

June 7, 2003

Lincoln, Nebraska
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Action Student Opinion: Aye: Bilek, Johnston, McGeorge, and Arganbright. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: None. Motion carried.

IV. **KUDOS**

Regent Arganbright presented a KUDOS award to Debra L. Arent, project specialist in the Office of Sponsored Programs at the University of Nebraska-Lincoln.

Regent Hassebrook presented a KUDOS award to Karen Griffin, coordinator of the Academic Senate at the University of Nebraska-Lincoln.

Regent Blank presented a KUDOS award to a team consisting of Nancy Myers, director, **Jane McClure**, EAP consultant, and **Carol Nau**, project assistant, at the Employee Assistance Program at the University of Nebraska-Lincoln.

Regent Johnston presented a KUDOS award to Susan Pope, program coordinator of the Office of Admissions and Students in the College of Medicine at the University of Nebraska Medical Center.

Regent Schroeder presented a KUDOS award to Karen Atteberry, administrative assistant in the Office of the Vice Chancellor for University Relations at the University of Nebraska at Kearney.

Regent McGeorge presented a KUDOS award to Denise Schlake, vice chancellor for Student Affairs at the University of Nebraska at Kearney.

Regent Bilek presented a KUDOS award to Charlotte Swank, administrative assistant in the Office of the Chancellor at the University of Nebraska at Omaha.

Regent Miller presented a KUDOS award to Lori A. Brown, training and documentation specialist for the University of Nebraska Computing Services Network.

RESOLUTIONS

Regent McClurg presented the following resolution.

Whereas, the University of Nebraska award for Outstanding Research and Creative Activity was established in 1978; and

Whereas, this award was developed on the recommendation of the Executive Graduate Council to recognize research and scholarship of national and international significance; and

Whereas, the Outstanding Research and Creative Activity Award is the highest accolade the University of Nebraska bestows in recognition of faculty members' scholarship, research, or artistic creativity; and

Whereas, the 2003 winners of the award for Outstanding Research and Creative Activity are Stephen W. Ragsdale, professor of biochemistry at the University of Nebraska-Lincoln and John D. Turner, professor of religious studies and professor of classics and history at the University of Nebraska-Lincoln.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Stephen W. Ragsdale and John D. Turner on their receipt of this prestigious

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honor, commends them for their outstanding achievements, and wishes them success in all their future endeavors.

Regent Hawks presented the following resolution.

Whereas, the University of Nebraska Outstanding Teaching and Instructional Creativity Award was established in 1992; and

Whereas, the purpose of this award is to recognize and honor individual faculty members who have developed meritorious and sustained records of excellence in teaching, including the use of innovative instructional methods and techniques; and

Whereas, the 2003 winners of the Outstanding Teaching and Instructional Creativity Award are William J. "Jim" Lewis, professor of mathematics and chair of the department of mathematics and statistics at the University of Nebraska-Lincoln and Max A. McFarland, professor of counseling and school psychology at the University of Nebraska at Kearney.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Jim Lewis and Max McFarland on their receipt of this prestigious award, commends them for their outstanding teaching and innovative instructional techniques, and wishes them well in all their future endeavors.

Regent McGeorge presented the following resolution.

Whereas, the University-wide Departmental Teaching Award was established in 1992 to recognize an academic department within the University of Nebraska for its outstanding dedication to the education of students; and

Whereas, the criteria for this award include departmental efforts to promote good teaching, to contribute to scholarship on instruction, to provide effective student advising, to offer quality programs for both majors and non-majors, and to engage in productive outreach efforts; and

Whereas, the 2003 winner of the University-wide Departmental Teaching Award is the Department of Political Science at the University of Nebraska at Kearney.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates and commends the faculty and staff of the University of Nebraska at Kearney Department of Political Science and wishes them continued success in offering superlative education and support services to students.

Regent Wilson presented the following resolution.

Whereas, the Peter Kiewit Student Entrepreneurial Award was established by the Board of Regents in 1999 to recognize University of Nebraska students who have directed their energies, ideas, and talents toward community and business improvements through creative and innovative uses of information technology; and

Whereas, the types of activities considered in selecting students for this award include development of a clearly defined technology-based product or service and creation of a robust business plan; and

Whereas, the 2003 winner of the Peter Kiewit Student Entrepreneurial Award is Bill Frost, a University of Nebraska-Lincoln graduate in business administration, who developed a business plan to test the commercial viability of using information technology for remote control of radio and television transmitters.

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Discussion was held.

