

Lincoln, Nebraska
June 13, 2008

The Board of Regents of the University of Nebraska met on June 13, 2008, at 1:30 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. Section 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on June 2, 2008.

Regents present:
Randolph M. Ferlic
Chuck Hassebrook, Chairman
Howard Hawks
Jim McClurg
Bob Phares
Kent Schroeder, Vice Chairman
Bob Whitehouse
Charles S. Wilson
Tim Hruza
Curtis McKnight
Lucas Seiler
Emily Zimmer

University officials present:
James B. Milliken, President
Linda R. Pratt, Executive Vice President and Provost
Donal J. Burns, Corporation Secretary
John Christensen, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
John Owens, Vice President for Agriculture and Natural Resources
David Lechner, Vice President for Business and Finance
Joel Pedersen, Vice President and General Counsel
Peter G. Kotsiopoulos, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 1:30 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska on June 13, 2008. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by McClurg and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of April 18, 2008.

Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, and Ferlic. Motion carried.

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

IV.

KUDOS

Regent Zimmer presented a KUDOS award to Amber Hunter, Associate Director of Admissions at the University of Nebraska-Lincoln.

Regent Wilson presented a KUDOS award to Joel Webb, Radiation Safety Officer and Associate Director of Environmental Health and Safety at the University of Nebraska-Lincoln.

Regent Schroeder presented a KUDOS award to Audrey Kauders, Director of the Museum of Nebraska Art (MONA) at the University of Nebraska at Kearney.

Regent McKnight presented a KUDOS award to Walter Murphy, Manager of Information Technology Services at the University of Nebraska Medical Center Eppley

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University of Nebraska-Lincoln

VIII-B-2 Approve a Change Order in an amount not to exceed \$166,422 to the contract for the Sheldon Museum of Art Exterior Rehabilitation

VIII-B-3 Approve an increase of \$136,300 in the project budget for the University of Nebraska-Lincoln Hubbard Family Foundation Rhino Barn at Ashfall Fossil Beds Excavation Building near Royal, Nebraska

University of Nebraska Medical Center

VIII-B-5 Approve naming three floors of the Michael F. Sorrell Center for Health Science Education as follows: the first floor the “Dr. Stanley M. and Dorothy Truhlsen Level”; the second floor the “Dr. LeeRoy Meyer Level”; and the fourth floor “The Nebraska Medical Center Level”

Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, and Hawks. Motion carried.

IX. ADMINISTRATIVE AGENDA

Motion Moved by Whitehouse and seconded by Schroeder to approve item VIII-B-4

University of Nebraska-Lincoln

VIII-B-4 Approve the project budget to replace the heating, ventilation, and air conditioning system and renovate laboratories in Entomology Hall

There was discussion

Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.

A. ACADEMIC AFFAIRS

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

IX-A-1 Approve the Pre-Medical Post-Baccalaureate Certificate Program at the University of Nebraska Medical Center

Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

Motion Moved by Ferlic and seconded by Hawks to approve items IX-A-2 and IX-A-3

IX-A-2 Approve the Ph.D. Program in Health Promotion and Disease Prevention Research at the University of Nebraska Medical Center

IX-A-3 Approve the Ph.D. Program in Health Services Research, Administration and Policy at the University of Nebraska Medical Center

Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

Motion Moved by McClurg and seconded by Wilson to approve item IX-A-4

IX-A-4 Approve re-naming the J.D. Edwards Honors Program to the Jeffrey S. Raikes School of Computer Science and Management at the University of Nebraska-Lincoln

There was discussion

Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Motion Moved by Whitehouse and seconded by Hawks to approve item IX-A-5

Additional Item

IX-A-5 Approve the proposed revisions to the Charter for the Peter Kiewit Institute of Information Science, Technology and Engineering

There was discussion

Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Motion carried.

B. BUSINESS AFFAIRS

Motion Moved by Schroeder and seconded by Hruza to approve time IX-B-1

University of Nebraska

IX-B-1 Approve the 2008-09 tuition rate increases for the University of Nebraska

There was discussion

Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Voting No: Ferlic. Motion carried.

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

IX-B-2 Approve the 2008-09 tuition rate increases for the Nebraska College of Technical Agriculture

Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, and Hassebrook. Motion carried.

Motion Moved by Ferlic and seconded by McClurg to approve items IX-B-3 and IX-B-4

IX-B-3 Approve the 2008-09 tuition rate increase for the College of Pharmacy at the University of Nebraska Medical Center

IX-B-4 Approve an additional 2008-09 tuition rate increase for the University of Nebraska-Lincoln's College of Law

Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, and Hawks. Motion carried.

