

Lincoln, Nebraska
January 23, 2009

The Board of Regents of the University of Nebraska met on January 23, 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 January 12, 2009.

Regents present:
Timothy F. Clare
Randolph M. Ferlic
Chuck Hassebrook, Chairman
Howard Hawks
Jim McClurg
Bob Phares
Kent Schroeder, Vice Chairman
Bob Whitehouse
Brad Bohn
Neal Bonacci
Tim Hruza
Emily Zimmer

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. 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 January 23, 2009. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by McClurg and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of November 7, 2008.

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

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

IV. ELECTION OF OFFICERS

Motion Moved by Phares and seconded by Hawks to nominate Regent Schroder for the position of Chairman of the Board. Since there were no further nominations, Chairman Hassebrook declared nominations closed and called for a roll-call vote.

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

Action Regent Schroeder was elected as Chairman of the Board.

Motion Moved by Hawks and seconded by Ferlic to nominate Regent Phares for the position of Vice Chairman of the Board. Since there were no further nominations, Chairman Schroeder declared nominations closed and called for a roll-call vote.

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

Action Regent Phares was elected Vice Chairman of the Board.

Chairman Schroeder recognized Regent Hassebrook's past service as Chairman of the Board.

Chairman Schroeder welcomed newly-elected Regents Clare, Bohn, and Bonacci.

V. KUDOS

Regent Ferlic presented a KUDOS award to Marilyn Brown, administrative assistant with the office of Business and Finance at the University of Nebraska at Omaha.

Regent Hruza presented a KUDOS award to Stephen Slominski, mail room supervisor and **Richard Warnke**, mail regulations clerk at the University of Nebraska at Kearney.

Regent McClurg presented a KUDOS award to Kathy Minikus, accounting technician in the College of Public Health Services Research Administration Nebraska Medical Center.

Regent Ferlic presented a KUDOS award to Henry Schmidt, building mechanic III for Abel-Sandoz facilities at the University of Nebraska-Lincoln.

Regent Hawks presented a KUDOS award to Dale Wolfgram, business systems analyst at the University of Nebraska-Lincoln.

VI. PUBLIC COMMENT

None

VII. RESOLUTION

Motion Moved by Hassebrook and seconded by Whitehouse to accept the following resolution on presented the following resolution on the university's commitment to diversity.

WHEREAS, the Board of Regents of the University of Nebraska is committed to serving all Nebraskans and recognizes that it is critical for the success of the University and the competitive advantage of the state and this nation to open the doors of opportunity to all by increasing the rate of college going, especially in sectors where the state's population is growing; and

WHEREAS, that commitment is reflected in goals that were adopted by the Board in April 1991 and reconfirmed in December 1996; goals adopted by the Board in February 1993

and reconfirmed in February 1997; goals set forth in the Strategic Framework adopted by the Board; and a resolution adopted in January 2008; and

WHEREAS, the State of Nebraska is becoming more diverse in many ways, including race, ethnicity, and national origin, and the University has a responsibility to provide outreach and informational and support programs to promote and foster access, persistence and success necessary if our state and its people are to prosper; and

WHEREAS, the Board of Regents of the University of Nebraska recognizes the importance of global engagement and thus seeks to increase the number of international students attending the University, the number of University students who participate in academic experiences abroad, and the number of faculty who participate in international opportunities; and

WHEREAS, the Board of Regents understands that efforts to legally promote the compelling interest of diversity at the University within the parameters allowed by state and federal law are necessary to ensure the quality of education required for our students and our state to remain competitive in the global economy; and

WHEREAS, the Board of Regents has received a guidance document on Enhancing Diversity from the University's General Counsel and has considered the same in preparing this resolution; and

WHEREAS, the Board of Regents has incorporated broad diversity and equal opportunity into the University's educational, research, outreach, study abroad, service, and creative endeavors with the specific aim of recognizing the ongoing need to remove barriers to the recruitment, retention and advancement of talented students, faculty and staff from historically under-represented populations;

NOW THEREFORE, Be it resolved by the Board of Regents of the University of Nebraska that:

1) Enhancing Diversity. The University will fully employ measures to achieve broad diversity in the University's student body and workforce as permitted by state and federal law.

2) Statement of Intent for Compliance. To the extent the Board of Regents, the University or its campuses have from time to time enacted related goals for broadening diversity or employed measures or published materials and other criteria that take into consideration race and gender in accord 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, such goals, measures, materials and other criteria from and after December 10, 2008,

Action

Student Opinion: Voting Aye: Hruza, Zimmer, Bohn, and Bonacci. Voting Nye: Schroeder, Whitehouse, Clare, Ferlic, Hasebrook, Hawks, McClurg, and Phares. Motion carried.

