

April 26, 2003

Lincoln, Nebraska
April 26, 2003

The Board of Regents of the University of Nebraska met on April 26, 2003, 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 April 14, 2003.

Regents present:

Kyle Arganbright
Joe Bilek
Don S. Blank, Vice Chair
Randolph M. Ferlic, Chair
Chuck Hassebrook
Howard L. Hawks
Casey Johnston
Jim McClurg
Michelle McGeorge
Drew Miller
Kent Schroeder
Charles S. Wilson

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 Ferlic welcomed UNL Student Regent Kyle Arganbright to the Board. Chairman Ferlic also announced that this was Dr. Lynne Farr, UNMC Faculty Senate President's last meeting.

II. **ROLL CALL**

The Board convened at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Saturday, April 26, 2003. Attendance is indicated above. Regent Bilek arrived at 10:15 a.m.

April 26, 2003

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

Motion Moved by Wilson and seconded by McClurg to approve the minutes and ratify the actions of the regularly scheduled meeting of March 1, 2003.

Action Student Opinion: Aye: Johnston, McGeorge, and Arganbright. Absent: Bilek. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: None. Motion carried.

IV. **KUDOS**

Regent Wilson presented a KUDOS award to Michael C. Straatmann, Library Assistant at Love Library at the University of Nebraska-Lincoln.

Regent Arganbright presented a KUDOS award to Clyde Naber, Livestock Operations Manager in the Animal Science Department in UNL's Institute of Agriculture and Natural Resources.

Regent McClurg presented a KUDOS award to Barbara J. Henney, Staff Secretary in the College of Business Administration at the University of Nebraska at Omaha.

Regent Hawks presented a KUDOS award to Tim McCashland, Director of the internal medicine-gastroenterology department at the University of Nebraska Medical Center.

Regent Johnston presented a KUDOS award to Deborah K. Vetter, Director of Sponsored Programs at the University of Nebraska Medical Center.

Regent McGeorge presented a KUDOS award to JoAnna Cordova, Director of the Child Development Center at the University of Nebraska at Kearney.

RESOLUTIONS

Regent Hassebrook presented the following Resolution:

Whereas, Nathan Wells, a University of Nebraska-Lincoln senior computer science and engineering student from Lodgepole, has been named to the USA Today All-USA Academic Second Team; and

Whereas, Nathan was selected from 500 nominees from four-year colleges and universities nationwide, and only 20 students were named to each of the first, second and third teams; and

Whereas, Nathan has been an active participant in UNL's Undergraduate Creative Activities and Research Experiences program - UCARE; and

Whereas, Nathan's research project was to develop a self-calibrating Palmer Drought Severity Index, which involved complex and difficult computer research; and

Whereas, Nathan's work is the first major refinement to the computation since it was first created more than 40 years ago.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Nathan Wells on his selection by USA Today as a college all-star, and commends him for his outstanding research project on the Palmer Drought Severity Index.

April 26, 2003

Regent Schroeder presented the following Resolution:

Whereas, Shari Clarke has served with distinction as a member of the administration of the University of Nebraska since 1998; and

Whereas, Shari Clarke has been a driving force in the university's efforts to enhance the diversity of its campuses and in helping build a welcoming climate for students, faculty and staff of color, and of different ethnic and cultural backgrounds; and

Whereas, Shari Clarke has organized the "Honoring Women's Voices" conference series for women at the university; and

Whereas, Shari Clarke established the SHE conference to encourage high school girls to seek empowerment through higher education; and

Whereas, Shari Clarke has initiated training programs for administrators to help establish diversity as a goal in the recruitment of new faculty and staff members; and

Whereas, Shari Clarke has completed all requirements for her doctor of philosophy degree, which will be awarded on May 10, 2003; and

Whereas, Shari Clarke has been appointed vice president for student affairs of Mansfield University in Pennsylvania effective June 2, 2003.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Dr. Shari Clarke on her outstanding record of accomplishment in service to this university and wishes her the best of good fortune in her new vice presidency at Mansfield University.

Regent McClurg recognized and congratulated Chancellor Maurer for his 25 years of leadership and research in pediatric oncology and the impact it has had on the treatment of children with cancer. Maurer was honored with a lifetime achievement award from the Children's Oncology Group, which uses federal funding to support a variety of cancer treatment and research efforts.

V. STRATEGIC OR POLICY ISSUE

Jay Noren, Executive Vice President and Provost, introduced the topic of Water: Research, Development, and Educational Resources and the following speakers:

Kyle Hoagland, Interim Director, School of Natural Resource Sciences, IANR;
Prem Paul, Vice Chancellor for Research and Dean of Graduate Studies, UNL;
Roger Patterson, Director, Nebraska Department of Natural Resources; and
Sandra Zellmer, Visiting Professor, College of Law, UNL.

Discussion was held.

