

**Bylaws
of the
Board of Regents
of the
University of Nebraska**



Contains Amendments Through June 22, 2023

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members of the Board, the student body president of the University of Nebraska Kearney shall be recognized and serve as a *de facto* member of the Board and shall be accorded the same nonvoting status and privileges as the *de jure* student members of the Board. The terms of office of student members shall be for the period of service as student body president.

Effective Date: July 1, 1991

History: Amended, 56 BRUN 36 (16 March 1991)
Added, 42 BRUN 151 (10 November 1978)

- 1.3 **The Officers.** The Chair and Vice Chair shall be installed at the annual meeting in accordance with the processes set forth in the *Standing Rules of the Board of Regents*.

History: Added, 75 BRUN 131-132 (28 June 2019)

1.3.1

- (d) Be custodian of the records of the Board and all documentary files thereof. The Corporation Secretary shall be responsible for maintaining a current codification of policies and procedures of the Board, and shall also provide for preservation of the records of the Board in accordance with applicable law;
- (e) Be custodian of the corporate seal of the Board, and sign and attest documents in accordance with the provisions of these *Bylaws* and applicable laws of the State of Nebraska;
- (f) Certify as to the authority of all administrative or executive officers of the University of Nebraska when necessary;
- (g) Perform such other duties as the Board may direct;
- (h) Be a staff officer of the President; and
- (i) Provide for maintaining the University archives.

History: Amended, 75 BRUN 131-132 (28 June 2019)
Amended, 75 BRUN 72 (4 December 2018)

1.4 **Meetings of the Board.** All meetings of the Board shall be held in compliance with the provisions of applicable law. An annual meeting will be held during the

1.4.4 (Not Currently Used)

History: Amended, 74 BRUN 17 and 34-41 (1 June 2017)
Amended, 62 BRUN 14 (28 February 1998)

1.4.5 **Authority as Individual Regents.** The authority of the Board is conferred upon the members as a Board and the Regents can bind the Corporation and the University only by acting together as a Board, except as authority may be granted to Committees of the Board as provided in Section 1.9 of these *Bylaws*.

History: Amended, 42 BRUN 151 (10 November 1978)

1.4.6 **University Seal.** The Board shall adopt a corporate seal and such other seals or emblems as may be required for the University and its major administrative units.

1.5 **Degrees and Diplomas.** All degrees shall be conferred by the Board. Upon recommendation by appropriate faculties, diplomas from the individual major administrative units certifying the same shall be granted and issued by the Board. All diplomas shall be signed by affixing a certified facsimile signature of the President of the University, the Chair of the Board, the Corporation Secretary, and the Chancellor of the major administrative unit from which the student is graduated, and shall have the appropriate seal or replica thereof attached thereto.

1.5.1 **Certificates.** Certificates shall be granted and issued by the Board to students who have completed a course of study prescribed or approved by it for which no degree is conferred. Such certificates shall be called "certificates in course," and shall be distinguished from awards of merit, certificates of record, and all other types of certificates or certifications. All certificates in course shall be signed by a facsimile signature of the President, the Chancellor of the major administrative unit from which the certificate is issued, and such other University officials as the Board directs, and shall have attached thereto the appropriate seal or replica thereof.

1.5.2 **Recommendations, Records, and Honorary Degrees.** With the exception of honorary degrees, no degree, diploma, or certificate in course shall be conferred, granted, or approved by the Board unless the person receiving the same has been recommended by the faculty of the college in which he or she shall have pursued his or her studies; provided that no such degree, diploma or certificate in course shall be conferred, granted, or approved by the Board unless the candidate has paid all required fees and completed other required documents. Faculty recommendations of candidates for degrees and certificates in course shall be made in writing signed by the respective deans. Each administrative unit shall implement processes within its Office of the Registrar, or such similar office, to keep the official and accurate records of the names of all persons receiving degrees, diplomas, or certificates in course. Each of the responsible faculty governing units, through such procedure as it may adopt, may recommend to the Board candidates for honorary degrees. An honorary degree shall not be granted to any person holding an appointment with the University.

History: Amended, 75 BRUN 72 (4 December 2018)

1.5.3 **Awards.** Degrees, diplomas, and certificates in course, which have been recommended by the several faculties and granted by the Board, shall be awarded at such times as the Board may direct.

1.5.4 **Lost Diplomas.** If a diploma, certificate, or document is lost, the Corporation Secretary is hereby authorized to issue a certificate or document indicating the date of issuance of the original, showing the date when the Board granted the degree or other honor and the name of the person receiving the

same, and the duly appointed and acting officers are authorized to sign the certificate or document. The applicant for reissuance shall pay the cost of same.

