~~ Committee, may communicate those concerns in writing to the appropriate administrator for investigation and for whatever corrective action may be appropriate. In shaping the contents of and determining the recipients for such communications, those preparing the communications shall consult with the Chair of the ARRC.

**10.3** A copy of any such communication to an administrator shall at the same time be sent to

- 10.3.1** the Chancellor; and
- 10.3.2** the Chair of the ARRC; and
- 10.3.3** any individual on whose actions, decisions, or practices the communication reflects; and

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~~10.3.4~~ if the communication reflects on the actions, decisions, or practices of a committee or unit, the individual who heads that committee or unit;~~and~~

**10.3.5** if the communication reflects on the actions, decisions, or practices of the Chancellor, the President; and

**10.3.6** if the communication includes concerns about alleged unlawful discrimination, including sexual or other prohibited harassment, the UNL Office of Institutional Equity and Compliance or its successor if the office is renamed.

**10.4** Such communications shall be deemed to be a part of the responsibility of Special ~~PC-A~~ **PC** Committee members and, as such, to be subject to the same protections afforded all Special ~~PC-A~~ **PC** Committee activities by Section 6.8 of the Regents Bylaws.

TO: The Board of Regents Addendum XI-B-1  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Warner Hall LB384 Renovation at the University of Nebraska at Kearney (UNK)

RECOMMENDED ACTION: Approval of LB384 funding for Warner Hall LB384 Renovation at UNK

PREVIOUS ACTION: None

EXPLANATION: Founders Hall was dedicated by Kearney State College in 1978. The facility has had limited updates since then. Founders Hall was renamed Warner Hall in 2017 in Honor of Jerome and Charles J. Warner who played a significant role in the institution's history. At that time signage and some interior finishes were updated.

Warner Hall improvements will focus on the HVAC and supporting systems, roof, and windows. Building finishes will be included to the extent necessary to accomplish the primary work.

Upon approval, design will start with a 4-year firm. Construction work may be done in packages with a first start date in Summer 2022 and completion in Fall 2024. The timeline will be finalized as design progresses, construction vendors are selected, and lead times are fully captured.

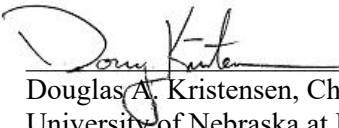
This item has been reviewed by the Business & Finance Committee.

PROJECT COST: \$5,100,000

ON-GOING FISCAL IMPACT: 2% of project costs as annual contribution to deferred maintenance fund

SOURCE OF FUNDS: LB384 Funds

SPONSOR: Jon C. Watts  
Vice Chancellor for Business & Finance  
University of Nebraska at Kearney

RECOMMENDED:   
Douglas A. Kristensen, Chancellor  
University of Nebraska at Kearney

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-B-2  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Long-term Ground Lease Agreement with Woodbury Corporation for the University of Nebraska-Lincoln (UNL) property located at 401 North 9<sup>th</sup> Street in Lincoln, Nebraska

RECOMMENDED ACTION: Approve a long-term Ground Lease Agreement with Woodbury Corporation for the UNL property located at 401 North 9<sup>th</sup> Street in Lincoln, Nebraska

PREVIOUS ACTION: None

EXPLANATION: The UNL property at 401 North 9<sup>th</sup> Street was once the location of the Nebraska Press Building. The building was razed in 2010 and since then, this parcel has only been periodically used for parking. Given its proximity to the campus and lack of strategic use, the university was considering sale of the property. It was appraised for \$1.4M in 2020.

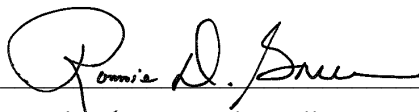
The university wishes to enter into a long-term ground lease agreement with Woodbury Corporation to allow for income to be made while concurrently retaining ownership of the property. Woodbury Corporation owns the adjacent property and would like to build a companion hotel. While detailed plans and specifications for the hotel have not yet been prepared, the agreement grants UNL the right to review and approve such plans and specifications prior to the commencement of construction. Upon the expiration or earlier termination of the proposed agreement, all property on the parcel reverts to the university.

Under the terms of the proposed Ground Lease Agreement, Woodbury Corporation agrees to pay UNL a lump sum payment of \$1,217,561 for an initial 35-year term, with the option to extend the term up to 3 additional 5-year periods at a rate of \$100,000 for each extended term.

This item has been reviewed by the Business and Finance Committee.

PROJECTED INCOME: \$1,217,561 (for initial 35-year term)

SPONSOR: William J. Nunez, Ph.D.  
Vice Chancellor for Business and Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

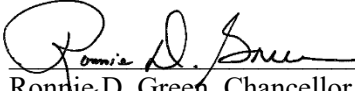
DATE: November 5, 2021



TO:	The Board of Regents	Addendum XI-B-3				
	Business and Finance Committee					
MEETING DATE:	December 3, 2021					
SUBJECT:	Program Statement for the Lied Center for Performing Arts Renovation and Addition at the University of Nebraska-Lincoln (UNL)					
RECOMMENDED ACTION:	Approve the Program Statement for the Lied Center for Performing Arts Renovation and Addition at UNL					
PREVIOUS ACTION:	None					
EXPLANATION:	<p>Completed in 1989, the Lied Center for Performing Arts is in its 31st season. When the Lied Center was originally designed, it supported the performances and attendees at the highest levels. Thirty years later, changes in design and technologies have emerged, redefining what a performing arts theatre can be and how it can become the activator within its community.</p> <p>With the support of the UNL Chancellor, the Lied Center's Statewide Advisory Board, the Friends of Lied Board, and the University of Nebraska Foundation, propose to add on and renovate the Lied Center for the Performing Arts. The proposed project would include:</p> <ul style="list-style-type: none"> <li>• A building addition of four levels of new construction of approximately 16,600 sf providing a new entrance, vertical circulation, new box office, new green room, donor event space, education space and education administration.</li> <li>• A strategic building renovation consisting of targeted areas of existing interior space on three levels, in the range of 25,000 sf, providing renovated lobby, improved circulation and accessibility, additional public restrooms, and valet.</li> </ul> <p>A State grant is being pursued to assist in the funding of this project. The deadline for submittal of the application is December 31, 2021. A plan detailing the building addition and enhancements, which is included in the Program Statement, is required as part of the application. Should UNL not be awarded this grant, or matching private funds not be acquired, the project will be delayed.</p> <p>This item has been reviewed by the Business and Finance Committee.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Proposed start of construction</td> <td style="text-align: right;">June 2022</td> </tr> <tr> <td>Proposed completion of construction</td> <td style="text-align: right;">August 2024</td> </tr> </table>		Proposed start of construction	June 2022	Proposed completion of construction	August 2024
Proposed start of construction	June 2022					
Proposed completion of construction	August 2024					
PROJECT COST:	Project Budget	\$25,500,000				
ON-GOING FISCAL	Estimated Additional Operating and Maintenance	\$50,000				

SOURCE OF FUNDS:	External/Grant	\$10,000,000
	<u>Private Funds</u>	<u>15,500,000</u>
	Total	\$25,500,000

SPONSOR: William J. Nunez, Vice Chancellor for Business & Finance  
University of Nebraska-Lincoln

RECOMMENDED:   
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: November 5, 2021

## Program Statement

Project Name: Lied Center for Performing Arts Renovation & Addition  
 Campus: University of Nebraska-Lincoln  
 Date: December 3, 2021  
 Prepared by: HDR, the Lied Center, and NU Facilities, Planning & Capital Programs  
 Campus Project No: 12003

### 1. Introduction

#### A. Background and history

University of Nebraska Chancellor E. A. Burnett made a public statement in 1933 that “In time, some citizen might erect a lovely theater and auditorium for us.” In 1970, University of Nebraska President Woody Varner upon arriving to Lincoln made a silent vow that Nebraska would build a performing arts center that could host the greatest artists in the world ranging from top orchestras to the most celebrated ballets. The vision was that students at the University of Nebraska should experience professional performing arts as part of their college education. Students and residents of Nebraska should not have to travel to New York, Chicago or Los Angeles to experience top performing arts programs. Nebraskans should be able to experience the finest in music, theater and dance right here in Nebraska. In 1980, Christina Hixson became the sole trustee of the Lied Foundation Trust established by Ernst F. Lied. The very first gift from the Lied Foundation Trust was UNL’s Lied Center for Performing Arts.

For over three decades, a long list of artists, leaders and creative visionaries have graced the Lied Center stage since opening in 1990 while millions of audience members were dazzled, enlightened, and forever transformed. As Nebraska’s Performing Arts Center, the Lied has firmly established a local, regional, and national legacy by presenting artists and collaborations normally seen only in the country’s major metropolitan centers.

An integral component to the strategy and fundraising campaign called “Building the Future”, the master plan envisions the dreams and concepts for facility improvements to move the Lied into the next phase of its life and ensure that the venue’s future is as bright as its past.

A very strong historical culture resides at the Lied Center. The facility truly has a sense of place, not just in Lincoln, however – throughout the entire State of Nebraska and outwards to the region. This program statement defines the improvements intended for the next 50 years of magical moments patrons will experience attending the Lied Center. Future generations of University of Nebraska students and children of the community deserve to have the finest experiences in the performing arts. An update to Nebraska’s Performing Arts Center is essential to guarantee the arts for future generations.

The celebration of the patron experience is central and critical to the plan. The new, bold vision for the facility provides a unique and immersive procession for all whom enter this building, participate in its environment, and enjoy the magic of the performances and amenities. The project addresses critical safety and security building updates along with providing an essential new space dedicated to education. The extraordinary quality of the performances the Lied Center has coordinated and presented to the public over the last thirty-one years is immeasurable. The vision for the Lied Center renovation and addition provides a future-built environment that is commensurate with the quality of these performances.

#### B. Project description

With the full support of the UNL Chancellor, the Friends of the Lied Board and the University of Nebraska Foundation propose to add on and renovate the Lied Center for Performing Arts. The proposed project would include:

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- A building addition of four levels of new construction of approximately 16,600 sf providing a new entrance, education space, vertical circulation, new box office, new green room, donor event space and education administration.
- A strategic building renovation consisting of targeted areas of existing interior space on three levels, in the range of 25,000 sf, providing renovated lobby, improved circulation and accessibility, additional public restrooms, and valet.

### C. Purpose and objectives

The size and condition of the Lied Center existing facilities do not support the current demand and needs of the state or allow the venue to fully deliver on its mission. This project is necessary to enable the Lied Center for Performing Arts to meet the needs of the state and to achieve the goals established by the University. Specific objectives for the project include the following:

#### Lied Center Vision Operational Goals:

- Building Artistic Programs
- Providing a Superior Venue and Patron Experience
- Increasing Student Involvement
- Enhancing Technology at the Lied Center
- Maximizing the Success of Lied Center Staff
- Enhancing the Financial Health of the Lied Center

The operational goals that establish the core elements essential to the character and vision for the facility are based on the Lied Center for Performing Arts' vision, to transform the lives of the people of Nebraska through the performing arts by:

- Expanding the presentations of artists of great distinction representing all art forms and genres – both from Nebraska and around the world.
- Engaging people and communities from across Nebraska with exceptional experiences
- Providing first-hand experiences for youth and college students
- Revitalizing our facility and investing in our human resources to take the Lied to new stages of excellence.
- Creating new artistic works which contribute to the diverse culture of Nebraska and the world.
- Serving the state as an arts leader and collaborator to celebrate creativity, discovery and diversity.

Education is core to the Lied Center's mission, but the venue lacks dedicated space for regular scheduled classes or a space students can gather in the venue which Major University Performing Arts Presenters has determined based on research to be critical for student engagement. The project enhances educational impact by:

- Creating a new multi-purpose space for student learning and performance.
- Providing a social space for students to meet prior to and following performances.
- Providing a technically advanced space for multimedia learning, performance and creation.
- Providing an affordable, appropriate performance space for students at the Lied.
- Giving students the opportunity to list performing and being featured at one of the top 100 theaters in the world for their featured recitals and concerts. (Top 100-Pollstar Magazine)

Prioritization of the drivers to the user experience at the Lied Center for Performing Arts include modifications to physical space that enable a better experience than current accommodations:

- Substantial overall spatial and physical presence making an impression on the facility user (also

## Lied Center for Performing Arts Renovation & Addition

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known as the “wow factor”)

- Upgrade concessions
- Renovate and add restrooms to provide even distribution of restroom facilities throughout the lobbies and eliminate unacceptable long waiting periods
- Enhancing audio services
- Improving Circle of Giving (donor space) amenities
- Improving the facilities entry
- Improving the hospitality area (pre-function & post-event)
- Renewal of facility interior finishes for common areas
- Providing for rental space
- Enhancing technology support
- Expanding administration space

## 2. Justification of the Project

### A. Data that supports the funding request

Completed in 1989, the Lied Center for Performing Arts is now experiencing its 32nd season - truly a milestone. When the Lied Center was originally designed, it was at the forward edge of thinking in theatre design with all the technologies and amenities that supported the performances and attendees at the highest levels.

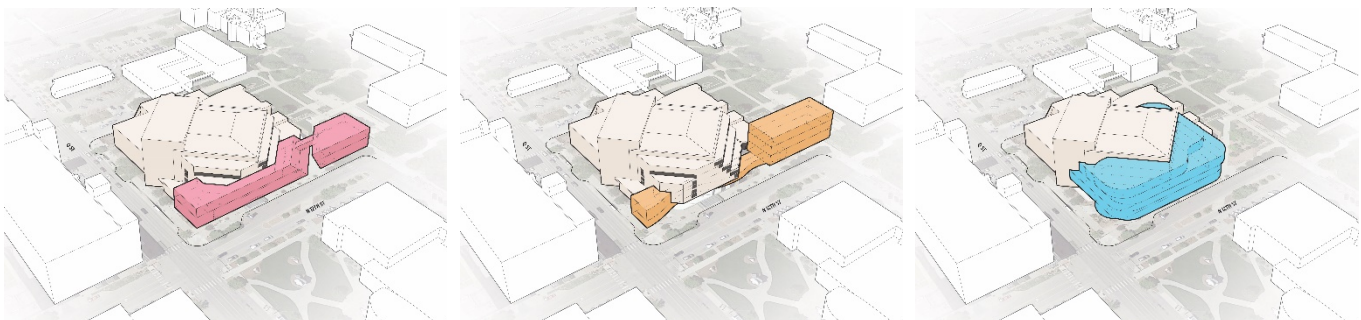
Thirty years later, new technologies, new design thinking, and transformational philosophies have emerged on what a performing arts theatre can be and how it can become the activator within its community. Originally designed to industry standards, codes and building type design-thinking circa the 1990's, to position the facility for the future. Core area of improvements include:

- 1) Lobby size, circulation paths and accommodations
- 2) Security enhancements to address active shooter threats and other safety needs
- 3) Education space
- 4) Restroom quantities and locations
- 5) Enhancements to maintain competitiveness in the live event industry including space for donor cultivation and premiere patron hospitality.

The Lied Center for Performing Arts can support, promote and expand the rich academic culture of the Hixson-Lied College of Fine and Performing Arts and the University of Nebraska-Lincoln as a whole.

### B. Alternatives considered

Not increasing the building space or leasing space elsewhere for some activities were considered. A few larger addition footprint schemes were also considered – see diagrams.



## 3. Location and site considerations



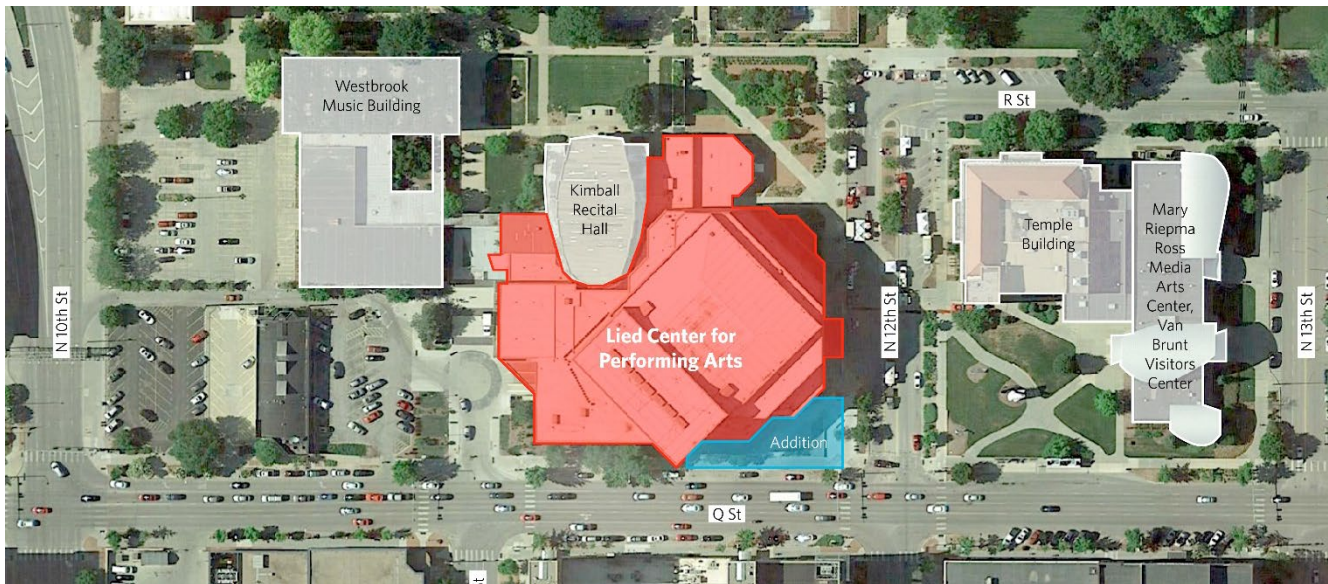
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**A. County:** Lancaster

**B. Town or campus:** UNL City Campus

**C. Proposed site** Lied Center for Performing Arts, 301 N 12<sup>th</sup> St, Lincoln NE 68588



**D. Statewide building inventory:**

State Tag: 51ZZ0298500B

**E. Influence of project on existing site conditions**

**1) Relationship to neighbors and environment**

The Lied Center for Performing Arts is sited on the edge boundary of the University's City Campus, adjacent to downtown Lincoln. On the campus side, the building is surrounded by other arts facilities: the Westbrook Music Building to the west, the Sheldon Art Museum to the north, and the Temple Building to the east. At street level, the facades are mostly opaque, apart from the minimal, dark glazing at the entrances and northeast corner of the building.

**2) Utilities**

The existing site utilities are only to be modified as necessary to construct the new addition.

**3) Parking & circulation**

The sequence of arrival to the facility begins with vehicular traffic. Patrons arriving in downtown Lincoln vicinity encounter the Lied Center facility on Q Street and 12<sup>th</sup> Street. Most patrons arrive by personal vehicle. Patrons Park in areas of downtown Lincoln primarily south of the Lied Center. The arrival experience to the facility is focused on two public entrances. The primary entrance faces south and is located on the southeast portion of the building – located to accept pedestrian arrivals from Q Street and the intersection of 12<sup>th</sup> and Q Streets. The arrival sequence includes passage through a paved and landscaped

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plaza with a sculpture from the University permanent art collection. Rotation of the sculpture installation is not part of the Lied Center operations. A secondary entrance on 12<sup>th</sup> Street is indicated with a lighted canopy over the sidewalk. Valet parking, utilized by less than 10% of event attendees, utilizes a drop-off lane directly off 12<sup>th</sup> Street.

**4. Comprehensive Plan Compliance****Compliance with the University of Nebraska Strategic Framework, Campus Roles and Mission and Campus Strategic Plan.**

The Lied Center for Performing Arts addition and renovation aligns with the goals outlined in the University of Nebraska Strategic Framework 2014-2016. The following goals are most prominent:

- 1 d. Expand lifelong educational opportunities, including those for non-traditional and transfer students.*
- 1 e. Promote adequate student preparation for success in higher education.*
  - i. Engage in pilot programs with Nebraska high schools for development of high school academies in partnership with the university.*
  - ii. Provide timely and usable information to middle school students, parents, teachers and school administrators.*
- 5 a. Support economic growth, health and quality of life through policy initiatives consistent with university mission.*
- 5 e. Collaborate with the public and private sectors to build successful regional, multistate, international linkages.*
- 5 f. Use university resources to engage Nebraskans outside the cities where our major campuses are located.*
- 6.a.iv. Campuses shall promote through policies and scheduling effective utilization of university facilities.*
- 6.d.ii. Collaborate with the University of Nebraska Foundation to secure private support for university priorities.*

The Lied Center for Performing Arts addition and renovation aligns with the goals outlined in the University of Nebraska Role Mission and Value: The university provides for the people of the state unique opportunities to fulfill their highest ambitions and aspirations thereby helping the state retain its most talented youth, attract talented young people from elsewhere and address the educational needs of the non-traditional learner. The University of Nebraska system exists to transform lives and communities in Nebraska and around the world. The four campuses of the University system bring unique strengths together to create an exceptional level of quality and impact - through accessible and excellent education for diverse populations of students, research and creative activity that generates new knowledge, and service and engagement that enriches quality of life.

**A. Consistency with the agency comprehensive capital facilities plan (year of plan and updates or revisions)**

The Lied Center for Performing Arts addition and renovation aligns with the goals outlined in the University of Nebraska Lincoln Campus and Landscape Master Plans November 2013:

UNDERSTANDING THE UNL CONTEXT FOR THE PLAN : “...create collaborative places that are conceived of as contributing to and reinforcing the whole. For example, each building or landscape project is envisioned as part of a broader district strategy that links together building program, exterior landscape ideas, and circulation strategies to create and enhance a sense of place. Similarly, UNL is celebrated for its relationship to the City of Lincoln and its broader context. The plan ensures that the university will be a strong partner to both the private and public sectors, creating connections to the

## Lied Center for Performing Arts Renovation & Addition

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City of Lincoln...”.

**BE THE PREMIER MIDWEST INSTITUTION:** “... Among its Big Ten peer cities, Lincoln has one of the largest populations and UNL’s location immediately north of downtown Lincoln creates tremendous opportunity to capitalize on the vitality of a proximate downtown relationship. Plan Big embraces City Campus’ downtown edge, celebrating the north-south corridors that connect the City into the campus and the transition from city to campus along Q Street.

**CREATE A MEMORABLE UNL IDENTITY:** “...A clear sense of campus image and identity will be critical to ensure that future growth occurs in a way that reinforces and strengthens UNL’s national reputation and provides a clear sense of campus image and identity. It is often said that potential recruits – whether faculty, staff or student – make a decision about a campus within the first few moments of an initial campus visit. This speaks to the importance of campus identity and ‘sense of place’ – an elusive yet critical emotional connection we make to a physical environment – for UNL and its future. A high quality interconnected built and landscape environment speaks volumes about the aspirations and priorities of an institution...”.

**CAMPUS LANDSCAPE MALLS:** “...The 12th Street Mall which links City Campus to R Street and Downtown Lincoln features many successful elements. The 12th Street Mall creates a clear, attractive campus gateway, and its geometry and paving system signal the importance of this civic path. Adjacent buildings relate well to the path...”.

**STRENGTHENING PROGRAMMATIC CONNECTIONS:** “12<sup>th</sup> Street Arts Processional on southern edge of City Campus....Along 12th Street, cultural destinations like the Lied Center for Performing Arts, Sheldon Museum of Art, and others provide cultural destinations on campus ...”.

#### **B. Consistency with the current version of the CCPE Project Review Criteria/Statewide Plan**

The project is consistent with Nebraska’s Coordinating Commission for Postsecondary Education Comprehensive Statewide Plan for Postsecondary Education, approved by the Coordinating Commission for Postsecondary Education on November 28, 2000. Last substantive revision: July 21, 2016.

Chapter 1. Shared Values and Beliefs Focusing on this Plan’s vision for postsecondary education will help ensure that Nebraskans now and in the future benefit from the “good life” for which the state is known. The vision is based on the following values and beliefs that the Coordinating Commission shares with the leaders of Nebraska postsecondary education institutions and their governing board members: Nebraska’s postsecondary institutions fill a vital role in many communities by serving as a cultural hub, not only educating their students in the arts and humanities but sharing those learning opportunities with the public whenever possible.

Chapter 3. Meeting the needs of the State: Postsecondary education institutions will maintain their distinctive role as providers of cultural and artistic opportunities to students and their communities through study, research, and programming.

Chapter 5. Meeting Educational Needs through Partnerships and Collaboration: Postsecondary education institutions will work as partners with one another and with other entities, including those in the private sector, whenever appropriate to share resources and deliver programs cooperatively to enhance learning opportunities for Nebraska residents.

#### **5. Analysis of existing facilities**



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**A. Function and purpose of existing programs as they relate to the proposed project**

Currently education functions throughout campus on an as needed basis. For the success of this program, outreach and education provided through the Lied would need to be in a dedicated space at the Lied Center, not currently available. Inconsistent scheduling of education programs due to the Lied performance schedule is a prohibitive constraint to delivering the purpose of the existing program.

**B. Square footage of existing areas:**

Space Description	Space Use Code	Existing NASF
Office Facilities	300	4,160
Special Use Facilities	500	160
General Use Facilities	600	56,548
Circulation	WWW	52,251
Restrooms & Custodial	XXX	5,976
Mechanical, Utilities, & Mechanical Shafts	YYY	15,659
<b>Space Use Category Totals</b>		<b>134,754</b>
<b>Total Existing Space</b>		<b>156,478</b>

**C. Utilization of existing space by facility, room and/or function**

The front of house spaces targeted for renovation primarily support performances within the main stage. The bulk of this area is lobby circulation space, which doubles as a lounge pre-performance, during intermissions, and post-show. The public restrooms and concessions serve the population within the lobby during these time periods.

The star dressing rooms are utilized by performers only. The green room currently serves multiple purposes – dedicated performer space and the location for performers to greet patrons post-show.

The box office and support office functions support the ticketing process primarily before performances.

**D. Physical deficiencies**

Originally designed to industry standards, codes and building type design-thinking circa the 1990's, the Lied Center has aged very well in some respects while others could use lessons learned from the past thirty years to position the facility for the future. Of particular note are lobby size and accommodations, circulation paths and restroom quantities and distribution.

The interior finishes throughout the facility are well maintained and generally in good working condition. There is an opportunity to upgrade the aesthetic of the interior to set the Lied up for its future evolution as an arts center, while maintaining the character that patrons have come to appreciate and have a strong connection with.

The HVAC system for the main facility was replaced within the last year. Issues surrounding the HVAC system include negative air pressure between systems supplying air flow on stage and return air off stage. Distribution of air is the issue, and as a result the grand drape bellows out toward the seating area. Ongoing studies to remedy the situation are being considered. Previous scenarios considered

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included the adjacent facilities (ex. The Kimball building air pressure was positive and the Lied Center air pressure was negative).

All power systems are adequate for operations.

The lighting system controls are digital. However, the dimmers are original systems components from initial building construction and do not work well with the digital controls system.

### E. Programmatic deficiencies

#### Lobby

The current lobby size (not including areas clearly defined for circulation only) yield approximately 5.2 square feet per patron (at full seating capacity). Today's standards suggest 12 square feet per patron. This will yield a very comfortable lobby and can be adjusted to the specific culture.

#### Circulation

Arriving to a show is a social occasion. Current day security concerns and screening processes, evolving box office functions and social interactions require circulation paths that are intuitive, easy to navigate and minimize congestion. The current configuration of circulation paths produces:

- Bottle necks at the main entry vestibule which also serves as the box office and waiting area for patrons who are enjoying the performance together but arriving separately.
- Bottle necks in the ground level lobby as patrons navigate pinch points to the grand stair and cross traffic to the Steinhart room.
- Bottle necks and cross traffic at the grand stair landing as roughly fifty percent of patrons seated on the orchestra level must find their way to the long corridors that lead to the house entry positions.
- Cross traffic at all lobby levels due to male and female restroom locations with one on each side of the house.
- Existing conversion elevator from a wheelchair lift is inadequate and in need of replacement.

#### Restrooms

While building codes do have requirements for the minimum number of plumbing fixtures required, operators of performing arts venues are well familiar with the long lines before and especially at intermission, with lines to the women's restrooms being the most challenging. A recommendation to increase the fixture count beyond code, to be planned at a ratio of one stall per 23 patrons and a weighted distribution target of assignment of plumbing fixtures of 2/3 of the amount for women and 1/3 of the amount for men. Current code also requires family/assist restrooms in assembly facilities. This more stringent criteria call for an increase of approximately 20 women's stalls and at least one family/assist restroom.

#### Green Room

The existing green room is positively located where performer and patron circulation does not mix. However, there is currently no accessible route for performers to take to access the green room – a small flight of stairs must be taken. The size and proportion of the green room space has an opportunity to be improved.

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#### Donor's Lounge

The current space being utilized for the donor's lounge requires a long travel distance from the donor seats, necessitating vertical movement to reach the level above. The existing space has no dedicated restrooms and permanent bar. One positive trait of the current lounge is the visual connection to the audience and performers.

#### Administration

The existing administration suite is a tight fit for current needs and has no room for expansion. Wayfinding to this location is a challenge. The space is currently being utilized for package deliveries, but storage space is inadequate.

The spatial program for Studio Theatre-Education space is inadequate. A new future multi-purpose space for education classes, rehearsals, workshops and mini performances would allow a consistent schedule of education programs to take place and not be impacted by Lied performance schedule. A separate exterior entrance to this space should be envisioned on Q street with restricted access to the Lied venues.

### **F. Replacement cost of existing building**

The FMIR listed value is \$55,146,453.

## **6. Facility Requirements and the Impact of the Proposed Project**

### **A. Functions and purpose of the proposed program**

#### **1) Activity identification and analysis**

The first floor of the addition is to house the displaced box office functions, as well as expanded entry lobby area for enhanced security. A partial level above this floor houses the new star dressing rooms and green room. The second floor of the addition contains the donor's lounge and associated service spaces. This contains a direct connection to the donor seats within the theater via a corridor, stair or elevator. Education space fills the third floor of the addition with the primary space being the studio theatre.

Existing lobby areas and restrooms remain in their current configurations, receiving cosmetic upgrades. New restrooms and office space are to be constructed in the multiple story voids within the ends of the lobby, evenly distributing restrooms of both genders and reducing wait times.

#### **2) Projected occupancy/use levels**

- **Personnel projections**

Limited additional staffing will be required for additional space beyond approximately 4 to 10 daily hours (40 hours per week) for custodial and facility support.

- **Describe/justify projected enrollments/occupancy**

The Circles of Giving Lounge will host a variety of events annually including both Lied Center season events, university events and community gatherings. (150 events, average 35 patrons = 5,250 patrons annually)

The Studio Education Theater will host a variety of events annually including student concerts, forums, social events, classes and special programs. (200 events, average 100

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patrons = 20,000 patrons annually)

Lied Center general attendance exceeds 200,000 patrons annually. This project will enhance the patron experience for everyone that attends Lied Center programs and will provide a first-class experience for University of Nebraska guests as the Lied serves as UNL's living room. (300 events x 1,000 patrons = 300,000 patrons annually)

**B. Space requirements****1) Square footage by individual areas and/or functions**

Space Description	Space Use Code	Renovated NSF	New NSF
Box Office	310		233
Office	310		1,289
Office Service	315		92
Studio Theater	610		1,638
Assembly Service	615		611
Food Facilities	630	810	393
Food Facilities Service	635		363
Lounge	650	368	2,515
Storage	730		642
Circulation	WWW	21,251	2,207
Restrooms	XXX	2,585	1,824
Building Service	YYY	0	780
<b>Total Net Square Feet</b>		<b>25,014</b>	<b>12,587</b>

**2) Basis for square footage/planning parameters**

The square footage/planning parameters were primarily based on historical experience of similar project types and informed by extensive interviews with staff and stakeholders.

**3) Square footage difference between existing and proposed areas (net and gross)**

	Existing	Proposed	Difference
<b>Net Square Feet</b>	134,754	147,341	12,587
<b>Gross Square Feet</b>	156,478	173,114	16,636

**C. Impact of the project on existing space****1) Reutilization and function(s)**

All existing spaces within the Lied Center will be reutilized. In some cases, renovated areas have changed function. In this scenario, the displaced functions have been located somewhere else within the renovated existing building or the addition.

**2) Demolition**

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A small portion of the existing building will be demolished to accommodate the construction of the new addition. This demolished area includes star dressing rooms and the green room. These rooms will be replaced within the footprint of the new addition. The existing east entry canopy is to be demolished as it is no longer delineating the point of entry.

### **3) Renovation**

This project primarily involves the renovation of public, front-of-house spaces within the facility. The ground floor lobby is to receive the most significant renovation, opening the area by displacing other functions (e.g. box office). Other spaces within the public areas are to receive aesthetic upgrades consisting of primarily new finishes and lighting. Public restroom facilities are to be upgraded with new finishes and plumbing fixtures.

## **7. EQUIPMENT REQUIREMENTS**

### **A. List of available equipment for reuse**

Existing equipment will be evaluated during design. In particular, if deemed appropriate, the box office ticketing system will be relocated and reused.

### **B. Additional Equipment**

#### **1) Fixed equipment**

Fixed equipment will be evaluated during design.

#### **2) Movable equipment**

The project will include new furniture and furnishings; more specifics will be developed during the design phase of the project.

#### **3) Special or technical equipment**

Special and technical equipment will be evaluated during design. and may include A/V, specialty theatrical lighting & rigging, & piano(s).

## **8. SPECIAL DESIGN CONSIDERATIONS**

### **A. Construction Type**

The Lied Center addition will be non-combustible construction in conformance with all applicable building codes at the time of building permit application. The addition is intended to be a steel frame structure with appropriate fire protection. A detailed analysis taking into consideration the existing building construction type should be completed in schematic design.

### **B. Heating and Cooling Systems**

It is anticipated that the Lied Center addition will be served by a new rooftop HVAC system & that this system will be independent of the existing buildings HVAC with the exception of the control system being tied to the existing control system in so much as it is possible.