The Board recessed at 9:55 a.m. and reconvened at 10:05 a.m.

VI. HEARINGS

A hearing on the following item was opened by the Chair.

April 26, 2003

There were no public comments regarding the proposed amendment of Sections 1.3.1 and 1.3.3 of the *Standing Rules of the Board of Regents of the University of Nebraska* and amendment of Regents' Policy 1.6.8. from the *Board of Regents' Policies of the University of Nebraska*. Addendum X-B-4.

Chairman Ferlic closed the hearing.

VII. **PUBLIC COMMENT**

Dr. Alfred O. Gigstad and Jeremy Abel, UNL student, spoke to the Board in support of continuing the Veterinary Medicine Contract with Kansas State University.

VIII. **COMMITTEE REPORTS**

Business Affairs

The Business Affairs committee met on Friday afternoon and the topic of discussion was Business Efficiencies Update.

Academic Affairs

The Academic Affairs committee met on Friday afternoon and the topic of discussion was Tuition Trends: Regional and Among Peers.

General Affairs

The General Affairs committee met on Friday afternoon and the topic of discussion was Career Counseling.

IX. **REPORT ON BUDGET CUT PROCESS**

President L. Dennis Smith spoke to the Board about the University of Nebraska's budget cut process that the Chancellors and he have gone through and updated the Board on where the university stands. Smith gave a PowerPoint presentation. (For PowerPoint presentation, see documents file.)

Discussion was held.

X. **UNIVERSITY CONSENT AGENDA**

Regent Hawks asked that item X-B-3 be removed from the Consent Agenda.

Motion Moved by Miller and seconded by McClurg to approve items X-A-1, X-A-2, X-A-3, X-B-1, X-B-2, X-B-4, X-B-5, X-B-6, X-B-7, X-B-8, X-B-9, X-B-10, and X-B-11.

A. ACADEMIC

X-A-1 President's Personnel Recommendations.

University of Nebraska-Lincoln

Adjustment

Rita C. Kean, Dean (Special), Undergraduate Studies, Professor (Continuous) Textiles, Clothing and Design; appoint as Dean of Undergraduate Studies effective 5/1/03, \$140,800 FY (includes \$12,800 administrative stipend), 1.00 FTE.

April 26, 2003

Leaves of Absence

Mark R. Anderson, Associate Professor (Continuous), Geosciences; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$71,449 AY, 1.00 FTE.

John R. Bailey, Professor (Continuous), Music; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$77,695 AY, 1.00 FTE.

Michael D. Blum, Associate Professor (Continuous), Geosciences; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$68,082 AY, 1.00 FTE.

Arthur John Boye, Professor (Continuous), Electrical Engineering; Faculty Development Fellowship with half pay effective 08/18/03 to 05/14/04, \$102,619 AY, 1.00 FTE.

Stephen M. Buhler, Professor (Continuous) English; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$65,034 AY, 1.00 FTE.

David L. Cahan, Professor (Continuous) History; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$70,791 AY, 1.00 FTE.

Thomas Caramagno, Associate Professor (Continuous), English; Leave without pay effective 08/18/03 to 05/14/04, \$45,203 AY, 1.00 FTE.

Patricia Cox Crews, Professor (Continuous), Textiles, Clothing, and Design; Faculty Development Fellowship with full pay effective 07/01/03 to 12/31/03, \$121,582 FY, 1.00 FTE.

Mary Jo Deegan, Professor (Continuous), Sociology; Faculty Development Fellowship with full pay effective 01/05/04 to 05/14/04, \$57,745 AY, 1.00 FTE.

Vincent S. Di Salvo, Professor (Continuous), Communication Studies; Leave without pay effective 04/13/03 to 05/16/03, \$59,647 AY, 1.00 FTE. (This leave has been approved by the Regents Executive Committee.)

Robert K. Hitchcock, Professor (Continuous), Anthropology and Geography; Faculty Development Fellowship with half pay effective 08/18/03 to 05/14/04, \$64,319 AY, 1.00 FTE.

Bettina-Elisabeth Klaus, Assistant Professor (Specific Term), Economics; Leave without pay 08/19/03 to 08/15/04, \$76,572 FY, 1.00 FTE.

Antonio H. Martinez, Associate Professor (Continuous), Modern Languages; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$49,573 AY, 1.00 FTE.

Elaine A. Nowick, Associate Professor (Continuous), Branch Services, Libraries; Faculty Development Fellowship with full pay effective 07/01/03 to 12/31/03, \$45,000 FY, 1.00 FTE.

Matthew P. Schaefer, Associate Professor (Continuous), Law; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$84,760 AY, 1.00 FTE.

Janice Stauffer, Associate Professor (Continuous), Theatre Arts; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$55,487 AY, 1.00 FTE.

