

**University of Nebraska Board of Regents
Board of Regents Meeting
Itinerary**

Friday, March 5, 2010

8:00 a.m.

Academic Affairs Committee

Topic: Strategic Framework Report *[60 minutes]*

- Research [4-a-i]

Presenters: Richard Hoffmann, Associate Vice President for Academic Affairs and Research, Office of the Provost
Prem Paul, Vice Chancellor for Research and Economic Development, UNL
Tom Rosenquist, Vice Chancellor for Research, UNMC

9:00 a.m.

Outreach and Economic Development Ad Hoc Committee

Topic: Strategic Framework Report

- Workforce Development [3-h-iii] *[30 minutes]*

(a) Academic Program Update

Presenter: Linda Pratt, Executive Vice President and Provost

(b) Distance Education Programs for Workforce Development

Presenter: Arnold Bateman, Director Online Worldwide

Topic: Workforce Opportunity Analysis *[30 minutes]*

Presenters: Peter Kotsiopoulos, Vice President for University Affairs
Randy Cantrell, Nebraska Rural Initiative
Mark Gustafson, Nebraska Rural Initiative

10:00 a.m.

Board of Regents Meeting

AGENDA
THE BOARD OF REGENTS
OF THE UNIVERSITY OF NEBRASKA
Varner Hall
Friday, March 5, 2010
10:00 a.m.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON
FEBRUARY 12, 2010

IV. KUDOS

Brock Steinbrink, SAP Cashiering Supervisor, University of Nebraska Medical Center
Angela K. Hollman, LAN Administrator, Information Technology Services, University of
Nebraska at Kearney
Erin Cron, Assistant Director of Student Organizations and Leadership Programs, University of
Nebraska at Omaha
Bryan Miller, Computer Specialist, College of Arts & Sciences, University of Nebraska-Lincoln
Leo Masek, Personnel, Natural Resources Business Center, University of Nebraska-Lincoln

V. PUBLIC COMMENT

The Standing Rules of the Board provide that any person who gives 24 hours notice to the Corporation Secretary of the Board may speak to any item that is not on the agenda. In addition, any person may appear and address the Board of Regents on any item on the agenda for this meeting. Each person will be given up to five minutes to make his or her remarks. Public comment will be limited to a period of 30 minutes

VI. RESOLUTIONS

- A. Recognition for Regent Megan Collins, University of Nebraska-Lincoln
- B. Recognition for Regent Cade Craig, University of Nebraska at Kearney
- C. Resolution honoring Richard Miller, Professor and Chair of the Department of Psychology at the University of Nebraska at Kearney. Professor Miller was named the 2009 United States Professor of the Year by the Council for the Advancement and Support of Education (CASE)

VII. HEARINGS

Approve Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents* related to conflict of interest and nepotism

VIII. UNIVERSITY CONSENT AGENDA

- A. ACADEMIC AFFAIRS
 - 1. President's Personnel Recommendation Addendum VIII-A-1
- B. BUSINESS AFFAIRS
University of Nebraska
 - 1. Approve removal of Board of Regents Policy RP-6.4.5 relating to use of Devaney Sports Center Addendum VIII-B-1
 - 2. Approval of Purchase of Back-Up Computing Equipment Addendum VIII-B-2

University of Nebraska Medical Center

3. Approve leasing of space from The Childrens Specialty Pediatric Center Addendum VIII-B-3

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

1. Consider the report of the Academic Freedom and Tenure Committee of the University of Nebraska–Lincoln, and render a decision In the Matter of the Academic Freedom Complaint filed by Dr. John R. Rohde Addendum IX-A-1

B. BUSINESS AFFAIRS

University of Nebraska

1. Approve the Resolution and Statement of Creation (1) authorizing the President to execute the West Haymarket Joint Public Agency Agreement, and (2) authorizing the President to administer and execute the related approvals and instruments for creating and implementing the West Haymarket Joint Public Agency Addendum IX-B-1
2. Approve Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents* related to conflict of interest and nepotism Addendum IX-B-2
3. Approve amendment of RP-3.2.8, Conflict of Interest and Conflict of Commitment Addendum IX-B-3

University of Nebraska-Lincoln

4. Approve the Program Statement and Budget for the Hamilton Hall Sixth Floor Renovation at the University of Nebraska-Lincoln Addendum IX-B-4
5. Approve an increase of \$400,000 in the Keim Hall project budget for the purchase of additional furniture and equipment Addendum IX-B-5
6. Approve the conditional disposal or removal of the Industrial Arts Building at the Nebraska Innovation Campus of the University of Nebraska-Lincoln (UNL) on or after July 1, 2010 and following an open process to allow an opportunity for proposals for appropriate adaptive reuse Addendum IX-B-6

University of Nebraska Medical Center

7. Approve the installation of new HVAC, Energy Management System and associated equipment improvements in University Hospital Units 1 through 4 and Durham Outpatient Center on the UNMC Campus Addendum IX-B-7
8. Approve two construction contract change orders to the Harold M. and Beverly Maurer Center for Public Health building on the UNMC campus Addendum IX-B-8
9. Approve the selection of Alley Poyner Macchietto Architecture to provide architectural design services for the Stanley M. Truhlsen Eye Institute at the University of Nebraska Medical Center Addendum IX-B-9

University of Nebraska at Omaha

10. Approve the Resolution authorizing the expenditure of \$492,000 from the Sixth Series Replacement Fund to make Student Center improvements Addendum IX-B-10
11. Approve the Resolution (1) adopting the Seventh Supplemental Resolution to the Sixth Series Resolution authorizing the issuance of not to exceed \$17,500,000 aggregate principal amount of Revenue Bonds (UNO Student Housing Project), Series 2010B, for the Student Housing, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, Series 2010B, approving a Bond Purchase Agreement, a Continuing Disclosure Certificate, a Tax Compliance Agreement, and the Preliminary Official Statement, and

authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.00%), principal amounts and principal maturities and redemption provisions of such Revenue Bonds, Series 2010B, and (4) approving the preparation and use of a final Official Statement. In addition, approve the execution of an amendment to the ground lease/purchase agreement to facilitate ownership transfer at such date as would be mutually beneficial to the parties to the ground lease/purchase agreement Addendum IX-B-11

C. FOR INFORMATION ONLY

1. University of Nebraska Strategic Planning Framework Addendum IX-C-1
2. University of Nebraska Strategic Framework Accountability Measures Addendum IX-C-2
3. Calendar of establishing and reporting accountability measures Addendum IX-C-3
4. University of Nebraska Strategic Dashboard Indicators Addendum IX-C-4
5. Board of Regents agenda items related to the University of Nebraska Strategic Framework Addendum IX-C-5

D. REPORTS

1. Quarterly personnel report for the period October through December 2009 Addendum IX-D-1
2. Spring 2010 Enrollment Report Addendum IX-D-2
3. Status of Capital Projects exceeding \$5 million as of December 31, 2009 Addendum IX-D-3
4. Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report Addendum IX-D-4
5. Quarterly Gifts, Grants, Contracts and Bequests Addendum IX-D-5
6. Semi-Annual Report of Licenses Addendum IX-D-6
7. Bids and Contracts Addendum IX-D-7
8. Status Report on Fire Safety and Protection Addendum IX-D-8
9. Changes in Construction Projects by Budget or Use Categories Addendum IX-D-9
10. NCTA Education Center Intermediate Design Report Addendum IX-D-10

X. ADDITIONAL BUSINESS

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1. President's Personnel Recommendation Addendum VIII-A-1

B. BUSINESS AFFAIRS

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The President's Personnel Recommendations
Meeting Date: March 5, 2010

University of Nebraska-Lincoln

New Appointments

Donde Plowman, Dean (Special) College of Business Administration, James Jr. and Susan Stuart Endowed Dean of the College of Business Administration (Special) College of Business Administration, Professor (Continuous) Department of Management, effective 07/01/2010, \$315,000 FY (includes an administrative stipend of \$30,000), 1.00 FTE.

Gary Kebbel, Dean (Special) College of Journalism and Mass Communications, Professor (Continuous) College of Journalism and Mass Communications, effective 07/01/2010, \$205,000 FY, (includes an administrative stipend of \$18,636 and Professorship stipend of \$15,000), 1.00 FTE.

Adjustments

Susan Poser, Dean (Special) College of Law, Richard C. and Catherine Stuart Schmoker Professor of Law (Special) College of Law, Professor (Continuous) College of Law; add title of Dean and Richard C. and Catherine Stuart Schmoker Professor of Law and remove title of Associate to the Chancellor, effective 05/15/2010, \$285,000 FY (includes an administrative stipend of \$24,500 and Professorship stipend of \$15,000), 1.00 FTE.

David B. Smith, Professor, Accountancy; Raymond C. Dein College Professor (Special), Accountancy; and Deloitte and Touche Scholar (Special) Accountancy; reappoint as Raymond C. Dein College Professor effective 05/15/2010 to 05/14/2015, \$198,988 AY (includes \$10,000 Professorship stipend, and \$10,000 Scholar stipend), 1.00 FTE.

TO: The Board of Regents Addendum VIII-B-1
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Deletion of Section 6.4.5 of the *Policies of the Board of Regents* relating to use of Devaney Sports Center

RECOMMENDED ACTION: Approve deletion of Board of Regents Policy RP-6.4.5 relating to Use of Devaney Sports Center.

PREVIOUS ACTION: None

EXPLANATION: *Policies of the Board of Regents* Section 6.4.5, which is displayed on the following page, was designed to establish rental rates for the use of the Bob Devaney Sports Center. This policy was created when the Devaney Center was new, over 30 years ago. Campus policies have moved beyond this, with UNL Athletics, along with the Office of the General Counsel, having established detailed policies not only governing the use of Devaney but all other athletic facilities available for public use. These new, campus-based policies much better meet the needs and use requirements of the campus.

Through this action, it is proposed that Section 6.4.5 be deleted in its entirety in favor of the more comprehensive, detailed campus-based guidelines.

SPONSORS: Christine A. Jackson
Vice Chancellor for Business and Finance

Tom Osborne
Athletic Director

Harvey Perlman
Chancellor, University of Nebraska-Lincoln

Joel D. Pedersen
Vice President and General Counsel

RECOMMENDED: James B. Milliken
President

DATE: February 8, 2010

RP-6.4.5 Use of Devaney Sports Center

1. **Current Daily Rental Charges:**
Arena \$ 3,300 (as of 7-1-98)
Track \$ 1,320 (as of 7-1-98)
Pool \$ 550 (as of 7-1-98)

Rental charge is for facility only. All direct costs for special requirements of setup, electricians, plumbers, parking control, ticket takers, clean-up, etc., are charged extra and cover true costs.

2. Rental charges are to be deposited in State Cash Fund. Direct costs for extras must be paid out for services purchased by user.
3. The Field House Manager will contact promoters and agents (working in conjunction with Pershing Auditorium and State Fair Managers) in an effort to attract "money making" events (such as exhibition games, major entertainers, etc.). All rental charges which will be negotiated on a flat fee or percentage basis will be deposited in the State Cash Fund.
4. If a UNL student programming organization, (e.g. the Nebraska Union Program Council), serves as promoter or local producer for a major attraction, the organization will pay all expenses related to the use of the facility, plus rental equal to one-half of the net income from the event, with a guaranteed minimum of not less than the figures listed in 1 above.

TO: The Board of Regents Addendum VIII-B-2

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Enterprise Server Data Back-up Replacement

RECOMMENDED ACTION: Approval of Purchase of Back-Up Computing Equipment

PREVIOUS ACTION: None

EXPLANATION: This item, if approved allows the University to proceed with the purchase of a data back-up solution for the University enterprise server that supports SAP and the SIS+ system for UNL and UNO. This solution will consist of IBM Virtual Tape Systems to be located at the University of Nebraska Computing Systems Network's (UNCSN) data center in Lincoln and the UNMC data center in Omaha (UNMC is UNCSN's disaster recovery site). These units will replace the current equipment purchased in 2002. The current failure rate of the existing system is continuing to increase and the ability to backup critical enterprise data is becoming both problematic and risky, making the need for back-up capacity even more important.

The proposed systems would be a Virtual Tape System (Disk to Disk) which has fewer "moving parts" compared to the tape drive system which will improve the reliability of the data back-up. Data access response time will also improve dramatically with this state of the art system and higher levels of data security should result from this acquisition. UNCSN expects to see savings in several areas, including offsite storage and transport costs, tape media costs, and overall maintenance costs.

This equipment was chosen based on responses received from interested vendors based on upon requests for proposals (RFP number 204635).

PROJECT COST: \$652,000 Includes hardware and five years of maintenance

SOURCE OF FUNDS: Cash Funds

SPONSOR: Walter Weir
Chief Information Officer – University of Nebraska

RECOMMENDED: James B. Milliken
President

DATE: February 11, 2010

TO: The Board of Regents Addendum VIII-B-3
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Lease of Pediatric Clinical Space by the University of Nebraska Medical Center

RECOMMENDED ACTION: Approve leasing of space from The Childrens Specialty Pediatric Center

PREVIOUS ACTION: None.

EXPLANATION: A new Childrens Specialty Pediatric Center is being constructed adjacent to the Childrens Hospital and Medical Center Campus, at 8200 Dodge Street, Omaha. This item, if approved, will allow UNMC to enter into a ten-year lease with Childrens.

This space, approximating 3,900 square feet, will be built to the specifications of UNMC. Located adjacent to the Children's campus, it will be utilized for expanded pediatric dental programs and clinic operations located at the UNMC College of Dentistry, Omaha, Nebraska. The proposed location will provide the unique opportunities for expanded operations and programs. Initial cost of the lease will be \$27.60 per square foot (net).

Members of the public and the news media may obtain a copy of the proposed lease in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: \$1,355,967 (represents cost over ten year lease term)

SOURCE OF FUNDS: University of Nebraska Medical Center Dental Fees Cash Income

SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business & Finance

RECOMMENDED: Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: February 11, 2010

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

1. Consider the report of the Academic Freedom and Tenure Committee of the University of Nebraska–Lincoln, and render a decision In the Matter of the Academic Freedom Complaint filed by Dr. John R. Rohde Addendum IX-A-1

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TO: The Board of Regents Addendum IX-A-1
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: In the Matter of the Academic Freedom Complaint filed by Dr. John R. Rohde

RECOMMENDED ACTION: Consider the report of the Academic Freedom and Tenure Committee of the University of Nebraska–Lincoln, and render a decision In the Matter of the Academic Freedom Complaint filed by Dr. John R. Rohde

PREVIOUS ACTION: None

EXPLANATION: The Academic Freedom and Tenure Committee of the University of Nebraska–Lincoln conducted a hearing as required by Section 4.14.2 of the *Bylaws of the Board of Regents* in regard to a complaint filed by Dr. John R. Rohde, a member of the UNL faculty, alleging that his rights of academic freedom had been violated during the time he was employed as member of the faculty.

On December 7, 2009, the UNL Academic Freedom and Tenure Committee submitted its findings, conclusions and recommended action in this case to the Board of Regents.

This case was assigned to Regent Kent Schroeder for review, and his report and recommendation for a decision in this case has been submitted to the other members of the Board.

DATE: February 8, 2010

TO: The Board of Regents Addendum IX-B-1
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: West Haymarket Joint Public Agency/West Haymarket Arena in the City of Lincoln, Nebraska.

RECOMMENDED ACTION: Approve the attached Resolution and Statement of Creation (1) authorizing the President to execute the West Haymarket Joint Public Agency Agreement, and (2) authorizing the President to administer and execute the related approvals and instruments for creating and implementing the West Haymarket Joint Public Agency.

PREVIOUS ACTION: None.

EXPLANATION: Approval of this agenda item will authorize the President to execute the West Haymarket Joint Public Agency Agreement with the City of Lincoln. A copy of the agreement is attached.

The City of Lincoln passed and approved the Joint Public Agency Agreement on February 8, 2010.

The terms of the Agreement, resolution and related Memorandum of Understanding provide for final definitive agreements that will limit the University's financial obligations in the West Haymarket Arena Project to the rent paid for Athletics to operate Home Games and practices for men's and women's basketball programs. The definitive agreements between the University and City are planned to include the creation of a separate entity, the West Haymarket Joint Public Agency (JPA) and a related lease or operating agreement (Lease/Operating Agreement) as determined by the parties.

The JPA will function as a coordinating entity to finance and provide for the contracted design and construction of the Arena as well as necessary land acquisitions/remediation and supporting infrastructure and facilities for the larger scope of West Haymarket Improvements.

The JPA will allow the parties to track and account for costs and revenues at the Arena at the same time allowing for the broader Arena Improvements to benefit from pour-over revenue allocations when available. Other West Haymarket Improvements may also derive the benefits of being included under the general financing authority or jurisdiction of the JPA but are to stand alone and separate from the debt service and revenue allocations related to the Arena and Athletics.

Athletics is to be a tenant in the Arena, the University is to be a party to the JPA, and the Board of Regents shall approve any Lease/Operating Agreement involving Athletics related to the Arena.

SPONSORS:

Christine A. Jackson
Vice Chancellor for Business and Finance

Joel D. Pedersen
Vice President and General Counsel

Harvey Perlman
Chancellor, University of Nebraska-Lincoln

RECOMMENDED:

James B. Milliken, President

DATE:

February 8, 2010

RESOLUTION
AUTHORIZING THE EXECUTION AND DELIVERY OF
THE WEST HAYMARKET JOINT PUBLIC AGENCY AGREEMENT

WHEREAS, the Joint Public Agency Act (Chapter 13, Article 25, Reissue Revised Statutes of Nebraska, as amended, the "Act") permits local government units to make the most efficient use of their taxing authority and other powers by enabling them to cooperate with other governmental units on a basis of mutual advantage and to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

NOW THEREFORE, BE IT RESOLVED that the Board of Regents of the University of Nebraska (the "University"), finds and determines that there exists a need for the creation of a joint public agency (the "Agency") pursuant to the Act to facilitate land acquisition, relocation of existing businesses, environmental remediation, site preparation and the construction, equipping, furnishing and financing public facilities including, but not limited to, a sports/entertainment arena, roads, streets, sidewalks, pedestrian overpass, public plaza space, sanitary sewer mains, water mains, electric transmission lines, drainage systems, flood control, parking garages and surface parking lots (the "West Haymarket Facilities") for the benefit of the students, faculty and staff of the University of Nebraska and the residents of the State of Nebraska as provided in the Act. The participants in the Agency will be the Board of Regents of the University of Nebraska and the City of Lincoln, Nebraska (the "City").

NOW THEREFORE, BE IT FURTHER RESOLVED that the form, terms and provisions of the proposed Joint Public Agency Agreement Creating the West Haymarket Joint Public Agency (the "Agreement") between the City and the University are, in all respects, hereby approved, authorized, ratified and confirmed, and the President and Corporation Secretary are each separately and individually hereby authorized and directed to execute, acknowledge and deliver the Agreement, including counterparts thereof, in the name and on behalf of the University. The Agreement, as executed and delivered, shall be in substantially the form placed on file with the Corporation Secretary under Agenda Item IX-B-1 (March 5, 2010) subject to such changes therein as shall be approved by the President, such execution thereof to constitute conclusive evidence of the University's approval of any and all changes or revisions therein from the form of the Agreement now on file; and from and after the execution and delivery of the Agreement by the University, the officers, agents and employees of the University are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement.

NOW THEREFORE, BE IT FURTHER RESOLVED that (a) if any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatsoever; (b) to the extent that the provisions of this Resolution conflict with provisions of prior resolutions, or parts thereof, the provisions of this Resolution shall control, to the extent of such conflicts; and (c) this Resolution shall be in full force and effect immediately upon its passage and approval.

Approved as to Form and Legality:

General Counsel

Approved:

Bond Counsel

STATEMENT OF CREATION
OF
WEST HAYMARKET JOINT PUBLIC AGENCY

The undersigned, being all of the representatives of the Board duly appointed pursuant to Section 13-2509(2), Reissue Revised Statutes of Nebraska, as amended, to represent the proposed participating public agencies hereby submit to the Secretary of State pursuant to Section 13-2510, Reissue Revised Statutes of Nebraska, as amended, the following statement of creation of a Joint Public Agency.

- 1. The names of the proposed participating public agencies are:
 - (a) The Board of Regents of the University of Nebraska; and
 - (b) The City of Lincoln, Nebraska.

2. Attached hereto and incorporated herein by reference are certified copies of the resolutions of necessity of each proposed participating public agency.

3. Notice of the Resolution was published in three issues not less than seven days between issues of a legal newspaper having general circulation in the area served by each of the proposed participating public agencies. The resolution was passed by the governing bodies of the public agencies more than five days after the last such publication. The proof of publication is attached hereto and incorporated herein by reference.

4. The general nature of the joint public agency's activities will be to issue bonds to pay the costs to facilitate land acquisition, site preparation and the construction, equipping, furnishing and financing public facilities, including but not limited to a sports/entertainment arena, roads, streets, sidewalks, public plaza space, sanitary sewer mains, water mains, elevated transmission lines, drainage systems, flood control, parking garages and surface parking lots.

5. The name of the joint public agency shall be West Haymarket Joint Public Agency.

CITY OF LINCOLN, NEBRASKA

By: _____
Mayor

By: _____
City Council

BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA

By: _____

**JOINT PUBLIC AGENCY AGREEMENT
CREATING THE
WEST HAYMARKET JOINT PUBLIC AGENCY**

This JOINT PUBLIC AGENCY AGREEMENT (the "Agreement"), dated _____, 2010, is between THE CITY OF LINCOLN, NEBRASKA (the "City"), and THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the "University").

RECITALS

1. The University is a public body corporate duly created and existing under the laws of the State of Nebraska.
2. The City is duly organized and validly existing as a city of the primary class and political subdivision of the State pursuant to Chapter 15, Reissue Revised Statutes of Nebraska, as amended, and its home rule charter (the "Charter").
3. The City has determined that it is necessary, desirable, advisable and in the best interest of the City and its residents to acquire the land for and to relocate existing businesses, to undertake environmental remediation and site preparation and to construct, equip, furnish and finance public facilities in the West Haymarket Area of the City including but not limited to a sports/entertainment arena, roads, streets, sidewalks, pedestrian overpass, public plaza space, sanitary sewer mains, water mains, electric transmission lines, drainage systems, flood control, parking garages and surface parking lots ("West Haymarket Facilities").
4. The University has determined that if the sports/entertainment arena and supporting parking and infrastructure is built, it is in the best interest of the University to relocate the home games of the University of Nebraska Lincoln's men's and women's basketball teams from the University's Bob Devaney Sports Center to the arena.
5. The University and the City (collectively, the "Participants") desire to make the most efficient use of their taxing authority and other powers and to cooperate with each other and other governmental units on a basis of mutual advantage and to thereby provide services and facilities in a manner and pursuant to a form of governmental organization that will best account with the geographic, economic, population, and other factors influencing the needs and development of both the University and the City.
6. The Participants have determined that to achieve the objectives set forth above, it is necessary, desirable, advisable and in the best interest of the Participants that a joint public agency be formed by the Participants pursuant to the Joint Public Agency Act (Chapter 13, Article 25, Reissue Revised Statutes of Nebraska, as amended, the "Act").
7. The Participants have passed resolutions after published notice as required by the Act determining that it is necessary, desirable, advisable and in the best interest of the

Participants that they form a joint public agency pursuant to the Act to finance the Project through bonds issued by such agency.

NOW THEREFORE, in consideration of the premises and covenants contained herein, the Participants agree as follows:

ARTICLE I

CREATION OF THE JOINT PUBLIC AGENCY

Pursuant to the Act, the Participants hereby create a joint public agency which shall be named the West Haymarket Joint Public Agency (the "Agency") and which shall constitute a separate political subdivision and a public body corporate and politic of the State of Nebraska as provided by the Act. The Agency shall be subject to control by the Participants in accordance with the terms hereof. The governing body of each Participant has passed a resolution after published notice of the same as required by the JPA Act determining that a need for the Agency exists. A certified copy of each approving resolution shall be kept on file by the Agency at the City Clerk's office located at 555 South 10th Street, Lincoln, Nebraska, 68508. The governing body of the Agency (the "Board") shall submit the statement required by Section 13-2510, Reissue Revised Statutes of Nebraska, as amended, to the Secretary of State. The Agency's existence shall commence upon the issuance of a certificate of creation by the Secretary of State as provided in Section 13-2511, Reissue Revised Statutes of Nebraska, as amended.

ARTICLE II

PURPOSES

The purposes of the Agency are as follows:

(a) To make the most efficient use of the taxing authority and other powers of the Participants and to cooperate with each other and other governmental units on a basis of mutual advantage and to thereby provide services and facilities in a manner and pursuant to a form of governmental organization that will best account with the geographic, economic, population, and other factors influencing the needs and development of the Participants.

(b) To exercise any power, privilege or authority to facilitate land acquisition, relocation of existing businesses, environmental remediation, site preparation and the construction, equipping, furnishing and financing public facilities, including but not limited to a sports/entertainment arena, roads, streets, sidewalks, pedestrian overpass public plaza space, sanitary sewer mains, water mains, electric transmission lines, drainage systems, flood control, parking garages and surface parking lots ("West Haymarket Facilities") and any other capital improvements or other projects pertaining to the redevelopment of the West Haymarket Area as shall be determined by the Board to be necessary, desirable, advisable or in the best interests of the Participants in the manner and as provided for by the Act.

(c) To issue bonds to finance the West Haymarket Facilities, and to levy a tax as provided by the Act and this Agreement to pay the principal or redemption price of and interest on such bonds, when and as the same shall become due, to own the Arena and Parking Garages for so long as any Agency Bonds (hereinafter defined) are outstanding, to enter into a lease with the City to operate the Arena and Parking Garages for so long as any Agency Bonds are outstanding and to convey the Arena and Parking Garages to the City at such time as no Agency Bonds are outstanding.

(d) To sell, lease or otherwise dispose of excess land not needed for the West Haymarket Facilities to the City, University or private entities for redevelopment as part of and in accordance with the City's West Haymarket Redevelopment Plan and, in particular, the Lincoln Traction Phased Project.

ARTICLE III

ORGANIZATION

Section 301. Governing Body. The Board of the Agency shall consist of the following representatives:

1. Mayor of the City.
2. The member of the Board of Regents of the University of Nebraska from District No. 1.
3. A member of the City Council of the City.

Section 302. Term of Office. Unless otherwise disqualified by the provisions of the Act, and except as provided herein or any amendment hereto, each representative shall serve for so long as such representative holds the position set forth in Section 301.

Section 303. Voting. Unless the Board unanimously adopts different rules relating to voting by representatives, each representative shall have one vote on matters before the Board. Except as may otherwise be provided herein, or in any agreement to which the Agency is a party, all actions of the Agency may be taken with the concurrence of a majority of the representatives entitled to vote. All actions of the Agency related to the Arena (as opposed to the West Haymarket Facilities as a whole) may only be taken by a unanimous vote of all the representatives entitled to vote.

Section 304. Rules of Governance. The Board shall adopt rules of governance that will include at a minimum, the following:

(a) **Quorum.** A majority of the representatives shall constitute a quorum for the transaction of any Agency business, except as provided in Section 303 above.

(b) Officers. The Board shall elect a chair and vice-chair from among the representatives. The Board shall elect a secretary as provided in Section 13-2516 of the Act and appoint a treasurer who each shall serve at the pleasure of the Board and until their respective successors shall be appointed or elected as the case may be.

Section 305. Meetings and Notice. Meetings of the Board may be called by the chair or any two representatives. Written notice of the meeting and agenda shall be provided to each representative, the City Clerk, and the University of Nebraska - Lincoln Chancellor at least seven days prior to each such meeting.

The Board shall also give public notice of the meeting pursuant to Section 84-1411, Reissue Revised Statutes of Nebraska, as amended. Public notice shall be given by posting a notice of the meeting on the official bulletin board of the City in the County-City Building, 555 South 10th Street, Lincoln, Nebraska, under the heading of "PUBLIC NOTICE OF MEETING," maintaining an agenda in the office of the City Clerk which shall be available for inspection by the public. All meetings shall be conducted in accordance with the Open Meetings Act (Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended).

Section 306. Treasurer's Bond. In the event that there is no treasurer's bond that expressly insures the Agency against loss resulting from the fraudulent, illegal, negligent, or otherwise wrongful or unauthorized acts or conduct by or on the part of any person authorized to sign checks, drafts, warrants, or other instruments in writing, there shall be procured and filed with the secretary of the Agency, together with the written authorization filed with the secretary, a surety bond, effective for protection against the loss, in such form and penal amount and with such corporate surety as shall be approved in writing by the signed endorsement thereon of any two officers of the Agency other than the treasurer.

ARTICLE IV

DURATION

The duration of the Agency shall be perpetual, commencing with the date of issuance of the certificate of creation, and shall continue in effect until terminated as provided in Article XIII hereof.

ARTICLE V

POWERS

The Agency shall have such powers as are allowed by the Act, and any amendments thereto including, but not limited to, the powers:

(a) to incur debts, liabilities, or obligations, including the borrowing of money and the issuance of bonds, secured or unsecured, pursuant to the Act;

(b) to borrow money or accept contributions, grants or other financial assistance from a public agency and to comply with such conditions and enter into such contracts, covenants, mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable;

(c) subject to any agreements with holders of outstanding bonds, to invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in such obligations, securities, and other investments as the Board shall deem proper;

(d) to contract with and compensate consultants for professional services including, but not limited to, architects, engineers, planners, lawyers, accountants, financial advisors and others found necessary or useful and convenient to the stated purposes of the Agency;

(e) to levy taxes upon the taxable property in the City of Lincoln, Nebraska pursuant to Sections 13-2507 and 77-3443, Reissue Revised Statutes of Nebraska, as amended, to the extent that the authority to levy taxes is expressly and specifically assigned and allocated to the Agency by a Participant herein. Such levy authority may be exercised by the Agency only to the extent the assigning Participant restricts the exercise of its own levy authority to the same degree and the levy authority allocated to the Agency is reported to the Property Tax Administrator; and

(f) to exercise any other powers which are deemed necessary and convenient to carry out the provisions of the Act.

ARTICLE VI

ISSUANCE OF BONDS

The Agency, by resolution of the Board, may from time to time issue bonds or other evidences of indebtedness payable exclusively from all or a portion of the revenue from one or more projects, from one or more revenue-producing contracts, including securities acquired from any person, or leases made by the Agency with any person, including any Participant, or from its revenue generally which may be additionally secured by a pledge of any grant, subsidy, or contribution from any person or a pledge of any income or revenue, funds, or money of the Agency from any source whatsoever or a mortgage or security interest in any real or personal property, commodity, product, or service or interest therein.

The Agency may from time to time also issue bonds in such principal amounts as the Board shall determine to be necessary to provide sufficient funds to carry out any of the Agency's purposes and powers, including the establishment or increase of reserves, the payment of interest accrued during construction of a project and for such period thereafter as the Board may determine, and the payment of all other costs or expenses of the Agency incident to and necessary or convenient to carry out its purposes and powers.

Notwithstanding any other terms hereof to the contrary, the Agency shall not issue any bonds or other form of indebtedness without the question of such bonds or indebtedness being first presented to, and approved by, the Mayor and Council of the City.

ARTICLE VII

LEVY AUTHORITY

Pursuant to the provisions of Section 13-2507:

(a) The City hereby irrevocably allocates and assigns to the Agency, for the period beginning June 1, 2010 and ending on the date upon which all of the Agency Bonds are no longer deemed to be outstanding and unpaid pursuant to the resolution or resolutions pursuant to which they are issued, its authority to cause the levy of taxes within the taxing district of the City, beginning in the year 2010 for collection in 2011, for the purpose of paying the costs of the West Haymarket Facilities pursuant to Section 15-202, Reissue Revised Statutes of Nebraska, as amended, in an amount which will be sufficient to pay the principal or redemption price of and interest on the Agency Bonds when and as the same become due (the "City Levy"), solely for the purpose of paying the principal or redemption price of and interest on the Agency Bonds.

(b) The City shall implement the Agency Bond Levy as requested by the Agency as may be required to pay the principal or redemption price of and interest on the Agency Bonds as the same become due, and shall not levy less than the Agency's lawful requested or certified levy, as long as any Agency Bonds remain outstanding.

(c) The City shall collect and disburse to the trustee named by the Agency, all taxes collected under the Agency Bond Levy.

ARTICLE VIII

EXPENSES

All expenses of the Agency not payable from the proceeds of the Agency Bonds, including without limitation, travel expenses, administrative costs, insurance and professional fees, shall be paid one-half each by the City and University.

ARTICLE IX

BUDGETING

The Board shall prepare a budget based on a fiscal year coinciding with the fiscal year of the City for the operation of the Agency. The budget of the Agency shall be established as provided in the Nebraska Budget Act (Chapter 13, Article 5, Reissue Revised Statutes of Nebraska, as amended) and presented to the City Council prior to the Agency's levy certification. The Agency shall cause to be conducted annually an audit conducted by a private

qualified auditing business. The resulting audit report shall be delivered to the Agency and the governing body of each Participant.

ARTICLE X

BIENNIAL REPORT

Commencing in 2011, and each odd-numbered year thereafter, the Agency shall deliver to the Secretary of State a biennial report on a form prescribed and furnished by the Secretary of State, such fee and any other information or requirements as may be specified in Section 13-2525, Reissue Revised Statutes of Nebraska, as amended.

ARTICLE XI

NOT FOR PROFIT

It is expressly understood that the Agency is a public body and is to be operated not for profit, and no profit, dividend or Agency asset shall inure to the benefit of any individual.

ARTICLE XII

WITHDRAWAL

If the governing body of a Participant adopts a resolution setting forth the determination that the need for the Agency no longer exists, the Participant shall be permitted to withdraw from participation in the Agency, but withdrawal shall not affect the obligations of the withdrawing Participant pursuant hereto or any other agreements with the Agency. Withdrawal shall not impair or adversely affect the levy of the City Levy or receipt of revenues for, or the payment of, any outstanding bonds or indebtedness or the interest thereon.

ARTICLE XIII

DISSOLUTION

The Agency shall not be dissolved so long as any Agency Bonds are outstanding under the instrument pursuant to which they were issued. Upon dissolution of the Agency, provided the City continues to have the responsibility for the West Haymarket Facilities, all interest in the land, capital improvements, personal property and all other assets of the Agency used in the operation of the West Haymarket Facilities financed by the Agency Bonds remaining in the Agency shall be transferred to the City.

ARTICLE XIV

MANNER OF ACQUIRING AND HOLDING PROPERTY

The Board may lease, purchase or acquire by any means, from a Participant or from any other source, such real and personal property as is required for the operation of the Agency and for carrying out the purposes hereof. The title to all such property, personal or real, needed for the West Haymarket Facilities shall be held in the name of the Agency for so long as any Agency Bonds shall remain outstanding. The Agency shall convey all of its interest in the West Haymarket Facilities to the City at such time as no Agency Bonds remain outstanding. The Agency shall comply with the applicable bidding procedures of the City. The City shall perform the functions of the purchasing agent designated therein.

All conveyances of real property owned or held in the name of the Agency shall be authorized by resolution of the Board and executed by the Chair.

ARTICLE XV

AMENDMENT

This Agreement may be amended in writing, signed by all the Participants; provided, however, no amendment may be made limiting the duty of the Agency or the Participants to levy and collect taxes for the payment of any Agency Bonds. Any amendment hereto must first be approved by resolution of the governing body of each Participant. The amended and restated Agreement shall be filed with the Nebraska Secretary of State.

ARTICLE XVI

In exercising its authority and carrying out its duties and functions the Agency shall not discriminate against any employee, applicant for employment, contractor, potential contractor, or any individual or entity on the basis of race, religion, color, sex, national origin, disability, age, marital status, or any other basis prohibited by law.

ATTEST:

CITY OF LINCOLN, NEBRASKA

City Clerk

By: _____
Mayor

Approved as to Form and Legality:

City Attorney

ATTEST:

**BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA**

Corporate Secretary

By: _____
James B. Milliken, President

Approved as to Form and Legality:

General Counsel, University of Nebraska

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2010, by Chris Beutler, Mayor of the City of Lincoln, Nebraska, a municipal corporation.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2010, by James B. Milliken, President of the Board of Regents of the University of Nebraska, a public body corporate.