### **C. Sustainability**

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The Lied Center addition is to be designed in accordance with the University's sustainability requirements. The renovation is to be designed in accordance with the University's sustainability requirements in so much as they are applicable to the new and revised components. Most of the existing facility will be left unmodified.

#### **D. Life Safety/ADA**

All new construction and renovation are to be designed to all applicable codes and standards at the time of building permit application. Universal design will be considered during design.

#### **E. Security**

The level of security for the Lied Center addition and renovation is currently being and will continue to be evaluated as security for the assembly use type is rapidly changing. Security considerations include bag checks, metal detectors, cameras, etc. The building layout is to accommodate and allow appropriate room for all forms of security including those items listed above.

#### **F. Historic or architectural significance**

The current Lied Center (the original building and subsequent additions) are not historic in the traditional sense. The Lied Center addition and renovation is desired to be "of our time" and include an architecturally significant statement for the addition. The renovation should tie to the existing while still being "of our time". The architecture of the addition should be in dialogue with original facility, while not a copy.

#### **G. Artwork**

Artwork will not be included.

#### **H. Phasing**

In order to minimize any disruption to operations of the Lied Center, a carefully executed specific phasing plan will need to be implemented. Key to a successful phasing plan is working with the Authority Having Jurisdiction and contractor to establish continuous life safety and egress strategies.

General Phasing Plan:

- Phase One: New addition
- Phase Two: Relocation of box office function
- Phase Three: Renovation of the ground level lobby
- Subsequent phases: Renovation of the upper level lobbies and restrooms.

As much work as possible should be accomplished during the summer months when the theatre is dark. A shortened season(s) may be required in order to accomplish major construction.

#### **I. Future expansion**

No future expansion is planned.

### **9. PROJECT BUDGET & FISCAL IMPACT**

#### **A. Cost Estimate Criteria**

- 1) **Identify recognized standards, comparisons and sources**

**Lied Center for Performing Arts Renovation & Addition**

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The construction cost estimate was prepared by a third party, CCS International, Inc. Non-construction estimates were generated based upon historical projects and review with university staff.

2) **Identify year and month on which estimates are made and inflation factor used**

The cost estimates were prepared in February of 2021. Estimates utilize an inflation rate of 3.5% per year, to the anticipated mid-point of construction of October 2023.

3) **Net and gross square feet**

	<b>New</b>	<b>Renovation</b>	<b>Total</b>
<b>Net Square Feet</b>	12,587	25,014	37,601
<b>Gross Square Feet</b>	16,636	25,014	41,650

4) **Project cost per net and gross square foot**

\$ 678 / NSF

\$ 612 / GSF

5) **Construction cost per gross square foot**      \$ 468 / GSF

**B. Total project cost**

**Construction**

General Construction	16,725,000
Site Work/Utilities	116,000
Fixed Equipment	28,000
In-House Construction	933,000
Construction Contingency	1,686,000
<b>TOTAL CONSTRUCTION COSTS</b>	<b>\$ 19,488,000</b>

**Non-Construction**

Project Planning	173,000
Professional Consultant Fees	2,403,000
Professional In-house	623,000
Equipment - Capital	29,000
Equipment - Non-Capital	2,103,000
Land Acquisition	0
Artwork	0
Other	147,000
Non-Construction Contingency	534,000
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ 6,012,000</b>

**TOTAL PROJECT COST      \$ 25,500,000**

**C. Fiscal impact based on first full year of operations**

1) **Estimated additional operational and maintenance costs per year**

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\$50,000

**2) Estimated additional programmatic costs per year**

Existing Lied Center program staff will support the new space with the exception of custodial and facility staff support. These costs will be covered with user fees. 40 hours weekly at \$18 x 52 Weeks = \$37,440.

**10. FUNDING****A. Total funds required: \$25,000,000****B. Project Funding Sources:**

<b>Funding Sources</b>	<b>Amount</b>	<b>% Total</b>
State Dept. of Economic Development Grant	\$ 10,000,000	39%
Private donations	\$ 15,500,000	61%
<b>Total</b>	<b>\$ 25,500,000</b>	<b>100%</b>

**C. Fiscal year expenditures**

<b>FISCAL YEAR</b>	<b>EXPENDITURES</b>
FY2021-2022	\$1,500,000
FY2022-2023	\$6,900,000
FY2023-2024	\$15,150,000
FY2024-2025	\$1,950,000

**11. TIMELINE**

<b>A. Program Statement</b>	December 2021
<b>B. External Selections – Design and Construction Management teams</b>	February 2022
<b>C. Start Design</b>	March 2022
<b>D. Early Packages</b>	June 2022
<b>E. Intermediate Design Review</b>	November 2022
<b>F. GMP Execution</b>	February 2023
<b>G. Completion of Construction</b>	July 2024
<b>H. Occupancy</b>	August 2024

**12. HIGHER EDUCATION SUPPLEMENT****A. Coordinating Commission for Postsecondary Education (CCPE) Review**

- 1) ☐ CCPE review is required.  
(Information is included: State funded and/or O&M threshold met)
- 2) ☒ CCPE review is not required.

**B. Method of Contracting**



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**Lied Center for Performing Arts Renovation & Addition**

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**1)Identify method**

Construction Manager at Risk (CMR)

**2)Provide rationale for method selection**

CMR delivery method is recommended to provide the best value (quality and cost). The use of an integrated design process will support a better design for the phased and occupied renovation from a methods, scheduling, and cost estimating standpoint. The transparent bid process optimizes the local and regional market conditions and opportunities

TO: The Board of Regents Addendum XI-B-4  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Guaranteed Maximum Price (GMP) Contract Amendment and budget increase for Phase 2 North Stadium Expansion at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approve \$10 million increase and execution of a Standard Form GMP Contract Amendment to the Construction Manager at Risk (CMR) contract for Phase 2 North Stadium Expansion at UNL

PREVIOUS ACTION: October 25, 2019 - Board of Regents approved the Program Statement for North Stadium Expansion at UNL

December 4, 2020 - Board of Regents approved revisions to the North Stadium Expansion Project and received the report from the Business and Finance Committee regarding the Intermediate Design Review

April 9, 2021 - Board of Regents approved the execution of a Standard Form GMP Contract Amendment to the Construction Manager at Risk (CMR) contract for Phase 1 of the North Stadium Expansion at UNL

EXPLANATION: The CMR delivery method was confirmed at Intermediate Design and the project was divided into two phases. Hausmann Construction, Inc. was selected as the CMR through a competitive qualification-based selection in accordance with Board of Regents policy. This item seeks approval to execute a GMP amendment for construction services for Phase 2. Current Board of Regent policy reserves authority to approve and execute construction contracts over \$5 million. The GMP will be for the scope reviewed with the Intermediate Design and within the construction budget.

Since December 2020, there have been unavoidable impacts to the market for both construction and non-construction items. To cover the costs and maintain approved project scope, a budget increase of \$10,000,000 is requested for a total budget of \$165,000,000.

This item has been reviewed by the Business and Finance Committee.

PROJECT COST:	<u>Original</u>	<u>Proposed</u>
Project Budget, Phase 1	\$135,000,000	\$135,000,000
Project Budget, Phase 2	20,000,000	30,000,000
Total Project Budget	\$155,000,000	\$165,000,000

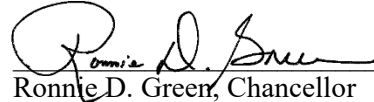
SOURCE OF FUNDS:	Private Funds	\$110,000,000
	University Internal Lending Program	50,000,000
	<u>Trust Funds</u>	<u>5,000,000</u>
	Total Funding	\$165,000,000

SPONSOR:

Trev Alberts, Vice Chancellor, Director of Athletics  
University of Nebraska-Lincoln

William J. Nunez, Vice Chancellor for Business & Finance  
University of Nebraska-Lincoln

RECOMMENDED:

A handwritten signature in black ink, appearing to read "Ronnie D. Green", is written over a horizontal line.

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE:

November 5, 2021

TO: The Board of Regents  
Business & Finance

MEETING DATE: December 3, 2021

SUBJECT: Program Statement for Westbrook Music Building LB384 Replacement at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approve the Program Statement for Westbrook Music Building LB384 Replacement at UNL

PREVIOUS ACTION: None

EXPLANATION: Westbrook Music Building was constructed in 1967 and serves the Hixson-Lied College of Fine and Performing Arts Glenn Korff School of Music (GKSOM). Westbrook was not designed with many of the features expected in a music instructional space such as wide corridors, no level changes, sound and light locks or other acoustic isolation measures, quiet HVAC systems, or adequate storage, rehearsal, and performance spaces. Renovating the existing building to today's requirements and expectations is cost prohibitive. Therefore, a new facility will be built to replace Westbrook Music Building. The building will be sited nearly adjacent to the existing building and will develop the 10<sup>th</sup> & Q corner of City Campus. The new facility will have modern structure, envelope, systems, and interiors that support music programs and universal access.

The program statement and budget have been reviewed and recommended for approval by the Business & Finance Committee.

Proposed start of construction	May 2023
Proposed complete of construction	May 2025

PROJECT COST:	Project Budget	\$75,000,000
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ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance	\$212,000
	2% Assessment	\$1,500,000

SOURCE OF FUNDS: LB384 Funds

SPONSOR: William J. Nunez  
Vice Chancellor for Business & Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE:

# Program Statement

Addendum XI-B-5

Project Name: Westbrook Music Building LB384 Replacement  
Campus: City Campus  
Date: December 3, 2021  
Prepared by: NU Facilities Planning & Capital Programs, Glenn Korff School of Music, Hixson-Lied College of Fine and Performing Arts, Alley Poyner Macchietto and HGA  
Project No: 12718

## 1. Introduction

### A. Background and history

Founded in 1894, the Hixson-Lied College of Fine and Performing Arts Glenn Korff School of Music (GKSOM) has enjoyed exceptional growth and prominence throughout its history and is accredited as a charter member of the National Association of Schools of Music—the accrediting body for university music programs in the United States. GKSOM is comprised of 255 undergraduate music majors, 84 graduate music majors, and 30 undergraduate dance majors from Nebraska, nationally, and around the world. Students are educated by an internationally celebrated community of 49 faculty members whose doctorates or artist diplomas were earned at some of the best music schools in the country.

GKSOM is primarily housed in Westbrook Music Building, built in 1967. The dance program is in the Johnny Carson Center for Emerging Media Arts. Westbrook is insufficient for the instructional and artistic needs of GKSOM faculty, staff, and students. Built over 50 years ago, Westbrook wasn't designed with many of the features expected in a music instructional space, such as wide corridors, no level changes, sound and light locks or other acoustic isolation measures, quiet HVAC systems, or adequate storage, rehearsal, and performance spaces. There is only one large instrumental rehearsal room to accommodate four concert bands, two jazz bands, a symphony orchestra, a chamber orchestra, a percussion ensemble, and the Cornhusker Marching Band. There is only one large choral/vocal rehearsal room to accommodate seven choirs, UNL Opera, and a chamber opera program. Student practice rooms on the third floor have had to be repurposed as faculty offices and, even having done so, there are instances when up to four permanent faculty members share a single office space. Storage now is at such a premium, the Cornhusker Marching Band storage space is in the Military and Naval Sciences Building across campus. By every metric, the Westbrook Music Building now cannot serve the needs of UNL's Glenn Korff School of Music.

### B. Project description

The project will construct a purpose-built music facility able to accommodate growth. The site offers an opportunity to alter the university's southwest landscape and create a new activated gateway into campus. Positioning the new music building on the west portion of the site, will shelter the corner of campus from traffic noise generated by the tenth street on-ramp to highway 180 and provide a new pedestrian entry into campus, visible from the Haymarket Area. Demolishing the existing Westbrook building will provide opportunity for new green space, rounding out the arts-quadrant surrounded by Kimball Recital Hall, Lied Center for Performing Arts, Sheldon Museum of Art, Woods Art Building, and the Architecture complex.

### C. Purpose and objectives

For the Glenn Korff School of Music to continue its impressive history of leadership and innovation, it needs facilities that support and complement its award-winning faculty, staff, and students. The project goals include right sizing academic spaces for needed function and performance and improving facilities with health and wellness in mind. These goals are guided by an inspiring vision to reposition GKSOM for a bright future that includes plans for growth, improves the identity of the arts on campus and in the community, and attracts the brightest faculty and students in the face of mounting competition. Important peer universities both within the Big Ten and regionally are making

## **Westbrook Music Building LB384 Replacement**

### **Program Statement**

major investments in new or completely renovated music buildings now, putting GKSOM at a real disadvantage in the escalating competition for students and faculty.

As a gateway location for the campus, this building must reinforce the campus identity and provide a welcoming presence. Spaces in the new facility will be campus wide resources including student commons, library, and classrooms. GKSOM currently captures more than music majors in its doors and the new facility will capitalize on its ability to connect not only with the university community but also the Lincoln community. In addition, GKSOM will continue to take advantage of Internet2 capabilities through programs designed to engage greater Nebraska and the world.

The key project goals are:

- Build a modern, functional facility to accommodate current space needs and future growth;
- Provide an acoustic environment conducive to the protection of hearing health and to the best music learning, exploration, creation, and performance;
- Create a place that will serve as a symbol and destination for high-quality arts education, scholarship, creativity, and performance.

## **2. Justification of the Project**

### **A. Data that supports the funding request**

The building is 54 years old and is beyond its useful life. GKSOM has a critical and imminent need for new and expanded facilities as the student and faculty count have far exceeded the space provided, and continued growth is expected. The need has been identified and studied since 2015. Therefore, the project was identified by campus leadership to receive an allocation from the state capital renewal program.

### **B. Alternatives considered**

Renovation of the existing building was first considered. The age, configuration, and condition of the building are a detriment, rather than an asset, to reuse. Renovation of the existing Westbrook Music Building would be extensive and would likely result in little to no savings, over new construction. Using a comparative cost analysis and reference to cost history of other similar projects, the broad conclusion is reuse of the existing building may save a maximum of approximately 5% in hard costs, while compromising functionality, ideal adjacencies, and flexibility.

An analysis of the north wing of Westbrook Music Building determined renovation was not appropriate. The existing mechanical system does not meet current codes and new equipment and supply/return ducts would need to be added. Tight floor to floor dimensions, make these additions impractical.

An analysis of the south wing of Westbrook Music Building determined reuse could be considered but is not recommended. While modest savings could be found, shortcomings such as loss of usable square footage in the existing building due to renovations required to mitigate acoustical isolation problems, ADA compliance, and exterior envelope energy performance make this option less desirable.

## **3. Location and site considerations**

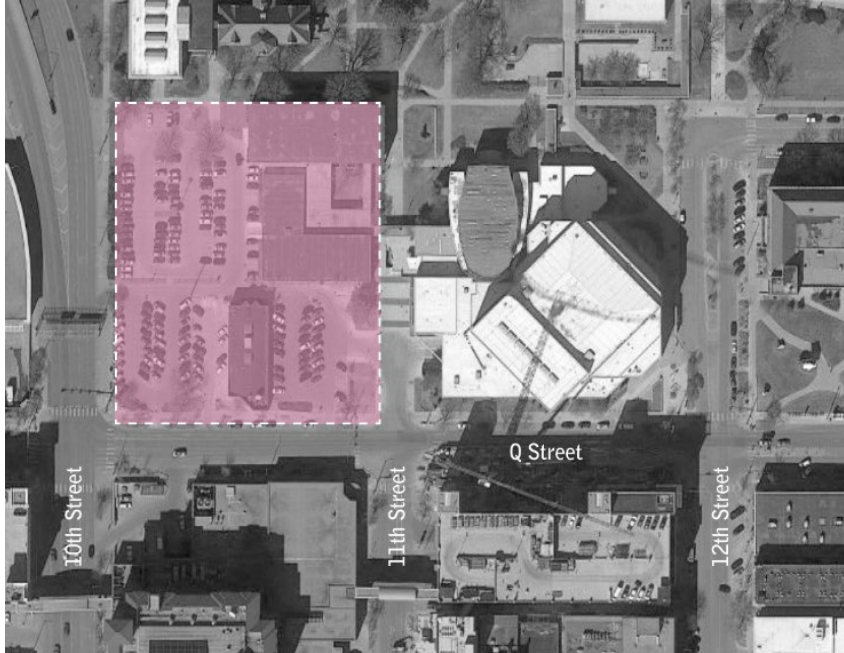
### **A. County:** Lancaster

### **B. Town or campus:** City Campus

### **C. Proposed site :** Southwest corner of City Campus at 10<sup>th</sup> and Q streets

## Westbrook Music Building LB384 Replacement

### Program Statement



#### D. Statewide building inventory:

Asset No. 29130

State Tag No. 51ZZ0053300B

#### E. Influence of project on existing site conditions

##### 1) Relationship to neighbors and environment

The building site is located on a busy vehicular intersection with City of Lincoln streets forming the site edges to the south and west. The northern edge of the site is defined by the R Street corridor. Currently serving as a parking lot, the site offers an opportunity to establish a strong campus image and identity in a way that reinforces and strengthens UNL's reputation.

The site includes the footprint of Westbrook Music Building, the current home of the Glenn Korff School of Music. Architecture Hall and the historic campus quad stand to the north of the site, the Lied Center for Performing Arts is to the east, Q Street and downtown Lincoln is to the south, and the Haymarket district is to the west. The Student Center for the Church of Jesus Christ of Latter-Day Saints (LDS Church) occupies a building on the southern edge of the site facing Q Street the project site would benefit if it were part of this project.

##### 2) Utilities

The new building will be served by existing campus utilities. Lincoln Electric System utility lines run through the alley on the southern edge of the Westbrook Music Building, bisecting the site east/west.

##### 3) Parking & circulation

The primary site is currently accessed from 10<sup>th</sup> Street with a one-way alley to 11<sup>th</sup> Street and 2 parking lots with a total of 139 parking stalls. A third parking lot is located west of the Lied Center for Performing Arts and is critical to their operation. The site offers the opportunity for sharing this area as a service hub. This project will approach the new building footprint to meet the needs of the College and UNL's expectations for a new



## Westbrook Music Building LB384 Replacement

### Program Statement

campus gateway, retain the parking lot west of the Lied Center, and maintain as many other parking stalls as possible.

#### Pedestrian Circulation:

The 11th Street corridor is a significant pedestrian path into campus running along the eastern edge of the proposed site leading to the historic campus quad to the north. The 10th Street corridor provides a significant link from downtown Lincoln to Memorial Stadium on the western edge of the proposed site, and the 10th and Q Street intersection represents a significant pedestrian access point to campus from the Haymarket/Arena district as well as nearby parking structures. Pedestrians also move along the Q Street corridor to and from the Haymarket and the Lied Center.

There are two main access points to the building, which should be established to capture those approaching the building and the campus from the south and west as well as those approaching the building from the campus from the northeast.

## 4. Comprehensive Plan Compliance

### A. Compliance with the University of Nebraska Strategic Framework, Campus Roles and Mission and Campus Strategic Plan.

The project supports the objectives of Investing in Nebraska's Future: Strategic Framework 2014-2016, and in particular relates to the following select ones:

*"6. The University of Nebraska will be cost effective and accountable to the citizens of the state.*

- a. Support the development of a sustainable university environment.*
- ii. Implement ... to repair, renovate and/or replace specific university facilities.*
- iii. Campuses shall pursue energy efficiency.*
- b. Maintain a safe environment for students, faculty, staff and visitors.*
- c. Allocate resources in an efficient and effective manner.*
- i. Use best practices in procurement and construction and other business engagement."*

### B. Consistency with the agency comprehensive capital facilities plan (year of plan and updates or revisions)

The project is consistent with Plan Big adopted by the Board of Regents in 2013. It is located on an area of campus labeled the Zipper Zone in Plan Big, identified as the region on City Campus between R and Q streets, which serves as a zone, strengthening city-campus connections. The Plan Big UNL: UNL Campus architectural guideline principles this project will embrace include:

- Buildings must relate to and define outdoor campus spaces.*
- Material and color selections should contribute to a contextual and integrated aesthetic environment.*
- Places should embody design qualities that express UNL's place as a premier, forward-looking institution where high levels of achievement are the standard.*
- Successful buildings will consist of massing that is proportional to their context and comprehensible to human-scale.*
- Places should create spaces that inspire social and intellectual collaboration.*
- Building performance should influence architectural character.*



**Westbrook Music Building LB384 Replacement**

## Program Statement

**C. Consistency with the current version of the CCPE Project Review Criteria/Statewide Plan**

The Statewide Facilities Plan is Chapter Six of the *Comprehensive Statewide Plan for Postsecondary Education in Nebraska*. This plan includes the following goals:

*“Nebraskans will advocate a physical environment for each of the state’s postsecondary institutions that. Supports its role and mission; is well utilized and effectively accommodates space needs, is safe, accessible, cost effective, and well maintained, and is sufficiently flexible to adapt to future changes in programs and technologies.”*

**5. Analysis of existing facilities****A. Function and purpose of existing programs as they relate to the proposed project**

Westbrook Music Building is home to all the GKSOM programs except dance. The facility includes classrooms, labs, practice rooms, rehearsal and performance spaces, faculty studios, staff offices, a library, and public spaces.

**B. Square footage of existing areas**

Existing Space Summary		
Space Use Code	Space Description	Existing NSF
100	Classroom Facilities	15,001
200	Class Laboratory Facilities	9,136
300	Office Facilities	15,990
400	Library/Testing/Study Facilities	7,253
600	General Use Facilities	1,578
700	Support Facilities	2,408
WWW	Circulation Area	16,474
XXX	Building Service Area	3,464
YYY	Mechanical Area	3,592
Total Net Square Feet		74,897
Total Gross Square Feet		84,506
Efficiency		89%

**C. Utilization of existing space by facility, room and/or function**

The existing building includes classrooms, laboratories, offices, study spaces, general use and support areas that are outdated and unsuited to the desired or needed use. These spaces are utilized to the extent possible and GKSOM is successful despite the deficiencies. Improvement of the spaces would allow for more efficient use with better results.

**D. Physical deficiencies**

The primary physical deficiencies are:

- Minimal corridor space making movement of students and instruments difficult
- Level change on first and lower levels further impedes movement and ADA compliance
- Exterior walls have no moisture barriers or vapor retarders and minimal or no insulation
- Exterior windows are single pane and not thermally broken
- Insufficient plumbing fixture count and access
- Elevator is undersized for movement of large instruments such as pianos

**Westbrook Music Building LB384 Replacement**

## Program Statement

**E. Programmatic deficiencies**

The existing facility's most critical programmatic needs are:

- Lack of space to accommodate student enrollment in music
- Lack of space to accommodate required rehearsals, practice, and performance
- Inappropriate sharing of faculty and adjunct faculty office and studio space
- Inadequate space and acoustical volume for Marching Band rehearsal
- Lack of acoustically designed spaces to support optimum hearing and music quality
- Lack of sound isolation, noise (decibel) control, and thus hearing -loss protection
- Existing HVAC system creates a constant, steady state of approximately 60DB of background noise. This is highly undesirable and detrimental for music instruction and performance.
- Lack of proper humidification for musical instrument preservation
- Inadequate and non-compliant ADA access

**F. Replacement cost of existing building**

The replacement cost of Westbrook Music Hall from the 2020 Facilities Management Information Report (FMIR) is \$18,113,999. This translates to only \$221 per square foot.

**6. Facility Requirements and the Impact of the Proposed Project****A. Functions and purpose of the proposed program****1) Activity identification and analysis**

The proposed program will provide right-sized, safe, quality spaces for the programs at GKSOM, with safe, accessible, acoustically designed spaces for students, faculty, visitors including children, and guest artists.

**2) Projected occupancy/use levels**

- **Personnel projections**

Personnel Type	Fall 2015	Fall 2020	Fall 2025
TTT	35	34	37
FT Lecturer	23	12	12
PoP	2	3	6
Staff	12	10	11

- **Describe/justify projected enrollments/occupancy**

Student Type	Fall 2015	Fall 2020	Fall 2025
Grad students	123	84	85
UG students	250	255	275

Since Fall 2017, the 5 year average enrollment for music (UG and Grad) is 383 students and the 5-year trend has been -9%. The new facilities should attract students to the program and support the undergraduate enrollment growth goals and strategic direction of GKSOM. Graduate students are expected to maintain now that a sustainable level has been reached.

**Westbrook Music Building LB384 Replacement**

## Program Statement

**B. Space requirements****1) Square footage by individual areas and/or functions**

Room Use Code	Space Description	Quantity	NSF Each	Total NSF
<b>100</b>	<b>CLASSROOM FACILITIES</b>			<b>4,130</b>
110	Small	1	600	600
110	Medium	3	960	2,880
110	Seminar	1	250	250
110	Class/seminar	1	400	400
<b>200</b>	<b>LABORATORY FACILITIES</b>			<b>29,130</b>
215	Lab Service - uniform checkout	1	150	150
215	Piano Tech Shop	1	500	500
215	Reed Making room	1	100	100
220	Piano keyboard lab-Sm	1	800	800
220	Piano keyboard lab-Lrg	1	1,000	1,000
220	Music Education	1	1,050	1,050
220	Music Practice	1	300	300
220	Live recording room	1	800	800
220	Recording control room	1	400	400
220	Satellite control room	1	200	200
220	Isolation booth	2	100	200
220	Practice - Standard	28	90	2,520
220	Practice - Grand Piano	10	110	1,100
220	Practice - Period Instruments	1	240	240
220	Practice - Piano: Dual	1	200	200
220	Practice - Small Ensemble	2	160	320
220	Practice - Medium Ensemble	1	300	300
220	Practice - Large Ensemble	1	450	450
220	Practice - Percussion: Indiv	5	110	550
220	Practice - Harp	1	90	90
220	Rehearsal 1	1	4,000	4,000
220	Rehearsal 2	1	3,000	3,000
220	Rehearsal 3	1	1,800	1,800
220	Rehearsal 4	1	1,600	1,600
225	Rehearsal storage	2	400	1,500
225	Audio Racks	1	160	160
225	Instrument storage	1	1,500	1,500
225	Marching Band instrument storage	1	2,000	2,000
225	Percussion instrument storage	1	500	500
225	Choral Robe Storage	1	200	200
235	Student Lockers	1	1,600	1,600

**Westbrook Music Building LB384 Replacement**

## Program Statement

Room Use Code	Space Description	Quantity	NSF Each	Total NSF
<b>300</b>	<b>OFFICE FACILITIES</b>			<b>13,426</b>
	<b>Faculty/GTA</b>			<b>9,796</b>
310	Office - Applied	22	250	5,500
310	Office - Academic	20	120	2,400
310	Office - Applied PT (shared)	3	250	750
310	Office - Academic PT (shared)	3	132	396
310	Office - GTA shared	1	600	600
350	Conference room	2	75	150
	<b>Administration</b>			<b>3,190</b>
310	Office - Staff	8	120	960
310	Office - Dir	1	240	240
310	Office - Assoc. Dir	1	200	200
310	Office - Piano tech	1	100	100
315	Office - Service	1	250	250
315	Lobby/Waiting Area	1	200	200
350	Conference room	2	varies	1,200
355	Conference service	1	40	40
	<b>Library</b>			<b>440</b>
310	Office - Librarian	1	140	140
310	Office -Staff	1	100	100
315	Staff area storage	1	200	200
<b>400</b>	<b>STUDY FACILITIES</b>			<b>2,400</b>
410	Library Reading/study	1	1,000	1,000
430	Library and Ensemble Stacks	2	varies	1,400
<b>600</b>	<b>GENERAL USE FACILITIES</b>			<b>10,525</b>
610	Lobby/commons	1	1,800	1,800
615	Greenroom performer waiting	1	200	200
620	Audience Seating	1	3,000	3,000
620	Performance Area/Platform	1	1,000	1,000
625	Sound & Light Locks (SLL)	1	300	300
625	Equipment and Instrument Storage	2	varies	575
625	Platform Wing space w/o fly	1	400	400
625	Control Room (recording/lighting)	1	350	350
625	Dimmer and Audio Rack Room	2	150	300
630	Food Facility - catering kitchen	1	200	200
635	Food Facility service	1	200	200
650	Faculty/Staff Lounge	1	150	150
650	Student Lounge	1	1,600	1,600
655	Vending	2	varies	450

**Westbrook Music Building LB384 Replacement**

## Program Statement

Room Use Code	Space Description	Quantity	NSF Each	Total NSF
	<b>SERVICE AND OPERATIONS</b>			<b>21,890</b>
LLL	Lactation Rooms	3	80	240
RRR	Restrooms	tbd	varies	5,200
WWW	Circulation	1	14,000	14,000
XXX	Custodial	multiple	varies	850
YYY	Mechanical	2	800	1,600
<b>Total Net Square Feet</b>				<b>81,501</b>
<b>Total Gross Square Feet</b>				<b>101,162</b>
<b>Efficiency</b>				<b>81%</b>

**2) Basis for square footage/planning parameters**

Spaces are based upon the size and scope of the programmatic needs, university space guidelines, and budget constraints. It should be noted that performing arts buildings, in particular – music buildings – do not yield the same efficiencies as other academic buildings. This is mainly due to acoustical performance criteria. The structure must account for floor and wall isolation joints, thick walls for separation, and tall spaces with sometimes unusable floor areas, such as mezzanines, for acoustical volume. Mechanical systems are designed to have larger fans, larger ductwork and sound attenuation devices to deliver air quietly.

**3) Square footage difference between existing and proposed areas (net and gross)**

	Existing	Proposed	Difference
<b>Net Square Feet</b>	74,897	81,501	6,604
<b>Gross Square Feet</b>	84,506	101,162	16,656

**C. Impact of the project on existing space****1) Reutilization and function(s)**

Reuse of the existing building, in any form, will require some level of compromise of program, acoustical isolation, thermal comfort, as well as projected useful life.

**2) Demolition**

Demolition of the existing Westbrook Music Building will be part of the project. The timing of such activity will be considered with construction phasing and swing space opportunities on campus.

**3) Renovation**

None planned.

**7. EQUIPMENT REQUIREMENTS****A. List of available equipment for reuse**

Some equipment, electronics, and musical instruments will be reused in the new facility, such as

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## Westbrook Music Building LB384 Replacement

### Program Statement

Organ, Pianos, and Percussion Instruments. Further inspection, inventory and analysis will be completed during design.

#### **B. Additional Equipment**

##### **1) Fixed equipment**

Fixed equipment will be evaluated during design and may include compact music storage shelving, student lockers, instrument lockers of various sizes, library shelving, marching band uniform and sheet music storage, and trophy cases.

##### **2) Movable equipment**

Moveable equipment will be evaluated during design and may include marker boards, chalk boards, staff boards, video screens, lectern/podia, technology cabinets, musician chairs and stands, and furniture for common spaces, library, offices, classrooms, and rehearsal rooms.

##### **3) Special or technical equipment**

Other specialized equipment will be evaluated during design and may include technology related items such as a video wall, theatrical lighting grid/catwalks, AV/Recording equipment, variable acoustic tracks/rigging and music specific equipment such as baby grands, concert grands, uprights, brass, percussion, woodwinds, and organ consoles.

### **8. SPECIAL DESIGN CONSIDERATIONS**

#### **A. Construction Type**

The project will likely be Type I B construction and will be in conformance with International Building Code.

#### **B. Heating and Cooling Systems**

Heat for the building will be provided by an extension of the campus 35 PSIG steam system (superheated to 325°F). Central air handling systems totaling approximately 110,000 cfm will be used to serve the overhead VAV spaces in the building. Most areas of the building will be humidified. Air distribution will utilize double wall acoustic housing of either 2" or 4" thickness on the supply and return connection to each air handling unit serving acoustically sensitive spaces. Duct silencers will be used as needed to minimize the noise levels transmitted through the ductwork.

#### **C. Electrical Systems**

Two electrical services will be required to serve the facility. Service will originate at the University's primary utility distribution system. All services shall route, underground within concrete ductbank construction. Connection may be with new transformers from existing pad mounted medium voltage switch located north of Lied Center for Performing Arts.

Two switchboards will be provided. One to service theatrical and audiovisual loads throughout the building. The other to service mechanical loads and other building support. From these services, multiple smaller distributed services shall be created to serve the different requirements of the building including theatrical dimming and theater support equipment, building loads and other teaching spaces and theatrical audiovisual equipment. Theatrical dimming and theater support equipment should be on separate, dedicated transformers. These systems shall utilize a K13 or Harmonic Mitigating Transformer (HMT). The feeders and bus for all equipment shall be served with a 200% neutral. Separated dedicated transformers shall be provided to serve the theatrical audiovisual

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## **Westbrook Music Building LB384 Replacement**

### **Program Statement**

equipment and company switches for the respective audiovisual systems.

Building loads and other teaching spaces shall be provided with a radial distribution system originating from a distribution panel. An emergency generator should be provided for life-safety systems.

#### **D. Sustainability**

The overall design of the site and facility will be developed to maximize the opportunity for sustainable design as set forth by university policy and the UNL Campus architectural guideline principles. The design will focus on making responsible and sustainable choices for systems, finishes, and other components of the construction with occupancy and operation in mind.

#### **E. Life Safety/ADA**

The building will satisfy the requirements of the currently adopted building, fire, and life safety codes, and will be fully accessible under the currently adopted ADA and University Accessibility Guidelines.

#### **F. Security**

Building security will follow the UNL design guidelines, including cameras at the entrance monitored by the University Police.

#### **G. Historic or architectural significance**

Westbrook Music Building is a minimalist, midcentury modern building. The buildings to the west, south and east are also contemporary of various vintages. To the north is Architecture Hall which is on the historic register and is part of a complex with structures built over at least three time periods. To the northeast across the quad is Woods Art Building and the landmark Philip Johnson–designed Sheldon Museum of Art, both midcentury modern structures.

The concept for the new facility is contemporary in approach, aesthetic, suggested materials, and details. This building will become a landmark structure and community destination for the University, anchoring an important corner facing downtown Lincoln, with high visibility to the highway to/from the airport.

#### **H. Artwork**

The State of Nebraska 1% for Art Program requirement is applicable since this project is funded with state funds.