VIII.

HEARINGS

Amendments of Sections 3.12.1 and 3.12.4.5(c) of the *Bylaws of the Board of Regents* relating to retirement plans

Regent Phares reported that the Business Affairs Committee met on December 15, 2008, and recommends approval of the following projects: UNL item X-B-6, program statement and budget for the 19th and Vine Parking Garage, and UNMC item X-B-8, financing for the College of Public Health building, College of Nursing addition, and Geriatrics Center building (collectively, the Health Professions Futures Project).

IX. CONSENT AGENDA

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

A. ACADEMIC AFFAIRS

IX-A-1 The President's Personnel Recommendations

IX-A-2 Approve the proposed name change from the Department of Anthropology and Geography to the Department of Anthropology at the University of Nebraska-Lincoln

B. BUSINESS AFFAIRS

University of Nebraska

IX-B-1 Approve the acceptance of the audited financial statements of the University of Nebraska

University of Nebraska-Lincoln

IX-B-2 Approve naming the new addition to the Ross McCollum Hall the "Duane W. Acklie Classroom Wing"

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

X. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by Ferlic and seconded by Hassebrook to approve item X-A-1

X-A-1 Approve the establishment of the Center for Humanities, Ethics, and Society (CHES) in the College of Public Health at the University of Nebraska Medical Center

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

Motion Moved by Phares and seconded by Hassebrook to approve items X-A-2 and X-A-3

X-A-2 Approve the new undergraduate College of Agricultural Sciences and Natural Resources Legal Studies Certificate Program administered by the College of Agricultural Sciences and Natural Resources and the Department of Agricultural Economics at the University of Nebraska-Lincoln

X-A-3 Approve the new undergraduate College of Agricultural Sciences and Natural Resources Leadership Certificate Program administered by the College of Agricultural Sciences and Natural Resources and the Departments of Agricultural Leadership, Education and Communication, and Animal Science at the University of Nebraska-Lincoln

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

Motion Moved by Hassebrook and seconded by Whitehouse to approve item X-A-4

X-A-4 Approve addition of *Regents' Policy* RP-1.5.6 of the Board of Regents' Policies of the University of Nebraska Ron and Carol Cope Cornerstone of Excellence Award

RP-1.5.6 Ron and Carol Cope Cornerstone of Excellence Award

1. Definition
The Ron and Carol Cope Cornerstone of Excellence Award is an award to individuals whose service to the University of Nebraska at Kearney has provided exceptional benefits in furtherance of the goals and mission of the institution. This is an award given annually at the University of Nebraska at Kearney, ordinarily at commencements.
2. Nominations
 - a) Nominations shall be submitted to the Chancellor of the University of Nebraska at Kearney whose recommendations shall be forwarded to the President of the University of Nebraska by December 10. The nominations shall be for all commencement exercises for the following calendar year. The President's recommendations shall be submitted to the Board of Regents for endorsement at its January meeting.
3. Guidelines
The following guidelines are suggested in selecting Ron and Carol Cope Cornerstone of Excellence award recipients:
 - a) Nominees should be individuals who have provided significant service, support, or promotion of the University of Nebraska at Kearney and the greater Kearney area, or is an alumnus of the University of Nebraska at Kearney who has provided service to the State of Nebraska, or to the objectives of higher education.
 - b) The Ron and Carol Cope Cornerstone of Excellence Award shall not be awarded to any incumbent of or candidate for any elective state constitutional office, including state senator, or to any incumbent of or candidate for the U.S. House of Representatives or U.S. Senate from the State of Nebraska.
 - c) Current employees of the University are not eligible for the award, but past employees or retirees are eligible.
 - d) No more than two Cope Cornerstone of Excellence Awards will be awarded per year.
4. Nominating Procedure
 - a) Nominations should be presented in written form addressing:
 - 1) A brief biography;
 - 2) A description of achievements of nominee; and
 - 3) Name of nominator.
 - b) All recipients of the Ron and Carol Cope Cornerstone of Excellence Award will be endorsed by the Board of Regents at its January meeting.