Notary Public

TO: The Board of Regents Addendum IX-B-2
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents of the University of Nebraska* related to conflict of interest and nepotism.

RECOMMENDED ACTION: Approve amendment of Section 3.8 relating to Conflict of Interest and adopt a new section 3.2.2 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to Nepotism.

PREVIOUS ACTION: Section 3.8 was last amended in April of 1982.

EXPLANATION: The existing Board bylaw 3.8 relating to Conflict of Interest is amended to provide a separate stand alone provision for Nepotism consistent with state law and to provide a reference to the Board's Conflict of Interest and Conflict of Commitment policy. The new section 3.2.2 contains the recommended bylaw provisions for the University's prohibition of nepotism.

The amendment to bylaw 3.8 is as follows:

3.8 Conflict of Interest. No employee of the University shall engage in any activity that in any way conflicts with duties and responsibilities at the University of Nebraska. *The Board of Regents has adopted Regents Policy 3.2.8 and authorized the implementation of related policies and directives to properly avoid, disclose and manage potential conflicts of interest. ~~nor shall any employee hire or supervise a member of his or her immediate family without expressed written consent of the Board.~~*

The text of the proposed new section 3.2.2 is as follows:

3.2.2 Nepotism. Subject to the powers vested in the Board, and consistent with the provisions of Neb. Rev. Stat. 49-14-1401, the following shall constitute the Policy of the University prohibiting nepotism.

3.2.2.1 Except as authorized in section 3.2.2.4 of these By-Laws, an official or employee in the University shall not engage in nepotism.

3.2.2.2 For purposes of section 3.2.2 of these By-Laws: (a) Family member means an individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption, of a University official or employee; (b) Nepotism means the act of hiring, promoting, or advancing a family member in the University or recommending the hiring,

promotion, or advancement of a family member in the University, including initial appointment and transfer to other positions in the University; and (c) Supervisor means an individual having authority, in the interest of the University, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline employees, responsibility to direct them or to adjust their grievances, or effectively to recommend any such action, if the exercise of such authority is not merely of a routine or clerical nature but requires the use of independent judgment.

3.2.2.3 In addition to the other penalties provided by law, any University employee violating the provisions above may be subject to disciplinary action.

3.2.2.4 (a) The President or the cognizant Chancellor may, upon a written showing of good cause, grant an exception to section 3.2.2.1 of these By-Laws. The written showing of good cause shall be filed with the appropriate University records officer and shall be considered a public record. (b) An official or employee who becomes a supervisor to his or her family member other than by means of nepotism shall notify the President or cognizant Chancellor within seven days of becoming aware of such situation and may continue to act as a supervisor until the President or cognizant Chancellor remedies the situation. The President or cognizant Chancellor shall act as soon as practicable.

3.2.2.5 The President and Chancellors may develop and implement internal policies and directives prohibiting nepotism and the supervision of a family member.

SPONSOR: Joel D. Pedersen
Vice President and General Counsel

RECOMMENDED: James B. Milliken
President

DATE: February 8, 2010

TO: The Board of Regents Addendum IX-B-3
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Amendment of Section 3.2.8 of the *Policies of the Board of Regents* relating to conflict of interest.

RECOMMENDED ACTION: Approve amendment of RP-3.2.8, Conflict of Interest and Conflict of Commitment.

PREVIOUS ACTION: March 24, 1995 – The Board approved amendments to the Conflict of Interest Policy to define a significant financial interest and modify the definition of immediate family to conform to federal regulatory changes.
February 13, 1993 – The Board approved the original Conflict of Interest Policy.

EXPLANATION: The updated policy contains significant revisions as follows:
Minimum requirements set at University wide level to manage and disclose conflict of interest and conflicts of commitment, including provisions for institutional conflicts and use of University facilities. Subject to review and approval of the President, Chancellors are to implement campus level processes for disclosure, review and reporting/conflict management. Chancellors are responsible for annual "level of activity" reports on conflicts management to the President. A substitute item inserting a new section 2 into the policy and renumbering the sections accordingly is included at the request of the Executive Committee. A clean and a redline version showing the changes to existing policy section 3.2.8 are attached.

SPONSOR: Joel D. Pedersen
Vice President and General Counsel

RECOMMENDED: James B. Milliken
President

DATE: February 23, 2010

1 **RP-3.2.8 Conflict of Interest and Conflict of Commitment**

2 **1. Introduction**

3

4 University relations with industry, government agencies, individuals, and other enterprises outside the
5 University constitute a complex network of interactions. These interactions have directed attention to
6 potential conflicts of values and interests between these entities and academia. Conflict of Interest is
7 addressed in Section 3.8 of the *Bylaws of the Board of Regents* as follows:

8 **3.8 Conflict of Interest.** No employee of the University shall engage in any activity that in any
9 way conflicts with duties and responsibilities at the University of Nebraska. The Board of
10 Regents has adopted Regents Policy 3.2.8 and authorized the implementation of related policies
11 and directives to properly avoid, disclose and manage potential conflicts of interest.

12 In addition to Section 3.8 of the Bylaws, Nebraska statutes relating to conflict of interest and nepotism
13 apply to all public officials and employees of the University, including the provisions of §49-14,101.01 of
14 the Revised Statutes of Nebraska.¹

15 Furthermore, federal funding agencies require that the University establish safeguards to prevent
16 employees or consultants from using their positions for purposes which are motivated by (or even give
17 appearance of) a drive for private financial gain either for themselves or family members.²

18 Responsibility for assurance of compliance with this policy rests with the President and Chancellor of
19 each campus. The Chancellors shall submit an annual report to the President detailing the compliance
20 policies, procedures and management activities at their campus.

21 **2. University-Wide Conflict of Interest Principles**

22 Campus conflict of interest policies will vary according to the unique roles and needs of each campus.
23 However, each campus policy must ensure that broad University-wide principles are followed, including:

- 24 1) Prospects of financial gain must not unduly influence faculty and the University with regard to
25 commercially imminent, product oriented research programs versus fulfilling the University's
26 objectives of educating students, advancing basic knowledge and serving Nebraskans through
27 the development and application of knowledge that enables them to develop better lives,
28 stronger communities and genuine economic opportunity.

¹ "A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated." and " A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain. ... "

² Including *Public Health Service, National Institute of Health and National Science Foundation* regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), *Department of Education* regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and *FDA* regulations (21 CFR Part 54).

- 1 2) The University must avoid situations where the possibilities for personal gain for the Covered
2 Person may be judged to be so significant that it is unreasonable to expect the Covered Person
3 to exercise the objectivity necessary for public trust in the University and the rigor of its
4 research.
- 5 3) Research agreements should encourage the free exchange of ideas and the sharing of research
6 results regardless of the sponsoring entity. Some constraints may be required to protect
7 proprietary information or intellectual property.
- 8 4) To the extent practicable and consistent with applicable law, the University must be
9 appropriately compensated for private, commercial use of the public property under its
10 stewardship.

11 Underlying these principles is the recognition that the University of Nebraska is a public institution with
12 a mission of serving the people of Nebraska through research, teaching and service.

13 **3. Annual Report**

14 Annually, each campus shall submit a written conflict of interest report to the President which includes
15 at least the following information:

- 16 1) The number of conflicts disclosed, by appropriate academic unit.
- 17 2) A summary of the nature of the conflicts.³
- 18 3) The number of conflicts being managed through written plans, by college.
- 19 4) The number of conflicts eliminated, by college.
- 20 5) Other material or information related to the management of conflicts of interest at the
21 campus.

22 **4. Personnel Affected by Conflict of Interest and Conflict of Commitment Policy**

23 *Covered Person* shall mean:

- 24 1) University administrative officers and employees, specifically including any University
25 employees with delegated signature, purchasing or contracting authority on behalf of the
26 University;
- 27 2) University employees and faculty engaged in outside employment or other activities
28 specified in this policy (tech transfer/use of University facilities or equipment) that may create a
29 *Conflict of Interest*; and

³ Conflicts may be identified according to basic categories, for example, conflicts arising from ownership of stock, family relationships, potential undue influence, and the like.

1 3) Sponsored Research investigators, including University employees, faculty, staff and support
2 personnel (managerial/professional and office/service positions), volunteers, trainees, students,
3 contractors and other persons under the direct control of the University of Nebraska, whether
4 paid by the University of Nebraska or not, who participate in *Sponsored Research* as defined in
5 Section 6 of this policy 3.2.8.⁴

6 *Conflict of Interest* shall mean situations when a *Covered Person's* direct or indirect personal financial
7 interests may compromise, or have the appearance of compromising, the *Covered Person's* professional
8 judgment or behavior in carrying out his or her obligations to the University of Nebraska. This includes
9 indirect personal financial interests of a *Covered Person* that may be obtained through third parties such
10 as a *Covered Person's Immediate Family*, business relationships, fiduciary relationships, or investments.

11 *Immediate family* shall mean an individual who is the spouse, child, parent, brother, sister, grandchild,
12 or grandparent, by blood, marriage, or adoption of the *Covered Person*.

13 **5. Individuals and Organizations Responsible for Administration of Conflict of Interest and**
14 **Conflict of Commitment Policy**

15 At the University of Nebraska, all reporting of potential *Conflicts of Interest* should be undertaken with
16 the goal of full disclosure. The President and Chancellors of each campus shall develop and implement a
17 disclosure process and supporting procedures consistent with the principles set forth in this Policy,
18 covering, at a minimum, sponsored programs administration, institutional review boards, any office of
19 technology transfer, and any other responsible campus administrative officers. The Chancellors shall be
20 responsible for overseeing their campus' reporting process and must designate an administrative officer
21 who will be in charge of developing more specific written procedures for enforcing the policy. Each
22 Chancellor shall submit their campus' processes and procedures to the President for review and
23 approval.

24 The procedures for disclosure at each institution must, at a minimum, include the following:

- 25 1) Annual disclosures by *Covered Persons* who may have potential *Conflicts of Interest*.
- 26 2) A description of the process for developing, implementing, and overseeing conflict
27 management plans, including a detailed process for managing and/or eliminating
28 potential *Conflicts of Interest*.
- 29 3) A description of procedures for ensuring coordination among all University
30 organizations with a role in oversight of conflicts.
- 31 4) A description of the process by which a *Covered Person* may address concerns
32 regarding a *Conflict of Interest* situation or the management thereof.

⁴ The term *Covered Person* includes the definition of an "Investigator" under NIH guidelines, specifically "the Principal Investigator and any other person who is responsible for the design, conduct, or reporting of research funded by the NIH, or proposed for such funding. The definition includes contractors or collaborators, as well as the Investigator's spouse and dependent children." See *Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought (42 CFR Part 50, Subpart F, grants and 45 CFR Part 94, contracts)*.

1 5) A description of how:

- 2 ○ Disclosures will be reviewed and retained, and the level of activity of each
3 college on the campus will be reported to the President pursuant to
4 paragraph 10 of this policy;
- 5 ○ Responsible campus officials are to review and manage potential *Conflicts of*
6 *Interest*;
- 7 ○ The campus will provide related training and advice about *Conflict of*
8 *Interest* issues;
- 9 ○ The campuses will review and validate their program on a regular basis;
- 10 ○ The campus will make its implementation procedures for this policy
11 available publicly; and
- 12 ○ The institution will enforce this policy and provide sanctions when
13 necessary.

14 **6. Conflicts of Interest Involving Sponsored Research**

15 Research is basic to the University's teaching and service missions. Good teaching and learning depend
16 upon research. Likewise, through its research, teaching, and service activities, the University's resources
17 can best be brought to bear on public issues requiring objective, systematic study. Research forms an
18 inherent part of departmental and collegiate missions, and brings recognition to the University and its
19 faculty. All forms of research, which are within departmental and collegiate missions, and which
20 maintain the high quality characteristic of the University, are appropriate to the University's open
21 environment. Similarly, University teaching and service activities have potential for commercial use and
22 development.

23 *Sponsored Research* means research, training, and instructional projects performed by Covered Persons
24 using any University space, materials, equipment or property that involves funds, materials or other
25 compensation from sources outside the University through a grant or contract that obligates the
26 University to a specified statement of work, sets forth binding financial terms in the form of a budget or
27 up-front payment, or contains terms related to ownership of and rights to use intellectual property
28 developed thereunder. Sponsored Research is a vital endeavor of the University; it allows faculty the
29 means to pursue excellence in their research and scholarly activity, it expands opportunities for
30 graduate and undergraduate student participation in research, it enhances the quality of University
31 research facilities through public and private support, and it helps facilitate the commercialization of
32 research and technology to benefit the University and Nebraska. The University encourages its faculty
33 and staff to engage in both sponsored and non-sponsored research recognizing that compliance with
34 this policy can help assure that appropriate standards of accountability are met and extramural
35 considerations do not hinder the dissemination or commercialization of research.

1 Each campus shall establish its own Sponsored Research application approval process, including
2 applicable internal or external peer review systems and implementing best practices for approving
3 federally, publicly and privately sponsored research projects. The Chancellor shall be responsible for
4 overseeing the research approval process and must designate an administrative officer who will be in
5 charge of developing more specific written procedures for implementing the policy. The procedures for
6 Sponsored Research approval at each campus must at a minimum include procedures for disclosing,
7 identifying, reviewing, managing and reporting conflicts and potential conflicts that arise with regard to
8 Sponsored Research on their campus pursuant to Article 3 of this policy.

9 **7. Openness of Research and Publication of Results**

10 The traditions of free exchange of ideas and prompt dissemination of knowledge are fundamental to the
11 University's mission and should govern all research, teaching, and service activities conducted by
12 University faculty, staff and students. The University is committed to an open teaching and research
13 environment, which ensures free faculty and student exchange of ideas, thereby contributing to the
14 advancement of knowledge in all disciplines. As far as possible, the acceptance of support external to
15 the University should not create situations which curtail open discussion of the research among
16 colleagues and students.

17 Industry typically treats the products of its research in a very confidential manner. On occasion, industry
18 expects project participants to maintain the same degree of confidentiality with sponsored research. It is
19 important to note that openness, freedom of discussion, and freedom to publish go to the very core of
20 the University. Nonetheless, there are certain legitimate needs for confidentiality on the part of industry
21 that must be met by Sponsored Research investigators. Data received from an industry sponsor and
22 marked "confidential" may be kept in a confidential status for a stated period of time. Also, it is prudent
23 to recognize the need to maintain the confidential status of the results of the project for a period of
24 time sufficient to determine patentability and filing of patent applications or as agreed upon in an
25 agreement between the sponsor and the University. When appropriate, the University may enter into
26 confidential agreements to protect proprietary information, where this is deemed necessary, either
27 through direct agreement with an industrial sponsor or through an agreement between the sponsor and
28 a University employee.

29 The campus official responsible for administration of research or other campus official designated by the
30 Chancellor must ensure that all individuals who participate in industry-sponsored research projects are
31 fully informed in writing of the ownership and disposition of inventions and requirements of
32 confidentiality regarding research results and other confidential information provided by the sponsors of
33 such projects.

34 Research conducted by faculty under industry or other commercial sponsorship must, as far as possible,
35 maintain the University's open teaching, research, and service environment.

36 The campus official responsible for administration of research or Chancellor's designee must review and
37 approve any new, proposed, or ongoing faculty-industry interactions as these interactions might
38 compromise the University's open teaching and research environment. The appropriate department

1 chair(s) or director(s), dean(s), and in rare circumstances, the individual designated to perform the
2 complete administrative review as described in Section 1--shall aid in this process and shall seek to
3 resolve all potential problems prior to the approval of such interaction.

4 The campus official responsible for administration of research or Chancellor's designee shall from time
5 to time provide current information to the department chairs, deans, directors and faculty pertinent
6 information for timely reporting of concerns regarding violation of the *Conflict of Interest* and Conflict of
7 Commitment policy.

8 Faculty must have the right to disseminate their research results, indeed are obligated to do so. The
9 University discourages individual faculty from agreeing to forego this basic right. Likewise, the University
10 will not unilaterally forego this right on behalf of its faculty, staff and students. However, the University
11 and faculty may accept reasonable delays in submission of new findings for publication or other release
12 of information to enable sponsors or the University to obtain proprietary or patent protection, for
13 example. In special circumstances to be determined by the University, a researcher may waive his or her
14 right to disseminate the results of his or her research and elect to enter an agreement to maintain the
15 confidentiality of proprietary research for specified periods of time.⁵

16 The campus official responsible for administration of research or Chancellor's designee shall work with
17 faculty engaged in industry-sponsored projects to provide written notification to support personnel and
18 students involved in these projects, describing all contract and grant terms affecting them, including the
19 possibility of delays in publication caused by the need of the sponsor to review manuscripts or any other
20 obligations of confidentiality. Graduate students must not be assigned to thesis research topics which
21 might be affected by confidential agreements. The appropriate campus official or Chancellor's designee
22 may authorize exceptions where appropriate .

23

24 **8. Outside Employment and Conflicts of Commitment**

25 The University not only permits but expressly encourages faculty to pursue outside professional
26 activities including interactions with industry, with or without compensation, which will enrich a faculty
27 member's academic contributions to the University. Consulting can expose faculty to research problems
28 and perspectives which may enrich faculty teaching, research, extension, and service backgrounds.
29 However, faculty and administration must be sensitive that such interactions could cause *Conflicts of*
30 *Interest* and must ensure that *Covered Persons* do not make unnecessary or inappropriate commitments
31 of their time or expertise which can adversely affect the University and its mission. A conflict of
32 commitment must be disclosed and managed when it constitutes a *Conflict of Interest* for a *Covered*
33 *Person*.

34 The assumption that *Covered Persons* will devote their time and effort to the University in proportion to
35 their appointments--that full-time appointment connotes full-time commitment of time, effort, and

⁵ An example of such a circumstance would be research performed pursuant to a contract with an agency of the federal government requiring security clearance.

1 expertise to the University--is inherent in University employment. Outside consulting activities, often
2 acceptable in themselves, can interfere with a University employee's paramount obligations to the
3 University by placing significant, competing demands upon the time and energy of a *Covered Person*
4 with the potential for the neglect of instructional, research and other employment obligations. In some
5 circumstances, a *Covered Person's* proposed outside activities may directly conflict with the objective of
6 assignments within the University.

7 The University, through an outside employment policy enacted by the Board of Regents, seeks to
8 minimize the potential for conflict of commitment by several mechanisms. The time that may be
9 devoted to outside activity is normally limited to two working days per month; greater time
10 commitments require specific approval of the Board of Regents. (For practical reasons, faculty are given
11 considerable freedom in the scheduling of any outside activities.) In addition, the University must
12 examine the application of an employee's expertise to proposed educational, industrial, or other
13 consulting activities to assure that any *Conflict of Interest* and/or conflict of commitment is properly
14 disclosed and managed. Hence, the University requires prior disclosure of proposed consulting,
15 extramural teaching, or other activities to the department chair and the prior approval of the college
16 dean and campus administration. Such disclosure may be made by completing the appropriate campus
17 form for disclosure of outside employment and may require the provision of additional documentation
18 to the chair, dean, or other administrator.

19 In certain other circumstances, the specific approval of the Board of Regents may be required. The
20 relevant policy of the Board of Regents is set forth in Section 3.4.5 of the *Bylaws of Board of Regents*.

21 Outside Activity and Employment. As University-industry relationships increase with a growing desire for
22 consultants and other professional activities outside the University, University employees must
23 continue to observe the University policy on outside employment embodied in Section 3.4.5 of the
24 *Bylaws of the Board of Regents*. In addition, University employees must observe the Board of Regents
25 policy on Conflict of Interest stated in Section 3.8 of the *Bylaws of the Board of Regents*. Accordingly,
26 each campus shall develop appropriate forms for employees to disclose 1) potential *Conflicts of Interest*,
27 and 2) outside employment in order for review, documentation, approval and management of *Conflicts*
28 *of Interest* and outside employment.

29 Department chairpersons, department heads, deans, and directors have primary responsibility to review
30 the specific nature of each proposed outside professional activity within their respective areas of
31 administrative responsibility and to deny approval to any such activity which would interfere with the
32 normal University duties of the employee involved and to require proper disclosure and management of
33 any *Conflict of Interest*.

34 It is impossible to anticipate all questions which may arise in connection with the application of Section
35 3.4.5 of the *Bylaws* to the varied outside professional activities of employees. However, several general
36 guidelines are set out below to assist in the administration of this policy:

37 1) Section 3.4.5 of the *Bylaws* does not apply to *Office and Service staff*.

1 2) Section 3.4.5(a) of the *Bylaws* requires Regental approval of outside professional activities
2 where the employees will accept retainer fees or other remuneration on a permanent or yearly basis as
3 a professional consultant. The key consideration in determining whether there will be acceptance of a
4 retainer fee or remuneration on a permanent yearly basis is the nature of the professional business
5 relationship between the employee and his or her client or patient. If this business relationship is one
6 where the employee is obligated at the beginning of the professional relationship with a client or patient
7 to provide professional services over a period of one year or longer, then approval by the Board of
8 Regents is required.

9 3) In addition to obtaining prior approval of the department chair and campus administrator,
10 Section 3.4.5(b) of the *Bylaws* requires Regental approval of outside professional activity requiring more
11 than an average of two days per month during the period of the employee's full-time employment. The
12 Board of Regents has interpreted this language to mean two days per month during the assigned work
13 week. For this reason, Regental approval will only be required when an employee's outside professional
14 activities will prevent the performance of his or her assigned duties at the University more than an
15 average of two days per month during the period of full-time employment.

16 4) Section 3.4.5 of the *Bylaws* requires Regental approval of outside professional activity
17 involving the charging of fees for work performed in University buildings with University equipment and
18 materials. The President and Chancellors are authorized to develop specific policies with regard to the
19 charging of fees for work performed in University buildings with University equipment and materials.

20 5) Section 3.4.5 of the *Bylaws* does not require individual approval of each separate client or
21 patient relationship for professionals such as accountants, engineers, architects, lawyers, psychologists,
22 therapists, etc. It is sufficient that the nature of the outside professional activity be generally described
23 so that appropriate evaluation may be conducted regarding potential interference with University
24 duties, *Conflict of Interest*, and conflict of commitment. So long as none of the circumstances requiring
25 Regental approval under subparagraphs (a), (b), (c), and (d) of Section 3.4.5 of the *Bylaws* exist, no
26 further information need be provided by the employees, and the professional activity may be approved
27 by the chancellor upon the recommendation of the appropriate dean or director.

28 6) Activities for a professional organization with which an employee is associated do not
29 constitute the type of professional activity coming within the scope of Section 3.4.5 of the *Bylaws* unless
30 a professional service is provided to the organization for which the employees is paid a professional fee
31 which is commensurate with the actual value of the professional service provided.

32 The foregoing should not be construed to relieve any employee of complying with applicable policies or
33 regulations of the department, college, division, campus, or University with regard to time one is
34 allowed away from regular University duties.

35 University employees proposing outside employment or a consulting relationship of any nature
36 pursuant to Section 3.4.5 of the *Bylaws* are required to complete the appropriate campus form for
37 disclosure of outside employment.

1 Furthermore, consistent with the foregoing policy statement regarding conflicts of commitment and the
2 effect such conflicts can have on a faculty member's research programs and the duties faculty members
3 owe the University, University employees proposing outside employment or a consulting relationship
4 with a third party shall disclose to the University any: i) confidentiality or non-disclosure agreements, ii)
5 non-compete agreements or any agreement containing a non-compete clause, iii) assignments of
6 intellectual property rights to the contracting party, and iv) involvement with commercial or educational
7 enterprises where the name of the University may be used for commercial gain to the Chancellor or the
8 Chancellor's designee. Although agreements of this type can be problematic, the University shall
9 endeavor to promptly review such agreements and resolve any potential conflict of commitment to
10 allow the University employee to perform the proposed outside employment or consulting while
11 maintaining the integrity of their research projects and commitments to the University.

12 **9. Conflicts of Interest Involving Technology Transfer**

13 University projects have resulted in the creation of new Nebraska businesses which have transferred
14 research results into products and services and which have contributed to the State's economy. Certain
15 research discoveries lend themselves to commercialization by starting new ventures through the
16 University or through faculty rather than the traditional licensing to existing companies. Moreover, this
17 means of commercializing discoveries may be the best, or in some instances the only, means to transfer
18 such new technology. The University recognizes this as an acceptable method of commercializing
19 discoveries when it is in the best interests of the University, the State, and the inventor and is the most
20 effective means to transfer such technology.

21 In establishing new companies to commercialize University technology, the University may accept equity
22 positions or combinations of equity and future royalties in return for licensing the technology. This is an
23 acceptable University activity and is an integral part of the technology transfer program. However, in
24 such situations, reasonable limits on the University's involvement with respect to administrative time
25 and the amount of equity taken must be observed. University technology transfer activities shall be
26 governed by Section 3.10 of the *Bylaws* and Section 4.4.2 of the *Policies*. Such oversight will enable the
27 University to be aware of and take steps to prevent or manage potential *Conflicts of Interest* which may
28 arise, involving, among other things, favoritism in future dealings with the same company,
29 discrimination against its competitors, or the use of public funds for private gain. Accordingly, University
30 direction of the company must be limited in time, and the amount of equity taken must be less than
31 controlling. The Board of Regents has separately authorized and delegated authority to the University
32 Technology Development Corporation (UTDC), and nothing in this policy is intended to limit the
33 authority of UTDC as it relates to properly managing or preventing conflicts of interest or otherwise.

34 Conflict situations also apply to any profit- or nonprofit-affiliated private entities established by the
35 University or one of its employees. Therefore, in the University's relations with all such entities, the
36 *Conflict of Interest* policy must be followed.

37 Where University technology is transferred in return for an equity position, or royalties, or projects are
38 to be performed in exchange for an equity position, the affected University employees must fully

1 disclose such proposals, and a suitable arrangement that reflects the Regents Policy must be concluded
2 prior to approval of the proposal.

3 For-profit entities have been formed specifically to fund research and development, such as research
4 and development limited partnerships. Such entities solicit investors from members of the public. There
5 is the possibility that prospective investors may be induced to invest by what appears to be University
6 involvement in the funding entity or by unrealistic expectations of the outcome of the projects. In either
7 event, the name of the University could be unfairly traded upon. Therefore, care must be taken that the
8 investor solicitation is consistent with the potential outcome of the research and the policy on the use of
9 the University's name.

10 Where appropriate, the University may accept equity in a company as complete or partial payment for
11 transferring University technology to the company for commercialization. Only the Board of Regents
12 may approve acceptance of equity in a company upon the recommendation of the President.

13 The University may designate individual(s) to hold membership on the board of directors of a company
14 in which the University holds equity.

15 University faculty, administrators, or other members of the University community holding any such
16 board of directors membership shall oppose or absent themselves, as appropriate, from any funding
17 decisions or other decisions relating to the University which:

18 1) violates or is contrary to any law or University policy or procedure in regard to grants
19 or contracts;

20 2) would constitute a *Conflict of Interest* with such person's University office of
21 employment; or

22 3) involves improper use of University (public) funds.

23 When external entities raise funds for University projects through any form of investment offerings,
24 University personnel must scrupulously avoid the endorsement of any such offering or any statement of
25 potential research results. The University's prior written consent must be obtained to use its name in
26 connection with advertising or promotion of any investment offering.

27 The past history of funding of University research or other projects by any company or firm shall not
28 have any bearing on purchasing decisions made by the University of Nebraska.

29 **10. Institutional Conflicts of Interest**

30 An *Institutional Conflict of Interest* may occur when the University or a *Covered Person* in a senior
31 administrative position has a financial interest in a commercial entity that itself has an interest in a
32 University research project, including potential conflicts with equity/ownership interests or royalty
33 arrangements. Each campus shall develop and establish processes and procedures for review of

1 institutional conflicts involving technology transfer or other commercial activities. This process must at a
2 minimum include:

- 3 1) Procedures for identifying and overseeing institutional *Conflicts of Interest*;
- 4 2) Principles and strategies for managing institutional *Conflicts of Interest*; and
- 5 3) Principles and strategies for institutional management of equity.

6 Each Chancellor shall submit their campus' processes and procedures for review of institutional *Conflicts*
7 *of Interest* to the President for review and approval.

8 **11. Appeal of Administrative Decisions**

9 Each campus shall assure that an appeal mechanism is in place to allow *Covered Persons* to appeal an
10 adverse decision relating to this policy.

11

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1 | **RP-3.2.8 Conflict of Interest and Conflict of Commitment**

2 | **1. Introduction**

3
4 University relations with industry, government agencies, individuals, and other enterprises outside the
5 University constitute a complex network of interactions. These interactions have directed attention to
6 potential conflicts of values and interests between these entities and academia. ~~As a result, there has
7 been much attention nationwide to such potential conflicts.~~ Conflict of Interest is addressed in Section
8 3.8 of the Bylaws of the Board of Regents as follows:

9 ~~Conflict of Interest is addressed in Section 3.8 of the Bylaws of the Board of Regents as follows:~~

10 3.8 Conflict of Interest. No employee of the University shall engage in any activity that in any
11 way conflicts with duties and responsibilities at the University of Nebraska ~~nor shall any~~
12 ~~employee hire or supervise a member of his or her immediate family without expressed written~~
13 ~~consent of the Board.~~ The Board of Regents has adopted Regents Policy 3.2.8 and authorized
14 the implementation of related policies and directives to properly avoid, disclose and manage
15 potential conflicts of interest.

16 ~~The objective of this University of Nebraska policy is to further~~
17 ~~elucidate this bylaw. If members of the University community are to be important participants in the~~
18 ~~economic development arena, and in providing service to industry, a set of policy statements must be~~
19 ~~provided with as much flexibility as possible. It is neither possible nor advisable to establish rigid rules~~
20 ~~governing these relations. Nevertheless, the University, while striving to promote research internally~~
21 ~~and to transfer technology externally, must safeguard against the use of public funds for private gain,~~
22 ~~conflicts of interest, conflicts of commitment, or interference with University duties in situations~~
23 ~~involving faculty, staff, students, or the institution itself. The University must also prevent violation of~~
24 ~~the tenets of fundamental fairness.~~

25 ~~Nebraska~~ statutes relating to conflict of interest and nepotism apply to all public officials and employees
26 of the University ~~and include, including~~ the following provisions in § of §49-14,101.01 of the Revised
27 Statutes of Nebraska:¹

28 ~~... No ... public employee shall use that person's office or any confidential information received through~~
29 ~~the holding of a public office to obtain financial gain, other than compensation provided by law, for~~
30 ~~himself or herself, a member of his or her immediate family or a business with which the individual is~~
31 ~~associated ..."~~ and no "public employee shall use personnel, resources, property, or funds under that
32 individual's official care and control, other than in accordance with prescribed constitutional, statutory,

¹ "A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated." and "A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain."

1 ~~and regulatory procedures, or use such items, other than compensation provided by law, for personal~~
2 ~~financial gain...~~

3 ~~In addition, many of the funding agencies, especially those operating under the National Science~~
4 ~~Foundation and the Department of Health and Human Services, Furthermore, federal funding agencies~~
5 ~~require that the University establish safeguards to prevent employees or consultants from using their~~
6 ~~positions for purposes which are motivated by (or even give appearance of) a drive for private financial~~
7 ~~gain either for themselves or family members. What follows is a set of policy statements—some broad,~~
8 ~~some narrow—for University faculty, staff, students, administrators, industrial sponsors, and other~~
9 ~~organizations. Responsibility for assurance of compliance with this policy rests with the Chancellor of~~
10 ~~each campus and with the President for personnel associated with Central Administration.~~²

11 Responsibility for assurance of compliance with this policy rests with the President and Chancellor of
12 each campus. The Chancellors shall submit an annual report to the President detailing the compliance
13 policies, procedures and management activities at their campus.

14 2. University-Wide Conflict of Interest Principles

15 Campus conflict of interest policies will vary according to the unique roles and needs of each campus.
16 However, each campus policy must ensure that broad University-wide principles are followed, including:

17 1) Prospects of financial gain must not unduly influence faculty and the University with regard to
18 commercially imminent, product oriented research programs versus fulfilling the University's
19 objectives of educating students, advancing basic knowledge and serving Nebraskans through the
20 development and application of knowledge that enables them to develop better lives, stronger
21 communities and genuine economic opportunity.

22 2) The University must avoid situations where the possibilities for personal gain for the Covered
23 Person may be judged to be so significant that it is unreasonable to expect the Covered Person to
24 exercise the objectivity necessary for public trust in the University and the rigor of its research.

25 3) Research agreements should encourage the free exchange of ideas and the sharing of research
26 results regardless of the sponsoring entity. Some constraints may be required to protect
27 proprietary information or intellectual property.

28 4) To the extent practicable and consistent with applicable law, the University must be
29 appropriately compensated for private, commercial use of the public property under its
30 stewardship.

31 Underlying these principles is the recognition that the University of Nebraska is a public institution with
32 a mission of serving the people of Nebraska through research, teaching and service.

33 32. Annual Report

² Including Public Health Service, National Institute of Health and National Science Foundation regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), Department of Education regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and FDA regulations (21 CFR Part 54).

1 Annually, each campus shall submit a written conflict of interest report to the President which includes
2 at least the following information:

3 1) The number of conflicts disclosed, by appropriate academic unit.

4 2) A summary of the nature of the conflicts.³

5 3) The number of conflicts being managed through written plans, by college.

6 4) The number of conflicts eliminated, by college.

7 5) Other material or information related to the management of conflicts of interest at the
8 campus.

9 **43. Personnel Affected by Conflict of Interest and Conflict of Commitment Policy**

10 ~~In many instances throughout this policy the term "faculty" is used, primarily because faculty are most~~
11 ~~often involved in educational, research, and service activities. However, it must be emphasized that~~
12 ~~these policies also apply to all other University employees including students, support personnel (staff~~
13 ~~B and C lines), and administrators, whether these are full time or parttime employees. The University~~
14 ~~seeks to identify situations which might lead to a conflict of interest by requiring that, in certain~~
15 ~~circumstances that are defined later, employees who propose a relationship with an industrial sponsor~~
16 ~~or other organization complete a Disclosure of Interest Form which has the specific intent of requiring~~
17 ~~an employee to disclose possible financial interest or other interest in the outcome of the project. The~~
18 ~~intent of this process is to identify situations which may lead to or be perceived as a conflict of interest.~~
19 ~~The policy statements which follow are not intended to resolve real conflicts of interest. This is left for~~
20 ~~resolution by affected personnel and the appropriate administrators.~~

21 ~~**3. Covered Person shall mean:**~~

22 1) University administrative officers and employees, specifically including any University
23 employees with delegated signature, purchasing or contracting authority on behalf of the
24 University;

25 2) University employees and faculty engaged in outside employment or other activities
26 specified in this policy (tech transfer/use of University facilities or equipment) that may create a
27 Conflict of Interest; and

28 3) Sponsored Research investigators, including University employees, faculty, staff and support
29 personnel (managerial/professional and office/service positions), volunteers, trainees, students,
30 contractors and other persons under the direct control of the University of Nebraska, whether

³ Conflicts may be identified according to basic categories, for example, conflicts arising from ownership of stock, family relationships, potential undue influence, and the like.

1 paid by the University of Nebraska or not, who participate in *Sponsored Research* as defined in
2 Section 65 of this policy 3.2.8.⁴

3 *Conflict of Interest* shall mean situations when a *Covered Person's* direct or indirect personal financial
4 interests may compromise, or have the appearance of compromising, the *Covered Person's* professional
5 judgment or behavior in carrying out his or her obligations to the University of Nebraska. This includes
6 indirect personal financial interests of a *Covered Person* that may be obtained through third parties such
7 as a *Covered Person's Immediate Family*, business relationships, fiduciary relationships, or investments.

8 *Immediate family* shall mean an individual who is the spouse, child, parent, brother, sister, grandchild,
9 or grandparent, by blood, marriage, or adoption of the *Covered Person*.