#### **I. Phasing**

Phasing of construction will be determined based on final siting of the building compared to the existing building. Keeping Westbrook or a portion of it operational during construction eliminates the need for GKSOM to find temporary space.

#### **J. Future expansion**

No future expansion is planned.

#### **K. Other**

Site remediation, or alternative building foundation system, will likely be required to address the northwest portion of the site, which used to be the location of a gas station. The site currently has eight wells monitoring ground water and soil conditions, which UNL monitors periodically.

**Westbrook Music Building LB384 Replacement**

## Program Statement

**9. PROJECT BUDGET & FISCAL IMPACT****A. Cost Estimate Criteria****1) Identify recognized standards, comparisons and sources**

The process to estimate the project size and cost included benchmarking similar music facilities and cost estimating from a conceptual floor plate was performed. Music buildings are complex structures and demand adequate budgets to insure healthy environments for hearing and movement.

Some of the main elements driving costs upward for this facility pertain to acoustical performance and site-specific elements. The structure costs must account for floor isolation joints, mass walls and high-volume spaces, with longer spans, and site soil remediation. Interior costs must accommodate dense walls with special construction to insure isolation from room to room, isolated floor and ceiling construction, as well as absorptive/reflective finishes. Mechanical systems have to be designed with larger fans, larger ductwork and sound attenuation devices. Electrical systems must accommodate heavier loads for specialty equipment in performance spaces, technology connections and lighting controls. Cost effective strategies to achieve superior acoustic performance have been incorporated into these assumptions in the cost estimate.

**2) Identify year and month on which estimates are made and inflation factor used**

The estimate was prepared in September 2021 and escalated at 4% per year to quarter two, 2024, the projected midpoint of construction.

**3) Net and gross square feet**

<b>Net Square Feet</b>	81,501
<b>Gross Square Feet</b>	101,162

**4) Project cost per net and gross square foot**

<b>TOTAL PROJECT COST</b>	<b>Per NSF</b>	<b>Per GSF</b>
\$75,000,000	\$920.23	\$741.39

**5) Construction cost per gross square foot**

<b>CONSTRUCTION COST</b>	<b>Per GSF</b>
\$60,454,000	\$597.60



**Westbrook Music Building LB384 Replacement**

## Program Statement

**B. Total project cost**

<b>Construction</b>	
General Construction	\$ 53,750,000
Site Work/Utilities	2,050,000
Fixed Equipment	200,000
In-House Construction	1,575,000
Construction Contingency	2,879,000
<b>TOTAL CONSTRUCTION COSTS</b>	<b>\$ 60,454,000</b>
<b>Non-Construction</b>	
Project Planning	180,000
Professional Consultant Fees	5,206,000
Professional In-house	1,125,000
Equipment - Capital	2,000,000
Equipment - Non-Capital	3,058,000
Artwork	720,000
Other	1,239,000
Non-Construction Contingency	1,018,000
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ 14,546,000</b>
<b>TOTAL PROJECT COST</b>	<b>\$ 75,000,000</b>

**C. Fiscal impact based on first full year of operations****1) Estimated additional operational and maintenance costs per year**

\$212,000

**2) Estimated additional programmatic costs per year**

\$0

**D. Fiscal impact based on new annual assessment**

Annual 2% depreciation assessment contribution by UNL into the university facilities renewal, renovation, replacement and repair project fund.

2% of total project cost shall be:  $2\% \times 75,000,000 = \$1,500,000$

**10. FUNDING**

**A. Total funds required:** \$75,000,000

**B. Project Funding Sources:**

<b>Funding Source</b>	<b>Amount</b>	<b>% Total</b>
<b>State Funds</b>	<b>\$ 75,000,000</b>	<b>100%</b>

**Westbrook Music Building LB384 Replacement**

## Program Statement

**C. Fiscal year expenditures**

<b>Fiscal Year</b>	<b>Expenditures</b>
FY2021-2022	2,120,347
FY2022-2023	4,639,223
FY2023-2024	39,496,898
FY2024-2025	28,743,532

**11. TIMELINE**

<b>A. Program Statement</b>	December 2021
<b>B. Professional Design Team and CMR selections</b>	March 2022
<b>C. Early Packages</b>	May 2022
<b>D. Intermediate Design</b>	November 2022
<b>E. Final GMP</b>	March 2023
<b>F. Start of construction</b>	May 2023
<b>G. Complete construction</b>	May 2025
<b>H. Occupy</b>	July 2025

**12. HIGHER EDUCATION SUPPLEMENT****A. Coordinating Commission for Postsecondary Education (CCPE) Review**

- 1) ☒ CCPE review is required.
- 2) ☐ CCPE review is not required.

**B. Method of Contracting****1) Identify method**

The method of contracting for this project will be Construction Manager at Risk (CMR).

**2) Provide rationale for method selection**

CMR delivery method provides the best value (quality and cost) with an integrated design process that supports the phased renovation by including construction methods, scheduling, and cost estimating. The transparent bid process can still optimize the local market conditions.

TO: The Board of Regents Addendum XI-B-6  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Kimball Recital Hall LB384 Renovation at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approval of LB384 funding for Kimball Recital Hall LB384 Renovation at UNL

PREVIOUS ACTION: None

EXPLANATION: Kimball Hall was first constructed in 1969 to be used as a recital hall for the College of Fine Arts. Performances in the building are extensive and include all manners of music presentations by and for the Glenn Korff School of Music. In recent years Kimball has been used for very large sections of academic classes. The building envelope is in relatively good shape, but the facility needs upgrades to many interior items.

This renovation project proposes to address areas which impact code and accessibility deficiencies; performer, staff, and patron safety; thermal comfort; and performance quality. Toilet fixture counts and lack of lactation spaces will be addressed. Improvements at the stage area will include removal of the defunct elevator. Seating will also be updated for appropriate accessibility with a minimal loss of seating.

Upon approval, firm selection and design will begin. Construction work may be done in packages with a first start date in Summer 2022 and completion in Summer 2024. The timeline will be finalized as design progresses, construction vendors are selected, and lead times are fully captured.

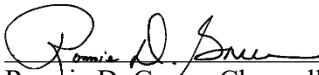
This item has been reviewed by the Business and Finance Committee.

PROJECT COST: Project Budget \$15,180,000

ON-GOING FISCAL IMPACT: 2% of project costs as annual contribution to deferred maintenance fund

SOURCE OF FUNDS: LB 384 Funds

SPONSOR: William J. Nunez  
Vice Chancellor for Business & Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-B-7  
Business & Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Bessey Hall LB384 Renovation at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approval of LB384 funding for Bessey Hall LB384 Renovation at UNL

PREVIOUS ACTION: None

EXPLANATION: Bessey Hall opened in 1916 and was named after Charles Bessey. It was originally designed for Zoology and Botany. The 3-story structure features dual diagonal staircases and was constructed with common red brick and limestone trim. The building was closed for a major renovation in 1984 and reopened in 1985.

Bessey Hall improvements will focus on a full update of the HVAC and supporting systems, fire life safety compliance including installing a fire sprinkler system, and ADA compliance with restrooms and entries. Other scope that will be addressed to the extent possible are the roof, flooring, ceilings, lighting and lighting controls, and other electrical items.

Upon approval, design will start with a 4-year firm. Construction work may be done in packages with a first start date in Summer 2022 and completion in Fall 2024. The timeline will be finalized as design progresses, construction vendors are selected, and lead times are fully captured.

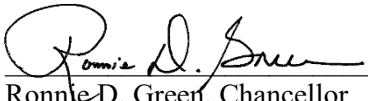
This item has been reviewed by the Business and Finance Committee.

PROJECT COST: \$9,325,000

ON-GOING FISCAL IMPACT: 2% of project costs as annual contribution to deferred maintenance fund

SOURCE OF FUNDS: LB384 Funds

SPONSOR: William J. Nunez  
Vice Chancellor for Business & Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-B-8  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Morrill Hall LB384 Renovation at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approval of LB384 funding for Morrill Hall LB384 Renovation at UNL

PREVIOUS ACTION: None

EXPLANATION: Morrill Hall, home to the University of Nebraska State Museum of Natural History, was dedicated in 1927. The last renovation occurred in 2019 when the 4<sup>th</sup> floor was completed as a museum space. This project will continue the HVAC work for the basement to 3<sup>rd</sup> floor with a focus on humidity control. Other scope that will be addressed to the extent possible are ADA compliance, north entry and front stairs, ceilings, lighting and lighting controls, and other electrical items.

Upon approval, design will start with a 4-year firm. Construction work may be done in packages with a first start date in Spring 2022 and completion in Fall 2023. The timeline will be finalized as design progresses, construction vendors are selected, and lead times are fully captured.

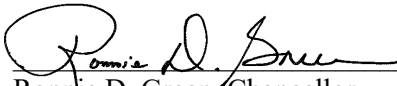
This item has been reviewed by the Business and Finance Committee.

PROJECT COST: \$9,265,000

ON-GOING FISCAL IMPACT: 2% of project costs as annual contribution to deferred maintenance fund

SOURCE OF FUNDS: LB384 Funds

SPONSOR: William J. Nunez  
Vice Chancellor for Business & Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-B-9  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Pershing Military & Naval Science Building LB384 Renovation at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approval of LB384 funding for Pershing Military & Naval Science Building LB384 Renovation at UNL

PREVIOUS ACTION: None

EXPLANATION: Pershing Military & Naval Science Building was opened in 1947 after more than 15 years of planning. It has served the purpose of armory and more for the military training programs on campus. In 2006 it was rededicated in honor of John J. Pershing. The building is about 60,000 sf over 4 floors.

The primary improvements with the project will be replacement of the window air conditioning units and radiators with a full HVAC and supporting systems upgrade. Heating water and electrical infrastructure items are also important. Other scope that will be addressed to the extent possible or necessary will be hazardous material abatement and exterior improvements to windows and panels.

Upon approval, design would start with a 4-year firm. Construction work may be done in packages with a first start date in Spring 2022 and completion in Fall 2023. The timeline will be finalized as design progresses, construction vendors are selected, and lead times are fully captured.


This item has been reviewed by the Business & Finance Committee.

PROJECT COST: \$10,000,000

ON-GOING FISCAL IMPACT: 2% of project costs as annual contribution to deferred maintenance fund

SOURCE OF FUNDS: LB384 Funds

SPONSOR: William J. Nunez  
Vice Chancellor for Business & Finance

RECOMMENDED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: November 5, 2021

TO: The Board of Regents Addendum XI-B-10

MEETING DATE: December 3, 2021

SUBJECT: Interlocal Cooperation Agreement with the City of Omaha, Nebraska, for funding of the Saddle Creek campus expansion and Project NExT on the Campus of the University of Nebraska Medical Center

RECOMMENDED ACTION: Approve Interlocal Cooperation Agreement with the City of Omaha, Nebraska, for funding in the amount of \$93,000,000 to support the Saddle Creek campus expansion and Project NExT

PREVIOUS ACTION: None

EXPLANATION: In support of The University Nebraska Medical Center campus expansion on Saddle Creek and Project NExT, the City of Omaha intends to show their support through the establishment of an Interlocal Cooperation Agreement to provide \$93,000,000 of funding. The Interlocal Cooperation Agreement provides funding for the improvement of roads and infrastructure and development of a parking garage for the Saddle Creek campus expansion, and for future infrastructure costs associated with Project NExT.

The improvements to roads and infrastructure within and surrounding the Saddle Creek development is intended to be funded through \$18,000,000 the City of Omaha Capital Improvement Program (CIP). \$30,000,000 of funding will be secured by the City of Omaha through purchase bonds for the development of a new parking garage associated with the Saddle Creek development. The \$45,000,000 of funding for Project NExT will be provided through the extension of the City of Omaha Occupation Tax.

Execution of the Interlocal Cooperation Agreement is contingent on both Board of Regents and Omaha City Council approvals.

This item has been approved by the Business and Finance Committee.

PROJECT COST: \$93 Million

SOURCE OF FUNDS:	City of Omaha Capital Improvement Program	\$ 18,000,000
	City of Omaha Lease Purchase Bonds	\$ 30,000,000
	<u>City of Omaha Occupation Tax</u>	<u>\$ 45,000,000</u>
	Total	\$ 93,000,000

SPONSOR: Susan Kraft Mann  
Interim Vice Chancellor for Business, Finance and Business Development

RECOMMENDED:   
Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

DATE: November 5, 2021

## INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement (“Agreement”) is made and entered into, as of the dates indicated below, by and between BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, a public body corporate of the State of Nebraska (“University”), by and on behalf of its administrative unit, the University of Nebraska Medical Center (“UNMC”), and the CITY OF OMAHA, NEBRASKA, a municipal corporation (“City”) (UNMC and City together, the “Parties”).

### RECITALS

WHEREAS, UNMC is the academic and research health science medical component of the University, and it intends to redevelop portions of its campus located in Omaha, Nebraska, generally in accordance with site plan attached hereto as Exhibit A (“Regional Site Development Plan”); and,

WHEREAS, City is a municipal corporation with the authority to provide for economic development in the City, provide for the general health and welfare of its citizens, construct hospital facilities, public parking, public streets and right-of-way in areas in and around the campus; and,

WHEREAS, UNMC intends to develop a multi-federal department collaborative opportunity led by the United States Department of Defense, and including the United States Department of Health and Human Services, to provide for an all-hazards training, research and treatment academic medical center (collectively referred to herein as “Project NExT”); and,

WHEREAS, in support of Project NExT, UNMC issued, for its first components of the Regional Site Development Plan along Saddle Creek Road, (i) a Request for Proposal for the Voigtman Building Development; and (ii) a Request for Proposal for an Administrative Tower for the campus expansion (the “Campus Expansion Project”); and,

WHEREAS, the Parties acknowledge that Project NExT and the Campus Expansion Project collectively have the potential to produce substantial positive economic impact to the City of an estimated \$1.9 billion dollars annually during construction and \$1.4 billion dollars annually upon completion, and result in the creation of more than 8,700 new permanent jobs; and,

WHEREAS, the Parties acknowledge that the Campus Expansion Project will positively impact and improve the provision of services to the community and facilitate the opportunities associated with Project NExT; and,

WHEREAS, the Parties acknowledge that in addition to the awarded federal funding, sources of financial support for Project NExT include a 300 million dollar (\$300,000,000.00) appropriation from the State of Nebraska, and other public and private sources; and,



WHEREAS, UNMC has requested financial support from the City for Project NExT and the Campus Expansion Project, as part of the Regional Site Development Plan, and the City desires to provide financial support to UNMC for Project NExT and the Campus Expansion Project by funding the Public Improvements and Public Parking Facility identified in the Regional Site Development Plan (all as further set forth and defined below); and,

WHEREAS, in connection with Project NExT, the Campus Expansion Project and the Regional Site Development Plan, the City will provide financial support in an amount not to exceed Ninety Three Million Dollars (\$93,000,000) (collectively referred to herein as the “City Financing”) as follows: i) Forty Five Million Dollars (\$45,000,000.00) for the design and construction of Project NExT; (ii) up to Eighteen Million Dollars (\$18,000,000.00) of financing for the design and construction of the Public Improvements, and (iii) up to Thirty Million Dollars (\$30,000,000) of financing for the design and construction of the Public Parking Facility, all as further described herein.

NOW, THEREFORE, in consideration of the following terms and conditions, the Parties mutually agree as follows:

**Section 1. Interlocal Cooperation.** Pursuant to the Nebraska Interlocal Cooperation Act, NEB. REV. STAT. §§ 13-801 to 13-827, inclusive (Reissue 2007, as amended) (the “Act”), UNMC and the City enter into this Agreement for the purpose of enabling the City to participate in funding the construction of certain components of the Regional Site Development Plan, to cooperate in the design, bidding, funding, and construction of certain Public Improvements (as defined below), and the Public Parking Facility (as defined below), in connection with the Campus Expansion Project and Project NExT. This Agreement shall not create any separate legal or administrative entity, nor any joint budget. There shall be no jointly held or owned property by the Parties under this Agreement.

**Section 2. Duration and Termination.** This Agreement shall be effective from the date it is fully executed by the Parties, and shall terminate on the earlier of payment in full of the Project NExT Funding Amount, as set forth in Section 3 below, or the written agreement of the Parties.

**Section 3. Obligations of the Parties for Project NExT.** “Project NExT” is the umbrella partnership project with the federal government, which calls for the design, construction and use of all-hazard facilities to be used for training, medical surge capacity, treatment, research, and educational purposes by UNMC and the federal government partners.

**A. Obligations of UNMC.** UNMC shall perform, or cause to be performed, as appropriate, at no expense to the City other than as set forth herein, at its sole expense, the following tasks:

1. Design and construct Project NExT, in accordance with documents approved by the University, as may be required.

2. Provide to the City, in form as the City may reasonably request, accounting and certification that the Project NExT Funding Amount (as defined below) is expended only for eligible Project NExT expenses, including but not limited to, the costs of design, constructing and equipping Project NExT, or for debt service payments on revenue bonds or other bonds issued by or on behalf of the University, the proceeds of which are used for such costs.

**B. Obligations of the City.** The City shall make payments to UNMC as follows:

1. The City will contribute Forty-Five Million Dollars (\$45,000,000.00) toward the design and construction of Project NExT (the “Project NExT Funding Amount”), as allowed by law. Beginning January 1, 2023, and for a term not to exceed ten (10) years (the “Occupation Tax Term”), the occupation tax on tobacco and vaping products (the “Occupation Tax”) will be utilized to satisfy the Project NExT Funding Amount.

2. The City shall create a special account in the general fund into which collections from the Occupation Tax shall be deposited. The City shall make annual payments to UNMC in the amount of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) per year, or lesser amount in the event, and to the extent, that collections of the Occupation Tax during the prior applicable twelve-month collection period are less than Four Million Seven Hundred and Fifty Thousand Dollars (\$4,750,000.00), until the Project NExT Funding Amount has been paid in full. The City will collect a fee for the administration of tax collection and distribution that shall be no less than Two Hundred and Fifty Thousand Dollars (\$250,000) annually, which fee shall be paid from the Occupation Tax collections prior to any disbursement to UNMC. The Project NExT Funding Amount may be prepaid by the City, in whole or in part, at any time.

3. UNMC acknowledges that the City’s obligation hereunder is conditioned upon the UNMC commencing construction of Project NExT and limited to the amount of Occupation Tax actually collected and that the City is not required to use other funds to make up any shortfall. In the event that collections of the Occupation Tax support less than the amount required to make an annual payment of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) (after the collection of the City administrative fee), the City will make every reasonable effort to reconcile any such shortfall from excess amounts collected in future years. In the event the Occupation Tax does not produce Forty Five Million Dollars (\$45,000,000.00) during the Occupation Tax Term, the Parties may request an extension or renewal of the interlocal agreement from the City Council for the City of Omaha, in order to fulfill the commitment to provide the Project NExT Funding Amount, as expressed herein.

**Section 4. Obligations of the Parties for the “Public Improvements”.** Parties agree to coordinate and cooperate as set forth herein regarding the construction of streets, sidewalks,

curbs, sewers and other related public improvements within the public rights-of-way, as specifically identified in and in accordance with the Regional Site Development Plan and as set forth on Exhibit B (the “Public Improvements”), at the City’s sole cost and expense, which cost and expense shall not exceed Eighteen Million Dollars (\$18,000,000) (“City Public Improvement Expenses”).

**A. Obligations of UNMC.** UNMC shall design, construct and manage the installation of the Public Improvements, in compliance with all city codes, regulations, and standards, with the consultation, cooperation and coordination of the City. During the course of construction of the Public Improvements, the Parties may at any time cause inspection of the work to insure compliance with the agreed upon final plans and specifications. All necessary publicly dedicated right-of-ways or easements, including temporary construction easements, deemed necessary for the construction and installation of the Public Improvements to be located with the Regional Site Development Plan area and controlled by UNMC shall be provided for and dedicated by UNMC free and clear of all easements, restrictions, leases, judgments, taxes, assessments, liens, or encumbrances upon dedication of the Public Improvements to the City.

**B. Obligations of the City.**

1. The City shall cooperate and coordinate with UNMC on the design and construction of the Public Improvements. The design shall comply with agreed city standard design templates. The City and UNMC will mutually agree on the scope of the work, timelines and associated costs, currently estimated to be Eighteen Million Dollars (\$18,000,000.00). The Parties acknowledge and agree to coordinate and cooperate regarding the full scope of the Public Improvements. Any amounts necessary to complete the Public Improvements, in excess of the City Public Improvement Expense, shall be authorized through a separate agreement or a duly approved amendment to this Agreement.

2. The City acknowledges and agrees to include the Public Improvements into the City’s proposal for the 2021-2026 Capital Improvement Program (“CIP”), which program will reflect, to the extent possible, the full funding of the Public Improvements, through the issuance of tax-exempt transportation bonds, or other such funding as the City deems necessary and appropriate, in alignment with timing of the completion of the associated aspects of Project NExT and the Regional Site Development Plan.

**Section 5. Obligations of the Parties for the “Public Parking Facility”.** The City shall design, construct, own, manage and operate a public parking facility within the area designated on the Regional Site Development Plan (the “Public Parking Facility”), at the City’s sole cost and expense, which cost and expense shall not exceed Thirty Million Dollars (\$30,000,000.00).

**A. Obligations of UNMC.** UNMC shall consult, cooperate, and coordinate with the City, as needed and requested at any time, to fulfill the City's obligation to construct the Public Parking Facility.

**B. Obligations of the City.**

1. In connection with the development of the Campus Expansion Project, the City shall design, construct, and provide construction administration and construction management of the Public Parking Facility at the City's sole cost and expense, which cost and expense shall not exceed Thirty Million Dollars (\$30,000,000) from the Parking Facilities Fund through the issuance of lease purchase bonds, or other such funding as the City deems necessary and appropriate, with the consultation, cooperation and coordination of UNMC or the developer selected by UNMC through its RFP process to construct the Administrative Tower as part of the Campus Expansion Project (the "Third-Party Developer"). During the course of construction of the Public Parking Facility, the Parties may at any time cause inspection of the work to insure compliance with the agreed upon final plans and specifications. The Parties acknowledge and agree that the City may delegate any and all its obligations herein to the Third-Party Developer, as it deems appropriate and in accordance with a separate duly approved agreement.

2. The design of the Public Parking Facility shall be jointly administered by the Parties, in the best interests of the City, as determined by the City in its sole discretion, and the construction shall be coordinated with UNMC and Regional Site Development work. The Public Parking Facility shall be built to accommodate the uses and occupancies set forth in the Regional Site Development Plan, and for the general public, in accordance with an independent Parking Study provided by the City.

3. The City shall own, manage, and operate the Public Parking Facility at the City's sole cost and expense. The Parties agree that the City standards for the maintenance, operation, upkeep and security of the Public Parking facility will be comparable with a first-class development.

4. The design of the Public Parking Facility shall be completed to align with initial occupancy of the Administrative Tower, anticipated in the second half of calendar year 2024.

5. The Parties agree and acknowledge that approximately sixty percent (60%) of the parking spaces in the Public Parking Facility, estimated to be approximately 720 parking spaces, shall be reserved by UNMC, on a right of first refusal, and approximately forty percent (40%), estimated to be approximately 480 parking spaces, shall be available to the general public. The base rent due from UNMC under the master lease shall equal the amount equal to Market Rate, to be defined in the parking lease between the City and UNMC, multiplied by the number of stalls leased.

**Section 6. Additional Development Projects.** Implementation of Project NExT and the Regional Site Development will require or include additional development projects, including but not limited to:

**A. Project NExT Public Improvements.** UNMC will complete, at UNMC's sole cost and expense, design, construction and installation of those certain internal public improvements located on UNMC's property in connection with Project NExT. To the extent public improvements are required for Project NExT that are located within the public rights-of-way, the City and UNMC will work cooperatively on an allocation of responsibilities and funding.

**B. Bridge.** UNMC desires construction of a bridge over the public right-of-way of Saddle Creek Road (the "Bridge"). The City and UNMC will continue to seek funding to support the cost of construction. Once funding is secured, the Parties will mutually agree upon the design, construction, construction administration and construction management of the Bridge project. During the course of construction of the Bridge, the Parties may at any time cause inspection of the work to insure compliance with the final agreed upon plans and specifications. The City and UNMC further intend to enter into a long-term maintenance agreement to establish the responsibilities and maintenance obligations for the Bridge.

**Section 7. Liability and Indemnification.** Each Party agrees that it will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party therefore agrees that it will assume all risk and liability to itself, its agents or employees, for any injury to persons or property resulting in any manner from the conduct of its own operations and the operations of its agents or employees under this Agreement, and for any loss, cost or damage caused thereby during the performance of this Agreement; and to the extent allowed by law, each Party agrees to indemnify the other from liability to third persons resulting from its own negligent acts, errors or omissions.

**Section 8. Conflict of Interest.** Pursuant to Section 8.05 of the Home Rule Charter of the City of Omaha, no elected official or any officer or employee of the City shall have a financial interest, direct or indirect, in this Agreement.

**Section 9. Discrimination.** Neither UNMC nor the City shall, in the performance of this Agreement, discriminate or permit discrimination against any person because of race, sex (including sexual harassment), age, disability, color, ethnicity, national origin, pregnancy, sexual orientation, gender identity, religion, genetic information, veteran status, marital status, political beliefs or affiliations, or any other protected status, in violation of federal or state laws.

**Section 10. Governing Law.** This Agreement shall be governed by and interpreted in accordance with the statutory and decisional law of the State of Nebraska.

**Section 11. Amendment.** This Agreement may be amended in writing signed by the City and UNMC. Any amendment to this Agreement must first be approved by resolution of the governing body of each Party.

**Section 12. Miscellaneous.** The instrument contains the entire agreement of the Parties and shall be binding upon the successors and assigns of the respective Parties. No amendment, deletions, or additions shall be made to this Agreement except in writing. A waiver of any term or provision of this Agreement shall not be deemed to be a waiver of such provision on any subsequent breach of the same or any other provision contained in this Agreement. Any such waiver must be in writing to be effective, and no such waiver or waivers shall serve to establish a course of performance between the parties contradictory to the terms hereof. The terms of this Agreement are severable. If any term or provision is declared by a court of competent jurisdiction to be illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF OMAHA, NEBRASKA,  
a municipal corporation

THE BOARD OF REGENTS OF THE  
UNIVERSITY OF NEBRASKA, a public  
body corporate of the State of Nebraska and  
governing body of the University of  
Nebraska Medical Center

By: \_\_\_\_\_  
Jean Stothert, Mayor  
City of Omaha

By: \_\_\_\_\_  
Walter E. Carter, President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Philip J. Bakken, Corporation Secretary

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
City Attorney

TO: The Board of Regents Addendum XI-C-1

MEETING DATE: December 3, 2021

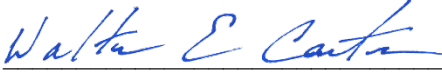
SUBJECT: Amendment of the Standing Rules of the Board of Regents

RECOMMENDED ACTION: None. The proposed amendments of the Standing Rules of the Board of Regents are presented for information only in accordance with the requirements of Section 7.2 of the Standing Rules of the Board of Regents and Section 1.11 of the *Bylaws of the Board of Regents*. Approval of these amendments will be considered at the Regents' meeting on February 11, 2022.

PREVIOUS ACTION: The Standing Rules were last amended on August 13, 2021.

EXPLANATION: The attached amendments are intended to provide clearer communication and improve the Public Comment experience. An option to present written testimony is also added.

SPONSOR: Executive Committee  
Board of Regents

RECOMMENDED:   
Walter E. Carter, President  
University of Nebraska System

DATE: November 16, 2021

STANDING RULES OF THE  
BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

SECTION 5. **Appearances Before the Board.**

5.1 **Right of Public to Appear.** In accordance with provisions of Neb. Rev. Stat. § 84-1412, the public shall have the right to attend meetings of the Board and to speak on matters related to Board and university business. ~~Any person may appear before and address the Board concerning any item on the agenda for that meeting. Further, any person may appear before and address the Board at any annual or scheduled meeting on any matter concerning the Board or the university not on the agenda by notifying the Corporation Secretary at least twenty-four (24) hours in advance of the meeting at which the person desires to address the Board; provided, however, the Board will not hear or consider those matters listed in Section 5.2 of these Rules. A reasonable time limit [usually five (5) minutes] shall be placed upon each individual appearance before the Board, and no more than thirty (30) minutes shall be allowed for public comment, unless a majority of the quorum present shall extend such time limit. The Chairperson shall have the right to prohibit multiple appearances by persons presenting needlessly repetitious or redundant testimony.~~

5.1.1 Any person may appear before and address the Board concerning any item on the agenda for that meeting without notice. Individual appearances before the Board will be limited to three (3) minutes.

5.1.2 Any person may appear before and address the Board on any matter concerning the Board or the university not on the agenda by notifying the Corporation Secretary at least twenty-four (24) hours in advance of the meeting at which the person desires to address the Board; provided, however, the Board will not hear or consider those matters listed in Section 5.2 of these Rules. Individual appearances before the Board will be limited to three (3) minutes.

5.1.3 Any person who desires to present written testimony must deliver the following information to the Corporation Secretary by email, mail, facsimile, or hand delivery, no later than twenty-four (24) hours in advance of a board meeting: (a) the name of the person submitting testimony; (b) the address of the person submitting testimony; (c) the written testimony. The name of the person submitting testimony and topic will be included in the minutes. Written testimony will not be read aloud in absentia.

5.1.3.1 Mailing Address or Hand-Delivery Address;  
University of Nebraska System  
Attn: Board of Regents  
3835 Holdrege Street  
Lincoln, NE 68583-0745

5.1.3.2 Facsimile;

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(402) 472-1237

5.1.3.3 Email Address;  
corpsec@nebraska.edu

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5.1.4 The Chairperson shall have the right to prohibit multiple appearances by persons presenting needlessly repetitious or redundant testimony.

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## 5.2 **Matters the Board Will Not Hear.**

- 5.2.1 The Board will not hear appeals from decisions made by duly authorized members of the faculty or administration, or duly authorized boards, committees, or other panels within the university concerning student academic or disciplinary matters or personnel matters, unless there is an appeal procedure which expressly specifies that the decision may be appealed to the Board, and all previous steps within the appeal process have been completed.
- 5.2.2 The Board by vote of a majority of the quorum present reserves the right not to hear matters which are the subject of judicial or administrative proceedings to which the Board, any of its members, or any members of the university faculty or staff is a party.

## **D. REPORTS**

1. Report on renaming the Bachelor of Science in Agricultural Education to the Bachelor of Science in Agricultural Leadership, Education, and Communication in the College of Agricultural Sciences and Natural Resources at UNL, Addendum XI-D-1
2. Report on renaming the Bachelor of Science in Business Administration in Law and Business to the Bachelor of Science in Business Administration in Business and Law at UNL, Addendum XI-D-2
3. Report on renaming the Graduate Certificate in Financial and Housing Counseling to the Graduate Certificate in Financial Counseling in the Department of Child, Youth, and Family Studies in the College of Education and Human Sciences at UNL, Addendum XI-D-3
4. Report on expedited approval of the Graduate Certificate in Additive Manufacturing in the Department of Mechanical and Materials Engineering in the College of Engineering at UNL, Addendum XI-D-4
5. Report on expedited approval of the Graduate Certificate in Bioanalytical Chemistry in the Department of Chemistry in the College of Arts and Sciences at UNL, Addendum XI-D-5
6. Report on expedited approval of the Graduate Certificate in Chromatography and Analytical Separations in the Department of Chemistry in the College of Arts and Sciences at UNL, Addendum XI-D-6
7. Report on expedited approval of the Graduate Certificate in Financial Analytics in the Department of Finance in the College of Business at UNL, Addendum XI-D-7
8. Report on expedited approval of the Graduate Certificate in Sales Excellence in the Department of Marketing in the College of Business at UNL, Addendum XI-D-8
9. Report on Othmer-Topp Endowment Fund secondary priority uses for the fiscal year ended June 30, 2021, Addendum XI-D-9
10. Report on naming of selected spaces within the Rod Rhoden Business Innovation Center in Mammel Hall at UNO pursuant to RP-6.2.7(3)(b), Addendum XI-D-10
11. Report on Bids and Contracts, Addendum XI-D-11
12. Report on Quarterly Status of Capital Construction Projects, Addendum XI-D-12
13. Report on revisions to rules and regulations for faculty and student self-government organizations: Faculty Senate Bylaws at UNMC, Addendum XI-D-13

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Renaming the Bachelor of Science (BS) in Agricultural Education to the BS in Agricultural Leadership, Education and Communication (ALEC) in the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report

PREVIOUS ACTION: January 24, 2014 – The renaming of the BS in Agricultural Journalism to the BS in Agricultural and Environmental Sciences Communication in the Department of Agricultural Leadership, Education and Communication in the College of Agricultural Sciences and Natural Resources at UNL was reported to the Board.

June 13, 1992 – The Board approved the merger of the Department of Agricultural Education and Department of Agricultural Communications and the name change of the merged departments to the Department of Agricultural Leadership, Education and Communication at UNL.

The BS in Agricultural Education at UNL was established prior to modern records of Board approvals.

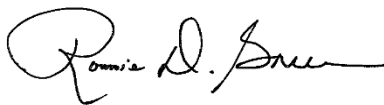
EXPLANATION: The proposal to rename the BS in Agricultural Education to a BS in Agricultural Leadership, Education and Communication (ALEC) is designed to avoid student confusion by aligning the degree name with the name of the academic department. In addition, the current degree name does not adequately recognize the breadth and diversity of the curriculum currently offered to all students, or the respective student career paths. Graduates go on to become secondary school agriculture teachers and skilled and technical sciences teachers in Nebraska. Others graduating with this degree go on to be leaders in organizations, communities and/or businesses, and still others become professional communicators in agriculture and natural resources. The availability of curricular options within the proposed renamed degree reflects a curricular modernization and will better serve students and their employers.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

SPONSORS: Michael J. Boehm  
Vice President, Agriculture and Natural Resources, University of Nebraska  
Harlan Vice Chancellor, Institute of Agriculture and Natural Resources,  
University of Nebraska-Lincoln

Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

APPROVED:

A handwritten signature in black ink that reads "Ronnie D. Green". The signature is written in a cursive style with a large initial "R".

