

December 14, 2002

Lincoln, Nebraska  
December 14, 2002

The Board of Regents of the University of Nebraska met on December 14, 2002, at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in 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. Section 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, Daily Nebraskan, The Gateway, The Antelope, Kearney Hub and Omaha World Herald on December 2, 2002.

Regents present:

Don S. Blank  
Randolph M. Ferlic, Vice Chair  
Chuck Hassebrook  
Ryan Hatt  
Jim McClurg  
Drew Miller  
Nancy L. O'Brien  
Shay Riggs  
Kent Schroeder, Chair  
Charles S. Wilson  
Ryan Wilkins

University officials present:

L. Dennis Smith, President  
Jay Noren, Executive Vice President and Provost  
Nancy Belck, Chancellor, UNO  
Harold Maurer, Chancellor, UNMC  
Doug Kristensen, Chancellor, UNK  
Harvey S. Perlman, Chancellor, UNL  
John Owens, Vice President and Vice Chancellor for Agriculture and Natural Resources  
Kim M. Robak, Vice President for External Affairs and Corporation Secretary  
David Lechner, Vice President for Business and Finance  
Richard R. Wood, Vice President and General Counsel

I. **CALL TO ORDER**

Chairman Schroeder introduced Regent-elect Casey Johnston from the University of Nebraska Medical Center.

II. **ROLL CALL**

The Board convened at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Saturday, December 14, 2002. Attendance is indicated above. Regent Wentz was absent, but Regent-elect Johnston attended the meeting on his behalf. Regent Riggs arrived at 8:37 a.m.

December 14, 2002

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

Motion Moved by McClurg and seconded by Hassebrook to approve the minutes and ratify the actions of the regularly scheduled meeting of November 8, 2002.

Action Student Opinion: Aye: Wilkins and Hatt. Absent: Riggs. Abstain: Johnston. Voting Aye: Ferlic, Hassebrook, McClurg, Miller, O'Brien, Schroeder, Wilson, and Blank. Voting Nay: None. Motion carried.

IV. **KUDOS**

**Regent Wilkins presented a KUDOS award to Tom Workman**, Associate Director of NU Directions at the University of Nebraska-Lincoln.

**Regent O'Brien presented a KUDOS award to Mary LaGrange**, Director of Accounting, and **Nora Huscher**, Data Specialist at the University of Nebraska-Lincoln.

**Regent Hatt presented a KUDOS award to Richard Broderson**, Director of Events in the Division of Athletics at the University of Nebraska at Kearney.

**Regent Riggs presented a KUDOS award to Gordon Jensen**, Manager of Purchasing and Risk Management for the University of Nebraska at Omaha.

**Regent McClurg presented a KUDOS award to Sandra J. Larsen**, Child Care Assistant in the Child Development Center at the University of Nebraska Medical Center.

**RESOLUTIONS**

**Regent Miller presented the following Resolution.**

Whereas, Shay M. Riggs has effectively represented her constituents at the University of Nebraska at Omaha as Student Body President and a member of the Board of Regents; and

Whereas, Regent Riggs has worked consistently to ensure UNO students receive accurate information on issues that might affect educational programs or campus life; and

Whereas, Regent Riggs worked with the Student Government Executive Council to facilitate a student forum on UNO and met personally with Governor Mike Johanns concerning the cuts; and

Whereas, Regent Riggs has fostered improvements in the documents of Student Government to make them more cohesive, and to make rules and regulations more effective; and

Whereas, Regent Riggs has been recognized with a number of awards, including induction into the Omicron Delta Kappa honor society; and

Whereas, Regent Riggs has a strong record as a volunteer, serving on the Vice Chancellor's Leadership Council, the Student Programming Organization, and the Student Leadership Team.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Shay M. Riggs for her excellent service as a member of the board and her many contributions to enhancement of student life at the University of Nebraska at Omaha, and wishes her well in all her future endeavors.

