

Lincoln, Nebraska  
September 10, 2004

The Board of Regents of the University of Nebraska met on September 10, 2004, at 1:25 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 August 30, 2004.

Regents present:

Don S. Blank, Chairman  
Brett Chloupek  
Jonathan Croskey  
Randolph M. Ferlic  
Chuck Hassebrook  
Howard L. Hawks, Vice Chairman  
Jim McClurg  
Drew Miller  
Kent Schroeder  
Katie Weichman  
Charles S. Wilson

University officials present:

James B. Milliken, President  
Jay Noren, Executive Vice President and Provost  
Nancy Belck, 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  
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 1:25 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Friday, September 10, 2004. Attendance is indicated above. Regent Arnold was absent. Regent Miller arrived at 1:50 p.m.

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

Motion Moved by Schroeder and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of August 7, 2004.

September 10, 2004

Action Student Opinion: Aye: Chloupek, Croskey, and Weichman. Absent: Arnold. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Schroeder, Wilson, and Blank. Absent: Miller. Voting Nay: None. Motion carried.

IV. **KUDOS**

**Chairman Blank presented a KUDOS award to Rick D. Golden**, Director of Infrastructure for the University of Nebraska Computing Services Network.

**Regent Hawks presented a KUDOS award to Frank J. Rutar**, Chemical and Radiation Safety Specialist at the University of Nebraska Medical Center

**Regent Hassebrook presented a KUDOS award to Joseph F. Krajicek**, Assistant Director for Operations in Comparative Medicine at the University of Nebraska Medical Center.

**Regent McClurg presented a KUDOS award to Kareon K. Miles**, Supervisor in the Office of Registration & Records at the University of Nebraska-Lincoln.

**Regent Croskey presented a KUDOS award to Kelli J. Warren**, Research Technologist in the School of Natural Resources at the University of Nebraska-Lincoln.

**Regent Ferlic presented a KUDOS award to Julie J. Dosch**, Dispatcher and Property Evidence Technician with the University of Nebraska-Lincoln Police.

**Regent Weichman presented a KUDOS award to Dwight K. Leggott**, Information Systems Manager for University Libraries at the University of Nebraska-Lincoln.

**Regent Chloupek presented a KUDOS award to Michelle Fleig-Palmer**, Director of the Dual Career Program at the University of Nebraska at Kearney.

**Regent Schroeder presented a KUDOS award to Mary S. Sommers**, Director of the Office of Financial Aid at the University of Nebraska at Kearney.

**RESOLUTIONS**

**Regent Wilson presented the following Resolution.**

**Whereas**, the University of Nebraska (NU) and Nebraska Educational Telecommunications (NET) enjoy a unique relationship that began more than 50 years ago when Chancellor Clifford Hardin accepted the gift of a broadcast license from Cornhusker Radio and Television Corporation, a subsidiary of the Fetzer Broadcasting Company; and

**Whereas**, on November 1, 1954, KUON Channel 12 was activated as the ninth educational television station in the country, and, in 1956, the Board of Regents of the University of Nebraska assumed control of the station's broadcast license; and

**Whereas**, the passage of the Nebraska Television Act in 1963 established a nine-station statewide educational television network with KUON as the flagship and created a new state agency, the Nebraska Educational Television Commission, which entered into an historic operating agreement with NU that remains in effect today; and

**Whereas**, faculty and staff from NU and NET have collaborated in producing dozens of award-winning local and national programs, from the very first – *University Christmas Card*, featuring musical performances by NU students – to the 51-year old series *Backyard*

September 10, 2004

*Farmer*, to the upcoming national *American Masters* documentary on Nebraska author Willa Cather; and

**Whereas**, NU and NET have partnered for nearly five decades in distance education, from the first college telecourse about the history of Nebraska offered in 1956, to the more than 8,000 class sessions offered every year via satellite and fiber optics to University students across the state, as well as to state colleges, community colleges, public agencies and private corporations; and

**Whereas**, NU and NET are working with the State of Nebraska to develop a statewide telecommunications network and are exploring new strategies to enhance public service through the capabilities of digital television;

**Whereas**, NET's services have grown over the past 50 years to include not only television and distance learning but also statewide public radio, interactive multimedia production, community-based outreach and national educational marketing and distribution;

**Now, therefore be it resolved**, that the University of Nebraska Board of Regents congratulates Nebraska Educational Telecommunications on its fiftieth year of service to Nebraska and expresses its hope that NET will continue to pioneer new frontiers in public broadcasting while enriching the cultural life of the state through programs and activities that educate, challenge and inspire its citizens.