---

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

A handwritten signature in blue ink that reads "Walter E. Carter". The signature is written in a cursive style with a large initial "W".

---

Walter E. Carter, President  
University of Nebraska

DATE:

November 5, 2021



October 8, 2021

Jeff Gold, Executive Vice President & Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583

Dear EVPP Gold:

I am forwarding materials related to a proposal from the College of Agricultural Sciences and Natural Resources (CASNR) to change the name of the Bachelor of Science in "Agricultural Education" to "Agricultural Leadership, Education and Communication (ALEC)" as the college continues to strategically review and streamline their offerings.

A second component of this proposal is to delete the existing Bachelor of Science in "Agricultural and Environmental Sciences Communication." Existing students will be able to complete their programs, and future students will be able to pursue this course of study through a proposed Agricultural and Environmental Sciences Communication option.

This proposal has the full endorsement of the ALEC faculty, CASNR curriculum committee, Vice Chancellor Boehm, Dean Heng-Moss, deans and chairs in related areas of the College of Arts and Sciences, College of Education and Human Sciences, College of Journalism and Mass Communications, Executive Vice Chancellor Spiller, and the Academic Planning Committee. It has my approval, and I am requesting you approve it as well.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Tiffany Heng-Moss, Dean, College of Agricultural Sciences and Natural Resources  
Mark Balschweid, Department Head, Agricultural Leadership, Education & Communication  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Cathy Robertus, Executive Assistant

# University of Nebraska-Lincoln

## Modification of Undergraduate Major or Degree

### I. Descriptive Information

<b>Name of Institution Proposing Modification</b>
University of Nebraska-Lincoln
<b>Name of Current Major or Degree</b>
Agricultural Education BS (proposed action will rename this major)
<b>Degree to be Awarded to Graduates of the Program</b>
Bachelor of Science (B.S.)
<b>Program is Currently Offered</b> <i>[full program, not individual courses]</i>
X On-campus only      Distance only      Both (on-campus and distance)
<b>Name of Proposed Major or Degree</b>
Agricultural Leadership, Education and Communication
<b>Degree to be Awarded to Graduates of the Proposed Program</b>
Bachelor of Science
<b>Other Majors or Degrees Offered in this Field by Institution</b>
None
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
13.1301 (no change)
<b>Current Subject Code</b>
ALEC
<b>Proposed Subject Code</b>
No change
<b>Administrative Units for the Major or Degree</b>
Department of Agricultural Leadership, Education and Communication
<b>Proposed Delivery Site</b>
CASNR – East Campus
<b>Program will be Offered</b> <i>[full program, not individual courses]</i>
X On-campus only      Distance only      Both (on-campus and distance)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date Modifications will be Initiated</b>
When approved

## II. Details

### A. Description of Proposed Modification:

The proposed modification is intended to streamline and more accurately reflect the holistic curriculum of all four areas within the Department of Agricultural Leadership, Education and Communication. The action will rename the Agricultural Education B.S. and merge the Agricultural and Environmental Sciences Communications B.S. into one unified undergraduate program with a name that matches the Department Name: Agricultural Leadership, Education and Communication. The program will have four options: Agricultural Education; Skilled and Technical Sciences; Leadership; Agricultural and Environmental Sciences Communication. Three of the four options already exist under the current Agricultural Education B.S. program but will be modified to adopt a common curriculum across all four options.

The new program name will help identify and appropriately communicate the skills and abilities of students graduating with this degree. Additionally, the degree name will reflect the department name and improve name recognition among prospective students. With a nine-hour core curriculum and common Student Learning Outcomes across all options, these changes will streamline the curriculum while improving the program's sustainability.

The following new and modified options will be offered within the major:

1. Create Agricultural and Environmental Sciences Communication Option
2. Modify Leadership Option
3. Modify Agricultural Education Option (teacher certification)
4. Modify Skilled and Technical Sciences Option (teacher certification)

### B. Justification of Proposed Modification:

Currently the Department of Agricultural Leadership, Education and Communication (ALEC) offers a B. S. in Agricultural Education with options in 1) Agricultural Education, 2) Skilled and Technical Sciences, and 3) Leadership. The proposed modification will create a fourth option in Agricultural and Environmental Sciences Communication (AESC). ALEC currently offers a B. S. in AESC and, if this proposal is approved, the next proposed action is to eliminate the B. S. in AESC.

The current name of the degree does not adequately recognize the breadth and diversity of the curriculum currently offered to all students, or the respective career paths. Students in all options receive instruction from ALEC faculty possessing expertise in specific disciplinary areas (leadership, education, communication) regardless of the students' chosen career pathway. Graduates go on to become secondary school agriculture teachers and skilled and technical sciences teachers in Nebraska. Others graduating with this degree go on to be leaders in organizations, communities and/or businesses, and still others become professional communicators in agriculture and natural resources.

The proposed name has recognition among other land-grant universities offering degrees in Agricultural Leadership, Education and Communication. This includes the University of Illinois, University of Tennessee – Knoxville, and Texas A & M University.

### C. Impact on Subject Codes:

No change on subject course codes.

#### D. Impact on Licensure and Certification

If the proposed name change is approved, both the Agricultural Education option and Skilled and Technical Sciences option will need to be flagged within the UNL system as they both lead to teacher licensure and certification within the State of Nebraska.

### III. Additional Details

#### A. Purpose of the Proposed Major or Degree:

The purpose of the proposed modification is to align the academic programs offered within the Department of Agricultural Leadership, Education and Communication to the department's name. This will streamline faculty efforts by building upon disciplinary strengths and is intended to make it easier for potential students to find the program within the college and university.

#### B. Description of the Proposed Major or Degree:

The primary student learning outcomes of the proposed major or degree are as follows: Graduates of the B. S. Degree in Agricultural Leadership, Education and Communication degree will be able to:

1. Demonstrate effective written, visual, and oral communication to communicate to diverse audiences about agricultural and environmental sciences.
2. Apply leadership knowledge, skills, and competencies to analyze, evaluate, and solve issues effectively with people from diverse backgrounds and perspectives in complex and global environments.
3. Design and deliver an instructional program that will engage an audience, meet identified learning objectives, and assess learning.
4. Demonstrate critical thinking, problem solving, and reflective skills to become life-long learners and engage in continual professional growth.

#### Implementation Plan

There are currently 39 students in the Agricultural and Environmental Sciences Communication B.S. degree program. Students will be allowed to complete that program or chose to change their major to the Agricultural Leadership, Education and Communication B.S, with the updated curriculum and options. The last date of admission would be the Spring 2022 term, and all students would be allowed to complete the degree (estimated deletion Fall 2026). Students would continue to be advised by the department faculty.

There are currently 86 students in the Agricultural Education B.S. degree program and students will be allowed to complete that program or chose to change their major to the Agricultural, Leadership, Education and Communication B.S, with the updated curriculum and options. The last date of admission would be the Spring 2022 term, and all students would be allowed to complete the degree (estimated deletion Fall 2026). Students would continue to be advised by the department faculty.

All standard university policies for catalog rules would apply.

#### Admission criteria and selection procedures for students seeking admission to the major or degree.

Admission criteria and selection into the proposed B.S. in Agricultural Leadership, Education and Communication is consistent with CASNR College admission and student selection procedures. No additional requirements are needed for admission into the degree program.



<b>REQUIRED</b>		
Satisfies Requirement	Course Code and Name for Required Courses	Major/Degree Credit Hours
CASNR Integrative (ACE 8)	SCIL 101	3
Major Core (ACE 2)	ALEC 102	3
Major Core	ALEC 300	3
Major Core	ALEC 305	3
ACE 1	Select one from these courses, depending on option ENGL 150, 151, 254; JGEN 200, 300; JOUR 200B	3
ACE 3	Select from these courses, depending on option MATH 102, 103, 104, 106; STAT 218; EDPS 459	5-6
ACE 4	Select from these courses, depending on option AGRO 131&132; HORT 131/133; BIOS 101/L; LIFE 120/L; ENTO 115/116; BIOS 115/116; CHEM 105A/L; CHEM 109A/L; PHYS 141; PHYS 151; MYSM 109	8
ACE 6	Select one from these courses, depending on option ECON 200, 211, 212; AECN 141	3
ACE 5, 7, 9	Select any course for ACE 5, 7, 9	9
Includes ACE 10	Required Option choose one <ul style="list-style-type: none"> <li>• Agricultural and Environmental Sciences Communication</li> <li>• Leadership Option</li> <li>• Agricultural Education (teacher preparation program)</li> <li>• Skilled and Technical Sciences (teacher preparation program)</li> </ul>	65-82
<b>ELECTIVES</b>		Credit Hours
	Free Electives	0-26
<b>Total</b>		<b>120</b>

*How and when advisors are assigned for students in the major or degree.*

Incoming students are assigned to a faculty advisor based upon their declared option of interest (e.g. Leadership option students with Leadership faculty, Agricultural Education option students with Agricultural Education faculty, etc.) and faculty advising load.

## IV. Review Criteria

### A. Centrality to UNL Role and Mission

Through its status as a comprehensive land-grant university, UNL is the only institution of higher learning in Nebraska where students can earn a degree in Agricultural Leadership, Education and Communication. In addition, the Agricultural Education and Skilled and Technical Sciences options provide Nebraska communities with leaders and teachers prepared within the embedded context of the state. The Department of Agricultural Leadership, Education and Communication continues to collaborate with the College of Journalism and Mass Communications, and the Department of Communication Studies within the College of Arts and Sciences.

### B. Relationship of the proposal to the NU 5-year strategy

This proposal aligns closely with two of the priorities found in the NU Five-Year Strategy. First, the focus of aligning the four proposed options into a single B. S. degree provides for greater Efficiency and Effectiveness in streamlining all options within the ALEC Department. This builds upon faculty expertise across social science disciplines and eliminates the silo effect that occurs with separate degrees. Secondly, Workforce Development

is enhanced through stronger alignment in the Agricultural Education and Skilled and Technical Sciences options, as these are both career and technical education teacher preparation programs specifically geared to supply teachers across Nebraska contributing to a skilled workforce. And, Leadership and Agricultural and Environmental Sciences Communication faculty can more closely contribute essential skills (e.g. interpersonal skills, written and oral communication, etc.) to all students within the degree through the required core courses.

**C. Consistency with the Comprehensive Statewide Plan for Post-Secondary Education**

Similar to the alignment with the NU Five-Year Strategy, this proposal is consistent with Nebraska’s Comprehensive Statewide Plan for Postsecondary Education by addressing the state’s needs in workforce development through greater effectiveness in teacher preparation in Agricultural Education and Skilled and Technical Sciences through the alignment with Leadership and Agricultural and Environmental Sciences Communication.

**D. Adequacy of Resources:**

1. Faculty/Staff

The current faculty and staff capacity is sufficient for the proposed modification. No additional FTE are required.

2. Library/Informational Resources

Existing library and/or information resources are sufficient for the proposed modification. No additional resources are required.

3. Physical Facilities and Equipment

Existing facilities and equipment are sufficient for the proposed modification. No additional resources are required.

4. Instructional Equipment

The current instructional equipment is sufficient for the proposed modification. No additional resources are required.

5. Course and Lab Fees

Course Number/Name	Course Fee
<b>ALEC 393</b> Digital Imaging and Storytelling in Agriculture and Natural Resources	\$50
<b>ALEC 466</b> Leadership and Diversity in Organizations and Communities	\$20

6. Budget Projections

As this is not a new program, only existing resources are utilized.

Table 1: Projected Expenses - \$0

Table 2: Revenue Sources for Projected Expenses - \$0

## V. Appendix A

**Internal Letters of Support**

Shari Veil, Dean, College of Journalism and Mass Communications

Mark Button, Dean, College of Arts and Sciences

Sherri Jones, Dean, College of Education and Human Sciences

Jody Koenig Kellas, Chair, Communication Studies

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**From:** Shari Veil <veil@unl.edu>

**Date:** Tuesday, December 1, 2020 at 10:53 AM

**To:** Mark Balschweid <mbalschweid2@unl.edu>

**Subject:** E-mail of Support

Dear Mark:

I support the proposal to change the name of the Agricultural Education major to align with the name of the department: Agricultural Leadership, Education, and Communication and the addition of the new Agricultural and Environmental Sciences Communication option to the existing Agricultural Education degree program.

Best wishes,

Shari



**Shari R. Veil, MBA, Ph.D.**

*Dean and Professor*

College of Journalism & Mass Communications

University of Nebraska–Lincoln

[402-472-3041](tel:402-472-3041) / [veil@unl.edu](mailto:veil@unl.edu)

**From:** Mark Button <[mbutton2@unl.edu](mailto:mbutton2@unl.edu)>  
**Date:** Friday, November 6, 2020 at 4:31 PM  
**To:** Tiffany Heng-Moss <[thengmoss2@unl.edu](mailto:thengmoss2@unl.edu)>  
**Subject:** RE: ALEC Name Change

Dear Tiffany:

I support the proposal to change the name of the Agricultural Education major to align with the name of the department: Agricultural Leadership, Education, and Communication.

Best wishes,  
Mark



**Mark Button**

*Dean*

[College of Arts & Sciences](#)

University of Nebraska—Lincoln

1223 Oldfather Hall 68588-0312

(402) 472-6262

**From:** [Sherri Jones](#)  
**To:** [Tiffany Heng-Moss](#)  
**Cc:** [Erin Blankenship](#)  
**Subject:** Re: Agricultural Leadership, Education and Communication Name Change  
**Date:** Sunday, August 29, 2021 7:31:22 PM

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Tiffany,

I am happy to support modifications for Ag Education and Skilled Technical Sciences, including the name change to Agricultural Leadership, Education and Communication. I am very appreciative of the collaboration between CEHS and CASNR and look forward to our continued development and delivery of strong programs for education majors.

Sincere regards,  
Sherri

---

**From:** Tiffany Heng-Moss <[thengmoss2@unl.edu](mailto:thengmoss2@unl.edu)>  
**Date:** Friday, August 27, 2021 at 2:31 PM  
**To:** Sherri Jones <[sherri.jones@unl.edu](mailto:sherri.jones@unl.edu)>  
**Cc:** Erin Blankenship <[erin.blankenship@unl.edu](mailto:erin.blankenship@unl.edu)>  
**Subject:** Agricultural Leadership, Education and Communication Name Change

Sherri: As we have discussed, can you please provide an email confirmation stating that CEHS has reviewed the modifications of our two options – Ag Education and Skilled and Technical Sciences – and is supportive of the changes and the revised name of the degree program from Ag Education to Agricultural Leadership, Education and Communication?

Mark Balschweid worked with your team two years ago on the education options. Thanks- Tiffany

Tiffany Heng-Moss, Ph.D.  
Dean  
College of Agricultural Sciences and Natural Resources

University of Nebraska  
103 Agricultural Hall  
Lincoln, NE 68583  
402.472.2201  
[thengmoss2@unl.edu](mailto:thengmoss2@unl.edu)  
Pronouns: she/her/hers

signature\_1658872963




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"If your actions inspire others to dream more, learn more, do more and become more, you are a leader." John Quincy Adams

Date: October 23, 2020

To: Dr. Mark Balschweid, Chair  
Department of Agricultural Leadership, Education, and Communication

Fr: Dr. Jody Koenig Kellas, Chair   
Department of Communication Studies

Re: Proposed name change from Agricultural Education to Agricultural Leadership, Education and Communication

Cc: Dr. Mark Button, Dean, College of Arts and Sciences  
Dr. Tiffany Heng-Moss, Dean, College of Arts and Sciences  
Dr. Renee Batman, Assistant Vice Chancellor and Chief Administrative Officer, Office of the Executive Vice Chancellor  
Dr. Patricia Sollars, Director, Undergraduate Education Programs  
Dr. June Griffin, Associate Dean, College of Arts and Sciences  
Dr. Kathy Castle, Assistant Chair, Department of Communication Studies

Dr. Balschweid, in response to your request, the Department of Communication Studies supports your proposal to change the name of your major to reflect the name of your department, Agricultural Leadership, Education, and Communication (ALEC) provided, as we have discussed, that the ALEC major, major objectives, and the objectives of courses required in the major focus on communication as it applies to the context of agriculture, specifically. We can appreciate the desire to streamline and lessen confusion for students at UNL, and this bounding ensures clarity for UNL students around the clear distinctions between our majors.

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Renaming the Bachelor of Science in Business Administration (BSBA) in Law and Business to the BSBA in Business and Law in the College of Business at the University of Nebraska-Lincoln (UNL)

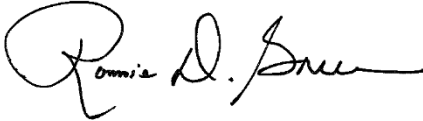
RECOMMENDED ACTION: Report


PREVIOUS ACTIONS: April 9, 2021 – The Board approved the creation of the BSBA in Law and Business in the College of Business at UNL.

EXPLANATION: The proposed renaming of the BSBA in “Law and Business” to a BSBA in “Business and Law” is designed to avoid student confusion. Specifically, the proposed name for the innovative degree would no longer convey any notion that the undergraduate major was a law degree allowing a graduate to become a practicing attorney. The BSBA degree is designed to provide students with greater awareness of legal issues within the business discipline.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

SPONSOR: Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

APPROVED:   
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

  
\_\_\_\_\_  
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021





**UNIVERSITY OF NEBRASKA**  
OFFICE OF THE PRESIDENT

September 16, 2021

Executive Vice President and Provost Jeff Gold  
University of Nebraska  
Varner Hall | 3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Provost Gold:

I received your letter of September 10, 2021 requesting approval to change the name of the Bachelor of Science in Business Administration in “Law and Business” to “Business and Law”. By way of this letter I preliminarily approve this change so that UNL may move forward with marketing the degree as such. Chancellor Green’s letter will then be advanced for consideration of the Council of Academic Officers and the Academic Affairs Committee.

If you have any questions or concerns in the meantime, please let me know.

Sincerely,

Ted Carter  
President

TC/kmm

cc: David Jackson, Vice Provost  
Ronnie Green, Chancellor  
Elizabeth Spiller, Executive Vice Chancellor and Chief Academic Officer  
Kathy Farrell, Dean, UNL College of Business  
Richard Moberly, Dean, UNL College of Law  
Renee Batman, Assistant Vice Chancellor  
Suzi Tamerius, Project Coordinator





September 9, 2021

Jeff Gold, Executive Vice President & Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583

Dear EVPP Gold,

I am forwarding materials related to a proposal from the College of Business to rename the "Law and Business" BSBA program to the "Business and Law" BSBA program. This proposed name change is to address any potential confusion about an undergraduate student earning a degree in law.

The proposal has the full endorsement of the Deans of the College of Business and College of Law, the Executive Vice Chancellor for Academic Affairs, and the Academic Planning Committee. It has my approval and I am requesting you approve it as well.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

- c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor for Academic Affairs  
Kathy Farrell, Dean, College of Business  
Richard Moberly, Dean, College of Law  
Mike Zeleny, Associate to the Chancellor and APC Secretary  
Renee Batman, Assistant Vice Chancellor  
Suzi Tamerius, Project Coordinator  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Associate Vice President for Academic Affairs  
Cathy Robertus, Executive Assistant



## MEMORANDUM

TO: Frauke Hachtmann, APC Chair

FROM: Elizabeth Spiller, Executive Vice Chancellor

A handwritten signature in black ink, appearing to read 'Elizabeth Spiller', located to the right of the 'FROM:' line.

DATE: August 4, 2021

SUBJECT: Revision to Recently Approved Law and Business Major (BSBA)

At their May 20, 2021 meeting, the Nebraska Coordinating Commission of Postsecondary Education approved the proposal to establish a new major in “Law and Business” BSBA in the College of Business and in partnership with the College of Law. (The APC approved this proposal on January 13, 2021.) During the CCPE review, there was discussion about the possibility of modifying the name from “Law and Business” to “Business and Law” to avoid any potential confusion about an undergraduate student earning a degree in law. The College of Business and College of Law reviewed the comments and determined that the name change to “Business and Law” would be suitable and appropriate, and they have both supported the CCPE suggestion.

A vote of the faculty was held over the summer and the name change for the major was approved. I too support this revision and ask for your prompt review in order to enable the College to move forward with recruitment for the Fall 2022 cycle. This would be a change in the word order for the name of the major; no other changes are being considered here. Please find the redlined proposal attached.

Thank you in advance for your reviewing this on short notice. I am happy to answer any questions you might have.

July 6, 2021

Renee Batman  
Assistant Vice Chancellor and  
Chief Administrative Officer  
Canfield Administration Building South, Room 208  
University of Nebraska-Lincoln  
Lincoln, NE 68588-0420

Dear Renee,

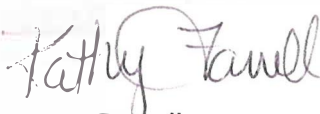
I support the Law and Business Major as described in the enclosed materials and certify that this proposed major has been approved by the College of Business faculty.

The College's Undergraduate Committee reviewed the proposed major and recommended approval at the committee meeting held on Monday, September 16, 2019.

The Law and Business Major was discussed by faculty at the September 20, 2019 faculty meeting. The College of Business uses electronic voting for all faculty approvals. The electronic voting period ended September 27, 2019 with a final vote tally of 62 respondents in favor, one respondent opposed, and one respondent abstaining.

Based on a recommendation from the Coordinating Commission for Postsecondary Education, the faculty voted to change the name of the major to the Business and Law Major. The electronic voting period ended on June 11, 2021 with a final vote tally of 72 respondents in favor and 2 respondents abstaining.

Sincerely,



Kathy Farrell  
James Jr. and Susan Stuart Endowed Dean  
College of Business  
[kfarrell2@unl.edu](mailto:kfarrell2@unl.edu)  
402-472-3005



July 28, 2021

Renee Batman  
Office of the Executive Vice Chancellor  
208 Admins  
CC 0420

Dear Renee,

I am writing to express the College of Law's support for changing the name of the newly approved Law and Business major in the College of Business to "Business and Law." On behalf of the College of Law, I believe the name change is acceptable and I support it in order to have the major offered sooner rather than later.

Kind regards,

Richard Moberly  
Dean  
Richard C. & Catherine S. Schmoker Professor of Law

Cc: Donna Dudney, Associate Professor of Finance  
Kathy Farrell, Dean  
Colleen Medill, Robert & Joanne Berkshire Family Professor of Law

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Renaming the Financial and Housing Counseling Graduate Certificate to the Financial Counseling Graduate Certificate in the Department of Child, Youth and Family Studies in the College of Education and Human Sciences at the University of Nebraska-Lincoln (UNL)

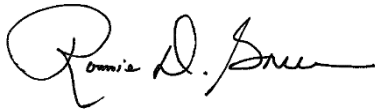
RECOMMENDED ACTION: Report


PREVIOUS ACTION: April 13, 2012 – Expedited approval of the Financial and Housing Counseling Graduate Certificate in the Department of Child, Youth and Family Studies at UNL was reported to the Board.

EXPLANATION: The Financial and Housing Counseling Graduate Certificate is offered through the Great Plains Interactive Distance Education Alliance (IDEA). The Alliance recently simplified the certificate's name to "Financial Counseling." The proposed name change is requested to align UNL's course catalog with that of the Great Plains IDEA consortium. The curriculum is not being changed.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

SPONSOR: Elizabeth Spiller  
Executive Vice Chancellor and Chief Academic Officer

APPROVED:   
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

  
\_\_\_\_\_  
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021



September 9, 2021

Jeff Gold, Executive Vice President & Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583

Dear EVPP Gold,

I am forwarding materials related to a proposal from the College of Education and Human Sciences to rename the "Financial and Housing Counseling Graduate Certificate" to the "Financial Counseling Graduate Certificate." The Great Plains Interactive Distance Education Alliance Consortium, of which UNL is a member, recently renamed the program, prompting this proposal to align the name of UNL's graduate certificate.

The proposal has the full endorsement of the Dean of the College of Education and Human Sciences, the Dean of Graduate Education, the Executive Vice Chancellor for Academic Affairs, and the Academic Planning Committee. It has my approval and I am requesting you approve it as well.

Sincerely,


Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor for Academic Affairs  
Debra Hope, Dean, Graduate Education  
Sherri Jones, Dean, College of Education and Human Sciences  
Michael Merten, Chairperson, Child, Youth and Family Studies  
Mike Zeleny, Associate to the Chancellor and APC Secretary  
Renee Batman, Assistant Vice Chancellor  
Suzi Tamerius, Project Coordinator  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Associate Vice President for Academic Affairs  
Cathy Robertus, Executive Assistant



## MEMORANDUM

TO: Frauke Hachtmann, APC Chair

FROM: Elizabeth Spiller, Executive Vice Chancellor 

DATE: August 27, 2021

SUBJECT: Proposal to Rename Financial and Housing Counseling Graduate Certificate

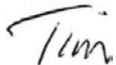
Attached please find a proposal to rename the “Financial and Housing Counseling” Graduate Certificate to the “Financial Counseling” Graduate Certificate. This program is administered by the Department of Child, Youth and Family Studies within the College of Education and Human Sciences and is a part of the GP-IDEA Consortium. The GP-IDEA Consortium recently renamed the program which prompted this proposal to align the name of the UNL Graduate Certificate. There are no other changes to the program.

I support this proposal and have no concerns.



March 5, 2021

To: Renee Batman  
Assistant Vice Chancellor and Chief Administrative Officer

From: Tim Carr   
Associate Vice Chancellor and Dean of Graduate Education

Re: Graduate Certificate Name Change  
CIP Code: 52.0804

Attached is a proposal to change the graduate certificate name from “Financial and Housing Counseling” to “Financial Counseling.” The UNL Graduate Council has approved the proposal.

The certificate name change aligns with the name used by the Great Plains IDEA consortium. The proposed name change requires no curriculum changes and no additional resources.

As a next step, I am submitting the proposal and accompanying documents for review by the Executive Vice Chancellor and the Academic Planning Committee.





December 11, 2020

To: Tim Carr, Associate Vice Chancellor and Dean of Graduate Studies  
From: Sherri Jones, Dean, CEHS

This memo is to inform you that **the name change of the GP IDEA graduate certificate program – i.e., from ‘Financial and Housing Counseling’ to ‘Financial Counseling’** – proposed by the faculty in the Department of Child, Youth and Family Studies has been approved by the CEHS Graduate Executive Committee. The proposal have been reviewed by the Dean’s office and has our full support and approval. Please let me know if you have questions or concerns.

Best,

*Sherri M. Jones*  
Sherri Jones, Dean, CEHS  
University of Nebraska-Lincoln  
[sherri.jones@unl.edu](mailto:sherri.jones@unl.edu)

TO: The Board of Regents Addendum XI-D-4  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Expedited approval of the Additive Manufacturing Graduate Certificate in the Department of Mechanical and Materials Engineering in the College of Engineering at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report


PREVIOUS ACTION: January 25, 2013 – The Board approved the request to consolidate the master’s programs in Engineering Mechanics and Mechanical Engineering into a single Master of Science (MS) in Mechanical Engineering and Applied Mechanics (MEAM).  
  
July 15, 2000 – The Board delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

EXPLANATION: The proposed in-person 12-credit hour Additive Manufacturing (AM) Graduate Certificate is designed to provide core competency and technical skills across a breadth AM applications. AM, most commonly associated with 3D Printing, is rapidly changing the manufacturing industry. Polymer AM initially gained a foothold due to its ability to quickly make prototypes and parts with relatively inexpensive machines and materials. The future, though, largely belongs to metal AM due to the use of metals and alloys in a wide variety of industries. Notably, defense, aerospace, and biomedical industries will be transformed by metal AM. Also, AM is quickly expanding into new areas, including electronics and tissue engineering. As a key manufacturing state, Nebraska will benefit from employees with the key theoretical and practical skills gained from the AM curriculum. All coursework will partially satisfy requirements towards an MS in Mechanical Engineering and Applied Mechanics.  
  
This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty/staff resources will be required.)

SOURCE OF FUNDS: Not applicable

SPONSOR: Jeffrey P. Gold, M.D.  
Executive Vice President and Provost

APPROVED:   
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021



October 11, 2021

Jeff Gold, Executive Vice President and Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Jeff,

I am forwarding materials related to a proposal from the College of Engineering to create a new Graduate Certificate in Additive Manufacturing to be administered by the Department of Mechanical and Materials Engineering. The core courses are already established and part of existing master's and PhD programs, qualifying it for expedited review. There are adequate existing resources, and sufficient number of qualified faculty available to support the certificate program. This graduate certificate is designed to address a growing demand for expertise in the field.

The proposal has the approval of the Executive Vice Chancellor; Dean of Graduate Studies and the Graduate Council; Dean of the College of Engineering and the College Curriculum and Academic Standards Committee; and the Academic Planning Committee. I support this proposal and recommend it to you for approval.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Lance Perez, Dean, College of Engineering  
Debra Hope, Dean, Graduate College  
Jeffrey Shield, Chairperson, Mechanical and Materials Engineering  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator, Academic Affairs  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Catherine Robertus, Executive Assistant

# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln
<b>Name of Proposed Graduate Certificate</b>
Additive Manufacturing
<b>Name of Program</b>
Additive Manufacturing
<b>Other Programs Offered in this Field by this Institution</b>
None
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
15.0899 (Mechanical Engineering Related Technologies/Technicians, Other)
<b>Subject Code</b>
MECH, MATL
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Department of Mechanical and Materials Engineering
<b>All Units Participating in the Graduate Certificate</b>
Department of Mechanical and Materials Engineering
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
Prahalada Rao, Michael Sealy, Jeffrey Shield
<b>Proposed Delivery Site</b>
University of Nebraska-Lincoln College of Engineering
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input checked="" type="checkbox"/> On-campus only <input type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain) –
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission.

## II. Details

### A. Description of Proposed Certificate Program

Additive manufacturing (AM) is rapidly changing the face of manufacturing, especially in the U.S. Polymer AM (“3D printing”) initially gained a foothold due to its ability to quickly make prototypes and parts with relatively inexpensive machines and materials. The future, though, largely belongs to metal AM due to the use of metals and alloys in a wide variety of industries. Notably, defense, aerospace, and biomedical industries will be transformed by metal AM. Also, AM is quickly expanding into new areas, including electronics and tissue engineering where printing of biological soft matter will lead to unforeseen innovations. As a result, the AM certificate program would provide students and enrolled practitioners with vital knowledge and fundamental skills to enable them to compete in this fast-changing field.

### B. Learning Outcomes

The certificate program will equip those enrolled with core competency and technical skills across the breadth of AM, including:

1. Manufacturing process fundamentals;
2. Materials and materials testing;
3. Modeling and simulation of process phenomena;
4. Quality and measurement;
5. Design for AM

These aspects will be covered within a series of courses that will provide both fundamental understanding of AM and hands-on opportunities—theory and practice—and will provide a competitive advantage to enrollees. The courses will be broad appeal for various engineering majors and areas of practice.

### C. Admission

The AM Graduate Certificate Program follows and meets all of the requirements set forth for a Graduate Certificate by the Office of Graduate Studies. The proposed program enhances the marketability of graduate students and provides a service to a segment of the community through short-term graduate education. Twelve credit hours beyond the B.S. degree are required. All courses will be offered through the Mechanical Engineering and Applied Mechanics (MEAM) graduate program.

The proposed AM Certificate:

1. Is a reasonable extension of existing MEAM graduate programs;
2. Uses existing courses;
3. Requires no additional or reallocated resources for its support; and
4. MEAM graduate faculty have the capacity to offer the certificate.

The steps for admission of an applicant into the AM Graduate Certificate program are:

1. The student completes an application in ADMIT (CollegeNET). The MEAM graduate chair is automatically notified when an application is complete.
2. The graduate chair will assign the AM Advisory Committee members the responsibility to review each applicant’s file whose status is “complete.”
3. Reviewers complete checklist in ADMIT. Each applicant will receive one of two possible initial recommendations:
  - a. Admit (meeting admission criteria), or
  - b. Not admit (not meeting admission criteria).
4. The Advisory Committee will consider all applicants, making a final recommendation on each.
5. Applicants are notified of the Advisory Committee’s decision (change of status in ADMIT).

6. A Committee member will agree to advise the admitted student.
  - a. The member notifies the Committee that he/she agrees to advise the student.
7. Students are informed of admission decision, cc'ing the MEAM Graduate Chair.
8. The faculty advisor (or his/her designee) sends an email to the student to develop a plan of study, cc'ing the Advisory Committee.

#### Prerequisites/Deficiency Procedures

- All students must have a Bachelor of Science (BS) in a field of engineering or materials science with a GPA of at least 3.0.
- Specific prerequisites:
  - Fundamental knowledge of manufacturing science and engineering, including traditional and modern manufacturing processes and methods, such as foundry, forming, welding, and metal removal theory and practice, and knowledge of manufacturing systems and automation.

#### D. Certificate Program Curriculum

Students need to complete 12 credit hours of relevant coursework to receive the AM Graduate Certificate.

There is one required course, MECH 872 -Additive Manufacturing. The remaining nine credit hours may be drawn from courses listed in Figure 1.