1.6 **Board Approval Required.** Approval of the Board shall be required for:

- (a) The submission of the annual request for operating funds and capital improvements to the Governor or the State Legislature;
- (b) Appointments of administrative officers at the rank of dean or equivalent ranks and above as provided by Section 3.2 of these *Bylaws*; and
- (c) The creation of any new teaching department or school or division or any administrative unit of the University, or the consolidation or elimination of any such administrative unit; provided, however, that the Board may delegate to the President and the campus Chancellors approval authority as it deems appropriate.

History: Amended, 62 BRUN 14 (28 February 1998)

1.7 **Rule-Making Authority of the Board.** Subject to applicable law the Board shall have the authority to make such rules and regulations as it deems appropriate and necessary for the proper governance and administration of the University. Such rules, when adopted, shall constitute official policies of the Board. These rules and regulations shall include policy statements and delegation of authority to officers of the University for normal activity and emergency.

1.8 **Expenses of Members of the Board.** Members of the Board serve without compensation, but shall be allowed actual travel and other expenses in conjunction with official duties, and shall file such statements of expense monthly as provided by operating rules of the University.

1.9 **Committees of the Board.** The Board may establish standing and ad hoc Committees and may prescribe their duties, functions, and membership. Until approved by the Board, the action taken by any Committee shall not be binding on the Board unless the Committee has been given specific power by the Board to bind it by such action.

History: Amended, 42 BRUN 151 (10 November 1978)

1.10 **Code of Ethics.** In carrying out its educational, research, extension, and public service missions, the University relies on the ethical and responsible conduct of all employees and members of the Board of Regents. Even the appearance of unethical or irresponsible conduct can be damaging to the public's trust in the University. The members of the Board and all University employees are expected to conduct themselves fairly, honestly, in good faith, and in accordance with the highest ethical and professional standards and to comply with applicable laws, regulations, and contractual obligations, and University policies.

History: Amended, 76 BRUN 203 (7 April 2023)

1.11 **Amendments to the *Bylaws*.** All proposed amendments to these *Bylaws* shall be presented in writing at a meeting of the Board. Such amendments shall not be voted on until a subsequent meeting, with notice thereof given as may be required by law; and if there are no such applicable provisions, then by notice given by publication in at least one legal newspaper in Nebraska and not less than ten days in advance of the meeting. An affirmative vote of a majority of all members of the Board qualified to serve and vote at said time shall be required for the adoption of any amendment to the *Bylaws*.

History: Amended, 40 BRUN 2 (20 November 1976)

1.12 **Reviser of *Bylaws*; Supplements and**

change in the substantive meaning of any section of these *Bylaws*. If the Corporation Secretary is in doubt whether or not a specific change is authorized by this subsection (b), he or she shall not make the change, but shall propose the same as an agenda item for consideration by the Board of Regents as required by Section 1.11 of these *Bylaws*.

History: Added, 62 BRUN 14 (28 February 1998)

Chapter II. Structure of the University

- 2.0 **Interrelationships of the Board, the Administration, the Faculty, and the Student Body.** The Board, the Administration, the Faculty, and the Student Body carry out their respective responsibilities not as isolated entities, but as major and primary constituents of a total University organization and structure that remain mutually interdependent, and which must be supportive of the purposes, functions, and obligations of the University.
- 2.1 **Procedures for Selection of Senior Administrative Officers.** Appointment of the President shall be made by the Board. The authority to make all other senior administrative appointments, i.e., Vice Presidents, Chancellors, Vice Chancellors, Deans, and equivalent ranks, resides with the President or administrative officers designated by the President, subject to approval by the Board, as provided in this section and Section 3.2 of the *Bylaws*.
- (a) Whenever a vacancy occurs in the position of President or is imminent, the Board shall be the appointing authority and shall promptly appoint one or more presidential search advisory committee(s) to assist the Board in the search for suitable candidates to fill the position and designating one of the members of the presidential search committee(s) to serve as its chair. The presidential search committee(s) will consult broadly with the principal constituencies with which the President interacts and shall define the responsibilities of and prepare the qualifications and profile of the next President in a manner consistent with the *Bylaws*. The size, responsibilities, composition of, and representation on the search committee shall be determined by the Board.
 - (b) Whenever a vacancy occurs in a senior administrative position at the level of Chancellor or Vice President, and assuming the position is to be refilled, the President, shall be the appointing officer and shall promptly appoint an advisory committee to assist in the search for suitable candidates to fill the position. The size, composition of, and representation on each advisory committee shall be determined by the President, provided that each advisory committee shall include representatives of the principal constituencies with which the position in question interacts.
 - (c) Whenever a vacancy occurs in a senior administrative position at the level of Vice Chancellor or Dean, and assuming the position is to be refilled, the President, or an administrative officer designated by the President to make the appointment, shall be the appointing officer and shall promptly appoint an advisory committee to assist the appointing officer in the search for suitable candidates to fill the position. The size, composition of, and representation on each advisory committee shall be determined by the appointing officer in consultation with the elected heads of faculty and student governments, provided that each advisory committee shall include representatives of the principal constituencies with which the position in question interacts.
 - (d) In those cases in which the search is for an officer other than the President, the appointing officer may serve as a nonvoting member of the advisory committee. The appointing officer shall: (1) designate one of the members of the advisory committee to serve as its chair; (2) define, in a manner consistent with these *Bylaws*, the responsibilities of the senior administrative position for which the search is being conducted; and (3) define the qualifications being sought in candidates for the position.
 - (e) Except for application materials of finalists as determined in the search process, the work and records of each search advisory committee(s), including all candidate files, shall be considered confidential and shall be treated accordingly.

