

Lincoln, Nebraska  
April 24, 2009

The Board of Regents of the University of Nebraska met on April 24, 2009, at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in a 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 April 13, 2009.

Regents present:  
Timothy F. Clare  
Randolph M. Ferlic  
Chuck Hassebrook  
Howard Hawks  
Jim McClurg  
Bob Phares, Vice Chairman  
Kent Schroeder, Chairman  
Bob Whitehouse  
Brad Bohn  
Neal Bonacci  
Megan Collins  
Cade Craig

University officials present:  
James B. Milliken, President  
Linda R. Pratt, Executive Vice President and Provost  
Donal J. Burns, Corporation Secretary  
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  
David Lechner, Vice President for Business and Finance  
Joel Pedersen, Vice President and General Counsel  
Peter G. Kotsiopulos, 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 April 24, 2009. Attendance is indicated above.

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

Motion Moved by Phares and seconded by Whitehouse to approve the minutes and ratify the actions of the regularly scheduled meeting of March 6, 2009

Action Student Opinion: Voting Aye: Bonacci, Collins, Craig and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

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

Regent Schroeder welcomed newly-elected Student Regents Cade Craig from the University of Nebraska at Kearney and Megan Collins from the University of Nebraska-Lincoln.

**IV. KUDOS**

**Regent Whitehouse presented a KUDOS award to Vicki Miller**, Research Communications Coordinator in the Office of Research at the University of Nebraska-Lincoln.

**Regent Phares presented a KUDOS award to Dustin Newton**, Director of Undergraduate Recruitment and Admissions at the University of Nebraska at Kearney.

**Regent Bonacci presented a KUDOS award to Ted Pruitt**, Assistant Director of Maintenance with Maverick Village at the University of Nebraska at Omaha.

**Regent Bohn presented a KUDOS award to Julie Zetterman**, Administrator for the Department of Otolaryngology and Clinical Manager for the ENT and OFP clinics.

President Milliken recognized the outgoing Faculty Senate Presidents: Dr. Kathy Prochaska-Cue, University of Nebraska-Lincoln; Dr. Darin Snider, University of Nebraska at Kearney; and Dr. James Turpen, University of Nebraska Medical Center.

**V. PUBLIC COMMENT**

None

**VI. RESOLUTIONS**

None

**VII. HEARINGS**

Amendment of Section 1.3 of the Standing Rules of the Board of Regents relating to the Executive Committee of the Board

**VIII. CONSENT AGENDA**

Motion Moved by Hawks and seconded by Phares to approve item VIII-A-1

**A. ACADEMIC AFFAIRS**

VIII-A-1 The President's Personnel Recommendation

Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

**IX. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

Motion Moved by Ferlic and seconded by McClurg to approve item IX-A-1

IX-A-1 Approve the Bachelor of Science in IT Innovation degree at the University of Nebraska at Omaha

Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve item IX-A-2

IX-A-2 Approve establishing the Kit and Dick Schmoker Reading Center at the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Bohn, Bonacci, Collins, and Craig. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.

**B. BUSINESS AFFAIRS**

- Motion Moved by McClurg and seconded by Ferlic to approve items IX-B-1 and IX-B-2
- IX-B-1 Approve the amendment of Section 1.3 of the Standing Rules of the Board of Regents relating to the Executive Committee of the Board
- IX-B-2 Approve the amendment to the Audit Committee Charter

**CHARTER OF THE AUDIT COMMITTEE OF THE UNIVERSITY OF NEBRASKA**

**Purposes of the Audit Committee**

The purposes of the Audit Committee (the “Committee”) are to assist the Board of Regents with the oversight of (i) the integrity of the University of Nebraska’s (the “University”) financial statements, (ii) the University’s compliance with laws and regulations (iii) the independent auditors’ (defined as external auditors hired to perform work other than the annual financial audit of the financial statements) qualifications and independence, (iv) the performance of the University’s internal audit function, and independent auditors, (v) the accounting and financial reporting processes of the University and audits of the University’s financial statements and, (vi) the coordination with the Auditor of Public Accounts (APA) on the annual audit of the financial statements.