Friendly Amendment Regent Hawks offered a friendly amendment to the motion to amend that the committee consist of six members, three of whom are appointed by the Board and three of whom are appointed by the President of the University of Nebraska. Amendment was accepted by Regent Miller and by Regent Hassebrook.

Vote on Amendment Student Opinion: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: Ferlic. Amendment was adopted.

Discussion was held on resolution as amended.

Action Student Opinion: Aye: McGeorge, Arganbright, Bilek, and Johnston. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Hassebrook. Voting Nay: Ferlic.

The Board recessed at 9:30 a.m. and reconvened at 9:35 a.m.

V. **STRATEGIC OR POLICY ISSUE**

L. Dennis Smith, President, spoke to the Board about the University of Nebraska's fiscal year 2003-2004 budget. Smith gave a PowerPoint presentation. (For PowerPoint presentation, see documents file.)

Discussion was held.

VI. **HEARINGS**

A hearing on the following items were opened by the Chair.

There were no public comments regarding the proposed amendment of Section 3.12.1 of the *Bylaws of the Board of Regents* to change the normal retirement age for all University employees from 65 years of age to 59 ½ years of age. Addendum IX-B-1.

There were no public comments regarding the proposed amendment of Section 7.2 of the University of Nebraska Retirement Plan to permit limited in-service distribution for certain part-time employees after Normal Retirement Age. Addendum IX-B-2.

Chairman Ferlic closed the hearing.

VII. **PUBLIC COMMENT**

Dr. Ted Sokol spoke to the Board regarding proposed tuition increases and faculty workload at the University of Nebraska.

Ms. Carol Farnam spoke to the Board regarding budget cuts at the University of Nebraska State Museum.

Professor Robert Haller spoke to the Board regarding AAUP's guidelines for potential budget reductions and the maintenance of tenure during the reduction process.

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VIII. **COMMITTEE REPORTS**

Academic Affairs

Jozsef Szilagyi, Assistant Professor (Special), Conservation and Survey Division; Faculty Development Fellowship with half pay effective 10/01/03 to 09/30/04, \$61,860 FY, 1.00 FTE.

University of Nebraska at Omaha

Adjustments

James R. Buck, Vice Chancellor for Administration (Special); effective 07/01/03, salary 175,000 FY, 1.00 FTE. Change title from Vice Chancellor for University Affairs and Communication and salary from \$160,000.

John Christensen, Associate Professor of Special Education Communication Disorders (Continuous), Interim Vice Chancellor for Academic and Student Affairs (Special); effective 08/01/03, salary \$130,000 FY (includes \$20,194 stipend), 1.00 FTE. Change title from Dean College of Education to Interim Vice Chancellor for Academic and Student Affairs (until a permanent replacement is hired).

John T. Langan, Associate Professor Teacher Education (Continuous), Dean College of Education, effective 08/01/03, salary \$128,639 FY (includes stipend \$14,800 and \$10,000 named professorship), 1.00 FTE. Change title from Chair Teacher Education to Acting Dean College of Education (until a permanent replacement is hired).

Louis G. Pol, Interim Dean (Special), College of Business Administration, Professor (Continuous) Marketing/Management and Peter Kiewit Professorship (Special); effective 08/18/03, \$159,710 FY (includes \$10,000 administrative stipend and \$5,000 professorship stipend), 1.00 FTE. Change title from Associate Dean and salary from \$149,710 (includes \$5,000 professorship stipend).

Robert W. Welk, Professor (Emeritus) Theatre Department, Interim Dean (Special), College of Fine Arts; effective 07/01/03, \$105,000 FY, 1.00 FTE. Add title Interim Dean, College of Fine Arts.

Leaves of Absence

Melvin M. Bohn, Associate Professor (Continuous), Library; leave of absence without pay, effective 08/04/03 to 08/15/03, \$54,916 FY, 1.00 FTE.

- IX-A-2 Approve recommendations relating to degree program reviews required by the NCCPE and approve the forwarding of the program review reports to the NCCPE.
- IX-A-3 Approve the revised University of Nebraska at Kearney Student Code of Conduct.
- IX-A-4 Approve the proposed revisions to the University of Nebraska Graduate College Governance Document

B. BUSINESS

Central Administration

- IX-B-1 Approve proposed amendment of Section 3.12.1 of the Bylaws of the Board of Regents to change the normal retirement age for all University employees from 65 years of age to 59½ years of age.
- IX-B-2 Approve proposed amendment of Section 7.2 of the University of Nebraska Retirement Plan to permit limited in-service distribution for certain part-time employees after Normal Retirement Age.

