The Board of Regents of the University of Nebraska met on March 15, 2013, at 12:00 p.m. in the board room at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. § 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on March 4, 2013.

Regents present:
Timothy F. Clare, Chair
Hal Daub
Howard Hawks, Vice Chair
Bob Phares
Jim Pillen
Bob Whitehouse
Jeremy Hosein
Devin Bertelsen
Cameron Deter
Eric Kamler

Not present
Regent Kent Schroeder

University officials present:
James B. Milliken, President
Susan M. Fritz, Interim Executive Vice President and Provost
Carmen K. Maurer, Corporation Secretary
John E. Christensen, Chancellor, UNO
Harold M. Maurer, Chancellor, UNMC
Harvey S. Perlman, Chancellor, UNL
David E. Lechner, Senior Vice President for Business and Finance | CFO
Joel D. Pedersen, Vice President and General Counsel
Sharon R. Stephan, Vice President for University Affairs
Ronnie D. Green, Vice President for Agriculture and Natural Resources

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 12:00 p.m. in the Board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska on March 15, 2013. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Phares and seconded by Whitehouse to approve the minutes and ratify the actions of the regularly scheduled meeting of January 25, 2013.

Motion carried.

Regent Clare announced the location of the Open Meetings Act in the board room.

IV. KUDOS

Regent Kamler presented a KUDOS award to Carin Borg, Administrator IV in the Department of Surgery at the University of Nebraska Medical Center.
Regent Deter presented a KUDOS award to Mike Cook, buyer for the Department of Chemistry in the College of Arts and Sciences at the University of Nebraska-Lincoln.

Regent Daub presented a KUDOS award to Carla Werner, Administrative Associate for IANR Cooperative Extension Division at the University of Nebraska-Lincoln.

Regent Hosein presented a KUDOS award to Michelle Hamaker, Director of Police and Parking Services at the University of Nebraska at Kearney.

Regent Pillen presented a KUDOS award to Lisa Medina, Assistant Director of Sports Clubs and Youth Programs at the University of Nebraska at Omaha.

Regent Deter recognized the University of Nebraska at Kearney’s wrestling team which defended its national title, winning the NCAA Division II Championship.

V. RESOLUTIONS

Regent Hawks presented the following resolution

WHEREAS, Regent Devin Bertelsen has served on Student Government since her sophomore year at the University of Nebraska at Omaha, working tirelessly as a senator and Chief Administrative Officer to improve campus for all students; and

WHEREAS, Regent Bertelsen served as Student Regent and Student Body President in 2012 and 2013. Throughout this term, Regent Bertelsen maintained an active approach in the mentoring of her senators by visiting with each committee on a continuous basis, which in turn helped senators realize their full potential in the organization; and

WHEREAS, Regent Bertelsen has successfully worked with UNO administration to help her campus become more sustainable by supporting Zipcar, a campus car-sharing program, which will help numerous students attend on and off-campus functions related to their education; and

WHEREAS, Regent Bertelsen never failed to look at the bigger picture with each decision made, offering her knowledge and experience to all she worked with; and

WHEREAS, Regent Bertelsen has challenged Student Government to review and reconsider the current structure of administrative agencies to determine how to improve support and service to students; and

WHEREAS, Regent Bertelsen has been an active and engaged member of the Student Center renovation planning team, providing student-centered insight and direction to the conceptual planning process; and

WHEREAS, Regent Bertelsen has gone above and beyond her duties as a Student Body President and Regent and become an admirable and true leader who has given countless hours to this organization, while expecting nothing in return; and

NOW, THEREFORE, BE IT RESOLVED, that Devin Bertelsen, the outgoing Student Body President and UNO Student Regent, be commended by the University of Nebraska Board of Regents for her outstanding service and dedication to the students within the University of Nebraska.