**FIGURE 1: AM GRADUATE CERTIFICATE COURSES**

Course Number	Masters Credit # Credit Hours	Certificate Credit # Credit Hours
MECH 872-Additive Manufacturing	3	3
<i>Any <b>three</b> of the following:</i>		
MECH 822-Industrial Quality Control	3	3
MECH 820-Heat Transfer	3	3
MECH 851-Introduction of Finite Element Analysis	3	3
MATL 860-Mechanical Aspects of Materials	3	3
MATL 865-Applied Physical Metallurgy	3	3
Other courses for the master's degree	9-15	
Total	30-36	12

#### E. Completion of Requirements

Students who have completed (or will soon be starting the last semester in which they will complete) the requirements for the AM Graduate Certificate Program will contact the AM Program Coordinator and provide the following information:

- NUID number
- A list of completed courses (including corresponding course numbers and semesters of enrollment)

The Program Coordinator will confirm that the requirements are complete (or will be completed by the end of the relevant semester) and inform the Office of Graduate Studies. As appropriate, students should also apply to receive the AM Graduate Certificate. In doing so, please take note of the following important points:

- Students must apply for the Certificate early in the semester in which they intend to complete the requirements or in the semester immediately following completion.
- The Program Coordinator must be informed of your completing the AM Graduate Certificate Program requirements a few days prior to graduation application deadlines listed on the Registrar's website. This advance notice will ensure that the AM Program Coordinator has time to inform the Office of Graduate Studies about your completion of AM Graduate Certificate Program requirements.
- During the process of completing the graduation application, you must check the relevant box to receive the AM Graduate Certificate. Applicants must pay the appropriate application fee.

#### **F. Evaluation of Program**

Measures and procedures for ongoing evaluations of the certificate program will map to those used to assess for MEAM M.S. and Ph.D. programs.

#### **G. Impact on Other Units and Programs**

The Certificate program provides students and enrolled practitioners with vital knowledge and fundamental skills in AM, skills that can be translated to other programs and research activities.

#### **H. Impact on Course Subject Codes**

None

### **III. Review Criteria**

#### **A. Adequacy of Resources:**

##### **1. Faculty/Staff**

Resources necessary to offer the proposed Graduate Certificate are already in place. No additional budgetary resources will be required to implement the program.

All the courses that will be required by the Graduate Certificate are already being offered. This Certificate may increase enrollment in these classes, but not to a level that new sections will need to be offered for the planning period encompassed by this proposal. Faculty program support would be via the Advisory Committee as discussed in Section II.

##### **2. Physical Facilities and Equipment**

Classrooms on the Lincoln campus that will be used to deliver the Certificate are located in Scott Engineering Center, Nebraska Hall and Othmer Hall. Classrooms are distributed throughout the buildings and range in size from 20 to 110 seats.

Hands-on activities will occur in labs maintained by the Department of Mechanical and Materials Engineering and the Nebraska Engineering Additive Technology (NEAT) Lab (<https://engineering.unl.edu/NEAT/>), which is under the auspices of the Nanoengineering Research Core Facility (<https://engineering.unl.edu/nercf/>).

##### **3. Instructional Equipment and Informational Resources**

Associated equipment typically available in classrooms includes LCD projectors, projector screens, PCs, white boards, document camera units, connection for portable computers, tables and chairs, overhead projectors, and laptop computers. Each classroom is equipped with a wireless network, including Internet access. There are adequate library resources to support the program.

#### 4. Budget Projections

Currently, we do not expect additional funds will be required to support this program, as we can deliver the program with existing faculty, staff, and courses. Budget projections are based on five new students per year in the program and taking two courses each year. With an anticipated total enrollment of 10 students per year beginning in year two, the program will generate \$127,440 in tuition over the next five years (Table 2).

#### B. Evidence of Need and Demand

As stated earlier, AM is rapidly changing the face of manufacturing in many sectors and its future largely belongs to metal AM due to the use of metals and alloys in a wide variety of industries. The AM certificate program would provide students and enrolled practitioners with vital knowledge and fundamental skills to enable them to compete in this fast-changing field. While some AM academic programs currently exist (e.g. Purdue, MIT), they are purely online, focused on polymers and do not include specific, hands-on components. Industry certificate programs also exist and, while they may have hands-on components, they are also largely focused on polymers. As a result, this program will be distinctive. In addition, the recent increase in manufacturing jobs in Nebraska ([https://journalstar.com/business/local/manufacturing-jobs-back-to-pre-recession-levels-in-nebraska/article\\_4ec53e5e-3792-56d8-ab78-ddb1db52f6fc.html](https://journalstar.com/business/local/manufacturing-jobs-back-to-pre-recession-levels-in-nebraska/article_4ec53e5e-3792-56d8-ab78-ddb1db52f6fc.html)) and increase in 3D printing employment nationwide would ensure a solid AM Graduate Certificate student pool.



**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Additive Manufacturing Graduate Certificate**

	(FY2022) Year 1		(FY2023) Year 2		(FY2024) Year 3		(FY2025) Year 4		(FY2026) Year 5		Total
Personnel	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty <sup>1</sup>											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.0	\$0	0.0	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
<b>Operating</b>											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>		\$0		\$0		\$0		\$0		\$0	<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Additive Manufacturing Graduate Certificate**

	(FY2022) Year 1		(FY2023) Year 2		(FY2024) Year 3		(FY2025) Year 4		(FY2026) Year 5		Total
Reallocation of Existing Funds											
Required New Public Funds											
1. State Funds											
2. Local Tax Funds (community colleges)											
Tuition and Fees <sup>1</sup>	\$14,160		\$28,320		\$28,320		\$28,320		\$28,320		\$127,440
Other Funding											
<b>Total Revenue</b>	\$14,160		\$28,320		\$28,320		\$28,320		\$28,320		<b>\$127,440</b>

<sup>1</sup> Gross tuition only. Estimating five new students each year beginning in FY23, each taking six credit hours per year at 100% resident enrollment and two years for each student to complete the program.

	(FY2022) Year 1		(FY2023) Year 2		(FY2024) Year 3		(FY2025) Year 4		(FY2026) Year 5	
Student Type	R	NR	R	NR	R	NR	R	NR	R	NR
Est. Tuition per student	\$2,832	\$7,710	\$2,832	\$7,710	\$2,832	\$7,710	\$2,832	\$7,710	\$2,832	\$7,710
Est. Total Enrollment in Major	5		10		10		10		10	
Est. Total New Students in Major	5		5		5		5		5	
Est. Enrollment - Student Type	5	0	10	0	10	0	10	0	10	0
Est. New Tuition & Fees	\$14,160	\$0	\$28,320	\$0	\$28,320	\$0	\$28,320	\$0	\$28,320	\$0
Est. New Tuition & Fees	\$14,160		\$28,320		\$28,320		\$28,320		\$28,320	
Est. New Total Tuition & Fees	\$127,440									

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Expedited approval of the Bioanalytical Chemistry Graduate Certificate in the Department of Chemistry in the College of Arts and Sciences at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report

PREVIOUS ACTION: July 15, 2000 – The Board delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

The Master of Science (MS) and Doctor of Philosophy (PhD) degrees in Chemistry at UNL were established prior to modern records of Board approvals.


EXPLANATION: The proposed in-person 18-credit hour Bioanalytical Chemistry Graduate Certificate is designed to meet the workforce need for professionals who have expertise and training in bioanalytical chemistry and who can readily apply their skills to new areas of research or product development related to human, animal, plant, and microorganism systems. The curriculum for the proposed certificate will provide students with a solid foundational basis, through required courses, on the theory and applications of bioanalytical chemistry. In addition, through elective courses, students will gain the knowledge and expertise needed to apply bioanalytical chemistry to fields and uses of importance in industry, chemical/biomedical research, and biochemical analysis. All coursework will partially satisfy requirements towards an MS in Chemistry.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty/staff resources will be required.)

SOURCE OF FUNDS: Not applicable

SPONSOR: Jeffrey P. Gold, MD  
Executive Vice President and Provost

APPROVED:   
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021



October 11, 2021

Jeff Gold, Executive Vice President and Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Jeff,

I am forwarding materials related to a proposal from the College of Arts and Sciences to create a new Graduate Certificate in Bioanalytical Chemistry to be administered by the Department of Chemistry. The core courses are already established and part of existing master's and PhD programs, qualifying it for expedited review. There are adequate existing resources, and sufficient number of qualified faculty available to support the certificate program. This graduate certificate is expected to attract current students and professionals in the field and may generate additional interest in the department's graduate programs.

The proposal has the approval of the Executive Vice Chancellor; Dean of Graduate Studies and the Graduate Council; Dean of the College of Arts and Sciences, and the College Curriculum and Advising Committee; and the Academic Planning Committee. I support this proposal and recommend it to you for approval.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Mark Button, Dean, College of Arts and Sciences  
Debra Hope, Dean, Graduate College  
Jody Redepenning, Chairperson, Chemistry  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator, Academic Affairs  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Catherine Robertus, Executive Assistant

# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln
<b>Name of Proposed Graduate Certificate</b>
Bioanalytical Chemistry
<b>Name of Program</b>
Chemistry
<b>Other Programs Offered in this Field by this Institution</b>
None closely related.
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
Analytical chemistry (40.0502);
<b>Subject Code</b>
CHEM
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Department of Chemistry
<b>All Units Participating in the Graduate Certificate</b>
Department of Chemistry
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
David Hage (Chemistry); Rebecca Lai (Chemistry); Robert Powers (Chemistry)
<b>Proposed Delivery Site</b>
UNL
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input checked="" type="checkbox"/> On-campus only <input type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission.

## II. Details

### A. Description of Proposed Certificate Program.

Bioanalytical chemistry and the chemical analysis of biological samples are important areas in modern biological and biochemical research and in industries that either produce or test biochemicals. Examples of fields in which bioanalytical chemistry plays an essential component include clinical testing, biomedical research, food and agricultural research, drug testing and development, and biotechnology. This certificate program will meet an ongoing and growing need for professionals, both in Nebraska and abroad, who have expertise and training in bioanalytical chemistry and who can readily apply the methods of this field to new areas of research, chemical or biochemical analysis or product development as related to humans, animals, plants, and microorganisms.

### B. Learning Outcomes.

The general learning outcomes for this certificate are as follows:

- 1) provide students with a solid foundational basis, through required courses, on the theory and applications of bioanalytical chemistry.
- 2) provide a framework, through elective courses, by which students can gain the knowledge and expertise needed to apply bioanalytical chemistry to fields and uses of importance in industry, modern chemical/biomedical research, and biochemical analysis.

### C. Admission

Admission criteria and selection procedures for students seeking admission to the program. Students will apply to the program by contacting the program coordinator (Prof. David Hage). Applications will be accepted year-round but students must formally enter the program in August or January.

Requirements: Bachelor of Science or Bachelor of Arts in Chemistry or related discipline (e.g. Biochemistry, Chemical Engineering, Environmental Sciences, Medicinal Chemistry, Food Science and Technology), or equivalent industrial nonacademic experience. Entering students must have prerequisites for significant fraction of required courses.

The Certificate Advisory Committee (Profs. Hage, Lai, Powers) will make decisions to admission.

### D. Certificate Program Curriculum

All the required and elective courses shown below are offered on a regular basis at UNL. All the core courses are offered within the home department for this Certificate (Chemistry); the elective courses are either offered through the Chemistry Department or through a related department, such as Biochemistry or Chemical and Biomolecular Engineering. The required courses and elective courses offered through the Chemistry Department make up a subset of allowable coursework for a graduate degree in Chemistry. This also is true for the elective courses that are listed outside of the Chemistry Department, which are options that may appear on a Program of Study or in list of courses for a student pursuing a PhD or Master of Science in Chemistry.

<b>Courses</b>	<b>Masters cr hrs</b>	<b>Certificate cr hrs</b>
<i>Required courses</i>		<b>12</b>
CHEM 821 – Analytical Chemistry <b>or</b> CHEM 824 – Applied Problems in Analytical Chemistry	3	3
CHEM 835 – Chemical Biology	3	3
Two of the following (3 cr hrs each) CHEM 825D – Mass Spectrometry CHEM 825G – Chromatographic Separations CHEM 825K – Introduction to Nuclear Magnetic Resonance CHEM 991A – Special Topics in Analytical Chemistry: Biosensors	6	6
<i>Electives (6 credit hours from among the following)</i>		<b>6</b>
CHEM 825E – Data Handling	2	2
CHEM 991E – Special Topics in Organic Chemistry – Introduction to Computational Chemistry	3	3
CHEM 936 – Molecular Biology Methods	2-3	2-3
CHEM 871 – Physical Chemistry	4	4
C BIO 842 – Integrating Quantitative and Computational Biology into Life Sciences Research	3	3
BIOC 837 – Research Techniques in Biochemistry	4	4
CHEM 823 – Analytical Chemistry Laboratory	2	2
CHEM 898 – Special Topics (non-thesis research)	1-24	1-2
CHEM 991A – Special Topics in Analytical Chemistry (other than Biosensors)	3	3
CHEM 825D, 825G, 825K, or 991A-Biosensors if not counted within core requirements	3	3
<b>Total</b>	<b>30*</b>	<b>18</b>

\*Masters A in CHEM requires 30 cr hours of graduate coursework; all courses listed here may be included on a Memorandum of Courses for the Chemistry Graduate Program.

#### **E. Completion of Requirements**

Completion of requirements will be based upon review of the student transcript by the Certificate Advisory Committee to ensure that the student has completed a set of courses consistent with the requirements shown above, has a grade no lower than C in any included course, and has an aggregate GPA of 2.5 across the set of courses.

#### **F. Evaluation of Program**

Measures and procedures for ongoing evaluations of the certificate program.

The certificate program will undergo an internal review by the Chemistry Graduate Committee on a two-year cycle. An external review will be conducted every five years by an external advisory board to be constituted from Chemistry alumni and/or members of Chemistry's Industrial Advisory Board who work in the bioanalytical area.

#### **G. Impact on Other Units and Programs**

The proposed Certificate program is anticipated to stimulate enrollment in graduate programs in Biochemistry and Chemistry, and perhaps other STEM fields. The additional education and credentialing available to students completing the certificate is anticipated to increase competitiveness in careers in food science, biotechnology, clinical science, and pharmaceutical/medicinal/veterinary research and production. The creation of the certificate could also lead to closer interactions between UNL programs and local or regional industry.

#### H. Impact on Course Subject Codes

None.

### III. Review Criteria

#### A. Adequacy of Resources:

1. Faculty/Staff. No additional faculty or staff members will be needed to field the Certificate as described.
2. Physical Facilities and Equipment. No new facilities or equipment needed.
3. Instructional Equipment and Informational Resources. No new equipment or resources are needed to initiate the planned program. Should the program (later) be judged to offer potential as a distance offering, there could then be a need to have available some resources for enabling small-group discussions/lectures to be operated in this format, such as through videoconferencing. There are adequate library resources to support the program.
4. Budget Projections  
Projected tuition in five years \$40,272, assuming cohorts of one (1) part-time student/year, each taking two 3-credit hour courses/year and completing cycle within three years (steady state of three students thereafter). Tuition calculated assuming two resident students (\$341/credit hour) and one non-resident student (\$996/credit hour) in steady state enrollment.

#### B. Evidence of Need and Demand

*Student, community and/or market demand for this certificate.*

As stated earlier, Bioanalytical chemistry and the chemical analysis of biological samples are important areas in modern biological and biochemical research and in industries that either produce or test biochemicals. An informal survey of interest in this program has already been conducted with representatives from local and regional industries and various departments and centers at UNL. Local and regional companies that have a high level of interest in this program include: Celerion (Lincoln, NE); GSK (Lincoln, NE and multinational); LI-COR (Lincoln, NE); Streck Labs (Omaha, NE); and PRA Health Sciences (Lenexa, KS). Groups besides those in the Chemistry Dept. at UNL that have expressed an interest in students taking part in this program include those in the Department of Food Science and Technology and the UNL Water Center. Participation by students from UNMC and UNO is also a possibility. Overall, it is clear that there is significant interest in this certificate program, even when the proposed content is currently described in the form of traditional (on site) offerings.

### IV. Appendix

#### A. Letters of Support

Barry Chung, Associate Professor and Graduate Program Chair, Chemistry

Don Becker, Chair, Biochemistry

Tiffany Heng-Moss, Dean, College of Agricultural Sciences and Natural Resources

#### B. Prerequisites and Course and Lab Fees

## Appendix A

### Letters of support:

- Barry Chung, Associate Professor and Graduate Program Chair, Chemistry
- Don Becker, Chair, Biochemistry
- Tiffany Heng-Moss, Dean, College of Agricultural Sciences and Natural Resources



Dean Tim Carr  
Graduate Studies  
University of Nebraska-Lincoln

December 15, 2020

Dear Dean Carr,

Support for the Application of Two Chemistry Graduate Certificates

On behalf of the Chemistry Graduate Committee, I provide my strongest support for the application of the two proposed new chemistry graduate certificates in the fields of (1) Chromatography and Analytical Separations and (2) Bioanalytical Chemistry. In our opinion, these two certificate programs are **complementary** to each other. The Chromatography and Analytical Separations certificate program addresses the use of chromatography and other analytical techniques for the separation of chemicals in general. The Bioanalytical Chemistry certificate program focuses on addressing the training of students to analyze biological chemicals and chemicals of biological origin. Given the importance of modern chemical analysis for chemical manufacturing and the advanced analysis needed in the biomedical industry, we believe that the offering of these two certificates will provide significant value to our Nebraskan and neighboring communities.

Though some of the possible required and elective courses in the two proposed certificates are the same, the number of course choices and options for these two programs are large enough such that a future student can earn both of these certificates without taking any of the same courses. Our proposed chemistry certificate advisory committees are experienced faculty members. They can provide proper guidance to a future student who wishes to complete both certificates with complementary course selections that do not overlap between the two certificate programs.

Sincerely,



Barry Cheung  
Associate Professor and Graduate Program Chair

cc: Chemistry Graduate Committee (Profs. Alena Moon, David Hage, James Checco, and Robert Powers)

March 16, 2021

TO: Dr. David S. Hage

RE: Letter of Support for Proposed Certificate in Bioanalytical Chemistry

Dear David,

This letter is to indicate to the support of our unit, the Department of Biochemistry at UNL, for the new proposed graduate certificate in ***Bioanalytical Chemistry***. This certificate includes a course from our unit, BIOC 837 (Research Techniques in Biochemistry), as one of the listed electives.

Our department is willing to have BIOC 837 included as an elective course in this certificate. We understand that no new resources will be required as part of this effort, as described in the materials you have submitted for the creation of this certificate. We also acknowledge that the listed course will have the capacity to accommodate the number of students who may take part in this certificate program, as described in your application materials to create this certificate.

Sincerely,

A handwritten signature in blue ink that reads "Donald F. Becker". The signature is written in a cursive style with a large initial 'D'.

Donald Becker  
Chair, Biochemistry Department

---

**From:** Tiffany Heng-Moss <thengmoss2@unl.edu>  
**Date:** September 17, 2021 at 5:45:17 AM CDT  
**To:** Renee Batman <rbatman2@unl.edu>  
**Cc:** Tiffany Heng-Moss <thengmoss2@unl.edu>  
**Subject:** Re: Bioanalytical Chemistry graduate certificate

Thanks for the opportunity to review the proposal. I am supportive of this new graduate certificate and the addition of the biochemistry course as one of the electives. Tiffany

Tiffany Heng-Moss, Ph.D.  
Dean  
College of Agricultural Sciences and Natural Resources

University of Nebraska  
103 Agricultural Hall  
Lincoln, NE 68583  
402.472.2201  
[thengmoss2@unl.edu](mailto:thengmoss2@unl.edu)  
Pronouns: she/her/hers

**#ThisIsCASNR**

**WE ARE A COLLEGE COMMUNITY WHERE EVERYONE  
CHALLENGES THEMSELVES, IS INCLUSIVE, ASKS BOLD  
QUESTIONS, AND IS OPTIMISTIC ABOUT THE FUTURE!**

"If your actions inspire others to dream more, learn more, do more and become more, you are a leader." John Quincy Adams

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## Appendix B

### Prerequisites and Course and Lab Fees

**Prerequisites and lab fees**  
**Bioanalytical Chemistry Graduate Certificate**

**CHEM 821** (no lab fees)

Prerequisites: CHEM 221 and MATH 106; parallel CHEM 423/823

**CHEM 824** (no lab fees)

Prerequisites: CHEM 821

**CHEM 835** (no lab fees)

Prerequisites: CHEM 252 or 262, and CHEM 221

**CHEM 825D** (no lab fees)

Prerequisites: CHEM 821 or 824 or permission

**CHEM 825G** (no lab fees)

Prerequisites: CHEM 821 or 824

**CHEM 825K** (no lab fees)

Prerequisites: CHEM 825A

**CHEM 991A - Biosensors** (no lab fees)

Prerequisites: CHEM 821 or 824, or parallel

**CHEM 825E** (no lab fees)

Prerequisites: CHEM 824

**CHEM 991E** (no lab fees)

Prerequisites: CHEM 855

**CHEM 936**

Prerequisites: CHEM 431/831, or CHEM 835

**CHEM 871 (no lab fees)**

Prerequisites: CHEM 221; MATH 107; and PHYS 142 or 212

**CBIO 842 (no lab fees)**

Prerequisites: CBIO 841 or permission of instructor

**BIOC 837 (lab fee = \$50)**

Prerequisites: BIOC/BIOS/CHEM 433/833

**CHEM 823 (lab fee = \$65)**

Prerequisites: CHEM 421/821 or parallel

**CHEM 898 (no lab fee)**

Prerequisites: Permission

**CHEM 991A (no lab fee)**

Prerequisites: CHEM 821 or 824, or parallel

**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Bioanalytical Chemistry Graduate Certificate**

	(FY2023) Year 1		(FY2024) Year 2		(FY2025) Year 3		(FY2026) Year 4		(FY2027) Year 5		Total
Personnel	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty <sup>1</sup>											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.0	\$0	0.0	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
Operating											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>											<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Bioanalytical Chemistry Graduate Certificate**

	(FY2023) Year 1	(FY2024) Year 2	(FY2025) Year 3	(FY2026) Year 4	(FY2027) Year 5	Total
Reallocation of Existing Funds						
Required New Public Funds						
1. State Funds						
2. Local Tax Funds (community colleges)						
Tuition and Fees <sup>1</sup>	\$2,046	\$8,022	\$10,068	\$10,068	\$10,068	\$40,272
Other Funding						
<b>Total Revenue</b>	<b>\$2,046</b>	<b>\$8,022</b>	<b>\$10,068</b>	<b>\$10,068</b>	<b>\$10,068</b>	<b>\$40,272</b>

<sup>1</sup> Tuition only. Estimated using cohorts of one part-time student/year, each taking two 3-credit hour courses/year and completing cycle within three years (steady state of three students thereafter). Tuition calculated assuming two resident students (\$341/credit hour) and one non-resident student (\$996/credit hour) in steady state enrollment.

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Expedited approval of the Chromatography and Analytical Separations Graduate Certificate in the Department of Chemistry in the College of Arts and Sciences at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report

PREVIOUS ACTION: July 15, 2000 – The Board delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

The Master of Science (MS) and Doctor of Philosophy (PhD) degrees in Chemistry at UNL were established prior to modern records of Board approvals.


EXPLANATION: The proposed in-person 18-credit hour Chromatography and Analytical Separations Graduate Certificate is designed to meet the workforce need for professionals skilled in chemical analytical separation tools. Such skills are required for the creation and testing of new pharmaceuticals, environmental analysis, agricultural chemistry, biotechnology, clinical testing, and biomedical research. The curriculum for the proposed certificate will provide students with a solid foundational basis on the theory and applications of chromatography and related analytical separation methods. Coursework also will provide a framework by which students can gain the knowledge and expertise needed to apply these tools to fields and uses of importance in industry, research, and chemical analysis. All coursework will partially satisfy requirements towards an MS in Chemistry.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty/staff resources will be required.)

SOURCE OF FUNDS: Not applicable

SPONSOR: Jeffrey P. Gold, MD  
Executive Vice President and Provost

APPROVED:   
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021





October 11, 2021

Jeff Gold, Executive Vice President and Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Jeff,

I am forwarding materials related to a proposal from the College of Arts and Sciences to create a new Graduate Certificate in Chromatography and Analytical Separations to be administered by the Department of Chemistry. The core courses are already established and part of existing master's and PhD programs, qualifying it for expedited review. There are adequate existing resources, and sufficient number of qualified faculty available to support the certificate program. This graduate certificate is expected to attract current students and professionals in the field and may generate additional interest in the department's graduate programs.

The proposal has the approval of the Executive Vice Chancellor; Dean of Graduate Studies and the Graduate Council; Dean of the College of Arts and Sciences, and the College Curriculum and Advising Committee; and the Academic Planning Committee. I support this proposal and recommend it to you for approval.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Mark Button, Dean, College of Arts and Sciences  
Debra Hope, Dean, Graduate College  
Jody Redepenning, Chairperson, Chemistry  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator, Academic Affairs  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Catherine Robertus, Executive Assistant

# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln
<b>Name of Proposed Graduate Certificate</b>
Chromatography and Analytical Separations
<b>Name of Program</b>
Chemistry
<b>Other Programs Offered in this Field by this Institution</b>
None closely related.
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
Analytical chemistry (40.0502);
<b>Subject Code</b>
CHEM
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Department of Chemistry
<b>All Units Participating in the Graduate Certificate</b>
Department of Chemistry
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
David Hage (Chemistry); Pat Dussault (Chemistry); Eric Dodds (Chemistry)
<b>Proposed Delivery Site</b>
UNL
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input checked="" type="checkbox"/> On-campus only <input type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission.

## II. Details

### A. Description of Proposed Certificate Program.

Chromatography and related analytical separations are important tools in many fields of chemical and biochemical research and in industries that either produce or test chemicals. Examples of fields in which these methods are essential include the creation and testing of new pharmaceuticals, environmental analysis, biotechnology, clinical testing, and biomedical research. This certificate program will meet an ongoing and growing need for professionals, both in Nebraska and abroad, who have expertise and training in these methods and who can readily apply such techniques to new areas of research, chemical analysis or product development.

### B. Learning Outcomes.

- 1) Provide students with a solid foundational basis, through required courses, on the theory and applications of chromatography and related analytical separation methods, and
- 2) Provide a framework, through elective courses, by which students can gain the knowledge and expertise needed to apply chromatography and related analytical separation methods to fields and uses of importance in industry, modern chemical/biochemical research, and chemical analysis.

### C. Admission (Criteria and Selection procedures).

Students will apply to the program by contacting the program coordinator (Prof. David Hage). Applications will be accepted year-round but students must formally enter the program in August or January. The Certificate Advisory Committee (Profs. Hage, Dussault, Dodds) will make decisions to admission.

Requirements: Bachelor of Science or Bachelor of Arts in Chemistry or related discipline (e.g. Biochemistry, Chemical Engineering, Food Science and Technology, Biological Systems Engineering) or equivalent industrial nonacademic experience. Entering students must have completed prerequisites for a significant fraction of required courses.

### D. Certificate Program Curriculum

All the required and elective courses shown below are offered on a regular basis at UNL. All the core courses are offered within the home department for this Certificate (Chemistry); the elective courses are either offered through the Chemistry Department or through a related department, such as Biochemistry or Chemical and Biomolecular Engineering. The required courses and elective courses offered through the Chemistry Department make up a subset of allowable coursework for a Master's degree (or a PhD) in Chemistry at UNL. This also is true for the elective courses that are listed outside of the Chemistry Department.

<b>Courses:</b>	<b>Credit hours as component of Master's degree</b>	<b>Credit hours within proposed Certificate</b>
<b>Required</b>	<b>12</b>	<b>12</b>
CHEM 821 – Analytical Chemistry <b>or</b> CHEM 824 – Problems in Analytical Chemistry	3	3
CHEM 825G – Chromatographic Separations	3	3
CHEM 991A – Special Topics in Analytical Chemistry: Advanced Separation Methods	1	1
CHEM 825D – Mass Spectrometry	3	3
CHEM 825A – Ionic Equilibria <b>or</b> CHEM 825E – Data Handling	2	2
<b>Elective</b>	<b>24-26</b>	<b>6 (from among those listed below)</b>
CHEM 898 – Non-thesis research	1-3	1-2
CHEM 823 – Analytical Chemistry Laboratory	2	2
CHEM 835 – Chemical Biology	3	3
CHEM 982 – Thermodynamics	3	3
CHEM 984 – Kinetics	2	2
CHEM 991E – Special Topics in Organic Chemistry – Introduction to Computational Chemistry	3	3
BIOC 837 – Research Techniques in Biochemistry	4	4
CHME 873 – Biochemical Engineering	3	3
CHME 874 – Advanced Biochemical Engineering	3	3
<b>Total</b>	<b>36-38</b>	<b>18</b>

#### **E. Completion of Requirements**

Completion of requirements will be based upon review of the student transcript by the Certificate Advisory Committee to ensure that the student has completed a set of courses consistent with the requirements shown above, has a grade no lower than C in any included course, and has an aggregate GPA of 2.5 across the set of courses.

#### **F. Evaluation of Program**

*Measures and procedures for ongoing evaluations of the certificate program.*

The certificate program will undergo an internal review on a two-year basis by the Chemistry Graduate Committee, and an external review every five years by an external advisory board to be constituted from Chemistry alumni and/or members of Chemistry's Industrial Advisory Board who work in fields that make regular use of chromatography and analytical separations.

#### **G. Impact on Other Units and Programs**

The proposed Certificate program is anticipated to stimulate enrollment in graduate programs for Biochemistry, Chemistry, and Chemical and Biomolecular Engineering, and perhaps other STEM fields. The program will enable students in these and other existing degree programs to achieve additional

experience and credentials as related to chemical analysis and separation methods. The creation of the certificate could also lead to closer interactions between UNL programs and local or regional industry.

#### H. Impact on Course Subject Codes

None.

### III. Review Criteria

#### A. Adequacy of Resources:

1. Faculty/Staff. No additional faculty or staff members will be needed to field the Certificate as described.
2. Physical Facilities and Equipment. No new facilities or equipment needed.
3. Instructional Equipment and Informational Resources. No new equipment or resources are needed to initiate the planned program. Should the program (later) be judged to offer potential as a distance offering, there could then be a need to have available some resources for enabling small-group discussions/lectures to be operated in this format, such as through videoconferencing. There are adequate library resources to support the program.
4. Budget Projections (Excel versions attached separately)  
Five-year tuition estimate is \$40,272 assuming cohorts of one (1) part-time student/year, each taking two 3-credit hour courses/year and completing cycle within three years (steady state of three students thereafter). Tuition calculated assuming two resident students (\$341/credit hour) and one non-resident student (\$996/credit hour) in steady state enrollment.

#### B. Evidence of Need and Demand

*Student, community and/or market demand for this certificate.* As stated earlier, chromatography and related analytical separations are important tools in many fields of chemical and biochemical industry and research. An informal survey of interest in this program has already been conducted with representatives from local and regional industries and various departments and centers at UNL. Local and regional companies that have a high level of interest in this program include: Celerion (Lincoln, NE); GSK (Lincoln, NE and multinational); LI-COR (Lincoln, NE); Streck Labs (Omaha, NE); and PRA Health Sciences (Lenexa, KS). Groups besides those in the Chemistry Dept. at UNL that have expressed an interest in students taking part in this program include those in the Department of Food Science and Technology and the UNL Water Science Center. Participation by students from UNMC and UNO is also a possibility.

### IV. Appendix

#### A. Letters of Support

Barry Chung, Associate Professor and Graduate Program Chair, Chemistry  
Hossein Nouredini, Chair, Chemical and Biomolecular Engineering  
Don Becker, Chair, Biochemistry

#### B. Prerequisites and Course and Lab Fees

## Appendix A

### Letters of support:

- Barry Chung, Associate Professor and Graduate Program Chair, Chemistry
- Hossein Nouredini, Chair, Chemical and Biomolecular Engineering
- Don Becker, Chair, Biochemistry

Dean Tim Carr  
Graduate Studies  
University of Nebraska-Lincoln

December 15, 2020

Dear Dean Carr,

Support for the Application of Two Chemistry Graduate Certificates

On behalf of the Chemistry Graduate Committee, I provide my strongest support for the application of the two proposed new chemistry graduate certificates in the fields of (1) Chromatography and Analytical Separations and (2) Bioanalytical Chemistry. In our opinion, these two certificate programs are **complementary** to each other. The Chromatography and Analytical Separations certificate program addresses the use of chromatography and other analytical techniques for the separation of chemicals in general. The Bioanalytical Chemistry certificate program focuses on addressing the training of students to analyze biological chemicals and chemicals of biological origin. Given the importance of modern chemical analysis for chemical manufacturing and the advanced analysis needed in the biomedical industry, we believe that the offering of these two certificates will provide significant value to our Nebraskan and neighboring communities.

Though some of the possible required and elective courses in the two proposed certificates are the same, the number of course choices and options for these two programs are large enough such that a future student can earn both of these certificates without taking any of the same courses. Our proposed chemistry certificate advisory committees are experienced faculty members. They can provide proper guidance to a future student who wishes to complete both certificates with complementary course selections that do not overlap between the two certificate programs.

Sincerely,



Barry Cheung  
Associate Professor and Graduate Program Chair

cc: Chemistry Graduate Committee (Profs. Alena Moon, David Hage, James Checco, and Robert Powers)

Date: March 12, 2021

TO: Professor David S. Hage

RE: Letter of Support for Proposed Certificate in Chromatography and Analytical Separations

Dear David,

This letter is to indicate to the support of our unit, the Department of Chemical and Biomolecular Engineering at UNL, for the new proposed graduate certificate in Chromatography and Analytical Separations. This certificate includes two courses from our unit, CHME 873 (Biochemical Engineering) and CHME 874 (Advanced Biochemical Engineering), under the listed electives.

Our department is willing to have CHME 873 and CHME 874 included as elective courses in this certificate. We understand that no new resources will be required as part of this effort, as described in the materials you have submitted for the creation of this certificate. We also acknowledge that the listed courses will have the capacity to accommodate the number of students who may take part in this certificate program, as described in your application materials to create this certificate.

Sincerely,



Hossein Nouredini  
Department Chair, Professor  
Department of Chemical and Biomolecular Engineering



March 16, 2021

TO: Dr. David S. Hage

RE: Letter of Support for Proposed Certificate in Chromatography and Analytical Separations

Dear David,

This letter is to indicate to the support of our unit, the Department of Biochemistry at UNL, for the new proposed graduate certificate in ***Chromatography and Analytical Separations***. This certificate includes a course from our unit, BIOC 837 (Research Techniques in Biochemistry), as one of the listed electives.