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University of Nebraska at Kearney

IX-B-3 Approve a license agreement between Nebraska Book Company and the University of Nebraska at Kearney granting the exclusive right to lease, operate, and manage the bookstore operations on the University of Nebraska at Kearney campus for a period of five years with the option of two additional one-year annual extensions.

IX-B-4 Approve the University of Nebraska at Kearney Food Service Contract with Chartwells' Division of Compass Group USA, Inc. to operate food services for the period July 1, 2003 through June 30, 2004.

University of Nebraska-Lincoln

IX-B-5 Approve the Nebraska Hall Fire Alarm Replacement.

IX-B-6 Approve the UNL City Campus Switchgear Installation.

IX-B-7 Approve an increased project budget for the UNL Natural Resources & Research Complex in the amount of \$833,000, from \$16,255,000 to \$17,088,000.

IX-B-8 Approve the Program Statement for the Behlen Renovation for Nanotechnology/Atomic, Molecular and Optical Physics.

IX-B-9 Approve the Eighth Supplemental Resolution to Second Series Resolution authorizing the expenditure of up to \$295,000 from the Surplus Fund of the UNL Parking Revenue Bonds to assist in funding the increase in project budget for the parking structure at 14th and Avery and to include such parking structure as a part of the UNL Parking Facilities.

IX-B-10 Approve an increase in scope for the 14th and Avery Parking Structure and increase the project budget in the amount of \$995,000 from \$6,800,000 to \$7,795,000.

IX-B-11 Accept the Software gift from Lectra Systems, Inc. to the College of Human Resources and Family Sciences, Department of Textiles, Clothing and Design.

IX-B-12 Approve a technology donation agreement between The Procter & Gamble Company and the Board of Regents of the University of Nebraska.

Action Student Opinion: Aye: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay:

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- X-A-2 Approve revised Constitution and Bylaws of the College of Public Affairs and Community Service at the University of Nebraska at Omaha.
- Action Student Opinion: Aye: Johnston, McGeorge, and Arganbright and Bilek. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.
- Motion Moved by Blank and seconded by Wilson to approve item X-A-3.
- X-A-3 Approval is requested to establish a Department of Statistics at the University of Nebraska-Lincoln by merger of the Division of Statistics in the Department of Mathematics and Statistics with the Department of Biometry.
- Action Student Opinion: Aye: McGeorge, Arganbright, Bilek and Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.
- Motion Moved by Wilson and seconded by Arganbright to approve item X-A-4.
- X-A-4 Approval is requested to merge Teachers College and the College of Human Resources and Family Sciences to establish the College of Education and Human Sciences at the University of Nebraska-Lincoln.
- Action Student Opinion: Aye: Arganbright, Bilek, Johnston, and McGeorge. Voting Aye: Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, Sc

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In year 1, phase down the salary increase for faculty and staff not covered by a bargaining agreement who have salaries over \$70,000 such that the increase is entirely eliminated for salaries over \$80,000.

This amendment should be implemented in a manner that allows the campuses to still gain planned cash flow enhancement that were to come by deferring the salary increase until later in year 1 by instead deferring the increase in need-based aid until later in year 1.

Regent Hawks seconded the proposed amendment.

Discussion was held.

Vote on Amendment Student Opinion: Voting Nay: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Hassebrook. Voting Nay: Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Amendment failed.

Further discussion on X-B-1 was held.

Action Student Opinion: Aye: McGeorge. Voting Nay: Arganbright, Bilek, and Johnston. Voting Aye: McClurg, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: Hawks, Miller, and Hassebrook. Motion carried.

Motion Moved by Blank and seconded by McClurg to approve item X-B-2.

X-B-2 Approve the Nebraska College of Technical Agriculture fiscal year 2003-04 and 2004-05 Operating Budget and reappropriate any unexpended cash funds from the 2002-03 fiscal year.

Action Student Opinion: Aye: Arganbright, Bilek, and McGeorge. Nay: Johnston. Voting Aye: McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Blank to approve item X-B-3.

X-B-3 Approve the proposed fiscal year 2003-04 and 2004-05 tuition rate increases for the University of Nebraska.

Discussion was held.

Action Student Opinion: Aye: McGeorge. Nay: Bilek, Johnston, and Arganbright. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hawks, and McClurg. Voting Nay: Miller and Hassebrook. Motion carried.

Motion Moved by McClurg and seconded by Schroeder to approve item X-B-4.

X-B-4 Approved the proposed fiscal year 2003-04 and 2004-05 tuition rate increases for the Nebraska College of Technical Agriculture.

Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Nay: Johnston. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

Motion Moved by Blank and seconded by Hawks to approve item X-B-5.