10 **54. Individuals and Organizations Affected by Responsible for Administration of Conflict of**
11 **Interest and Conflict of Commitment Policy**

12 ~~Likewise, this policy is intended to apply to the University's relations with all kinds and forms of~~
13 ~~government agencies, individuals, and private enterprises in general: entities big and small, startup or~~
14 ~~established and ongoing, independent and/or portions of larger entities; whether proprietorships,~~
15 ~~partnerships of any variety, corporations, or other forms of business organization; regardless of where~~
16 ~~they are located geographically; whether entirely separate from the University; companies involving~~
17 ~~University employees, spun off from the University; companies involving University employees, spun off~~
18 ~~from faculty research; or University affiliated companies.~~

19 ~~4. Appropriateness of~~ At the University of Nebraska, all reporting of potential *Conflicts of Interest*
20 should be undertaken with the goal of full disclosure. The President and Chancellors of each campus
21 shall develop and implement a disclosure process and supporting procedures consistent with the
22 principles set forth in this Policy, covering, at a minimum, sponsored programs administration,
23 institutional review boards, any office of technology transfer, and any other responsible campus
24 administrative officers. The Chancellors shall be responsible for overseeing their campus' reporting
25 process and must designate an administrative officer who will be in charge of developing more specific
26 written procedures for enforcing the policy. Each Chancellor shall submit their campus' processes and
27 procedures to the President for review and approval.

28 The procedures for disclosure at each institution must, at a minimum, include the following:

- 29 1) Annual disclosures by *Covered Persons* who may have potential *Conflicts of Interest*.
30 2) A description of the process for developing, implementing, and overseeing conflict
31 management plans, including a detailed process for managing and/or eliminating
32 potential *Conflicts of Interest*.

⁴ The term *Covered Person* includes the definition of an "Investigator" under NIH guidelines, specifically "the Principal Investigator and any other person who is responsible for the design, conduct, or reporting of research funded by the NIH, or proposed for such funding. The definition includes contractors or collaborators, as well as the Investigator's spouse and dependent children." See *Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought (42 CFR Part 50, Subpart F, grants and 45 CFR Part 94, contracts)*.

1 3) A description of procedures for ensuring coordination among all University
2 organizations with a role in oversight of conflicts.

3 4) A description of the process by which a *Covered Person* may address concerns
4 regarding a *Conflict of Interest* situation or the management thereof.

5 5) A description of how:

6 o Disclosures will be reviewed and retained, and the level of activity of each
7 college on the campus will be reported to the President pursuant to
8 paragraph 109 of this policy;

9 o Responsible campus officials are to review and manage potential *Conflicts of*
10 *Interest*;

11 o The campus will provide related training and advice about *Conflict of*
12 *Interest* issues;

13 o The campuses will review and validate their program on a regular basis;

14 o The campus will make its implementation procedures for this policy
15 available publicly; and

16 o The institution will enforce this policy and provide sanctions when
17 necessary.

18 **65. Conflicts of Interest Involving Sponsored Research**

19 Research is basic to the University's teaching and service missions. Good teaching and learning depend
20 upon research. Likewise, through its research, teaching, and service activities, the University's resources
21 can best be brought to bear on public issues requiring objective, systematic study. Research forms an
22 inherent part of departmental and collegiate missions, and brings recognition to the University and its
23 faculty. All forms of research, which are within departmental and collegiate missions, and which
24 maintain the high quality characteristic of the University, are appropriate to the University's open
25 environment. Similarly, University teaching and service activities have potential for commercial use and
26 development. ~~Industry-supported research is a legitimate academic endeavor. On a nationwide basis,~~
27 ~~research universities are actively seeking to strengthen their relations with industry. Government and~~
28 ~~industry alike support basic, applied, and proprietary research. Since research ranges over a broad~~
29 ~~spectrum, distinctions between these categories are often arbitrary; all can educate students in the~~
30 ~~scientific method. Industrial support should complement ongoing faculty research initiatives as well as~~
31 ~~provide additional opportunities for graduate education. Because industry has pioneered many new~~
32 ~~scientific areas, collaboration with industry can challenge faculty, enrich graduate and undergraduate~~
33 ~~education, and open options for students' future employment. Although the University wishes to foster~~
34 ~~University-industry partnerships, the University wishes to avoid any potential problems that may arise as~~
35 ~~a result of industrial sponsors directing research to meet their short-term needs and objectives.~~

1 Prospects of financial gain could influence faculty and the University to choose the more commercial
2 imminent, product-oriented research problems, rather than those fulfilling the University's objectives of
3 educating students and advancing and applying more basic knowledge. Such problems could affect the
4 quality and breadth of University research, teaching, and service missions, bias student education, cause
5 favoritism, and undermine professor-student relationships. On federally-sponsored projects, academia
6 attempts to prevent such problems by the established external peer review system of evaluating
7 research proposals. In addition, on each campus the appropriate University department chair(s) or
8 director(s), the appropriate dean(s), and vice chancellor(s) all make appropriate review of external
9 funding proposals. Although an established peer review system is not typically utilized by industrial
10 sponsors, a considerable number of University-industry relations are initiated by faculty proposals which
11 oftentimes complement federal projects. Such industry-related research should be encouraged.
12 Nevertheless, to make certain that research and service activities conducted for industrial sponsors are
13 appropriate to the University's mission, the University's customary internal review of industry-
14 sponsored projects must be especially thorough.

15 **5. Policy Statement I: Review of Appropriateness of Proposed Research Project**

16 As part of its research, education, and public service missions, the University encourages interactions
17 between faculty and industry and other external agencies that enable faculty and other University
18 personnel to pursue projects within their fields of interest and in keeping with their departmental and
19 collegiate missions, or, if appropriate, the interdisciplinary missions of centers and institutes.

20 a. Faculty and other University employees have the freedom to undertake research, educational, or
21 public service projects and to seek sponsorship of their liking, but must not be unduly influenced to
22 accept external projects or sponsorship not of their own choosing.

23 b. Since the integrity and institutional commitment of principal investigators, departmental chairs or
24 directors, and deans ultimately safeguard the quality and relevance of all research, educational, and
25 service activities, all three, and the appropriate vice chancellor or his or her designee must promptly
26 review all proposals to industrial concerns and other equivalent external agencies. In rare
27 circumstances, the appropriate administrator may nominate a single individual who shall be individually
28 responsible for the review of all aspects of proprietary service and sponsored projects in certain defined
29 areas. Proposals under \$5,000 will continue to receive the traditional campus review but are usually
30 exempt from considerations under the Conflict of Interest Policy. However, any University employee
31 with a personal financial interest of any sort resulting from or associated with the proposed agreement
32 must complete the Disclosure of Interest Form. As a result, it may be necessary to require the approval
33 of the appropriate administrator.

34 c. Internal review of such agreements must ensure that all industrial contracts and grants, or other
35 forms of relationships, conform to departmental, center, institute, and collegiate missions; maintain the
36 breadth and quality of research, teaching, and service creditable to the University; and are executed by
37 the duly authorized administrative officer(s).

1 ~~d. Questions regarding the appropriateness of industrial contracts and grants, or other forms of~~
2 ~~relationships, that cannot be resolved at the departmental, center, institute, or collegiate level must be~~
3 ~~reviewed and resolved by the appropriate vice chancellor or chancellor. Each campus has the option of~~
4 ~~establishing a faculty committee to make recommendations to the vice chancellor or chancellor for his~~
5 ~~or her final disposition.~~

6 Sponsored Research means research, training, and instructional projects performed by Covered Persons
7 using any University space, materials, equipment or property that involves funds, materials or other
8 compensation from sources outside the University through a grant or contract that obligates the
9 University to a specified statement of work, sets forth binding financial terms in the form of a budget or
10 up-front payment, or contains terms related to ownership of and rights to use intellectual property
11 developed thereunder. Sponsored Research is a vital endeavor of the University; it allows faculty the
12 means to pursue excellence in their research and scholarly activity, it expands opportunities for
13 graduate and undergraduate student participation in research, it enhances the quality of University
14 research facilities through public and private support, and it helps facilitate the commercialization of
15 research and technology to benefit the University and Nebraska. The University encourages its faculty
16 and staff to engage in both sponsored and non-sponsored research recognizing that compliance with
17 this policy can help assure that appropriate standards of accountability are met and extramural
18 considerations do not hinder the dissemination or commercialization of research.

19 Each campus shall establish its own Sponsored Research application approval process, including
20 applicable internal or external peer review systems and implementing best practices for approving
21 federally, publicly and privately sponsored research projects. The Chancellor shall be responsible for
22 overseeing the research approval process and must designate an administrative officer who will be in
23 charge of developing more specific written procedures for implementing the policy. The procedures for
24 Sponsored Research approval at each campus must at a minimum include procedures for disclosing,
25 identifying, reviewing, managing and reporting conflicts and potential conflicts that arise with regard to
26 Sponsored Research on their campus pursuant to Article 3 of this policy.

27 **76. Openness of Research and Publication of Results**

28 The traditions of free exchange of ideas and prompt dissemination of knowledge are fundamental to the
29 University's mission and should govern all research, teaching, and service activities conducted by
30 University ~~personnel, faculty, staff and students.~~ The University is committed to an open teaching and
31 research environment, which ensures free faculty and student exchange of ideas, thereby contributing
32 to the advancement of knowledge in all disciplines. As far as possible, the acceptance of support
33 external to the University should not create situations which curtail open discussion of the research
34 among colleagues and students. ~~Industry or federal agencies, on the other hand, may require a period of~~
35 ~~confidentiality for proprietary information provided to project participants for patent purposes or to~~
36 ~~protect trade secret information and may seek prior review of publications resulting from its~~
37 ~~sponsorship. It is acceptable to protect such proprietary information or trade secrets. The decisions to~~
38 ~~patent and to file the patent application or to keep the information a trade secret must be made as~~
39 ~~expeditiously as possible to avoid undue delays in publication.~~

1 **7. Policy Statement II: Openness of Research and Publication of Results**

2 a-Industry typically treats the products of its research in a very confidential manner. On occasion,
3 industry expects project participants to maintain the same degree of confidentiality with sponsored
4 research. It is important to note that openness, freedom of discussion, and freedom to publish go to the
5 very core of the University. Nonetheless, there are certain legitimate needs for confidentiality on the
6 part of industry that must be met by Sponsored Research investigators. Data received from an industry
7 sponsor and marked "confidential" may be kept in a confidential status for a stated period of time. Also,
8 it is prudent to recognize the need to maintain the confidential status of the results of the project for a
9 period of time sufficient to determine patentability and filing of patent applications or as agreed upon in
10 an agreement between the sponsor and the University. When appropriate, the University may enter
11 into confidential agreements to protect proprietary information, where this is deemed necessary, either
12 through direct agreement with an industrial sponsor or through an agreement between the sponsor and
13 a University employee.

14 The campus official responsible for administration of research or other campus official designated by the
15 Chancellor must ensure that all individuals who participate in industry-sponsored research projects are
16 fully informed in writing of the ownership and disposition of inventions and requirements of
17 confidentiality regarding research results and other confidential information provided by the sponsors of
18 such projects.

19 Research conducted by faculty under industry or other commercial sponsorship must, as far as possible,
20 maintain the University's open teaching, research, and service environment.

21 ~~b-~~The campus official responsible for administration of research or Chancellor's designee must review
22 and approve any new, proposed, or ongoing faculty-industry interactions ~~which~~ as these interactions
23 might compromise the University's open teaching and research environment. ~~Those in the line of~~
24 reviewing University industry relationships—The appropriate department chair(s) or director(s), dean(s),
25 and ~~the appropriate vice chancellor, or,~~ in rare circumstances, the individual designated to perform the
26 complete administrative review as described in Section 1—shall investigateaid in this process and shall
27 seek to resolve all potential problems. ~~Concerns regarding violation of the Conflict of Interest policy shall~~
28 be brought prior to the ~~attention of the appropriate campus vice chancellor or chancellor, Provost, or~~
29 President for resolutionapproval of such interaction.

30 ~~c-~~The campus official responsible for administration of research or Chancellor's designee shall from
31 time to time provide current information to the department chairs, deans, directors and faculty
32 pertinent information for timely reporting of concerns regarding violation of the *Conflict of Interest* and
33 *Conflict of Commitment* policy.

34 Faculty must have the right to disseminate their research results, indeed are obligated to do so. The
35 University discourages individual faculty from agreeing to forego this basic right. Likewise, the University
36 will not unilaterally forego this right on behalf of its faculty, staff and students. However, the University
37 and faculty may accept reasonable delays in submission of new findings for publication or other release
38 of information to enable sponsors or the University to obtain proprietary or patent protection, for

1 example. In special circumstances to be determined by the University, a researcher may waive his or her
2 right to disseminate the results of his or her research and elect to enter an agreement to maintain the
3 confidentiality of proprietary research for specified periods of time. ~~d. Faculty must normally.~~⁵

4 The campus official responsible for administration of research or Chancellor's designee shall work with
5 faculty engaged in industry-sponsored projects to provide written notification to support personnel and
6 students involved in ~~industry-sponsored~~these projects, describing all contract and grant terms affecting
7 them, including the possibility of delays in publication caused by the need of the sponsor to review
8 manuscripts or any other obligations of confidentiality. Graduate students must not be assigned to
9 thesis research topics which might be affected by confidential agreements. The appropriate
10 ~~administrator~~campus official or Chancellor's designee may authorize exceptions where appropriate for
11 personnel involved in short-term service-related projects.

12 ~~g.~~

13 ~~87.~~ **87. Outside Employment: ~~Avoidance of and~~ Conflicts of Commitment**

14 The University not only permits but expressly encourages faculty to pursue outside professional
15 activities including interactions with industry, with or without compensation, which will enrich a faculty
16 member's academic contributions to the University. Consulting can expose faculty to research problems
17 and perspectives which may enrich faculty teaching, research, extension, and service backgrounds.
18 However, faculty and administration must be sensitive that such interactions could cause *Conflicts of*
19 *Interest* and must ensure that ~~University employees~~Covered Persons do not make unnecessary or
20 inappropriate commitments of their time or expertise which can adversely affect the University and its
21 mission. A conflict of commitment must be ~~avoided~~disclosed and managed when it ~~could jeopardize the~~
22 ~~faculty's and the University's integrity which is essential to maintaining the public's trust. constitutes a~~
23 Conflict of Interest for a Covered Person.

24 The assumption that ~~faculty~~Covered Persons will devote their time and effort to the ~~University's~~
25 ~~mission~~University in proportion to their appointments--that full-time appointment connotes full-time
26 commitment of time, effort, and expertise to the University--is inherent in University employment.
27 Outside consulting activities, often acceptable in themselves, can interfere with a ~~faculty~~
28 ~~member's~~University employee's paramount obligations to the University by placing significant,
29 competing demands upon the time and energy of ~~the faculty member~~a Covered Person with the
30 potential for the neglect of instructional ~~and,~~ research and other employment obligations. In some
31 circumstances, ~~the faculty member's~~a Covered Person's proposed outside activities may directly conflict
32 with the objective of assignments within the University.

33 The University, through an outside employment policy enacted by the Board of Regents, seeks to
34 minimize the potential for ~~faculty~~ conflict of commitment by several mechanisms. The time that may be
35 devoted to outside activity is normally limited to two working days per month; greater time
36 commitments require specific approval of the Board of Regents. (For practical reasons, faculty are given

⁵ An example of such a circumstance would be research performed pursuant to a contract with an agency of the federal government requiring security clearance.

1 considerable freedom in the scheduling of any outside activities.) In addition, the University must
2 examine the application of an employee's expertise to proposed educational, industrial, or other
3 consulting activities to assure that ~~there is no any Conflict of Interest and/or conflict of~~ commitment ~~or~~
4 ~~other conflict of interest.~~ is properly disclosed and managed. Hence, the University requires prior
5 disclosure of proposed consulting, extramural teaching, or other activities to the department chair and
6 the ~~subsequent~~prior approval of the college dean and campus administration. Such disclosure may be
7 made by completing the appropriate campus form for disclosure of Interest Form outside employment
8 and may require the provision of additional documentation to the chair, dean, or other administrator.

9 In certain other circumstances, the specific approval of the Board of Regents may be required. The
10 relevant policy of the Board of Regents is set forth in Section 3.4.5 of the *Bylaws of Board of Regents*.

11 ~~9. Policy Statement III: Disclosures of~~ Outside ~~Commitment~~

12 ~~a. Outside Activity and Employment and Consulting Relationships.~~ As University-industry relationships
13 increase with a growing desire for consultantships and other professional activities outside the
14 University, University ~~staff member~~employees must continue to observe the University policy on
15 outside employment embodied in Section 3.4.5 of the *Bylaws of the Board of Regents*. In addition,
16 University employees must observe the Board of Regents policy on Conflict of Interest stated in Section
17 3.8 of the *Bylaws of the Board of Regents*. Accordingly, each campus shall develop appropriate forms for
18 employees to disclose 1) potential Conflicts of Interest, and 2) outside employment in order for review,
19 documentation, approval and management of Conflicts of Interest and outside employment.

20 ~~b. Outside Professional Activities Requiring Regental Approval. The Application for Permission to Engage~~
21 ~~in Professional Activity Outside the University Form is to be used by members of the professional staff~~
22 ~~for the purpose of requesting requisite approval pursuant to Section 3.4.5 of the Bylaws of the Board of~~
23 ~~Regents to engage in professional activity outside of the University.~~

24 ~~Section 3.4.5 of the Bylaws specifically encourages University staff members to engage in professional~~
25 ~~activities outside the University as a means of broadening their experience and keeping them abreast of~~
26 ~~the latest developments in their specialized field. It is implicit in this Regental policy that the University,~~
27 ~~as an educational and research institution, will benefit and better serve the people of the state as a~~
28 ~~result of outside professional activities by its professional staff.~~

29 ~~The purpose of the Application for Permission to Engage in Professional Activity Outside the University~~
30 ~~Form is to provide documentation of the requisite approval under Section 3.4.5 and to provide an~~
31 ~~established procedure for review and approval of outside professional activity.~~

32 ~~Department chairpersons, department heads, deans, and directors have primary responsibility to~~
33 ~~review the specific nature of each proposed outside professional activity within their respective areas of~~
34 ~~administrative responsibility and to deny approval to any such activity which would interfere with the~~
35 ~~normal University duties of the~~ staff memberemployee ~~involved or which would represent a conflict and~~
36 to require proper disclosure and management of interest or any Conflict of commitment. Interest.

1 It is impossible to anticipate all questions which may arise in connection with the application of Section
2 3.4.5 of the *Bylaws* to the varied outside professional activities of ~~staff members~~employees. However,
3 several general guidelines are set out below to assist in the administration of this policy:

4 1) Section 3.4.5 of the *Bylaws* ~~applies only~~does not apply to members of the professionalOffice
5 and Service staff, that is, A-line and B-line personnel.

6 2) Section 3.4.5(a) of the *Bylaws* requires Regental approval of outside professional activities
7 where the ~~staff member~~employees will accept retainer fees or other remuneration on a permanent or
8 yearly basis as a professional consultant. The key consideration in determining whether there will be
9 acceptance of a retainer fee or remuneration on a permanent yearly basis is the nature of the
10 professional business relationship between the ~~staff member~~employee and his or her client or patient. If
11 this business relationship is one where the ~~staff member~~employee is obligated at the beginning of the
12 professional relationship with a client or patient to provide professional services over a period of one
13 year or longer, then approval by the Board of Regents is required.

14 ~~3)3) In addition to obtaining prior approval of the department chair and campus administrator,~~
15 Section 3.4.5(b) of the *Bylaws* requires Regental approval of outside professional activity requiring more
16 than an average of two days per month during the period of the ~~staff member's~~employee's full-time
17 employment. The Board of Regents has interpreted this language to mean two days per month during
18 the assigned work week. ~~It is often very difficult to identify an assigned work week, particularly for~~
19 ~~faculty. They often perform their regular or routine University duties during evening hours and on~~
20 ~~weekends.~~ For this reason, Regental approval will only be required when ~~a staff member's~~an employee's
21 outside professional activities will prevent the performance of his or her assigned duties at the
22 University more than an average of two days per month during the period of full-time employment.
23 ~~Thus, if outside professional activities are to be performed only during a time when the staff member~~
24 ~~would not otherwise be performing such duties, then Regental approval under the two days per month~~
25 ~~provisions of Section 3.4.5(b) of the Bylaws would not be required, regardless of the length of time to be~~
26 ~~devoted to the outside activity.~~

27 4) Section 3.4.5~~(c)~~ of the *Bylaws* requires Regental approval of outside professional activity
28 involving the charging of fees for work performed in University buildings with University equipment and
29 materials. ~~It is not practical to prescribe guidelines under subparagraph (c) which will cover the many~~
30 ~~and varied outside professional activities of staff members. The President and Chancellors are~~
31 ~~authorized to develop~~ specific policies with regard to the charging of fees for work performed in
32 University buildings with University equipment and materials ~~should be developed by each chancellor.~~

33 ~~5) Section 3.4.5(d) of the Bylaws requires Regental approval of outside professional activities where~~
34 ~~remuneration is received for services provided to departments or agencies of state government. This~~
35 ~~subsection applies only to the departments or agencies of the government of the State of Nebraska. It~~
36 ~~does not apply to services provided to departments or agencies of the governments to other states.~~
37 ~~Also, it does not apply to services provided to political subdivisions within the State of Nebraska, such as~~

1 ~~municipalities, counties, school districts, public power districts, irrigation districts, natural resource~~
2 ~~districts, etc.~~

3 65) Section 3.4.5 of the *Bylaws* does not require individual approval of each separate client or
4 patient relationship for professionals such as accountants, engineers, architects, lawyers, psychologists,
5 therapists, etc. It is sufficient that the nature of the outside professional activity be generally described
6 so that appropriate evaluation may be conducted regarding potential interference with University
7 duties, *Conflict of Interest*, and conflict of commitment. So long as none of the circumstances requiring
8 Regental approval under subparagraphs (a), (b), (c), and (d) of Section 3.4.5 of the *Bylaws* exist, no
9 further information need be provided by the ~~staff member~~employees, and the professional activity may
10 be approved by the chancellor upon the recommendation of the appropriate dean or director.

11 76) Activities for a professional organization with which ~~a staff member~~an employee is
12 associated do not constitute the type of professional activity coming within the scope of Section 3.4.5 of
13 the *Bylaws* unless a professional service is provided to the organization for which the ~~staff~~
14 ~~member~~employees is paid a professional fee which is commensurate with the actual value of the
15 professional service provided.

16 The foregoing should not be construed to relieve any ~~staff member~~employee of complying with
17 applicable policies or regulations of the department, college, division, campus, or University with regard
18 to time one is allowed away from regular University duties.

19 ~~c. Declaration of Interest~~ University employees proposing outside employment or a consulting
20 relationship of any nature pursuant to Section 3.4.5 of the *Bylaws* are required to complete ~~a~~
21 ~~confidential Disclosure of Interest Form.~~

22 ~~10. Other Activities Requiring Disclosures~~ the appropriate campus form for disclosure of Economic
23 ~~Interest or Commercial Involvement~~ outside employment.

24 ~~With increasing University interactions with outside organizations, the University must ensure that other~~
25 ~~less obvious potential conflicts are identified and, if necessary, addressed in a formal process.~~
26 ~~Accordingly, the University requires that faculty identify and report, to the appropriate administrator,~~
27 ~~the potential for real or perceived conflicts which can result from their relations with industry, or other~~
28 ~~organizations, so that problems may be avoided. For example, the University must avoid situations~~
29 ~~where the possibilities for personal gain for the University employee or his or her immediate family may~~
30 ~~be judged to be so significant that it is unreasonable to expect the employee to exercise the objectivity~~
31 ~~necessary to the University's public trust. In addition, employees are required to report their~~
32 ~~involvement with commercial or educational enterprises where the name of the University may be used~~
33 ~~for commercial gain. To assist in identifying such potential conflicts of interest, each member of the~~
34 ~~faculty or University staff proposing any arrangement with an industrial sponsor or proposing to have~~
35 ~~financial interest in an outside organization must complete a Disclosure of Interest Form which seeks to~~
36 ~~identify situations likely to lead either to a conflict of interest or conflict of commitment or the~~
37 ~~appearance of such conflict. It must be emphasized that while such disclosures are necessary, they will~~
38 ~~not and should not, ipso facto, prevent such arrangements. Personal discretion or administrative~~

1 adjustments can often be used to resolve most potential conflicts. For example, reducing the percentage
2 of a faculty appointment, or granting a leave of absence, to reflect the faculty member's respective
3 commitments to the University and to the outside entity may be appropriate and help to resolve the
4 conflict.

5 **11. Policy Statement IV: Disclosures of Interest**

6 a. Situations Requiring Disclosure of Economic or Commercial Interest. When accepting support from
7 industrial sponsors, faculty and other University personnel, whether full-time or part-time, must disclose
8 all directly or indirectly related commercial connections with and financial interests in such sponsors. In
9 addition, in situations where a faculty member's immediate family has such commercial connections and
10 financial interests, disclosure must also be made. Further, disclosure of economic interest in any
11 company which competes with the industrial sponsor must also be provided. In the following specific
12 situations, University employees are required to declare their economic or commercial interest, since
13 there is significant possibility of conflict of interest:

14 1) If a University employee and/or a member of his or her immediate family (defined as the spouse of
15 an individual, a natural or adopted child of an individual, a parent of an individual or his or her spouse,
16 or a person claimed by an individual or his or her spouse as a dependent for federal income tax
17 purposes) in the aggregate own or have options to purchase the lesser of either 5 percent or more or
18 \$2,000 or more of voting stock in a company which sponsors a research project of the employee, then
19 the University employee is required to declare the equity interest in full.

20 2) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1), in
21 the aggregate own the lesser of 5 percent or more or \$2,000 or more of the voting stock, is an officer in
22 a company which competes with the sponsor of a research project in which the employee is involved.

23 3) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1),
24 holds a position as an operational officer in a company with which the employee has a University
25 research project.

26 4) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1),
27 holds a full-time or part-time position or has financial interest in a company which is the recipient of
28 funds from a government agency or other sponsor.

29 5) If a University employee has involvement with commercial or educational enterprises where the
30 name of the University may be used to further the commercial development of a product or service.

31 6) If a University employee or his or her immediate family, as defined in Section 11.a.1), receives a loan,
32 honorarium, gift, in-kind contribution, or other consideration of value from a sponsor or a sponsor
33 employee.

34 7) If the sponsor or agency supporting research is the Department of Health and Human Services, the
35 National Science Foundation, other Federal units or a not-for-profit private agency, it is necessary to
36 declare any significant financial interest with any other agency, company, corporation, or other entity

1 that might influence or be perceived to influence the conduct of research. Such significant financial
2 interest is defined to be anything of monetary value, including but not limited to, salary or other
3 payment for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, and
4 other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from
5 such rights). A significant financial interest in business enterprises or entities exists when the value of
6 such interests exceeds \$2,000 per annum, or if salary, fees, or other continuing payments represents
7 more than a 5 percent ownership interest for any one enterprise or entity when aggregated for the
8 investigator and the investigator's spouse and dependent children. Investments in mutual funds in
9 which the extent of investment in a particular industry is unknown are excluded from the requirement
10 to declare financial interest.

11 b. Memberships on Boards of Directors. Faculty or other University personnel memberships on boards
12 of directors associated with the sponsor of any project proposal must be declared since the individual
13 may be in a position to direct funds and direct the use of other University personnel, including research
14 students and assistants, into areas of research that result in conflict of interest.

15 c. Part-time Employees and Faculty on Leave of Absence. The Conflict of Interest policy applies to part-
16 time employees and faculty or other employees who are on leave of absence. The possibility of conflict
17 of interest or conflict of commitment is especially likely if the employee is also a part-time employee of
18 the sponsor of the project.

19 d. Process for Disclosure of Interest. Disclosure of economic or commercial interest is made by
20 completing the Disclosure of Interest Form. All new, renewal, or continuation sponsored project
21 proposals in excess of \$5,000 prepared for submission to a sponsor must also have a completed
22 Disclosure of Interest Form. Information provided in this form will be considered confidential.

23 e. Resolution of Conflicts. Wherever possible, the appropriate departmental chair(s) or director(s),
24 dean(s), and the appropriate vice-chancellor(s) must review and resolve any faculty conflicts of interest
25 or conflicts of commitment. In some circumstances, the involvement of the chancellor, Provost, or
26 President may be required to resolve the conflict.

27 12. Furthermore, consistent with the foregoing policy statement regarding conflicts of commitment and
28 the effect such conflicts can have on a faculty member's research programs and the duties faculty
29 members owe the University, University employees proposing outside employment or a consulting
30 relationship with a third party shall disclose to the University any: i) confidentiality or non-disclosure
31 agreements, ii) non-compete agreements or any agreement containing a non-compete clause, iii)
32 assignments of intellectual property rights to the contracting party, and iv) involvement with
33 commercial or educational enterprises where the name of the University may be used for commercial
34 gain to the Chancellor or the Chancellor's designee. Although agreements of this type can be
35 problematic, the University shall endeavor to promptly review such agreements and resolve any
36 potential conflict of commitment to allow the University employee to perform the proposed outside
37 employment or consulting while maintaining the integrity of their research projects and commitments
38 to the University.

1 **98. Conflicts of Interest Involving ~~Faculty Commercialization of University~~ Technology Transfer**

2 University projects have resulted in the creation of new Nebraska businesses which have transferred
3 research results into products and services and which have contributed to the State's economy. Certain
4 research discoveries lend themselves to commercialization by starting new ventures through the
5 University or through faculty rather than the traditional licensing to existing companies. Moreover, this
6 means of commercializing discoveries may be the best, or in some instances the only, means to transfer
7 such new technology. The University recognizes this as an acceptable method of commercializing
8 discoveries when it is in the best interests of the University, the State, and the inventor and is the most
9 effective means to transfer such technology.

10 In establishing new companies to commercialize University technology, the University may accept equity
11 positions or combinations of equity and future royalties in return for licensing the technology. This is an
12 acceptable University activity and is an integral part of the technology transfer program. However, in
13 such situations, reasonable limits on the University's involvement with respect to administrative time
14 and the amount of equity taken must be observed. This University technology transfer activities shall be
15 governed by Section 3.10 of the Bylaws and Section 4.4.2 of the Policies. Such oversight will enable the
16 University to be aware of and take steps to prevent or manage potential *Conflicts of Interest* which may
17 arise, involving, among other things, favoritism in future dealings with the same company,
18 discrimination against its competitors, or the use of public funds for private gain. Accordingly, University
19 direction of the company must be limited in time, and the amount of equity taken must be less than
20 controlling. The Board of Regents has separately authorized and delegated authority to the University
21 Technology Development Corporation (UTDC), and nothing in this policy is intended to limit the
22 authority of UTDC as it relates to properly managing or preventing conflicts of interest or otherwise.

23 Conflict situations also apply to any profit- or nonprofit-affiliated private entities established by the
24 University or one of its employees. Therefore, in the University's relations with all such entities, the
25 *Conflict of Interest* policy must be followed.

26 ~~Ownership of equity in a company may entitle the University to membership on the company's board of~~
27 ~~directors. Such memberships are positive from the University's perspective since board members can~~
28 ~~look after the University's interest in company management. However, increased possibilities for~~
29 ~~conflicts of interest are inherent in such membership. In addition, ownership of equity in a company~~
30 ~~established by a University employee may also create situations which may lead to conflicts of interest.~~
31 ~~Thus, University employees, who hold ownership or equity or receive company royalties, or board~~
32 ~~members or company officers, who are University administrators involved in internal decisions~~
33 ~~regarding personnel, budgeting, contract negotiations, and the like, may be in a position to direct~~
34 ~~University projects to benefit the company causing problems of favoritism, discrimination, and improper~~
35 ~~use of public funds for private gain. In addition, board members or company officers are exposed to~~
36 ~~internal confidential matters of their companies, and their company obligation may, therefore, conflict~~
37 ~~with their obligations to the University. Although accepting membership on a company's board of~~
38 ~~directors may be appropriate, the University must be provided with sufficient information to determine~~
39 ~~whether conflicts may arise as a result of the membership on the board.~~

1 Where University technology is transferred in return for an equity position, or royalties, or projects are
2 to be performed in exchange for an equity position, the affected University employees must ~~be~~ fully
3 ~~apprised of~~ disclose such proposals, and a suitable arrangement that reflects the Regents Patent Policy
4 must be concluded, ~~both with prior to approval of the faculty and with the industry sponsor. The~~
5 ~~arrangement should provide for the faculty inventor to share in any consideration received by the~~
6 ~~University in accordance with established practices~~ proposal.

7 ~~In recent years, because of federal tax law changes,~~ For-profit entities have been formed specifically to
8 fund research and development, such as research and development limited partnerships. Such entities
9 solicit investors from members of the public. There is the possibility that prospective investors may be
10 induced to invest by what appears to be University involvement in the funding entity or by unrealistic
11 expectations of the outcome of the projects. In either event, the name of the University could be
12 unfairly traded upon. Therefore, care must be taken that the investor solicitation is consistent with the
13 potential outcome of the research and the policy on the use of the University's name.

14 ~~13. Policy Statement V: Conflicts of Interest Involving the University~~

15 ~~a.~~ Where appropriate, the University may accept equity in a company as complete or partial payment
16 for transferring University technology to the company for commercialization. Only the Board of Regents
17 may approve acceptance of equity in a company upon the recommendation of the ~~cognizant chancellor,~~
18 ~~the Provost, and the~~ President.

19 ~~b.~~ The University may designate individual(s) to hold membership on the board of directors of a
20 company in which the University holds equity.

21 ~~c.~~ University faculty, administrators, or other members of the University community holding any such
22 board of directors membership shall oppose or absent themselves, as appropriate, from any funding
23 decisions or other decisions relating to the University which:

24 1) violates or is contrary to any law or University policy or procedure in regard to grants
25 or contracts;

26 2) would constitute a *Conflict of Interest* with such person's University office of
27 employment; ~~or~~

28 3) involves improper use of University (public) funds.

29 ~~d.~~ When external entities raise funds for University projects through any form of investment offerings,
30 University personnel must scrupulously avoid the endorsement of any such offering or any statement of
31 potential research results. The University's prior written consent must be obtained to use its name in
32 connection with advertising or promotion of any investment offering.

33 ~~e.~~ The past history of funding of University research or other projects by any company or firm shall not
34 have any bearing on purchasing decisions made by the University of Nebraska.

1 **14-Commitments109. Institutional Conflicts of Interest**

2 An Institutional Conflict of Interest may occur when the University ~~Equipment and Facilities~~ or a Covered
3 Person in a senior administrative position has a financial interest in a commercial entity that itself has an
4 interest in a University research project, including potential conflicts with equity/ownership interests or
5 royalty arrangements. Each campus shall develop and establish processes and procedures for review of
6 institutional conflicts involving technology transfer or other commercial activities. This process must at a
7 minimum include:

8 ~~Company access to specialized University equipment, facilities, and personnel, acquired to further the~~
9 ~~teaching, research, and public service missions, may form the basis of University/industry relationships~~
10 ~~much as faculty seek access to complementary industrial facilities. Industry's use of University facilities~~
11 ~~and personnel, whether for research or for routine testing on a fee-for-service basis, is mutually~~
12 ~~advantageous. Access to sophisticated or unique University facilities for research or product~~
13 ~~development benefits companies of every size. The University benefits from full utilization of its~~
14 ~~facilities, resulting revenues, and increased opportunities to educate students. Since facilities are limited~~
15 ~~and are dedicated to all University missions, however, uses furthering these missions shall have priority.~~
16 ~~Depending upon availability, use by external sponsors is appropriate.~~

17 **15- Policy Statement VI- Commitments of University Equipment and Facilities**

18 ~~When allowing industry to utilize University facilities directly for commercial purposes, the University~~
19 ~~shall make certain that industry indemnifies the University for all liabilities arising from such use; that~~
20 ~~industry pays an appropriate fee determined by the institution; and that such use does not interfere~~
21 ~~with University research, education, or public service programs.~~

22 **16- Transfer of Rights in Discoveries**

23 ~~The Regents' patent policy extends to all patentable inventions and discoveries made at the University.~~
24 ~~Transfer of rights in and commercialization of such inventions and discoveries, whether by license,~~
25 ~~assignment, or sale, can further the mission of the University by making the discoveries available to the~~
26 ~~general public, by bringing recognition to the University and faculty, and by providing funds to the~~
27 ~~University which strengthen its research, teaching, and service roles. Such transfer of technology is~~
28 ~~encouraged. Industry typically treats the products of its research in a very confidential manner. On~~
29 ~~occasion, industry expects project participants to maintain the same degree of confidentiality with~~
30 ~~sponsored projects. It is important to note that openness, freedom of discussion, and freedom to~~
31 ~~publish go to the very core of the University. Nonetheless, there are certain legitimate needs for~~
32 ~~confidentiality on the part of industry that must be met by project participants. Data received from an~~
33 ~~industry sponsor and marked "confidential" may be kept in a confidential status for a stated period of~~
34 ~~time. Also, it is prudent to recognize the need to maintain the confidential status of the results of the~~
35 ~~project for a period of time sufficient to determine patentability and filing of patent applications or as~~
36 ~~agreed upon in an agreement between the sponsor and the University. When appropriate, the~~
37 ~~University may enter into confidential agreements to protect proprietary information, where this is~~

1 deemed necessary, either through direct agreement with an industrial sponsor or through an agreement
2 between the sponsor and an individual employee.