Our department is willing to have BIOC 837 included as an elective course in this certificate. We understand that no new resources will be required as part of this effort, as described in the materials you have submitted for the creation of this certificate. We also acknowledge that the listed course will have the capacity to accommodate the number of students who may take part in this certificate program, as described in your application materials to create this certificate.

Sincerely,

A handwritten signature in blue ink that reads "Donald F. Becker". The signature is written in a cursive style with a large initial 'D'.

Donald Becker  
Chair, Biochemistry

## Appendix B

### Prerequisites and Course and Lab Fees

## Prerequisites and lab fees

### Chromatography and Analytical Separations Graduate Certificate

**CHEM 821** (no lab fees)

Prerequisites: CHEM 221 and MATH 106; parallel CHEM 423/823

**CHEM 824** (no lab fees)

Prerequisites: CHEM 821

**CHEM 825G** (no lab fees)

Prerequisites: CHEM 821 or 824

**CHEM 991A – Advanced Separation Methods** (no lab fee)

Prerequisites: CHEM 821 or 824, or parallel

**CHEM 825D** (no lab fees)

Prerequisites: CHEM 821 or 824 or permission

**CHEM 825A** (no lab fees)

Prerequisites: or parallel: CHEM 821 or 824

**CHEM 825E** (no lab fees)

Prerequisites: CHEM 824

**CHEM 898** (no lab fee)

Prerequisites: Permission

**CHEM 823** (lab fee = \$65)

Prerequisites: CHEM 421/821 or parallel

**CHEM 835** (no lab fees)

Prerequisites: CHEM 252 or 262, and CHEM 221

**CHEM 982** (no lab fees)

Prerequisites: CHEM 885

**CHEM 984** (no lab fees)

Prerequisites: CHEM 885 or 982

**CHEM 991E** (no lab fees)

Prerequisites: CHEM 855

**BIOC 837** (lab fee = \$50)

Prerequisites: BIOC/BIOS/CHEM 433/833

**CHME 873** (no lab fees)

Prerequisites: CHEM 262, CHEM 431

**CHME 874** (no lab fees)

Prerequisites: CHME 473/873

**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Chromatography and Analytical Separations Graduate Certificate**

	(FY2023) Year 1		(FY2024) Year 2		(FY2025) Year 3		(FY2026) Year 4		(FY2027) Year 5		Total
Personnel	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty <sup>1</sup>											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.0	\$0	0.0	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
<b>Operating</b>											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>	\$0		\$0		\$0		\$0		\$0		<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**  
**UNL Chromatography and Analytical Separations Graduate Certificate**

	(FY2023) Year 1	(FY2024) Year 2	(FY2025) Year 3	(FY2026) Year 4	(FY2027) Year 5	Total
Reallocation of Existing Funds						
Required New Public Funds						
1. State Funds						
2. Local Tax Funds (community colleges)						
Tuition and Fees <sup>1</sup>	\$2,046	\$8,022	\$10,068	\$10,068	\$10,068	\$40,272
Other Funding						
<b>Total Revenue</b>	<b>\$2,046</b>	<b>\$8,022</b>	<b>\$10,068</b>	<b>\$10,068</b>	<b>\$10,068</b>	<b>\$40,272</b>

<sup>1</sup> Tuition only. Estimated using cohorts of one part-time student/year, each taking two 3-credit hour courses/year and completing cycle within three years (steady state of three students thereafter). Tuition calculated assuming two resident students (\$341/credit hour) and one non-resident student (\$996/credit hour) in steady state enrollment.

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Expedited approval of the Financial Analytics Graduate Certificate in the Department of Finance in the College of Business at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report


PREVIOUS ACTION: October 5, 2017 – The Board approved the creation of the Master of Science (MS) in Business Analytics in the College of Business at UNL.  
  
November 14, 2013 – Expedited approval of the Business Analytics Graduate Certificate to be administered through Graduate Interdepartmental Business, Marketing, Management, and Economics in the College of Business Administration at UNL was reported to the Board.  
  
July 15, 2000 – The Board delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.  
  
June 9, 1962 – The Board approved the program leading to a Master of Business Administration (MBA) degree at UNL.

EXPLANATION: The proposed online 12-credit hour Financial Analytics Graduate Certificate is designed to provide students expertise in selecting and programing appropriate analytical models to model financial economics. In addition, the proposed curriculum will strengthen students' ability to interpret data to support financial decisions and understand the limitations of data analysis and/or data mining. Students who may be interested in this certificate include working professionals and those who are considering applying to the MBA degree. Current employment trends indicate that graduates with technology and finance skills are in extremely high demand, as companies are seeking trained specialists who have the skills to analyze data to help managers make better decisions. All coursework will partially satisfy requirements towards an MBA at UNL.  
  
This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty/staff resources will be required.)

SOURCE OF FUNDS: Not applicable

SPONSOR: Jeffrey P. Gold, MD  
Executive Vice President and Provost

APPROVED:   
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021



October 11, 2021

Jeff Gold, Executive Vice President and Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Jeff,

I am forwarding materials related to a proposal from the College of Business to create a new Graduate Certificate in Financial Analytics to be administered by the Department of Finance. The core courses are already established and part of the existing MBA program, qualifying it for expedited review. There are adequate existing resources, and sufficient number of qualified faculty available to support the certificate program. This graduate certificate is expected address a growing demand for expertise in the field.

The proposal has the approval of the Executive Vice Chancellor; Dean of Graduate Studies and the Graduate Council; Dean of the College of Business and faculty from the departments involved; and the Academic Planning Committee. I support this proposal and recommend it to you for approval.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Kathy Farrell, Dean, College of Business  
Debra Hope, Dean, Graduate College  
Richard DeFusco, Chair, Finance  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator, Academic Affairs  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Catherine Robertus, Executive Assistant



# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln
<b>Name of Proposed Graduate Certificate</b>
Financial Analytics
<b>Name of Program</b>
MBA
<b>Other Programs Offered in this Field by this Institution</b>
None
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
30.7104
<b>Subject Code</b>
FINA, SCMA
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Department of Finance
<b>All Units Participating in the Graduate Certificate</b>
Department of Finance; Department of Supply Chain Management and Analytics
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
Richard A. DeFusco; Emre Unlu; Jennifer Ryan
<b>Proposed Delivery Site</b>
Online
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input type="checkbox"/> On-campus only <input checked="" type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission.

## II. Details

### A. Description of Proposed Certificate Program

Analytics represents the science of discovering patterns in the data in order to predict and improve business performance under anticipated environmental, economic, and competitive settings. Firms are operating in an increasingly challenging business environment, with greater competition, more informed customers and rapidly changing market trends. But at the same time, they also have access to more information about their customers, the marketplace and their competitors than ever before. There has been an exponential growth in data generated from internal and external databases, customer transactions, click-stream data, online search, and social media, as well as geo-tracking data and consequently, firms, need to figure out how to best use this data. Therefore, it becomes important that all business professionals understand the data available to them and how to make use of it most effectively.

Students who may be interested in this graduate certificate include working professionals and those who are considering submitting an application to the Master of Business Administration (MBA) program offered by the College of Business. The certificate program allows for students to try out the relevant coursework and learning environment in a low-risk context before committing to an MBA degree. The credits earned during the financial analytics certificate program may be applied to eligible master's programs as the courses overlap with the curriculum of the MBA program and hence the certificate can serve as a gateway to the MBA program.

Four courses (12 credit hours) comprise this certificate; two courses are required and two are electives. These courses will emphasize the quantitative methods used in finance. Instruction will include statistical models used in finance, and programming languages used in financial modelling (R and Excel). The certificate in Financial Analytics will provide students with an improved set of skills in this area.

For example, in FINA 801 (Quantitative Methods in Finance) students learn how to use the program *R*. Applications in FINA 801 include statistical inference and data visualization of financial data; and all students have access to two of the most widely used databases in finance: (i) the University of Chicago's Center for Research in Security Prices daily stock price data, dating back to January 1926; and (ii) Standard and Poor's Compustat database of financial statements dating back to the early 1950s. Assignments in the finance electives in the certificate program can be easily adapted to use *R*. For example, in FINA 863 (Portfolio Management), students summarize historical stock return data and learn how to use this data to construct portfolios. While this analysis can be done in Excel, certificate students can use packages in *R*. In FINA 867 (Options, Futures and Other Derivative Securities) we can also use packages in *R* to simulate the payoff of option strategies; and in FINA 802 (Fixed Income) *R* can be used for the pricing of complex fixed income securities.

The Supply Chain Management and Analytics (SCMA) courses in business analytics have projects that involve the analysis of data, and students can use instructor provided data or their own data. We have talked to the instructors in the SCMA business analytics courses, and certificate students can use financial data for their course projects.

### B. Learning Outcomes

Upon completion of the Financial Analytics certificate, students will:

- Understand how programming languages can be used to model problems in financial economics
- Understand the limitations of data analysis and/or data mining
- Be able to select the correct modelling alternative for a given problem
- Be able to analyze and interpret data to support financial decisions

### C. Admission

All students seeking the certificate need to apply and pay the application fee.

Applicants must have a Bachelor's degree with a GPA of 3.0 or higher and have completed undergraduate Calculus (MATH 104, or equivalent) and Statistics (ECON 215, or equivalent). The GMAT (600) is required; however, it can be waived with significant industry experience.

### D. Certificate Program Curriculum

*Along with the table below, explain other requirements (fieldwork, capstone experience, etc.). For an expedited review, the certificate coursework must be a subset of allowable coursework for an existing program.*

COURSE NAME AND NUMBER	MBA CREDIT (# Credit Hours)	CERTIFICATE CREDIT (# Credit Hours)
<b>Required Courses for MBA Program</b>	<b>30 credit hours from required courses</b>	
GRBA 808 Intro to Business Strategy	3 (required)	
GRBA 809 Financial Accounting	3 (required)	
GRBA 811 Managerial Finance	3 (required)	
GRBA 812 Managerial Economics	3 (required)	
GRBA 813 Managerial Marketing	3 (required)	
GRBA 814 Applied Organizational Behavior	3 (required)	
GRBA815 Supply Chain Management Strategies	3 (required)	
GRBA 816 Human Resource Management	3 (required)	
GRBA 851 Business Analytics	3 (required)	
GRBA 853 Strategic Management and Business Policy	3 (required)	
Electives for MBA Program (MBA program offers a wide variety of electives; below we show only those financial analytics classes that count as electives for the Finance and Business Analytics Specializations)	18 elective credit hours required for MBA program	Four courses (2 required; 2 electives: 1 course in FINA; 1 course in SCMA) to be chosen from the following
FINA 801: Quantitative Methods in Finance	3	<b>3 (required)</b>
SCMA 851: Predictive Analytics	3	<b>3 (required)</b>
FINA 802: Fixed Income	3	3 (elective)
FINA 863: Portfolio Management	3	3 (elective)
FINA 867: Options and Futures	3	3 (elective)
SCMA 837: Risk and Simulation	3	3 (elective)
SCMA 853: Data Mining	3	3 (elective)
SCMA 854: Advanced Descriptive Analytics	3	3 (elective)
<b>Total Credit Hours Required for Program</b>	<b>48</b>	<b>12</b>

The certificate in Financial Analytics requires coursework in both finance and business analytics. The college currently has a graduate certificate program in Business Analytics and there could be a small or no overlap between coursework in the two programs. Specifically, the two required courses for the Business Analytics certificate (GRBA 851 and ECON 817) are not part of the Financial Analytics certificate, while Predictive Analytics (SCMA 851) is required for the Financial Analytics certificate and an elective for Business Analytics certificate. The three elective courses in Supply Chain Management and Analytics (SCMA 837, SMCA 853, SCMA 854) in the Financial Analytics certificate program are also elective courses in the Business Analytics certificate program.

All Graduate College policies will be followed for double counting of courses for degrees and certificate programs.

**E. Completion of Requirements**

Students will be advised by an advisor in the Business graduate programs office along with the Director of the Master of Science in Finance program.

**F. Evaluation of Program**

The certificate will be monitored via: (i) enrollment, (ii) student exit surveys, and (iii) post-graduation employment surveys to ensure that the program objectives are met and that the skills gained remain market relevant

**G. Impact on Other Units and Programs**

None anticipated as the courses are existing courses in the Departments of Finance and Supply Chain Management and Analytics.

**H. Impact on Course Subject Codes**

No new subject codes will be created, modified or deleted.

### III. Review Criteria

**A. Adequacy of Resources:**

1. Faculty/Staff

All courses for the proposed graduate certificate are available for students in the MBA program in the College of Business. As such, we do not envision any new faculty for this program. Existing staff in our Graduate Programs office will handle all admissions and some of the advising of certificate students.

2. Physical Facilities and Equipment

This program will be offered only online and therefore will not have any impact on classrooms and equipment in the College of Business

3. Instructional Equipment and Informational Resources

The certificate program will be fully supported by existing college resources. No new equipment is necessary. We will market this program alongside our existing online graduate degrees. There are adequate library resources to support the program.

4. Budget Projections

See the attached tables. Because all of the courses are also part of the online MBA program, the \$650 flat rate per credit hour will be used. Students in graduate certificate programs are not eligible for the active-duty military and veterans remission program.

No additional expenses are needed to support the program. Enrollment growth would be managed by more selective admissions. As a result, we do not plan on adding new sections.

Current capacities: FINA 801 (required for certificate) and FINA 802 (elective for certificate) has the capacity to support an additional twenty students. There is capacity between the other finance elective courses (FINA 863 and 867) to support twenty students. The other required certificate course, SCMA 851, is already being taught

twice per year and has the capacity for students in this certificate program. There is capacity between the other three elective analytics courses (SCMA 837, 853, and 854) to support the financial analytics certificate.

## **B. Evidence of Need and Demand**

Within the MBA program, student entrance surveys indicate that the most highly sought after elective courses are in the area of management and finance. As reported in the Financial Times, June 16, 2019 (<https://www.ft.com/content/6c7001ec-70e3-11e9-bf5c-6eeb837566c5>) graduates with tech and finance skills are in high demand. Employment in capital markets will likely decline, but there will be a shift in the profile of employees to those that can monitor advanced systems.

In such environments, knowing how to use this information to make optimal business decisions is a crucial competitive advantage, and companies are, consequently, looking for trained specialists who have the skills to analyze the data to help managers make better decisions. In a recent report, PricewaterhouseCoopers (PwC) estimates that there will be more than 2.7 million job postings in data science and analytics in 2020.<sup>1</sup>

According to the U. S. Bureau of Labor Statistics, the field of analytics is seeing demand exceeding the supply of talent. It predicts that there will be a 20 percent increase in demand for professionals with marketing research analysis skills from 2018 to 2028, much faster than the average for all occupations and this growth will be driven by increased use of data and market research across many industries.<sup>2</sup> Consistent with the above, McKinsey Global Institute forecasts there will be a shortage of talent necessary for organizations to take advantage of Big Data. In the short term, the United States alone could face a shortage of around 250,000 data scientists with deep analytical skills as well as 1.5 million managers and analysts with the know-how to use the analysis of big data to make effective decisions.<sup>3</sup> This underlies the focus on analytics and the focus on employees who create and use these methods as essential for creating value from an industry perspective.

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<sup>1</sup> <https://www.pwc.com/us/en/library/data-science-and-analytics.html>

<sup>2</sup> <https://www.bls.gov/ooh/business-and-financial/market-research-analysts.htm>

<sup>3</sup> McKinsey Global Report on “The Age of Analytics: Competing in a Data-driven World”. Accessed at <https://www.mckinsey.com/~media/McKinsey/Business%20Functions/McKinsey%20Analytics/Our%20Insights/The%20Age%20of%20analytics%20Competing%20in%20a%20data%20driven%20world/MGI-The-Age-of-Analytics-Full-report.ashx>

**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**

**UNL Financial Analytics Graduate Certificate**

	(FY2023) Year 1		(FY2024) Year 2		(FY2025) Year 3		(FY2026) Year 4		(FY2027) Year 5		Total
Personnel	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty <sup>1</sup>											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.0	\$0	0.0	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
Operating											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>		\$0		\$0		\$0		\$0		\$0	<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**

**UNL Financial Analytics Graduate Certificate**

	(FY2023) Year 1	(FY2024) Year 2	(FY2025) Year 3	(FY2026) Year 4	(FY2027) Year 5	Total
Reallocation of Existing Funds						
Required New Public Funds						
1. State Funds						
2. Local Tax Funds (community colleges)						
Tuition and Fees <sup>1</sup>	\$78,000	\$117,000	\$156,000	\$156,000	\$156,000	\$663,000
Other Funding						
<b>Total Revenue</b>	<b>\$78,000</b>	<b>\$117,000</b>	<b>\$156,000</b>	<b>\$156,000</b>	<b>\$156,000</b>	<b>\$663,000</b>

<sup>1</sup> Tuition only per enrollment schedule below.

Revenue Projections Based on Following Assumptions	
Year	Enrollment
2023	10
2024	15
2025	20
2026	20
2027	20
Credit Hours per Student per Year	12
Tuition Per Credit Hour	\$650
Gross Revenue Generated	
2023	\$78,000
2024	\$117,000
2025	\$156,000
2026	\$156,000
2027	\$156,000

TO: The Board of Regents  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Expedited approval of the Sales Excellence Graduate Certificate in the Department of Marketing in the College of Business at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report

PREVIOUS ACTION: February 12, 2021 – Expedited approval of the Marketing Analytics Graduate Certificate and the Strategic Marketing Graduate Certificate in the Department of Marketing in the College of Business at UNL were reported to the Board.

July 15, 2000 – The Board delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

June 9, 1962 – The Board approved the program leading to a Master of Business Administration (MBA) degree at UNL.


EXPLANATION: The proposed online 12-credit hour Sales Excellence Graduate Certificate is designed to provide students expertise in understanding the sales process, learning how to negotiate, using analytic data techniques to make informed decisions, and understanding how to serve as a leader. Given the ubiquitous importance and need for sales-skills across many professions, students who may be interested in this certificate include working professionals, students in or considering applying to the MBA degree, and other non-College of Business University of Nebraska graduate students. All coursework will partially satisfy requirements towards an MBA at UNL.

This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty/staff resources will be required.)

SOURCE OF FUNDS: Not applicable

SPONSOR: Jeffrey P. Gold, MD  
Executive Vice President and Provost

APPROVED:   
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021



October 11, 2021

Jeff Gold, Executive Vice President and Provost  
University of Nebraska  
3835 Holdrege Street  
Lincoln, NE 68583-0743

Dear Jeff,

I am forwarding materials related to a proposal from the College of Business to create a new Graduate Certificate in Sales Excellence to be administered by the Department of Marketing. The core courses are already established and part of the existing MBA program, qualifying it for expedited review. There are adequate existing resources, and sufficient number of qualified faculty available to support the certificate program. This graduate certificate is expected to attract current students and professionals in the field, as well as working professionals considering applying to the MBA program.

The proposal has the approval of the Executive Vice Chancellor; Dean of Graduate Studies and the Graduate Council; Dean of the College of Business; and the Academic Planning Committee. I support this proposal and recommend it to you for approval.

Sincerely,

Ronnie D. Green, Ph.D.  
Chancellor

c: Frauke Hachtmann, Chair, Academic Planning Committee  
Elizabeth Spiller, Executive Vice Chancellor  
Kathy Farrell, Dean, College of Business  
Debra Hope, Dean, Graduate College  
Ravipreet Sohi, Chairperson, Marketing  
Mike Zeleny, Associate to the Chancellor  
Renee Batman, Assistant Vice Chancellor, Academic Affairs  
Suzi Tamerius, Project Coordinator, Academic Affairs  
Karen Griffin, Coordinator of Faculty Governance  
David Jackson, Vice Provost  
Catherine Robertus, Executive Assistant



# University of Nebraska-Lincoln

## New Graduate Certificate

### I. Descriptive Information

<b>Name of Institution Proposing Graduate Certificate</b>
University of Nebraska-Lincoln
<b>Name of Proposed Graduate Certificate</b>
Sales Excellence
<b>Name of Program</b>
MBA
<b>Other Programs Offered in this Field by this Institution</b>
Undergraduate major and minor in Marketing; Graduate Certificate in Strategic Marketing; Graduate Certificate in Marketing Analytics.
<b>CIP Code</b> <i>[IEA can help with CIP codes or browse here: <a href="http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55">http://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55</a>]</i>
52.1804 (Selling Skills and Sales Operations)
<b>Subject Code</b>
MRKT
<b>Primary Administrative Unit for the Proposed Graduate Certificate</b>
Department of Marketing
<b>All Units Participating in the Graduate Certificate</b>
Department of Marketing
<b>List of Faculty Members who will Serve on Certificate Advisory Committee</b>
Chair of the Department of Marketing (currently Ravi Sohi); Members of the Departmental Graduate Committee (currently Amit Saini, Alok Kumar, S. Sajeesh); Executive Director and Graduate Faculty Fellows in the Center for Sales Excellence.
<b>Proposed Delivery Site</b>
University of Nebraska-Lincoln
<b>Graduate Certificate will be offered</b> <i>[full program, not individual courses]</i>
<input type="checkbox"/> On-campus only <input checked="" type="checkbox"/> Distance only <input type="checkbox"/> Both (on-campus and distance)
<b>Graduate Certificate will be Offered to</b>
<input type="checkbox"/> UNL degree seeking <input type="checkbox"/> UNL non-degree seeking <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other (please explain)
<b>Date Approved by the Governing Board</b>
Pending
<b>Proposed Date the New Graduate Certificate will be Initiated</b>
When approved by the Coordinating Commission.

## II. Details

### A. Description of Proposed Certificate Program

Sales is an important component of most jobs in the business domain and even some non-business fields. Understanding the sales process, learning how to negotiate, using analytic data techniques to make informed decisions, and understanding how to serve as a leader, are extremely important for most jobs, especially those related to sales and sales management.

Four courses (12 credit hours) comprise this certificate; one course is required, and three are electives. These courses will help students understand the cutting-edge concepts dealing with sales and sales management and provide them with the necessary skills and tools to engage in revenue-generating activities for their company or unit. The certificate will also benefit working professionals, especially those in sales and sales management positions, who want to learn about the sales process, negotiating, data-driven decision-making, and sales-leadership.

The specific target market segments for this program are (1) the existing population of Master of Business Administration (MBA) students; (2) other University of Nebraska (NU) graduate students; (3) working sales professionals and managers who have a bachelor's degree and are looking to further education and credentials in selling and sales leadership, without having to enroll in a full degree program; and (4) working professionals who are considering applying to the MBA program offered by the College of Business but would first like to try out the relevant coursework and learning environment in a low-risk context before committing to an MBA degree. Since the credits could be applied to a graduate degree, the certificate can provide a gateway to the MBA program.

### B. Learning Outcomes

Upon completion of the Sales Excellence certificate, students will have gained knowledge and skills in the following areas:

- An understanding of the consultative selling process, including the sales call dynamics, identifying customer needs, developing solutions, building customer relationships, and the tools and technologies that facilitate the sales process.
- Learning to negotiate in a variety of business and non-business settings.
- Understanding how analytical techniques and quantitative models can enhance decision-making by converting data and information to insights and decisions.
- Strategic and operational aspects of sales leadership including, successfully managing the sales force, developing sales forecasts, setting quotas and budgets, structuring the sales force, managing sales territories, hiring, training, and leading salespeople, developing effective compensation and incentive systems, evaluating the performance of salespeople, and analyzing the units sales volume, cost, and profitability.

### C. Admission

All students seeking the certificate need to apply and pay the application fee.

MBA students wishing to pursue the certificate will not be subject to additional screening. Non-MBA graduate students and working professionals seeking the certificate will be reviewed by a faculty committee based on several criteria, including:

- Letter of interest
- Professional resume
- GPA
- Transcripts
- Three references

We will review these candidates holistically, but we expect the students to have completed a bachelor's degree with a GPA of 3.0 or higher. Students with less than a 3.0 GPA but who have five-plus years of professional experience will also be considered for the certificate program.

#### **D. Certificate Program Curriculum**

The certificate entails completion of four courses (12 credit hours) – one required course (GRBA813 – Managerial Marketing), plus three electives chosen from a list of four approved courses (MRKT 850 – Data-Driven Marketing Strategy, MRKT 857 – Consultative Selling, MRKT 858 – Sales Leadership, MRKT 859 – Managerial Negotiations). All these courses are either required or electives for the MBA program offered by the College of Business, as indicated in the table below. They do not have any pre-requisites.

<b>COURSE NAME AND NUMBER</b>	<b>MBA CREDIT (# Credit Hours)</b>	<b>CERTIFICATE CREDIT (# Credit Hours)</b>
<b>Required Courses for MBA Program</b>	<b>30 credit hours from required courses</b>	<b>One required course (3 credit hours)</b>
GRBA 808 Intro to Business Strategy	3 (required)	
GRBA 809 Financial Accounting	3 (required)	
GRBA 811 Managerial Finance	3 (required)	
GRBA 812 Managerial Economics	3 (required)	
GRBA 813 Managerial Marketing	3 (required)	3 (required)
GRBA 814 Applied Organizational Behavior	3 (required)	
GRBA815 Supply Chain Management Strategies	3 (required)	
GRBA 816 Human Resource Management	3 (required)	
GRBA 851 Business Analytics	3 (required)	
GRBA 853 Strategic Management and Business Policy	3 (required)	

<b>Electives for MBA Program</b>	<b>18 elective credit hours required for MBA program</b>	<b>Three elective courses (9 credit hours) to be chosen from the following</b>
MRKT 821: Applied Marketing Research	3	
MRKT 822: Survey of Buyer Behavior	3	
MRKT 826: Services Marketing	3	
MRKT 828: Sports Marketing	3	
MRKT 830: Strategic Issues and Marketing Communication	3	
MRKT 835 Marketing Channels of Distribution	3	
MRKT 841 Digital Marketing and Electronic Commerce	3	
MRKT 850 Data-Driven Marketing Strategy	3	3 (elective)
MRKT 855 Marketing and Globalization	3	
MRKT 857 Consultative Selling	3	3 (elective)
MRKT 858 Sales Leadership	3	3 (elective)
MRKT 859 Managerial Negotiations	3	3 (elective)
<b>Total Credit Hours Required for Program</b>	<b>48</b>	<b>12</b>

MRKT 857, MRKT 858, and MRKT 859 are unique to the Sales Excellence certificate and do not count toward any other certificate currently being offered by the College of Business. This includes the Certificate in Strategic Marketing, the Certificate in Marketing Analytics, and all the non-marketing certificates being offered by the College of Business. MRKT 850 is one of the electives for the Marketing Analytics certificate. However, it will not double count. If a student chooses to count it toward the Marketing Analytics certificate, he/she will need to take the remaining three electives (MRKT 857, MRKT 858, and MRKT 859) to earn the Sales Excellence certificate.

#### **E. Completion of Requirements**

The College of Business Graduate Programs office will review the student's plan of study and Memorandum of Courses (MOC) to ensure adequate progress toward the certificate. The Certificate Advisory Committee will serve in an advisory capacity to the program. All members of that committee are full-time faculty in the Marketing Department.

## **F. Evaluation of Program**

The certificate will be monitored through (1) enrollments; (2) student exit surveys; and (3) post-graduation employment surveys. The program will be monitored to ensure that the program objectives are met and that the skills gained remain market relevant. Also, assurance of learning data is regularly collected in GRBA813 for accreditation of the MBA program. This data will be routinely monitored for students enrolled in the Sales Excellence certificate program.

## **G. Impact on Other Units and Programs**

None anticipated as the courses are existing courses offered by the Department of Marketing.

## **H. Impact on Course Subject Codes**

No subject codes will be created, modified, or deleted.

# **III. Review Criteria**

## **A. Adequacy of Resources:**

### **1. Faculty/Staff**

The marketing courses included in this proposed certificate program are currently offered as a part of the MBA program. Consequently, the proposed certificate program will not require any new faculty. Any additional growth in the MBA program and/or this certificate program beyond the proposed capacity likely will require additional sections of these courses. Currently, the enrollment cap for GRBA 813 is 49 students; for the other courses, it is 39 students each. Additional sections of a course will be offered after a course reaches maximum capacity. The College of Business will allow these additional sections to be taught by Graduate Faculty, provided there is a minimum enrollment of 15 in that section. The College of Business pays \$11,000 as overload pay to the instructor, and with a 30% addition for benefits, the total cost of the additional section would be \$14,300. At the current tuition rate of \$650/credit hour, approximately eight students need to be enrolled in the course to break-even. The enrollment currently predicted over five years (see Table 2 in the Budget Table Revenue Excel sheet), can be supported with current teaching capacity. Existing staff in the Business Graduate Programs office will handle all admissions and advising of certificate students. No additional staff will be needed.

### **2. Physical Facilities and Equipment**

This program will be offered only online and therefore will not have any impact on classrooms and equipment in the College of Business

### **3. Instructional Equipment and Informational Resources**

The certificate program will be fully supported by existing college resources. No new equipment is necessary. We will market this program alongside our existing online graduate degrees. There are adequate library resources to support the program.

### **4. Budget Projections [include Table 1 and Table 2]**

See the attached tables. Because all of the courses are also part of the online MBA program, the \$650 flat rate per credit hour will be used. Table 2 shows the estimated enrollments and revenue.

No additional expenses are needed to support the program, and this is shown as a \$0 figure in Table 1. Students in graduate certificate programs are not eligible for the active duty military and veterans remission program.

## **B. Evidence of Need and Demand**

Since this is an online certificate, the potential market for the certificate is national and even global. While several universities offer sales programs, their focus is primarily at the undergraduate level or in executive education programs. According to the statistics reported by the Sales Education Foundation (SEF)<sup>1</sup>, only 13 universities in the United States offer Master's level sales classes. Of these, only three offer a graduate certificate in sales – Ball State University, University of Houston, and University of Toledo. Our distinctive advantage is that we can capitalize on our standing as a Big Ten university to compete in this graduate space and attract students from our target segments to enroll in the certificate courses. The perceived value of our course offerings based on the cost/credit hour, coupled with UNL's reputation, has been a critical driver in the growth of our MBA classes that form the basis for the certificate. Our budget projections are based on estimated enrollments of a minimum of 15 students. Given the program's national/global reach, this is a conservative number, and we do not see any problem in reaching this figure.

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<sup>1</sup> Top Universities for Professional Sales Education, published by Sales Education Foundation, Issue 14, 2020.

**TABLE 1: PROJECTED EXPENSES - NEW INSTRUCTIONAL PROGRAM**

**UNL Sales Excellence Graduate Certificate**

	(FY2023) Year 1		(FY2024) Year 2		(FY2025) Year 3		(FY2026) Year 4		(FY2027) Year 5		Total
Personnel	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	Cost
Faculty <sup>1</sup>											\$0
Professional											
Graduate Assistants											
Support Staff											
Benefits											
Subtotal	0.0	\$0	0.0	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0
Operating											
Operating and Supplies											
Equipment											
Library/Information Resources											
Subtotal											\$0
<b>Total Expenses</b>		\$0		\$0		\$0		\$0		\$0	<b>\$0</b>

**TABLE 2: PROJECTED REVENUES - NEW INSTRUCTIONAL PROGRAM**

**UNL Sales Excellence Graduate Certificate**

	(FY2023) Year 1	(FY2024) Year 2	(FY2025) Year 3	(FY2026) Year 4	(FY2027) Year 5	Total
Reallocation of Existing Funds						
Required New Public Funds						
1. State Funds						
2. Local Tax Funds (community colleges)						
Tuition and Fees <sup>1</sup>	\$117,000	\$156,000	\$156,000	\$195,000	\$195,000	\$819,000
Other Funding						
<b>Total Revenue</b>	<b>\$117,000</b>	<b>\$156,000</b>	<b>\$156,000</b>	<b>\$195,000</b>	<b>\$195,000</b>	<b>\$819,000</b>

<sup>1</sup> Tuition only per enrollment schedule below.

Revenue Projections Based on Following Assumptions	
Year	Enrollment
2023	15
2024	20
2025	20
2026	25
2027	25
Credit Hours per Student per Year	12
Tuition Per Credit Hour	\$650
Gross Revenue Generated	
2023	\$117,000
2024	\$156,000
2025	\$156,000
2026	\$195,000
2027	\$195,000

TO: The Board of Regents  
Business and Finance Committee

MEETING DATE: December 3, 2021

RECOMMENDED ACTION: Report

SUBJECT: Report on the Othmer-Topp Endowment Fund, second priority uses, for the fiscal year ended June 30, 2021

PREVIOUS ACTION: December 4, 2020 – Report on the Othmer-Topp Endowment Fund, second priority uses, for the fiscal year ended June 30, 2020.

EXPLANATION: A report of uses of the Othmer-Topp Endowment Fund is required by the Board of Regents Policy 6.6.11. The following report is for fiscal years 2020 and 2021.

Description	12-Months Ended 06/30/2021	12-Months Ended 06/30/2020
<b>First Priority Expenditures</b>		
Othmer Professorship of Chemical Engineering	\$ 0	\$ 0
Mortgage Payment (Othmer Hall & Law Library)	2,434,500	2,434,500
Subtotal	2,434,500	2,434,500
<b>Second Priority Expenditures</b>		
(a) Campus-wide graduate fellowships	\$ 618,124	\$ 672,603
(b) Distinguished Professorships	469,787	307,211
NEH Regional Humanities Center match	68,398	81,124
Academic Improvement Fund		
Sheldon Museum Director's Travel Funds	717	8,406
Clifton Strengths Institute Start-Up Funds	34,027	66,175
State Museum 4 <sup>th</sup> Floor Project	1,660	46,232
UNL Honors Relocation	0	-79,804
CY Thompson	321,789	0
Subtotal	1,514,503	1,101,946
<b>Costs of Operating the Endowment</b>		
Management fees to University of Nebraska Foundation as relevant to this report	\$3,183,892	\$3,226,831
Subtotal	3,183,892	3,226,831
<b>Total</b>	<b>\$7,132,894</b>	<b>\$6,763,277</b>

- (a) In FY 2020-21, fellowships were newly awarded to 54 students from 26 different departments. There were 83 returning students for a total of 137 fellowships. Either a \$4,000 or an \$8,000 stipend is paid to supplement a departmental graduate teaching or research assistantship. The program remains at full implementation budgeted at \$750,000 annually.