Regent Phares presented the following resolution

WHEREAS, Eric Kamler brought his background in agriculture and business with him into office and has worked consistently throughout his term to promote fiscal responsibility with an outlook on growth and improved efficiency across campus; and

WHEREAS, Regent Kamler, working with many others, was able to save student dollars and decrease the ASUN budget by 11%; and

WHEREAS, Regent Kamler helped ASUN Student Government to partner with a new cab company in Lincoln for ASUN’s “Safe-Ride Home” Program making the program faster, more efficient, and less costly to students; and
WHEREAS, Regent Kamler worked to reflect student input on a student bereavement policy, which will aid grieving students during times of crisis, helped to revise the Student Alcohol Safety Task Force, and assisted in revising the Student Code of Conduct; and

WHEREAS, Regent Kamler helped bring student representatives from the University, State College, and Community College systems together for the first annual Nebraska State Student Association conference to discuss issues affecting higher education on both a state and national level; and

WHEREAS, Regent Kamler has done an outstanding job of engaging and communicating with students, University administrators, and members of the Board of Regents on concerns and issues throughout his term of office;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses sincere appreciation for Regent Eric Kamler’s dedicated service and effective leadership as a member of the board, and wishes him well in all his future endeavors.

Regent Whitehouse presented the following resolution

WHEREAS, Cameron Deter has served with distinction as a member of the University of Nebraska Board of Regents and President of the Associated Students of the University of Nebraska at Kearney since March 2012; and

WHEREAS, Regent Deter has honestly and effectively communicated with Chancellor Kristensen and UNK’s administrative team to represent his fellow students in all issues affecting their campus and their education; and

WHEREAS, Regent Deter has pioneered important collaborative research to reform and improve the utilization of the academic tool, Blackboard; and

WHEREAS, Regent Deter has promoted community engagement through the development of “Play it Forward,” a project that serves to collect softly used athletic equipment for the benefit of local Special Olympics athletes; and he has promoted the University by virtue of establishing at UNK the first “Play it Forward” collegiate chapter in the United States; and

WHEREAS, Regent Deter has encouraged and advanced international student engagement within his Executive Cabinet and within Student Government; and

WHEREAS, Regent Deter has advocated for the transparency of University resources via iPad kiosks and “UNK Mobile;” and

WHEREAS, by means of honest, principled, innovative, and energetic leadership, Regent Deter has brought honor to his position and to the University,

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents expresses sincere appreciation for the exceptional service that Regent Cameron Deter has provided during his tenure in office and wishes him well in all his future endeavors.

The resolutions were adopted by acclamation

President Milliken recognized the outgoing Faculty Senate Presidents: Dr. Dawn Mollenkopf, University of Nebraska at Kearney; Professor Mathias Schubert, University of Nebraska-Lincoln; Dr. Audrey Nelson, University of Nebraska Medical Center; and Dr. Peter J. Smith, University of Nebraska at Omaha.

VI. HEARINGS

None
VII. PUBLIC COMMENT

Mr. Brian McMullen spoke on the topic of the University of Nebraska-Lincoln Health Center [See Documents file for a copy of the handout distributed by Mr. McMullen to the Board]

VIII. UNIVERSITY CONSENT AGENDA

Motion Moved by Daub and seconded by Deter to approve items VIII-B-1, VIII-B-2, VIII-B-3, and VIII-B-4

B. BUSINESS AFFAIRS

University of Nebraska

VIII-B-1 Approve the acceptance of the single audit of the University of Nebraska

VIII-B-2 Approve amendment of RP-6.6.9 of the Policies of the Board of Regents relating to bank accounts

See attached “Addendum A” for revised Regents Policy RP-6.6.9 Authority to Establish Accounts

VIII-B-3 Adopt policies providing for the NSRI Consulting Appointment and employment policies, including adding the National Strategic Research Institute as an Ancillary Group or Organization and authorize the President to implement and administer the same

See attached “Addendum B” for new Regents Policy RP-2.7.4 National Strategic Research Institute, and amendment to Regents Policy RP-3.2.3 Ancillary Groups or Organizations-Group Insurance Plans

VIII-B-4 Approve the appointments of Regents Bob Phares and Kent Schroeder and Chancellor Harvey Perlman to the Othmer-Topp Endowments Committee


IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by Whitehouse and seconded by Deter to approve item IX-A-1

IX-A-1 Approval is requested to create a new undergraduate certificate in Information Technology Administration in the College of IS&T at the University of Nebraska at Omaha


B. BUSINESS AFFAIRS

Motion Moved by Hawks and seconded by Phares to approve item IX-B-1

University of Nebraska-Lincoln

IX-B-1 Approve the selection of Alley Poyner Macchietto and Robert A.M. Stern to provide design services for the College of Business Administration Replacement Building at the University of Nebraska-Lincoln

