

Lincoln, Nebraska  
April 24, 2009

The Board of Regents of the University of Nebraska met on April 24, 2009, at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

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

**IV. KUDOS**

**Regent Whitehouse presented a KUDOS award to Vicki Miller**, Research Communications Coordinator in the Office of Research at the University of Nebraska-Lincoln.

**Regent Phares presented a KUDOS award to Dustin Newton**, Director of Undergraduate Recruitment and Admissions at the University of Nebraska at Kearney.

**Regent Bonacci presented a KUDOS award to Ted Pruitt**, Assistant Director of Maintenance with Maverick Village at the University of Nebraska at Omaha.

**Regent Bohn presented a KUDOS award to Julie Zetterman**, Administrator for the Department of Otolaryngology and Clinical Manager for the ENT and OFP clinics.

President Milliken recognized the outgoing Faculty Senate Presidents: Dr. Kathy Prochaska-Cue, University of Nebraska-Lincoln; Dr. Darin Snider, University of Nebraska at Kearney; and Dr. James Turpen, University of Nebraska Medical Center.

**V. PUBLIC COMMENT**

None

**VI. RESOLUTIONS**

None

**VII. HEARINGS**

Amendment of Section 1.3 of the Standing Rules of the Board of Regents relating to the Executive Committee of the Board

**VIII. CONSENT AGENDA**

Motion Moved by Hawks and seconded by Phares to approve item VIII-A-1

**A. ACADEMIC AFFAIRS**

VIII-A-1 The President's Personnel Recommendation

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

**IX. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

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

IX-A-1 Approve the Bachelor of Science in IT Innovation degree at the University of Nebraska at Omaha

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

Motion Moved by McClurg and seconded by Hawks to approve item IX-A-2

IX-A-2 Approve establishing the Kit and Dick Schmoker Reading Center at the University of Nebraska-Lincoln

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

**B. BUSINESS AFFAIRS**

- Motion Moved by McClurg and seconded by Ferlic to approve items IX-B-1 and IX-B-2
- IX-B-1 Approve the amendment of Section 1.3 of the Standing Rules of the Board of Regents relating to the Executive Committee of the Board
- IX-B-2 Approve the amendment to the Audit Committee Charter

**CHARTER OF THE AUDIT COMMITTEE OF THE UNIVERSITY OF NEBRASKA**

**Purposes of the Audit Committee**

The purposes of the Audit Committee (the "Committee") are to assist the Board of Regents with the oversight of (i) the integrity of the University of Nebraska's (the "University") financial statements, (ii) the University's compliance with laws and regulations (iii) the independent auditors' (defined as external auditors hired to perform work other than the annual financial audit of the financial statements) qualifications and independence, (iv) the performance of the University's internal audit function, and independent auditors, (v) the accounting and financial reporting processes of the University and audits of the University's financial statements and, (vi) the coordination with the Auditor end.4(end.4PbIX-Bity)-8 Tf0 -2i8IX-B-2tc

performance of the audit or review of the University's financial statements or that are traditionally performed by the independent auditors, but are not necessarily required by statutory or regulatory audit mandates; (iii) tax services for the University; and (iv) all other services rendered by the independent auditors for the most recent fiscal year, in the aggregate and by each category of service.

April 24, 2009  
Volume 68

to the adequacy of the University's internal controls and any special audit steps adopted in light of material control deficiencies;

- f. Discuss and consider the integrity of the University's financial reporting guidelines, policies, and controls governing the process by which senior management for the University and the relevant departments of the University assess and manage the University's exposure to risk, and discuss the University's major financial risk exposures and the steps management has taken to monitor, control, and report such exposures. Review significant findings prepared by the independent auditors and the internal audit department together with management's responses thereto.
21. Review management's analysis of significant financial reporting issues and practices.

Compliance Oversight

22. Assist the Board of Regents with oversight of the University's compliance laws and regulations.
23. Establish procedures for the receipt, retention, and treatment of complaints received by the University regarding accounting, intern

**Annual Performance Evaluation**

The Committee shall perform a review and evaluation, at least annually, of the performance of the Committee. The Committee shall conduct such evaluations and review in such manner as it deems appropriate.

**Disclosure of Charter**

This Charter shall be made available on the University's website.

**Amendment**

Any amendment or other modifications of this charter shall be made and approved by the Board of Regents.

- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Ferlic to approve item IX-B-3
- IX-B-3 Approve amendments to the Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association (UNKEA) for the 2009-2011 biennium consistent with the decision of the Special Master
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by Phares and seconded by McClurg to approve item IX-B-4
- IX-B-4 Approve the use of Architectural and Engineering firms selected through the Four-Year Selection process for American Recovery and Reinvestment Act (ARRA) funded projects where fees exceed \$400,000
- There was discussion
- Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by Phares and seconded by McClurg to approve item IX-B-5
- IX-B-5 Approve *Policies of the Board of Regents* RP-6.6.12 regarding Red Flag Identity Theft Prevention Program

**RP-6.6.12 Red Flag Identity Theft Prevention Program**

The University of Nebraska Red Flag Identity Theft Prevention Program is designed to assist in reducing the risk of identity theft through detection, prevention and mitigation of patterns, practices or activities ("Red Flags") that mi

workforce members managing Covered Accounts about the Program. At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment. Periodic reviews will include an assessment of which accounts are covered by the program.