The function of the Committee is oversight. The management of the University is responsible for the preparation, presentation, and integrity of the University’s financial statements. Management is responsible for maintaining appropriate accounting and financial reporting principles and policies and internal controls and procedures that provide compliance with accounting standards and applicable laws and regulations. The independent auditors for the University are accountable to the Board of Regents; however, the Committee has the sole authority and responsibility to retain and terminate the University’s independent auditors. The APA is responsible for planning and carrying out a proper audit of the University’s annual financial statements in coordination with the Audit Committee.

**Duties and Responsibilities of the Audit Committee**

The following are the duties and responsibilities of the Committee:

**Independent Auditors**

1. The sole authority to appoint, compensate, retain, oversee and terminate the independent auditors.
2. The sole authority to pre-approve all terms of and fees for audit services, audit-related services, tax services, and other services to be performed for the University by the independent auditors.
3. Ensure that the independent auditors prepare and deliver annually a formal written statement (an “Auditors’ Statement”) describing: the independent auditors’ internal quality-control procedures; any material issues raised by the most recent internal quality-control review or peer review of the independent auditors, or by any inquiry or investigation by governmental or professional authorities, within the preceding five years, respecting one or more independent audits carried out by the independent auditors, and any steps taken to deal with any such issues; and (to assess the independent auditors’ independence) all relationships between the independent auditors and the University, including each non-audit service provided to the University. The Committee shall discuss with the independent auditors any relationships or services disclosed in the independent Auditors’ Statement that may impact the quality of independent audit services or the objectivity and independence of the University’s independent auditors.
4. Ensure that the independent auditors shall submit to the University annually a formal written statement of the fees billed for each of the following categories of services rendered by the independent auditors: (I) audit services, including the annual financial statement audit (including required quarterly reviews), subsidiary audits, and other procedures required to be performed by the independent auditors to be able to form an opinion on the University’s consolidated financial statements; (ii) audit related services, which include assurance and related services that are reasonably related to the

performance of the audit or review of the University's financial statements or that are traditionally performed by the independent auditors, but are not necessarily required by statutory or regulatory audit mandates; (iii) tax services for the University; and (iv) all other services rendered by the independent auditors for the most recent fiscal year, in the aggregate and by each category of service.

5. Review the independent auditors' audit plan prior to the commencement of the audit and discuss audit scope, staffing, locations, reliance upon management, and internal audit and general audit approach.
6. Review and evaluate the qualifications, performance, and independence of the independent auditors, including an evaluation of the lead partner of the independent auditors and an evaluation of whether the independent auditors' quality controls are adequate and whether the provision of permitted non-audit services is compatible with maintaining the auditors' independence. The Committee's evaluation of the independence of the independent auditors shall be made with respect to applicable standards of independence set forth in any applicable laws, regulations, or financing standards. The Committee shall consider the opinions of management and the Audit and Advisory services department in its evaluation.
7. Ensure the appropriate rotation of the lead (or coordinating) audit partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit. Consider, whether, in order to assure continuing auditor independence, there should be a change of the audit firm itself.
8. Receive and act upon any report from the independent auditors regarding internal control deficiencies and any response from management thereto.
9. Approve any non-audit services by the independent auditors.

Auditor of Public Accounts (APA)

10. Assure open, responsive and professional cooperation with APA as they execute their constitutionally authorized audit function.
11. Review the APA audit plan prior to the commencement of the audit and discuss audit scope, staffing, locations, reliance upon management, and internal audit and general audit approach. Annually obtain the APA's most recent peer review.
12. Receive and act upon any report from the APA regarding deficiencies and any response from management thereto.
13. Review non-audit services by the APA.

