

March 7, 2008

Lincoln, Nebraska
March 7, 2008

The Board of Regents of the University of Nebraska met on March 7, 2008, at 1:00 p.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, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on February 27, 2008.

Regents present:
Randolph M. Ferlic
Chuck Hassebrook, Chairman
Howard Hawks
Jim McClurg
Bob Phares
Kent Schroeder, Vice Chairman
Bob Whitehouse
Charles S. Wilson
Amber Lewis
Curtis McKnight
Lucas Seiler
David Solheim

University officials present:
James B. Milliken, President
Linda R. Pratt, Executive Vice President and Provost
John Christensen, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
John Owens, Vice President for Agriculture and Natural Resources
Donal J. Burns, Corporation Secretary
David Lechner, Vice President for Business and Finance
Joel Pedersen, Vice President and General Counsel
Peter G. Kotsiopoulos, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska on March 7, 2008. 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 January 18, 2008.

Action Student Opinion: Voting Aye: McKnight, Seiler, Solheim, and Lewis. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, and Ferlic. Motion carried.

Regent Hassebrook announced the location of the Open Meetings Act in the Board room.

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IV.

KUDOS

Regent Solheim presented a KUDOS award to Mary Guest, Administrative Technician for the Vice Chancellor for Student Affairs at the University of Nebraska-Lincoln.

Regent Hawks presented a KUDOS award to John Backer, a police officer and criminal investigator with the Police Department at the University of Nebraska-Lincoln

Regent Lewis presented a KUDOS award to Margaret (Peggy) Abels, Director of the Office of Health Science Programs at the University of Nebraska at Kearney.

Regent Phares presented a KUDOS award to Tracy Rheault, Administrator of Cardiothoracic Surgery at the University of Nebraska Medical Center.

Resolutions

Regent McClurg presented the following Resolution:

WHEREAS, David Solheim has served with distinction as a member of the University of Nebraska Board of Regents and President of the Association of Students of the University of Nebraska-Lincoln since March 2007; and

WHEREAS, Regent Solheim has effectively represented the best interests of UNL students, on his campus, as a member of the Board of Regents and as an advocate with the Nebraska Legislature; and

WHEREAS, Regent Solheim has worked diligently to help maintain an affordable cost of college attendance, serving as an effective advocate for reasonable tuition and lower fees; and

WHEREAS, Regent Solheim helped bring the environment-focused program, “Focus the Nation,” to UNL; and

WHEREAS, Regent Solheim has demonstrated his dedication as a scholar, a community volunteer and a leader of student government;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses sincere appreciation for Regent David Solheim’s dedicated service and effective leadership as a member of the board, and wishes him well in all his future endeavors.

Regent Schroeder presented the following Resolution:

WHEREAS

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WHEREAS, under Regent Lewis's leadership, the UNKard was upgraded and reintroduced to further unite the excellent working relationship between UNK and the Kearney community; and

WHEREAS, Regent Lewis has diligently led a campus-wide student effort to establish the Campus Cares program and promote and deepen the pride UNK student organizations take in their University; and

WHEREAS, Regent Lewis has established a vision of purpose and direction and has been a trusted and respected leader in every aspect,

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses sincere appreciation for the exceptional service and leadership that Regent Amber Lewis has provided during her tenure in office and wishes her well in all her future endeavors.

The resolutions were adopted by acclamation.

V. PUBLIC COMMENT

Mr. Don Costello, a candidate for Regent in District 1, addressed the Board on the student information system and distance education.

Mr. Barry Major of Nebraska Book Company addressed the Board on the Follett Higher Education agenda item. (Item X-B-16)

Professor Mark Schneiderjans, Chairman of the Nebraska Civil Rights Initiative, addressed the Board on the Connerly Petition.

Professor Gerard Harbison addressed the Board on "the practice of racial, ethnic and gender preferences at UNL and the effects of NCRI on the University".

VI. RESOLUTIONS

Regent Hassebrook made the following statement regarding the presentation of resolutions for future Board meetings:

The following two resolutions are not new items to the Board as they were before the Board at our last meeting. In the interim, a citizen complaint and related newspaper report raised a question about how one of the resolutions appeared on the agenda. The complaint also asked this Board to "void" their previous action.

In the future, the subject of any resolution that states the position of the Board of Regents on a ballot question or on a matter pending before Congress or the Unicameral, will be included in the agenda released to the public. The agenda will not include the actual language of the resolution.

However, this practice will not preclude the consideration of a resolution that arises spontaneously on a topic listed on the agenda of a Board of Regents meeting that has

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Motion Moved by Wilson and seconded by Lewis to reconsider the resolutions passed at the January 18, 2008 Board of Regents meeting: [1] the proposed Connerly Amendment to the Nebraska Constitution, and [2] the Innovation Campus at State Fair Park.

