

Lincoln, Nebraska
October 26, 2012

The Board of Regents of the University of Nebraska met on October 26, 2012, at 12:15 p.m. in the board room at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of *Neb. Rev. Stat.* § 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on October 15, 2012.

Regents present:
Timothy F. Clare, Acting Chair
Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Bob Phares
Kent Schroeder
Bob Whitehouse
Faisal Ahmed
Devin Bertelsen
Cameron Deter
Eric Kamler

Not present:
Regent McClurg, Chair

University officials present:
James B. Milliken, President
Susan M. Fritz, Interim Executive Vice President and Provost
Carmen K. Maurer, Corporation Secretary
John E. Christensen, Chancellor, UNO
H. Dele Davies, Vice Chancellor for Academic Affairs, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
Ronnie D. Green, Vice President for Agriculture and Natural Resources
David E. Lechner, Vice President for Business and Finance
Joel D. Pedersen, Vice President and General Counsel
Sharon R. Stephan, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 12:15 p.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska on October 26, 2012. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Hawks and seconded by Schroeder to approve the minutes and ratify the actions of the regularly scheduled meeting of September 14, 2012.

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, Phares, Schroeder, Whitehouse, and Clare. Not present: McClurg. Motion carried.

Regent Clare announced the location of the Open Meetings Act in the board room.

IV.

KUDOS

Regent Ferlic presented a KUDOS award to Greg Dorn, Research Technologist with Agronomy and Horticulture at the University of Nebraska-Lincoln.

Regent Bertelsen presented a KUDOS award to David Bagby, Information Technology Services Manager in the Hixson-Lied College of Fine and Performing Arts at the University of Nebraska-Lincoln.

Regent Hassebrook presented a KUDOS award to Tuire Chechin, Graduate Program Coordinator in the Pathology/Microbiology Department for the College of Medicine at the University of Nebraska Medical Center.

Regent Whitehouse presented a KUDOS award to Richard Sholewin, Audio Director and Events Technician at the University of Nebraska at Kearney.

Regent Deter presented a KUDOS award to Marylyn May, Enrollment Specialist at the University of Nebraska at Omaha.

V.

RESOLUTIONS

Regent Phares presented the following resolution

WHEREAS, Faisal Ahmed has served as a member of the University of Nebraska Board of Regents and as President of the University of Nebraska Medical Center Student Senate during the 2011-2012 term;

WHEREAS, Regent Ahmed has taken an active and positive role in Board of Regents meetings and events across the state, and has advocated for students on the matters of affordable tuition;

WHEREAS, Regent Ahmed collaborated with regional medical and law schools to hold a first-of-its-kind multi-school, multi-discipline health care reform forum at UNMC;

WHEREAS, Regent Ahmed has been involved in the planning for the cancer center campus at UNMC;

WHEREAS, Regent Ahmed implemented a new electronic voting system to replace paper ballots on campus;

WHEREAS, Regent Ahmed organized the Spring 2012 and Fall 2012 American Red Cross Blood Drives at UNMC, which led to the collection of more than 100 units of blood;

WHEREAS, Regent Ahmed continues to work for ways to better inform students of university initiatives that most affect them, and has been a leader in the UNMC Student Delegates program;

WHEREAS; Regent Ahmed has improved the functionality and efficiency of the UNMC Student Senate and has quickly and concisely informed students on a range of initiatives;

NOW, THEREFORE BE IT RESOLVED, that the University of Nebraska Board of Regents expresses its sincere appreciation for the contributions and dedicated services of Regent Faisal Ahmed during his term on the board and wishes him luck in his future endeavors.