Dispute Resolution

Any dispute or claim arising out of or relating to Audit services provided hereunder, or any other audit or attest services provided by or on behalf of the Auditor or any of its subcontractors or agents to the University or at their request, shall be submitted first to non-binding mediation (unless either party elects to forego mediation by initiating a written request for arbitration) and if mediation is not successful within 90 days after the issuance by one of the parties of a request for mediation then to binding arbitration in accordance with the Rules for Non-Administered Arbitration of the International Institute for Conflict Prevention and Resolution then in effect ("CPR Arbitration Rules"). Any issue concerning the extent to which any dispute is subject to arbitration, or any dispute concerning the applicability, interpretation, or enforcement of these dispute resolution procedures) including any contention that all or part of these procedures is invalid or unenforceable, shall be governed by the Federal Arbitration Act and resolved by the arbitrators. By operation of this provision, the parties agree to forego litigation over such disputes in any court of competent jurisdiction.

Mediation, if selected, may take place at a location to be designated by the parties using Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of paragraph 2 (Selecting the Mediator). All mediation and arbitration shall take place in Lincoln, Nebraska. The arbitration panel shall have no power to award non-monetary or equitable relief of any sort except as provided in CPR Rule 13 (Interim Measures of Protection). Damages that are inconsistent with any applicable agreement between the

parties, that are punitive in nature, or that are not measured by the prevailing party's actual damages shall be unavailable in arbitration or any other forum. In no event, even if any other portion of these provisions is held to be invalid or unenforceable, shall the arbitration panel have power to make an award or impose a remedy that could not be made or imposed by a court deciding the matter in the same jurisdiction.

Either party may seek to enforce any written agreement reached by the parties during mediation, or to confirm and enforce any final award entered in arbitration, in any court of competent jurisdiction. Notwithstanding the agreement to such procedures, either party may seek equitable relief to enforce its rights in any court of competent jurisdiction.

*Audit and Advisory Services*

All University Audit and Advisory Services and operations analysis staff (audit staff) shall report to their organizational leadership for administrative support and shall report to the Committee as to the process and content of their internal audit function and reporting. All audit staff work products will be provided to the Director of Audit and Advisory Services and be reported to the Committee. Any changes of employment or responsibilities of the audit staff will be approved by the Chairperson of the Committee prior to the action being taken and the Committee will be notified at their next meeting. The President of the University shall appoint the Director of Audit and Advisory Services with the approval of the Committee. The Director of Audit and Advisory Services shall report to the President for administrative support and to the Committee as to the process and content of the internal audit and advisory services reports.

14. Review and approve the internal audit function of the University, including the proposed audit plans, reporting plans and schedules, and operating procedures for the upcoming year.
15. Review the budget, any changes in plan, activities, or organizational structure, and qualifications of the Audit and Advisory Services department, as needed.
16. Interview the finalists for the Director of Audit and Advisory Services position when it is to be filled.
17. Review significant reports prepared by the Audit and Advisory Services department, together with management's response and follow-up to these reports.

*Financial Reporting Principles and Policies; Internal Audit Controls and Procedures*

18. Advise management, the Audit and Advisory Services department, the independent auditors and the APA that they are expected to provide to the Committee a timely analysis of significant financial reporting issues and practices.
19. Meet separately and on a periodic basis with management, the Audit and Advisory Services department, the independent auditors, and APA.
20. Meet with management, the independent auditors, APA, and, if appropriate, Director of Audit and Advisory Services to do the following:
  - a. Discuss the scope of the annual audit;
  - b. Discuss any significant matters arising from any audit, including any audit problems or difficulties, and execution of response to audit findings;
  - c. Discuss any audit problems or difficulties the independent auditors or APA encountered in the course of the audit, including any restriction on their activities or access to requested information and any significant disagreements with management, and management's responses thereto;
  - d. Review the form of opinion the independent auditors and APA propose to render to the Board of Regents;
  - e. Discuss, as appropriate, any major issues regarding accounting principles and financial statement presentations, including any significant changes in the University's selection or application of accounting principles, and major issues as

to the adequacy of the University's internal controls and any special audit steps adopted in light of material control deficiencies;

- f. Discuss and consider the integrity of the University's financial reporting guidelines, policies, and controls governing the process by which senior management for the University and the relevant departments of the University assess and manage the University's exposure to risk, and discuss the University's major financial risk exposures and the steps management has taken to monitor, control, and report such exposures. Review significant findings prepared by the independent auditors and the internal audit department together with management's responses thereto.
21. Review management's analysis of significant financial reporting issues and practices.