3. Red Flags. Examples of Red Flags include but are not limited to the following:
  - a. Notification of unusual activity related to a covered account;
  - b. Address discrepancies that cannot be explained;
  - c. Presentation of suspicious documents by an individual, including identification cards that do not match physical appearance;
  - d. Suspicious external requests for information from covered accounts; and
  - e. Complaints or questions from students, guardians or customers about charges to a covered account for goods/services they claim were never received
4. Reporting. Each Major administrative unit shall provide a report annually to the University of Nebraska Audit & Advisory Services containing summaries of Red Flag Rule monitoring activities, and any identity theft incidents that have occurred and the unit's response to them. The University of Nebraska Audit & Advisory Services shall report Red Flag monitoring and response data from the administrative units to the Audit Committee of the Board of Regents annually as required by the FACTA regulations. The Board of Regents shall approve material changes to the Red Flag Identity Theft Prevention Program.
5. Credit reports. Any University of Nebraska Administrative Units ordering credit reports, such as reports on consumers receiving services at the University of Nebraska or reports on prospective employees, may receive a Notice of Address Discrepancy from the consumer reporting agency. If such a Notice is received, the administrative unit must compare the information in the consumer report with other address information the individual has provided to confirm the address provided is correct. If the address the individual has provided is correct, the administrative unit must notify the consumer reporting agency of the correct address.
6. Service Providers. The University of Nebraska may contract with vendors to provide services related to Covered Accounts. The contracting department shall maintain written certification from the vendor stating it complies with FACTA Red Flag regulations.

There was discussion

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

Motion Moved by Phares and seconded by Hassebrook to approve item IX-B-6

University of Nebraska at Kearney

IX-B-6 Approve a change order to the construction contract for the renovation of the Bruner Hall of Science in the amount of \$440,000

There was discussion

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

Motion Moved by McClurg and seconded by Hassebrook to approve item IX-B-7

IX-B-7 Approve an agreement between Follett Higher Education Group, and the University of Nebraska at Kearney, granting exclusive right to lease, operate and manage the bookstore operations on the UNK campus



April 24, 2009

University of Nebraska-Lincoln

- IX-B-20 Approve variance in sprinkler requirement for University sanctioned housing
- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-11

University of Nebraska Medical Center

- IX-B-11 Approve naming floors and rooms of the Durham Research Center II building
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-14

University of Nebraska at Omaha

- IX-B-14 Approve the Resolution authorizing the expenditure of \$350,000 from the Sixth Series Replacement Fund to make Student Center improvements
- There was discussion
- Action Student Opinion: Voting Aye: Craig, Bohn, Bonacci, and Collins. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by McClurg and seconded by Hawks to approve item IX-B-18

University of Nebraska-Lincoln

- IX-B-18 Approve the project budget for replacement of the heating, ventilation and air conditioning (HVAC) system in Leverton Hall
- Action Student Opinion: Voting Aye: Bohn, Bonacci, Collins, and Craig. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.
- Motion Moved by McClurg and seconded by Whitehouse to approve item IX-B-19
- IX-B-19 Approve the Program Statement and Budget for Sheldon Haymarket
- There was discussion
- Action Student Opinion: Voting Aye: Bonacci, Collins, Craig, and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.
- Motion Moved by Ferlic and seconded by McClurg to approve item IX-B-21
- IX-B-21 Approve consulting contracts with SmithGroup/JJR to develop a campus master plan and with Noddle Development Company, L.L.C. to develop a business strategy plan for Innovation Campus in compliance with LB 1116
- Chancellor Perlman provided a description of the process used to arrive at the contracts involved. There was discussion.
- Action Student Opinion: Voting Aye: Collins, Craig, Bohn, and Bonacci. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

**C. FOR INFORMATION ONLY**

- IX-C-1 Board of Regents agenda items related to the University of Nebraska Strategic Framework
- IX-C-2 Calendar of establishing and reporting accountability measures
- IX-C-3 Current version of the University of Nebraska Strategic Framework
- IX-C-4 Current version of the University of Nebraska Strategic Dashboard Indicators

**D. REPORTS**

- IX-D-1 Laboratory, Student, and Miscellaneous Fees for 2009-2010
- IX-D-2 Change the name of the “Bachelor of Science in Professional Golf Management” degree within the College of Agricultural Sciences and Natural Resources to “Bachelor of Science

Action

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

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

- (a) collective bargaining strategy session;
- (b) proposed private gifts to the University of Nebraska Foundation for the benefit of the university; and
- (c) strategy session regarding proposed property acquisition.

The Board went into closed session at 2:40 p.m. and reconvened the open meeting at 3:24 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Schroeder at 3:25 p.m.

Respectfully submitted,

---

Donal J. Burns  
Corporation Secretary

---

Kent Schroeder  
Chairman of the Board