- (b) *In FY 2020-21, there were 25 Othmer chairs and professorships. Each requires an Endowed match and can only be awarded to attract a new faculty member to the campus.*

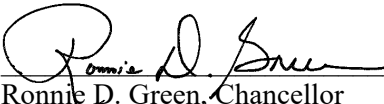
Continued funding of and implementation of current and future projects is dependent on the performance of the endowment. Future use of the Othmer-Topp endowment funds will continue to follow the principles that were set forth in prior years' reports.

This item has been reviewed by the Business and Finance Committee.

SPONSOR:

William J. Nunez  
Vice Chancellor for Business and Finance

APPROVED:

  
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE:

November 5, 2021

TO: The Board of Regents  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Naming of selected spaces within the Rod Rhoden Business Innovation Center in Mammel Hall at University of Nebraska at Omaha (UNO)

RECOMMENDED ACTION: Approve the naming of selected spaces within the Rod Rhoden Business Innovation Center in Mammel Hall, at UNO, pursuant to the Board of Regents Policy RP-6.2.7.3.b.

PREVIOUS ACTION: None

EXPLANATION: President Carter and Chancellor Li have approved the naming of suites within the Rod Rhoden Business Innovation Center in Mammel Hall.  
Donor: John Stirek  
Description: Classroom on the second floor  
Naming: John and Gwendolyn Stirek Classroom

Donor: Deloitte Employees and Deloitte Foundation  
Description: Classroom on the third floor  
Naming: Deloitte Classroom

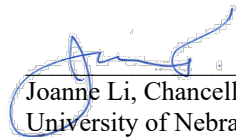
Donor: Deloitte Employees and Deloitte Foundation  
Description: Open study space on the third floor  
Naming: Deloitte Student Study Space


Donor: Pettengill Estate  
Description: Open study space on the second floor  
Naming: Virginia R. Pettengill Study Space

With the naming of these areas as stated above, the Board of Regents expresses its deepest gratitude and appreciation for the Donors' generous support to the University of Nebraska and UNO.

Under the Board of Regents Policy RP-6.2.7.3.b. the naming of a room or a small cluster of rooms or a small campus feature such as a garden, footbridge, or landscaped area in honor of an individual, a family, or an organization shall be approved by the Chancellor responsible for such a Facility and the President. Such naming shall be reported to the Board of Regents.

SPONSOR: Douglas A. Ewald  
Vice Chancellor for Business, Finance and Business Development

RECOMMENDED:   
Joanne Li, Chancellor  
University of Nebraska at Omaha

  
Walter E. Carter, President  
University of Nebraska

DATE: November 5, 2021

TO: The Board of Regents

Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Report of Bids and Contracts

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: The attached report is a summary of bids and contracts as provided by the campuses pursuant to Section 6.4 of the *Bylaws of the Board of Regents of the University of Nebraska* for the period ended October 15, 2021.

The report outlines the following: type of action; campus; description and use of the product, service, or project; funding source; approved budget amount; contract amount; contractor or vendor; and a bid review or bid explanation if the low responsible bid was not accepted.

APPROVED:



Chris J. Kabourek

Vice President for Business and Finance | CFO

DATE: November 5, 2021

Contracts over \$1,000,000 Aug 7, 2021 to Oct 15, 2021  
 NU Facilities, Planning and Capital Programs (UNK, UNL, UNMC, UNO)  
 Business and Finance Report – Bids and Contracts

Type of Action	Campus	Description	Funding Source	Approved Budget Amount*	Contract Amount	Contractor / Vendor	Bid Review or Explanation
Construction	UNK	University Village Central Green	Private, Plant	1,477,000	1,477,000	MCL Construction	Low Bid Construction
Construction	UNK	Cope Stadium (K038) 2 <sup>nd</sup> Floor Renovation	Private, Cash	1,250,000	1,234,900	Central Contracting Corporation	Low Bid Construction
Construction	UNL	Update Card Access Controls (Multiple Buildings)	State (LB384)	1,500,000	1,019,351.60	Inteconnect, Inc.	Low Bid Vendor
Construction	UNL	Kiewit Hall (C247) New College of Engineering Building	Private	88,162,998	14,718,711	Kiewit Building Group, Inc.	CMR GMP**
Software Provider	Office of the President & UNMC	Project Management System	Revolving	1,630,930	1,630,930	Kahua, Inc.	Public Bid Software

\*Approved budget amount represents the entirety of the applicable budget lines.

\*\* GMP = Guaranteed Maximum Price; entry is a GMP amendment to a prior contract.

TO: The Board of Regents  
Business and Finance Committee

MEETING DATE: December 3, 2021

SUBJECT: Quarterly Status of Capital Construction Projects

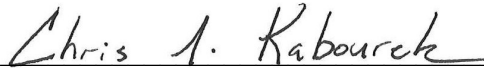
RECOMMENDED ACTION: Report

EXPLANATION: This is a summary report of projects included in the Quarterly Capital Construction Report required by state statute. Inclusion in the report commences with Board of Regents approval and ends one year following substantial completion.

The report fulfills the requirements of R.P.6.3.6.2.e and R.P. 6.3.6.4 and contains the campus and project name, designer and contractor, contracting method, contract status, stage of construction, and approved budget categories for the period ending September 30, 2021.

The report is available at:  
<https://nebraska.edu/-/media/projects/unca/offices-policies/business-and-finance-office/docs/facilities/reports/2020-09-30quarterlystatusofcapitalconstructionprojects.pdf?la=en>

SPONSOR: Ryan Swanson  
Associate Vice President for Facilities, Planning and Capital Programs

RECOMMENDED:   
Chris Kabourek  
Vice President for Business and Finance | CFO

DATE: November 5, 2021

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

KEARNEY

New Fraternity and Sorority Life (FSL) Housing

BoR Schedule Dates		Contracts						Approved Budget		
Project Approved:	2/12/2021	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$22,537,000
Construction Start:	7/31/2021		BWBR Architects Inc.	7/21/2021	\$1,949,250			A/E Consultant Selection	Non Construction:	\$4,109,000
Construction End Date:	12/31/2022	6/30/2022	Sampson Construction Co., Inc.	7/6/2021	\$524,285			CM at Risk	Total Project Cost:	\$26,646,000
Phase:	Construction Documents/Construction								% funds expended:	7%
Funding Source										
									Campus Funds	\$26,646,000
									Total Funding	\$26,646,000

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

LINCOLN											
Barkley Memorial Center Expansion and Renovation (2019)											
BoR Schedule Dates		Contracts							Approved Budget		
Project Approved:	12/6/2019	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$8,205,800	
Construction Start:	5/31/2020		Alley Poyner Macchietto	3/10/2020	\$615,450	1	\$18,000	A/E Four Year Consultant	Non Construction:	\$1,794,200	
Construction End Date:	6/30/2022	5/11/2022	BECKENHAUER CONSTRUCTION	7/9/2020	\$7,047,686	2	\$25,760	CM at Risk	Total Project Cost:	\$10,000,000	
Phase:	Construction									% funds expended:	36%
Funding Source											
									Private/Trust	\$10,000,000	
									Total Funding	\$10,000,000	

Dinsdale Family Learning Commons (CY Thompson)											
BoR Schedule Dates		Contracts							Approved Budget		
Project Approved:	9/19/2014	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$16,877,000	
Construction Start:	7/31/2019		DLR Group Inc.	2/11/2015	\$1,260,000	4	\$159,560	A/E Consultant Selection	Non Construction:	\$5,623,000	
Construction End Date:	11/30/2020	12/11/2020	Sampson Construction Co., Inc.	8/26/2019	\$15,779,000	11	(\$964,704)	Low Responsible Bid	Total Project Cost:	\$22,500,000	
Phase:	Warranty									% funds expended:	90%
Funding Source											
									Private/Trust	\$19,507,982	
									Campus Funds	\$2,992,018	
									Total Funding	\$22,500,000	

College of Law Schmid Law Library Renovation											
BoR Schedule Dates									Approved Budget		
Project Approved:	12/4/2020	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$4,240,000	
Construction Start:	5/31/2021		Alvine & Assoc	2/23/2021	\$404,000			A/E Four Year Consultant	Non Construction:	\$1,760,000	
Construction End Date:	5/31/2022	5/31/2022	Sampson Construction Co., Inc.	4/22/2021	\$582,039			CM at Risk	Total Project Cost:	\$6,000,000	
Phase:	Construction									% funds expended:	15%
Funding Source											
									Private/Trust	\$6,000,000	
									Total Funding	\$6,000,000	

Hamilton Hall 3rd Floor North Renovation											
BoR Schedule Dates		Contracts							Approved Budget		
Project Approved:	12/4/2018	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$2,838,000	
Construction Start:	12/31/2019		Clark & Enersen, Inc.	5/21/2019	\$243,000			A/E Four Year Consultant	Non Construction:	\$562,000	
Construction End Date:	8/31/2020	8/22/2021	Cheever Construction Company	12/17/2019	\$2,103,000	5	\$105,160	Low Responsible Bid	Total Project Cost:	\$3,400,000	
Phase:	Warranty									% funds expended:	87%
Funding Source											
									Cash	\$3,400,000	
									Total Funding	\$3,400,000	

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

LINCOLN									
Kiewit Hall, Phase 2 College of Engineering Building									
BoR Schedule Dates		Contracts							
Project Approved:	10/25/2019	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	3/31/2021		Clark & Enersen, Inc.	5/13/2020	\$5,700,000	2	\$402,400	A/E Consultant Selection	Construction: \$97,852,100
Construction End Date:	6/30/2023	6/1/2023	Kiewit Bldg Group Inc	10/19/2020	\$9,476,255	1	\$325,859	CM at Risk	Non Construction: \$17,147,900
Phase: Design Development/ Construction									Total Project Cost: \$115,000,000
									% funds expended: 8%
Funding Source									
									Private/Trust \$115,000,000
									Total Funding \$115,000,000

Life Sciences Annex Gnotobiotic Vivarium Addition									
BoR Schedule Dates		Contracts							
Project Approved:	12/4/2018	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	8/31/2019		Clark & Enersen, Inc.	2/6/2019	\$274,000			A/E Four Year Consultant	Construction: \$4,159,000
Construction End Date:	7/31/2020	10/1/2020	Cheever Construction Company	8/29/2019	\$3,609,000	10	\$122,682	Low Responsible Bid	Non Construction: \$841,000
Phase: Warranty									Total Project Cost: \$5,000,000
									% funds expended: 99%
Funding Source									
									Private/Trust \$5,000,000
									Total Funding \$5,000,000

Mabel Lee Hall Replacement Building (LB957)									
BoR Schedule Dates		Contracts							
Project Approved:	6/1/2017	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	1/31/2020		Sinclair, Hille & Associates, Inc.	10/12/2017	\$2,450,000	2	\$316,976	A/E Consultant Selection	Construction: \$36,450,000
Construction End Date:	11/30/2021	5/16/2022	Hausmann Construction, Inc.	2/4/2020	\$28,541,600	6	\$272,299	Low Responsible Bid	Non Construction: \$9,550,000
Phase: Construction									Total Project Cost: \$46,000,000
									% funds expended: 45%
Funding Source									
									Private/Trust \$6,000,000
									State Appropriations \$40,000,000
									Total Funding \$46,000,000



University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

LINCOLN									
Nebraska East Union Renovation									
BoR Schedule Dates		Contracts							
Project Approved:	10/19/2017	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	10/31/2018		RDG Schutte Wilsam Birge Inc.	3/21/2018	\$1,510,000	2	\$238,000	A/E Consultant Selection	Construction: \$24,086,000
Construction End Date:	8/31/2020	9/1/2020	Hausmann Construction, Inc.	3/15/2018	\$21,580,881	8	\$934,453	CM at Risk	Non Construction: \$4,509,000
Phase:	Warranty								Total Project Cost: \$28,595,000
									% funds expended: 98%
									Funding Source
									Campus Funds \$8,600,000
									Auxiliary \$1,100,000
									Campus Funds \$1,995,000
									Revenue Bonds \$16,900,000
									Total Funding \$28,595,000

Nebraska Hall (LB957) East Enterprise Technology Services and Data Solutions Renovation									
BoR Schedule Dates		Contracts							
Project Approved:	2/7/2020	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	6/30/2020		Clark & Enersen, Inc.	3/11/2020	\$234,000	1	\$9,530	A/E Four Year Consultant	Construction: \$3,276,000
Construction End Date:	11/30/2020	2/19/2021	Sampson Construction Co., Inc.	8/26/2020	\$2,055,000	8	\$318,202	Low Responsible Bid	Non Construction: \$1,824,000
Phase:	Warranty								Total Project Cost: \$5,100,000
									% funds expended: 86%
									Funding Source
									Campus Funds \$5,100,000
									Total Funding \$5,100,000

North Stadium Expansion (2019)									
BoR Schedule Dates		Contracts							
Project Approved:	10/25/2019	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Approved Budget
Construction Start:	4/30/2021		Bahr Vermeer & Haecker	6/23/2020	\$9,282,700	2	\$513,400	A/E Consultant Selection	Construction: \$121,868,000
Construction End Date:	7/31/2023	7/14/2023	Hausmann Construction, Inc.	6/26/2020	\$104,260,000			CM at Risk	Non Construction: \$33,132,000
Phase:	Construction								Total Project Cost: \$155,000,000
									% funds expended: 9%
									Funding Source
									Revenue Bonds \$50,000,000
									Private/Trust \$105,000,000
									Total Funding \$155,000,000

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

LINCOLN										
Outdoor Track Replacement										
BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	2/7/2020	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$13,865,000
Construction Start:	3/31/2020		Clark & Enersen, Inc.	11/5/2019	\$675,000	1	\$129,000	A/E Four Year Consultant	Non Construction:	\$2,635,000
Construction End Date:	3/31/2021	1/1/2021	Nemaha Landscape Const.	10/27/2020	\$263,000	2	\$60,725	Low Responsible Bid	Total Project Cost:	\$16,500,000
Phase: Construction		1/17/2022	Nemaha Landscape Const.	2/3/2021	\$1,816,750	2	(\$681,175)	Low Responsible Bid	% funds expended:	42%
		3/26/2022	Nemaha Landscape Const.	5/4/2021	\$7,299,210	2	(\$46,119)	Low Responsible Bid	Funding Source	
									Private/Trust	\$16,500,000
									Total Funding	\$16,500,000

Scott Engineering Center Renovation & Link Replacement (LB957)

BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	8/3/2018	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$67,075,000
Construction Start:	6/30/2019		RDG Schutte Wilscam Birge Inc.	12/11/2018	\$5,651,000	2	\$36,000	A/E Consultant Selection	Non Construction:	\$10,381,000
Construction End Date:	9/30/2022	1/24/2023	Hausmann Construction, Inc.	12/12/2018	\$61,134,918	9	\$193,603	CM at Risk	Total Project Cost:	\$77,456,000
Phase:	Construction								% funds expended:	58%
									Funding Source	
									Private/Trust	\$5,456,000
									State Appropriations	\$72,000,000
									Total Funding	\$77,456,000

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

MEDICAL CENTER

Durham Outpatient Center Dentistry Clinic Expansion

BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	8/3/2018	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$2,249,000
Construction Start:			Schemmer Associates, Inc.	1/9/2018	\$82,560			A/E Four Year Consultant	Non Construction:	\$323,749
Construction End Date:	8/8/2020		Meyers-Carlisle-Leapley Const.	3/13/2019	\$1,015,400	1	\$158,519	Low Responsible Bid	Total Project Cost:	\$2,625,574
Phase:	Warranty		Patterson Dental Supply, Inc.	11/6/2018	\$631,275			Sole Source	% funds expended:	93%
									Funding Source	
									Campus Funds	\$2,625,574
									Total Funding	\$2,625,574

Munroe-Meyer Institute Facility Replacement (LB957) On UNO Scott Campus

BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	10/25/2019	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$46,398,688
Construction Start:	6/12/2019		Altus Architectural Studios	9/13/2018	\$2,389,932	3	\$871,818	A/E Consultant Selection	Non Construction:	\$44,686,522
Construction End Date:	1/27/2021	1/27/2021	Meyers-Carlisle-Leapley Const.	11/15/2019	\$40,233,600	10	\$2,436,818	CM at Risk	Total Project Cost:	\$91,085,210
Phase:	Construction								% funds expended:	97%
									Funding Source	
									Private/Trust	\$73,585,210
									State Appropriations	\$10,000,000
									Auxiliary	\$5,000,000
									Campus Funds	\$2,500,000
									Total Funding	\$91,085,210

Williams Science Hall Renovation (LB957)

BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	6/1/2017	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$10,432,000
Construction Start:	5/20/2019		RDG Planning & Design	10/2/2017	\$602,000	3	\$197,000	A/E Consultant Selection	Non Construction:	\$2,241,300
Construction End Date:	3/31/2021	3/31/2021	Meco-Henne Contractors, Inc.	12/4/2019	\$9,321,000	7	\$330,955	Low Responsible Bid	Total Project Cost:	\$12,673,300
Phase:	Complete. Final Punch List Items.								% funds expended:	90%
									Funding Source	
									Private/Trust	\$2,673,000
									State Appropriations	\$10,000,000
									Total Funding	\$12,673,000

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

MEDICAL CENTER

Wittson Hall Renovation & Wigton Heritage Center (LB957)

BoR Schedule Dates		Contracts							Approved Budget	
Project Approved:	8/11/2017	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$24,298,000
Construction Start:	11/1/2018		HDR Architecture, Inc.	10/13/2017	\$1,018,500			A/E Consultant Selection	Non Construction:	\$7,110,000
Construction End Date:	7/1/2021	7/15/2021	Hausmann Construction	2/26/2019	\$19,730,000	12	\$1,906,510	Low Responsible Bid	Total Project Cost:	\$31,408,000
Phase:	Construction								% funds expended:	93%
Funding Source										
Private/Trust										\$13,408,000
State Appropriations										\$18,000,000
									Total Funding	\$31,408,000

University of Nebraska Quarterly Status Report  
Board of Regents Approved Capital Construction Projects

As of September 30, 2021

OMAHA

Arts & Sciences Hall Renovation (LB957)										
BoR Schedule Dates		Contracts						Approved Budget		
Project Approved:	10/5/2017	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$10,184,729
Construction Start:	7/31/2018		Farris Engineering Inc.	5/15/2018	\$649,000	2	\$54,930	A/E Four Year Consultant	Non Construction:	\$1,815,271
Construction End Date:	8/31/2020	7/1/2021	MECO HENNE Contracting Inc	10/24/2018	\$6,020,000	14	\$2,768,713	Low Responsible Bid	Total Project Cost:	\$12,000,000
Phase:	Warranty								% funds expended:	93%
Funding Source										
Revenue Bonds									\$12,000,000	
Total Funding									\$12,000,000	

Durham Science Center Renovation										
BoR Schedule Dates		Contracts						Approved Budget		
Project Approved:	10/25/2019	Sub. Comp.	Provider	Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$25,879,100
Construction Start:	3/31/2021		Clark & Enersen, Inc.	7/19/2021	\$2,075,000			A/E Consultant Selection	Non Construction:	\$9,120,900
Construction End Date:	4/30/2023	5/31/2024	McCarthy Building Companies, Inc.	8/17/2021	\$47,000			CM at Risk	Total Project Cost:	\$35,000,000
Phase:	Schematic Design								% funds expended:	5%
									Funding Source	
									Private/Trust	\$35,000,000
									Total Funding	\$35,000,000

Kayser Hall Renovation for the Samuel Bak Museum and Academic Learning Center											
BoR Schedule Dates		Contracts							Approved Budget		
Project Approved:	6/25/2021	Sub. Comp.	Provider		Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$18,887,000
Construction Start:	5/31/2022									Non Construction:	\$4,556,000
Construction End Date:	12/31/2023									Total Project Cost:	\$23,443,000
Phase:	Selections									% funds expended:	0%
Funding Source											
										State Funds LB384	\$23,443,000
										Total Funding	\$23,443,000

Mammel Hall Addition											
BoR Schedule Dates		Contracts							Approved Budget		
Project Approved:	10/4/2018	Sub. Comp.	Provider		Date	Amount	# of COs	Total CO Amt.	Procurement Method	Construction:	\$12,849,000
Construction Start:	9/30/2019	4/30/2021	Weitz Co LLC		8/16/2019	\$12,000,000	5	\$931,260	Design-Build	Non Construction:	\$4,151,000
Construction End Date:	4/30/2021									Total Project Cost:	\$17,000,000
Phase:	Warranty									% funds expended:	95%
Funding Source											
Private/Trust										\$17,000,000	
Total Funding										\$17,000,000	

TO: The Board of Regents Addendum XI-D-13  
Academic Affairs Committee

MEETING DATE: December 3, 2021

SUBJECT: Revisions to rules and regulations for faculty and student self-government organizations: Faculty Senate Bylaws at the University of Nebraska Medical Center

RECOMMENDED ACTION: Report

PREVIOUS ACTION: January 10, 2010 – The Board of Regents approved an amendment to Section 1.2, paragraph three of the *Bylaws of the Board of Regents of the University of Nebraska* to revise the process for approval of rules and regulations for faculty and student self-government organization.

EXPLANATION: The *Bylaws of the Board of Regents* Section 1.2 as amended on January 10, 2010 state, “In any case where any officer, group, or agency has been authorized by these *Bylaws* to adopt rules or regulations, such rules or regulations, before they may be effective, shall be:

- (1) considered by the officer, group, or agency at a public hearing held after giving reasonable advance public notice thereof;
- (2) reviewed and approved by the General Counsel for consistency with these *Bylaws* and applicable policies, laws, and regulations; and
- (3) filed with the Corporation Secretary for report to the Board. The President and the cognizant Chancellor are to be timely provided with a courtesy copy of any public hearing notice.”

Consistent with these *Bylaws* and operating procedures, the following changes have been filed with the Corporation Secretary since the last meeting of the Board:

- Faculty Senate Bylaws at the University of Nebraska Medical Center

These changes are available for inspect in the Office of the Corporation Secretary.

REPORTED BY: Philip J. Bakken  
Corporation Secretary

DATE: October 14, 2021

Addendum XI-D-13

October, 2020 (or approval date)

Bylaws of the Faculty  
of the  
University of Nebraska Medical Center

ARTICLE I  
Purpose

The purpose of these Bylaws is to establish the organizational structure and rules of procedure by which the faculty of the University of Nebraska Medical Center (UNMC) will participate in the academic governance process, as provided in Section 2.12 and 2.12.1 of the *Bylaws of the Board of Regents of the University of Nebraska*.

ARTICLE II  
Definitions

Section 1. Faculty. All individuals duly appointed to UNMC faculty positions by the Board of Regents shall be represented through the organizational structure and procedures set forth in these Bylaws.

Section 2. Voting Faculty. The privilege of voting in UNMC faculty elections, referenda, and meetings shall be extended to full-time faculty members (1.00 FTE) at the ranks of Instructor, Assistant Professor, Associate Professor, or Professor. Full-time faculty include faculty members with part-time UNMC appointments supplemented by a Veterans Administration Hospital appointment to equal 1.00 FTE. Individuals with a .50 FTE or greater faculty appointment and the remaining FTE as Managerial-Professional are voting faculty (must equal 1.0 FTE.). This provision does not include volunteer or courtesy appointments.

Section 3. Alternates. For the purpose of these Bylaws, alternates are persons elected to fulfill the term of a vacant senate seat. Alternates may not serve as proxies for meeting attendance or voting.

Section 4. Major Academic Unit and other faculty Representation. For the purpose of these Bylaws, "major academic unit" shall be interpreted to mean a formally established College, School, or Institute in which faculty appointments are authorized. The faculty members of a School will participate in the academic governance process through its own "major academic unit," and under this definition will not be considered to be voting faculty members of the College within which the School exists.

For the purpose of these Bylaws, "other faculty" shall be as defined in Article V, Section 2.

Since the Graduate College faculty members on the UNMC campus all hold faculty rank in a major academic unit, they shall be represented through these units and shall not qualify as a major academic unit or other faculty.

Section 5. Academic Year. For the purpose of these Bylaws, "academic year" shall be interpreted to mean a nine-month period commencing on September 1 and terminating on May 31.

ARTICLE III  
Organization

Section 1. UNMC Faculty. The authority of the UNMC faculty resides in the voting faculty as a whole, but

this authority will usually be delegated to the Faculty Senate which shall be elected by the voting faculty in accordance with these Bylaws. The voting faculty may submit any issue over which the faculty has jurisdiction to a referendum of the entire voting faculty, following the procedures specified in Article IV. The adoption of a referendum by the voting faculty as a whole shall supersede any action taken by the Faculty Senate.

Section 2. Faculty Senate. The UNMC faculty shall elect a body of representatives, which shall be known as the Faculty Senate of the University of Nebraska Medical Center. The Faculty Senate shall serve as a governing body empowered to represent the UNMC faculty in matters of concern to all major academic units or other faculty or to matters of concern to more than one major academic unit or other faculty. The Faculty Senate shall be governed by these Bylaws and by the *Bylaws of the Board of Regents of the University of Nebraska*. Nothing in these Bylaws shall be construed to be in conflict with any applicable law or with the *Bylaws of the Board of Regents*.

#### ARTICLE IV UNMC General Faculty Meetings

Section 1. Annual Meeting. A UNMC general faculty meeting shall be called annually prior to the Spring Commencement Exercises. The officers of the Faculty Senate shall report on the activities of the Senate during the prior year and shall conduct such other business as is scheduled to come before the group.

Section 2. Special Meetings. Special meetings of the UNMC general faculty may be called: (a) by vote of the Faculty Senate, or (b) upon the written request of twenty-five voting faculty members.

Section 3. Presiding Officer. The President of the Faculty Senate shall preside at all meetings of the UNMC general faculty. In the absence of the President, the Vice President or another officer of the Senate will preside.

Section 4. Quorum. A quorum of ten percent of all voting faculty members must be present at a UNMC general faculty meeting in order to transact business legally.

Section 5. Authority. The decision-making authority of those assembled at a UNMC general faculty meeting shall be limited to the origination of a referendum.

Section 6. Voting at Meetings. A motion to conduct a referendum will be considered passed if approved by two-thirds of the votes cast in person by voting faculty members.

Section 7. Voting in Referenda. The preparation of ballots and the supervision of the voting process for duly initiated faculty referenda shall be the responsibility of the Faculty Senate's Standing Committee on Membership and Elections. A referendum shall be considered adopted by the faculty when approved by a majority of the legal votes cast by the voting faculty of UNMC.

Section 8. Rules of Order. Meetings will be conducted in accordance with the current edition of the Sturgis Standard Code of Parliamentary Procedure. The Faculty Senate Parliamentarian will serve as Parliamentarian at UNMC general faculty meetings.

#### ARTICLE V Faculty Senate Composition

Section 1. Major Academic Unit Representation. Each major academic unit shall elect one senator for every 25 voting faculty members, or major fraction thereof, in accordance with the procedures set forth in Article VI. In no case, however, will a major academic unit be represented by fewer than two senators. Each major academic unit shall also elect one alternate senator for every five senators to fill vacant seats as defined in Article VI, Section 8.



Section 2. Other Faculty Representation. UNMC faculty members whose academic appointments are not in one of the major academic units will be grouped together for the purpose of electing representatives. This group shall elect one senator for every 25 voting faculty members, or major fraction thereof, in accordance with the procedures set forth in Article VI.

## ARTICLE VI Election of Senators

Section 1. Eligibility for Election. Only voting faculty members who have served on the UNMC faculty for one academic year or more are eligible for election to the Senate. Chancellors, Vice Chancellors, Associate Vice Chancellors, Assistant Vice Chancellors, Deans, Associate Deans, Assistant Deans, Institute Directors, and Department Chairs are ineligible for election to the Senate. If an elected Faculty Senate member is appointed to one of these positions at UNMC, such Senator shall resign from the Senate and the vacancy shall be filled as described in Article VI, Section 8. Persons serving in an interim or acting capacity in the above positions may continue to serve on the Senate.

Section 2. Terms of Service. Senators will be elected to three-year terms, commencing on June 1 of the year of election.

Section 3. Re-election. Senators shall be eligible for re-election.

Section 4. Nominations. Each major academic unit shall establish its own process for securing nominees for election to the Faculty Senate in accordance with the guidelines established by the Faculty Senate's Standing Committee of Membership and Elections. The Office of the Vice Chancellor for Academic Affairs will coordinate the nomination process of other faculty members.

The list of nominees from each unit must be submitted to the Standing Committee on Memberships and Elections in accordance with the schedule provided in Article VI, Section 7, and must contain exactly twice as many candidates as there are senate seats to be filled. The Standing Committee on Membership and Elections will then verify eligibility of the nominees and prepare the official ballot for each unit.

Section 5. Eligibility to Vote. Only those faculty members defined as "voting faculty" in Article II, Section 2, shall be eligible to vote in Faculty Senate elections. The Faculty Senate's Standing Committee on Membership and Elections shall approve the list of eligible voters prior to each election, and this list shall serve as the basis for determining the number of representatives that each unit shall have in the Faculty Senate. The list of eligible voters shall not include faculty members who are on unpaid leaves of absence.

Section 6. Elections. The official ballots for each major academic unit and other faculty will list only those senate nominees from that unit. Each voting faculty member shall receive only one ballot and that ballot shall be for the major academic unit or other faculty, in which his/her primary academic appointment is based. The individuals receiving the highest number of votes fill the vacant senate seats. The individuals receiving the next highest number of votes after filling the vacant senate seats shall be declared the Alternate member(s) from the respective major academic unit as described in Article V, Section 1 other faculty as described in Article V, Section 2.

Section 7. Schedule of Nominations and Elections. In the spring of each year, the Faculty Senate's Standing Committee on Membership and Elections shall initiate and supervise the following regular election activities which shall occur on or before the indicated dates:

Call for nominations	April 5
Close of nominations	April 20
Distribute official ballots	May 1
Close of balloting	May 15

Notification of results

May 20

While this schedule of activities may be completed prior to the indicated dates, in no case shall the period between the call for nominations and the close of nominations be less than 15 days, and in no case shall the period between the distribution of ballots and the close of balloting be less than 14 days.

Section 8. Elections to Fill Vacant Seats. If a senator is absent for four regular meetings of the Senate during an academic year, terminates his/her faculty appointment, or resigns from the Senate, the President of the Senate shall declare the seat vacant and fill that seat with the elected alternate from that unit. If no alternate is available, within thirty days, the Faculty Senate President shall order a special election to fill the unexpired term. If a special election is required, it shall be conducted in a manner similar to the annual election including all steps outlined above (Article VI, Section 7) under a time-table to be set by the President of the Senate.

## ARTICLE VII Organization of the Senate

Section 1. Officers. Organization of the Senate shall occur at the June meeting of the Faculty Senate each year. At this meeting the Senate will elect from its membership a Vice-President/President-elect and Secretary/Treasurer. The one-year term of service for each of the officers shall commence immediately after the election and continue until the June meeting in the following year. Upon completion of the term as Vice-President/President-Elect this senator becomes the President of the Senate for the upcoming year. The outgoing President shall become the Immediate Past President and serve as an officer for one year on the Faculty Senate.

Section 2. Duties and Special Terms of Officers. The President shall preside at all Faculty Senate meetings and at the annual UNMC faculty meeting and shall exercise the following administrative duties:

1. Supervise all activities that are undertaken by, or on behalf of, the Senate.
2. Represent and speak for the Senate in dealings with University Administration, with the Board of Regents, with other organizations, and with the public.
3. Appoint and charge committees.
4. Sign letters and documents necessary to carry out the will of the Senate.

The Vice President/President-elect is a member of the Faculty Senate Executive Committee. Vice President shall assume the duties of the President in case of absence or incapacity of the President and shall become President on the death, resignation, or permanent incapacity of the President. The Vice President/President-elect shall also assist the President in fulfilling the administrative duties of that office. Vice President/President-elect shall be encouraged to attend the Board of Regents meeting with the President.

The Immediate Past President shall assist and provide counsel to the incoming President and newly elected Vice President/President-elect.

The Secretary/Treasurer shall maintain an accurate set of minutes reflecting the proceedings of the Faculty Senate and UNMC faculty meetings and shall preserve all records, reports, and official documents of the organization.

If necessary, the elected term of the Vice President, President, or Immediate Past President shall automatically extend as a senator until the expiration of service as Immediate Past President.

Section 3. Parliamentarian. By the second Faculty Senate meeting after June 1, the newly elected President shall appoint a Parliamentarian, subject to confirmation by a vote of the Senate. The Parliamentarian's responsibilities shall commence immediately after the appointment is confirmed and continue until a new Parliamentarian is confirmed. The Parliamentarian need not be a member of the

Senate and may be reappointed to successive terms without limit.

The Parliamentarian shall aid the presiding officers and members of the Senate by being a source of information on parliamentary procedure. All rulings on matters of parliamentary procedure shall be made by the presiding officers.

Section 4. Committees. There shall be a standing committee on membership and elections charged to carry out the duties assigned in Articles IV and VI of these Bylaws and to complete such other tasks as are assigned by the President or the Senate. This committee shall consist of three members appointed annually by the newly-elected President and drawn from the Senate.

Other standing committees may be established by vote of the Senate, in which case they shall continue until such time as the Senate votes to eliminate them. In establishing standing committees, the Senate must specify the name, method of selecting members, usual duties, terms of office, and requirements for reports. Standing committees established by the Senate are listed in Appendix to the Faculty Bylaws. An ad hoc committee to review the Bylaws will be appointed by the President at least every four years. The President may appoint additional ad hoc committees to perform specific assignments.

Unless a committee's membership is specifically restricted to senators, any voting member of the UNMC faculty may be appointed to serve a term on a standing Faculty Senate committee.