Action Student Opinion: Voting Aye: Seiler, Solheim, Lewis, and McKnight. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, and Hassebrook. Motion carried.

Regent Ferlic proposed the following Resolution:

Resolution

WHEREAS, the Board of Regents of the University of Nebraska is committed to the achievement of broad diversity in its student body and workforce in order to enrich the educational experience of students and strengthen the competitiveness of our state and nation in the 21st century; and

WHEREAS, the State of Nebraska is becoming more diverse in many ways, including in race and national origin, and the University provides outreach and educational and support programs to encourage the educational access, persistence and success necessary if our state and its people are to prosper; and

WHEREAS, in endeavoring to achieve broad diversity in the makeup of the University's student body and workforce, the University from time to time employs narrowly tailored measures that take into consideration diversity of race and gender, consistent with relevant decisions of the United States Supreme Court and with state and federal laws prohibiting discrimination on the basis of race, color, religion, gender, national origin and disability; and

WHEREAS, there is currently being circulated among the electorate of the State of Nebraska an initiative petition commonly called the Connerly petition, which is also known as the Nebraska Civil Rights Peition, an initiative that appears to be part of a national strategy developed and financed by interests outside Nebraska; and

WHEREAS, the Nebraska Civil Rights Peition, known as the Connerly petition. seeks to amend the Nebraska Constitution in ways that would eliminate lawful and established measures used by the University to assist in carrying out the Board of Regents' commitment to achievement of diversity;

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of the University of Nebraska that the Board believes the use of existing narrowly tailored lawful measures that take diversity into consideration to assist in achieving the Board's commitment to diversity in the University's student body and workforce is good public policy; and

BE IT FURTHER RESOLVED that the Board believes the amendment to the Nebraska LVED

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Motion The proposed Resolution was seconded by Hawks

Action Student Opinion: Voting Aye: Solheim, Lewis, McKnight, and Seiler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks.

Regent Wilson proposed the following Resolution:

Resolution

WHEREAS, in the 21st century knowledge-based economy, Nebraska’s economic future depends on our state’s ability to retain and attract talent in the state; and

WHEREAS, in addition to its historic role as the state’s only public university providing education to prepare Nebraskans for life and work, the University of Nebraska is Nebraska’s leading source of research and development, generating more than \$330 million in R&D activity annually; and

WHEREAS, research-based public-private partnerships involving universities, the private sector and government have been demonstrated to serve as effective catalysts for regional innovation-based economic development, attracting entrepreneurs, faculty, students and new and knowledge-based businesses; and

WHEREAS, locating a public-private research and development campus on land contiguous to a major research university is essential to attracting private sector investment because such a location contributes significantly to success through internships and employment opportunities, faculty collaborations, graduate education opportunities, research agreements and other relationships among the partners; and

WHEREAS, the only feasible location of adequate size for such a campus contiguous to the University of Nebraska-Lincoln is on land currently designated as State Fair Park in Lincoln, Nebraska; and

WHEREAS, successful development of a public-private research and development campus in connection with the University of Nebraska-Lincoln would build on the research strengths of the University, including agriculture and life sciences, and thus leverage the research strength of the University for the benefit of all Nebraskans;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents of the University of Nebraska supports the acquisition of State Fair Park by the University of Nebraska for the purpose of developing a research and development campus that will encourage public-private partnerships, promote the attraction and creation of high-paying jobs in Nebraska, foster innovative research that will attract and keep talent in Nebraska, and serve as a major source of economic competitiveness in the 21st century.

AND, WHEREAS the University of Nebraska has been a long-time partner with the Nebraska State Fair in efforts to promote and showcase Nebraska agriculture, industry, commerce, and the arts, sciences and technology; and

WHEREAS the needs of the Nebraska State Fair are no longer best met by the present location;

NOW THEREFORE BE IT FURTHER RESOLVED that the Board of Regents of the University of Nebraska encourages the University of Nebraska administration, the State Fair Board, the Governor, the Legislature and other interested parties to work together to find a new location for the Fair so that it can continue its century long tradition of showcasing the best of Nebraska’s agriculture, industry, commerce and the arts, sciences and technology, and supports the conveyance of the land currently known as State Fair Park to the University of Nebraska for a research and development campus.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution shall supersede and replace the resolution related to the location of the Innovation Campus as previously acted on by the Board of Regents on January 18, 2008.

