

September 7, 2001

Lincoln, Nebraska
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The Board of Regents of the University of Nebraska met on September 7, 2001, at 1:30 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, Daily Nebraskan, The Gateway, The Antelope, Kearney Hub and Omaha World Herald on August 27, 2001.

Regents present:

Don S. Blank
Randolph M. Ferlic
Nathan Fuerst
Chuck Hassebrook
Jay Matzke
Drew Miller
Nancy L. O'Brien
Mallory Prucha
Ryan Samuelson
Kent Schroeder, Vice Chair
Charles S. Wilson, Chair
Javine Winterboer

University officials present:

L. Dennis Smith, President
Lee B. Jones, Executive Vice President and Provost
Nancy Belck, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Gladys S. Johnston, 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**

II. **ROLL CALL**

The Board convened at 1:30 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Friday, September 7, 2001. Attendance is indicated above.

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

Motion Moved by Matzke and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of July 28, 2001.

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Action Student Opinion: Aye: Prucha, Samuelson, Winterboer, and Fuerst. Voting Aye: Ferlic, Hassebrook, Matzke, Miller, O'Brien, Schroeder, Wilson, and Blank. Voting Nay: None. Motion carried.

IV. **KUDOS**

Regent Fuerst presented a KUDOS award to Debra Mullen, Assistant Director for Academic Initiatives and Research in the Division of Housing at the University of Nebraska-Lincoln.

Regent Hassebrook presented a KUDOS award to Terry DeVries, Research Analyst at the South Center Research & Extension Center in Clay Center for the University of Nebraska-Lincoln.

Regent O'Brien presented a KUDOS award to Brian S. Farleigh, Electronic and Computer Specialist in the Electronics Shop of the Department of Physics and Astronomy at the University of Nebraska-Lincoln.

Regent Prucha presented a KUDOS award to Stella Watts, Clerical Assistant in the Career Center at the University of Nebraska at Omaha.

Regent Winterboer presented a KUDOS award to Donald E. Berney, Chief Utilities Operator in the Central Utilities Plant at the University of Nebraska Medical Center.

Regent Matzke presented a KUDOS award to Alan Wass, Information Specialist in the College of Nursing at the University of Nebraska Medical Center.

Regent Schroeder presented a KUDOS award to Marsha Fritz and Mindy Young, specialists in early childhood education at the University of Nebraska at Kearney.

Regent Samuelson presented a KUDOS award to Tim McMullen, manager of UNKConnections at the University of Nebraska at Kearney.

Regent Blank presented a KUDOS award to Cheryl Bressington, Assistant Director of Human Resources at the University of Nebraska at Kearney.

RESOLUTIONS

Regent O'Brien presented the following Resolution that was approved by acclamation.

WHEREAS, Joseph P. Rowson will be inducted as a member of the prestigious Public Relations Society of America (PRSA) College of Fellows in an October 27 ceremony in Atlanta, Georgia; and

WHEREAS, each Fellow's selection is determined by the bylaws of PRSA and requires the candidates to be certified in the field of Public Relations through vigorous oral and written exams; and

WHEREAS, Joe has practiced public relations for more than 20 years; and

WHEREAS, Joe will become a member of a small group who have been admitted since the inception of the College of Fellows in 1989. There are a little over 300 members out of a membership base of 20,000 public relations professionals; and

WHEREAS, Joe has demonstrated expertise and a breadth of experience in the area of public relations during his tenure at the University of Nebraska;

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NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses its congratulations to Joseph P. Rowson for the recognition of his work in public relations, and wishes to recognize his outstanding contribution to the University of Nebraska.

V. **STRATEGIC OR POLICY ISSUE**

Chairman Wilson introduced the topic of Measurable Quality Indicators. Wilson stated that several years ago the Board approved a strategic plan that committed the University to achieve status in the top 30 of comparable public institutions. President Smith spoke to the Board and made a PowerPoint presentation on Quality. Smith provided an overview of what happens nationally and regionally in attempting to assess quality and the different kinds of quality measures.

Discussion was held.

Chairman Wilson stated that the Board has made a commitment to excellence. In this strategic issue and the next two strategic issues, the Board is trying to find the answers to: 1) How do we define "quality?" 2) How do we achieve it? and 3) How do we know when we are there?

VI. **HEARINGS**

None.

The Board recessed at 2:45 p.m. and reconvened at 2:50 p.m.

VII. **PUBLIC COMMENT**

Robert Van Valkenburg spoke to the Board regarding his opinion on the repercussions of erecting monument on East Campus in honor of Native American remains when there is not a 100 percent certainty that the University had any involvement. See "document file" for Van Valkenburg's handout.