3 **~~17. Policy Statement VII: Transfer of Rights in Discoveries~~**

4 a. ~~Each campus of the University has a process for the evaluation and disposition of inventions and~~
5 ~~discoveries created by University employees. Following appropriate evaluation but prior to making a~~
6 ~~patent application, the invention or discovery is brought to the attention of the Board of Regents in~~
7 ~~writing. The Board may accept the invention or discovery and pursue a patent application or return the~~
8 ~~invention to the inventor, in accordance with Section 3.10 of the Bylaws of the Board of Regents. It~~
9 ~~should also be noted that Regental Policy RP 3.2.7, "Patent and Technology Transfer Policy", mandates~~
10 ~~that one-third of royalties be paid to the faculty inventor(s) of a patent.~~

11 b. ~~Faculty, or other principal investigators on industry-sponsored research, must ensure that all~~
12 ~~individuals who assist in their research projects are fully informed in writing of the ownership and~~
13 ~~disposition of inventions and requirements of confidentiality regarding research results and other~~
14 ~~confidential information provided by the sponsors of associated projects.~~

15 1) ~~18.~~ Procedures for identifying and overseeing institutional *Conflicts of Interest*;

16 2) Principles and strategies for managing institutional *Conflicts of Interest*; and

17 3) Principles and strategies for institutional management of equity.

18 Each Chancellor shall submit their campus' processes and procedures for review of institutional *Conflicts*
19 *of Interest* to the President for review and approval.

20 **110. Appeal of Administrative Decisions**

21 Each campus shall assure that an appeal mechanism is in place to allow ~~faculty and others~~Covered
22 Persons to appeal ~~any administrative an adverse~~ decision relating to ~~the Conflict of Interest~~this policy.

23 **~~19. Disclosure of Interest Form~~**

24 ~~A facsimile of the Disclosure of Interest Form appears on the next page.~~

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28 11162009 Redline to Existing COI 3.2.8 03052010.docx

TO: The Board of Regents Addendum IX-B-4
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Program Statement and Budget for the Hamilton Hall Sixth Floor
Renovation at the University of Nebraska-Lincoln

RECOMMENDED ACTION: Approve the Program Statement and Budget for the Hamilton Hall Sixth
Floor Renovation at the University of Nebraska-Lincoln

PREVIOUS ACTION: January 19, 2002 – The Board approved a Change of Scope for the
Hamilton Hall Infrastructure Upgrade and an increase of \$3,457,000 in
the project budget from \$14,116,060 to \$17,573,060.

November 3, 2000 – The Board approved the Change of Scope for the
Hamilton Hall Infrastructure Upgrade and an increase of \$1,991,060 in
the project budget from \$12,125,000 to \$14,116,060.

July 17, 1999 – The Board approved the firm of The Clark Enersen
Partners for design services for the Hamilton Hall Infrastructure
Upgrade.

April 5, 1997 – The Board approved the Program Statement for the
Hamilton Hall Infrastructure Upgrade as part of seven capital projects
included in the University's major renovation/deferred maintenance
initiative (LB 1100).

EXPLANATION: The proposed project will renovate 20,870 gross square feet of the sixth
floor of Hamilton Hall. Included in the project is the reconfiguration of
laboratory, laboratory support, and office spaces; an upgrade of finishes
and equipment; and integration of meeting and interaction spaces to
facilitate maximum collaboration. The project will also replace building
mechanical and electrical components in these areas, and expand the
restrooms.

The project supports the University's strategic priorities to increase
external support for research and scholarly activity; encourage
interdisciplinary, intercampus and inter-institutional collaboration;
encourage and facilitate the commercialization of research and
technology to benefit Nebraska; and improve the quantity and quality of
research space through public and private support.

The program statement and budget have been reviewed and approved by
the Business Affairs Committee.

Proposed start of construction
Proposed completion of construction

May 2011
September 2012

PROJECT COST:	\$6,820,000	
ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance 1% Assessment	\$0 N/A
SOURCE OF FUNDS:	Federal Funds	\$6,720,000
	Cash Funds	<u>100,000</u>
	Total Budget	<u>\$6,820,000</u>
SPONSOR:	Christine A. Jackson Vice Chancellor for Business and Finance	
RECOMMENDED:	Harvey Perlman, Chancellor University of Nebraska-Lincoln	
DATE:	January 5, 2010	

University of Nebraska-Lincoln (UNL)
Hamilton Hall Sixth Floor Renovation
Program Statement

Campus: UNL City Campus
Date: March 5, 2010
Prepared by: UNL Facilities Planning

Phone No. (402) 472-3131

1. Introduction

a. Background and History

The UNL Rapid Bioanalysis Initiative (RBI) focuses on the creation of new technologies for drug discovery and biomarker detection, and the training of highly-skilled researchers in the field of bioanalysis. More than 20 faculty members from UNL and UNMC in chemistry, biochemistry, engineering, pharmaceutical science, pharmacology, and basic biomedical research will be involved with the RBI.

A majority of RBI's researchers, staff, and students are currently housed in Hamilton Hall. The building was constructed in 1970 and underwent a major renovation in 2006 which included a complete upgrade of the heating, ventilation, and air conditioning (HVAC) system and a remodel of lab and office spaces on the seventh and eighth floors. It has served and continues to serve as the home to the Department of Chemistry.

b. Project Description

The proposed project will renovate 20,870 gross square feet of the sixth floor of Hamilton Hall, including the reconfiguration of laboratory, laboratory support and office spaces, an upgrade of finishes and equipment, and an expansion of restroom facilities. The project will also replace building mechanical and electrical components in these areas, and correct outstanding code deficiencies on the sixth floor.

c. Purpose and Objectives

The primary purpose of the project is to restore the sixth floor of Hamilton Hall to a quality space, suitable for state-of-the-art teaching and research, and to accommodate ongoing RBI expansion. To accomplish this, the renovation will be guided by the following objectives:

- Create office and laboratory space for two planned junior-level hires (an analytical spectroscopist and chemist studying biological interactions).

- Expand laboratory and office space for an existing junior faculty member.
- Renovate laboratory and office space for three senior faculty members taking an active part in the RBI, including the initiative leader.
- Create a RBI office and video conference room to facilitate interaction with researchers from UNMC and other off-site locations.
- Create shared facilities for easy access by RBI members working on other floors of Hamilton Hall and visiting from UNMC.
- Expand restroom facilities, which are undersized for the number of RBI staff.

2. Justification of the Project

a. Data which supports the funding request

Timely, high quality medical diagnosis and treatment increasingly depends on rapid and accurate “point of care” bioanalytical methods, including: (1) the development of biosensing devices for drugs, hormones, or disease markers based on electrochemical folding-based biosensors or microaffinity columns, (2) the development of patterned cell array sensors, multi-dimensional NMR methods, microfluidic systems, and single molecule imaging/tracking methods for high-throughput drug screening, and (3) the use of mass spectrometry for proteomics and metabolomic studies of microbial populations. Unfortunately, in its current configuration and condition, Hamilton Hall, the RBI’s primary research facility on the UNL campus, does not contain suitable space to accommodate ongoing RBI activities and expansion.

While the building’s air handling system was recently upgraded and the seventh and eighth floors have been renovated into state-of-the-art research facilities in recent years using funds from the National Institute of Health’s National Center for Research Resources, the renovated space is fully occupied and remaining laboratory space (primarily on the sixth floor) is in its original configuration with original hoods, casework, and fixtures from the 1970s. There is little common space in the current floor plan and, in general, the old-style layout is not conducive to facilitating interaction among research groups and students that is critical to modern research that spurs innovation. Cold room, cell culture, dishwashing, and shared major instrumentation space is lacking, and there is no clean room facility in the building to support RBI research efforts. The current laboratory bench tops are made of a chemically resistant material that often shatters on impact and is no longer commercially available, and the old style hoods are inefficient and not suitable for work with sensitive biologicals. Thus, there is a critical need to increase research space and shared facilities for existing RBI members and planned new hires so that the interdisciplinary faculty research can continue on its current trajectory and address a national need for highly-trained scientists with expertise in advanced bioanalysis methods and in the application of these methods in biomedical research.

The proposed project will complement renovations completed in 2006 of the

seventh and eighth floors of Hamilton Hall and further improve the RBI's capacity to perform cutting-edge biomedical research. Currently, the sixth floor has an ineffective layout with researchers and team members in offices far from their respective labs, making observations difficult. Old, inefficient equipment or the lack of specific pieces of equipment or facilities has hampered the ability of researchers to perform advanced techniques and protect the integrity of their work. Improvements planned will address these issues and centralize the administrative functions of the program.

b. Alternatives considered

The only viable alternative would be to construct a new building which would be much more costly. Funding from the American Recovery and Reinvestment Act (Stimulus) for renovation purposes only, of the sixth floor provides a cost effective method to bring UNL facilities into the 21st century using extramural funds.

3. Location and Site Considerations

a. County

Lancaster

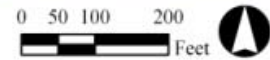
b. Town or campus

University of Nebraska-Lincoln City Campus

c. Proposed site



Hamilton Hall 6th Floor Renovation
Project Location Map



d. Statewide building inventory

Hamilton Hall (51ZZ0050200B)

e. Influence of project on existing site conditions

(1) Relationship to neighbors and environment

Hamilton Hall is generally located on the west end of the UNL City Campus, southeast of Memorial Stadium. Because of its physical location on the interior of campus, impacts to surrounding neighborhoods and the environment will be minimal.

(2) Utilities

The building is served by the campus's primary utilities: chilled water, electricity, and steam. These utilities were upgraded as part of the previous, LB1100-funded renovation project in Hamilton Hall in 2006; no significant modifications are anticipated as part of the proposed renovation project.

The heating water piping system on the renovated floor will be removed back to the main or risers as necessary, and will be replaced to support the new laboratory spaces. New domestic water, laboratory water, sanitary waste, and vent piping will be extended from the mains/risers as necessary.

Specialty gases (carbon dioxide, oxygen, nitrogen, etc.) will be piped from cylinder manifold spaces to all required locations inside the building.

The facility is currently served by an existing wet-pipe sprinkler system. The system will be modified, as necessary, to provide full coverage for all renovated areas. All work will comply with National Fire Protection Association 13 codes and other local code requirements.

The existing electrical service and distribution system at Hamilton Hall was recently upgraded and has the capacity to accommodate requirements for the proposed renovations.

(3) Parking and circulation

Parking and vehicular circulation in the vicinity of Hamilton Hall will be minimally affected by the renovation project as there are areas immediately adjacent to the building that can be utilized for construction material storage and contractor staging. It is anticipated that grassed areas located east and south of Hamilton Hall will be used for construction staging. This will require turf and landscaping restoration, a cost to the project.

4. Comprehensive Plan Compliance

a. University of Nebraska Strategic Framework

This project complies with the objectives of the University Strategic Planning Framework for 2008-2011:

- 4.a. *“Increase external support for research and scholarly activity.”*
- 4.d. *“Encourage and facilitate the commercialization of research and technology to benefit Nebraska.”*
- 4.e. *“Improve the quantity and quality of research space through public and private support.”*
- 5.a. *“Support economic growth, health and quality of life through policy initiatives consistent with university mission.”*
- 5.d. *“Support Nebraska’s economic development.”*
- 5.e. *“Build local, regional, national and international partnerships across public and private sectors.”*
- 6. *“The University of Nebraska will be cost effective and accountable to the citizens of the state.”*
- 6.f. *“Maintain competitive capital facilities.”*

The sixth floor of Hamilton Hall will be modernized and reconfigured to meet the needs of the RBI, which will make the University more competitive in attracting students, top-level faculty, and research funding.

b. UNL Campus Master Plan

The University of Nebraska-Lincoln *Physical Master Plan 2006-2015* was approved by the Board of Regents on April 21, 2006. The Hamilton Hall renovation project is in compliance with the land use element of the master plan for City Campus.

In addition, the project supports the following goals of the Master Plan.

- *“Provide appropriate facilities and equipment for high priority research and graduate programs.”*
- *“Provide appropriate facilities that support academic, research, outreach, co-curricular activities and administrative computing.”*

The renovation of Hamilton Hall, under this project, will provide additional research, office and service space, addressing space needs identified in the Master Plan.

c. Statewide Comprehensive Capital Facilities Plan

The Statewide Facilities Plan is Chapter Six of the *Comprehensive Statewide Plan*

for Postsecondary Education. This plan includes the following goals:

“Nebraskans will advocate a physical environment for each of the state’s postsecondary institutions that: supports its role and mission; is well utilized and effectively accommodates space needs; is safe, accessible, cost effective, and well maintained; and is sufficiently flexible to adapt to future changes in programs and technologies.”

The proposed project will renovate outmoded spaces and replace equipment, which will effectively meet the needs for biomedical research programs at UNL.

5. Analysis of Existing Facilities

a. Functions/purpose of existing programs as they relate to the proposed project

One federal priority outlined in the NIH Roadmap is the development of new tools for rapid, point of care, analytics to indicate disease and health. The existing top-notch faculty talent, current research programs (RBI faculty manage over \$25 million in NIH research funding), as well as the existing facilities for instrumentation, mass spectrometry, nuclear magnetic resonance spectroscopy, chemical separations, electrochemistry, single-molecule imaging and manipulation, and optical spectroscopy, support the proposed renovation. In addition to completed renovation of the seventh and eighth floors of Hamilton Hall, the proposed renovation of the sixth floor will bring inefficient and obsolete lab spaces up to date and effectively support the growth and administration of bioanalytic research to meet this federal priority.

b. Square footage of existing areas

The square footage of the portion of Hamilton Hall, which will be renovated as part of this project, is as follows:

Gross square feet	20,870
Net assignable square feet	14,998

- c. Utilization of existing space by facility, room, and/or function

Space Description	Room-Use Code	Existing NASF
Research Lab	250	7,699
Research Lab Service	255	3,184
Category 200 Totals		10,883
Office	310	3,265
Office Service	315	568
Conference Room	350	282
Category 300 Totals		4,115
Total Net Assignable Square Footage		14,998

- d. Physical deficiencies

Hamilton Hall sixth floor is the RBI's primary research facility at UNL. There is not suitable space to conduct highly-sensitive, biomedical research. While the building's air handling system was recently upgraded and the seventh and eighth floors have been renovated into modern research facilities in recent years, the renovated space is fully occupied. Laboratory space on the sixth floor is in its original configuration with original hoods, casework, and fixtures from the 1970's. The current laboratory bench tops are made of a chemically resistant material that often shatters on impact and is no longer commercially available, and the hoods are inefficient compared to newer models and unsuitable for working with sensitive biological materials. Inefficient lighting and high noise levels are not conducive to a research environment.

- e. Programmatic deficiencies

The existing layout of the sixth floor has researcher offices of various sizes and configurations interspersed with support areas and little common space to facilitate interaction among research groups and students. Cold room, cell culture, dishwashing, and shared major instrumentation space is lacking, and there is no clean room facility in the entire building to support RBI research efforts.

- f. Replacement Cost

The Facilities Management Information Report (FMIR) for June 2008 indicates the replacement cost for Hamilton Hall, including the Hazardous Material Facility, is \$72,357,230. This does not include costs for land or site development, program-related equipment, utility connections, and project management and inspection.

6. Facility Requirements and the Impact of the Proposed Project

a. Functions/purpose of the proposed program

(1) Activity identification and analysis

The RBI program functions currently in place on Hamilton Hall's sixth floor will continue after the proposed project is completed. Additional offices and labs will be created to accommodate program expansion, new equipment will be installed that will improve research capacity, and a new central administrative suite including offices, a conference room, and a work room will be constructed.

(2) Projected occupancy/use levels

The RBI currently has 20 full-time faculty members across the two campuses. It is anticipated that renovated space on the sixth floor of Hamilton Hall will support the research of two new full-time junior faculty researchers (currently in the hiring process), three senior and two junior faculty researchers, seven post-doctoral fellows, 18 graduate students, seven undergraduate student researchers, and one administrative staff member.

b. Space requirements

(1) Square footage by individual areas and/or functions

Program/Space Description	Room- Use Code	NASF	# of Rooms	Total NASF
Molecular Biology Lab	250	575	1	575
Isolation & Synthesis Lab	250	738	1	738
Electrochemistry Lab	250	738	1	738
Biomaterials Lab	250	575	1	575
Analytical & Instrumentation Lab	250	1,454	1	1,454
Analytical & Instrumentation Lab	250	602	1	602
Biochemistry & Synthesis Lab	250	843	1	843
Bio-Sensor Fabrication Lab	250	657	1	657
Analytical Lab	250	832	1	832
Chemistry/Biochemistry Lab	250	832	1	832
Cold Storage	255	348	1	348
Glassware Washing & Sterilization	255	342	1	342
Clean Room	255	287	1	287
Cell Culture Room	255	164	2	328
Shared Instrument & Equipment Room	255	429	1	429
Category 200 Totals				9,580
RBI Main Office	310	415	1	415
Faculty Office	310	995	1	995
Faculty Office	310	215	1	215
Faculty Office	310	135	3	405
Faculty Office	310	91	1	91
Visiting Faculty Office	310	142	2	284
Post Doc Office	310	135	4	540
Graduate Student Office	310	364	1	364
Graduate Student Office	310	135	4	540
Graduate Student Office	310	96	4	384
Work Room	315	141	1	141
Video Conference Room	350	268	1	268
Category 300 Totals				4,642
Interaction Area	680	303	3	909
Interaction Area	680	364	1	364
Category 600 Totals				1,273
Total Net Assignable Square Footage				15,495

(2) Basis for square footage/planning parameters

The square footages indicated for the proposed space use in the renovated areas of the sixth floor of Hamilton Hall are based on University of Nebraska Space Guidelines, as well as programmatic needs of the planned users of the building.

(3) Square footage difference between existing and proposed areas (net assignable and gross)

Space Description	Room-Use Code	Existing NASF	Proposed NASF	Difference
Laboratory Facilities				
Research Lab	250	7,699	7,846	147
Research Lab Service	255	3,184	1,734	(1,450)
Category 200 Totals		10,883	9,580	(1,303)
Office Facilities				
Office	310	3,265	4,233	968
Office Service	315	568	141	(427)
Conference	350	282	268	(14)
Category 300 Totals		4,115	4,642	527
General Use Facilities				
Meeting Room	680	0	1,273	1,273
Category 600 Totals		0	1,273	1,273
Total Net Assignable Square Footage		14,998	15,495	497
Total Gross Square Footage		20,870	20,870	0

c. Impact of the proposed project on existing space

(1) Reutilization and function(s)

All of the current program functions of the RBI will be reconfigured and remain on the floor following construction. The addition of new lab, office and interaction spaces and new equipment will improve programmatic efficiency and effectiveness and accommodate future growth.

(2) Demolition

Demolition work will consist of removing walls as necessary to implement the new layout. The demolition will also allow for the installation of new centralized equipment and storage, as well as expanded restroom facilities on the sixth floor of Hamilton Hall.

(3) Renovation

The renovation of the sixth floor will occur in two phases, which will allow research work to continue during construction. Steps will be taken to minimize the impact of demolition and renovation activities on this floor and other areas within the building.

7. Equipment Requirements

a. List of available equipment for reuse

Wherever possible, equipment currently in use on the sixth floor of Hamilton Hall will be reused after construction. A detailed list of reusable equipment will be developed prior to the Intermediate Design approval.

b. Additional equipment

(1) Fixed equipment

The fixed equipment requested as a part of this project includes:

- *One (1) Glassware Washer. Single-sided upright glassware washer (Model Miele G7825 or equivalent); includes transfer carriage and allowance for standard racks and spray arms.*
- *One (1) Sterilizer. Single-sided, medium sterilizer (Primus Model E 26"x36"x39" chamber); includes transfer carriage, bio seals not required.*
- *Two (2) Bio-safety Cabinets. Nominal 6'-0" types Class II A2; for standard cell culture work.*
- *One (1) Laminar Flow Hood. Six foot clean bench, to be set up in a class 10,000 clean room.*
- *Two (2) Cold Rooms. Two 4 degree Celsius cold room of varying size (12'-0"x10'-0" and 10'-0"x7'-6").*
- *Modular Clean Room. Class 10,000 clean with dimensions of 9'-6"x18'-0"x8'-6".*

(2) Movable equipment

Furniture and other movable equipment are not included in the budget for this project and are the responsibility of the research programs. A detailed list of specific equipment will be developed during the design phase of the project.

(3) Special or technical equipment

No special or technical equipment is included in the budget for this project and is the responsibility of the research programs. A detailed list of specific equipment will be developed during the design phase of the project.

8. Special Design Considerations

a. Sustainability

The overall design of the facility will be developed to maximize the opportunity for sustainable design. The project will meet or exceed the requirements for sustainable design as set forth by the University of Nebraska President’s Administrative Policy. The design will be focused on making good long-term choices for components of the building finishes, building systems and construction materials.

b. Heating and cooling systems

The design and installation of all mechanical systems will be in accordance with relevant portions of the following codes, standards and publications:

- All codes and standards as established by the University of Nebraska
- UNL Design Guidelines for Facilities Construction
- American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) Handbooks and Standards
- Americans with Disabilities Act Accessibility Guidelines (ADAAG)
- American National Standards Institute (ANSI) Standards
- National Institutes of Health (NIH) Design Policy and Guidelines
- National Fire Protection Association (NFPA) Codes

The air handling units (AHUs) were completely re-built and upgraded during the 2006 infrastructure upgrade and have sufficient capacity to serve the renovated areas. Installation of new controls components and replacement of existing controls, where necessary, will be in accordance with UNL Design Guidelines.

c. Life Safety/ADA

All areas being renovated will be made accessible under the terms of the ADA Accessibility Guidelines and Nebraska Accessibility Guidelines.

The existing fire alarm system was recently upgraded to include a new analog, addressable system complete with voice evacuation capabilities. The system will be modified and expanded as required to satisfy all life safety and code requirements throughout renovation areas. System modifications and expansions will be designed in accordance with all current codes and standards, and will also satisfy all current accessibility guidelines.

d. Security

Necessary receptacles and circuits will be provided to support the installation of the University’s entry control security devices. Circuits necessary to support the

security system equipment will be served by the standby generator system.

e. Historic or architectural significance

There are no known historic issues or requirements impacting Hamilton Hall.

f. Artwork (for applicable projects)

The 1% for Art provision is not applicable.

g. Phasing

The proposed project will be constructed in two phases. Starting in May 2011, Phase I will commence with completion of Phase I in December 2011 when research activities will move into the newly renovated area. Once the relocation is completed, Phase II of the project will begin with the intent to complete the entire project by October 2012.

h. Future expansion

There are no plans to expand Hamilton Hall.

9. Project Budget and Fiscal Impact

a. Cost estimates criteria

(1) Identify recognized standards, comparisons, and sources used to develop the estimated cost

The estimated probable costs of the project were developed with the help of design consultants, The Clark Enersen Partners. Estimates for environmental controls, fire alarm, card access, and telecommunications were based on estimates developed by University staff.

(2) Identify the year and month on which the estimates are made and the inflation factors used

The estimate was prepared in June 2009 and escalated at 4% per year to the midpoint of construction.

(3) Gross and net assignable square feet

Gross square feet	20,870 gsf
Net assignable square feet	15,495 nsf

(4) Total project cost per gross square foot \$327

(5) Construction cost per gross square foot \$295

b.	Total project cost	\$6,820,000
c.	Construction cost	\$6,150,000
d.	Non-construction cost	\$670,000

The detailed budget is as follows:

Probable Project Costs

CONSTRUCTION COSTS

General Construction Contractor	\$5,121,000
Fixed Equipment (Installed by GC)	\$296,000
Environmental Issues – Light Fixture Removal	\$2,000
Energy Management Control System	\$225,000
Card Access System	\$60,000
Fire Alarm System	\$42,000
Security System	\$0
Other UNL Services	\$0
Utilities	\$0
Keying of Doors	\$2,000
Landscaping	\$5,000
Telecommunications	\$112,000
Construction Contingency	<u>\$285,000</u>
Subtotal - Construction Costs	\$6,150,000

NON-CONSTRUCTION COSTS

A/E Basic Services	\$394,000
A/E Additional Services	\$50,000
A/E Reimbursable Expenses	\$32,000
Other A/E Services	\$15,000
Project Management/Construction Inspection (UNL)	\$91,000
Builder's Risk Insurance	\$4,000
Moving & Relocation Costs	\$21,000
Interior Signage	\$10,000
Printing, Advertising & Mailing	\$23,000
Other Non-Construction Costs	\$2,000
Code Review and Inspections	<u>\$28,000</u>
Subtotal - Non-construction Costs	\$670,000

TOTAL PROBABLE PROJECT COSTS **\$6,820,000**

- e. Fiscal Impact based upon first full year of operation
- (1) Estimated additional operational and maintenance costs per year
\$0
- (2) Estimated additional programmatic costs per year
Two (2) full-time junior faculty researchers (state funded) at approximately
\$75K each per year
- Applicable building renewal assessment charges
N/A

10. Funding

- a. Total funds required
\$6,820,000
- b. Project Funding Source
- | | |
|---------------|-------------|
| Federal Funds | \$6,720,000 |
| Cash Funds | \$100,000 |
- c. Fiscal year expenditures for project duration
- | | |
|--------------------|--------------------|
| FY 2009-2010 | \$106,360 |
| FY 2010-2011 | \$849,710 |
| FY 2011-2012 | \$4,075,810 |
| FY 2012-2013 | <u>\$1,788,120</u> |
| Total Expenditures | \$6,820,000 |

11. Time Line

- | | |
|--------------------------------------|-----------------|
| Start Programming | October 1, 2009 |
| Program Statement to UNCA | January 5, 2010 |
| Anticipated Grant Award Notification | January 2010 |
| BOR approves Program Statement | March 5, 2010 |
| Start Design | March 2010 |
| CCPE Review (approximate) | April 2010 |
| Complete Design | February 2011 |

Bid Project April 2011

Phase 1 – South Wing

Start construction May 2011

Complete construction December 2011

Occupy South Wing January 2012

Phase 2 – North and East Wings

Start construction February 2012

Complete construction September 2012

Occupy North and East Wings October 2012

12. Higher Education Supplement

a. CCPE Review

CCPE review is not required for this project.

b. Method of contracting

The method of contracting for this project will be design-bid-build, awarded to the lowest responsible prime general contractor.

TO: The Board of Regents Addendum IX-B-5

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Keim Hall Renovation at the University of Nebraska-Lincoln (UNL).

RECOMMENDED ACTION: Approve an increase of \$400,000 in the Keim Hall project budget for the purchase of additional furniture and equipment.

PREVIOUS ACTION: April 20, 2007 – The Board approved the Program Statement, Budget, and the selection of Alley Poyner Architecture to provide design services for the Keim Hall Renovation at UNL.

EXPLANATION: The renovation of Keim Hall is an LB605 Deferred Maintenance project. The original budget for moveable equipment within the Renovation project was \$214,000 and was earmarked for classrooms and class lab spaces. The office furniture previously in Keim Hall was an amalgamation of furniture acquired over the past 40 years. The renovation budget did not include new office furniture. However, new office furniture for 159 faculty, staff, and graduate students will greatly enhance the interior environment of this newly renovated building as well as the morale of the employees who will be working in this building. The purchase of new office furniture will be accomplished using cash funds.

Proposed start of construction	July 2008
Revised completion of construction	March 2010

ON-GOING FISCAL IMPACT:	Annual Operating Costs	\$ 69,090
	1% Assessment	144,000

PROJECT COST AND SOURCE OF FUNDS:	Original Budget (LB 605 Funds)	\$14,000,000
	Budget Increase (Cash Funds)	<u>400,000</u>
	Total Budget as Amended	<u>\$14,400,000</u>

SPONSORS: Christine A. Jackson
Vice Chancellor for Business & Finance

John C. Owens
Vice President, Institute for Agricultural and Natural Resources
IANR Harlan Vice Chancellor

RECOMMENDED: Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: February 8, 2010

TO: The Board of Regents
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Receive bids for the conditional disposal or removal of the Industrial Arts Building at the Nebraska Innovation Campus of the University of Nebraska-Lincoln.

RECOMMENDED ACTION: Approve the conditional disposal or removal of the Industrial Arts Building at the Nebraska Innovation Campus of the University of Nebraska-Lincoln (UNL) on or after July 1, 2010 and following an open process to allow an opportunity for proposals for appropriate adaptive reuse.

PREVIOUS ACTION: November 20, 2009 the Nebraska Innovation Campus Master Plan was approved by the Board of Regents.

EXPLANATION: The Industrial Arts Building on Innovation Campus was constructed in 1913 to meet the needs of the Nebraska State Fair. It contains approximately 90,012 gross square feet and is constructed of steel and masonry veneer. The building is located within Lot 45 I.T. and Lot 75 I.T., Section 13, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

The Industrial Arts Building has been out of use since 2004 and has been described as needing extensive roof repairs since at least 1999. It also has been considered for rehabilitation by several studies. The LB 435 conclusions as reported in December of 2007 summarized 4 separate studies conducted since 2000 that included an evaluation of this structure among others at State Fair Park. They all conclude the building is in need of repair and that renovation, while possible, is optional or expensive.

The LB 435 study followed with its own study to examine the choice “between competing alternatives for utilization of a state asset.” State funding support for the State Fair Board had been entirely eliminated due to budget reductions in FY 86-87, and in a 30 year period from 1974 to 2005 the state had spent only \$708,467 on “capital construction” – and most of that was for underground sewer renovations and re-paving. The FY 93-94 capital appropriations also included \$50,000 for an “Industrial Arts Programming Statement.” In 1995, a management agreement was concluded in part to enable this and other buildings at the site to qualify for state building maintenance funds. As part of this 1995 agreement, the State Fair Board was to develop in the following year (1996) “a comprehensive facilities and business plan.” Instead, the Board submitted capital construction requests to the Building Renewal and Allocation Fund in 1995, 1997 and 1999 and to the state’s general fund in 1997 and

1999. These appropriation requests contained project descriptions related to renovating the Industrial Arts Building such as this one in 1999 proposing a \$16 million renovation -- "\$2,677,000 SFB -- Industrial Arts renovation. This request would fund Phase I of the Industrial Arts renovation at State Fair Park. The facility would be re-roofed and prepared for a future mechanical ventilation system and a translucent roof panel. The building would be used for the Nebraska Agricultural Museum. The completion of this project would also rely on the receipt of \$13.2 million dollars in private donations." None of these state efforts to renovate were funded either publicly or privately.

The LB 435 2007 HOK/ERA Engineering study lists upgrading the Industrial Arts Building at a cost of \$6.1 Million as "optional."

A previous architectural resources survey conducted from 1998 – 2001 in connection with the Antelope Valley project also evaluated this building. The result was a Section 106 finding that the Industrial Arts Building was “not potentially eligible” for listing on the National Register of Historic Places (NHRP):

"While this structure meets minimum age requirements for consideration for nomination to the NRHP the integrity of this property is marginal as it appears that the roof replacement removed a major portion of the original structure."

The Nebraska State Historic Preservation Officer concurred with this finding in June of 1998 and also signed the section 106 Memorandum of Agreement submitted pursuant to 36 CFR 800 on June 5, 2001, which concluded the 106 process and was consistent with the earlier concurrence.

Planning for Innovation Campus is ongoing and retention of Industrial Arts would require significant changes to the Master Plan as well as impact current planning for infrastructure. The building in its current condition also represents challenges as to security and liability with their associated costs. Serious questions remain whether the Industrial Arts Building can be adaptively reused to fit the intended purpose of Innovation Campus and the University does not have the financial resources to do so. Further, the structure's location makes the decision on retention central to the timely development of Phase 1 of the Campus.

However, the University will issue a national RFP for any developer willing to adapt the Industrial Arts Building for appropriate reuse consistent with Innovation Campus Master Plan and demonstrating the financial capacity to carry out the renovation within a reasonable time.

Such a proposal must include, but not be limited to, proposed building use(s) consistent with Innovation Campus, a site plan, a proposed design, preliminary schematic designs, a pro-forma financial statement, and a project schedule. In addition, all renovation proposals must be in compliance with the Innovation Campus Design Guidelines and must

provide evidence of financing sufficient to complete the restoration in a timely manner. The University will cooperate with potential proposers in assuring access to the building and will work with potential proposers who substantially comply with the terms of any RFP to provide maximum opportunities for a successful renovation of Industrial Arts.

In the event that no such viable and appropriate proposal is timely received, the University will be authorized to pursue the process of lawfully disposing of or removing this structure in order to facilitate the development of Innovation Campus consistent with applicable regulatory requirements. The University plans to dispose of this structure by the most beneficial means possible including, but not limited to, a sealed bid RFP for removal of the structure. Actual disposal would not commence until at least July 1, 2010, in order to provide any interested third party an opportunity to make a proposal for adaptive reuse. The University reserves the right to extend the deadline on receipt of the completed response to the RFP if a proposer provides assurance before June 15, 2010 that it is preparing a proposal that would be consistent with the terms of this RFP, that it requires more time to complete the proposal, that it will exercise reasonable diligence to complete the proposal, and that the proposed time frame for completion the proposal will not unreasonably delay other activities on the property."

PROJECT COST:	N/A	
ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance 1% Assessment	None N/A
SOURCE OF FUNDS:	N/A	
SPONSOR:	Christine A. Jackson Vice Chancellor for Business and Finance	
RECOMMENDED:	Harvey Perlman, Chancellor University of Nebraska-Lincoln	
DATE:	March 4, 2010	

TO: The Board of Regents Addendum IX-B-7

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: HVAC, Energy Management System and associated equipment improvements on all levels of University Hospital Units 1 through 4 and Durham Outpatient Center on the campus of the University of Nebraska Medical Center

RECOMMENDED ACTION: Approve the installation of new HVAC, Energy Management System and associated equipment improvements in University Hospital Units 1 through 4 and Durham Outpatient Center on the UNMC Campus.

PREVIOUS ACTION: October 23, 2009 - The Board of Regents approved an interlocal cooperative agreement with the Omaha Public Power District (OPPD) for the implementation of energy related products and service on the UNMC Campus.

EXPLANATION: Air handling equipment serving University Hospital Units 1 through 4 was installed more than 40 years ago. The HVAC building control systems along with its associated equipment (pump motors, fan motors, steam and chill water valves and cooling coils) are in need of replacement or repair.

The air handling system and building automation system for Durham Outpatient Center were installed with the construction of the facility in 1993. The building experiences significant building air control problems in both the summer and winter.

New building automation technologies are available in order to resolve these issues and significantly reduce energy consumption.

The proposed energy upgrades for these buildings will be implemented using the interlocal cooperative agreement with OPPD. Energy simulation, completed by OPPD in July, 2009, projects more than \$400,000 in annual energy savings starting in July, 2011. A portion of the funding for this project is the direct result of grant funding from the 2009 ARRA Recovery Act through the Nebraska State Energy Office. All buildings will be individually metered, measured and savings validated using methods approved by the Department of Energy and the Nebraska State Energy Office.

The proposed upgrades will provide a more suitable ambient environment for the building occupants with improved control of humidity and temperature conditions. The project will also result in reduced operations and maintenance for the buildings. Project savings will be used to fund UNMC's portion of the project with ongoing savings used to offset increasing electric utility rates.

