

Lincoln, Nebraska
September 14, 2012

The Board of Regents of the University of Nebraska met on September 14, 2012, at 12:40 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 September 4, 2012.

Regents present:

Timothy F. Clare, Vice Chair
Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Jim McClurg, Chair
Bob Phares
Kent Schroeder
Bob Whitehouse
Faisal Ahmed
Devin Bertelsen
Cameron Deter
Eric Kamler

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
Douglas A. Kristensen, Chancellor, UNK
Harold M. Maurer, Chancellor, UNMC
Harvey S. Perlman, Chancellor, UNL
Ronnie D. Green, Vice President for Agriculture and Natural Resources
David E. Lechner, Vice President for Business and Finance
Joel D. Pedersen, Vice President and General Counsel
Sharon R. Stephan, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 12:40 p.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska on September 14, 2012. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Hawks and seconded by Schroeder to approve the minutes and ratify the actions of the regularly scheduled meeting of June 8, 2012.

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye:

IV.

KUDOS

Regent Ahmed presented a KUDOS award to Robyn Schoenbeck, Enrollment Evaluator in the office of Student Records and Registration at the University of Nebraska at Kearney.

Regent Phares presented a KUDOS award to Christy Tilford, Interim Director for Undergraduate Admissions at the University of Nebraska at Omaha.

Regent Hassebrook presented a KUDOS award to Zainudeen (Deen) Popoola, Custodial Services Department at the University of Nebraska-Lincoln.

WHEREAS,

- VIII-B-3 Approve the Real Estate Purchase Agreement for disposal of a portion of Real Property located at 733 North 16th Street to The House Corporation of Delta Tau Delta Fraternity consisting of approximately 0.05 acres
- VIII-B-4 Approve the return to the practice of providing an Official Residence of the President from support received from the University of Nebraska Foundation
- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

IX. UNIVERSITY ADMINISTRATIVE AGENDA

B. BUSINESS AFFAIRS

- Motion Moved by Schroeder and seconded by Whitehouse to approve item IX-B-1
- IX-B-1 Approve the Program Statement and Budget for the University of Nebraska USPFO Building Renovation as part of the University of Nebraska Capital Construction Biennial Request
- There was discussion
- Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.
- Motion Moved by Hassebrook and seconded by Clare to approve item IX-B-2
- IX-B-2 Approve an agreement authorizing payment of a fee to the University of Nebraska Foundation for the management of certain University Endowments
- There was discussion.
- Friendly Amendment Regent Howard Hawks offered a friendly amendment to item IX-B-2
- Recommended Action: Approve an agreement authorizing payment of a fee to the University of Nebraska Foundation for the management of certain University Endowments known as Fund N
- Approval of the item is subject to accurately conforming the executed agreement to reflect the explanation of the agreement as set forth in the agenda item. Joel Pedersen, Vice President and General Counsel, and David Lechner, Vice President for Business and Finance, are authorized to facilitate any such change in the agreement with the Foundation.
- Regents Ferlic and Hawks requested an update on the management fee arrangement with the Foundation in one year.
- The amendment was accepted
- Action on Friendly Amendment Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.
- Motion Moved by Hawks and seconded by Phares to approve items IX-B-3 and IX-B-4
- University of Nebraska at Kearney

- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.
- Motion Moved by Clare and seconded by Phares to approve item IX-B-5
- University of Nebraska-Lincoln
- IX-B-5 Approve the Program Statement and Budget for the College of Business Administration Replacement Building at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.
- Motion Moved by Schroeder and seconded by Phares to approve items IX-B-6, IX-B-7, IX-B-8, IX-B-9, and IX-B-10
- IX-B-6 Approve the First Amendment to the Master Lease between the Board of Regents of the University of Nebraska and the Nebraska Innovation Campus Development Corporation for Nebraska Innovation Campus
- IX-B-7 Approve the Amended and Restated Covenants, Conditions and Restrictions to the Nebraska Innovation Campus between the Board of Regents, Nebraska Innovation Campus Development Corporation, and Nebraska Nova LLC and allow the Chancellor of the University of Nebraska-Lincoln, in consultation with the President and General Counsel, to enter into the Management and Parking Agreement referenced in the Amended and Restated Covenants, Conditions and Restrictions
- IX-B-8 Approve the University lease program

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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 Personnel Reports
- IX-D-2 Review of Academic and Research Centers
- IX-D-3 Memorandum of Understanding between the University of Nebraska-Lincoln and the University of Nebraska at Omaha providing an administrative restructuring that will formalize the role of the Human Sciences Ph.D. specializations in Child, Youth and Family (CYAF) Studies and Gerontology in the cooperative Ph.D. program
- IX-D-4 Memorandum of Understanding between the University of Nebraska-Lincoln and the University of Nebraska at Omaha providing the establishment of three joint programs between existing programs (the Juris Doctorate and Master of Arts in Social Gerontology; the Juris Doctorate and Graduate Certificate in Gerontology; and the Master of Legal Studies and Master of Arts in Social Gerontology), between existing programs in in the

~~5. University buildings and facilities shall not be used for religious services, except for~~

- (a) Rendering a decision in the matter of Dr. Fouad Salama;
- (b) Strategy session with respect to potential acquisition of property by the University;
- (c) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
- (d) Strategy session with respect to litigation.

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

- (a) Rendering a decision in the matter of Dr. Fouad Salama;
- (b) Strategy session with respect to potential acquisition of property by the University;
- (c) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University; and
- (d) Strategy session with respect to litigation.

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

The Board went into closed session at 1:50 p.m. and reconvened the open meeting at 3:20 p.m.

Motion Moved by Clare and seconded by Phares to accept the recommendation contained in the report of Regent Kent Schroder as the decision of the Board in the matter of item IX-A-1, effective as of September 14, 2012

IX-A-1 Consider the report and recommendation of the Academic Freedom and Tenure Committee of the University of Nebraska Medical Center, and render a decision in the Matter of Dr. Fouad Salama

Action Student Opinion: Voting Aye: Kamler, Ahmed, and Deter. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: Bertelsen. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman McClurg at 3:23 p.m.

Respectfully submitted,

Carmen K. Maurer
Corporation Secretary

Jim McClurg
Chairman of the Board