Motion Moved by Wilson and seconded by Schroeder to adopt the preceding resolution.

Action Resolution adopted by acclamation.

Chairman Blank introduced and welcomed Dr. Barbara Couture, Senior Vice Chancellor for Academic Affairs, UNL, and Kathy Smith, J.D., Interim Vice Chancellor for University Relations, UNK.

## VII. PUBLIC COMMENT

Chairman Blank requested that the public comment be moved up in the agenda. The Board agreed to move public comment up on the agenda before the strategic issue.

David Kramer, Chairman, Nebraska Republican Party, spoke against the restriction of political speech rights at the University of Nebraska-Lincoln.

Julie Schmit-Albin, Executive Director, Nebraska Right-to-Life, also spoke against the restriction of political speech rights at the University of Nebraska-Lincoln campus.

Chancellor Perlman clarified that the policy in place only applies to outside of buildings, not inside of buildings. The public streets that go around and through the campus are not regulated by UNL. Perlman stated that the policy will be reviewed.

President Milliken stated that Chancellor Perlman has addressed the issue regarding gameday Saturdays. A comprehensive policy dealing with facilities use for all campuses is being worked on and will be brought to the Board for consideration and action.

September 10, 2004

V. **STRATEGIC OR POLICY ISSUE**

Rebecca Koller, Assistant Vice President and Director of Facilities Planning and Management gave a PowerPoint presentation on the topic of "Capital Planning Process."

(For PowerPoint, see document file.)

Discussion was held.

VI. **HEARINGS**

None.

VIII. **COMMITTEE REPORTS**

Information Technology

The Information Technology committee met on Friday morning and the topic of discussion was Student Information Systems and Process Re-design.

Academic Affairs

The Academic Affairs committee met on Friday morning and the topic of discussion was Research.

Outreach and Service

The Outreach and Service committee met on Friday morning and the topic of discussion was Public Policy Center Report.

Business Affairs

The Business Affairs committee met on Friday morning and the topic of discussion was Progress and Challenges in Business Affairs.

The Board recessed at 2:32 p.m. and reconvened at 2:41 p.m.

IX. **UNIVERSITY CONSENT AGENDA**

Chairman Blank asked that item IX-A-2 be removed from the Consent Agenda.

Motion Moved by Hawks and seconded Miller to approve items IX-A-1, IX-A-3, 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**

Leave of Absence

Raymond McConnell, Assistant Professor (Specific Term), Architecture; Leave without pay effective 08/16/04 to 05/13/05, \$52,523 AY, 1.00 FTE. (This leave has been approved by the Regents Executive Committee.)

**University of Nebraska at Omaha**

Adjustment

John T. Langan, Dean College of Education (Special), Associate Professor Teacher Education (Continuous), effective 09/13/04 to 09/12/07, \$138,900 FY (includes \$10,000 administrative stipend), 1.00 FTE. Change title from Interim Dean College of Education and salary from \$130,715.

IX-A-2 Removed from Consent Agenda. Item voted on under University Administrative Agenda. (see below).

IX-A-3 Approve the request for outside employment at the University of Nebraska-Lincoln for Angela Graham.

**B. BUSINESS**

University of Nebraska-Lincoln

IX-B-1 Approve the team of Lockwood Greene to provide design services for the construction of the UNL Nebraska Center for Virology Building.

IX-B-2 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute on behalf of the Board of Regents a sub-award of \$211,500 in conjunction with the National Institutes of Health agreement for "Nebraska Center for Viral Pathogenesis."

IX-B-3 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute on behalf of the Board of Regents a sub-award of \$426,502 in conjunction with the National Science Foundation agreement for "Collaborative Research: Acquisition of a Drilling Rig to Recover Geological Records from the Antarctic Margin for the ANDRILL Consortium."

IX-B-4 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute on behalf of the Board of Regents a sub-award of \$868,742 in conjunction with the National Science Foundation grant for "Nebraska EPSCoR Infrastructure Improvement Grant."

Action Student Opinion: Aye: Croskey, Weichman, and Chloupek. Absent: Arnold. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

**X. UNIVERSITY ADMINISTRATIVE AGENDA**

Motion Moved by Wilson and seconded McClurg to approve Revised item IX-A-2 from the Consent Agenda.