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- Motion The proposed Resolution was seconded by McClurg
- Action Student Opinion: Voting Aye: Lewis, McKnight, Seiler, and Solheim. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by Wilson to establish an ad hoc Committee of the Board of Regents to be known as the "Outreach and Economic Development Committee."

Outreach and Economic Development Committee - Draft Charter

Engagement with and outreach to citizens across Nebraska are among the highest priorities of the University of Nebraska. This is consistent with the University's mission not only in teaching and research, but also in service or outreach. It is also reflected in the University's Strategic Framework.

Through the work of its faculty, the University is involved in academic pursuits that offer great potential to Nebraskans throughout the state. The Board of Regents' Committee on Outreach and Economic Development will encourage planning and development of strategies that take advantage of this expertise in areas that can benefit the state. The committee will focus on ways the university can contribute to the growth of Nebraska's economy, health, culture, and quality of life. The Committee will be interested in efforts that address outreach and economic development in urban and rural areas.

- Action Student Opinion: Voting Aye: McKnight, Seiler, Solheim, and Lewis. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

VII. HEARINGS

None

VIII. STRATEGIC ISSUE

The strategic issue presentation was General Education. The speakers were Linda Pratt, Executive Vice President and Provost; Richard Miller, Faculty Senate President, University of Nebraska at Kearney; Barbara Couture, Senior Vice Chancellor for Academic Affairs, University of Nebraska-Lincoln; and David Wilson, Associate Vice President for Academic Affairs, University of Nebraska-Lincoln.

Regent Phares reported on the February 21, 2008 meeting of the Business Affairs Committee and reported that the Committee recommended approval of [1] UNMC item X-B-3, the program statement and budget for construction of an addition and minor renovation to the College of Nursing, [2] UNMC item X-B-5, the program statement and budget for construction of the new College of Public Health building, [3] UNO item X-B-9, the program statement and budget for the construction of the College of Business Administration, and [4] NCTA item X-B-14, program statement and budget for the Education Center building.

IX. UNIVERSITY CONSENT AGENDA

- Motion Moved by Schroeder and seconded by Phares to approve the Consent Agenda consisting of items IX-A-1, IX-A-2, IX-B-1, IX-B-2, and IX-B-3

A. ACADEMIC AFFAIRS

- IX-A-1 The President's Personnel Recommendation

- IX-A-2 Approval of the appointment of Janet T. Pol as Statistics Coordinator effective August 18, 2008, College of Business Administration, University of Nebraska at Omaha

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2. Definitions

- ~~a. Use-Related (Generic). When used in conjunction with facility identification, the terms "use-related" and "generic" describe names given to buildings or other facilities which are based solely upon the use of the named facility, without the inclusion of a modifier which would designate a particular family, person, or organization. Examples of use-related or generic names would be "East Campus Union", "College of Dentistry", "College of Business Administration", or "Health and Sport Center."~~
- ~~b. Facility Identification. The name or title used to designate a particular building or other facility for the purpose of specifically identifying such building or facility to all members of the University community and to the general public.~~
- ~~c. Facility. Any physical structure or space required by an institution for the performance of its programs and related activities. In support of the naming policy, this definition will include a new, existing, or leased building, a wing of a building, a room or cluster of rooms, or other significant features such as a fountain, monument, plaza, garden, landscaped area, or street.~~
- a. "Facility" means any physical structure or space required by an institution for the performance of its programs and related activities, including any new, existing, or leased building, a wing of a building, a room or cluster of rooms, or other significant features such as a fountain, monument, plaza,

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4. Criteria for Naming Facilities

d. In order to avoid any appearance of commercial influence or conflict of interest, additional due diligence shall be undertaken before recommending the naming of any Facility that includes the name of a commercial enterprise. A Facility may be assigned a name that includes a commercial enterprise only if the proposed name (i) is appropriate in the educational and public setting of the University, (ii) will not detract from the University's use of the Facility or the University's reputation as a public institution of higher education, and (iii) will not result in impermissible commercial endorsement or advertising benefitting the commercial enterprise.

5. Procedures for Naming Facilities

a. ~~a~~ No commitment for naming a Facility shall be made prior to approval of the proposed name in accordance with this policy.

b. Wherever a naming proposal may originate, it shall at the earliest appropriate date be submitted to the Chancellor, from the Chancellor to the President, and from the Chancellor and President to the Board of Regents in those instances where action by the Board is required.

c. ~~The~~ Each Chancellor shall establish campus policies and procedures consistent with this policy to be used in the naming of campus facilitiesFacilities.

b. The Vice-President for Business and Finance shall establish University-wide procedures for implementing this policy and for assuring compatibility of campus policies and procedures with this policy.