There was discussion


Motion Moved by Phares and seconded by Whitehouse to approve item IX-B-2

IX-B-2 Approve a five-year extension of the agreement with adidas America, Inc. for an exclusive sponsorship of the intercollegiate athletic programs of the University of Nebraska-Lincoln

There was discussion
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Action  
Motion  
Moved by Phares and seconded by Pillen to approve item IX-B-3 
IX-B-3  
Approve an agreement with the University of Nebraska Foundation providing for acceptance of a gift of design services and funds to construct an addition to the International Quilt Study Center on the east campus of the University of Nebraska-Lincoln 
There was discussion

Action  
Motion  
Moved by Hawks and seconded by Phares to approve item IX-B-4 
IX-B-4  
Approve the Easement and Hold Harmless Agreement between the University of Nebraska-Lincoln, the City of Lincoln and AF-18R-Lincoln LLC relating to the 18th and R Mixed-Use Development 
There was discussion

Action  
Motion  
Moved by Phares and seconded by Bertelsen to approve item IX-B-5 
IX-B-5  
Approve the Resolution to authorize expenditure of up to $250,000 for emergency replacement of four domestic hot water heaters at Abel and Sandoz Residence Halls from the Replacement Fund of the Student Fees and Facilities Revenue Bonds at the University of Nebraska- Lincoln 

Action  
Motion  
Moved by Phares and seconded by Kamler to approve item IX-B-6 
IX-B-6  
Approve the Asset Purchase Agreement of Potomac Books Inc. in the amount of $1,200,000 at the University of Nebraska-Lincoln 
There was discussion

Action  
Motion  
Moved by Hawks and seconded by Whitehouse to approve item IX-B-7 
IX-B-7  
Approve naming the Haymarket Park Practice Facility the “Alex Gordon Training Complex”

Action  
Motion  
Moved by Kamler and seconded by Hawks to approve item IX-B-8 
IX-B-8  
Approve naming the volleyball court at the Bob Devaney Sports Center the “Terry Pettit Court”

Action  
Motion  
Moved by Phares and seconded by Pillen to approve items IX-B-9, IX-B-10, IX-B-15, and IX-B-16

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IX-B-9 Approve the Fund B University Program and Facilities Fees 2013-14 Allocation for the University of Nebraska-Lincoln

University of Nebraska at Kearney

IX-B-10 Approve the Fund B University Program and Facilities Fees 2013-14 Allocation for the University of Nebraska at Kearney

University of Nebraska Medical Center

IX-B-15 Approve the Fund B, University Program and Facilities Fee 2013-14 Allocation for the University of Nebraska Medical Center

University of Nebraska at Omaha

IX-B-16 Approve the Fund B University Program and Facilities Fees 2013-14 Allocation for the University of Nebraska at Omaha

There was discussion


Motion Moved by Phares and seconded by Whitehouse to approve items IX-B-11and IX-B-12

University of Nebraska at Kearney

IX-B-11 Approve the Program Statement and Budget for the Health Sciences Education Building at the University of Nebraska at Kearney

IX-B-12 Approve the selection of RDG Planning and Design to provide design consultant services for the Health Sciences Education Building at the University of Nebraska at Kearney

There was discussion


Motion Moved by Daub and seconded by Hawks to approve item IX-B-13

University of Nebraska Medical Center

IX-B-13 Approve the Resolution relating to the Cancer Center Research Project at the University of Nebraska Medical Center which (1) approves the issuance of not to exceed $40,000,000 principal amount of UNMC Cancer Research Center Bonds, Series 2013 by The University Nebraska Facilities Corporation pursuant to a Bond Resolution, and (2) authorizes the execution and delivery of a Financing Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, an Inducement Letter and a Preliminary Official Statement in connection with the sale of such Bonds, (3) authorizes the sale of such Bonds at a negotiated sale pursuant to a Bond Purchase Agreement and authorizes the Senior Vice President | CFO to determine interest rates (not to exceed a true interest cost of 3.25%), principal amounts, principal maturities and redemption provisions of such Bonds, and (4) approves the preparation and use of a final Official Statement

There was discussion


Motion Moved by Whitehouse and seconded by Hosein to approve item IX-B-14

IX-B-14 Approve the selection of The Clark Enersen Partners and RDG Planning and Design to provide architectural design services for the College of Pharmacy and Center for Drug Discovery at the University of Nebraska Medical Center
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Action

Motion
Moved by Hawks and seconded by Daub to approve items IX-B-17, IX-B-18, and IX-B-19