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

B. BUSINESS AFFAIRS

Motion Moved by McClurg and seconded by Hassebrook to approve items X-B-1 and X-B-2

University of Nebraska

X-B-1 Approve Amendments of Sections 3.12.1 and 3.12.4.5(c) of the *Bylaws of the Board of Regents* relating to retirement plans

Bylaws Section 3.12.1 - Change of "Normal Retirement Age"

The terms of the Retirement Plans, as amended from time to time, are incorporated into the *Bylaws of the Board of Regents* by reference as if set out fully. The Changes in Internal Revenue Service regulations effective July 1, 2009 require change in the normal retirement age to 62. Counsel has suggested that the Bylaws should be silent as to

normal retirement age as the determination of normal retirement age is defined by IRS regulations. The pertinent section of the Bylaws would be changed as follows:

3.12.1 Retirement Age and Date. ~~The normal retirement age for all members of the University staff shall be 59 ½ years.~~ Retirement shall be mandatory at age 70 for any law enforcement personnel. Employees may retire at age 55 after ten years of service with the University. An employee also may be retired prior to the normal or mandatory retirement age because of physical or mental disability that prevents such employee from satisfactorily performing work, such disability to be determined by resolution of the Board.

Bylaws Section 3.12.2 – Disability Retirement

This change is a “housekeeping” item wherein it is made clear that disability-related retirement is available at all ages and that disability is to be determined based on third party determinations except in rare cases.

3.12.2 - Disability Retirement. ~~An employee who is retired before reaching the normal or mandatory retirement age because of physical or mental disability that prevents such employee from satisfactorily performing work, such disability to be determined by resolution of the Board, shall receive earned retirement benefits with the necessary actuarial reduction in annual benefits.~~

~~When an employee is disabled because of physical or mental disability, and carries the University group long-term disability income insurance, the employee may request a disability leave in lieu of a disability retirement.~~

An employee, regardless of age, is eligible for a disability retirement should a physical or mental disabilities prevent such employee from satisfactorily performing work. A Disability Retirement will allow a disabled employee to receive university retiree benefits.

Approval of a Disability Retirement is predicated on 1) the disabled employee’s obtainment of a Social Security Disability Award, or 2) long term disability benefits approval by the group long term disability insurance company. University administration may also approve a Disability Retirement in certain situations. In addition, Disability Retirements for academic/administrative staff and faculty must be approved by the Board of Regents.

Bylaws Section 3.12.4.5 Tax Shelter Annuities and Custodial Accounts

This change is a “housekeeping” item wherein the only change is reference to the University’s plan is changed from “Program” to “Plan.”

3.12.4.5 Tax Sheltered Annuities and Custodial Accounts. (c) The terms pursuant to which contributions may be made to tax-sheltered annuities and custodial accounts are set forth in the Tax-Sheltered Annuity ~~Program~~ Plan of the University of Nebraska, the terms and conditions of which are incorporated herein by this reference.

X-B-2

Approve revision of the Basic Retirement Plan to allow greater access to accumulations by employees upon separation, and elimination of Sections 3.2.1 and 3.2.9 of the *Policies of the Board of Regents*

Amendment of Plan Document

The Basic Retirement Plan currently establishes limitations on “total accumulations” based on age. Currently, 50% of total accumulations are available if an employee separates from the University prior to age 55. This provision, because of market volatility, can easily cause administrative errors. The limitation also disadvantages a person who wishes to stay in the Plan after separation of employment versus those persons who choose to execute a complete rollover as those persons can access 100% of

their accumulation.

It is recommended by counsel that the Plan provisions relating to access be revised to allow an employee to access his or her accounts at separation regardless of age.

Regents Policies 3.2.1 and 3.2.9

Section 3.2.1 of the *Policies of the Board of Regents*, entitled "Retirement Plan and Options" is clearly out of date. Among the outdated policies is a reference to a single investment administrator and plan provisions that are governed by the Plan document. It is recommended by counsel that the section should be deleted in its entirety.

Section 3.2.9 of the *Policies* Section duplicates many of the provisions of *Policies* Section 3.2.1 and contains language limiting distributions at separation of employment. It is recommended by counsel that the section should be deleted in its entirety.

The sections referenced above that would be deleted in their entirety, should this item be approved, are reproduced below.