The project was reviewed and approved by the Business Affairs Committee.

PROJECT COST: \$4,750,000

SOURCE OF FUNDS:	University Building Renewal Funds – UBRAFF	\$1,075,000
	State Energy Office (ARRA Funds)	860,000
	Nebraska Medical Center contribution	2,000,000
	UNMC Energy Savings - cash funds	<u>815,000</u>
	Total	<u>\$4,750,000</u>

SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business & Finance

RECOMMENDED: Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: March 5, 2010

TO: The Board of Regents
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Approve two change orders to the contract 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 (UNMC).

RECOMMENDED ACTION: Approve two construction contract change orders to the Harold M. and Beverly Maurer Center for Public Health building on the UNMC campus.

PREVIOUS ACTION: April 24, 2009 - The Board of Regents received the Design Development Report for the construction of the Harold M. and Beverly Maurer Center for Public Health building on the UNMC campus in Omaha.

September 5, 2008 – The Board of Regents approved a waiver of the requirements of Regents Policy 6.2.7 on the naming of facilities and named the College of Public Health building at UNMC the “Harold M. and Beverly Maurer Center for Public Health”.

March 7, 2008 – The Board of Regents approved the program statement, budget, and selection of Alley Poyner & Macchietto Architecture, P.C. to provide architectural design services for the construction of a new College of Public Health building.

EXPLANATION: The Harold M. and Beverly Maurer Center for Public Health building, as currently under construction, will provide a three-level facility enclosing about 58,000 gross square feet to be located just east of 40th Street and north of the Student Life Center on the UNMC campus. The building will provide space to accommodate administration, faculty and staff, and provide essential space for the educational, outreach and funded research programs in the disciplines associated with the College of Public Health.

Bids received for construction of the building were very favorable. As a result, UNMC has proposed two change orders which can be accommodated within the current project budget.

The first change order allows the general contractors contract to be amended to allow enlarging the building by approximately 4,600 gross square feet to accommodate the addition of an 80 seat auditorium. The auditorium will change the character of the building from a facility limited to instructional and administrative purposes into a suitable venue better positioned to engage public health professionals from across the State. Currently, the largest classrooms in the building will accommodate 40 people.

The auditorium will serve as a place for meetings between College of Public Health faculty and students and the community at large, but more specifically, public health professionals that the college aims to partner with on an ongoing basis and especially at times of the emergence of important

public health concerns. Additionally, the college is projecting significant growth in student enrollment due to new academic program offerings under development and increased and expanded recruitment efforts.

A second change order deals with design and capacity of restrooms. Restrooms to serve the administration and faculty office wing were sized according to the Business Occupancy section of the International Building Code. A post-bid plan review determined that the application of the Education section of the code would provide more appropriately sized restrooms for the projected building usage. Accordingly, plans to increase the capacity of six restrooms, two on each of the three levels in the facility office wing of the building, have been developed.

University contract approval policies require Board approval of change orders above stated parameters. This item, if approved, will allow the following change orders to be negotiated and the contract with the general contractor to be modified accordingly (amounts not to exceed the following):

- \$1,028,000 (\$225/SF) for auditorium space.
- \$225,000 to revise the restroom capacities.

It should be noted that under Policies of the Board of Regents 6.3.6.3, the President must approve changes in construction project scope exceeding certain parameters. The President has approved the scope changes which allow the change orders above and is hereby reporting the same to the Board.

Start of construction:	July 2009
Current substantial completion date:	September 2010
Projected completion of auditorium space:	December 2010

PROJECT COST: \$16,500,000

SOURCE OF FUNDS: Private Donations

ON-GOING FISCAL IMPACT:	Operating and Maintenance (FY 2009/2010) (Includes incremental O&M of \$118,993)	\$ 745,845
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1% Assessment	\$ 165,000
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SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business & Finance

RECOMMENDED: Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: February 8, 2010

TO: The Board of Regents
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Architect selection for the Stanley M. Truhlsen Eye Institute at the University of Nebraska Medical Center

RECOMMENDED ACTION: Approve the selection of Alley Poyner Macchietto Architecture to provide architectural design services for the Stanley M. Truhlsen Eye Institute at the University of Nebraska Medical Center (UNMC).

PREVIOUS ACTION: October 23, 2009 -- The Board of Regents approved the program statement and the preliminary budget for the Eye Institute at UNMC and approved naming the Institute building the "Stanley M. Truhlsen Eye Institute."

EXPLANATION: A Project Evaluation Board consisting of the Assistant Vice President for Business and Finance/Director of Facilities Management and Planning, representative from the UNMC Department of Ophthalmology and Visual Sciences, one representative from UNMC Facilities Management and Planning, and two external members has selected Alley Poyner Macchietto Architecture to provide architectural design services for the Eye Institute. This firm was selected from a field of seven firms submitting proposals for the project. A contract for design services will be negotiated within the amount shown in the approved project budget.

Proposed start of construction:	May 2011
Proposed completion of construction:	December 2012

PROJECT COST: \$20,000,000

ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance	\$541,990
	1% Assessment	\$200,000

SOURCE OF FUNDS: Private Donations

SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business and Finance

RECOMMENDED: Harold M. Maurer, Chancellor
University of Nebraska Medical Center

DATE: February 8, 2010

TO: The Board of Regents Addendum IX-B-10

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Capital Improvements for the University of Nebraska at Omaha Milo Bail Student Center

RECOMMENDED ACTION: Approve the attached Resolution authorizing the expenditure of \$492,000 from the Sixth Series Replacement Fund to make Student Center improvements.

PREVIOUS ACTION: During the last five years the Board of Regents approved similar requests as follows:

<u>Prior approvals</u>	<u>Amount</u>
April 2009	\$350,000
March 2009	526,000
March 2008	625,471
April 2006	900,000

EXPLANATION: Section 6.2 of the Bond Resolution (May 1, 1984) requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extensions and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted. The projects described on the accompanying pages will keep the facility in good repair and provide better service to the users of the Milo Bail Student Center which includes faculty, staff, students and visitors to the campus.

PROJECT COST: \$492,000

ON-GOING FISCAL IMPACT: N/A

SOURCE OF FUNDS: Student Center Bond Surplus and Replacement Funds

SPONSOR: William E. Conley
Vice Chancellor for Business & Finance

RECOMMENDED: John E. Christensen, Chancellor
University of Nebraska at Omaha

DATE: February 8, 2010

RESOLUTION

BE IT RESOLVED by the Board of Regents of the University of Nebraska (the "Board") as follows:

1. The Board hereby finds and determines:
 - (a) Pursuant to its General Bond Resolution dated May 1, 1984, authorizing the issuance of Revenue Bonds by the Board (the "Resolution"), the Board has heretofore issued revenue bonds payable from the revenues and fees derived from the ownership and operation of (i) the Milo Bail Student Center, (ii) the student residence facilities known as Scott Village, (iii) the student residence facilities known as Maverick Village and (iv) student parking facilities located on the campus of the University of Nebraska at Omaha under and pursuant to the Sixth Series Resolution dated November 1, 1993 (the "Sixth Series Resolution") which created the Sixth Series Surplus and Replacement Funds in accordance with Section 3.1 of the Resolution.
 - (b) Section 6.2 of the Resolution requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extensions and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted.
 - (c) The "Sixth Series Facilities" includes the Milo Bail Student Center. Such facility requires certain renewals, replacements, betterments and equipment to maintain the Sixth Series Revenues and Fees. In order to accomplish such renewals, replacements, betterments and acquisitions of equipment, the sum of \$492,000 should be expended from the Sixth Series Replacement Fund as indicated on the attached schedule.
2. Surplus and Replacement Funds. There are currently moneys or investments in the Sixth Series Surplus Fund, including accruals, in excess of \$492,000.
3. Authorization. The Board hereby authorizes the transfer of up to \$492,000 from the Sixth Series Surplus Fund to the Sixth Series Replacement Fund and the expenditure of up to \$492,000 from the Sixth Series Replacement Fund established pursuant to the Resolution for the projects herein identified. William E. Conley, Vice Chancellor for Business and Finance or Joseph L. Huebner, Director of Finance/Controller of the University of Nebraska at Omaha are hereby designated as the University representatives who may certify to the Trustee the specific payments to be made from the Sixth Series Replacement Fund.

MILO BAIL STUDENT CENTER PROJECTS

<u>Project</u>	<u>Funding Required</u>	<u>Description</u>
South & Fireplace Lounge Renovation	\$392,000	These first floor lounges which are used almost exclusively by students for studying and engaging with other students will be updated and reconfigured to increase usable space. Finishes in the atrium area are included in the project.
Furniture & Furnishings First Floor Public Areas	<u>100,000</u>	Replace existing upholstered furniture and furnishings.
TOTAL	<u>\$492,000</u>	

TO: The Board of Regents
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Revenue Bonds (UNO Student Housing Project), Series 2010B for student residence facilities and amendment of the ground lease/purchase agreement with the Suzanne and Walter Scott Foundation.

RECOMMENDED ACTION: Approve the attached Resolution (1) adopting the Seventh Supplemental Resolution to the Sixth Series Resolution authorizing the issuance of not to exceed \$18,000,000 aggregate principal amount of Revenue Bonds (UNO Student Housing Project), Series 2010B, for the Student Housing, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, Series 2010B, approving a Bond Purchase Agreement, a Continuing Disclosure Certificate, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.00%), principal amounts and principal maturities and redemption provisions of such Revenue Bonds, Series 2010B, and (4) approving the preparation and use of a final Official Statement. In addition, approve the execution of an amendment to the ground lease/purchase agreement to facilitate ownership transfer at such date as would be mutually beneficial to the parties to the ground lease/purchase agreement.

PREVIOUS ACTION: January 22, 2010 – The Board of Regents approved a ground lease/purchase agreement with the Suzanne and Walter Scott Foundation (Scott Foundation) to provide 480 beds of student housing and related parking on the UNO campus.

EXPLANATION: The January ground lease/purchase agreement with the Suzanne and Walter Scott Foundation (Scott Foundation) contained certain stipulations including that the University would purchase and take possession of the Project at the later of August 1, 2011 or completion of the construction, which completion is currently scheduled to be on or before that date. The ground lease/purchase agreement also stated that a discount, in the form of a donation, would be provided by the Scott Foundation such that the University could achieve 1.4 times coverage on the Project on a stand-alone basis.

With interest rates at historic lows, it is in the mutual interest of both parties for the University to have the flexibility to issue the debt as soon as practicable. Interest rate sensitivity analyses show a one percent increase in interest rates represents a \$3 million dollar increase in the total payments by the University over the course of the financing.

The Series 2010B Bonds will have a 30-year maturity. The financing assumes an average interest rate of 5.00% and would result in average annual debt service payments of approximately (principal and interest) of

\$1,115,000. Projected net revenues available for debt service payments (projected revenues over projected operating expenses) give an annual debt service coverage ratio of 1.40, which is recommended for issues of this kind. It should be noted that the 1.40 coverage is stipulated in the ground lease/purchase agreement, and per projections is only achieved by the Scott Foundation foregoing their share of net operating revenues, in the form of development fees established in the ground lease, for a number of years after the opening of the facility. In addition to the pledge of the net revenues generated by this Project, it will be part of the Obligated Group under the Master Trust Indenture, which covenants pledged revenues as defined in the Master Indenture.

The creation of revenue bond facilities requires approval of the Project by the Coordinating Commission for Post Secondary Education. Likewise, the issuance of revenue bonds requires the approval of the Legislature or, if the body is not in session, the Executive Committee of the Legislature. University officials are working with both bodies to facilitate the necessary approvals.

Approval of the financing now allows maximum flexibility in marketing the bonds. The issue is anticipated to go to market as early as May of 2010, with this issue date being used in the assumptions herein.

This item, if approved, would also allow the President to execute such documents as may be necessary to facilitate the issuance of the bonds on the earlier date. Such approvals and amendments to documents, including the ground lease/purchase agreement, will be reported to the Board at its next meeting after such amendments are executed.

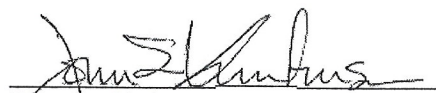
PROJECT COST:	Estimated Project Cost	\$23,500,000
	Discount/Donation by Scott Foundation**	<u>(7,830,000)</u>
	Proceeds from Bond Issue, net	15,670,000
	Deposit to Debt Service Reserve	1,117,000
	Deposit to Capitalized Interest Fund	890,000
	Cushion for OID/OIP	65,000
	Costs of Issuance, Rounding	<u>258,000</u>
	Estimated Par Amount of Issue	<u>\$18,000,000</u>

** – Actual discount will be fixed based on proceeds realized from the bond issue.

SPONSORS: William E. Conley
Vice Chancellor for Business & Finance

David E. Lechner
Vice President for Business & Finance

RECOMMENDED:


John E. Christensen, Chancellor
University of Nebraska at Omaha

DATE: February 8, 2010

RESOLUTION

I.

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the “**Board**”) that the Resolution entitled “Seventh Supplemental Resolution to Sixth Series Resolution Authorizing the Issuance and Sale of Not to Exceed Eighteen Million Dollars (\$18,000,000) Revenue Bonds, Series 2010B (University of Nebraska at Omaha Student Housing Project) of The Board of Regents of the University of Nebraska” (the “**Supplemental Resolution**”) in substantially the form attached hereto as **Exhibit A** and made a part hereof by reference is hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

II.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Supplemental Master Indenture numbered and dated the date determined by the Vice President for Business and Finance on behalf of the Board (the “**Supplemental Indenture**”) between the Board and Wells Fargo Bank, National Association, as successor to National Bank of Commerce Trust and Savings Association, Master Trustee (the “**Master Trustee**”), in substantially the form attached hereto as **Exhibit B**, supplementing the Master Trust Indenture dated as of June 1, 1995 (the “**Master Trust Indenture**”) between the Board and the Master Trustee, which Supplemental Indenture authorizes the execution and delivery of an Obligated Group Direct Obligation Master Note (University of Nebraska at Omaha Student Housing Project) bearing such series designation and dated the date determined by the Vice President for Business and Finance on behalf of the Board (the “**Master Note**”) in the principal amount of not to exceed Eighteen Million Dollars (\$18,000,000) and (b) the Master Note in the form attached to the Supplemental Indenture, are hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

III.

BE IT FURTHER RESOLVED BY THE BOARD that the sale of not to exceed Eighteen Million Dollars (\$18,000,000) Revenue Bonds, Series 2010B (University of Nebraska at Omaha Student Housing Project) of The Board of Regents of the University of Nebraska (the “**UNO Student Housing Bonds**”) authorized by the Supplemental Resolution shall be sold by negotiated sale at an average interest rate not to exceed 5.00% to Ameritas Investment Corp. pursuant to a Bond Purchase Agreement dated the date determined by the Vice President for Business and Finance on behalf of the Board in substantially the form attached hereto as **Exhibit C** which Bond Purchase Agreement is hereby adopted, ratified, affirmed and approved, together with such changes or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska. The Vice President for Business and Finance, on behalf of the Board, is hereby authorized and directed to approve the principal amount of UNO Student Housing Bonds to be issued and the principal maturities, interest rates and redemption provisions thereof and to take all necessary actions and execute all necessary documents to effect the sale of the UNO Student Housing Bonds.

IV.

BE IT FURTHER RESOLVED BY THE BOARD that the Preliminary Official Statement of the Board with respect to the UNO Student Housing Bonds, dated the date determined by the Vice President for Business and Finance on behalf of the Board, in substantially the form attached hereto as **Exhibit D** together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska, and the final Official Statement to be dated the date of the sale of the UNO Student Housing Bonds, which final Official Statement shall include the terms of the UNO Student Housing Bonds, are hereby approved and authorized for delivery to the purchaser of the UNO Student Housing Bonds.

V.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Continuing Disclosure Certificate dated the date determined by the Vice President for Business and Finance on behalf of the Board to satisfy the requirements of Rule 15c2-12 of the Securities and Exchange Commission with respect to the UNO Student Housing Bonds in substantially the form attached hereto as **Exhibit E**, and (b) the Tax Compliance Agreement dated the date determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Sixth Series Trustee to satisfy the requirements of Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder with respect to the UNO Student Housing Bonds in substantially the form attached hereto as **Exhibit F**, are each hereby approved adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

VI.

BE IT FURTHER RESOLVED BY THE BOARD that the members and officers of this Board and the officials of the University of Nebraska, or any of them, be, and they hereby are, and each of them hereby is, authorized and directed to take any and all action including the execution of all papers, certificates, receipts and documents they or any of them may deem necessary or desirable to effectuate, in accordance with the terms of the Supplemental Resolution pertaining thereto adopted at this meeting, the delivery and payment for the UNO Student Housing Bonds, and the execution and delivery of the Supplemental Indenture and the Master Note.

VII.

BE IT FURTHER RESOLVED BY THE BOARD that all actions heretofore taken for or on behalf of, or in the name of the Board, by any of the members or officers thereof or by any officers of the University of Nebraska with respect to the authorization or offering for sale of UNO Student Housing Bonds are hereby validated, ratified and confirmed.

C. FOR INFORMATION ONLY

1. University of Nebraska Strategic Planning Framework Addendum IX-C-1
2. University of Nebraska Strategic Framework Accountability Measures Addendum IX-C-2
3. Calendar of establishing and reporting accountability measures Addendum IX-C-3
4. University of Nebraska Strategic Dashboard Indicators Addendum IX-C-4
5. Board of Regents agenda items related to the University of Nebraska Strategic Framework Addendum IX-C-5

TO: The Board of Regents
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska Strategic Framework

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic Framework document.

RECOMMENDED: James B. Milliken, President
University of Nebraska

DATE: February 8, 2010

INVESTING IN NEBRASKA'S FUTURE

Strategic Planning Framework

2010-2013

The University of Nebraska is a four-campus, public university which was created and exists today to serve Nebraskans through quality teaching, research, and outreach and engagement. We strive to be the best public university in the country as measured by the impact we have on our people and our state, and through them, the world. To do that, we must compete effectively with other institutions around the world for talented students and faculty. The future of Nebraska is closely tied to that of its only public university, and this framework guides university-wide and campus planning to help build and sustain a Nebraska that offers its citizens educational and economic opportunity and a high quality of life.

The framework consists of six overarching goals emphasizing access and affordability, quality academic programs, workforce and economic development, research growth, engagement with the state, and accountability. Each goal has a number of related objectives, strategies and accountability measures developed for Board and university-wide monitoring over a multi-year period. Companion documents include an implementation tool with metrics and the schedule for monitoring by the Board, as well as a dashboard reflecting progress.

The university's efforts will not be limited to these priorities, as we expect to be able to measure progress in other areas given the interrelatedness of the objectives, other priorities of the Board and the President, and the ongoing strategic planning efforts of the four campuses. Campus plans are consistent with this framework and operate within its broader goals. Each campus has established a set of quality indicators that provide a means to evaluate achievement and momentum related to its principal objectives.

1. The University of Nebraska will provide the opportunity for Nebraskans to enjoy a better life through access to high quality, affordable undergraduate, graduate and professional education.
 - a. The university will strive to increase affordability and ensure qualified students are not denied access based on economic circumstances.
 - i. *Secure state funding sufficient to support access to high quality programs.*
 - ii. *Keep tuition increases moderate and predictable for students and families, consistent with goals of both access and quality.*
 - iii. *Expand need-based financial aid and effectively market opportunity and major aid programs (e.g. Collegebound Nebraska, Buffett Scholars, Thompson Learning Communities).*
 - b. Increase the percentage of Nebraska high school graduates (the state “college-going rate”) who enroll at and graduate from the university.
 - i. *Increase enrollment, consistent with quality imperatives, to serve Nebraska’s goals for increased educational attainment.*
 - ii. *Increase each campus’s undergraduate freshman-to-sophomore retention rate each year, with a goal of exceeding the average of its peer institutions.*
 - iii. *Increase each campus’s undergraduate six-year graduation rate, with a goal of exceeding the average of its peer institutions.*
 - c. Increase the diversity of those who enroll at and graduate from the university, employing measures permitted by state and federal law.
 - i. *Engage in partnerships with other higher education institutions, K-12, and the private sector to increase diversity of students who seek a post-secondary education, employing measures permitted by state and federal law.*
 - d. Expand lifelong educational opportunities, including those for non-traditional and transfer students.
 - e. Promote adequate student preparation for success in higher education.
 - i. *Engage in pilot programs with Nebraska high schools for development of high school academies in partnership with the university.*
 - ii. *Provide timely and usable information to middle school students, parents, teachers and school administrators.*

- f. Promote ease of transfer to the university from other higher education institutions.
 - i. *Improve programs for transfer from community colleges, state colleges and other higher education institutions.*
 - g. Expand distance education programs, taking advantage of university-wide marketing and efficiencies and campus role and mission, strengths and entrepreneurship.
2. The University of Nebraska will build and sustain undergraduate, graduate and professional programs of high quality with an emphasis on excellent teaching.
- a. Recruit and retain exceptional faculty and staff, with special emphasis on building and sustaining diversity.
 - i. *To help ensure competitiveness, faculty salaries and incentives (awarded on the basis of merit) and fringe benefits should exceed the average of peer institutions.*
 - ii. *Develop and maintain programs to enhance work/life conditions of faculty and staff, including overall campus climate.*
 - iii. *Each campus shall endeavor to meet the university's ongoing commitments to faculty diversity, employing measures permitted by state and federal law.*
 - iv. *Increase support for professorships and named/distinguished chairs.*
 - b. Pursue excellence through focus on targeted programs in areas of importance to Nebraska where the university can be a regional, national and/or international leader (e.g. agriculture and natural resources, life sciences, information technology and architectural engineering).
 - i. *Programs of Excellence funding shall be increased when practicable and results of allocations shall be periodically reviewed for impact.*
 - ii. *Resource allocation shall take advantage of distinct campus roles and missions to achieve overall university goals.*
 - iii. *Campuses are encouraged to collaborate to achieve overall university goals.*
 - c. Provide opportunities for global engagement of faculty through international teaching, research and outreach exchanges, fellowships and collaborations.
 - i. *Increase faculty participation in Fulbright and related programs.*

3. The University of Nebraska will play a critical role in building a talented, competitive workforce and knowledge-based economy in Nebraska in partnership with the state, private sector and other educational institutions.
 - a. Work to stem and reverse the out-migration of graduates and knowledge workers.
 - b. Increase proportion of the most talented Nebraska high school students who attend the University of Nebraska.
 - i. *Increase enrollment of Nebraska students ranked in top 25% of their high school class.*
 - ii. *Increase support for merit-based scholarships.*
 - c. To attract talent to the state, increase the number of nonresident students who enroll at the university.
 - i. *Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*
 - d. To adequately prepare students for the global economy, significantly increase opportunities for international study and engagement.
 - i. *Significantly increase the number of undergraduates studying abroad, with the goal of ultimately providing the opportunity for every undergraduate to study abroad.*
 - ii. *Significantly increase the number of international undergraduates and graduates studying at the university.*
 - e. Encourage and facilitate the commercialization of research and technology to benefit Nebraska.
 - f. Develop and strengthen internship and service learning opportunities with business, education, government, military, and nonprofit organizations.
 - g. Engage in partnerships with government and the private sector to develop regional economic strength.
 - h. Pursue excellence in educational attainment aligned with the long-term interests of the state.
 - i. *Determine key areas of future workforce demand and strengthen or develop curricula and programs appropriate to a university in alignment with those areas.*
 - ii. *Develop educational programs that prepare students for the flexibility required to respond to the uncertainty of future workforce demands.*

iii. Develop distance education and other educational programs that permit Nebraskans to prepare for jobs and opportunities to meet future workforce demands.

4. The University of Nebraska will pursue excellence and regional, national and international competitiveness in research and scholarly activity, as well as their application, focusing on areas of strategic importance and opportunity.

a. Increase external support for research and scholarly activity.

i. Increase federal support for instruction, research and development, and public service.

ii. Inventory and forecast infrastructure (physical facilities, information technology, equipment) necessary to support continued growth in research activity and secure private and public support to eliminate deficiencies.

b. Increase undergraduate and graduate student participation in research and its application.

c. Encourage and support interdisciplinary, intercampus, inter-institutional and international collaboration.

d. Improve the quantity and quality of research space through public and private support.

e. Focus resources on areas of strength in research where the university has the opportunity for regional, national and international leadership and in areas of strategic importance to the health and economic strength of Nebraska (e.g. agriculture and life sciences; natural resources, especially water; prevention and cure of diseases such as cancer; and early childhood education).

i. Invest resources through the Nebraska Research Initiative, Programs of Excellence and other sources to build capacity and excellence in research.

5. The University of Nebraska will serve the entire state through strategic and effective engagement and coordination with citizens, businesses, agriculture, other educational institutions, and rural and urban communities and regions.

a. Support economic growth, health and quality of life through policy initiatives consistent with university mission.

b. Recognize and reward faculty innovation and effectiveness in outreach and engagement.

- c. Support Nebraska's economic development.
 - i. Partner and collaborate with government and the private sector to attract, retain, and spur business development and economic opportunity.*
 - ii. Use university research and other resources to foster more effective relationships with the private sector.*
- d. Support entrepreneurship education, training and outreach.
- e. Collaborate with the public and private sectors to build successful regional, multistate, international linkages.
- f. Use university resources to engage Nebraskans outside cities where our major campuses are located.
 - i. Effectively use the Nebraska Rural Initiative and other university-wide and campus programs to develop excellence in supporting community development while creating quality economic opportunities throughout rural Nebraska.*
 - ii. Effectively use regional research and extension operations and statewide extension for engagement with the university.*

6. The University of Nebraska will be cost effective and accountable to the citizens of the state.

- a. Support the development of a sustainable university environment.
 - i. Build a comprehensive long-range capital facilities planning process and provide a six-year capital construction plan, updated quarterly.*
 - ii. Implement the second phase of LB 605 to repair, renovate and/or replace specific university facilities.*
 - iii. Campuses shall pursue energy efficiency.*
 - iv. Campuses shall promote through policies and scheduling effective utilization of university facilities.*
- b. Maintain a safe environment for students, faculty, staff and visitors.
 - i. Develop and regularly monitor fire safety plans and procedures.*
 - ii. Collaborate with state and local government in disaster planning.*
 - iii. Develop and test campus plans for emergencies and disasters.*

- c. Allocate resources in an efficient and effective manner.
 - i. Use best practices in procurement and construction and other business engagement.*
 - ii. Leverage roles and missions of campuses to find savings and cost reductions through academic, administrative and business process efficiencies and effectiveness.*
 - iii. Develop and report on matrix of business health indicators, including university debt.*
- d. Maximize and leverage non-state support.
 - i. Promote entrepreneurship and revenue-generating opportunities.*
 - ii. Collaborate with the University of Nebraska Foundation to secure private support for university priorities.*
- e. Create and report performance and accountability measures.
- f. Maximize potential of information technology to support the university's activities.
- g. Provide accurate and transparent information to the public about college costs and student learning and success outcomes.
 - i. Participate in the Voluntary System of Accountability.*
 - ii. Participate in the National Survey of Student Engagement.*
 - iii. Monitor student achievements on licensing and professional examinations.*
 - iv. Participate and measure effectiveness of national pilot projects on learning assessment with the goal of adopting university measurements.*
- h. Implement awareness and education programs to assist all students in management of personal financial matters.

TO: The Board of Regents
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska Strategic Framework Accountability Measures

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic accountability measures.

RECOMMENDED: James B. Milliken, President
University of Nebraska

DATE: February 8, 2010

INVESTING IN NEBRASKA’S FUTURE

Strategic Planning Framework

2010-2013

Accountability Measures

1. State Funding (1-a-i)

Secure state funding sufficient to support access to high quality programs.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2010-11	Attain sufficient state funding that will allow moderate and predictable tuition increases to fund biennial operating budget needs.	June 2010	Business
FY 2011-12	TBD (June 2010)	June 2011	Business
FY 2012-13	TBD (June 2010)	June 2012	Business

2. Tuition (1-a-ii)

Keep tuition increases moderate and predictable for students and families, consistent with goals of both access and quality.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2010-11	Attain sufficient state funding that will allow moderate and predictable tuition increases to fund biennial operating budget needs.	June 2010	Business
FY 2011-12	TBD (June 2010)	June 2011	Business
FY 2012-13	TBD (June 2010)	June 2012	Business

3. Need-based Financial Aid (1-a-iii)

Expand need-based financial aid and effectively market opportunity and major aid programs (e.g. Collegebound Nebraska, Buffett Scholars, Thompson Learning Communities).

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2009-10	1) Report on the implementation, including results, of the plan to expand the Tuition Assistance Program. 2) Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2010	Academic
FY 2010-11	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2011	Academic
FY 2011-12	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2012	Academic

4. Enrollment (1-b-i)

Increase enrollment, consistent with quality imperatives, to serve Nebraska's goals for increased educational attainment.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Oct. 2010	Academic
Fall 2011	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Nov. 2011	Academic
Fall 2012	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Nov. 2012	Academic

5. Graduation Rates (1-b-iii)

Increase each campus's undergraduate six-year graduation rate, with a goal of exceeding the average of its peer institutions.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
2008-09 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2011	Academic
2009-10 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2012	Academic
2010-11 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2013	Academic

6. Faculty Merit Compensation (2-a-i)

To help ensure competitiveness, faculty salaries and incentives (awarded on the basis of merit) and fringe benefits should exceed the average of peer institutions.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2008-09	<ol style="list-style-type: none"> 1) All salary increases should be awarded, to the extent possible, on the basis of merit. 2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers. 3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance. 	April 2010	Business
FY 2009-10	<ol style="list-style-type: none"> 1) All salary increases should be awarded, to the extent possible, on the basis of merit. 2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers. 3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance. 	April 2011	Business
FY 2010-11	<ol style="list-style-type: none"> 1) All salary increases should be awarded, to the extent possible, on the basis of merit. 2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers. 3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance. 	April 2012	Business

7. Faculty Diversity (2-a-iii)

Each campus shall endeavor to meet the university's ongoing commitments to faculty diversity, employing measures permitted by state and federal law.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2009	<ol style="list-style-type: none"> 1) Increase faculty diversity, employing measures permitted by state and federal law. 2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers. 	Sept. 2010	Academic
Fall 2010	<ol style="list-style-type: none"> 1) Increase faculty diversity, employing measures permitted by state and federal law. 2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers. 	Sept. 2011	Academic
Fall 2011	<ol style="list-style-type: none"> 1) Increase faculty diversity, employing measures permitted by state and federal law. 2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers. 	Sept. 2012	Academic

8. Nebraska Top 25% (3-b-i)*Increase enrollment of Nebraska students ranked in top 25% of their high school class.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Increase enrollment of first-time freshmen ranked in the top quartile of their high school graduating class to 50.0%.	Oct. 2010	Academic
Fall 2011	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater.	Nov. 2011	Academic
Fall 2012	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater.	Nov. 2012	Academic

9. Merit-based Scholarships (3-b-ii)*Increase support for merit-based scholarships.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2009-10	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2010	Academic
FY 2010-11	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2011	Academic
FY 2011-12	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2012	Academic

10. Nonresident Student Enrollment (3-c-i)*Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Increase the number of new nonresident undergraduate students by 1.5% percent annually.	Oct. 2010	Academic
Fall 2011	Increase the number of new nonresident undergraduate students by 1.5% percent annually.	Nov. 2011	Academic
Fall 2012	Increase the number of new nonresident undergraduate students by 1.5% percent annually.	Nov. 2012	Academic

11. Workforce Development (3-h-iii)

Develop distance education and other educational programs that permit Nebraskans to prepare for jobs and opportunities to meet future workforce demands.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2009	1) Align university programs to address workforce needs. 2) Provide distance education programs consonant with the university's curriculum to prepare Nebraskans for quality jobs and self-employment opportunities.	March 2010	Outreach
Fall 2010	Index and analyze faculty research that may contribute to new workforce opportunities.	March 2011	Outreach
Fall 2011	1) Continue aligning academic programs to address workforce needs. 2) Update research on major categories of workforce development needs for future program alignment.	March 2012	Outreach

12. Research (4-a-i)

Increase federal support for instruction, research and development, and public service.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2008-09	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2010	Academic
FY 2009-10	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2011	Academic
FY 2010-11	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2012	Academic

13. Entrepreneurship (5-d)*Support entrepreneurship education, training and outreach.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Spring 2010	1) Increase training hours invested by program participants by 5% over FY 2007-08 total of 79,538. 2) Increase number of clients assisted by 5% over FY 2007-08 total of 13,677. 3) Increase SBIR/STTR applications by 10% over FY 2007-08 total of 55. 4) Increase SBIR/STTR award amounts by 5% over FY 2007-08 total of \$1,990,023. 5) Increase investment in NU assisted companies by 5% over FY 2007-08 total of \$35,656,000. 6) Increase NU assisted business start-ups and transitions by 5% over FY 2007-08 total of 387.	April 2010	Outreach
Spring 2011	Evaluate and modify annual targets as appropriate.	April 2011	Outreach
Spring 2012	Evaluate and modify annual targets as appropriate.	April 2012	Outreach

14. LB 605 (6-a-ii)*Implement the second phase of LB 605 to repair, renovate and/or replace specific university facilities.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Renovation projects proceeding on budget and on time.	Dec. 2010	Business
Fall 2011	Renovation projects proceeding on budget and on time.	Nov. 2011	Business
Fall 2012	Renovation projects proceeding on budget and on time.	Nov. 2012	Business

15. Business Process Efficiencies (6-c-ii)

Leverage roles and missions of campuses to find savings and cost reductions through academic, administrative and business process efficiencies and effectiveness.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
2008 Calendar Year	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	TBD	Business
2009 Calendar Year	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	TBD	Business
2010 Calendar Year	<ol style="list-style-type: none"> 1) Short-Term Cash/Investments: Exceed average of similar fund types 2) Endowments: Exceed average of similar fund types 3) Debt: Maintain Aa2 rating; exceed 1.15 coverage 4) Capital: Report on LB 605 Projects, Capital Queue 5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations 6) Human Resources: Meet midpoint of peers in faculty and staff salaries 7) Information Technology: report on implementation of SIS and SAP 	<ol style="list-style-type: none"> 1) June 2010 2) Dec. 2010 3) Dec. 2010 4) 605, Dec. 2010; Queue, (March/June/Sept./Dec. 2010) 5) TBD 6) April 2010 7) SIS, March/Sept. 2010; SAP, Sept. 2010 	Business
2011 Calendar Year	<ol style="list-style-type: none"> 1) Short-Term Cash/Investments: Exceed average of similar fund types 2) Endowments: Exceed average of similar fund types 3) Debt: Maintain Aa2 rating; exceed 1.15 coverage 4) Capital: Report on LB 605 Projects, Capital Queue 5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations 6) Human Resources: Meet midpoint of peers in faculty and staff salaries 7) Information Technology: report on implementation of SIS and SAP 	<ol style="list-style-type: none"> 1) 2nd Quarter 2011 2) 4th Quarter 2011 3) 4th Quarter 2011 4) 605, 4th Quarter 2011; Queue, Quarterly 5) TBD 6) 2nd Quarter 2011 7) SIS, 1st and 3rd Quarter 2011; SAP, 3rd Quarter 2011 	Business
2012 Calendar Year	<ol style="list-style-type: none"> 1) Short-Term Cash/Investments: Exceed average of similar fund types 2) Endowments: Exceed average of similar fund types 3) Debt: Maintain Aa2 rating; exceed 1.15 coverage 4) Capital: Report on LB 605 Projects, Capital Queue 5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations 6) Human Resources: Meet midpoint of peers in faculty and staff salaries 7) Information Technology: report on implementation of SIS and SAP 	<ol style="list-style-type: none"> 1) 2nd Quarter 2012 2) 4th Quarter 2012 3) 4th Quarter 2012 4) 605, 4th Quarter 2012; Queue, Quarterly 5) TBD 6) 2nd Quarter 2012 7) SIS, 1st and 3rd Quarter 2012; SAP, 3rd Quarter 2012 	Business

16. Student Learning Assessment (6-g)

Provide accurate and transparent information to the public about college costs and student learning and success outcomes.