University of Nebraska at Omaha

IX-B-17
Ratify the formation of the University/Community Facility Development Corporation and approve the Articles of Incorporation

IX-B-18
Approve the Project Agreement, and authorize the Chancellor of the University of Nebraska at Omaha, in consultation with the President and General Counsel, to enter into arrangements with respect to related matters

IX-B-19
Approve the Program Statement and Budget for the University / Community Arena at the University of Nebraska at Omaha

There was discussion

Action

Motion
Moved by Daub and seconded by Hawks to approve item IX-B-20

IX-B-20
Approve the Resolution authorizing the expenditure of $1,270,000 from the Bond Surplus/Replacement Funds to make student housing, student facilities and parking improvements

Action

C. FOR INFORMATION ONLY

IX-C-1
University of Nebraska Strategic Planning Framework

IX-C-2
University of Nebraska Strategic Framework Accountability Measures

IX-C-3
Calendar of establishing and reporting accountability measures

IX-C-4
University of Nebraska Strategic Dashboard Indicators

IX-C-5
Board of Regents agenda items related to the University of Nebraska Strategic Framework

D. REPORTS

IX-D-1
Quarterly Personnel report (October, November, and December 2012)

IX-D-2
Spring Student Credit Hour and Summary Enrollment reports

IX-D-3
Strategic Framework report: Workforce Development Opportunities and Academic Program Alignment [3-h-i & iii]

IX-D-4
Strategic Framework report: Entrepreneurship [5-d]

IX-D-5
Formation of the Master of Business Administration (MBA) and Master of Public Health Dual Degree Program offered under the sponsorship of the University of Nebraska at Omaha College of Business Administration and the University of Nebraska Medical Center College of Public Health

IX-D-6
Renaming the Department of Educational Administration and Supervision to the Department of Educational Leadership in the College of Education at the University of Nebraska at Omaha
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IX-D-7  Revised Bylaws and Policies concerning employee tuition benefits
IX-D-8  Quarterly Status of Capital Projects Exceeding $5 Million
IX-D-10 Quarterly Report of Gifts, Grants, Contracts and Bequests
IX-D-11 Bids and Contracts
IX-D-12 Naming of Mammel Hall room the “SAC Federal Credit Union – Student Collaboration Room” at University of Nebraska at Omaha
IX-D-13 Naming of Bruner Hall of Science room the “Douglas Lund Genetics and Molecular Biology Laboratory” at University of Nebraska at Kearney
IX-D-14 UNK Centennial Towers West Elevator Upgrade
IX-D-15 Revisions to rules and regulations for faculty and student self-government organizations: Amendments to the Bylaws of the Faculty of the University of Nebraska Medical Center

Chairman Clare accepted the reports

X. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Bertelsen and seconded by Whitehouse that the Board go into closed session as authorized by Neb. Rev. Stat. § 84-1410 for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

(a) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
(b) Strategy session with respect to litigation.

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

(a) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
(b) Strategy session with respect to litigation.


The Board went into closed session at 1:45 p.m. The Board reconvened the open meeting at 2:07 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Clare at 2:08 p.m.

Respectfully submitted,

Carmen K. Maurer
Corporation Secretary

Timothy F. Clare
Chairman of the Board
Addendum “A”

Agenda item VIII-B-2 (page 61 above) provides the following changes to the Policies of the Board of Regents:

RP-6.6.9 Authority to Establish Accounts

Authority is hereby delegated and granted to the principal business officer of each major administrative unit within the University to:

1. Establish accounts in federally insured financial institutions for the purpose of carrying on the day-to-day business operations of the University with respect to cash funds which the Board of Regents is authorized to retain pursuant to Neb. Rev. Stat., § 83-130, 83-305.04, 85-125 and 85-192;

2. Designate signatories authorized to transact business through such accounts and to report to the Board of Regents Vice President for Business and Finance on an annual basis, or whenever a change is made, those individuals authorized as signatories;

3. Designate the number of signatories required to withdraw funds; RP-194 Chapter 6. Business and Financial Management

4. Authorize the use of facsimile signatures in transacting business with respect to any such accounts.

Any such accounts established shall be reported on a timely basis to the Vice President for Business and Finance.
Addendum “B”

Agenda item VIII-B-3 (page 61 above) provides the following changes to the Policies of the Board of Regents:

1. Add new Board of Regents Policy RP-2.7.4, National Strategic Research Institute, and
2. Amend Board of Regents Policy RP-3.2.3, Ancillary Groups or Organizations-Group Insurance Plan

RP-2.7.4 National Strategic Research Institute

The Board of Regents approved the creation of the National Strategic Research Institute (NSRI) as a non-profit 501(c)(3) supporting organization of the University to provide a single University Affiliated Research Center (UARC) resource with specific areas of core competency as established by the Board of Regents.