Motion Moved by Phares and seconded by McClurg to approved items IX-B-5 and IX-B-6

IX-B-5 Approve the FY 2008-09 University of Nebraska Operating Budget and reinstate allotment for committed carry forward funds already approved in the previous fiscal years

IX-B-6 Approve the FY 2008-09 Nebraska College of Technical Agriculture Operating Budget and reinstate allotment for committed carry forward funds already approved in previous fiscal years

- Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by Whitehouse and seconded by Schroeder to approve items IX-B-7 and IX-B-8
- IX-B-7 Approve the FY 2009-10 and 2010-11 University of Nebraska Biennial Operating Budget Request
- IX-B-8 Approve the FY 2009-10 and 2010-11 Nebraska College of Technical Agriculture Biennial Operating Budget Request
- Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by Phares and seconded by McClurg to approve items IX-B-9 and IX-B-10
- IX-B-9 Approve the University of Nebraska Construction Budget Request for the 2009-2011 Biennium, which consists of the UNMC College of Nursing Building, Lincoln Division project
- IX-B-10 Approve the Nebraska College of Technical Agriculture Construction Budget Request for the 2009-2011 Biennium, which consists of the Education Center Building project
- There was discussion
- Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by Wilson and seconded by Hawks to approve item IX-B-11
- IX-B-11 Approve a budget increase for the clean-up at the Agricultural Research and Development Center near Mead
- There was discussion
- Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.
- Motion Moved by McClurg and seconded by Schroeder to approve item IX-B-12

- IX-B-14 Approve the Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$14,000,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds for the Renovation of the Abel-Sandoz Dining Center, Series 2008, (2) authorizing the execution and delivery of a Supplemental Master Indenture and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, approving the Bond Purchase Agreement, the Preliminary Official Statement and related documents, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average of 5.25%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, and (4) approving the preparation and use of a Final Official Statement
- There was discussion
- Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, and Ferlic. Motion carried.
- Motion Moved by Whitehouse and seconded by McClurg to approve item IX-B-15
- IX-B-15 Approve the Program Statement and Budget for the Forestry Hall Renovation.
- Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, and Hassebrook. Motion carried.
- Motion Moved by McClurg and seconded by Phares to approve item IX-B-16
- IX-B-16 Approve the Resolution to authorize the expenditure of up to \$336,000 from the Surplus Fund of the University of Nebraska-Lincoln Parking Revenue Bonds to add approximately 100 stalls of surface parking north of Nebraska Hall
- Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, and Hawks. Motion carried.
- Motion Moved by McClurg and seconded by Schroeder to approve item IX-B-17
- IX-B-17 Approve leasing of space for the University of Nebraska-Lincoln Center on Children, Families and the Law
- There was discussion
- Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by Ferlic and seconded by Hruza to approve item IX-B-18
- University of Nebraska Medical Center
- IX-B-18 Approve the Fund B, University Program and Facilities Fee 2008-09 Allocation for the University of Nebraska Medical Center
- Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by Wilson and seconded by McClurg to approve item IX-B-19
- IX-B-19 Approve an Amendment to the Ground Lease Agreement between the University of Nebraska Foundation and UNMC in connection with the Exchange Agreement with the Omaha Public Power District

There was discussion

Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

Motion Moved by Ferlic and seconded by McClurg to approve items IX-B-20 and IX-B-21

IX-B-20 Approve Amendments to the University of Nebraska Medical Center Physicians' Bylaws

IX-B-21 Approve amendments to the University of Nebraska Medical Center Physicians' Medical Service Plan

Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Motion Moved by Ferlic and seconded by McClurg to approve items IX-B-22, IX-B-23, and IX-B-24

IX-B-22 Approve the Nebraska Pediatric Practice, Inc. Articles of Incorporation

IX-B-23 Approve the Nebraska Pediatric Practice, Inc. Bylaws

IX-B-24 Approve the Nebraska Pediatric Practice, Inc. Members Agreement

Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Motion carried.

Motion Moved by Ferlic and seconded by Hawks to approve item IX-B-25

University of Nebraska at Omaha

IX-B-25 Approve the naming of the University of Nebraska at Omaha College of Business Administration Building, "Mammel Hall"

There was discussion

Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, and Ferlic. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve item IX-B-27

Additional Items

IX-B-27 Approve a revised exchange and conveyance of real property between the Board of Regents and WRK, LLC to defer acceptance of the northeast corner of Block 21 from the original Board approval

There was discussion

Action Student Opinion: Voting Aye: Seiler, Zimmer, Hruza, and McKnight. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, and Hassebrook. Motion carried.