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2009	<ol style="list-style-type: none">1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	April 2010	Academic
Fall 2010	<ol style="list-style-type: none">1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	April 2011	Academic
Fall 2011	<ol style="list-style-type: none">1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	April 2012	Academic

TO: The Board of Regents
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: Calendar of establishing and reporting accountability measures

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is a calendar of establishing and reporting accountability measures.

RECOMMENDED: James B. Milliken, President
University of Nebraska

DATE: February 8, 2010

Strategic Framework Accountability Measure Reporting and Updating Calendar

Revised January 22, 2010

<u>Board Meeting Date</u>	<u>Academic Affairs Committee</u>	<u>Business Affairs Committee</u>	<u>Outreach and Economic Development Ad Hoc Committee</u>
February 12, 2010	UNL campus visit with discussion of campus strategic plan and performance indicators.		
March 5, 2010	Research [4-a-i]	Administrative/Business Efficiencies [6-c-ii] <i>(Report on SIS, Capital Queue)</i>	Workforce Development [3-h-iii]
April 16, 2010	Student Learning Assessment [6-g]	Faculty Merit Compensation [2-a-i] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Human Resources)</i>	Entrepreneurship [5-d]
May 21, 2010	UNMC campus visit with discussion of campus strategic plan and performance indicators.		
June 11, 2010	None	State Funding [1-a-i] Tuition [1-a-ii] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Short-term Cash/Investments, Capital Queue)</i>	None
July 23, 2010	None	None	None
September 10, 2010	Need-based Financial Aid [1-a-iii] Faculty Diversity [2-a-iii] Merit-based Scholarships [3-b-ii]	Administrative/Business Efficiencies [6-c-ii] <i>(Report on SIS, SAP, Capital Queue)</i>	None
October 15, 2010	Enrollment [1-b-i] Nebraska Top 25% [3-b-i] Nonresident Student Enrollment [3-c-i]	None	None
December 2, 2010	None	LB 605 [6-a-ii] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Endowments, Debt, LB 605, Capital Queue)</i>	None
January 2011	Graduation Rates [1-b-iii]	None	None

TO: The Board of Regents
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska Strategic Dashboard Indicators

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic Framework Indicators.





RECOMMENDED: James B. Milliken, President
University of Nebraska






DATE: February 8, 2010

University of Nebraska Strategic Dashboard Indicators (March 5, 2010)

State Funding Change (Indicator 1.a.i) FY2009-10	Tuition Change (Indicator 1.a.ii) FY2009-10	Enrollment Change (Indicator 1.b.i) Fall 2009																								
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;"><u>Target</u></th> <th style="width: 33%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Sufficient funding= Moderate tuition increase </td> <td style="text-align: center;">1.5%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Sufficient funding= Moderate tuition increase	1.5%	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;"><u>Target</u></th> <th style="width: 33%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Sufficient funding= Moderate tuition increase </td> <td style="text-align: center;">4.0%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Sufficient funding= Moderate tuition increase	4.0%	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;"><u>Target</u></th> <th style="width: 33%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> 1.5% </td> <td style="text-align: center;">2.0%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	1.5%	2.0%												
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Need-Based Aid (Indicator 1.a.iii) FY2007-08	Need-Based Aid (Indicator 1.a.iii) FY2007-08	Women Faculty (Indicator 2.a.iii) Fall 2008																								
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Minority Faculty (Indicator 2.a.iii) Fall 2008	Top 25% Enrollment (Indicator 3.b.i) Fall 2009	Nonresident Recruitment (Indicator 3.c.i) Fall 2009																								
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Nonresident Retention (Indicator 3.c.i) Fall 2008	Merit-Based Aid (Indicator 3.b.ii) FY2007-08																									
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;"><u>Target</u></th> <th style="width: 33%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Increase 1% over 2007 </td> <td style="text-align: center;">2009=73.8% 2008=76.1%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Increase 1% over 2007	2009=73.8% 2008=76.1%	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;"><u>Target</u></th> <th style="width: 33%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Increase private funds by \$6 million </td> <td style="text-align: center;">Increased \$12.71 million</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Increase private funds by \$6 million	Increased \$12.71 million																	
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LEGEND:																										
Target Met or Exceeded	Progress Toward Target	Target Not Met																								







University of Nebraska Strategic Dashboard Indicators (March 5, 2010)

Federal Research Funding Growth (Indicator 4.a.i) UNL and UNMC FY2007-08			Research/Scholarly Activity Growth (Indicator 4.a.i) UNO and UNK FY2007-08		
<u>Campus</u>	<u>Target</u>	<u>Performance</u>	<u>Campus</u>	<u>Target</u>	<u>Performance</u>
 UNL	1.82%	.66%	 UNO	7.00%	20.40%
 UNMC	1.16%	-5.18%	 UNK	7.00%	-54.49%

	<u>Indicator</u>	<u>Target</u>	<u>Performance</u>
	Four-Year Graduation Guarantee (1.b.iii) AY2005-06	All prospective and current undergraduate students are informed about the University's four-year graduation guarantee.	All campuses have posted information about the four-year graduation guarantee on their websites and also have a link to four-year graduation guarantee information on the UNCA website.
	Faculty Salaries (2.a.i) Fall 2008	Award all salary increases, to the extent possible, on the basis of merit.	Faculty salaries at UNL and UNMC may be based/granted entirely on merit, while faculty salaries at UNO and UNK are negotiated through the collective bargaining process and therefore the amount and method of distribution at UNO and UNK must be determined by agreement.
	Workforce Demand (2.c.iii) Fall, 2008	Compile, analyze and present data on future workforce demand and comparative economic advantages in Nebraska.	Data on workforce demand have been evaluated. The University of Nebraska continues to develop a variety of new programs that will help to address the workforce needs of the state.
	Entrepreneurship (3.d) Spring 2009	<ol style="list-style-type: none"> 1) Increase training hours by 5%. 2) Increase number of clients by 5%. 3) Increase SBIR/STTR applications by 10%. 4) Increase SBIR/STTR awards by 5%. 5) Increase investment in NU-assisted companies by 5%. 6) Increase NU-assisted startups and transitions by 5%. 	<ol style="list-style-type: none"> 1) Training hours grew by 44%. 2) Clients increased by 5%. 3) SBIR/STTR applications increased 72%. 4) SBIR/STTR awards increased 38%. 5) Investment in NU-assisted companies increased .8%. 6) NU-assisted start-ups and transitions increased 9%.
	Student Learning Assessment (6.f.i) Fall 2008	<ol style="list-style-type: none"> 1. Review performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations. 2. Report on participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment. 	<p>UNK, UNL and UNO currently participate in the National Survey of Student Engagement (NSSE). Performance on professional licensure examinations is above average for all campuses.</p> <p>UNK and UNL are currently implementing the Collegiate Assessment of Academic Progress (CAAP) as an additional assessment tool, while UNO piloted the Collegiate Learning Assessment (CLA) in 2007-08.</p>

LEGEND:	 Target Met or Exceeded	 Progress Toward Target	 Target Not Met
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University of Nebraska Strategic Dashboard Indicators (March 5, 2010)

	<u>Indicator</u>	<u>Target</u>	<u>Performance</u>
	Administrative Best Practices (6.a.ii)		
	September 2009	Information Technology: report on implementation of SIS and SAP	Report presented on SIS implementation.
	November 2008	Short-Term Cash/Investments: Exceed average of similar fund types	Exceeds average of similar fund types for 3 and 5-year periods; slightly below average for 1-yr period.
	December 2009	Endowments: Exceed average of similar fund types	Fund N endowment returns suffered a loss of 21.5% for the year ending June 30, 2009. Similar funds experienced a decrease in returns of 17.5% and therefore the metric was not met.
	December 2009	Debt: Maintain Aa2 rating; exceed 1.15 coverage	Maintained Aa2 rating, and exceeded 1.15 coverage.
	November 2008	Capital: Report on LB 605 Projects, Capital Queue	Projects are within budget and proceeding as quickly as possible given space and review constraints.
<input type="checkbox"/>	TBD	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	
	April 2009	Human Resources: Meet midpoint of peers in faculty and staff salaries	Faculty salaries at all campuses are below the midpoint of peers for 2008.

LEGEND:



Target Met or Exceeded



Progress Toward Target



Target Not Met

TO: The Board of Regents
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: Board of Regents agenda items related to the University of Nebraska Strategic Framework

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: The current version of the framework appears as an information item at each Board of Regents meeting.

April 2005–The Board of Regents began development of the University of Nebraska ‘Strategic Framework–Accountability Measures’ document.

EXPLANATION: Attached is an explanation of the agenda items that are aligned with the strategic goals of the Board of Regents’ Strategic Framework.

RECOMMENDED: James B. Milliken, President
University of Nebraska

DATE: February 8, 2010

Alignment of the University's Strategic Goals with Board of Regents Agenda Items
March 5, 2010

- 1. The University of Nebraska will provide the opportunity for Nebraskans to enjoy a better life through access to high quality, affordable undergraduate, graduate and professional education.**
 - Spring 2010 enrollment report
- 2. The University of Nebraska will build and sustain undergraduate, graduate and professional programs of high quality with an emphasis on excellent teaching.**
 - Approve lease of pediatric dental clinical space by UNMC
 - President's personnel recommendations
 - Quarterly personnel report
- 3. The University of Nebraska will play a critical role in building a talented, competitive workforce and knowledge-based economy in Nebraska in partnership with the state, private sector and other educational institutions.**
 - Strategic Framework annual report on workforce development including update on academic programs and distance education delivery
 - Outreach and Economic Development committee presentation on Workforce Opportunity Analysis
- 4. The University of Nebraska will pursue excellence and regional, national and international competitiveness in research and scholarly activity, as well as their application, focusing on areas of strategic importance and opportunity.**
 - Strategic Framework annual report on research
- 5. The University of Nebraska will serve the entire state through strategic and effective engagement and coordination with citizens, businesses, agriculture, other educational institutions, and rural and urban communities and regions.**
 - Authorize the president to execute the West Haymarket Joint Public Agency Agreement
 - Approve the disposition or removal of the Industrial Arts Building at Nebraska Innovation Campus
- 6. The University of Nebraska will be cost effective and accountable to the citizens of the state.**
 - Status report on fire safety and protection
 - Approve purchase of enterprise server data back-up for mission critical systems
 - Approve amendments to the Bylaws and Policies of the Board of Regents relating to conflict of interest and nepotism
 - Approve various items relating to capital construction:
 - Program statement and budget for Hamilton Hall sixth floor renovation at UNL
 - Project budget increase for renovation of Keim Hall at UNL
 - HVAC improvements at UNMC
 - Change orders related to Maurer Center for Public Health building at UNMC
 - Architectural design services for the Truhlsen Eye Institute at UNMC
 - Student Center improvements at UNO
 - NCTA Education Center intermediate design report
 - Accept various regular reports, including:
 - Capital projects exceeding \$5 million, quarterly status of six-year capital plan, changes in construction projects by budget or use categories
 - Gifts, grants, contracts and bequests
 - Bids and contracts
 - Licenses

D. REPORTS

1. Quarterly personnel report for the period October through December 2009
Addendum IX-D-1
2. Spring 2010 Enrollment Report Addendum IX-D-2
3. Status of Capital Projects exceeding \$5 million as of December 31, 2009
Addendum IX-D-3
4. Quarterly Status Report of Six-Year Capital Plan and Capital Construction
Report
Addendum IX-D-4
5. Quarterly Gifts, Grants, Contracts and Bequests Addendum IX-D-5
6. Semi-Annual Report of Licenses Addendum IX-D-6
7. Bids and Contracts Addendum IX-D-7
8. Status Report on Fire Safety and Protection Addendum IX-D-8
9. Changes in Construction Projects by Budget or Use Categories Addendum IX-D-
9
10. NCTA Education Center Intermediate Design Report Addendum IX-D-10

TO: The Board of Regents Addendum IX-D-1
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: Personnel Actions for October – December 2009

RECOMMENDED ACTION: Report

PREVIOUS ACTION: On December 10, 1994, the Board of Regents amended Section 3.2 of the *Bylaws of the Board of Regents* to delegate to the President, or administrative officers designated by the President, authority to make appointments in the Academic-Administrative staff to faculty positions and to administrative positions below the rank of Dean and equivalent ranks. Executive Memorandum No. 13 subsequently delegated authority to the Chancellors to make Academic-Administrative appointments below the level of Dean. Such appointments at the rank of assistant professor or above are required by the *Bylaws of the Board of Regents* to be reported to the Board after each quarter and maintained on file as a public record in the Office of the Corporation Secretary.

EXPLANATION: A series of reports of campus personnel actions approved by each Chancellor during the 4th quarter of 2009 are attached.

PROJECT COST: None

SOURCE OF FUNDS: None

RECOMMENDED: Linda R. Pratt
Executive Vice President and Provost

DATE: February 8, 2010

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA-LINCOLN IANR

NEW APPOINTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Hinze, Mark	Southeast Research & Extension Center	Assoc Exten Education	Special	11/1/2009		\$ 69,500	FY 1.00

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA-NCTA

NEW APPOINTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Mestas, Richard	NCTA	Asst Dean	Special	11/30/2009		\$ 70,000	FY 1.00

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA MEDICAL CENTER

NEW APPOINTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Doherty, Patrick J.	Pediatrics	Assistant Professor	Health Prof	10/1/2009	6/30/2010	\$40,000 FY	1.00
Gao, Lie	Cellular & Integrative Physiology	Assistant Professor	Health Prof	10/1/2009	6/30/2011	\$75,000 FY	1.00
Garrison, Jered C.	Pharmaceutical Sciences	Assistant Professor	Health Prof	10/5/2009	6/30/2012	\$90,000 FY	1.00
Gofin, Jaime	COPH- Hlth Promo, Soc, & Behav Hlth	Professor	Special	12/15/2009	12/31/2011	\$100,000 FY	1.00
Heckert, Wende L.	CON- Northern Division	Assistant Professor	Special	10/19/2009	5/13/2011	\$45,938 AY	1.00
Jensen, Duane M.	Pediatrics	Assistant Professor	Health Prof	10/1/2009	6/30/2011	\$40,000 FY	1.00
Joekel, Corey S.	Pediatrics	Associate Professor	Health Prof	10/1/2009	6/30/2011	\$40,000 FY	1.00
Mdzinarish, Tengiz	Eppley Institute	Rsch Assistant Professor	Special	11/1/2009		\$45,000 FY	1.00
Peck, Magda G.	COPH- Hlth Promo, Soc, & Behav Hlth COPH- Office of the Dean	Professor Associate Dean - Stipend	Health Prof Special	10/1/2009 10/1/2009	6/30/2011	\$160,000 FY \$10,000 FY	1.00 0.00
Rogers, Ginger L.	CON- Omaha Division	Assistant Professor	Special	10/1/2009	12/25/2009	\$9,975 AY	0.70
Thompson, Olivia M.	COPH- Hlth Promo, Soc, & Behav Hlth	Assistant Professor	Special	10/1/2009	6/30/2011	\$23,836 FY	0.20
Tomek, Debra J.	Pediatrics	Associate Professor	Health Prof	10/1/2009	6/30/2011	\$40,000 FY	1.00
Untrauer, Jason B.	Surgery	Assistant Professor	Health Prof	12/1/2009	6/30/2011	\$75,000 FY	1.00
Vaz, Petula C. M.	Munroe-Meyer Institute	Assistant Professor	Special	10/1/2009		\$63,000 FY	1.00

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA MEDICAL CENTER

NEW APPOINTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Vuchetich, Emily J.	Pediatrics	Assistant Professor	Health Prof	10/1/2009	6/30/2011	\$40,000 FY	1.00
Wendel, John D.	Radiology	Assistant Professor	Health Prof	10/26/2009	6/30/2011	\$40,000 FY	1.00
Yaroch, Amy L.	COPH- Hlth Promo, Soc, & Behav Hlth	Professor	Special	10/1/2009		\$32,878 FY	0.15

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA AT KEARNEY

ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Daake, Mary	Student Affairs	Director, Academic Advising & Career Services	Special	12/1/2009		\$ 60,416	FY 1.00
		Director, Academic Advising	Special		11/30/2009	\$ 56,210	FY 1.00
Lilly, Carol	History	Professor	Continuous	11/1/2009		\$ 53,651	AY 0.75
		Professor	Continuous		10/31/2009	\$ 53,651	AY 0.75
		Director, International Studies (Includes stipend)	Special	11/1/2009		\$ 21,389	AY 0.25
		Interim Director, International Studies (Includes stipend)	Special		10/31/2009	\$ 21,389	AY 0.25
Mattley, Randy	University Relations	Services	Special	10/1/2009		\$ 59,000	FY 1.00
		Services	Special		9/30/2009	\$ 51,208	FY 1.00
Nuss, Mark	Communication	Assistant Professor	Specific	12/18/2009		\$ 46,002	AY 1.00
		Assistant Professor	Specific		12/17/2009	\$ 34,501	AY 0.75
		N/A	N/A	12/18/2009		\$ -	AY 0.00
		Interim Director, Center for Teaching Excellence (Includes stipend)	Special		12/17/2009	\$ 13,254	AY 0.25

Shaded reflects new or ongoing appointment
Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA-LINCOLN IANR

ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Heinrichs, Elvis	INTSORMIL*	Rsch Professor	Special	10/1/2009	10/31/2011	\$ 94,685	FY 1.00
	INTSORMIL*	Rsch Professor	Special		9/30/2009	\$ 71,014	FY 0.75
¹ Kim, Heejeong	Biochemistry	Rsch Asst Professor	Special	11/1/2009	10/31/2010	\$ 48,681	FY 1.00
	Biochemistry	Sr Rsch Assoc	Special		10/31/2009	\$ 48,681	FY 1.00

* International Sorghum & Millet Collaborative Research Support Program

¹ Title change only

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA MEDICAL CENTER
ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Anderson, James R.	COPH-Biostatistics	Professor	Continuous	11/1/2009		\$ 180,240	FY 1.00
		Professor	Continuous			\$ 180,240	FY 1.00
	COPH-Epidemiology	N/A	N/A	11/1/2009		\$ -	FY 0.00
		Chairperson (Stipend)	Special		10/31/2009	\$ 5,000	FY 0.00
COPH-Office of the Dean	Assoc Dean for Rsch (Stipend)	Special	11/1/2009		\$ 10,000	FY 0.00	
	N/A	N/A			\$ -	FY 0.00	
Beidler, Susan M.	CON-Omaha Division	Associate Professor	Health Prof	1/1/2010	6/30/2010	\$ 89,446	FY 1.00
		Associate Professor	Health Prof			\$ 89,446	FY 1.00
	CON-Morehead Center for Nursing	N/A	N/A	1/1/2010		\$ -	FY 0.00
		Director - Stipend	Special		12/31/2009	\$ 3,000	FY 0.00
² Desa, Valmont P.	Surgery	Assistant Professor	Special	10/1/2009		\$ 85,000	FY 1.00
		Assistant Professor	Special		9/30/2009	\$ 21,193	FY 0.25

² New Salary includes slight increase

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA MEDICAL CENTER
ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Hejkal, Thomas W.	Ophthalmology & Visual Sciences	Professor	Continuous	12/1/2009		\$ 47,073	FY 0.40
		Professor	Continuous		11/30/2009	\$ 92,682	FY 1.00
		Chairperson (Includes stipend)	Special	12/1/2009		\$ 80,609	FY 0.60
		Interim Chairperson (Stipend)	Special		11/30/2009	\$ 10,000	FY 0.00
		Resident Program Director (Stipend)	Special	12/1/2009		\$ 2,500	FY 0.00
		Resident Program Director (Stipend)	Special			\$ 2,500	FY 0.00
Margalit, Ruth N.	COPH-Hlth Promo, Soc, Behav Hlth	Associate Professor	Special	10/1/2009		\$ 57,957	FY 0.75
		Associate Professor	Special		9/30/2009	\$ 38,638	FY 0.50
	COPH-Office of the Dean	Direc of Serv Learning Acad (Stipend)	Special	10/1/2009		\$ 10,000	FY 0.00
		N/A	N/A			\$ -	FY 0.00
McKeithan, Timothy	Internal Medicine	Associate Professor	Special	11/1/2009		\$ 62,985	FY 0.68
		Associate Professor	Special		10/31/2009	\$ 85,215	FY 0.92
³ McVicker, Benita L.	Internal Medicine	Assistant Professor	Health Prof	10/1/2009	6/30/2012	\$ 62,711	FY 0.95
		Assistant Professor	Health Prof		9/30/2009	\$ 49,509	FY 0.75
⁴ Mirvish, Sidney S.	Eppley Institute	Professor	Special	12/1/2009	11/30/2012	\$ 30,000	FY 0.25
		Professor	Continuous		7/31/2009	\$ 59,288	FY 0.50

³ Remaining salary defrayed by Veterans Adm Hospital

⁴ Phased Retirement

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009 - 12/31/2009
UNIVERSITY OF NEBRASKA MEDICAL CENTER
ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Tuma, Dean J.	Internal Medicine	Professor	Special	10/1/2009		\$ 66,179	FY 0.50
		Professor	Special		9/30/2009	\$ 59,561	FY 0.45
Watanabe-Galloway, Shinobu	COPH-Epidemiology	Assistant Professor	Health Prof	10/1/2009	6/30/2010	\$ 94,409	FY 1.00
		Assistant Professor	Health Prof			\$ 94,409	FY 1.00
	COPH-Office of the Dean	Director of Doc Program (Stipend)	Special	10/1/2009		\$ 5,000	FY 0.00
		N/A	N/A			\$ -	FY 0.00
COPH-Epidemiology	Acting Chairperson (Stipend)	Special	11/1/2009		\$ 5,000	FY 0.00	
	N/A	N/A			\$ -	FY 0.00	

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009-12/31/2009
UNIVERSITY OF NEBRASKA AT OMAHA

ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
Hoffman, Dennis	School of Criminology and Criminal Justice	Coordinator of Omaha Undergraduate Programs (Stipend)	Special	10/2/2009		\$ 5,000 AY	0.00
		N/A	N/A			\$ -	0.00
		Professor	Continuous	10/2/2009		\$ 76,085 AY	1.00
		Professor	Continuous			\$ 76,085 AY	1.00
Sample, Lisa L.	School of Criminology and Criminal Justice	Coord. of Masters Program (Stipend)	Special	10/2/2009		\$ 5,000 AY	0.00
		N/A	N/A			\$ -	0.00
		Associate Professor	Continuous	10/2/2009		\$ 61,046 AY	1.00
		Associate Professor	Continuous			\$ 61,046 AY	1.00
⁵ Santo, Jonathan	Psychology	Assistant Professor	Specific	11/1/2009		\$ 55,000 AY	1.00
		Assistant Professor	Specific	8/17/2009	10/31/2009	\$ 53,500 AY	1.00

⁵ Increase consistent with UNO collective bargaining agreement and receipt of PhD

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

PERSONNEL REPORT
10/01/2009-12/31/2009
UNIVERSITY OF NEBRASKA ADMINISTRATION

ADJUSTMENTS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TITLE</u>	<u>APPT TYPE</u>	<u>BEGIN DATE</u>	<u>END DATE</u>	<u>SALARY</u>	<u>FTE</u>
6 Burns, Donal	Office of the President	Corporation Secretary	Special and Continuous	11/1/2009		\$ 133,817 FY	0.75
	Office of the President	Corporation Secretary	Special and Continuous	2/1/2008	10/31/2009	\$ 107,059 FY	0.60

6 Continuous appointment as Professor of Physics

Shaded reflects new or ongoing appointment

Un-shaded reflects old appointment

TO: The Board of Regents Addendum IX-D-2
Academic Affairs

MEETING DATE: March 5, 2010

SUBJECT: Spring 2010 Enrollment Report

RECOMMENDED ACTION: Report

PREVIOUS ACTION: March 6, 2009– The Board accepted the Spring 2009 Enrollment report

EXPLANATION: Attached is the Spring 2010 enrollment report including comparisons to Spring 2009. NU-wide highlights are reported below and individual campus data can be obtained in the full report.

Total headcount enrollment of 45,917 represented an increase of 2.1% over Spring 2009. Undergraduate headcount enrollment (33,783) increased by 1.8% over the previous year, graduate enrollment (9,633) by 3.6% and professional enrollment (2,218) by 1.9%

Total nonresident enrollment increased by 3.8% from Spring 2009 to Spring 2010, while total resident enrollment increased by 1.9%. Spring 2010 total nonresident enrollment was 8,748, while resident enrollment was 36,910. The greatest percentage increases in enrollment were reported in the areas of nonresident graduate enrollment (an increase of 592 students or 9.5%), nonresident first-time freshmen enrollment (23 students, 25.3%) and resident professional enrollment (59 students or 3.2%).

Full-time equivalent (FTE) enrollment for the Spring 2009 to Spring 2010 reporting period increased by 2.9% overall, rising from 37,605 in 2009 to 38,713 in 2010. Undergraduate FTE increased by 2.3% while graduate FTE increased by 7.1%. Professional student FTE increased by 1.8%. Undergraduate FTE for Spring 2010 was 30,892; graduate FTE, 5,638; and professional FTE 2,183. Total Semester Credit Hours (SCH) increased at a rate similar to headcount and FTE. The total SCH change from Spring 2009 to 2010 was 2.5% (or an increase from 530,154 to 543,233 SCH).

SPONSOR: Kristin E. Yates
Assistant Vice President and Director of Institutional Research

RECOMMENDED: Linda Ray Pratt
Executive Vice President and Provost

DATE: February 08, 2010

**UNIVERSITY OF NEBRASKA
SUMMARY - HEADCOUNT ENROLLMENT REPORT
SPRING SEMESTER 2010**

	Administrative Site			
	Spring 2010	Spring 2009	Difference	% Change
UNIVERSITY OF NEBRASKA - LINCOLN				
Undergraduate				
Agricultural Sciences & Natural Resources	1,675	1,591	84	5.3%
Architecture	435	486	(51)	-10.5%
Arts & Sciences	4,463	3,985	478	12.0%
Business Administration	2,845	2,874	(29)	-1.0%
Education and Human Sciences	2,909	2,711	198	7.3%
Engineering	2,373	2,300	73	3.2%
Fine & Performing Arts	629	630	(1)	-0.2%
Journalism & Mass Communications	862	820	42	5.1%
General Studies	1,266	1,650	(384)	-23.3%
Visiting	170	171	(1)	-0.6%
First-Time Freshmen	76	62	14	22.6%
Undergraduate Subtotal	17,627	17,218	409	2.4%
Graduate	4,545	4,345	200	4.6%
Professional				
Architecture	84	66	18	27.3%
Education and Human Sciences	16	19	(3)	-15.8%
Law	392	398	(6)	-1.5%
Veterinary Medicine	51	48	3	6.3%
Professional Subtotal	543	531	12	2.3%
UNL TOTAL	22,715	22,094	621	2.8%
UNIVERSITY OF NEBRASKA MEDICAL CENTER				
Undergraduate				
Dentistry (Dental Hygiene)	47	48	(1)	-2.1%
Medicine (Allied Health)	86	88	(2)	-2.3%
Nursing	623	649	(26)	-4.0%
Unclassified	39	36	3	8.3%
Undergraduate Subtotal	795	821	(26)	-3.2%
Graduate	692	658	34	5.2%
Professional				
Allied Health Certification Program	239	224	15	6.7%
Nursing Practitioner	20	17	3	17.6%
Medical Family Therapy	0	0	0	0.0%
Radiology Oncology Physics	1	0	0	100.0%
Pharmacy	269	266	3	1.1%
Dentistry	198	202	(4)	-2.0%
Medicine (M.D.)	486	480	6	1.3%
Medicine (Post M.D.)	462	456	6	1.3%
Professional Subtotal	1,675	1,645	30	1.8%
UNMC TOTAL	3,162	3,124	38	1.2%
UNIVERSITY OF NEBRASKA AT OMAHA				
Undergraduate				
Arts & Sciences	3,239	3,082	157	5.1%
Business Administration	1,754	1,880	(126)	-6.7%
Communication, Fine Arts and Media	1,077	1,019	58	5.7%
Education	1,363	1,365	(2)	-0.1%
Information Science & Technology	567	557	10	1.8%
CPACS	661	655	6	0.9%
Continuing Studies	1,045	935	110	11.8%
Non-Degree	320	336	(16)	-4.8%
University Division	765	748	17	2.3%
First-Time Freshmen	74	99	(25)	-25.3%
Undergraduate Subtotal	10,791	10,577	214	2.0%
Graduate	2,840	2,854	(14)	-0.5%
UNO TOTAL	13,631	13,431	200	1.5%
UNIVERSITY OF NEBRASKA AT KEARNEY				
Undergraduate				
Business & Technology	1,158	1,178	(20)	-1.7%
Education	1,046	973	73	7.5%
Fine Arts & Humanities	639	619	20	3.2%
Natural & Social Sciences	1,097	1,052	45	4.3%
University College	542	567	(25)	-4.4%
Non-Degree	88	179	(91)	-50.8%
First-Time Freshmen	69	49	20	40.8%
Undergraduate Subtotal	4,570	4,568	2	0.0%
Graduate	1,556	1,443	113	7.8%
UNK TOTAL	6,126	6,011	115	1.9%
UNIVERSITY OF NEBRASKA UNDERGRADUATE	33,783	33,184	599	1.8%
FIRST-TIME FRESHMEN TOTAL	219	210	9	4.3%
UNIVERSITY OF NEBRASKA GRADUATE	9,633	9,300	333	3.6%
UNIVERSITY OF NEBRASKA PROFESSIONAL	2,218	2,176	42	1.9%
UNIVERSITY OF NEBRASKA TOTAL	45,634	44,660	974	2.2%
Nebraska College of Technical Agriculture (NCTA)	283	304	(21)	-6.9%
UNIVERSITY OF NEBRASKA TOTAL (with NCTA)	45,917	44,964	953	2.1%

Source: UNL, UNO, UNK Office of Institutional Research; UNMC Office of Academic Records

**UNIVERSITY OF NEBRASKA
FULL-TIME & PART-TIME ENROLLMENT BY LEVEL
SPRING SEMESTER 2010**

	Spring 2010		Spring 2009		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
UNL						
Undergraduate	16,372	1,255	15,885	1,333	3.1%	-5.9%
Graduate	2,320	2,225	2,063	2,282	12.5%	-2.5%
Professional	521	22	516	15	1.0%	46.7%
Total	19,213	3,502	18,464	3,630	4.1%	-3.5%
	Spring 2010		Spring 2009		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
UNMC						
Undergraduate	690	105	706	115	-2.3%	-8.7%
Graduate	312	380	274	384	13.9%	-1.0%
Professional	1,645	30	1,613	32	2.0%	-6.3%
Total	2,647	515	2,593	531	2.1%	-3.0%
	Spring 2010		Spring 2009		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
UNO						
Undergraduate	8,264	2,527	8,009	2,568	3.2%	-1.6%
Graduate	746	2,094	673	2,181	10.8%	-4.0%
Professional						
Total	9,010	4,621	8,682	4,749	3.8%	-2.7%
	Spring 2010		Spring 2009		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
UNK						
Undergraduate	4,121	449	4,102	466	0.5%	-3.6%
Graduate	261	1,295	237	1,206	10.1%	7.4%
Professional						
Total	4,382	1,744	4,339	1,672	1.0%	4.3%
	Spring 2010		Spring 2009		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
U-Wide						
Undergraduate	29,447	4,336	28,702	4,482	2.6%	-3.3%
Graduate	3,639	5,994	3,247	6,053	12.1%	-1.0%
Professional	2,166	52	2,129	47	1.7%	10.6%
Total	35,252	10,382	34,078	10,582	3.4%	-1.9%

**UNIVERSITY OF NEBRASKA
HEADCOUNT ENROLLMENT BY RESIDENCY STATUS BY LEVEL
SPRING SEMESTER 2010**

	Resident Enrollment (a)			Nonresident Enrollment (a)			Total		
	2010	2009	% Change	2010	2009	% Change	2010	2009	% Change
UNIVERSITY OF NEBRASKA - LINCOLN									
Undergraduate	14,539	14,215	2.3%	3,088	3,003	2.8%	17,627	17,218	2.4%
First-Time Freshmen	36	25	44.0%	40	37	8.1%	76	62	22.6%
Graduate	2,326	2,256	3.1%	2,219	2,089	6.2%	4,545	4,345	4.6%
Professional	444	431	3.0%	99	100	-1.0%	543	531	2.3%
UNL TOTAL	17,309	16,902	2.4%	5,406	5,192	4.1%	22,715	22,094	2.8%
UNIVERSITY OF NEBRASKA MEDICAL CENTER									
Undergraduate	670	697	-3.9%	125	124	0.8%	795	821	-3.2%
Graduate	437	437	0.0%	255	221	15.4%	692	658	5.2%
Professional	1,458	1,412	3.3%	241	233	3.4%	1,699	1,645	3.3%
UNMC TOTAL	2,565	2,546	0.7%	621	578	7.4%	3,186	3,124	2.0%
UNIVERSITY OF NEBRASKA AT OMAHA									
Undergraduate	9,779	9,593	1.9%	1,012	984	2.8%	10,791	10,577	2.0%
First-Time Freshmen	44	82	-46.3%	30	17	76.5%	74	99	-25.3%
Graduate	2,248	2,316	-2.9%	592	538	10.0%	2,840	2,854	-0.5%
UNO TOTAL	12,027	11,909	1.0%	1,604	1,522	5.4%	13,631	13,431	1.5%
UNIVERSITY OF NEBRASKA AT KEARNEY									
Undergraduate	3,926	3,817	2.9%	644	751	-14.2%	4,570	4,568	0.0%
First-Time Freshmen	25	12	108.3%	44	37	18.9%	69	49	40.8%
Graduate	1,083	1,060	2.2%	473	383	23.5%	1,556	1,443	7.8%
UNK TOTAL	5,009	4,877	2.7%	1,117	1,134	-1.5%	6,126	6,011	1.9%
UNIVERSITY OF NEBRASKA UNDERGRADUATE	28,914	28,322	2.1%	4,869	4,862	0.1%	33,783	33,184	1.8%
FIRST-TIME FRESHMEN TOTAL	105	119	-11.8%	114	91	25.3%	219	210	4.3%
UNIVERSITY OF NEBRASKA GRADUATE	6,094	6,069	0.4%	3,539	3,231	9.5%	9,633	9,300	3.6%
UNIVERSITY OF NEBRASKA PROFESSIONAL	1,902	1,843	3.2%	340	333	2.1%	2,242	2,176	3.0%
UNIVERSITY OF NEBRASKA TOTAL	36,910	36,234	1.9%	8,748	8,426	3.8%	45,658	44,660	2.2%

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

(a) Residency status is determined by whether a student pays resident or nonresident tuition. An individual qualifies as a resident of the State of Nebraska for tuition purposes at the University of Nebraska if, prior to the beginning of the terms for which residency is sought, he/she meets the standards defined in any one of eleven categories. See The University of Nebraska Policy Manual, section RP-5.7.1, Residency Determination for Tuition Purposes.

**UNIVERSITY OF NEBRASKA
SUMMARY - FULL-TIME EQUIVALENT ENROLLMENT REPORT
SPRING SEMESTER 2010**

UNL				
	Spring 2010	Spring 2009	Difference	% Change
Undergraduate	16,790	16,329	461	2.8%
Graduate	3,062	2,824	238	8.4%
Professional	528	521	7	1.3%
Total	20,380	19,674	706	3.6%
UNMC				
	Spring 2010	Spring 2009	Difference	% Change
Undergraduate	725	744	(19)	-2.6%
Graduate	439	402	37	9.2%
Professional	1,655	1,624	31	1.9%
Total	2,819	2,770	49	1.8%
UNO				
	Spring 2010	Spring 2009	Difference	% Change
Undergraduate	9,106	8,865	241	2.7%
Graduate	1,444	1,400	44	3.1%
Professional	N/A	N/A	N/A	N/A
Total	10,550	10,265	285	2.8%
UNK				
	Spring 2010	Spring 2009	Difference	% Change
Undergraduate	4,271	4,257	14	0.3%
Graduate	693	639	54	8.5%
Professional	N/A	N/A	N/A	N/A
Total	4,964	4,896	68	1.4%
University Wide*				
	Spring 2010	Spring 2009	Difference	% Change
Undergraduate	30,892	30,196	696	2.3%
Graduate	5,638	5,265	373	7.1%
Professional	2,183	2,145	38	1.8%
Total	38,713	37,605	1,108	2.9%

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

* Does not include NCTA

Note: Full-time equivalent (FTE) is defined as full-time plus one third part-time headcount.