- 2.4 **The Vice President for Business and Finance.** The Vice President for Business and Finance, shall be appointed by the President as provided in Sections 2.1 and 3.2 of these *Bylaws*. He or she shall serve as an executive officer of the President in all matters of business, finance, and general administration.
- History:** Amended, 59 BRUN 213, 221 (10 December 1994)
Amended, 57 BRUN 119 (13 June 1992)
Amended, 49 BRUN 300 (16 June 1984)
Amended, 46 BRUN 336-337 (27 March 1982)
Amended, 46 BRUN 52 (25 July 1981)
- 2.5 **Other University-wide Officers.** The President may appoint such personnel as are required for the effective operation of the University. The titles and duties of such personnel shall be defined by the President.
- 2.6 **Vice President and General Counsel.** The Vice President and General Counsel for the University shall be appointed by the President as provided in Sections 2.1 and 3.2 of these *Bylaws*.
- History:** Amended, 59 BRUN 213, 221 (10 December 1994)
Amended, 47 BRUN 146 (24 July 1982)
- 2.7 **Advisory Groups.** The President shall establish faculty, student, administrative, and citizen advisory councils as a continuing method of communication between the President, the Board, and major segments of the University community.
- 2.8 **The Chancellors-Vice Presidents.** Each major administrative unit shall have a Chancellor as its chief administrative officer, who shall also be a Vice President of the University, and who shall report to the President of the University and through the President to the Board.
- 2.8.1 **Powers and Duties of the Chancellors.** Subject to the guidelines and policies of the Board and the President, the Chancellors shall do all things necessary for the development of the major administrative unit for which they are responsible, and shall be members of the President's staff for purposes of inter-unit cooperation and planning. In addition, the Chancellors shall have the following specific responsibilities:
- (a) Provide leadership in developing the total program under their jurisdiction;
 - (b) Establish offices of Vice Chancellors, Deans, directors, and other administrative offices as are required for the effective exercise of their responsibilities, subject to the approval of the President and the Board. The organization of each major unit with the duties and responsibilities of the administrative officers, when approved by the Board, shall be appended to these *Bylaws*;
 - (c) Recommend all personnel appointments requiring approval by the President and the Board;
 - (d) Provide for regular periodic evaluations of each administrative officer in their units, which may include consultation with faculty and students;
 - (e) Concern themselves with the planning and development of all activities of their units and be responsible for their coordination;
 - (f) Submit annual budgets for operations and construction to the President covering all activities assigned to their units; and

- (g) Determine, under the guidelines of Sections 2.8 through 2.15, the basic organization of the educational and administrative structure of the campus, subject to applicable law and approval by the President and the Board. Such administrative and educational organization may include departments, schools, institutes, centers, divisions, and all similar designations.