~~RP-3.2.1 Retirement Plan and Options~~

~~1. The retirement plan for faculty and staff of the University of Nebraska is the Teachers Insurance and Annuity Association of America and College Retirement Equities Fund of New York; the company shall administer the funds of said retirement plan.~~

~~2. Faculty and staff are offered the opportunity to allocate contributions to TIAA-CREF in any proportion desired according to rules established by the TIAA-CREF organizations.~~

~~3. Faculty and staff may have access to retirement plan accumulations under the following circumstances:~~

~~a. In the event of separation from employment, a separating faculty or staff member may have lump sum access to the total accumulation (TIAA and CREF accumulations), following completion of a release form, as long as the TIAA-CREF contracts were in force for 5 years or less or the total accumulation is less than \$2,000.~~

~~b. In the case of contracts of 5 years or more, TIAA regulations prohibit access to TIAA accumulations; however, CREF accumulations will be accessible under the following circumstances:~~

~~1) Prior to the attainment of age 55, after separation from employment, faculty and staff may have lump sum access to 50% of the total CREF accumulation following the completion of a release form. Lump sum access to 100% of the total CREF accumulation will be accessible prior to the age 55 in cases of retirement, partial retirement, disability retirement, or tenure settlement. A release form will be required.~~

~~2) Following the attainment of age 55, after separation from employment for any reason, faculty and staff may, following completion of a release form, have 100% lump sum access to CREF accumulations.~~

~~c. In the event of the death of a faculty or staff member before commencement of benefits, regardless of age, years of participation, or amount of accumulation, unless otherwise dictated by Federal law, the designated beneficiaries shall have lump sum access to the total accumulation (TIAA and CREF accumulations).~~

~~4. In conjunction with the increased access to CREF accumulations provided for above, the University will attempt to include additional investment options, either~~

~~through TIAA-CREF or alternative investment programs, which provide similar flexibility regarding access to and distribution of accumulations. Such alternatives should also provide the opportunity for economic growth and maximized return on investment, within the context of a retirement program, as well as protection from adverse tax consequences and undue exposure to financial risk.~~

RP-3.2.9 Access to Retirement Accumulations

~~A separating faculty or staff member may have lump sum access to the total TIAA-CREF and/or Fidelity Investments accumulation if (1) the TIAA retirement annuity accumulation resulting from contracts established through service with the University of Nebraska or other nonprofit educational institution(s) is \$2,000 or less (\$2,000 is the level established by TIAA-CREF. University policy will be amended if modifications are made by TIAA.) and (2) the total TIAA-CREF retirement accumulation balance or the total Fidelity Investments retirement accumulation balance from premiums attributable to service with the University of Nebraska is \$10,000 or less.~~

~~If the TIAA retirement annuity accumulation is greater than \$2,000 (\$2,000 is the level established by TIAA-CREF. University policy will be amended if modifications are made by TIAA.) and/or if the total TIAA-CREF retirement plan accumulation balance or the total Fidelity Investments retirement plan accumulation balance is greater than \$10,000, accumulations will be accessible for distribution (TIAA Traditional Annuity accumulations will be accessible as provided under TIAA-CREF policy), under the following circumstances:~~

~~1. Access to 50% of Total Accumulation~~

~~Prior to the attainment of age 55, after separation from employment, faculty or staff may have access to up to 50% of the total accumulation, following the completion of a release form.~~

~~2. Access to 100% of Total Accumulations~~

~~Following the attainment of age 55, after separation from employment for any reason, faculty and staff may have access to up to 100% of the accumulations, following completion of a release form.~~

~~Faculty and staff who are retiring under any formal retirement arrangement (regular retirement, disability retirement, or partial or phased retirement with a date certain for total retirement) may have access to up to 100% of the total accumulation.~~

~~3. Rollover to Tax-Deferred Program~~

~~Faculty and staff who have separated from University employment may execute an unrestricted rollover of up to 100% of their accumulations to a qualified tax-deferred investment program.~~

~~4. Avoidance of Negative Tax Consequences~~

~~Regardless of age or employment status, legally appropriate distribution of accumulations will be permitted as required to avoid tax penalties or negative tax consequences under any applicable state or federal law or regulation.~~

~~In the event of the death of a faculty or staff member before commencement of benefits, regardless of age, years of participation, or amount of accumulation, unless otherwise dictated by Federal law, the designated beneficiaries may have lump sum access to the total accumulation.~~