**Regent Hassebrook presented the following Resolution.**

Whereas, Kendra Papenhausen has been an invaluable member of the Varner Hall Staff since September 1999; and

Whereas, Kendra has proven herself an intelligent, dedicated, highly effective, and skilled member of the team at Varner Hall; and

Whereas, Kendra has made significant contributions to the success of the work of the Office of the President, the Office of the Corporation Secretary, and the Office of External Affairs; and

Whereas, Kendra has provided important assistance in conducting the meetings of the Board of Regents; and

Whereas, Kendra will earn her bachelor's degree in business administration from the University of Nebraska-Lincoln on December 21 and will become administrative aide to Senator Doug Cunningham in January 2003.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses its sincere appreciation for the many outstanding contributions of Kendra Papenhausen and wishes her all the best in her new career.

**Regent Wilson presented the following Resolution.**

Whereas, Nancy L. O'Brien, Ph.D. has served with admirable distinction as a member of the University of Nebraska Board of Regents since 1991, and as chair in 1995 and 1999; and

Whereas, Regent O'Brien has been a strong proponent of excellence in the university's academic programs, emphasizing the need for prioritization to ensure support for those programs of paramount quality; and

Whereas, Regent O'Brien has been a strong advocate for efficiency and effectiveness in the administrative and business operations of the university; and

Whereas, Regent O'Brien has demonstrated a profound concern for equitable treatment of all students, faculty and staff, and the need to provide a welcoming climate for men and women of diverse cultural, ethnic, and racial heritage; and

Whereas, Regent O'Brien has exhibited a strong interest in economic development in Nebraska and in Omaha, exemplified by her service on the Ak-Sar-Ben Futures Trust; and

Whereas, Regent O'Brien has strongly supported improvements in educational and health care facilities and programs in Omaha, including the Lied Transplant Center and the Peter Kiewit Institute of Information Science, Technology and Engineering; and

Whereas, Regent O'Brien provided the impetus for development of the Walter Scott Entrepreneurial Business Award and the Peter Kiewit Student Entrepreneurial Award, both of which are presented annually to help stimulate and recognize innovative entrepreneurial business activities; and

December 14, 2002

Whereas, Regent O'Brien has exhibited a keen interest in the intercollegiate athletic programs of the university and lent her support to development of the NCAA Division I hockey program at the University of Nebraska at Omaha; and

Whereas, in her terms as chair, Regent O'Brien maintained a disciplined and objective decorum as the board addressed a number of controversial and emotional issues; and

Whereas, Regent O'Brien's incisive intellect and refreshing sense of humor have regularly enlivened the board's discussions.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses its sincere gratitude to Nancy O'Brien for her outstanding service as a member of the board and wishes her the greatest success in all her future endeavors.

V. **STRATEGIC OR POLICY ISSUE**

Jay Noren, Executive Vice President and Provost, introduced the topic of Homeland Security and the following presenters:

Steven Hinrichs, Director of the Nebraska Public Health Laboratory, UNMC and Chair of the University of Nebraska Bioterrorism Preparedness Task Force;  
The Honorable Dave Heineman, Lt. Governor, State of Nebraska;  
Richard Raymond, Chief Medical Officer, Nebraska Health and Human Services System;  
Steve Taylor, Chair and Professor of Food Science and Technology Department and Director of Food Processing Center, UNL; and  
Hesham Ali, Endowed Faculty, Information, Science and Technology, UNO.  
(For PowerPoint presentations, see documents file.)

Discussion was held.

The Board recessed at 10:10 a.m. and reconvened at 10:15 a.m.

VI. **HEARINGS**

None.

Dr. Farr, University of Nebraska Medical Center Faculty Senate president, announced that the Medical Center is holding a set of symposium on bioterrorism as it impacts students and people on the campus.

VII. **PUBLIC COMMENT**

Steve Seline, Vice Chairman of Waitt Media, spoke to the Board asked that the radio contract be put out to bid.

Tracy Gilliam of Clear Channel spoke to the Board regarding the radio contract and expressed her appreciation for a positive relationship with the university.

December 14, 2002

The following people spoke to the Board in favor of the university providing domestic partner benefits:

George Wolf, UNL Professor;  
John Wunder, UNL Faculty Senate President-elect; and  
Gregory Sadlek, UNO Faculty Senate President.

The following people spoke to Board against providing domestic partner benefits:

Gordon Opp; and  
Al Riskowski, Executive Director of the Nebraska Family Council.