Regent Hawks presented the following resolution

WHEREAS, Dr. Randy Ferlic has represented District 8 as a distinguished member of the Board of Regents since 2000, including one term as chairman in 2003; and

WHEREAS, Regent Ferlic also has served the University of Nebraska as a faculty member in surgery at UNMC, and has served higher education at large as a member of the Nebraska Coordinating Commission for Postsecondary Education and the Midwestern Higher Education Compact, of which he is incoming president; and

WHEREAS, his multiple roles in higher education, his extensive reading – for which is well-known among his colleagues – and his frequent travels have made Regent Ferlic a deeply knowledgeable spokesman for critical issues facing higher education, such as accessibility and college readiness; and

WHEREAS, as a member of the Board, Regent Ferlic has been a vocal advocate for keeping higher education affordable for students, working to minimize student debt so that students can contribute significantly to economic growth soon after graduation; and

WHEREAS, with Regent Ferlic’s advocacy, University of Nebraska students continue to graduate with significantly less debt than do their peers, and the University has developed priorities which include moderate and predictable tuition increases that help students and families plan for the cost of college; and

WHEREAS, Regent Ferlic has demonstrated a strong commitment to efficiency and cost-effectiveness at the University of Nebraska in order to ensure that the University is a responsible steward of its resources;

NOW, THEREFORE BE IT RESOLVED, that Randy Ferlic receive the gratitude and appreciation of the University of Nebraska for his dedicated service to the students, faculty and staff of the University of Nebraska and the citizens of Nebraska.

Regent Schroeder presented the following resolution

WHEREAS, Chuck Hassebrook has represented District 3 as a distinguished member of the Board of Regents since 1994, including two terms as chairman, and is the longest-serving current member of the Board; and

WHEREAS, Regent Hassebrook has been a tireless advocate for ensuring affordable access to the University of Nebraska, consistently championing tuition rates that are within the reach of most Nebraska families as well as steady increases in student financial aid; and

WHEREAS, with Regent Hassebrook’s advocacy, the University of Nebraska continues to be an exceptional value compared to peer institutions, has consistently increased its investment in need-based financial aid, and has launched a tuition assistance program called Collegebound Nebraska that now serves nearly 7,000 students; and

WHEREAS, Regent Hassebrook has been a vocal supporter of agriculture and a thoughtful voice on rural issues, recognizing the important role that both have played in the success of the University of Nebraska since its founding as the state’s only land-grant institution, and will continue to play in the future through initiatives such as Nebraska Innovation Campus, the Water for Food Institute and the Rural Futures Institute; and

WHEREAS, Regent Hassebrook’s many connections with faculty members provided him with important perspective and helped guide his deliberations on the Board, a quality which was well-noted among the faculty, who felt that he was always willing to listen to them; and

WHEREAS, Regent Hassebrook’s deep understanding of the principles on which the University of Nebraska was built, his thoughtful consideration of University initiatives and issues, his advocacy on behalf of students and faculty, and his effective leadership have earned him the lasting respect of his colleagues and members of the University community;

NOW, THEREFORE BE IT RESOLVED, that Chuck Hassebrook receive the gratitude and appreciation of the University of Nebraska for his dedicated service to the students, faculty and staff of the University of Nebraska and the citizens of Nebraska.

The resolutions were accepted by acclamation

VI.

PUBLIC COMMENT

None

VII. HEARINGS

None

VIII. UNIVERSITY CONSENT AGENDA

Motion Moved by Schroeder and seconded by Ferlic to approve items VIII-A-1, VIII-A-2, and VIII-B-1

A. ACADEMIC AFFAIRS

VIII-A-1 Request for approval of Outside Employment at the University of Nebraska at Kearney for Timothy Obermier

VIII-A-2 Request for approval of Outside Employment for Samuel J. Meisels, Executive Director of the Buffet Early Childhood Institute

B. BUSINESS AFFAIRS

VIII-B-1 Approve appointment of two members to the Board of Directors of The Nebraska Medical Center: Harold M. Maurer, M.D. from January 1, 2013 to June 30, 2013, and James E. McClurg for a term from January 1, 2013 to December 31, 2015

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Hawks, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Not present: McClurg. Motion carried.