April 26, 2003

Norman Smith, Professor and Chair (Continuous), Geosciences; Leave without pay 06/01/03 to 06/30/03, \$147,874 FY, 1.00 FTE.

Pamela Starr, Associate Professor (Continuous), Music; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$55,148 AY, 1.00 FTE.

Elizabeth A. Theiss-Morse, Professor (Continuous), Political Science; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$71,554 AY, 1.00 FTE.

Julia Torquati, Associate Professor (Continuous), Family and Consumer Sciences; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$54,042 AY, 1.00 FTE.

Lynn K. White, Professor, Sociology; Leave without pay effective 08/18/03 to 05/14/04, \$89,863 AY, 1.00 FTE.

Vitaly A. Zlotnik, Professor, Geosciences; Faculty Development Fellowship with full pay effective 08/18/03 to 01/04/04, \$76,379 AY, 1.00 FTE.

University of Nebraska Medical Center

Leave of Absence

Jennifer L. Larsen, Professor (Continuous) and Louise & Morton Degen Professor of Internal Medicine (Special), Internal Medicine; Faculty Development Fellowship with full pay effective 01/01/04 to 06/30/04, \$96,394 FY, 1.00 FTE.

University of Nebraska at Omaha

Leaves of Absence

Janice S. Boyer, Dean (Special) and Professor (Continuous), Library; One fifth time leave of absence without pay, effective 06/02/03 to 08/08/03, \$106,994 FY (includes \$10,000 administrative stipend), 1.00 FTE.

Melissa A. Cast, Assistant Professor (Specific Term), Library; One quarter time leave of absence without pay, effective 05/12/03 to 08/18/03, \$47,895 FY, 1.00 FTE.

Dorothy B. Willis, Assistant Professor (Specific Term) and Chairperson (Special), Library; One fifth time leave of absence without pay, effective 05/12/03 to 08/01/03, \$58,523 FY (includes \$7,500 administrative stipend), 1.00 FTE.

X-A-2 Approval of Revised Rules of the Faculty Assembly of the College of Dentistry.

X-A-3 Approve the consolidation of the Conservation and Survey Division, the Water Center, and the School of Natural Resource Sciences in the University of Nebraska-Lincoln Institute of Agriculture and Natural Resources.

B. BUSINESS

Central Administration

X-B-1 Approve the Selection of the Four Year Architect/Engineer firms for term contracts from May 1, 2003, to May 1, 2007.

April 26, 2003

- X-B-2 Approve proposed amendment of Section 6 of RP-5.9.1 relating to the use of Fund B monies to clarify language and permit the use of Fund B monies for student transit services.
- X-B-3 See University Administrative Agenda.
- X-B-4 Approve amendment of Sections 1.3.1 and 1.3.3 of the *Standing Rules of the Board of Regents of the University of Nebraska* and amendment of Regents' Policy 1.6.8. from the *Board of Regents' Policies of the University of Nebraska*.
- University of Nebraska at Kearney
- X-B-5 Approve the Fund B, University Program and Facilities Fee (UPFF) 2003-2004 Allocation for the University of Nebraska at Kearney.
- University of Nebraska-Lincoln
- X-B-6 Approve the Fund B, University Program and Facilities Fees (UPFF) 2003-2004 Allocations for the University of Nebraska-Lincoln, and authorize the Chancellor to approve modifications of these budgets to the extent necessary to implement the Board of Regents salary increase policy and personnel benefits cost increases for 2003-2004.
- X-B-7 Approve the Purchase Option and Contract between the USDA Forest Service and the Board of Regents on behalf of the State Forester to sell the Cold Storage Building (cooler) and improvements located at the U.S. Forest Service Bessey Nursery, Halsey, Nebraska to the USDA Forest Service for \$193,000, and further waive the requirements of RP-6.2.3.6 pertaining to the Disposal of Real Property by public auction or sealed bid public sale because it is in the best interest of the University to sell the building to the U.S. Forest Service.
- X-B-8 Authorize the Vice Chancellor for Business and Finance of the University of Nebraska-Lincoln (UNL) to designate a member of the UNL administrative staff to serve as the University's alternate representative on the Administrative Board of the Joint Antelope Valley Authority.
- X-B-9 Approve the Contract between the Nebraska Department of Education and the University of Nebraska-Lincoln for the project entitled "Reviewing Assessment Portfolios for Language Arts: 2003."
- University of Nebraska Medical Center
- X-B-10 Approve the Fund B, University Program and Facilities Fees (UPFF) 2003-2004 Allocation for the University of Nebraska Medical Center.
- University of Nebraska at Omaha
- X-B-11 Approve the Fund B, University Program and Facilities Fees (UPFF) 2003-2004 Allocation for the University of Nebraska at Omaha.
- Discussion was held.
- Action Student Opinion: Aye: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

April 26, 2003

XI. **UNIVERSITY ADMINISTRATIVE AGENDA**

Motion Moved by Blank and seconded by Hawks to approve a new item X-B-3 which shall provide a change in definition of “full-time equivalent” for the purpose of health care coverage for current personnel whose jobs are restructured from 1.0 FTE to .75 FTE and above effective July 1, 2003. This action would allow affected personnel to keep health care benefits

X-B-3 Approve the change in definition of full-time equivalent for the purpose of health care coverage as stated in the above motion.