Motion Moved by Wilson and seconded by McClurg to approve item IX-B-28

IX-B-28 Approve a 13-year media rights agreement between the University of Nebraska-Lincoln Athletics and IMG by superseding and replacing IMG's current contract which expires July 31, 2011

There was discussion.

Friendly Amendment Regent Hawks offered a Friendly Amendment to item IX-B-28: Alter the RECOMMENDED ACTION of this item to read: “Approve a 13-year media rights agreement substantially in the form attached between the University of Nebraska-Lincoln Athletics and IMG by superseding and replacing IMG’s current contract which expires July 31, 2011.” The amendment was accepted.

Action Student Opinion: Voting Aye: Zimmer, Hruza, McKnight, and Seiler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, and Hawks. Motion carried.

C. FOR INFORMATION ONLY

IX-C-1 Board of Regents agenda items related to the Strategic Framework

IX-C-2 Calendar of establishing and reporting accountability measures

IX-C-3 Current version of the Strategic Framework

IX-C-4 University of Nebraska Strategic Framework Indicators

D. REPORTS

IX-D-1 Quarterly Personnel Report for the period January 1 through March 31, 2008

IX-D-2 Programs with Tuition Variances

IX-D-3 Change the name of the “Ph.D. in Horticulture and Forestry” degree to “Ph.D. in Horticulture” at the University of Nebraska-Lincoln

IX-D-4 Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report

IX-D-5 Gifts, Grants, Contracts and Bequests for the period January 1 through March 31, 2008

IX-D-6 Bids and Contracts

IX-D-7 Design Report for the Animal Research Facility Renovation at the University of Nebraska-Lincoln

IX-D-8 Naming rooms in the Michael F. Sorrell Center for Health Science Education at the University of Nebraska Medical Center: (1) Room 1001 the “Dr. Stanley M. and Dorothy Truhlsen Campus Events Center”; (2) Room 2001 the “Dr. James and Karen Linder Reading Room”; (3) Room 2004A the “Alumni Commons”; (4) Room 2018 the “Dr. C.C. and Mabel L. Criss Seminar Room”; (5) Room 3001 the “Mary Ann “Maisie” Paustian Amphitheater”; (6) Room 3002 the “Dr. Frederick F. Paustian Amphitheater”; (7) Room 4024 the “Educators Conference Room”; (8) Room 4053 the “Drs. James and Myrna Newland Faculty Development & Education Seminar Room”; and (9) Rooms 4038 through 4048 the “Drs. Paul and Audrey Paulman Admissions and Student Affairs Suite”

IX-D-9 Three-year lease agreement between the University of Nebraska at Omaha and the Educational Service Unit #3

IX-D-10 Supervision of an immediate family member in accordance with University policy

IX-D-11 NCTA mission statement, vision statement, value statements, and goals

Chairman Hassebrook accepted the reports

X. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Seiler and seconded by Wilson that the Board go into closed session as authorized by Section 84-1410 of the Revised Statutes of Nebraska for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

- (a) A strategy session with respect to real estate improvements and possible purchases;
- (b) A strategy session with respect to pending litigation captioned Board of Regents of the University of Nebraska v. BASF Corp., Case No. CI 04-3556;
- (c) A strategy session involving contract negotiations;
- (d) A strategy session with respect to litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the University;
- (e) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
- (f) Personnel matters involving members of the University staff.

Action Student Opinion: Voting Aye: Hruza, McKnight, Seiler, and Zimmer. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.

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

- (a) A strategy session with respect to real estate improvements and possible purchases;
- (b) A strategy session with respect to pending litigation captioned Board of Regents of the University of Nebraska v. BASF Corp., Case No. CI 04-3556;
- (c) A strategy session involving contract negotiations;
- (d) A strategy session with respect to litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the University;
- (e) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
- (f) Personnel matters involving members of the University staff.

The Board went into closed session at 2:44 p.m. and reconvened the open meeting at 4:48 p.m.

Motion Moved by Hruza and seconded by McClurg to approve item IX-B-26

IX-B-26 Authorize the President and General Counsel to participate in mediation with authority to settle the litigation captioned Board of Regents of the University of Nebraska v. BASF Corp., Case No. CI 04-3556, filed in the U.S. District Court for the District of Nebraska, in the context of a mediation to be commenced on June 16, 2008, up to an amount and on terms as discussed in closed session

Action Student Opinion: Voting Aye: McKnight, Seiler, Zimmer, and Hruza. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Hassebrook at 4:52 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Chuck Hassebrook
Chairman of the Board