IX-A-2 Approve UNMC campus policy on proceeds distribution applicable to royalties and proceeds resulting from the licensing and other technology transfer activities of UNMC.

Discussion was held.

Action Student Opinion: Aye: Weichman, Chloupek, and Croskey. Absent: Arnold. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: Hassebrook. Motion carried.

September 10, 2004

**A. ACADEMIC**

None.

**B. BUSINESS**

University of Nebraska-Lincoln

- Motion Moved by Wilson and seconded Schroeder to approve item X-B-1 and X- B-2.
- X-B-1 Approve the project budget for UNL Construction of North Addition to the 14<sup>th</sup> & Avery Parking Structure.
- X-B-2 Approve the Resolution (1) adopting the Ninth Supplemental Resolution to Second Series Resolution authorizing (a) the issuance of not to exceed \$8,700,000 aggregate principal amount of Revenue Bonds, Series 2004 (University of Nebraska-Lincoln Parking Project) and (b) the expenditure of up to \$1,500,000 from the Second Series Surplus Fund, (2) authorizing the execution and delivery of a Supplemental Master Indenture and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, approving the Bond Purchase Agreement and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed 6.0%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, and (4) approving the preparation and use of a Final Official Statement for the North Addition to the 14<sup>th</sup> & Avery Parking Structure at the University of Nebraska-Lincoln.
- Action Student Opinion: Aye: Chloupek, Croskey, and Weichman. Absent: Arnold. Voting Aye: McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.
- Motion Moved by Hassebrook and seconded McClurg to approve item X-B-3.
- X-B-3 Approve the UNL International Quilt Study Center program statement and accept the gift from the University of Nebraska Foundation for the architectural and engineering services for this project.
- Discussion was held.
- Action Student Opinion: Aye: Chloupek, Croskey, and Weichman. Absent: Arnold. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: Miller. Motion carried.

**C. FOR INFORMATION ONLY**

- X-C-1 Agreement between the University of Nebraska-Lincoln and Nelnet, Inc. for the federal FFELP/School as Lender Program to provide student loans to graduate and professional students. This item was presented for information only. It will be placed on the agenda of the October 29, 2004, Regents meeting for discussion and formal action.
- Chancellor Harvey Perlman gave a PowerPoint presentation on X-C-1. (For PowerPoint, see documents file.)
- Discussion was held.

September 10, 2004

Regent Schroeder spoke with regard to the memo sent by President Milliken regarding the continuation of the dual enrollment pilot program at UNO. Schroeder thanked President Milliken for including the AP examination requirement on at least three courses. President Milliken said he appreciated the compliment, but wanted to share it with John Christensen, UNO Vice Chancellor, who worked with the Millard School District on this project.

President Milliken informed the Board about an initiative between the University of Nebraska, the State of Nebraska, the State of Virginia, and the Historically Black Colleges and Universities in Virginia. Milliken complimented Denise Maybank, Rubens Pamies, and Chancellor Maurer for their efforts on this initiative. Vice Chancellor Rubens Pamies and Provost Noren spoke to the Board about the program.

**D. REPORTS**

- X-D-1 Quarterly Personnel Report for the period April through June, 2004.
- X-D-2 Schematic Design for the University of Nebraska-Lincoln renovation of the second and third floors of Seaton Hall.
- X-D-3 Gifts, Grants, Contracts and Bequests for the period ended June 30, 2004.
- X-D-4 Bids and Contracts for the period ended August 19, 2004.

Chairman Blank accepted the reports.

**XI. ADDITIONAL BUSINESS**

The Board of Regents meeting schedule for 2005 was distributed to the Board. The dates are as follows:

- January 14-15, 2005
- March 4-5, 2005
- April 15-16, 2005
- June 10-11, 2005
- July 29-30, 2005
- September 16, 2005
- October 28, 2005
- December 2, 2005
- January 20-21, 2006

Also distributed to the Board was an updated list of strategic issues and committee topics for 2004 and an updated list of committee assignments that included the newly formed student affairs committee.

**CLOSED SESSION**

- Motion Moved by Hassebrook and seconded by Hawks 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 for the purpose of holding a discussion limited to strategy with respect to threatened litigation against the university.

September 10, 2004

Action Student Opinion: Aye: Croskey, Weichman, and Chloupek. Absent: Arnold. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

The Board went into closed session at 3:51 p.m and reconvened at 4:10 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:11 p.m.

Respectfully submitted,

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Kim M. Robak  
Corporation Secretary

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Don S. Blank  
Chairman of the Board