#### Compliance Oversight

22. Assist the Board of Regents with oversight of the University's compliance laws and regulations.
23. Establish procedures for the receipt, retention, and treatment of complaints received by the University regarding accounting, internal accounting controls, or auditing matters, and the confidential, anonymous submission by University employees of concerns regarding questionable accounting or auditing matter.

#### Reporting and Recommendations

24. Review and reassess the adequacy of the Committee's charter annually.
25. Prepare and report to the Board of Regents (i) following meetings of the Committee, (ii) with respect to such other matters as are relevant to the Committee's discharge of its responsibilities, and (iii) with respect to such recommendations as the Committee may deem appropriate. The report to the Board of Regents may take the form of an oral report by the chairperson of the Committee or any other member of this Committee designated by the Committee to make this report.

#### Meetings

The Committee shall meet no less frequently than once each fiscal quarter to discuss with management the annual audited financial statements and quarterly financial statements, as applicable. The Committee should meet separately periodically with management, the Director of Audit and Advisory Services, the APA, and the independent auditors to discuss any matters that the Committee or any of these persons or firms believe should be discussed privately. The Committee may request any officer or employee of the University, of the University's General Counsel's Office or independent auditors to attend a meeting of the Committee or to meet with any members of, or consultants to, the Committee. Members of the Committee may participate in a meeting of the Committee by means of conference call or similar communications equipment by means of which all persons participating in the meeting can hear each other. The Committee shall maintain minutes or other records of meeting of the Committee.

#### Resources and Authority of the Audit Committee

The Committee shall have the resources and authority appropriate to discharge its duties and responsibilities, including the authority to select, retain, terminate, and approve the fees and other retention terms of special or independent counsel, accountants or other experts, as it deems appropriate. The Committee may be vested with other specific powers and authority by resolution of the Board of Regents. The University shall provide for appropriate funding, as determined by the Committee, for payment of (i) compensation to the independent auditors for the purpose of rendering or issuing an audit report, (ii) compensation to any advisors employed by the Committee, and (iii) ordinary administrative expenses that are necessary or appropriate for carrying out the duties of the Committee.

**Annual Performance Evaluation**

The Committee shall perform a review and evaluation, at least annually, of the performance of the Committee. The Committee shall conduct such evaluations and review in such manner as it deems appropriate.

**Disclosure of Charter**

This Charter shall be made available on the University's website.

**Amendment**

Any amendment or other modifications of this charter shall be made and approved by the Board of Regents.

- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Ferlic to approve item IX-B-3
- IX-B-3 Approve amendments to the Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association (UNKEA) for the 2009-2011 biennium consistent with the decision of the Special Master
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by Phares and seconded by McClurg to approve item IX-B-4
- IX-B-4 Approve the use of Architectural and Engineering firms selected through the Four-Year Selection process for American Recovery and Reinvestment Act (ARRA) funded projects where fees exceed \$400,000
- There was discussion
- Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by Phares and seconded by McClurg to approve item IX-B-5
- IX-B-5 Approve *Policies of the Board of Regents* RP-6.6.12 regarding Red Flag Identity Theft Prevention Program

**RP-6.6.12 Red Flag Identity Theft Prevention Program**

The University of Nebraska Red Flag Identity Theft Prevention Program is designed to assist in reducing the risk of identity theft through detection, prevention and mitigation of patterns, practices or activities ("Red Flags") that might indicate potential identity theft. This policy is intended to comply with the program requirements applicable to the University of Nebraska in the Fair and Accurate Credit Transactions Act (FACTA) at 16 CFR 681.

1. Covered Accounts. The Red Flag Identity Theft Prevention Program applies to any university activity that extends credit or establishes a payment plan primarily for personal, household or family purposes ("Covered Account"). Examples include but are not limited to the following:
  - a. Student accounts
  - b. Patient accounts
  - c. Student loans
2. Accountability. Accountability is delegated to the Vice Chancellor for Business and Finance of each major administrative unit within the University to implement Red Flag Identity Theft Prevention Program requirements. Written policies and procedures shall be established to identify potential Red Flags and respond appropriately to mitigate the risk of identity theft. Each major administrative unit shall provide education to

workforce members managing Covered Accounts about the Program. At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment. Periodic reviews will include an assessment of which accounts are covered by the program.