X-B-5 Adopt Resolution approving (1) Proposed Articles of Amendment for Nebraska Health System, (2) Proposed Amendments to the Joint Operating Agreement among the Board of Regents of the University of Nebraska, Clarkson Regional Health Services, Inc. and

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Nebraska Health System, (3) Proposed Amendments to the Lease Agreement between Nebraska Health System, the Board of Regents and Clarkson Regional Health Services, Inc., (4) Proposed Resolution giving authorization for Nebraska Health System to incur debt not in excess of a specified amount, and (5) Authorization for the Officers of the Board of Regents to execute and deliver an amendment or addendum to the Lease Agreement between Nebraska Health System, the Board of Regents and Clarkson Regional Health Services, Inc., to incorporate legal descriptions of the property on which the leased premises are located.

Discussion was held.

Action Student Opinion: Aye: McGeorge, Arganbright, Bilek, and Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

University of Nebraska-Lincoln

Motion Moved by McClurg and seconded by Wilson to approve item X-B-6.

X-B-6 Approve the Program Statement for the Selleck Hall Dining Addition and Expansion.

Discussion was held.

Action Student Opinion: Aye: Arganbright, Bilek, Johnston, and McGeorge. Voting Aye: Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Schroeder to approve item X-B-7.

X-B-7 Approve the Program Statement for 16th & Y Student Housing.

Discussion was held.

Action Student Opinion: Aye: Bilek, Johnston, McGeorge, and Arganbright. Voting Aye: Ferlic, Hassebrook, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: None. Abstain: Hawks. Motion carried.

Motion Moved by Wilson and seconded by Blank to approve item X-B-8.

X-B-8 Approve the Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$45,500,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds, Series 2003B, for the 16th & Y Student Housing Project and Selleck Hall Dining Addition and Expansion, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003B at a negotiated sale, approving a Bond Purchase Agreement and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to

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- Motion Moved by Wilson and seconded by McClurg to approve item X-B-9.
- X-B-9 Approve the Program Statement for the UNL Library Depository/Retrieval Center.
- Regent Miller distributed copies of a cost analysis of library storage options at the University of Nebraska-Lincoln.
- Discussion was held.
- Motion Moved by Hawks and seconded by Hassebrook to table item X-B-9 until the August 9, 2003 Board of Regents meeting.
- Action Student Opinion: Nay: McGeorge, Arganbright, Bilek, and Johnston. Voting Aye: Hawks, McClurg, Miller, Wilson, Blank, and Hassebrook. Voting Nay: Schroeder and Ferlic. Motion carried.
- Action As Item X-B-10 is contingent on Item X-B-9, it was also tabled until the August 9, 2003 Board of Regents meeting.
- X-B-10 Approve the Resolution for the Library Depository/Retrieval Center Project. The resolution includes: (1) approving and authorizing the execution and delivery of a Site Lease, a Trust Indenture Lease-Purchase Agreement and a Continuing Disclosure Agreement in connection with the issuance of not to exceed \$3.6 million principal amount of The University of Nebraska Facilities Corporation Lease Rental Revenue Bonds, Series 2003 (Library Depository/Retrieval Center Project), (2) authorizing the sale of such Revenue Bonds, Series 2003, at a negotiated sale, a Bond solution includes:e/Retri8.2N.3, , 2b 2

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Action Student Opinion: Aye: Bilek, Johnston, McGeorge, and Arganbright. Voting Aye: Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.

University of Nebraska Medical Center

Motion Moved by McClurg and seconded by Schroeder to approve item X-B-13.

X-B-13 Approve the Program Statement and budget for the construction of a 60-unit student apartment building on the UNMC campus in Omaha.

Discussion was held.

Action Student Opinion: Aye: Johnston, McGeorge, Arganbright, and Bilek. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

C. FOR INFORMATION ONLY

None.

D. REPORTS

X-D-1 Quarterly Personnel Actions for the period January 1 through March 31, 2003.

X-D-2 Monthly Report of Bids and Contracts for the period ended May 15, 2003.

X-D-3 Gifts, Grants, Contracts and Bequests for the quarter ended March 31, 2003.

X-D-4 Report of Expedited Approval of the University of Nebraska at Kearney Graduate Certificate Program in History.

Chairman Ferlic accepted the reports.

XI. ADDITIONAL BUSINESS

Corporation Secretary Robak distributed the Board of Regents meeting schedule for 2004. The dates are as follows:

January 16-17, 2004
February 27-28, 2004
April 23-24, 2004
June 4-5, 2004
August 6-7, 2004
September 10, 2004