Chancellor Perlman stated that on October 2, 2001, the University of Nebraska-Lincoln is going to dedicate a memorial on East Campus that was agreed to by then Chancellor James Moeser and 16 Native American tribes. None of the events in question can be proven with a 100 percent certainty, but the evidence shows that there is a reasonable probability that Native American remains were burned in an incinerator on East Campus. This memorial is an effort to attempt to put these events behind us and move forward in a positive nature with Native American tribes.

Regent Hassebrook stated he agrees with Chancellor Perlman that this memorial is the right thing to do.

Regent Miller wanted to set the record straight that the first paragraph on Van Valkenburg's handout is from him, the rest of it is from Priscilla Grew. Miller agrees that the memorial is the appropriate thing to do.

Omid Zehtab spoke to the Board regarding the role of the Land Grant Institution in the State's economy.

Julie Schmit-Albin, Nebraska Right to Life, spoke to the Board in opposition to Regent Miller's Resolution on stem cell research. See "document file" for Schmit-Albin's handout.

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Greg Schleppenbach, Nebraska Catholic Conference, spoke to the Board in opposition to Regent Miller's Resolution on stem cell research. See "documents file" for Schleppenbach's handout.

Jan Leeper spoke to the Board in favor of Regent Miller's Resolution on stem cell research.

Sandy Goodman, Nebraskans for Research, spoke to the Board in favor of Regent Miller's Resolution on stem cell research. See "document file" for Goodman's handout.

Motion

Moved by Miller and seconded by Winterboer to approve the following Resolution:

WHEREAS, University of Nebraska President L. Dennis Smith established the Nebraska Bioethics Advisory Committee in March 2000; and

WHEREAS, the committee was made up of distinguished specialists in biological research, law, medical ethics, medicine, philosophy and theology, and the social and behavioral sciences, as well as members of the public at large; and

WHEREAS, the committee was charged with reviewing issues in biomedical research, specifically 1) the operations of institutional review boards and 2) guidelines for the conduct of potential research involving human embryonic stem cells; and

WHEREAS, the committee has submitted reports on the two issues it has thus far been assigned; and

WHEREAS, the recommendations of the committee have been accepted by President Smith;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses its appreciation for the thoughtful and considered deliberations of the Bioethics Advisory Committee and endorses the reports submitted by the committee to President Smith.

Discussion was held.

Friendly Amendment

Regent Ferlic proposed that there be two separate Resolutions. Ferlic requested one resolution to endorse the Institutional Review Boards Report and one regarding the guidelines on embryonic stems cells. Regent Miller and Regent Winterboer agreed.

The Resolution as amended:

WHEREAS, University of Nebraska President L. Dennis Smith established the Nebraska Bioethics Advisory Committee in March 2000; and

WHEREAS, the committee was made up of distinguished specialists in biological research, law, medical ethics, medicine, philosophy and theology, and the social and behavioral sciences, as well as members of the public at large; and

WHEREAS, the committee was charged with reviewing issues in biomedical research, specifically 1) the operations of institutional review boards and 2) guidelines for the conduct of potential research involving human embryonic stem cells; and

WHEREAS, the committee has submitted reports on the two issues it has thus far been assigned; and

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WHEREAS, the recommendations of the committee have been accepted by President Smith;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses its appreciation for the thoughtful and considered deliberations of the Bioethics Advisory Committee and endorses the report on embryonic stem cell research submitted by the committee to President Smith.

Action Student Opinion: Aye: Samuelson, Winterboer, Fuerst, and Prucha. Voting Aye: Hassebrook, Miller, O'Brien, Schroeder, Wilson, and Blank. Voting Nay: Ferlic. Absent: Matzke. Resolution adopted.

Motion Moved by Miller and seconded by O'Brien to approve the following Resolution:

WHEREAS, University of Nebraska President L. Dennis Smith established the Nebraska Bioethics Advisory Committee in March 2000; and

WHEREAS, the committee was made up of distinguished specialists in biological research, law, medical ethics, medicine, philosophy and theology, and the social and behavioral sciences, as well as members of the public at large; and

WHEREAS, the committee was charged with reviewing issues in biomedical research, specifically 1) the operations of institutional review boards and 2) guidelines for the conduct of potential research involving human embryonic stem cells; and

WHEREAS, the committee has submitted reports on the two issues it has thus far been assigned; and

WHEREAS, the recommendations of the committee have been accepted by President Smith;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses its appreciation for the thoughtful and considered deliberations of the Bioethics Advisory Committee and endorses the report with recommendations on institutional review board procedures at the University of Nebraska submitted by the committee to President Smith.

Discussion was held.

Action Student Opinion: Aye: Winterboer, Fuerst, Prucha, and Samuelson. Voting Aye: Miller, O'Brien, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Absent: Matzke. Resolution adopted.

VIII. COMMITTEE REPORTS

Academic Affairs/Information Technology

Regent Wilson reported that the committee met earlier in the day and discussed the topic of Intercampus Cooperation/Collaboration: Bio-informatics.