3. Red Flags. Examples of Red Flags include but are not limited to the following:
  - a. Notification of unusual activity related to a covered account;
  - b. Address discrepancies that cannot be explained;
  - c. Presentation of suspicious documents by an individual, including identification cards that do not match physical appearance;
  - d. Suspicious external requests for information from covered accounts; and
  - e. Complaints or questions from students, guardians or customers about charges to a covered account for goods/services they claim were never received
4. Reporting. Each Major administrative unit shall provide a report annually to the University of Nebraska Audit & Advisory Services containing summaries of Red Flag Rule monitoring activities, and any identity theft incidents that have occurred and the unit's response to them. The University of Nebraska Audit & Advisory Services shall report Red Flag monitoring and response data from the administrative units to the Audit Committee of the Board of Regents annually as required by the FACTA regulations. The Board of Regents shall approve material changes to the Red Flag Identity Theft Prevention Program.
5. Credit reports. Any University of Nebraska Administrative Units ordering credit reports, such as reports on consumers receiving services at the University of Nebraska or reports on prospective employees, may receive a Notice of Address Discrepancy from the consumer reporting agency. If such a Notice is received, the administrative unit must compare the information in the consumer report with other address information the individual has provided to confirm the address provided is correct. If the address the individual has provided is correct, the administrative unit must notify the consumer reporting agency of the correct address.
6. Service Providers. The University of Nebraska may contract with vendors to provide services related to Covered Accounts. The contracting department shall maintain written certification from the vendor stating it complies with FACTA Red Flag regulations.

There was discussion

Action Student Opinion: Voting Aye: Bohn, Bonacci, Collins, and Craig. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Motion Moved by Phares and seconded by Hassebrook to approve item IX-B-6

University of Nebraska at Kearney

IX-B-6 Approve a change order to the construction contract for the renovation of the Bruner Hall of Science in the amount of \$440,000

There was discussion

Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

Motion Moved by McClurg and seconded by Hassebrook to approve item IX-B-7

IX-B-7 Approve an agreement between Follett Higher Education Group, and the University of Nebraska at Kearney, granting exclusive right to lease, operate and manage the bookstore operations on the UNK campus



Regent Tim Clare declared a conflict of interest and left the Board room during consideration of this item

Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Hassebrook, McClurg, Phares, Schroeder, Whitehouse, and Ferlic. Voting to Abstain, recorded as No: Hawks. Abstaining: Clare. Motion carried 6-1-1.\*

\*Section 4.4.4. of the Standing Rules of the Board of Regents states: If a member of the Board is present when a question is put and the member refuses to cast an affirmative or negative vote, his or her refusal to cast an affirmative or negative vote on the pending question shall be recorded as a negative vote, unless such member has declared a conflict of interest and abstained from all discussion and voting as mandated by Section 4.4.3.

Motion Moved by Hawks and seconded by McClurg to approve items IX-B-8, IX-B-15, and IX-B-16

University of Nebraska at Kearney

IX-B-8 Approve the Residence Hall Room and Board Rates for the Academic Year 2009-10

University of Nebraska at Omaha

IX-B-15 Approve the Optional Board Plan available to housing students and the Room Rates for Scott Village and Maverick Village for the 2009-10 Academic Year

Nebraska College of Technical Agriculture

IX-B-16 Approve NCTA 2009-10 academic year Room and Board Rates at the 2008-09 rates and authorize three new meal plans

Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve items IX-B-9, IX-B-12, IX-B-13 and IX-B-17

University of Nebraska at Kearney

IX-B-9 Approve the Fund B, University Program and Facilities Fees (UPFF) 2009-10 Allocation

University of Nebraska Medical Center

IX-B-12 Approve the Fund B, University Program and Facilities Fee (UPFF) 2009-10 Allocation

University of Nebraska at Omaha

IX-B-13 Approve the Fund B, University Program and Facilities Fees (UPFF) 2009-10 Allocation

University of Nebraska-Lincoln

IX-B-17 Approve the Fund B, University Program and Facilities Fees (UPFF) 2009-10 Allocation

Action Student Opinion: Voting Aye: Bohn, Bonacci, Collins, and Craig. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.