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by Hassebrook and seconded by Ferlic to approve item IX-A-1

IX-A-1 Approval is requested to establish the Rural Futures Institute at the University of Nebraska
There was discussion. Regent Hassebrook thanked President Milliken, Ronnie Green, Art Gustafson and others for their work on putting together the Rural Futures Institute.

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Hawks, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: McClurg. Motion carried.

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

IX-A-2 Approval is requested to create a Bachelor of Science degree in Applied Climate Science in the School of Natural Resources in the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Not present: McClurg. Motion carried.

Motion Moved by Hawks and seconded by Ferlic to approve item IX-A-3

IX-A-3 Approval is requested to establish the Center for Urban Sustainability at the University of Nebraska at Omaha

There was discussion

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Not present: McClurg. Motion carried.

B. BUSINESS AFFAIRS

- Motion Moved by Phares and seconded by Hawks to approve item IX-B-1
- University of Nebraska-Lincoln
- IX-B-1 Approve the Program Statement and Budget for Brace Laboratory Renovation at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and Phares. Not present: McClurg. Motion carried.
- Motion Moved by Phares and seconded by Whitehouse to approve item IX-B-2
- IX-B-2 Approve the Resolution to authorize expenditure of up to \$1,966,468 for capital improvements for the Nebraska Unions and University Housing facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, Phares, and Schroeder. Not present: McClurg. Motion carried.
- Motion Moved by Hassebrook and seconded by Hawks to approve item IX-B-3
- IX-B-3 Approve the Resolution to authorize the expenditure of up to \$700,000 from the Surplus Fund of the UNL Parking Revenue Bonds to improve certain property and equipment
- Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, Phares, Schroeder, and Whitehouse. Not present: McClurg. Motion carried.
- Motion Moved by Ferlic and seconded by Bertelsen to approve item IX-B-4
- IX-B-4 Approve the development team of America First Real Estate Group, LLC, the project scope for the mixed-use component of the 18th and R Parking Garage at the University of Nebraska-Lincoln, and the associated Ground Lease and Guaranteed Annual Payment and Excess Gross Revenue Sharing Agreement
- There was discussion
- Action Student Opinion: Voting Aye: Deter. Voting No: Bertelsen, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, Phares, Schroeder, Whitehouse, and Clare. Not present: McClurg. Motion carried.
- Motion Moved by Whitehouse and seconded by Ferlic to approve item IX-B-5
- IX-B-5 Approve acceptance of a gift of audio/video equipment for the University of Nebraska-Lincoln Hendricks Complex
- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Abstain: Hawks. Not present: McClurg. Motion carried.*
- *Section 4.4.4 of the Standing Rules of the Board states: If a member of the Board is present when a question is put and the member refuses to cast an affirmative or negative vote, his or her refusal to cast an affirmative or negative vote on the pending question shall be recorded as a negative vote, unless such member has declared a conflict of interest and abstained from all discussion and voting as mandated by Section 4.4.3.
- Motion Moved by Hawks and seconded by Hassebrook to approve item IX-B-6
- IX-B-6 Approve acceptance of a gift of Software License for the University of Nebraska-Lincoln College of Education and Human Sciences Department of Textiles, Merchandising & Fashion Design

- Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Hawks, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: McClurg. Motion carried.
- Motion Moved by Hassebrook and seconded by Phares to approve item IX-B-7
- IX-B-7 Approve the Encroachment Easement Agreement with the Nebraska Educational Telecommunications Commission for the East Campus Recreation Center at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Not present: McClurg. Motion carried.
- Motion Moved by Hawks and seconded by Bertelsen to approve item IX-B-8
- University of Nebraska at Omaha
- IX-B-8 Approve the Purchase Agreement by and between NS-The Heritage, L.L.C., the Papio-Missouri River Natural Resources District and the Board of Regents for approximately 76 acres adjacent to University of Nebraska at Omaha's Glacier Creek Preserve
- Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Not present: McClurg. Motion carried.
- Motion Moved by Hassebrook and seconded by Ferlic to approve item IX-B-9
- IX-B-9 Authorize the President of the University to enter into a letter of intent with developers for construction of an arena at the University of Nebraska at Omaha
- There was discussion
- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and Phares. Not present: McClurg. Motion carried.
- Motion Moved by Ferlic and seconded by Hassebrook to approve item IX-B-10
- University of Nebraska Medical Center
- IX-B-10 Approve the Interlocal Agreement with Douglas County, Nebraska, for funding of the Comprehensive Cancer Center Project
- There was discussion
- Motion to Amend Moved by Hawks and seconded by Ferlic to amend item IX-B-10 so the Recommended Action contains the agreed upon funding amount with Douglas County, Nebraska
- RECOMMENDED ACTION**
Approve Interlocal Agreement with Douglas County, Nebraska, for funding in the amount of \$500,000 annually for ten (10) years for ~~of~~ the Comprehensive Cancer Center Project on the Campus of University of Nebraska Medical Center
- Action on Amended item Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: IX-B-10 Whitehouse, Clare, Ferlic, Hassebrook, Hawks, Phares, and Schroeder. Not present: McClurg. Motion carried.
- Motion Moved by Hawks and seconded by Schroeder to approve item IX-B-11
- IX-B-11 Approve the Interlocal Agreement with the City of Omaha, Nebraska, for funding of the Comprehensive Cancer Center
- There was discussion

Amended Recommended Action By general consent, item IX-B-11 was amended so the Recommended Action contains the agreed upon funding amount with the City of Omaha, Nebraska

RECOMMENDED ACTION

Approve Interlocal Cooperation Agreement with City of Omaha, Nebraska, for funding in the amount of \$35,000,000 for ~~of~~ the Comprehensive Cancer Center on the Campus of University of Nebraska Medical Center

Action on Amended item IX-B-11 Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, Phares, Schroeder, and Whitehouse. Not present: McClurg. Motion carried.

C. FOR INFORMATION ONLY

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

D. REPORTS

- IX-D-1 Fall 2012 Enrollment Report
- IX-D-2 Programs with Tuition Variances
- IX-D-3 Leaves of Absences approved during the period July 1, 2011-June 30, 2012
- IX-D-4 Memorandum of Understanding between the University of Nebraska-Lincoln College of Law and the University of Nebraska Medical Center College of Public Health to form a Juris Doctorate (JD) and Master of Public Health (MPH) dual degree program
- IX-D-5 Intermediate Design Report – UNK Wellness Center
- IX-D-6 Bids and Contracts
- IX-D-7 Naming of the Thayer Athletic Research Lab in the new East Stadium Athletic Wing at the University of Nebraska-Lincoln
- IX-D-8 Naming of the James A. Rawley Conference Room on the 6th Floor of Oldfather Hall at the University of Nebraska-Lincoln
- IX-D-9 Naming of the Kenneth W. Nikels Physiological Psychology Lab at the University of Nebraska at Kearney
- IX-D-10 Appointment of Directors to Cancer Center Development Corporation
Acting Chairman Clare accepted the reports

X. ADDITIONAL BUSINESS

Motion Moved by Ferlic and seconded by Whitehouse that the Board of Regents go into closed session as authorized by Section 84-1410 of the Revised Statutes of Nebraska for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

- (a) Proposed private gifts to the University of Nebraska Foundation for the benefit of the university; and
- (b) a naming opportunity.

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

- (a) Proposed private gifts to the University of Nebraska Foundation for the benefit of the university; and
- (b) a naming opportunity.

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, Phares, Schroeder, Whitehouse, and Clare. Not present: McClurg. Motion carried.

The Board went into closed session at 1:27 p.m. and reconvened the open meeting at 1:34 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned by Acting Chairman Clare at 1:35 p.m.

Respectfully submitted,

Carmen K. Maurer
Corporation Secretary

Timothy F. Clare
Acting Chairman of the Board