General Affairs

Regent Wilson reported that the committee met earlier in the day and discussed the topic of Internal Leadership Cultivation.

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IX. **UNIVERSITY CONSENT AGENDA**

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

A. ACADEMIC

IX-A-1 President's Personnel Recommendations

University of Nebraska-Lincoln

Leaves of Absence

Connie Anderson, Assistant Professor (Specific Term), Curriculum and Instruction; leave of absence without pay effective 08/20/01 to 01/06/02, \$52,326 AY current salary, 1.00 FTE.

X. Winston Yan, Associate Professor (Continuous), Architecture; leave of absence without pay effective 08/20/01 to 05/17/02 \$53,627, AY current salary, 1.00 FTE.

University of Nebraska at Omaha

Leave of Absence

Randall Adkins, Assistant Professor (Specific Term), Political Science; Partial leave of absence without pay, reduce current salary and FTE by 50%, effective 09/10/01 to 05/17/02, \$19,752 AY, 0.5. FTE.

IX-A-2 Approve changing the name of the University of Nebraska at Omaha Department of Dramatic Arts to Department of Theatre.

IX-A-3 Approve an Interlocal Agreement between the Bellevue Public Schools, the Council Bluffs Community Schools, the Millard Public Schools, the Omaha Public Schools, the Papillion/La Vista Schools, the Ralston Public Schools, the Westside Community Schools (the school districts) and the Board of Regents of the University of Nebraska, on behalf of the University of Nebraska at Omaha for operation of the CADRE Project.

IX-A-4 Approve the request for outside employment at the University of Nebraska at Omaha for James L. Conyers, Jr.

IX-A-5 Approve the requests for outside employment at the University of Nebraska Medical Center for J. Bruce Bavitz, D.M.D; Dennis P. Gutz, D.D.S; Larry D. Haisch, D.D.S; Joan Sivers, D.D.S.; and Stephen I. Rennard, M.D.

B. BUSINESS

Central Administration

IX-B-1 Approve appointment of the following two members to the Board of Directors of Nebraska Health System, effective January 1, 2002, for a term of three years: Kim M. Robak, J.D. and Byers W. Shaw, M.D.

University of Nebraska-Lincoln

IX-B-2 Authorize the Disposal of Real Property consisting of seven vacant parcels in Lincoln, Nebraska and waive the requirement for an appraisal for each parcel.

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IX-B-3 Approve an Interlocal Agreement with the Nebraska Educational Telecommunications Commission.

University of Nebraska Medical Center

IX-B-4 Approve the purchase agreement and waiver of the appraisal requirement for the Purchase of Real Estate located at 604 South 38th Avenue, Omaha, Nebraska.

Action Student Opinion: Aye: Fuerst, Prucha, Samuelson, and Winterboer. Voting Aye: Miller, O'Brien, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Absent: Matzke. Motion carried.

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. **ACADEMIC**

Motion Moved by Miller and seconded by Fuerst to approve item X-A-1.

X-A-1 Approve Doctor of Philosophy major in Natural Resource Sciences at the University of Nebraska-Lincoln.

Discussion was held.

Action Student Opinion: Aye: Prucha, Samuelson, Winterboer, and Fuerst. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Miller. Voting Nay: None. Absent: Matzke. Motion carried.

B. **BUSINESS**

Central Administration

Motion Moved by O'Brien and seconded by Samuelson to approve item X-B-1.

X-B-1 Approve a University-wide agreement regarding Microsoft software.

Discussion was held.

Action Student Opinion: Aye: Samuelson, Winterboer, Fuerst, and Prucha. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Miller, and O'Brien. Voting Nay: None. Absent: Matzke. Motion carried.

C. **FOR INFORMATION ONLY**

None.

D. **REPORTS**

X-D-1 Quarterly Personnel report for the period April - June 2001.

X-D-2 Design Development Report for the Research Center of Excellence Building at the University of Nebraska Medical Center.

X-D-3 Gifts, Grants, Contracts and Bequests report for the period April 1 through June 30, 2001.

X-D-4 Corrected report of Gifts, Grants, Contracts and Bequests for the University of Nebraska Medical Center for the period January 1 through March 31, 2001.

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X-D-5 Status of Capital Projects exceeding \$2 million as of June 30, 2001.

X-D-6 Semi-annual report of Licenses.

X-D-7 Bids and Contracts for the period ended August 17, 2001.

Discussion was held on item X-D-6.

Chairman Wilson accepted the reports.

XI. **ADDITIONAL BUSINESS**

Chairman Wilson asked that Vice President Robak send copies of both Resolutions to the Regents.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Kim M. Robak
Corporation Secretary

Charles S. Wilson
Chair of the Board