The Executive Committee shall consist of the officers of the Senate (President, Vice President, Immediate Past President, and Secretary/Treasurer) and additional members selected from the Faculty Senate such that each major academic unit and other faculty are represented in the committee membership. The Executive Committee prepares the agenda for Senate meetings, coordinates the activities of standing and ad hoc committees, and plans and coordinates such other activities as may be required. The Executive Committee shall be empowered to make decisions in the name of the Senate when immediacy demands such action and the Senate is unable to assemble a quorum to consider the issue. The quorum and voting requirements reflected in Article VIII, Sections 4 and 6 will be used when the Executive Committee makes decisions in the name of the Senate. All decisions taken under this grant of authority must be presented to the Senate at its next regular meeting and a motion of approval voted upon.

Section 5. Representation on Senior Administrative Advisory Committees. Senior administrative officers shall be defined as vice chancellors or academic administrators who report directly to the Chancellor such as deans, directors, or equivalent administrators. In the event of a vacancy of a senior administrative office, the appointing officer will inform the President of the Faculty Senate who will, with the advice of the Senate, submit a list of names which is at least twice the number of representatives to be chosen therefrom. As specified in amended Section 2.1.c of the *Bylaws of the Board of Regents of the University of Nebraska* (October 18, 1991) the appointing officer shall appoint Faculty Senate representation from the list submitted.

Section 6. Ex Officio Members. Ex officio non-voting members of the Faculty Senate shall be the UNMC Chancellor, Vice Chancellor for Academic Affairs, Vice Chancellor of External Relations, Vice Chancellor for Research, Executive Director of IT Operations, Director of the Office of Inclusion, Director of the Office of Equity, Director of Faculty Development, designated representatives from UNMC Benefits, and designated representatives from the UNMC Student Senate. Ex officio non-voting members are added as necessary by the Faculty Senate Executive Committee and listed in individual committee descriptions when relevant.

## ARTICLE VIII Faculty Senate Meetings

Section 1. Regular Meetings. The Faculty Senate shall hold a regular meeting at a stated time in June and during each month of the academic year. No item of new business will be acted upon during a regular meeting unless it has been previously noted. Previous notation shall be constituted as: presentation at a prior meeting; or distribution to each senator at least five working days prior to the meeting; or inclusion on the agenda for the meeting. Five working days prior to each regular meeting, an agenda including all

known items of business to be brought before the Senate will be prepared and distributed to each senator along with supporting documents. Action upon new business brought forward on the floor during a meeting will be postponed until a future designated meeting. Under extraordinary circumstances requiring prompt action by the Senate, this rule may be suspended.

Section 2. Special Meetings. The President will call a special meeting of the Faculty Senate when he/she deems such a meeting to be necessary or when requested to do so by the Chancellor of UNMC or by seven or more members of the Senate. An effort shall be made to post an agenda 24 hours in advance of any special meeting that is called.

Section 3. Open Meetings. All meetings of the Faculty Senate shall be open to anyone desiring to attend with the exception that executive sessions of the Senate may be called by a two-thirds vote of the senators present.

Section 4. Quorum. A quorum of sixty percent of all senators must be present to take official action on matters brought before the group.

Section 5. Tele-technology. Senators may attend regular and special meetings of Faculty Senate using tele-technologies that allow for two-way communication between the originating site and the remote location from which they are attending.

Section 6. Voting Requirements. A two-thirds vote of the senators present at a meeting and voting shall be required to pass main motions, subsidiary motions, and privileged motions. For those attending by tele-technology, the roll shall be called unless provision for a secret ballot has been made. Voting by proxy shall not be permitted. The requirements for a two-thirds vote of the members present and voting shall not apply in the election of Faculty Senate officers, votes to confirm appointments by the President or to establish standing committees, and appeals from the decision of the Chair. These matters shall be decided by a majority of the votes cast.

Section 7. Rules of Order. Meetings will be conducted in accordance with the Sturgis Standard Code of Parliamentary Procedure.

## ARTICLE IX Amendments

Section 1. Initiation. Amendments to the Bylaws may be initiated by the Faculty Senate, or by an assembly of UNMC faculty members called in accordance with the provisions of Article IV of these Bylaws. Proposals to amend the Bylaws may be introduced at any regularly scheduled meeting of the Faculty Senate, but action on such proposals shall be deferred until the next regularly scheduled meeting at which time an open hearing will be held on the proposed amendments. Proposals to amend the Bylaws may be introduced at a meeting of the UNMC faculty if a formal notice of the proposed amendments is included in the call for the meeting. A request to include such a notice in the call for the meeting must be supported by a written petition bearing the signatures of 25 voting members of the UNMC faculty. The procedures for the initiation of referenda specified in Article IV shall apply to any Bylaws amendments proposed at a UNMC faculty meeting.

Section 2. Approval. Amendments to these Bylaws initiated under the provisions of Article IX, Section 1, shall be submitted to the voting faculty of UNMC for approval or rejection by secret ballot. If approved by a majority of the legal votes cast, the amended bylaws will be filed by the Corporation Secretary for report to the Board of Regents.

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October 20, 1978, copy (with provisions of acceptance and initial implementation noted in italics) approved by the full-time faculty of the University of Nebraska Medical Center on November 3, 1978, and approved by the Board of Regents of the University of Nebraska on November 10, 1978.

January 23, 1979, copy (with provisions of acceptance and initial implementation deleted) approved by the University of Nebraska Medical Center Faculty Senate on January 23, 1979, and reported to the Board of Regents on February 10, 1979.

April 13, 1983, copy approved by the University of Nebraska Medical Center Faculty Senate on April 13, 1983, and approved by the Board of Regents of the University of Nebraska on July 23, 1983.

January 14, 1985, copy approved by the University of Nebraska Medical Center Faculty Senate on January 14, 1985, and approved by the Board of Regents of the University of Nebraska on June 8, 1985.

December 1, 1986, copy approved by the University of Nebraska Medical Center Faculty Senate on December 1, 1986, and approved by the Board of Regents of the University of Nebraska on April 11, 1987.

June 6, 1988, copy approved by the University of Nebraska Medical Center Faculty Senate on May 2, 1988 and June 6, 1988, and approved by the Board of Regents of the University of Nebraska on September 2, 1988.

October 3, 1988, copy approved by the University of Nebraska Medical Center Faculty Senate on October 3, 1988, and approved by the Board of Regents of the University of Nebraska on January 14, 1989.

May 4, 1992, copy approved by the University of Nebraska Medical Center Faculty Senate on May 4, 1992 and approved by the Board of Regents of the University of Nebraska on July 11, 1992.

May 3, 1993, copy approved by the University of Nebraska Medical Center Faculty Senate on May 3, 1993 and approved by the Board of Regents of the University of Nebraska on October 15, 1993.

March 4, 1996, copy approved by the University of Nebraska Medical Center Faculty Senate on March 4, 1996 and approved by the Board of Regents of the University of Nebraska on June 1, 1996.

April 3, 2000, copy approved by the University of Nebraska Medical Center Faculty Senate on April 3, 2000 and approved by the Board of Regents of the University of Nebraska on June 16, 2000.

November 5, 2001, copy approved by the University of Nebraska Medical Center Faculty Senate on November 5, 2001 and approved by the Board of Regents of the University of Nebraska on August 30, 2002.

December 5, 2005, copy approved by the University of Nebraska Medical Center Faculty Senate on December 5, 2005 and approved by the Board of Regents of the University of Nebraska on March 3, 2006.

May 5, 2008, copy (with provisions of acceptance and initial implementation noted in red) approved by the full-time faculty of the University of Nebraska Medical Center on June 10, 2008, and approved by the Board of Regents of the University of Nebraska on September 5, 2008.

June 6, 2011, copy (with provisions of acceptance and initial implementation noted in red) approved by the full-time faculty of the University of Nebraska Medical Center on September 8, 2011; approved by the General Counsel of the University of Nebraska on September 27, 2011; and reported to the Board of Regents of the University of Nebraska on October 28, 2011.

February 14, 2013, copy (with provisions of acceptance and initial implementation noted in red) approved by the full-time faculty of the University of Nebraska Medical Center on February 22, 2013; approved by the General Counsel of the University of Nebraska on March 5, 2013; and reported to the Board of Regents of the University of Nebraska on March 15, 2013.

June 2013, copy (with provisions of acceptance and initial implementation noted in red) approved by the full-time faculty of the University of Nebraska Medical Center on February 22, 2013; approved by the General Counsel of the University of Nebraska on February 26, 2013; and reported to the Board of Regents of the University of Nebraska on March 15, 2013.

April 2017, copy (with provisions of acceptance and initial implementation noted in red) approved by the full-time faculty of the University of Nebraska Medical Center on May 10, 2017 and reported to the Board of Regents of the University of Nebraska on June 1, 2017.

**Appendix to the Faculty Bylaws  
October 2020**

**UNMC FACULTY SENATE  
STANDING COMMITTEES**

**ACADEMIC FREEDOM AND TENURE COMMITTEE (AF&TC)** (specified in Section 4.14 of *Bylaws of the Board of Regents*):

**Responsibilities** (Section 4.14.2 *Bylaws of the Board of Regents*):

- a) The committee shall draft rules or procedures not inconsistent with these *Bylaws* for the prompt, orderly, and fair hearing of all complaints filed with the committee. Said rules shall be submitted to the Board and when approved or modified, after notice and hearing, shall constitute a part of the Rules of the Board.
- b) The committee shall consider any complaint filed by any member of the professional staff alleging any grievance that constitutes an allegation that action taken, or threatened, violates the complainant's academic freedom or academic tenure.
- c) The committee shall consider a complaint filed against any member of the faculty seeking to terminate his or her Continuous Appointment, his or her Appointment for a Specific Term prior to the termination date stated in the appointment, his or her Special Appointment as a faculty member prior to its termination date, or his or her Health Professions Appointment prior to the end of its stated term.

**Membership:**

Five members and one alternate member, with no more than one representative from each major academic unit, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms.

**GRIEVANCE COMMITTEE (GC)** (authorized in Section 4.13 of *Bylaws of the Board of Regents*):

**Responsibilities** (Section 4.13.2, *Bylaws of the Board of Regents*):

- a) To draft rules of procedure for the orderly and fair handling of grievances by the Committee, which rules shall become effective after notice and hearing when approved or modified by the Board, and upon approval, shall be effective as a part of the Rules of the Board.
- b) To consider a complaint filed by any faculty member alleging any grievance.
- c) To seek to settle the grievance by informal methods of adjustment and settlement, either itself or by using the services of any officer or body directed to settle grievances and disputes by mediation, conciliation, or other informal methods.
- d) To proceed, if informal methods fail to resolve the matter satisfactorily, with further proceedings, to be conducted in accordance with the Rules of Procedure approved by the Board.

**Membership:**

Five members and one alternate member, with no more than one representative from each major academic unit, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms.

**PROFESSIONAL CONDUCT COMMITTEE (PCC)** (authorized in Section 4.15 of *Bylaws of the Board of Regents*):

**Responsibilities** (Section 4.15.2 *Bylaws of the Board of Regents*):

- a) To receive complaints from any person charging a member of the professional staff with professional misconduct.
- b) To investigate the facts relevant to the charge and to make factual determinations. Said investigation shall include advising the affected party of the charge, hearing his or her response, and considering any evidence produced by such party.
- c) To conclude whether there are reasonable grounds to believe that the person against whom the charge is directed committed acts which amount to professional misconduct.
- d) To advise the person filing the charge, and any other appropriate person or groups, of the committee's conclusion and factual findings.
- e) To recommend to the appropriate University Officer or group, whether action should be taken with respect to the charge, and the nature of such action.

**Membership:**

Five members and one alternate member, with no more than one representative from each major academic unit, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms.

**CONCILIATION COMMITTEE**

**Responsibility:**

To assign complaints to the proper Faculty Governance Committee.

**Membership:**

The three chairpersons for the UNMC Academic Freedom and Tenure Committee, the UNMC Faculty Grievance Committee, and the UNMC Faculty Professional Conduct Committee will simultaneously serve on the Complaint Coordinating Committee.

**FACULTY SENATE EXECUTIVE COMMITTEE:**

**Responsibilities:**

To prepare the agenda for Senate meetings, coordinate the activities of standing and ad hoc committees, and plan and coordinate such other activities as may be required. The committee is empowered to make decisions in the name of the Senate when immediacy demands such action and the Senate is unable to assemble a quorum to consider the issue. The committee will report decisions taken under this grant of authority and present them to the Senate at its next regular meeting and a motion of approval will be voted upon.

**Membership:**

The four UNMC Faculty Senate Officers (President, Immediate Past President, Vice President/President Elect and Secretary/Treasurer) are *members*. Additional members are selected from the Faculty Senate by the UNMC Faculty Senate President such that each major academic unit and other faculty are represented in the committee membership. The selections are confirmed by the Faculty Senate.

## **DIVERSITY, EQUITY, AND INCLUSION COMMITTEE**

### **Responsibilities:**

- a) Periodically review promotion and tenure practices across the university to ensure issues related to diversity, equity, and inclusion are being addressed, and recommend policies and practices, if necessary.
- b) Advise the Faculty Senate President and Executive Committee on the impact of University policies, programs, and services on diversity and inclusion.
- c) Review policies, programs and services related to diversity and inclusion of faculty.
- d) Bring concerns to the Senate, as appropriate, and recommend to the Senate Executive Committee such actions or policies as it deems appropriate.
- e) Provide a forum to which faculty, staff, and students may refer questions and recommendations concerning University diversity-related policies and procedures.

### **Membership:**

One member from each major academic unit and other faculty shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms. The Vice Chancellor for Academic Affairs, Director of the Office of Inclusion, Director of the Office of Equity, Director of Faculty Development, designated representatives from UNMC Benefits, and designated representatives from the UNMC Student Senate, shall serve as ex officio members of the committee.

## **FACULTY RECRUITMENT AND RETENTION COMMITTEE**

### **Responsibilities**

- a) Develop criteria, tools and rules of procedure to monitor faculty recruitment and retention.
- b) Use these criteria, tools and procedures to evaluate the ongoing turnover of UNMC faculty.
- c) Report their findings to the Senate and the Chancellor each Fall.
- d) Evaluate faculty satisfaction and engagement based on the UNMC Engagement Survey Data.
- e) Recommend approaches that enhance faculty engagement, recruitment and retention.

### **Membership**

Five or more members, with no more than one representative from each major academic unit or other faculty, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms. The Vice Chancellor for Academic Affairs, Director of the Office of Inclusion, Director of the Office of Equity, and Director of Faculty Development shall serve as ex officio members of the committee.

## **HONORARY DEGREES AND AWARDS COMMITTEE (HDAC)**

### **Responsibilities**

- a) Honorary Degrees
  - 1) Receive recommendations and review nominees for Honorary Degrees from UNMC faculty.
  - 2) Prepare and send to the Chancellor their comments and/or recommendations regarding nominees.
  - 3) The Senate shall vest full authority for this procedure in the committee. No further selection criteria or policies need to be established since these already exist for the University as a whole.



## b) Faculty Awards

- 1) The committee should develop and submit to the Faculty Senate selection criteria for faculty awards. Utilizing the selection criteria approved by the Faculty Senate, this committee will make the selection. The nominee(s) will then be submitted to the Senate for their information.
- 2) Nominations will be solicited from the student body and faculty of UNMC for faculty awards.

**Membership:**

One member from each major academic unit and other faculty shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms.

**INFORMATION TECHNOLOGY COMMITTEE (DRAFT)****Responsibilities:**

- a) Review any Information Technology (IT) matter which affects UNMC faculty in their work or employee roles, to include but not limited to systems, infrastructure, software, and equipment used for instruction, advising, research and University administrative operations.
- b) Act as liaison between Faculty Senate and IT programs such as the Common Shared Services Governance Intake Framework.
- c) Provide faculty input and make recommendations regarding new and ongoing IT policies and projects related to research, teaching, and learning at UNMC.

**Membership:**

One representative from each major academic unit shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms. The IT Academic Technology Director, Senior Director for Research Technologies, Executive Director of IT Operations, Student Senate representative appointed by Student Senate President, and Director of UNMC Faculty Development shall serve as ex-officio members.

**INTELLECTUAL PROPERTY COMMITTEE (IPC)\*****Responsibilities:**

- a) To review, upon request from a faculty member, Dean, Director, or Vice Chancellor the facts and circumstances surrounding any particular interpretation of the University Intellectual Property Policy.
- b) To submit a recommendation to the Vice Chancellor and Chancellor following the requested review.
- c) To review the policy for the orderly and fair handling of intellectual property ownership annually and, when appropriate, to make recommendations for changes to the Chancellor.

**Membership:**

Five or more members, with no more than one representative from each major academic unit and other faculty, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms.

\*Intellectual property is defined by Board of Regents' Policy 4.4.1 and for purposes of this committee does not include Patents which are covered by Board of Regents' By-laws 3.10 and Board of Regent's 3.2.7 and Policy 4.4.2.

## **LIBRARY ADVISORY COMMITTEE**

### **Responsibilities**

- a) Advise the library on policies governing the development and delivery of information services at UNMC.
- b) Advise the library regarding the use of available funds for information resources.
- c) Advocate with University of Nebraska and UNMC administration for the information needs of UNMC faculty, staff, and students.

### **Membership**

Five or more members, with no more than one representative from each major academic unit and other faculty, shall be appointed by the President (with confirmation by the Senate) to serve three-year staggered terms. The Dean of the Health Sciences Library shall serve as an ex officio member of the Committee.

## **MEMBERSHIP AND ELECTIONS COMMITTEE** (specified in *Bylaws of the UNMC Faculty*, Article VII, Section 4):

### **Responsibilities:**

- a) Prepare ballots and supervise voting process for duly initiated faculty referenda (Article IV, Section 7, *Bylaws of the UNMC Faculty*).
- b) Establish guidelines and supervise the nomination and election of members of the UNMC Faculty Senate.
- c) Complete other tasks (involving nomination and election procedures) as assigned by the President of the UNMC Faculty Senate.

### **Membership:**

Three members of the UNMC Faculty Senate shall be appointed by the President (with confirmation by the Senate). (One-year term.)

Lincoln, Nebraska  
October 8, 2021

The Board of Regents of the University of Nebraska met on October 8, 2021, at 9:00 a.m. in the board room at Varner Hall, 3835 Holdrege Street, Lincoln, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which are attached to the minutes of this meeting as Attachment 1 (page 128).

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 on the front entrance of the first floor of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on October 1, 2021.

Regents present:

Timothy Clare  
Paul Kenney, Chair  
Bob Phares, Vice Chair  
Jim Pillen  
Robert Schafer  
Jack Stark  
Barbara Weitz  
Noah Limbach, University of Nebraska at Kearney  
Batool Ibrahim, University of Nebraska-Lincoln  
Taylor Kratochvil, University of Nebraska Medical Center  
Maeve Hemmer, University of Nebraska at Omaha

University officials present:

Walter E. Carter, President  
Jeffrey P. Gold, Executive Vice President and Provost  
Chancellor, University of Nebraska Medical Center  
Joanne Li, Chancellor, University of Nebraska at Omaha  
Ronnie D. Green, Chancellor, University of Nebraska-Lincoln  
Douglas A. Kristensen, Chancellor, University of Nebraska at Kearney  
Michael J. Boehm, Vice President for Agriculture and Natural Resources  
Christopher J. Kabourek, Vice President for Business and Finance | CFO  
Heath M. Mello, Vice President for External Relations  
Stacia L. Palser, Vice President and General Counsel  
Philip J. Bakken, Corporation Secretary

Regents absent:

Elizabeth O'Connor

**I. CALL TO ORDER**

**II. ROLL CALL**

The Board convened at 9:00 a.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 Clare and seconded by Hemmer to approve the minutes and ratify the actions of the regularly scheduled meeting on August 13, 2021.

Action Student Opinion: Voting Aye: Hemmer, Ibrahim, Kratochvil, Limbach. Voting Aye: Clare, Kenney, Phares, Pillen, Schafer, Stark, Weitz. Motion carried.

Chairman Kenney announced the location of the Notice of Meeting and Open Meetings Act.

### **IV. PRESENTATIONS**

Cathy Pettid, Assistant Vice Chancellor and Dean of Students, University of Nebraska at Omaha, addressed the Board on the State of Student Mental Health in 2021.

### **V. KUDOS**

**Regent Weitz presented a KUDOS award to Kyle Means**, Director of Marketing at the University of Nebraska at Kearney.

**Regent Ibrahim presented a KUDOS award to Erin Murray**, Research Business Services Specialist in the Office of Research and Economic Development and Program Coordinator for the Nebraska Center for Energy Sciences Research at the University of Nebraska-Lincoln.

**Regent Pillen presented a KUDOS award to Marlene Novotny**, Executive Assistant to Chancellor Gold at the University of Nebraska Medical Center.

**Regent Clare presented a KUDOS award to Sammi Kaiser**, Director of the Academic and Career Development Center and Senior Director of Academic Advising at the University of Nebraska at Omaha.

Chancellor Doug Kristensen introduced the Leadership UNK cohort to the Board. Leadership UNK is designed to expose participants to leadership opportunities at UNK and in the Kearney area, enhance their leadership skills, and encourage them to accept leadership roles in the future; thus, giving members the opportunity to network with the campus community, classmates, speakers, and others to discuss issues pertinent to campus and leadership development.

### **VI. PUBLIC COMMENT**

Regent Kenney noted The Standing Rules of the Board provides that any person giving 24 hours' notice to the Corporation Secretary 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. A reasonable time limit (usually five (5) minutes) shall be placed upon each individual appearance before the Board, and no more than thirty (30) minutes shall be allowed for public comment.

Nicole Hutchings spoke on the topic of the Campus Mask Mandate  
Dr. Larry Bradley spoke on the topic of Disabled American Veteran's Status

Lee Todd spoke on the topic of the Safer Communities App/COVID  
Geoff Friesen spoke on the topic of the Safer Communities App/COVID  
Kathleen Kauth spoke on the topic of the Safer Communities App/COVID  
Jeanne Greisen spoke on the topic of Vaccine Passports and Safer Communities App  
Corbin Hubbell spoke on the topic of the Safer Communities App/COVID  
Shawn Trucke spoke on the topic of the Safer Communities App/COVID  
Wayne Smith spoke on the topic of the Safer Communities App/COVID  
Pat Beckham spoke on the topic of the Safer Communities App/COVID  
Tina Lassek spoke on the topic of the Safer Communities App/COVID  
Amy Southwick spoke on the topic of the Safer Communities App/COVID  
David Reiser spoke on the topic of the Safer Communities App/COVID  
Jennifer Graber spoke on the topic of contact tracing and vaccine mandates  
Abigail Ridder spoke on the topic of fossil fuel divestment  
Ruth Schneider spoke on the topic of the Safer Communities App/COVID

Chairman Kenney declared the opportunity for public comment closed.

## **VII. RESOLUTIONS**

Motion	Moved by Schafer and seconded by Clare to approve Addendum VI-1
VI-1	Resolution regarding the American Rescue Plan Act of 2021, Addendum VI-1
Action	Student Opinion: Voting Aye: Kratochvil, Limbach, Hemmer, and Ibrahim. Voting Aye: Phares, Pillen, Schafer, Stark, Weitz, Clare, Kenney. Motion carried.

## **IX. PRESIDENT'S REMARKS**

President Carter addressed the Board regarding the successes of 2021, including student affordability, faculty support, research, and the University's vision for the future.

## **X. UNIVERSITY CONSENT AGENDA**

### **A. ACADEMIC AFFAIRS**

Motion	Moved by Weitz and seconded by Clare to approve all Consent items.
	<ol style="list-style-type: none"><li>1. President's Personnel Recommendations, Addendum X-A-1.</li><li>2. Approval to Award Degrees and Certificates for the 2021-22 academic year and 2022 summer sessions at the University of Nebraska at Kearney, Addendum X-A-2.</li><li>3. Approval to Award Degrees and Certificates for the 2021-22 academic year and 2022 summer sessions at the University of Nebraska-Lincoln, Addendum X-A-3.</li><li>4. Approval to Award Degrees and Certificates for the 2021-22 academic year and 2022 summer sessions at the University of Nebraska Medical Center, Addendum X-A-4.</li></ol>

5. Approval to Award Degrees and Certificates for the 2021-22 academic year and 2022 summer sessions at the University of Nebraska at Omaha, Addendum X-A-5.

Action Student Opinion: Voting Aye: Limbach, Hemmer, Ibrahim, Kratochvil. Voting Aye: Phares, Pillen, Schafer, Stark, Weitz, Clare, Kenney. Motion carried.

**B. BUSINESS AND FINANCE**

**XI. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

University of Nebraska-Lincoln

Motion Moved by Phares and seconded by Clare to approve item XI-A-1

XI-A-1 Approval to create Undergraduate Transfer Student Graduation Guarantee and Undergraduate Returning Student Degree Completion Guarantee,

Action Student Opinion: Voting Aye: Hemmer, Ibrahim, Kratochvil, and Limbach. Voting Aye: Pillen, Schafer, Stark, Weitz, Clare, Kenney, and Phares. Motion carried.

Motion Moved by Weitz and seconded by Phares to approve item XI-A-2

XI-A-2 Approval to create Undergraduate Certificate in Spanish for the Helping Professions in the Department of Modern Languages in the College of Arts and Sciences at the University of Nebraska at Kearney.

Action Student Opinion: Voting Aye: Ibrahim, Kratochvil, Limbach, and Hemmer. Voting Aye: Schafer, Stark, Weitz, Clare, Kenney, Phares, and Pillen. Motion carried.

Motion Moved by Stark and seconded by Hemmer to approve item XI-A-3

XI-A-3 Approval to create Undergraduate Certificate in Perioperative Nursing in the College of Nursing at the University of Nebraska Medical Center.

Action Student Opinion: Voting Aye: Kratochvil, Limbach, Hemmer, and Ibrahim. Voting Aye: Stark, Weitz, Clare, Kenney, Phares, Pillen, and Schafer. Motion carried.

Motion Moved by Kratochvil and seconded by Hemmer to approve items XI-A-4

XI-A-4 Approval to create Master of Science (MS) in Medical Physiology to be administered by the Office of Graduate Studies and the Department of Cellular and Integrative Physiology in the College of Medicine at the University of Nebraska Medical Center.

Action Student Opinion: Voting Aye: Limbach, Hemmer, Ibrahim, and Kratochvil. Voting Aye: Weitz, Clare, Kenney, Phares, Pillen, Schafer, and Stark. Motion carried.

**B. BUSINESS AND FINANCE**

University of Nebraska at Kearney

- Motion Moved by Pillen and seconded by Phares to approve item XI-B-1
- XI-B-1 Approval of funding and Program Statement for Calvin T. Ryan Library Renovation at UNK.
- Action Student Opinion: Voting Aye: Hemmer, Ibrahim, Kratochvil, and Limbach. Voting Aye: Clare, Kenney, Phares, Pillen, Schafer, Stark and Weitz. Motion carried.
- Motion Moved by Pillen and seconded by Clare to approve item XI-B-2
- XI-B-2 Approval to acquire improvements at 2900 West 24<sup>th</sup> Street, Kearney, Nebraska for UNK.
- Action Student Opinion: Voting Aye: Ibrahim, Kratochvil, Limbach, and Hemmer. Voting Aye: Kenney, Phares, Pillen, Schafer, Stark, Weitz and Clare. Motion carried.
- University of Nebraska Medical Center
- Motion Moved by Kratochvil and seconded by Hemmer to approve items XI-B-3 and XI-B-4
- XI-B-3 Approval of funding to complete the Medical Sciences Building Air Handler Replacement Project at UNMC.
- XI-B-4 Approval of funding to complete Campus Heating Hot Water Expansion Project at UNMC
- Action Student Opinion: Voting Aye: Kratochvil, Limbach, Hemmer, and Ibrahim. Voting Aye: Phares, Pillen, Schafer, Stark, Weitz, Clare and Kenney. Motion carried.
- Motion Moved by Weitz and seconded by Hemmer to approve item XI-B-5
- XI-B-5 Approval to acquire properties located at 201 South 46<sup>th</sup> Street and 4601 Douglas Street, and dispose of property at 4501 Dodge Street, Omaha, Nebraska for UNMC in a property exchange with the Child Saving Institute Foundation.
- Action Student Opinion: Voting Aye: Limbach, Hemmer, Ibrahim, and Kratochvil. Voting Aye: Phares, Pillen, Schafer, Stark, Weitz, Clare and Kenney. Motion carried.
- Motion Moved by Stark and seconded by Hemmer to approve item XI-B-6
- XI-B-6 Approval of revenue contract for the UNMC Munroe-Meyer Institute to provide occupational and physical therapy services to Douglas County School District.
- Action Student Opinion: Voting Aye: Hemmer, Ibrahim, Kratochvil, and Limbach. Voting Aye: Pillen, Schafer, Stark, Weitz, Clare, Kenney, and Phares. Motion carried.

- University of Nebraska at Omaha
- Motion Moved by Pillen and seconded by Hemmer to approve item XI-B-7
- XI-B-7 Approval of funding and Revised Program Statement for Durham Science Center Renovation at UNO.
- Action Student Opinion: Voting Aye: Ibrahim, Kratochvil, Limbach, and Hemmer. Voting Aye: Schafer, Stark, Weitz, Clare, Kenney, Phares and Pillen. Motion carried.
- Motion Moved by Weitz and seconded by Ibrahim to approve item XI-B-8
- XI-B-8 Approval of Interlocal Agreement between the City of Omaha and UNO granting UNO Public Safety sworn law enforcement officers the right and ability to enforce the laws of the City of Omaha through citation or arrest based on violations of the Omaha Municipal Code.
- Action Student Opinion: Voting Aye: Kratochvil, Limbach, Hemmer and Ibrahim. Voting Aye: Stark, Weitz, Clare, Kenney, Phares, Pillen and Schafer. Motion carried.
- Motion Moved by Ibrahim and seconded by Hemmer to approve item XI-B-9
- XI-B-9 Approval of the First Amendment to the Amended and Restated University Rights Agreement between the University of Nebraska at Omaha and Learfield.
- Action Student Opinion: Voting Aye: Limbach, Hemmer, Ibrahim, and Kratochvil. Voting Aye: Weitz, Clare, Kenney, Phares, Pillen, Schafer, and Stark. Motion carried.

#### **C. FOR INFORMATION ONLY**

The proposed revisions to the *Bylaws of the University of Nebraska-Lincoln* are presented at this meeting for informational purposes only as required by the *Bylaws of the University of Nebraska-Lincoln*. These proposed revisions will be placed on the agenda of the Board of Regents meeting scheduled for December 3, 2021, for public hearing and consideration by the Regents.

#### **D. REPORTS**

- XI-D-1 Report on Periodic Review of Multi-Departmental Academic Centers for Research, Teaching, and/or Service
- XI-D-2 Report on Renewal of Property Insurance Policies
- XI-D-3 Report on Naming of the O’Gorman Playground within the Munroe-Meyer Institute at UNMC
- XI-D-4 Report on Naming of the Dr. Gail Walling Yanney and Michael B. Yanney Conference Room within the Monroe-Meyer Institute at UNMC
- XI-D-5 Quarterly Report of Gifts, Grants, Contracts, and Bequests
- XI-D-6 Quarterly Status of Capital Construction Projects
- XI-D-7 Report on Bids and Contracts
- XI-D-8 Quarterly Report on Fund N
- XI-D-9 UNK New Fraternity and Sorority Life Housing Intermediate Design Review Report,
- XI-D-10 Quarterly Personnel Report – Second Quarter 2021



XI-D-11 Faculty Leave of Absence Report  
XI-D-12 Report on UNMC and UNO Student Government Document Revisions  
XI-D-13 Fall 2021 Enrollment Report

Chairman Kenney accepted the reports on behalf of the Board.

**XII. ADDITIONAL BUSINESS**

None

**XIII. ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Kenney at 11:20 a.m.

Respectfully submitted,

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Philip J. Bakken  
Corporation Secretary

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Paul R. Kenney, Chair

## ATTACHMENT 1



## NOTICE OF MEETING

Notice is hereby given that the Board of Regents of the University of Nebraska will meet in a publicly convened session on Friday, October 8, 2021, at 9:00 a.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska.

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

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

Dated: October 1, 2021

Philip Bakken  
Corporation Secretary  
Board of Regents  
University of Nebraska

### Board of Regents

Varner Hall | 3835 Holdrege Street | Lincoln, NE 68583-0745 | 402.472.3906 | FAX: 402.472.1237 | [nebraska.edu/regents](https://nebraska.edu/regents)

# **Bryan Slone**

## **President, Nebraska Chamber of Commerce & Industry**

Bryan E. Slone became president of the Nebraska Chamber of Commerce & Industry in May 2018.

A Nebraska native, Bryan has lived in several Nebraska communities throughout the state.

As an attorney and accountant, Bryan brings more than three decades of policy and business experience to the State Chamber. Prior to his arrival at the Chamber, he was a tax attorney with Koley Jessen in Omaha, where he advised business clients on legal matters related to taxation, administrative law, international law, mergers and acquisitions, and government affairs.

Before Koley Jessen, he was the Nebraska office managing partner for Deloitte, one of the nation's largest professional services firms.

In the 1990s, Bryan worked in Berlin, Germany, as a tax attorney and co-founding partner for the Wilmer Cutler & Pickering law office located there.

In the 1980s, Bryan spent much time in Washington, D.C., where he was legal advisor to the IRS commissioner and served as a House Ways and Means Committee staff member under former U.S. Rep. Hal Daub of Nebraska. In this capacity, he helped shape the 1986 federal tax law.

Bryan was also a candidate for Nebraska governor in 2014.

He holds a law degree from the University of Nebraska College of Law, and a bachelor's degree in business administration from the University of Nebraska-Lincoln.

Bryan and his wife Leslie have two adult children, Steve and Lauryn.

The State Chamber has proudly served as the voice of Nebraska's business community since 1912. With approximately 1,200 members statewide, the Chamber's mission is to protect all aspects of the free enterprise system, while making Nebraska an even better place to do business.