Chancellor Perlman responded to some of the comments made and stated that the Board should look at providing domestic partner benefits at the university. Perlman believes that the university system will need to provide these benefits in order to remain competitive.

VIII. **COMMITTEE REPORTS**

Academic Affairs

The Academic Affairs committee met on Friday afternoon and the topic of discussion was International Experiences for Undergraduates.

Business Affairs

The Business Affairs committee met on Friday afternoon and the topic of discussion was University Fund Accounting.

IX. **UNIVERSITY CONSENT AGENDA**

Regent Miller asked that item IX-A-6 be removed from the Consent Agenda.

Regent Hassebrook asked that item IX-B-1 be removed from the Consent Agenda.

Motion Moved by O'Brien and seconded by Blank to approve items IX-A-1, IX-A-2, IX-A-3, IX-A-4, IX-A-5, and IX-B-2.

**A. ACADEMIC**

IX-A-1 President's Personnel Recommendations.

University of Nebraska at Kearney

Hannes Johannsson, Assistant Professor (Specific), Economics; leave of absence without pay, effective 01/06/03 to 05/16/03, \$52,011 AY, 1.00 FTE.

University of Nebraska-Lincoln

Leaves of Absence

Richard A. DeFusco, Associate Professor (Continuous), Finance; Faculty Development Fellowship with full pay effective 01/06/03 to 05/16/03, \$92,208 AY, 1.00 FTE.

Judy Diamond, Professor (Continuous), Museum; Faculty Development Fellowship with full pay effective 01/01/03 to 06/30/03, \$96,510 FY, 1.00 FTE.

December 14, 2002

Stephen E. Reichenbach, Professor (Continuous), Computer Science and Engineering; leave with 49% pay effective 01/06/03 to 05/16/03, \$97,578 AY, 1.00 FTE.

University of Nebraska Medical Center

Janet E. Cuddigan, Assistant Professor (Health Professions Appointment), College of Nursing; leave without pay, effective 01/01/03 to 12/31/03, \$63,118 FY, 1.00 FTE.

University of Nebraska at Omaha

Yi-Hsin Liu, Professor (Continuous), Mathematics; half-time leave of absence without pay, effective 01/06/03 to 05/16/03, \$66,658 AY, 1.00 FTE.

- IX-A-2 Approve the requests for outside employment at the University of Nebraska-Lincoln for Thomas Laging, Cheryl J. Wiese, and Mark A. Hoistad.
- IX-A-3 Approve the requests for outside employment at the University of Nebraska at Omaha for Gary Day, Donalyn Heise, Joanne Sowell, and Frances Thurber.
- IX-A-4 Approve the revised University of Nebraska at Omaha Student Government Constitution.
- IX-A-5 Approve the award of an Honorary Degree for the December 2002 commencement ceremony.
- IX-A-6 See below under University Administrative Agenda.

**B. BUSINESS**

Central Administration

- IX-B-1 See below under University Administrative Agenda.

University of Nebraska-Lincoln

- IX-B-2 Authorize the Vice Chancellor for Business & Finance and the Director of Athletics of the University of Nebraska-Lincoln to complete negotiations and authorize the President of the University to approve a contract for a 2002 postseason football game.

Discussion was held.

- Action Student Opinion: Aye: Wilkins, Hatt, and Riggs. Abstain: Johnston. Voting Aye: Hassebrook, McClurg, Miller, O'Brien, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

**X. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC**

- Motion Moved by Wilson and seconded by McClurg to approve item IX-A-6 from the University Consent Agenda.

- IX-A-6 Approve amendment of the Contract of Employment of L. Dennis Smith as President of the University of Nebraska to extend the term of the contract through June 30, 2004.

Discussion was held.