UNIVERSITY OF NEBRASKA
SUMMARY OF STUDENT CREDIT HOURS

Student credit hours are assigned to the campus which grants the credit to the student.
Spring Semester, 2010

	Spring 2010	Spring 2009	Difference	% Change
UNL	278,215	270,611	7,604	2.8%
UNMC	44,801	44,111	690	1.6%
UNO	150,119	146,038	4,081	2.8%
UNK	70,098	69,394	704	1.0%
University of Nebraska Total	543,233	530,154	13,079	2.5%

Source: UNL, UNO, UNK Office of Institutional Research; UNMC Office of Academic Records

Number of credit hours for each campus, with details by College of Faculty and College of Student follows.

**UNIVERSITY OF NEBRASKA-LINCOLN
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.
Spring Semester, 2010

COLLEGE OF FACULTY															
COLLEGE OF STUDENT	CASNR	Arch.	Arts & Sciences	Business Admin.	Educ. & Human Sciences	Engineering	Fine & Perf. Arts	Graduate Studies	Journalism & Mass Comm.	Law	ROTC	Other Units	Spring 2010 Total	Spring 2009 Total	Change From Spring 2009
Ag. Sci. & Nat. Res.	13,100	12	7,690	1,500	752	98	794		356		19	116	24,437	23,194	1,243
Architecture	220	4,681	1,302	18	121	238	324		14		2	146	7,066	7,332	(266)
Arts & Sciences	2,218	67	50,710	1,058	2,873	49	2,635		145		171	1,546	61,472	55,623	5,849
Business Administration	690	27	11,431	20,928	1,400	15	2,017		986		43	955	38,492	39,026	(534)
Education and Human Sciences	1,967	11	14,072	1,065	19,833	4	1,715		266		31	283	39,247	37,056	2,191
Engineering	1,143	408	9,758	736	144	14,498	551		342		48	546	28,174	27,063	1,111
Fine & Performing Arts	79	30	2,631	78	208		5,623		71			131	8,851	8,769	82
Journalism & Mass Communications	194	7	6,174	662	222	1	554		4,195		3	250	12,262	11,535	727
General Studies	509	67	11,316	998	1,420	335	1,591		470		18	101	16,825	21,798	(4,973)
Visiting	81	21	375	27	30	11	44		3		13	55	660	676	(16)
Law		3	23	45	36				6	5,962			6,075	6,202	(127)
Graduate College	4,559	471	9,134	3,069	8,732	3,768	1,345	54	412	52		21	31,617	29,048	2,569
Dentistry					3								3	1	2
CPACS - UNO	62		1,087	21	99		118				20	22	1,429	1,673	(244)
Nursing - UNMC											3		3	32	(29)
Dental Graduates			15		18								33	18	15
Undergraduate - UNO	821	37			432	263							1,553	1,531	22
Graduate - UNO					6	10							16	34	(18)
TOTAL Spring 2010	25,643	5,842	125,718	30,205	36,329	19,290	17,311	54	7,266	6,014	371	4,172	278,215		
TOTAL Spring 2009	23,122	5,658	125,155	28,743	33,756	18,685	17,674	14	6,571	6,115	305	4,813		270,611	
CHANGE FROM Spring 2009	2,521	184	563	1,462	2,573	605	(363)	40	695	(101)	66	(641)			7,604
% CHANGE	10.9%	3.3%	0.4%	5.1%	7.6%	3.2%	-2.1%	285.7%	10.6%	-1.7%	21.6%	-13.3%			2.8%

**UNIVERSITY OF NEBRASKA AT OMAHA
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.
Spring Semester, 2010

COLLEGE OF FACULTY													
COLLEGE OF STUDENT	Arts & Sciences	Business Admin	Comm., Fine Arts and Media	CPACS	Education	ISTE	University Division	ROTC	Other Units (a)	Vice Chancellor	Spring 2010 Total	Spring 2009 Total	Change From Spring 2009
Arts and Sciences	32,787	1,213	2,593	1,053	1,586	334	0	32	24	0	39,622	37,336	2,286
Business Administration	5,215	13,158	1,400	240	815	129	0	13	24	0	20,994	22,244	(1,250)
Communication, Fine Arts and Media	4,200	166	8,010	211	671	51	0	10	3	0	13,322	12,679	643
Education	5,717	264	1,378	105	9,290	144	0	7	0	0	16,905	16,924	(19)
Information Science & Technology	2,732	347	330	60	73	3,368	0	10	12	0	6,932	6,760	172
Non-Degree	1,183	207	179	88	157	57	0	10	0	0	1,881	2,055	(174)
CPACS	2,512	87	507	2,272	168	42	0	17	3	0	5,608	5,412	196
Division of Continuing Studies	5,596	462	1,081	1,324	1,208	279	0	19	0	0	9,969	8,955	1,014
University Division	6,491	330	1,303	530	604	109	0	12	0	0	9,379	9,359	20
Graduate College	2,708	2,588	1,013	2,790	5,224	1,450	0	0	0	0	15,773	15,684	89
Agriculture - UNL	106	22	12	3	18	0	0	0	0	0	161	109	52
Architecture - UNL	115	3	100	12	8	0	0	0	0	0	238	338	(100)
Engineering - UNL	4,047	321	509	51	88	310	0	10	9	0	5,345	5,168	177
Education and Human Sciences - UNL	346	9	39	84	142	0	0	0	0	0	620	577	43
Undergraduate - UNL CPACS	0	0	0	3,370	0	0	0	0	0	0	3,370	2,438	932
TOTAL Spring 2010	73,755	19,177	18,454	12,193	20,052	6,273	0	140	75	0	150,119		
TOTAL Spring 2009	71,460	18,305	18,314	11,382	19,972	6,289	0	165	151	0		146,038	
CHANGE FROM Spring 2009	2,295	872	140	811	80	(16)	0	(25)	(76)	0			4,081
% CHANGE	3.2%	4.8%	0.8%	7.1%	0.4%	-0.3%		-15.2%	-50.3%				2.8%

Source: UNO Institutional Research

a) Other Units include: Honors Colloquium, Library courses.

**UNIVERSITY OF NEBRASKA AT KEARNEY
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.

Spring Semester, 2010

COLLEGE OF FACULTY							
COLLEGE OF STUDENT	Business & Tech	Education	Fine Arts & Humanities	Natural & Social Sciences	Spring 2010 Total	Spring 2009 Total	Change From Spring 2009
Business & Technology	9,764	390	2,249	3,506	15,909	16,147	(238)
Education	823	7,752	2,553	3,843	14,971	13,859	1,112
Fine Arts & Humanities	534	797	5,863	1,742	8,936	8,512	424
Natural & Social Sciences	1,238	1,299	2,404	10,052	14,993	14,075	918
University College	1,019	442	1,675	3,470	6,606	7,426	(820)
Non-degree	58	30	169	63	320	1,543	(1,223)
Graduate	397	5,234	836	1,896	8,363	7,832	531
TOTAL Spring 2010	13,833	15,944	15,749	24,572	70,098		
TOTAL Spring 2009	14,589	15,230	15,683	23,892		69,394	
CHANGE FROM Spring 2009	(756)	714	66	680			704
% CHANGE	-5.2%	4.7%	0.4%	2.8%			1.0%

Source: UNK Institutional Research

**UNIVERSITY OF NEBRASKA MEDICAL CENTER
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.
Spring Semester, 2010

COLLEGE OF FACULTY								
COLLEGE OF STUDENT	Medicine	Nursing	Pharmacy	Dentistry	Public Health	Spring 2010 Total	Spring 2009 Total	Change From Spring 2009
Allied Health	5,341	208			40	5,589	5,338	251
Nursing - Omaha	100	2,726				2,826	2,978	(152)
Nursing - Lincoln		2,351				2,351	2,383	(32)
Nursing - Kearney		1,382				1,382	1,508	(126)
Nursing - Western		1,434				1,434	1,352	82
Nurse Practitioners		98				98	82	16
Dentistry				3,757		3,757	3,793	(36)
Dental Hygiene				729		729	743	(14)
Dental Certification Program				464		464	480	(16)
Medicine (M.D.)	9,688				24	9,712	9,611	101
Post M.D.	7,424					7,424	7,296	128
Medical Family Therapy						-	-	-
Radiology Oncology Physics	9					9	-	9
Pharmacy	469		3,857			4,326	4,271	55
Pharmacy Certification Program			112			112	128	(16)
Unclassified Undergraduate	146					146	54	92
Graduate	1,220	2,112	211	91	808	4,442	4,091	351
TOTAL Spring 2010	24,397	10,311	4,180	5,041	872	44,801		
TOTAL Spring 2009	23,944	10,495	4,197	5,043	444		44,108	
CHANGE FROM Spring 2009	453	(184)	(17)	(2)	428			693
% CHANGE	1.9%	-1.8%	-0.4%	0.0%	96.4%			1.6%

Source: UNMC Office of Institutional Research

(a) ICP - Intercampus Programs - Includes Toxicology and in the Spring, Public Health Administration

TO: The Board of Regents Addendum IX-D-3
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Status of Capital Projects exceeding \$5 million as of December 31, 2009

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: The attached status report is a summary of all capital projects exceeding \$5 million in total project costs and outlines the campus and project, contract status, stage of construction, budget categories and budgets for the period July 1, 2009, through December 31, 2009.

SPONSOR: Rebecca H. Koller
Assistant Vice President for Business & Finance
Director of Facilities Planning & Management

RECOMMENDED: David E. Lechner
Vice President for Business & Finance

DATE: February 8, 2010

**University of Nebraska Status Report of Projects Exceeding \$5.0 Million
for period July 1, 2009 - December 31, 2009**

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska Deferred Maintenance LB 309 / LB 1100 UBRAF	Architect: Various		309 Projects (Under \$2 M)	\$ 5,267,566
	Contract Date: Various		UBRAF Projects (Under \$2 M)	\$ 4,673,782
	Method of Construction: NA		Campus / Other	\$ 1,758,615
	General Contractor: Various			\$ 11,699,963
	Contract Date: Various			
University of Nebraska at Kearney Central Utility Plant & System	Architect: LEO A DALY	Percent of Funds Expended: 100%	1. Construction Budget	\$ 16,900,000
	Contract Date: March 9, 2007	Substantial Completion Date: September 16, 2009	2. Non Construction Budget	\$ 1,560,000
	Method of Construction: Construction Manager/GMP	Number of Change Orders: 2	Total Project Cost	\$ 18,460,000
	General Contractor: JE Dunn	Cumulative Amount of Change Orders: \$ 111,904		
	Contract Date: July 12, 2007			
University of Nebraska at Kearney Bruner Hall of Science - Phase II	Architect: The Clark Enersen Partners	Percent of Funds Expended: 97%	1. Construction Budget	\$ 12,062,000
	Contract Date: August 6, 2007	Substantial Completion Date: August 24, 2009	2. Non Construction Budget	\$ 2,490,000
	Method of Construction: Construction Manager/GMP	Number of Change Orders: 30	Total Project Cost	\$ 14,552,000
	General Contractor: Beckenhauer Construction Inc.	Cumulative Amount of Change Orders: \$ 894,325		
	Contract Date: August 23, 2007			
University of Nebraska-Lincoln Whittier Building Renovation	Architect: Sinclair Hille Architects	Percent of Funds Expended: 70%	1. Construction Budget	\$ 20,316,800
	Contract Date: September 13, 2007	Substantial Completion Date: (March 8, 2010)	2. Non Construction Budget	\$ 3,433,200
	Method of Construction: Conventional Bid	Number of Change Orders: 6	Total Project Cost	\$ 23,750,000
	General Contractor: Sampson Construction	Cumulative Amount of Change Orders: \$ 162,709		
	Contract Date: October 16, 2008			
University of Nebraska-Lincoln Physical Sciences Building See also Behlen & Brace Renovation & Ferguson Hall Demolition	Architect: Perkins & Will	Percent of Funds Expended: 79%	1. Construction Budget	\$ 32,727,575
	Contract Date: August 23, 2006	Substantial Completion Date: (April 30, 2010)	2. Non Construction Budget	\$ 5,266,179
	Method of Construction: Conventional Bid	Number of Change Orders: 16	Total Project Cost	\$ 37,993,754
	General Contractor: Sampson Construction	Cumulative Amount of Change Orders: \$ 907,153		
	Contract Date: March 10, 2008			
University of Nebraska-Lincoln Behlen Lab / Brace Lab Renovation Part of Physical Sciences Replacement Building Project	Architect: TBD	Percent of Funds Expended: 0%	1. Construction Budget	\$ 1,380,031
	Contract Date: TBD	Substantial Completion Date: (September 1, 2011)	2. Non Construction Budget	\$ 278,415
	Method of Construction: Conventional Bid	Number of Change Orders: -	Total Project Cost	\$ 1,658,446
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
	Contract Date: TBD			
University of Nebraska-Lincoln Ferguson Hall Demolition Part of Physical Sciences Replacement Building Project	Architect: TBD	Percent of Funds Expended: 0%	1. Construction Budget	\$ 784,530
	Contract Date: TBD	Substantial Completion Date: (January 31, 2011)	2. Non Construction Budget	\$ 103,270
	Method of Construction: Conventional Bid	Number of Change Orders: -	Total Project Cost	\$ 887,800
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
	Contract Date: TBD			
University of Nebraska-Lincoln Jackie Gaughan Multicultural Center	Architect: DLR Group Inc.	Percent of Funds Expended: 77%	1. Construction Budget	\$ 6,879,900
	Contract Date: February 15, 2007	Substantial Completion Date: December 10, 2009	2. Non Construction Budget	\$ 1,820,100
	Method of Construction: Conventional Bid	Number of Change Orders: 5	Total Project Cost	\$ 8,700,000
	General Contractor: Hausmann Construction Inc.	Cumulative Amount of Change Orders: \$ 95,397		
	Contract Date: September 10, 2008			

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska-Lincoln Animal Science Complex Renovation	Architect: Farris Engineering	Percent of Funds Expended: 37%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 18,995,000
	Contract Date: April 30, 2007	Substantial Completion Date: (July 7, 2011)		\$ 2,345,000
	Method of Construction: Conventional Bid	Number of Change Orders: 3		\$ 21,340,000
	General Contractor: Omaha Construction Services, Inc Contract Date: January 21, 2009	Cumulative Amount of Change Orders: \$ 91,402		
University of Nebraska-Lincoln Keim Hall Renovation	Architect: Alley Poyner Micchietto Architects	Percent of Funds Expended: 82%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 11,120,700
	Contract Date: April 20, 2007	Substantial Completion Date: (March 1, 2010)		\$ 2,879,300
	Method of Construction: Conventional Bid	Number of Change Orders: 3		\$ 14,000,000
	General Contractor: Sampson Construction Contract Date: July 30, 2008	Cumulative Amount of Change Orders: \$ 58,022		
University of Nebraska-Lincoln Abel-Sandoz Residence Halls Renovation	Architect: Design / Build	Percent of Funds Expended: 80%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 36,950,300
	Contract Date: Design / Build	Substantial Completion Date: (August 9, 2010)		\$ 3,785,700
	Method of Construction: Design / Build	Number of Change Orders: 20		\$ 40,736,000
	General Contractor: Ryan Companies Contract Date: September 7, 2007	Cumulative Amount of Change Orders: \$ 2,084,156		
University of Nebraska-Lincoln Nanoscience Facility	Architect: Perkins & Will	Percent of Funds Expended: 7%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 11,596,200
	Contract Date: April 4, 2008	Substantial Completion Date: Project on Hold		\$ 1,903,800
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 13,500,000
	General Contractor: TBD Contract Date: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska-Lincoln College of Dentistry LB 605 Renovation for University of Nebraska Medical Center	Architect: Davis Design Inc.	Percent of Funds Expended: 77%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 7,590,727
	Contract Date: December 3, 2007	Substantial Completion Date: (March 22, 2010)		\$ 1,381,273
	Method of Construction: Conventional Bid	Number of Change Orders: 4		\$ 8,972,000
	General Contractor: Sampson Construction Contract Date: September 17, 2008	Cumulative Amount of Change Orders: \$ 45,946		
University of Nebraska-Lincoln Animal Research Facility Renovation	Architect: The Clark Enersen Partners	Percent of Funds Expended: 6%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 4,411,800
	Contract Date: 4-Year Contract - Jan. 23, 2008	Substantial Completion Date: Project on Hold		\$ 588,200
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 5,000,000
	General Contractor: TBD Contract Date: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska-Lincoln The Robert E. Knoll Residential Center 17th & R Residence Hall	Architect: Design / Build	Percent of Funds Expended: 50%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 33,392,000
	Contract Date: Design / Build	Substantial Completion Date: (June 1, 2010)		\$ 7,108,000
	Method of Construction: Design / Build	Number of Change Orders: 7		\$ 40,500,000
	General Contractor: Sampson Construction Contract Date: September 18, 2008	Cumulative Amount of Change Orders: \$ 877,774		
University of Nebraska-Lincoln Abel Sandoz Dining Center Renovation	Architect: Elness Swenson & Graham	Percent of Funds Expended: 32%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 8,550,000
	Contract Date: July 30, 2008	Substantial Completion Date: (May 14, 2010)		\$ 1,850,000
	Method of Construction: Conventional Bid	Number of Change Orders: 4		\$ 10,400,000
	General Contractor: Sampson Construction Contract Date: May 13, 2009	Cumulative Amount of Change Orders: \$ 116,250		
University of Nebraska-Lincoln Nebraska Athletic Student Life Complex Renovation	Architect: Bahr Vermeer & Hacker	Percent of Funds Expended: 10%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 7,024,000
	Contract Date: March 18, 2009	Substantial Completion Date: (July 16, 2010)		\$ 1,676,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 8,700,000
	General Contractor: Sampson Construction, Inc. Contract Date: December 2, 2009	Cumulative Amount of Change Orders: \$ -		

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska-Lincoln Husker Vision Control Room Equipment	Architect: UNL Project Management	Percent of Funds Expended: 98%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 3,016,000
	Contract Date: NA	Substantial Completion Date: August 15, 2009		\$ 3,684,000
	Method of Construction: Conventional Bid	Number of Change Orders: 1		\$ 6,700,000
	General Contractor: Mitsubishi Electric	Cumulative Amount of Change Orders: \$ 66,536		
University of Nebraska-Lincoln 19th & Vine Parking Structure	Architect: Design / Build	Percent of Funds Expended: 20%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 12,350,000
	Contract Date: Design / Build	Substantial Completion Date: (August 15, 2010)		\$ 1,550,000
	Method of Construction: Design / Build	Number of Change Orders: -		\$ 13,900,000
	General Contractor: Sampson Construction	Cumulative Amount of Change Orders: \$ -		
University of Nebraska-Lincoln Devaney Sports Center Addition	Architect: The Clark Enersen Partners	Percent of Funds Expended: 1%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 16,999,000
	Contract Date: September 2, 2009	Substantial Completion Date: (August 2011)		\$ 1,701,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 18,700,000
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska-Lincoln Ken Morrison Life Sciences Research Center Addition	Architect: TBD	Percent of Funds Expended: 0%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 7,177,000
	Contract Date: TBD	Substantial Completion Date: (August 2011)		\$ 823,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 8,000,000
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska Medical Center Poynter Hall Renovation	Architect: RDG Planning & Design	Percent of Funds Expended: 2%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 5,977,500
	Contract Date: TBD	Substantial Completion Date: (June 2011)		\$ 1,263,500
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 7,241,000
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska Medical Center Home Instead Center for Successful Aging (Geriatric Center)	Architect: HDR Architecture, Inc.	Percent of Funds Expended: 50%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 8,346,000
	Contract Date: May 1, 2008	Substantial Completion Date: (April 8, 2010)		\$ 1,850,000
	Method of Construction: Conventional Bid	Number of Change Orders: 2		\$ 10,196,000
	General Contractor: Hawkins Construction Company	Cumulative Amount of Change Orders: \$ 1,253		
University of Nebraska Medical Center College of Nursing Building - Addition	Architect: RDG Planning & Design	Percent of Funds Expended: 23%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 11,252,000
	Contract Date: May 1, 2008	Substantial Completion Date: (July 1, 2010)		\$ 2,748,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 14,000,000
	General Contractor: Meyers-Carisle LEEPLEY	Cumulative Amount of Change Orders: \$ -		
University of Nebraska Medical Center Harold M. and Beverly Maurer Center for Public Health	Architect: Alley Poyner & Macchietto Arch.	Percent of Funds Expended: 14%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 12,270,000
	Contract Date: May 1, 2008	Substantial Completion Date: (August 22, 2010)		\$ 2,730,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 15,000,000
	General Contractor: Darland Construction	Cumulative Amount of Change Orders: \$ -		
University of Nebraska Medical Center Stanley M. Truhlsen Eye Institute	Architect: TBD	Percent of Funds Expended: 0%	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 14,433,000
	Contract Date: TBD	Substantial Completion Date: (December 2012)		\$ 5,567,000
	Method of Construction: Conventional Bid	Number of Change Orders: -		\$ 20,000,000
	General Contractor: TBD	Cumulative Amount of Change Orders: \$ -		
	Contract Date: TBD			

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska at Omaha Campus Utilities Infrastructure Renewal	Architect: Farris Engineering	Percent of Funds Expended: 41%	1. Construction Budget	\$ 8,220,000
	Contract Date: 4-Year Contract	Substantial Completion Date: (July 1, 2011)	2. Non Construction Budget	\$ 780,000
	Method of Construction: Conventional Bid	Number of Change Orders: -	Total Project Cost	\$ 9,000,000
	General Contractor: The Weitz Company Contract Date: April 16, 2009	Cumulative Amount of Change Orders: \$ -		
University of Nebraska at Omaha HPER Facility Expansion	Architect: RDG Planning & Design	Percent of Funds Expended: 71%	1. Construction Budget	\$ 34,850,000
	Contract Date: January 1, 2008	Substantial Completion Date: (August 3, 2010)	2. Non Construction Budget	\$ 3,740,000
	Method of Construction: Construction Manager/GMP	Number of Change Orders: -	Total Project Cost	\$ 38,590,000
	General Contractor: Hawkins Construction Contract Date: March 1, 2008	Cumulative Amount of Change Orders: \$ -		
University of Nebraska at Omaha Mammel Hall	Architect: Holland Basham Architects	Percent of Funds Expended: 53%	1. Construction Budget	\$ 27,539,261
	Contract Date: March 10, 2008	Substantial Completion Date: (August 6, 2010)	2. Non Construction Budget	\$ 6,460,739
	Method of Construction: Construction Manager/GMP	Number of Change Orders: -	Total Project Cost	\$ 34,000,000
	General Contractor: Kiewit Building Group Contract Date: TBD	Cumulative Amount of Change Orders: \$ -		
University of Nebraska at Omaha Roskens Hall Renovation	Architect: Holland Basham Architects	Percent of Funds Expended: 0%	1. Construction Budget	\$ 8,529,300
	Contract Date: TBD	Substantial Completion Date: (August 2011)	2. Non Construction Budget	\$ 3,870,700
	Method of Construction: CM/GMP	Number of Change Orders: -	Total Project Cost	\$ 12,400,000
	General Contractor: TBD Contract Date: TBD	Cumulative Amount of Change Orders: \$ -		
Nebraska College of Technical Agriculture Curtis, Nebraska Education Center	Architect: The Clark Enersen Partners	Percent of Funds Expended: 1%	1. Construction Budget	\$ 7,357,881
	Contract Date: September 7, 2009	Substantial Completion Date: (May 2011)	2. Non Construction Budget	\$ 2,404,119
	Method of Construction: Conventional Bid	Number of Change Orders: -	Total Project Cost	\$ 9,762,000
	General Contractor: TBD Contract Date: TBD	Cumulative Amount of Change Orders: \$ -		

TO: The Board of Regents Addendum IX-D-4

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report

RECOMMENDED ACTION: Report

EXPLANATION: An update of the Six-Year Capital Plan will be provided on a quarterly basis. Attached is an update as of December 31, 2009. In addition, a report of current capital construction projects is included for review.

SPONSOR: Rebecca H. Koller
Assistant Vice President for Business & Finance
Director of Facilities Planning & Management

RECOMMENDED: David E. Lechner
Vice President for Business and Finance

DATE: February 8, 2010

2009 Six-Year Capital Plan - Unprioritized (Alphabetized by Campus)

Campus	Project Title	Estimate		State Funding	Other Funding	State O&M	1% Assessment
UN	Fire & Life Safety/Code Compliance	TBD	(1)	TBD	\$ -	\$ -	\$ -
State Funded Projects							
UNK	Otto Olsen II	\$ 31,320,000		\$ 31,320,000	\$ -	TBD	\$ 313,200
UNL	Animal Research Facility	\$ 15,000,000		\$ 15,000,000	\$ -	TBD	\$ 150,000
UNL	Life Science Teaching Labs	\$ 20,000,000		\$ -	\$ 20,000,000	TBD	\$ 200,000
UNMC	College of Nursing - Lincoln Division	\$ 17,500,000		\$ 17,500,000	\$ -	\$ -	\$ 175,000
UNO	Strauss Performing Arts Addition/Renovation	\$ 14,600,000		\$ 14,600,000	\$ -	TBD	\$ 146,000
		\$ 98,420,000		\$ 78,420,000	\$ 20,000,000	\$ -	\$ 984,200
Non-State Funded Projects							
UNK	Nebraska Safety Center Office and Classroom Building	\$ 1,200,000	(3)	\$ -	\$ 1,200,000	\$ 61,000	\$ 12,000
UNL	Burr Fedde Renovation	\$ 1,450,000		\$ -	\$ 1,450,000	\$ -	\$ -
UNL	Cather & Pound Renovations	\$ 9,100,000		\$ -	\$ 9,100,000	\$ -	\$ -
UNL	Cather Pound Dining Renovations	\$ 1,500,000		\$ -	\$ 1,500,000	\$ -	\$ -
UNL	Devaney Center Improvements	\$ 18,700,000		\$ -	\$ 18,700,000	\$ -	\$ 187,000
UNL	East Campus Family Housing Replacement	\$ 20,000,000		\$ -	\$ 20,000,000	\$ -	\$ -
UNL	NIC Phase 1 Infrastructure	\$ 19,500,000		\$ -	\$ 19,500,000	\$ -	\$ -
UNL	Neihardt Renovations	\$ 14,750,000		\$ -	\$ 14,750,000	\$ -	\$ -
UNL	Sheldon Haymarket	\$ 12,618,000	(3)	\$ -	\$ 12,618,000	\$ 310,000	\$ 126,180
UNL	Systems Biology (ARS)	\$ 62,000,000		\$ -	\$ 62,000,000	TBD	\$ 620,000
UNMC	College of Dentistry Addition	\$ 15,200,000		\$ -	\$ 15,200,000	TBD	\$ 152,000
UNMC	Comprehensive Cancer Research Center & Parking Structure	\$ 135,000,000		\$ -	\$ 135,000,000	TBD	\$ 1,350,000
UNMC	West Utility Plant	\$ 16,200,000		\$ -	\$ 16,200,000	TBD	\$ 162,000
UNO	University Life Complex	\$ 35,000,000		\$ -	\$ 35,000,000	TBD	\$ 350,000
		\$ 362,218,000		\$ -	\$ 362,218,000	\$ 371,000	\$ 2,959,180
Mixed Funded Projects							
UNK	Fine Arts Renovation/Addition	\$ 17,620,500		\$ 17,237,000	\$ 383,500	TBD	\$ 176,205
UNO	PKI Expansion	\$ 19,000,000		TBD	TBD	TBD	\$ 190,000
		\$ 36,620,500		\$ 17,237,000	\$ 383,500	\$ -	\$ 366,205
Total		\$ 497,258,500		\$ 95,657,000	\$ 382,601,500	\$ 371,000	\$ 4,309,585

Notes:

- (1) Number may change dramatically to represent 40% of 309 Task Force funding over the next 6 years
- (2) Moved from On-Deck List
- (3) Program Statement approved by the BOR
- (4) New Project

2009 On-Deck Projects

Campus	Project Title	Estimate	State Funding	Other Funding	State O&M	1% Assessment
State Funded Projects						
UNK	Calvin T. Ryan Library Renovation/Addition	\$ 14,580,000	\$ 14,580,000	\$ -	\$ 442,000	\$ 145,800
UNK	Cushing Coliseum Renovation & Additions	\$ 2,495,000	\$ 2,495,000	\$ -	\$ 25,000	\$ 24,950
UNK	Founders	\$ 1,135,000	\$ 1,135,000	\$ -	TBD	\$ 11,350
UNK	Frank House	\$ 3,405,000	\$ 3,405,000	\$ -	\$ 69,000	\$ 34,050
UNK	General Services Building Renovation (Ed Center)	\$ 6,480,000	\$ 6,480,000	\$ -	\$ 120,000	\$ 64,800
UNK	Memorial Student Affairs Building	\$ 6,265,000	\$ 6,265,000	\$ -	\$1,543,000	\$ 62,650
UNK	Sidewalk	\$ 1,000,000	\$ 1,000,000	\$ -	\$ -	\$ 10,000
UNK	Thomas Hall Renovation	\$ 3,402,000	\$ 3,402,000	\$ -	\$ 69,000	\$ 34,020
UNK	West Center East Wing	\$ 6,805,000	\$ 6,805,000	\$ -	\$ 100,000	\$ 68,050
UNL	Campus-wide Classroom Improvements	\$ 5,000,000	\$ 5,000,000	\$ -	TBD	TBD
UNL	Greater Nebraska Projects	\$ 45,000,000	\$ 45,000,000	\$ -	TBD	\$ 450,000
UNL	Manter Hall	TBD	TBD	\$ -	TBD	TBD
UNL	Undergraduate Academic Classroom Facility	\$ 40,500,000	\$ 40,500,000	\$ -	TBD	\$ 405,000
UNL	Vet Basic Sciences Building Structural Repairs	TBD	TBD	\$ -	TBD	TBD
UNL	Vet Diagnostic Building	TBD	TBD	\$ -	TBD	TBD
UNL	Westbrook Music Building Renovation and Expansion	\$ 25,000,000	\$ 25,000,000	\$ -	TBD	\$ 250,000
		\$ 161,067,000	\$ 161,067,000	\$ -	\$2,368,000	\$ 1,560,670
Non-State Funded Projects						
UNK	Centennial Towers East and West Renovations	\$ 8,600,000	\$ -	\$ 8,600,000	\$ -	\$ -
UNL	10th & Y Building Demolition	TBD	\$ -	TBD	TBD	TBD
UNL	Ashfall Pavilions and Bunkhouse	\$ 1,500,000	TBD	TBD	TBD	\$ 15,000
UNL	Behlen Laser Lab Renovations	\$ 1,500,000	\$ -	\$ 1,500,000	TBD	\$ 15,000
UNL	Chemistry Labs (Hamilton Hall Renovations)	\$ 15,000,000	\$ -	\$ 15,000,000	TBD	\$ 150,000
UNL	City Campus Recreation Center Expansion	TBD	\$ -	TBD	\$ -	TBD
UNL	Durham School of Construction	TBD	\$ -	TBD	TBD	TBD
UNL	East Campus Recreation Center	TBD	\$ -	TBD	\$ -	TBD
UNL	Husker Hall Renovations	\$ 700,000	\$ -	\$ 700,000	TBD	TBD
UNL	Life Sciences Innovation Center at NIC	\$ -	\$ -	\$ -	\$ -	\$ -
UNL	Love Memorial Coop Residence	\$ 1,600,000	\$ -	\$ 1,600,000	TBD	TBD
UNL	Morrill Hall Renovation	TBD	\$ -	TBD	TBD	TBD
UNL	Museum Wet Collections Facility	\$ 1,035,000 (4)	\$ -	\$ 1,035,000	\$ -	\$ 10,350
UNL	Plant Pathology and Horticulture Greenhouses-structural repair	TBD	\$ -	TBD	TBD	TBD
UNL	Science Research Facilities	TBD	\$ -	TBD	TBD	TBD
UNL	Selleck Renovations	\$ 15,900,000	\$ -	\$ 15,900,000	TBD	TBD
UNL	Student Health Renovation	TBD	\$ -	TBD	TBD	TBD
UNL	Utilities Infrastructure Improvements (City and East Campuses)	\$ 64,450,000 (4)	\$ -	\$ 64,450,000	TBD	\$ 644,500
UNMC	Biomedical Technology Center	\$ 24,840,000	\$ -	\$ 24,840,000	\$ 1,294,000	\$ 248,400
UNMC	Medical Office Building & Parking Structure	\$ 63,400,000	\$ -	\$ 63,400,000	\$ -	TBD
UNMC	Research Center of Excellence III	\$ 119,000,000	\$ -	\$ 119,000,000	TBD	\$ 1,190,000
UNO	Community Engagement Center	TBD (4)	\$ -	TBD	TBD	TBD
UNO	Allwine Prairie Environmental Education Field Station	\$ 1,500,000	\$ -	\$ 1,500,000	TBD	\$ 15,000
UNO	Campus Development at Center	TBD	\$ -	TBD	TBD	TBD
UNO	Community Outreach/Childcare Facility	TBD	\$ -	TBD	TBD	TBD
UNO	Fieldhouse Expansion/Renovation II	\$ 3,000,000	\$ -	\$ 3,000,000	TBD	\$ 30,000
UNO	Parking Structure(s) (Dodge)	TBD	\$ -	TBD	TBD	TBD
UNO	Proscenium Theater	TBD	\$ -	TBD	TBD	TBD
UNO	Student Housing (Pacific)	\$ 23,400,000 (4)	\$ -	\$ 23,400,000	\$ -	\$ -
		\$ 345,425,000	\$ -	\$ 343,925,000	\$ 1,294,000	\$ 2,318,250

2009 On-Deck Projects

Campus	Project Title	Estimate	State Funding	Other Funding	State O&M	1% Assessment
TBD or Mixed Funded Projects						
UN	Technology Development Center (NCITE)	\$ 17,000,000	TBD	TBD	TBD	\$ 170,000
UNK	Wellness Center	\$ 6,180,000	\$ 1,500,000	\$ 4,680,000		\$ 61,800
UNMC	Cardiovascular Research Center and Imaging Center	\$ 5,000,000	TBD	TBD	TBD	TBD
UNMC	College of Nursing Modernization	\$ 8,820,000	TBD	TBD	TBD	\$ 88,200
UNMC	College of Pharmacy Modernization	\$ 9,720,000	TBD	TBD	TBD	\$ 97,200
UNMC	Psychiatric Center	TBD	TBD	TBD	TBD	TBD
UNMC	Renovation and Expansion of Swanson Hall	\$ 15,120,000	TBD	TBD	TBD	\$ 151,200
UNMC	Saddle Creek Road Relocation	TBD	TBD	TBD	TBD	TBD
UNMC	College of Pharmacy Laboratory Addition	\$ 15,000,000	TBD	TBD	TBD	\$ 150,000
UNMC	Truhlsen Eye Institute - Ambulatory Surgery Addition	\$ 10,000,000	TBD	TBD	TBD	\$ 100,000
UNMC	Wittson Hall Modernization	\$ 9,470,000	TBD	TBD	TBD	\$ 94,700
UNMC	Student Life Center Addition	\$ 10,000,000	TBD	TBD	TBD	\$ 100,000
UNMC	Outpatient Cancer Treatment Center	\$ 75,000,000	\$ -	\$ 75,000,000	\$ -	\$ 750,000
UNMC	Parking Structure	\$ 8,000,000	\$ -	\$ 8,000,000	\$ -	\$ 80,000
UNO	Academic Building	TBD	TBD	TBD	TBD	TBD
UNO	Durham Science Center Renovation	TBD	TBD	TBD	TBD	TBD
UNO	General Services Building	TBD	TBD	TBD	TBD	TBD
UNO	Kaysers Hall Renovation	TBD	TBD	TBD	TBD	TBD
UNO	Weber Fine Arts Building Addition	TBD	TBD	TBD	TBD	TBD
		\$ 189,310,000	\$ 1,500,000	\$ 87,680,000	\$ -	\$ 1,843,100
Total On Deck Projects		\$ 695,802,000	\$ 162,567,000	\$ 431,605,000	\$ 3,662,000	\$ 5,722,020