Members of the full-time permanent faculty and other full-time employees of the University may be employed with NSRI Consulting Appointments as approved by the cognizant administrative officer. Such appointments shall be for a stated term not to exceed three years and shall carry no presumption of renewal. NSRI Consulting Appointments are funded in whole or in part by funds from a specific source external to the University, and when such funds are reduced or discontinued, then the NSRI Consulting Appointment may be terminated by the University by giving the appointee at least 90 days written notice of the date of termination. University employees with designated NSRI Consulting Appointments shall continue to be considered as full-time employees of the University for purposes of benefits eligibility, contributions, length of service, faculty standing, and related determinations. NSRI is an ancillary organization to the University, and its employees are eligible for participation in the University Group Insurance Plan pursuant to Regents Policy 3.2.3. NSRI is responsible for the operation, administration and management of a University Affiliated Research Center (UARC) resource to respond to USSTRATCOM and other Department of Defense (DoD) sponsor requirements with specific tasks in areas of core competency established by the Board of Regents. The following policies shall apply to University employees engaged in research through NSRI.

a. The employee shall assign to NSRI any right, title, and interest he/she may have in any invention, discovery, improvement, or other intellectual property which (i) the employee develops solely as a direct result of performing consulting services for NSRI and (ii) is not generated in the course of the employee’s activities as a University faculty member and is not owned by the University or assignable to the University. Any intellectual property assignable to NSRI pursuant to the preceding sentence is hereinafter referred to as “NSRI Intellectual Property.” Upon the request of NSRI, the employee shall execute such further assignments, documents, and other instruments as may be necessary to assign NSRI Intellectual Property to NSRI and to assist NSRI in applying for, obtaining and enforcing patents or other rights in the United States and in any foreign country with respect to any NSRI Intellectual Property. NSRI will bear the cost of preparation of all patent or other applications and assignments, and the cost of obtaining and enforcing all patents and other rights to NSRI Intellectual Property. The employee shall report inventions in a timely manner and in accordance with all mandatory policies and procedures. NSRI is not a patent prosecution or tech transfer entity, and should the circumstances permit in the reasonable discretion of NSRI, patent prosecution for NSRI Intellectual Property will be reassigned to the University and subject to the University’s intellectual property bylaws and policies, including distributions to the inventor(s) provided by Regents Policy 4.4.2 and campus policies of the consultant’s respective department and administrative unit at each campus of the University.

b. The employee will abide by and strictly comply with terms and conditions for security/export administration and quality assurance, including providing work in progress and research data upon termination or as otherwise required.
e. In order to allow for required security and policy review to ensure compliance with established DoD policies for the public release of information, the employee shall agree not less than 30 days prior to submission for publication or presentation (including any abstracts, poster boards, articles, etc.) to complete pre-submission paperwork for government review and include the appropriate disclaimers on any approved publication.

RP-3.2.3 Ancillary Groups or Organizations—Group Insurance Plan

The following designated persons representing groups or organizations ancillary to the University are eligible for participation in the University Group Insurance Plan. No University of Nebraska contribution to any such person’s premium cost will be made, and each ancillary group or organization or its individual members will arrange for payment of premiums with the appropriate University benefits manager. The designated persons authorized for participation are members and former members of the Board of Regents, and full-time employees of the University of Nebraska-Lincoln Alumni Association, the University of Nebraska at Kearney Alumni Association, the University of Nebraska at Omaha Alumni Association, the University of Nebraska Foundation, Nebraska Specific Pathogen Free Swine Accrediting Agency, Nebraska Crop Improvement Association, Nebraska Pork Producers Association, the UNL Federal Credit Union, the UNMC Credit Union, the Nebraska 4-H Development Foundation, Lab Interlink, Ximerix, Inc, UNeMed Corporation, University Medical Associates, and Museum of Nebraska Art, Inc., and the National Strategic Research Institute.