6. Duration of Names and Name Changes

a. The naming of a Facility in honor of an individual or individuals, family or non-commercial entity is generally expected to last for the useful life of the Facility.

b. The naming of a Facility in honor of a commercial enterprise will have a set number of years attached to the naming, which will be determined on a case-by-case basis and included in a signed gift agreement associated with the naming of the Facility. Typically the duration of a commercial enterprise name should not exceed twenty-five (25) years. Once established, a commercial enterprise name assigned to a Facility shall normally remain the same notwithstanding future changes in the commercial enterprise name; provided, however, in the event of a name change in the commercial enterprise, the Board of Regents may in the exercise of its sole discretion elect to remove the established commercial enterprise name from the Facility or to rename the Facility, if either such action is determined to be in the best interest of the University.

c. If a Facility is replaced or substantially renovated (providing new useful life equivalent to a new building), or if there is a significant addition to the Facility, it may be renamed, subject to any terms, conditions or restrictions set forth in any gift agreement related to the prior naming action.

d. If there is a change in the function of a Facility that has a Generic Name, the Generic Name may be changed in accordance with the requirements of subsection a. of Section 3 of this policy.

e. If there is a change in the function of a Facility that has been named in accordance with Section 4(arenamed87omlfor Busines.laced or s0.0005 Tc.0007 Tw(fBT1F

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There was discussion

- Action Student Opinion: Voting Aye: McKnight, Seiler, Solheim, and Lewis. Voting Aye: Schroeder, Whitehouse, Wilson, Hassebrook, Hawks, McClurg, and Phares. Absent: Ferlic. Motion carried.
- Motion Moved by Hawks and seconded by McClurg to approve item X-B-8
- X-B-8 Approve replacement of fire damaged electrical generator and associated control and switch gear equipment and construction of code compliant utility facility
- Action Student Opinion: Voting Aye: Seiler, Solheim, Lewis, and McKnight. Voting Aye: Whitehouse, Wilson, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Absent: Ferlic. Motion carried.
- Motion Moved by Phares and seconded by Whitehouse to approve items X-B-9 and X-B-10
- X-B-9 Approve the program statement and budget for the construction of a new College of Business Administration building
- X-B-10 Approve the selection of Holland Basham Architects/Gensler to provide architectural design services for the construction of a new College of Business Administration building
- There was discussion on both items
- Action Student Opinion: Voting Aye: Solheim, Lewis, McKnight, and Seiler. Voting Aye: Wilson, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Absent: Ferlic. Motion carried.
- Motion Moved by Wilson and seconded by Schroeder to approve item X-B-11
- X-B-11 Approve the project budget for the Arts and Sciences Hall Fire Suppression System
- Action Student Opinion: Voting Aye: Lewis, McKnight, Seiler, and Solheim. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Absent: Ferlic. Motion carried.
- Motion Moved by McClurg and seconded by Whitehouse to approve items X-B-12 and X-B-13
- X-B-12 Approve the Resolution authorizing the expenditure of \$625,471 from the Sixth Series Replacement Fund to make Student Center improvements
- University of Nebraska at Kearney
- X-B-13 Approve the Resolution to authorize transfer and expenditure of up to \$5,200,000 for Capital Improvements for Revenue Bond Housing Facilities
- Action Student Opinion: Voting Aye: McKnight, Seiler, Solheim, and Lewis. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Absent: Ferlic. Motion carried.
- Motion Moved by Phares and seconded by Hawks to approve item X-B-14
- X-B-14 Approve the program statement and budget for the Education Center building
- Action Student Opinion: Voting Aye: Seiler, Solheim, Lewis, and McKnight. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, and Hassebrook. Absent: Ferlic. Motion carried.

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- X-D-5 Status of Capital Projects exceeding \$5 million as of December 31, 2007
 - X-D-6 Semi-Annual Report of Licenses
 - X-D-7 Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report
 - X-D-8 Quarterly Gifts, Grants, Contracts and Bequests
 - X-D-9 Bids and Contracts
 - X-D-10 Members of the University of Nebraska Project Review Board Pool
 - X-D-11 Naming of the International Quilt Study Center and Museum at the University of Nebraska-Lincoln
 - X-D-12 Naming of the Sheldon Museum of Art at the University of Nebraska-Lincoln
- Chairman Hassebrook accepted the reports

XI. ADDITIONAL BUSINESS

Regent Phares commended the students on each campus for their work in the community. He asked the campus administrators to bring to the Board a list of student service projects and that the Board consider a resolution of appreciation acknowledging the students for their many hours of community involvement.

The next meeting of the Board of Regents is on Friday, April 18, 2008.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Hassebrook at 4:04 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Chuck Hassebrook
Chairman of the Board