NCTA - 2009 Six-Year Capital Plan - Unprioritized

State Funded Projects						
NCTA	Instruction Facilities Improvements	\$ 1,400,000	\$ 1,400,000	\$ -	TBD	\$ 14,000
Total NCTA		\$ 1,400,000	\$ 1,400,000	\$ -	\$ -	\$ 14,000

NCTA - 2009 On Deck List

State Funded Projects						
NCTA	Master Plan - Campus Renovation	\$ 3,025,000	\$ 3,025,000	\$ -	TBD	\$ 30,250
NCTA	Student Union	\$ 8,640,000	\$ 8,640,000	\$ -	TBD	\$ 86,400
Total NCTA On-Deck Projects		\$ 11,665,000	\$ 11,665,000			\$ 116,650

Recap of Projects in Progress by Phase

Project	Total Project Cost	Method of Contract	Architect	Contractor	Approve Program	Approve A/E	Substantial Completion	Current Phase	
State Funded Projects									
								\$0	
Note: State funding included in Mixed, 309 and LB 605 projects									
Non-State Funded Projects									
UNMC	Michael F. Sorrell Center - Academic Greenway and Monum	Included with Sorrell Center	Low Bid	HDR	Multi-Phase TBD	Jan-08	4 year	Oct-10	Planning
UNMC	Michael F. Sorrell Center - Wittson Hall Education Space Ren	Included with Sorrell Center	Low Bid	TBD	TBD	Dec-03	4 year	Dec-10	Planning
UNL	Ken Morrison Life Sciences Research Ctr. Addn.		Low Bid	TBD	TBD	Sep-09	TBD	Aug-11	Planning
UNMC	Truhlsen Eye Institute		Low Bid	TBD	TBD	Oct-09	TBD	Dec-12	Planning
UNMC	Michael F. Sorrell Center - Campus Identification Monument	Included with Sorrell Center	Artist Selection	James Carpenter Design Assoc.	James Carpenter Design Assoc.	Jan-08	Jan-08	Oct-10	Design
UNL	Devaney Sports Center Addition		Low Bid	The Clark Enersen Partners	TBD	Sep-09	Sep-09	Aug-11	Design
UNO	Roskens Hall Renovation		CM/GMP	Holland Basham	TBD	Jun-09	Oct-09	Aug-11	Design
UNL	Animal Research Facility Renovation		Low Bid	The Clark Enersen Partners	TBD	Jan-08	4 year	TBD	Project on Hold
UNL	NanoScience Facility		Low Bid	Perkins & Will	TBD	Sep-07	Mar-08	TBD	Project on Hold
UNL	College of Law Aud. Renov. & Clssrm Addn. Phase I & II		Low Bid	The Clark Enersen Partners	Kingery Const/Hampton Interprise	Apr-07	4year	Dec-09	Construction
UNMC	Michael F. Sorrell Center - Ice Rink	Included with Sorrell Center	BOR Apprvd CO	HDR	Kiewit Building Group	Jan-08	Jan-08	Dec-09	Construction
UNL	Whittier Renovation		Low Bid	Sinclair Hille Architects	Sampson Construction Company	Jun-07	Sep-07	Mar-10	Construction
UNMC	Home Instead Center for Successful Aging (Geriatric Center)		Low Bid	HDR	Hawkins Construction	Nov-07	Jan-08	Apr-10	Construction
UNL	Abel Sandoz Dining Center Renovations		Low Bid	Einess Swenson Graham Arch.	Sampson Construction Company	Jun-08	Sep-08	May-10	Construction
UNL	The Robert E. Knoll Residential Ctr.(17th & R Residence Hall		Design Build		Sampson Construction Company	Apr-08	D/B	Jun-10	Construction
UNL	Nebraska Athletic Student Life Complex		Low Bid	Bahr Vermeer & Haecker	Sampson Construction, Inc.	Nov-08	Mar-09	Jul-10	Construction
UNMC	College of Nursing Addition - Omaha		Low Bid	RDG	Meyers Carlisle Leapley	Mar-08	Mar-08	Jul-10	Construction
UNMC	Maurer Center for Public Health (College of Public Health)		Low Bid	Alley Poyner Macchietto & BNIM	Darland	Mar-08	Mar-08	Aug-10	Construction
UNL	19th & Vine Parking Structure		Design Build		Sampson Constructiion Company	Jan-09	NA	Aug-10	Construction
UNO	Health Physical Education & Recreation Facility		CM/GMP	RDG	Hawkins Construction	Jun-07	Jan-08	Aug-10	Construction
UNO	Mammel Hall (College of Business Administration)		CM/GMP	Holland Basham	Kiewit Building Group	Mar-08	Mar-08	Aug-10	Construction
UNL	Abel Sandoz Complex Renovation		Design Build		Ryan & Associates	Jun-07	D/B	Aug-10	Construction
UNL	Abel Sandoz Complex Window Replacement		Design Build		Ryan & Associates	Nov-06	D/B	Aug-10	Construction
UNK	Men's + Randall Renovations		Low Bid	Wilkins Hinrichs Stober	Hall Irwin	Sep-08	4 year	Jul-11	Construction
UNMC	Michael F. Sorrell Center for Health Science Education		Low Bid	HDR & RDG	Kiewit Building Group	Dec-03	Jun-04	Oct-08	Warranty
					Graham Penn-Co (Phase 1)	Jan-04	4 year	Dec-08	Warranty
UNMC	cGMP Transplant Production Facility		Low Bid	Sinclair Hille Architects	Sampson (Phase 2)			May-09	Warranty
UNL	Barkley Memorial Center Building Addition - I		Low Bid	Sinclair Hille Architects	Hampton Enterprises	Sep-06	4 year	Jul-09	Warranty
UNK	Mantor Renovations		Low Bid	Wilkins Hinrichs Stober	Sampson Construction Company	Mar-08	4 year	Jul-09	Warranty
UNL	Husker Vision Control Room Equipment		Low Bid	NA	Mitsubishi Electric	Nov-08	NA	Aug-09	Warranty
									\$428,052,300
Mixed Funded Projects									
NCTA	Education Center		Low Bid	The Clark Enersen Partners	TBD	Mar-08	Sep-09	May-11	Design
UNL	Leverton Hall HVAC Replacement		Low Bid	Davis Design	TBD	Apr-09	4 year	Dec-10	Design
UNL	Jackie Gaughan Multicultural Center		Low Bid	Dana Larson Roubal & Assoc.	Hausmann Construction	Nov-06	Mar-07	Dec-09	Construction
UNL	Entomology Hall HVAC Replacement		Low Bid	The Clark Enersen Partners	Sandstone Construction	Jun-08	4 year	Nov-09	Warranty
UNMC	Durham Research Center II		Low Bid	HDR	Hawkins Construction	Oct-04	NA	Dec-08	Warranty
									\$99,549,000

Recap of Projects in Progress by Phase

Project	Total Project Cost	Method of Contract	Architect	Contractor	Approve Program	Approve A/E	Substantial Completion	Current Phase
LB 309 & Campus Match Projects								
UNMC Central Utilities Plant-Electrical Upgrades (Normal Distribution)	\$2,259,000	Low Bid	Specialized Engineering Solutions	Vrana	Mar-07	4 Year	Mar-09	Warranty
	<hr/>							
	\$2,259,000							
University Building Renewal Assessment Fund (1% Assessment)								
UNMC Central Utilities Plant - Chiller Installation	\$2,150,000	Low Bid	Farris	All Purpose Utilities	Sep-07	NA	Feb-09	Warranty
	<hr/>							
	\$2,150,000							
LB 605 Projects								
UNMC Eppley Cancer Center Renovation	\$5,500,000	Low Bid	TBD	TBD	TBD	TBD	TBD	On hold pending NIH Grant
UNMC Wittson Hall Renovation								
Phase I	\$1,956,000	Low Bid	TBD	TBD	TBD	4-year	TBD	Planning
Phase II	\$5,363,000	Low Bid	TBD	TBD	TBD	TBD	TBD	Planning
UNL Demolition of Ferguson Hall	\$887,800	Low Bid	TBD	TBD	Jun-06	TBD	Jan-11	Planning
UNL Brace Renovation / Behlen Renovation	\$1,658,446	Low Bid	TBD	TBD	Jun-06	TBD	Dec-10 / Sep 11	Planning
UNMC Poynter Hall Renovation	\$7,241,000	Low Bid	RDG	TBD	Sep-06	Mar-07	Jun-11	Design
UNL Keim Hall Renovation	\$14,000,000	Low Bid	Alley Poyner Macchietto Architects	Sampson Construction	Apr-07	Apr-07	Mar-10	Construction
UNMC College of Dentistry Renovation	\$8,972,000	Low Bid	Davis Design	Sampson Construction	Jun-07	Sep-07	Mar-10	Construction
UNL Physical Sciences Replacement Building	\$37,993,754	Low Bid	Perkins & Will / BVH	Sampson Construction	Jun-06	Sep-06	Apr-10	Construction
UNO Utility Infrastructure	\$9,000,000	Low Bid	Farris Engineering	Weitz / Hawkins / Midwest Mech.	Nov-06	4 year	Jul-11	Construction
UNL Animal Science Renovation	\$21,340,000	Low Bid	Farris Engineering	Omaha Construction Services	Apr-07	Apr-07	Jul-11	Construction
UNL Sheldon Memorial Gallery Exterior Rehabilitation	\$3,960,000	Low-Bid	Batheja	Mid-Continental Construction	Jun-06	4 year	Nov-08	Warranty
UNO Criss Library Renovation	\$11,424,850	CM/GMP	HDR	Hawkins Construction	Apr-04	Nov-06	Jun-09	Warranty
UNK Bruner Hall of Science Phase II	\$14,552,000	CM/GMP	The Clark Enerson Partners	Beckenbauer Const. Inc.	Jan-07	Jun-07	Aug-09	Warranty
UNK Central Utilities / Plant	\$18,460,000	CM/GMP	Leo Daly	JE Dunn	Nov-06	Mar-07	Sep-09	Warranty
	<hr/>							
	\$162,308,850							
Total Capital Construction Projects								
	\$694,319,150							

A/E Approval Notes: NA - below BOR approval threshold

D/B - Design Build process

4 year - Four Year A/E Selection Process

TO: The Board of Regents Addendum IX-D-5

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska at Kearney
Report of Gifts, Grants, Contracts and Bequests accepted during the
Quarter October 1, 2009 through December 31, 2009

RECOMMENDED ACTION: Report

Description	A Gifts	B Grants	C Bequests	D Contracts	Totals
Instruction	\$0	\$3,000	\$0	\$0	\$3,000
Research	0	0	0	0	0
Public Service	0	10,912	0	11,091	22,003
Administration	0	500	0	0	500
Student Services	0	4,500	0	11,000	15,500
Stu Financial Aid	44,351	183,010	0	0	227,361
Donations	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Subtotals	\$44,351	\$201,922	\$0	\$22,091	\$268,364

Gifts and Bequests of \$1,000,000 & more previously accepted by the Regents during the reported quarter:

Instruction	\$0	\$0	\$0	\$0	\$0
Research	0	0	0	0	0
Public Service	0	0	0	0	0
Administration	0	0	0	0	0
Student Services	0	0	0	0	0
Stu Financial Aid	0	0	0	0	0
Donations	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Subtotals	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	<u>\$44,351</u>	<u>\$201,922</u>	<u>\$0</u>	<u>\$22,091</u>	<u>\$268,364</u>

- A - Gifts of \$100,000 and more are itemized on the attached pages
- B - Grants of \$1,000,000 and more are itemized on the attached pages
- C - All bequests are itemized on the attached pages
- D - Contracts of \$400,000 and more are itemized on the attached pages

SPONSORS: Barbara L. Johnson
Vice Chancellor for Business & Finance

RECOMMENDED: Douglas A. Kristensen, Chancellor
University of Nebraska at Kearney

DATE: February 8, 2010

**UNIVERSITY OF NEBRASKA AT KEARNEY
 REPORT OF AWARDS
 WHICH REQUIRE SEPARATE ITEMIZATION
 ACCEPTED DURING THE QUARTER 10/01/09 - 12/31/09**

Gifts/Bequests \$100,000 and over

<u>Donor</u>	<u>Purpose</u>	<u>Amount</u>
	Subtotal	\$0
	Total amount of gifts under \$100,000	44,351
	Total Gifts for the Quarter	<u>\$44,351</u>

Grants \$1,000,000 and over

<u>Grantor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
		Subtotal	\$0
		Total amount of all Grants under \$1,000,000	201,922
		Total Grants for the Quarter	<u>\$201,922</u>

Contracts \$400,000 and over

<u>Grantor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
		Subtotal	\$0
		Total amount of all Contracts under \$400,000	22,091
		Total Contracts for the Quarter	<u>\$22,091</u>

TO: The Board of Regents

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska-Lincoln
Report of Gifts, Grants, Contracts and Bequests accepted during the
Quarter October 1, 2009 through December 31, 2009

RECOMMENDED ACTION: Report

Description	A Gifts	B Grants	C Bequests	D Contracts	Totals
Instruction	\$2,999	\$1,006,824	\$0	\$8,000	\$1,017,823
Research	0	18,604,582	0	4,875,221	23,479,803
Public Service	0	17,425,420	0	1,132,878	18,558,298
Administration	0	8,118,255	0	0	8,118,255
Student Services	0	600	0	0	600
Stu Financial Aid	0	708,693	0	0	708,693
Donations	0	0	0	0	0
Subtotals	\$2,999	\$45,864,374	\$0	\$6,016,099	\$51,883,472

Gifts and Bequests of \$1,000,000 & more previously accepted by the Regents during the reported quarter:

Instruction	\$0	0	0	0	\$0
Research	0	0	0	0	0
Public Service	0	0	0	0	0
Administration	0	0	0	0	0
Student Services	0	0	0	0	0
Stu Financial Aid	0	0	0	0	0
Donations	0	0	0	0	0
Subtotals	\$0	0	0	0	0
TOTAL	<u>\$2,999</u>	<u>\$45,864,374</u>	<u>\$0</u>	<u>\$6,016,099</u>	<u>\$51,883,472</u>

- A - Gifts of \$100,000 and more are itemized on the attached pages
- B - Grants of \$1,000,000 and more are itemized on the attached pages
- C - All bequests are itemized on the attached pages
- D - Contracts of \$400,000 and more are itemized on the attached pages

SPONSORS: Prem S. Paul
Vice Chancellor for Research & Economic Development

Christine A. Jackson
Vice Chancellor for Business & Finance

RECOMMENDED: Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: February 8, 2010

**UNIVERSITY OF NEBRASKA-LINCOLN
 REPORT OF AWARDS
 WHICH REQUIRE SEPARATE ITEMIZATION
 ACCEPTED DURING THE QUARTER 10/1/09 – 12/31/09**

Gifts/Bequests \$100,000 and over

<u>Donor</u>	<u>Description</u>	<u>Amount</u>
	Gifts/Bequests under \$100,000	<u>\$2,999</u>
	Total Gifts for the Quarter	<u>\$2,999</u>

Grants \$1,000,000 and over

See attached sheet

Subtotal	\$27,392,903
Total amount of all Grants under \$1,000,000	<u>18,471,471</u>
Total Grants for the Quarter	<u>\$45,864,374</u>

Contracts \$400,000 and over

See attached sheet

Subtotal	\$2,476,653
Total amount of all Contracts under \$400,000	<u>3,539,446</u>
Total Contracts for the Quarter	<u>\$6,016,099</u>

University of Nebraska-Lincoln
Quarterly Summary of Contracts Awarded of \$400,000 and Over
Subtotals by College and Department
For the Quarter 10/1/09 - 12/31/09

Dept/PI	Title	Budget Period	Funding Agency	Amount
Engineering				
Chemical and Biomolecular Engineering				
Meagher Michael	ARRA: Process Development & Preclinical Manufacturing of a Recombinant Human Lactoferrin	9/12/09 8/31/10	PharmaReview Corporation	\$ 486,115
Swanson Stephen	ARRA: Process Development & Preclinical Manufacturing of a Recombinant Human Lactoferrin	9/12/09 8/31/10	PharmaReview Corporation	119,537
Inan Mehmet	ARRA: Process Development & Preclinical Manufacturing of a Recombinant Human Lactoferrin	9/12/09 8/31/10	PharmaReview Corporation	103,598
Van Cott Kevin	ARRA: Process Development & Preclinical Manufacturing of a Recombinant Human Lactoferrin	9/12/09 8/31/10	PharmaReview Corporation	<u>87,660</u>
subtotal				796,910
IANR-Research				
Food Science and Technology				
Goodman Richard	Food Allergen Database	1/1/10 12/31/12	Various Industries	509,807
Taylor Stephen	Food Allergen Database	1/1/10 12/31/12	Various Industries	<u>169,936</u>
subtotal				679,743
Vice Chancellor for Research				
Vice Chancellor for Research				
Paul Prem	Nebraska Center for Energy Sciences Research	11/24/09 3/31/16	Ne Public Power District	<u>1,000,000</u>
Grand Total				<u>\$ 2,476,653</u>

University of Nebraska-Lincoln
Quarterly Summary of Grants Awarded of \$1,000,000 and Over
Subtotals by College and Department
For the Quarter 10/1/09 - 12/31/09

Dept/PI	Title	Budget Period	Funding Agency	Amount
Arts and Sciences				
Center on Children, Families and the Law				
Ells	Mark	Midwest Child Welfare Technical Assistance Implementation Center	9/30/09 9/29/10	DHHS-Admin for Child & Families \$ 903,747
Graef	Michelle	Midwest Child Welfare Technical Assistance Implementation Center	9/30/09 9/29/10	DHHS-Admin for Child & Families 903,747
Wilcox	Brian	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 2,950,380
Nebraska Center for Virology				
Wood	Charles	ARRA: Nebraska Center for Virology Facility Expansion	12/10/09 6/30/14	DHHS-Nat Ctr Rsch Resources 4,000,000
Psychology				
Hansen	David	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 632,224
Scalora	Mario	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 316,112
Willis-Esqueda	Cynthia	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 316,112
Wiener	Richard	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 210,741
Garbin	Calvin	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 210,741
Bornstein	Brian	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 210,741
Carlo	Gustavo	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 105,371
Crockett	Elizabeth	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 105,371
Edwards	Carolyn	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 105,371
Subtotal				<u>10,970,658</u>
Education and Human Sciences				
Child, Youth and Family Studies				
Raikes	Helen	Training on Family and Policy Services	10/1/09 9/30/11	Ne Dept Health & Human Serv 105,371
Special Education and Communication Disorders				
Bernthal	John	Barkley Trust Fund	7/1/2009 12/31/09	Nu Foundation <u>1,321,736</u>
Subtotal				1,427,107
IANR-Cooperative Extension				
Agricultural Economics				
Jose	H. Douglas	North Central Risk Management Education Center	11/15/09 11/14/10	Dept of Agriculture-NIFA 1,168,912

eXtension						
Cotton	Dan	National E-Extension Project	4/1/09	12/31/10	Natl Assn State Univ & Land-Grant College	2,200,000
Dean's Office for Cooperative Extension						
Birnstihl	Elizabeth	Food Stamp Nutrition Education Project	10/1/09	9/30/10	Ne Dept Health & Human Serv	457,275
Nutrition and Health Sciences						
Koszewski	Wanda	Food Stamp Nutrition Education Project	10/1/09	9/30/10	Ne Dept Health & Human Serv	471,132
Schnepf	Marilynn	Food Stamp Nutrition Education Project	10/1/09	9/30/10	Ne Dept Health & Human Serv	<u>457,275</u>
Subtotal						4,754,594
IANR-Research						
Dean's Office for Agricultural Research Division						
Yohe	John	An Integrated Program to Expand the role of Sorghum, Millet and Other Grains for Economic Development in the Semi-Arid Tropics	9/29/06	9/30/11	Agency for Intl Development	3,058,096
Biochemistry						
Becker	Donald	Redox Biology Center	8/1/09	7/31/10	DHHS-Nat Ctr Rsch Resources	<u>1,682,448</u>
Subtotal						4,740,544
Vice Chancellor for Academic Affairs						
Vice Chancellor for Academic Affairs						
Bulling	Denise	Nebraska Youth Suicide Prevention and Early Intervention	10/1/09	9/30/12	Ne Dept Health & Human Serv	1,500,000
Vice Chancellor for Research						
Vice Chancellor for Research						
Paul	Prem	ARRA: Nebraska Center for Virology Facility Expansion	12/10/09	6/30/14	DHHS-Nat Ctr Rsch Resources	<u>4,000,000</u>
Grand Total						<u>\$ 27,392,903</u>

TO: The Board of Regents

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska Medical Center
Report of Gifts, Grants, Contracts and Bequests accepted during the
Quarter October 1, 2009 through December 31, 2009

RECOMMENDED ACTION: Report

Description	A Gifts	B Grants	C Bequests	D Contracts	Totals
Instruction	\$307,158	\$1,929,193	\$0	\$1,235,500	\$3,471,852
Research	85,303	4,987,217	0	5,749,290	10,821,810
Public Service	235,214	8,977	0	495,359	739,550
Student Aid	83,453	0	0	0	83,453
Other	12,388	0	0	0	12,388
	_____	_____	_____	_____	_____
Subtotals	\$723,517	\$6,925,388	\$0	\$7,480,149	\$15,129,053

Gifts and Bequests of \$1,000,000 & more previously accepted by the Regents during the reported quarter:

Instruction	\$0	\$0	\$0	\$0	\$0
Research	0	0	0	0	0
Public Service	0	0	0	0	0
Student Aid	0	0	0	0	0
Other	0	0	0	0	0
	_____	_____	_____	_____	_____
Subtotals	0	0	0	0	0
	_____	_____	_____	_____	_____
TOTAL	<u>\$723,517</u>	<u>\$6,925,388</u>	<u>\$0</u>	<u>\$7,480,149</u>	<u>\$15,129,053</u>

- A - Gifts of \$100,000 and more are itemized on the attached pages
- B - Grants of \$1,000,000 and more are itemized on the attached pages
- C - All bequests are itemized on the attached pages
- D - Contracts of \$400,000 and more are itemized on the attached pages

SPONSORS: Thomas H. Rosenquist, Ph.D.
Vice Chancellor of Research

RECOMMENDED: Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: February 8, 2010

**UNIVERSITY OF NEBRASKA MEDICAL CENTER
 REPORT OF AWARDS
 WHICH REQUIRE SEPARATE ITEMIZATION
 ACCEPTED DURING THE QUARTER 10/01/09 – 12/31/09**

Gifts/Bequests \$100,000 and over

<u>Donor</u>	<u>Purpose</u>	<u>Amount</u>
Hattie B. Munroe Foundation	Play/Camp Program	\$206,828
Scottish Rite Foundation	Language Program	111,119
	Subtotal	\$317,947
	Total amount of gifts under \$100,000	<u>405,570</u>
	Total Gifts for the Quarter	<u>\$723,517</u>

Grants \$1,000,000 and over

<u>Grantor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
			Subtotal
			Total amount of all Grants under \$1,000,000
			Total Grants for the Quarter
			\$0
			<u>0</u>
			<u>\$0</u>

Contracts \$400,000 and over

<u>Sponsor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
See attached			
			Subtotal
			Total amount of all Contracts under \$400,000
			Total Contracts for the Quarter
			\$2,720,671
			<u>4,759,478</u>
			<u>\$7480,149</u>

**UNIVERSITY OF NEBRASKA MEDICAL CENTER
 CONTRACTS \$400,000 OR MORE
 October 1, 2009 - December 31, 2009**

SPONSOR	GRANTEE DEPARTMENT	TITLE	AMOUNT
University of Nebraska - Lincoln	Judith Christman, Ph.D. Biochem and Molecular Biology	Nano-Enhanced Epigenetics Research (NE2R)	\$439,397
Nabi Biopharmaceuticals	Stephen Rennard, MD Int Med Pulmonary	A Phase 3, Multicenter, Randomized, Double-Blind, Placebo-Controlled Study to Assess Efficacy, Immunogenicity and Safety of 3'-Aminomethylnicotine-P. Aeruginosa R-Exoprotein A Conjugate	422,730
Otsuka Maryland Research Institute, Inc.	Stephen Rennard, MD Int Med Pulmonary	A 2-Year, Multi-Center, Randomized, Double-Blind, Placebo-Controlled, Pilot Study to Assess the Pharmacodynamics, Efficacy and Safety of Tetomilast and Placebo in Patients with COPD Associated	2,331,768

TO: The Board of Regents

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: University of Nebraska at Omaha
Report of Gifts, Grants, Contracts and Bequests accepted during the
Quarter October 1, 2009 through December 31, 2009

RECOMMENDED ACTION: Report

Description	A Gifts	B Grants	C Bequests	D Contracts	Totals
Instruction	\$852,324	\$150,720	\$0	\$2,420,420	\$3,423,464
Research	2,823	1,830,504	0	8,500	1,841,827
Public Service	119,403	255,333	86,986	0	461,722
Administration	0	0	0	0	0
Supporting Services					
Administrative	12,841	0	0	0	12,841
Stu Financial Aid	54,871	240,144	0	0	295,015
Other	7,974	0	0	0	7,974
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Subtotals	\$1,050,236	\$2,476,701	\$86,986	\$2,428,920	\$6,042,843

Gifts and Bequests of \$1,000,000 & more previously accepted by the Regents during the reported quarter:

Instruction	\$0	\$0	\$0	\$0	\$0
Research	0	0	0	0	0
Public Service	0	0	0	0	0
Administration	0	0	0	0	0
Student Services	0	0	0	0	0
Stu Financial Aid	0	0	0	0	0
Donations	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Subtotals	0	0	0	0	0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	<u>\$1,050,236</u>	<u>\$2,476,701</u>	<u>\$86,986</u>	<u>\$2,428,920</u>	<u>\$6,042,843</u>

- A - Gifts of \$100,000 and more are itemized on the attached pages
- B - Grants of \$1,000,000 and more are itemized on the attached pages
- C - All bequests are itemized on the attached pages
- D - Contracts of \$400,000 and more are itemized on the attached pages

SPONSOR: William E. Conley
Vice Chancellor for Business and Finance

RECOMMENDED: John E. Christensen, Chancellor
University of Nebraska at Omaha

DATE: February 8, 2010

**UNIVERSITY OF NEBRASKA AT OMAHA
 REPORT OF AWARDS
 WHICH REQUIRE SEPARATE ITEMIZATION
 ACCEPTED DURING THE QUARTER 10/1/09-12/31/09**

Gifts/Bequests \$100,000 and over

<u>Donor</u>	<u>Purpose</u>	<u>Amount</u>
UNF	Holland Computing Center Leases	\$635,610
	Subtotal	\$635,610
	Total amount of gifts under \$100,000	<u>414,626</u>
	Total Gifts for the Quarter	<u>\$1,050,236</u>

Grants \$1,000,000 and over

<u>Grantor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
US Dept of Defense/Office of Naval Research	Computer Science	To develop techniques to enable robots to detect Landmines	\$1,310,200
	Subtotal		\$1,310,200
	Total amount of all Grants under \$1,000,000		<u>1,166,501</u>
	Total Grants for the Quarter		<u>\$2,476,701</u>

Bequests

<u>Donor</u>	<u>Purpose</u>	
Douglas K. Maline Trust	KVNO	\$86,986
	Subtotal	\$86,986
	Total Bequests for the Quarter	<u>\$86,986</u>

Contracts \$400,000 and over

<u>Grantor</u>	<u>Grantee Department</u>	<u>Purpose</u>	
OT Training Solutions	International Studies & Programs	Afghan National Literacy Program	\$2,420,420
	Subtotal		\$2,420,420
	Total amount of all Contracts under \$400,000		<u>8,500</u>
	Total Contracts for the Quarter		<u>\$2,428,920</u>

TO: The Board of Regents Addendum IX-D-6

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Semi-Annual Report of Licenses

RECOMMENDED ACTION: Report

EXPLANATION: The attached report is a summary of licenses as provided by the campuses pursuant to Regents Policy RP-6.3.1.4.v (2) of the Board of Regents of the University of Nebraska for the period July 1, 2009 through December 31, 2009.

The report outlines the following: type of action; campus; description and use of the product, service, or project; term of the license; and financial terms of the license.

RECOMMENDED: David E. Lechner
Vice President for Business and Finance

DATE: February 8, 2010

**SEMI-ANNUAL REPORT OF LICENSES
7/1/2009 THROUGH 12/31/09**

Type of Action	Campus	Licensee	Description of Product/Service	Term of License	Contractual Requirements
Intellectual Property License	UNMC	Versalion	Functional micelles for targeted delivery	Life of Patents	Royalty-bearing
Intellectual Property License	UNMC	Versalion	Delivery systems for non-invasive imaging and treatment of inflammatory diseases	Life of Patents	Royalty-bearing
Intellectual Property License	UNMC	Versalion	Bone binding conjugate for the treatment of osteoporosis	Life of Patents	Royalty-bearing
Intellectual Property License	UNMC	Truer	Laryngoscope Blade with Novel Shape and Ports	Life of Patents	Royalty-bearing
Intellectual Property Option	UNMC	Isis	MMP13 antisense oligonucleotides	Six Months	Evaluation
Intellectual Property License	UNO	FitMinded	Support group for women would are interested in losing weight	Life of Copyright and Trademark	Royalty-bearing

TO: The Board of Regents Addendum IX-D-7

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Report of Bids and Contracts

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: The attached report is a summary of bids and contracts as provided by the campuses pursuant to Section 6.4 of the *Bylaws of the Board of Regents of the University of Nebraska* for the period ended February 28, 2010.

The report outlines the following: type of action; campus; description and use of the product, service, or project; funding source; approved budget amount; contract amount; contractor or vendor; and a bid review or bid explanation if the low responsible bid was not accepted.

SPONSOR: David E. Lechner
Vice President for Business and Finance

DATE: February 8, 2010

Type of Action	Campus	Description	Funding Source	Approved Budget Amount*	Contract Amount	Contractor / Vendor	Bid Review or Explanation
Construction Contract	UNK	Men's and Randall Hall Renovations	Revenue Bonds	\$4,960,000	\$3,991,621	Hall Irwin	Low Responsible Bid
Personal Property	UNL	Chemistry Department-Mechanical Testing Equipment	Federal Funds	75,777	75,777	Instron Corporation	Sole Source Purchase-Instron is the only company that has the testing equipment with specifications required for project.
Personal Property	UNL	Facilities Management-steam turbine chiller compressor repair for City Campus Utility Plant	General Funds	160,000	160,000	Johnson Controls	Sole Source Purchase-Johnson Controls is familiar with UNL equipment and were able to locate a re-furbished impeller at a minimum cost savings of 50% over the price of a new impeller.

*Approved budget amount for construction contracts represents the entirety of the project budget, whereas the contract amount is the amount pertaining to the particular activity within the construction contract.

TO: The Board of Regents Addendum IX-D-8
Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Status Report on Fire Safety and Protection

RECOMMENDED ACTION: Report

PREVIOUS ACTION: March 6, 2009 – Annual fire safety report for calendar 2008 was made to the Board of Regents.

September 6, 2007 – The Board of Regents approved the establishment of *Policies of the Board of Regents* 6.4.9 - Fire Safety and Protection.

EXPLANATION: Board policy requires sprinkling of University-sanctioned housing by 2017, unless otherwise exempted; designation of a Campus Fire Safety Officer; establishment of student conduct regulations; and confirmation of inspection to assure compliance with state law and Board of Regents policies to be reported annually. The full report for 2009 can be found at http://nebraska.edu/docs/facilities/NU_Fire_Safety_Protection_Report_2009.pdf

As of December 31, 2009, University sanctioned housing consisted of over 12,000 beds in 80 buildings or complexes. Several campuses took steps toward sprinkling, increasing sprinkled beds to 43% at UNK and UNL Greek Housing to 49%. No proposed exceptions are included in the 2009 report.

During 2009, UNK completed renovation of Mantor Hall and started renovation of Men's Hall. UNMC demolished eight single family houses. Three UNL Greek Houses, Alpha Phi, Gamma Phi Beta, and Kappa Delta completed sprinkling.

181 inspections were conducted in 2009, up from 171 the previous year. 68 violations have been corrected. 254 fire alarms occurred during the 2009 calendar year, 63 due to planned fire drills. 5 incidents involved fire. No injuries occurred and property damage was minimal

SPONSOR: Rebecca H. Koller
Assistant Vice President for Business & Finance
Director of Facilities Planning & Management

RECOMMENDED: David E. Lechner
Vice President for Business & Finance

DATE: February 8, 2010

TO: The Board of Regents Addendum IX-D-9

Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Changes in Construction Projects by Budget or Use Categories

RECOMMENDED ACTION: Report

PREVIOUS ACTION: Board of Regents policies require the written approval of the President for any significant changes within a project, either in the scope or nature of the construction, or the programs to be served by the project. Further, any such presidential-approved changes shall be reported to the Board of Regents in writing at its next regular meeting. "Significant change" was defined as a change within the construction or non-construction budget category of a Board-approved project exceeding \$250,000 or 5% whichever is smaller; or an increase or decrease of 5% or more of the total net square feet (NSF) exceeding 1,000 NSF.

EXPLANATION: The attached report as provided by the campuses is a summary of projects requiring significant changes within a budget category. All changes requiring such action have been approved by the President.

For each project, the report outlines the approved budget and NSF and, if applicable, the revised budget, NSF, percent of change and dollar amount of the change. Reasons for significant changes are also provided. The construction budget and non-construction budget categories are displayed and totaled in order to illustrate the effect of the changes on the overall project budget.

SPONSOR: Rebecca H. Koller
Assistant Vice President for Business and Finance
Director of Facilities Planning and Management

RECOMMENDED: David E. Lechner
Vice President for Business and Finance

DATE: February 8, 2010

University of Nebraska
Change in Scope - Construction Projects by Budget or Use Categories
UNMC - Harold M. and Beverly Maurer Center for Public Health
Date: March 5, 2010

Campus / Project	Budget Categories	Approved Budget	Revised Budget	Percent Change	Dollar Amount of Change	Approved Building NSF	Revised NSF	Reason for Report
UNMC - Harold M. and Beverly Maurer Center for Public Health	1. Construction Costs	\$13,583,000	\$12,473,000	-8.2%	(\$1,110,000)	57,900	62,466	Bids were favorable. As a result, an 80-seat auditorium can be accommodated within the budget. Reallocation from construction to non-construction will provide additional furniture and education technology for the auditorium plus cover fees.
	2. Non-construction Costs	\$2,917,000	\$4,027,000	38.1%	\$1,110,000			
	Total	\$16,500,000	\$16,500,000	0.0%	\$0	7.9%		

TO: The Board of Regents Addendum IX-D-10
 Business Affairs

MEETING DATE: March 5, 2010

SUBJECT: Business Affairs Committee Approval of Intermediate Design Reports

RECOMMENDED ACTION: Report

PREVIOUS ACTION: November 7, 2008 - the Board of Regents approved revisions to RP-6.3.6.2.d authorizing the Business Affairs Committee to approve Intermediate Design for projects greater than \$2,000,000 and report approval to the Board at the next regular meeting. Approval of Intermediate Design fixes the project scope and budget.

EXPLANATION: Following is the Intermediate Design Report for a project approved by the Business Affairs Committee:

NCTA Education Center

Program Statement Approved: March 7, 2008
 Intermediate Design Report: January 22, 2010

	<i>Program Statement</i>	<i>Approved</i>
Total Project Cost:	\$9,762,000	\$9,762,000
Construction Cost:	\$7,357,881	\$8,254,415
Non Construction Cost:	\$2,404,119	\$1,507,585
NSF:	26,450	28,542
GSF:	37,030	46,364
Substantial Completion	March 2010	July 2011

SPONSOR: Rebecca H. Koller
 Assistant Vice President for Business & Finance
 Director of Facilities Planning & Management

RECOMMENDED: David E. Lechner
 Vice President for Business & Finance

DATE: February 8, 2010