Discussion was held.

Action Student Opinion: Aye: McGeorge, Bilek, and Johnston. Abstain: Arganbright. Voting Aye: Hawks, Schroeder, Blank, Ferlic, and Hassebrook. Voting Nay: McClurg, Miller, and Wilson. Motion carried.

A. ACADEMIC

None.

B. BUSINESS

Central Administration

Motion Moved by Schroeder and seconded by McClurg to approve item XI-B-1.

XI-B-1 Approve negotiated amendments to the current Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Omaha American Association of University Professors (UNO/AAUP) for the 2003-2005 Biennium.

Regent Hawks made special note that the General Counsel has represented that “appropriate consultation” means “notice with time to respond.”

Action Student Opinion: Aye: Arganbright, Bilek, Johnston, and McGeorge. Voting Aye: McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by Miller and seconded by McClurg to approve item XI-B-2.

XI-B-2 Approve negotiated amendments to the current Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association (UNKEA) for the 2003-2005 Biennium.

Action Student Opinion: Aye: Bilek, Johnston, McGeorge, and Arganbright. Voting Aye: Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.

Additional Item

Motion Moved by McClurg and seconded by Schroeder to approve item XI-B-3.

XI-B-3 Approve Second Amendment of the 2003 Retirement Incentive Program for Tenured Faculty to extend the time for electing to participate to June 30, 2003.

Discussion was held.

April 26, 2003

Action Student Opinion: Aye: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

C. FOR INFORMATION ONLY

XI-C-1 This proposed housekeeping amendments of Sections 3.12.1 and 3.12.2 of the *Bylaws of the Board of Regents* to (i) change the normal retirement age for all University employees from 65 years of age to 59½ years of age, and (ii) to remove the requirement for a Board resolution to approve a disability retirement are presented for information purposes only in accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents*. Approval of this amendment will be requested at the Regents' meeting on June 7, 2003.

XI-C-2 This proposed amendment of Section 7.2 of the University of Nebraska Retirement Plan to permit limited in-service distribution for certain part-time employees after Normal Retirement Age is presented for information purposes only in accordance with the requirements of Section 3.12.4.6 of the *Bylaws of the Board of Regents*. Approval of this amendment will be requested at the Regents' meeting on June 7, 2003.

D. REPORTS

XI-D-1 Report on Laboratory, Student, and Miscellaneous Fees for 2003-2004.

XI-D-2 Naming two rooms in the College of Dentistry: "Henry and June Weeth Instrument Management Center" and "Kenneth and Marjorie Morrison Computer Room."

XI-D-3 Naming the Encounter Center located in Morrill Hall at the University of Nebraska State Museum "The Dr. Paul and Betty Marx Science Discovery Center."

XI-D-4 Naming rooms and facilities within the University of Nebraska-Lincoln Law College addition and the newly renovated areas.

XI-D-5 Monthly Report of Bids and Contracts for the period ended March 31, 2003.

XI-D-6 Annual audit of UNeMed Corporation for the fiscal years ending December 31, 2002, and December 31, 2001, in accordance with the Bylaws of UNeMed Corporation as approved by the Board of Regents.

Chairman Ferlic accepted the reports.

XII. ADDITIONAL BUSINESS

Regent Hassebrook made a point of personal privilege with regard to why the items XI-B-1 and XI-B-2 were passed during these budget times.

Regent Wilson made a point of personal privilege about the Regents' role in the budget cut process.

Chairman Ferlic announced that the Board Audit Committee, which consists McClurg as the chairman, Hawks, Miller, and himself, will have their first meeting to review the audit report of the UNeMed Corporation.

Regent Arganbright made a point of personal privilege about the students commitment to quality of the education and institution and that the student senate supports the fees that are listed in the report section.

April 26, 2003

Committee topics and strategic issue topics have been tentatively set for the year and were handed out to the Board. (For copy of topics, see documents file).

CLOSED SESSION

Motion Moved by Blank and seconded by Wilson 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 individuals who have not requested a public hearing, for the purpose of holding a discussion limited to consideration of the award of an honorary degree.

Action Student Opinion: Aye: McGeorge, Arganbright, Bilek, and Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

The Board went into closed session at 11:30 a.m. and reconvened the open meeting at 11:35 a.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:36 a.m.

Respectfully submitted,

Kim M. Robak
Corporation Secretary

Randolph M. Ferlic
Chair of the Board