There was discussion

- Action Student Opinion: Voting Aye: Zimmer, Bohn, Bonacci, and Hruza. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item X-B-3
- X-B-3 Approve the redemption of The University of Nebraska Facilities Corporation Series 1998 Bonds (Deferred Maintenance Project) prior to the stated maturities thereof
- There was discussion
- Action Student Opinion: Voting Aye: Bohn, Bonacci, Hruza, and Zimmer. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item X-B-4
- X-B-4 Provide certification to the Department of Administrative Services that \$7,000,000 in additional funds has been appropriated or formally designated by the University of Nebraska for compliance with LB 1116 for State Fair Park and authority to transfer the funds to the State Treasurer
- There was discussion
- Action Student Opinion: Voting Aye: Bonacci, Hruza, Zimmer, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Hruza to approve item X-B-5
- University of Nebraska at Kearney
- X-B-5 Approve a change order to the construction contract for the renovation of Mantor Residence Hall in the amount of \$565,137
- There was discussion
- Action Student Opinion: Voting Aye: Hruza, Zimmer, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by McClurg and seconded by Whitehouse to approve item X-B-6
- University of Nebraska-Lincoln
- X-B-6 Approve the program statement and budget for the 19th and Vine Parking Garage
- There was discussion
- Action Student Opinion: Voting Aye: Zimmer, Bohn, Bonacci, and Hruza. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by McClurg and seconded by Hassebrook to approve item X-B-7
- X-B-7 Approve a change order in an amount not to exceed \$950,000 to the design-build contract for the 17th and R Housing project
- There was discussion
- Action Student Opinion: Voting Aye: Bohn, Bonacci, Hruza, and Zimmer. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Motion Moved by Ferlic and seconded by Hawks to approve item X-B-8

University of Nebraska Medical Center

X-B-8 Approve the attached Resolution relating to the following projects at the University of Nebraska Medical Center (UNMC): College of Public Health Building, College of Nursing addition, and Geriatrics Center building (collectively, the Health Professions Futures Project) which (1) approves the issuance of not to exceed \$28,000,000 principal amount of Lease Rental Revenue Bonds, Series 2009 (UNMC Health Professions Futures Project Bonds, Series 2009) by The University Nebraska Facilities Corporation pursuant to a Trust Indenture, and (2) authorizes the execution and delivery of a Site Lease, a Lease-Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, an Inducement Letter and a Preliminary Official Statement in connection with the sale of such Series 2009 Bonds, (3) authorizes the sale of such Series 2009 Bonds at a negotiated sale pursuant to a Bond Purchase Agreement and authorizes the Vice President for Business and Finance to determine interest rates (not to exceed a true interest cost of 4.00%), principal amounts, principal maturities and redemption provisions of such Series 2009 Bonds, and (4) approves the preparation and use of a final Official Statement

There was discussion

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

Motion Moved by McClurg and seconded by Hawks to approve item X-B-9

X-B-9 Approve the sole source purchase of a genetics software system for the University of Nebraska Medical Center

There was discussion

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

Motion Moved by Whitehouse and seconded by McClurg to approve item X-B-10

University of Nebraska at Omaha

X-B-10 Approve the firm of DLR Group, Inc. to provide design services for the University Life Complex

There was discussion

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

Motion Moved by McClurg and seconded by Hawks to approve item X-B-11

X-B-11 Approve the Parking Use Agreement for the Crossroads Parking Garage for the 2009-10 academic year

There was discussion

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

C. FOR INFORMATION ONLY

X-C-1 Board of Regents agenda items related to the University of Nebraska Strategic Framework

- X-C-2 Calendar of establishing and reporting accountability measures
- X-C-3 Current version of the University of Nebraska Strategic Framework
- X-C-4 Current version of the University of Nebraska Strategic Dashboard Indicators

D. REPORTS

- X-D-1 Fall 2007 Tenure Density Report
 - X-D-2 Programs with Tuition Variances
 - X-D-3 Change of the name of the “Master of Agriculture” degree within the College of Agricultural Sciences and Natural Resources (CASNR) to “Master of Applied Science”
 - X-D-4 Design report for the Abel-Sandoz Dining Center Renovation at the University of Nebraska-Lincoln
 - X-D-5 Design Development report for the Home Instead Center for Successful Aging at the University of Nebraska Medical Center
 - X-D-6 Bids and contracts
- Chairman Schroeder accepted the reports

XI. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Zimmer and seconded by Hassebrook 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) Strategy session with respect to possible acquisition of property and assets and related private gifts;
- (c) Honorary degrees;
- (d) Contract negotiation strategy session.

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

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

- (a) Collective Bargaining strategy session;
- (b) Strategy session with respect to possible acquisition of property and assets and related private gifts;
- (c) Honorary degrees;
- (d) Contract negotiation strategy session.

The Board went into closed session at 2:27 p.m. and reconvened the open meeting at 3:45 p.m.

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Motion Moved by Whitehouse and seconded by Phares to approve item X-A-5

X-A-5 Approve the Award of Honorary Degrees and Awards

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

ADJOURNMENT

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

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Kent Schroeder
Chairman of the Board