December 14, 2002

- Motion to Table Moved by Miller and seconded by Wilkins to table item IX-A-6.
- Action on Motion to Table Student Opinion: Aye: Hatt. Nay: Riggs and Wilkins. Abstain: Johnston. Voting Aye: Miller. Nay: McClurg, O'Brien, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Motion to Table failed.
- Discussion was held.
- Action Student Opinion: Aye: Hatt, Riggs, and Wilkins. Abstain: Johnston. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and McClurg. Voting Nay: Miller. Motion carried.
- Motion Moved by O'Brien and seconded by Ferlic to approve item X-A-1.
- X-A-1 Approve the Doctor of Philosophy major in Integrative Biomedical Sciences at the University of Nebraska-Lincoln.
- Action Student Opinion: Aye: Riggs, Wilkins, and Hatt. Abstain: Johnston. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, McClurg, and Miller. Voting Nay: None. Motion carried.
- Motion Moved by O'Brien and seconded by Blank to approve item X-A-2.
- X-A-2 Approve the recommendation to establish a peer group for the University of Nebraska System.
- Discussion was held.
- Motion to Postpone Moved by Hassebrook and seconded by Miller to postpone item X-A-2 to the next meeting.
- Discussion was held.
- Action on Motion to Postpone Student Opinion: Nay: Wilkins, Hatt, and Riggs. Abstain: Johnston. Voting Aye: Schroeder, Wilson, Blank, Hassebrook, Miller. Voting Nay: Ferlic, McClurg, and O'Brien. Motion to Postpone carried.
- Item X-A-2 will be carried over to the January 18, 2003 Board of Regents meeting.
- Additional Item
- Motion Moved by Miller and seconded by McClurg to approve item X-A-3.
- X-A-3 Approve the request to establish a multi-campus University of Nebraska Center for Biosecurity to be administered from the University of Nebraska Medical Center.
- Action Student Opinion: Aye: Wilkins and Hatt. Absent: Riggs. Abstain: Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, McClurg, Miller, O'Brien, and Schroeder. Voting Nay: None. Motion carried.

December 14, 2002

**B. BUSINESS**

Central Administration

- Motion Moved by O'Brien and seconded Blank by to approve item IX-B-1 from Consent Agenda.
- IX-B-1 Approve the policy relating to trespassing on university property.
- Discussion was held.
- Action Student Opinion: Aye: Hatt and Wilkins. Absent: Riggs. Abstain: Johnston. Voting Aye: Blank, Ferlic, Hassebrook, McClurg, Miller, O'Brien, Schroeder, and Wilson. Voting Nay: None. Motion carried.
- Motion Moved by Blank and seconded by Ferlic to approve item X-B-1.
- X-B-1 Approve the Second Amended and Restated Contract with Pinnacle Sports Productions granting exclusive live radio broadcast rights for UNL Varsity Intercollegiate Football, Men's and Women's Varsity Intercollegiate Basketball, Varsity Intercollegiate Volleyball, Varsity Intercollegiate Baseball and Varsity Intercollegiate Softball.
- Regent O'Brien gave a point of personal order and declared a conflict of interest and will abstain from discussion and voting on this item.
- Chancellor Perlman and Paul Aaron, Pinnacle Sports Productions, spoke to the Board regarding the contract.
- Motion to Postpone Moved by Blank and seconded by Hassebrook to postpone item X-B-1 to the next meeting.
- Discussion was held.
- Action on Motion to Postpone Student Opinion: Aye: Wilkins and Hatt. Absent: Riggs. Abstain: Johnston. Voting Aye: Hassebrook, Miller, Schroeder, Wilson, Blank. Voting Nay: Ferlic and McClurg. Abstain: O'Brien. Motion to Postpone carried.
- Item X-B-1 will be carried over to the January 18, 2003, Board of Regents meeting.

**C. FOR INFORMATION ONLY**

None.

**D. REPORTS**

- X-D-1 Report of Bids and Contracts for the period ended November 14, 2002.
- X-D-2 Tenure Density Report.
- X-D-3 Quarterly Personnel Report for the period July 1 through September 30, 2002.
- Chairman Schroeder accepted the reports.



December 14, 2002

**CLOSED SESSION**

Moved by Blank and seconded by O'Brien 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 public interest for the sole purpose of holding a discussion with respect to collective bargaining.

Action Student Opinion: Aye: Johnston, Wilkins, and Hatt. Absent: Riggs. Voting Aye: Hassebrook, McClurg, Miller, O'Brien, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

The Board went into closed session at 12:10 p.m. and reconvened the open meeting at 12:42 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:43 p.m.

Respectfully submitted,

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Kim M. Robak  
Corporation Secretary

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Kent Schroeder  
Chair of the Board