Motion Moved by McClurg and seconded by Phares to approve items IX-B-10 and IX-B-20

University of Nebraska Medical Center

IX-B-10 Approve variance in sprinkler requirement for University sanctioned housing

University of Nebraska-Lincoln

- IX-B-20 Approve variance in sprinkler requirement for University sanctioned housing
- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-11

University of Nebraska Medical Center

- IX-B-11 Approve naming floors and rooms of the Durham Research Center II building
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-14

University of Nebraska at Omaha

- IX-B-14 Approve the Resolution authorizing the expenditure of \$350,000 from the Sixth Series Replacement Fund to make Student Center improvements
- There was discussion
- Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-18

University of Nebraska-Lincoln

- IX-B-18 Approve the project budget for replacement of the heating, ventilation and air conditioning (HVAC) system in Leverton Hall
- Action Student Opinion: Voting Aye: Bohn, Bonacci, Collins, and Craig. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.
- Motion Moved by McClurg and seconded by Whitehouse to approve item IX-B-19
- IX-B-19 Approve the Program Statement and Budget for Sheldon Haymarket
- There was discussion
- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.
- Motion Moved by Ferlic and seconded by McClurg to approve item IX-B-21
- IX-B-21 Approve consulting contracts with SmithGroup/JJR to develop a campus master plan and with Noddle Development Company, L.L.C. to develop a business strategy plan for Innovation Campus in compliance with LB 1116
- Chancellor Perlman provided a description of the process used to arrive at the contracts involved. There was discussion.
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

**C. FOR INFORMATION ONLY**

- IX-C-1 Board of Regents agenda items related to the University of Nebraska Strategic Framework
- IX-C-2 Calendar of establishing and reporting accountability measures
- IX-C-3 Current version of the University of Nebraska Strategic Framework
- IX-C-4 Current version of the University of Nebraska Strategic Dashboard Indicators

**D. REPORTS**

- IX-D-1 Laboratory, Student, and Miscellaneous Fees for 2009-2010
- IX-D-2 Change the name of the “Bachelor of Science in Professional Golf Management” degree within the College of Agricultural Sciences and Natural Resources to “Bachelor of Science in PGA Golf Management”
- IX-D-3 Change order to the construction contract for the Central Utilities Plant and Systems at the University of Nebraska at Kearney
- IX-D-4 Residence Hall Room and Board Rates for Academic Year 2009-10 at the University of Nebraska-Lincoln
- IX-D-5 Two-year lease agreement between the University of Nebraska-Lincoln and the City of Lincoln Airport Authority
- IX-D-6 Funding source change for the Whittier Building Renovation at the University of Nebraska-Lincoln
- IX-D-7 Bids and Contracts
- IX-D-8 Design Development report for the construction of an addition to the College of Nursing building on the campus of the University of Nebraska Medical Center
- IX-D-9 Design Development report for the construction of the Harold M. and Beverly Maurer Center for Public Health building on the campus of the University of Nebraska Medical Center

Chairman Schroeder accepted the reports

**X. ADDITIONAL BUSINESS**

Closed Session

Motion Moved by Ferlic and seconded by McClurg that the Board 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 persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

- (a) collective bargaining strategy session;
- (b) proposed private gifts to the University of Nebraska Foundation for the benefit of the university; and
- (c) strategy session regarding proposed property acquisition.

Action

Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.

Regent Schroeder declared that the closed session would be strictly limited to a discussion of:

- (a) collective bargaining strategy session;
- (b) proposed private gifts to the University of Nebraska Foundation for the benefit of the university; and
- (c) strategy session regarding proposed property acquisition.

The Board went into closed session at 2:40 p.m. and reconvened the open meeting at 3:24 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Schroeder at 3:25 p.m.

Respectfully submitted,

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Donal J. Burns  
Corporation Secretary

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Kent Schroeder  
Chairman of the Board