2.8.2 **Administrative Functions.** Each Chancellor shall provide for the following administrative functions within the structure of the major administrative unit:

- (a) General supervision of the faculties through the system of colleges and schools;
- (b) General supervision of all relationships between students and the major administrative unit. Such supervision includes, but is not limited to: admissions; registration and records; academic advising; counseling; housing; scholarships and financial aids; student activities and services; placement; foreign students; and the evaluation and certification of academic credit from other institutions;
- (c) The business and financial management of the major administrative unit and its component parts in conformity with University-wide management policies, practices, and controls established by the Office of the President and the Board. The management function should include, but is not limited to: budget preparation and implementation; keeping financial accounts for activities of the unit; auditing all expenditures and bills presented for payment; and such financial reports as may be required;

Personnel administration, including employment, termination, wage determinations, and conditions of employment for other than academic-administrative employees of the major administrative unit, in conformity with University-wide policies, practices, and procedures as may be required by the Board; and

Operation and maintenance of the physical plant, purchase of supplies and equipment, and maintenance of appropriate inventories and records of real and personal properties under the jurisdiction of the major administrative unit.

2.9 **The Colleges.** Subject to the powers vested in the Board, and subject to the provisions of 85-108 and 85-112 Revised Statutes of Nebraska, and other applicable law, the immediate government of each college shall be by its own faculty. Without limiting the generality of the foregoing statement, such power shall include adoption of attendance rules, determination of requirements for graduation, recommendations of candidates therefore, developing research and extension programs, discipline of students for conduct solely affecting the college, and providing to the Board recommended admission requirements, courses of study and other relevant material for meeting statutory requirements. Those persons with rank of assistant professor and above, or equivalent ranks, shall constitute the voting members of a college faculty, unless other persons are specifically included in a particular college by action of these voting members. Any system of college government shall provide for consultation with students. No curriculum leading to a degree or certificate shall be adopted or discontinued without the approval of the Board. The faculty for each college shall adopt rules and regulations relating to its government

2.9.1 Deans of Colleges.

2.11 **Multi-Departmental Academic Centers for Research, Teaching, and/or Service.**

Multi-disciplinary and intercampus organizational entities have become increasingly important for pursuit of the University's mission. Such multi-departmental organizational entities may organize faculty and programs for numerous purposes such as creation of partnerships with external organizations, enhanced university research and outreach programs, development of new funding patterns, addressing emerging multi-disciplinary educational needs, and other emerging problems and issues. Organizational entities of this type are encouraged in order to serve important University goals. Such entities are considered "Multi-Departmental Academic Centers for Research, Teaching, and/or Service," a generic designation which applies not only to "centers" but also to all such entities such as those characterized as "bureaus," "institutes," or designations other than colleges or schools.

"Multi-Departmental Academic Centers for Research, Teaching, and/or Service" require approval by the Board of Regents as stated in section 2.11 of the *Bylaws* of the Board of Regents if they meet all of the following criteria:

- a. Interdisciplinary breadth encompassing commitment of funding and faculty time from more than one department.
- b. An identifiable budget.

A proposal for approval should include a detailed description of the multi-departmental center function, justification, relevance to the University's strategic plans, participating departments and faculty, administration, funding, formal name, and evidence that the multi-departmental center will more effectively achieve stated academic objectives than traditional departmental, school, or college structures.

The President will conduct periodic reviews of all "Multi-Departmental Academic Centers for Research, Teaching, and/or Service," on a timetable appropriate to the nature of the center but not less frequently than every seven years, and report the results of periodic reviews to the Board of Regents.

History: Amended, 74 BRUN 18 (25 May 2016)
Amended, 66 BRUN 2 (20 January 2006)

- 2.12 **Provision for Faculty Government.** The faculties of each major administrative unit shall establish a governing agency for dealing with matters of interest to more than one college. Such agencies shall be democratic in structure and operation and shall determine rules concerning membership. They shall conduct business in open session, and minutes of meetings shall be public information. By no less than a majority vote of those present, an executive session may be authorized. An agency may include student participation under conditions and circumstances approved by the agency. All rules and regulations of such agency shall be adopted in accordance with Section 1.2 of these *Bylaws*.

History: Amended by the Corporation Secretary pursuant to the authority of Sec. 1.12 (b) of these *Bylaws* (27 April 2012)

- 2.12.1 **Responsibilities of Faculty Governing Agencies.** Each agency shall have the following general responsibilities:

- (a) Adopt its rules of procedure, in accordance with Section 1.2 of these *Bylaws*;
- (b)

(c) Act on academic matters that affect more than one college;

(d)

- 2.14 **Student and Faculty Government.** Subject to approval of the Board, a major administrative unit may combine the student and faculty government into a single agency.
- 2.15 **Ombudsperson.** The Chancellor of each major administrative unit is authorized to appoint an Ombudsperson. Each Chancellor shall adopt procedures governing the selection of the Ombudsperson, which shall include formal consultation with representatives of those segments of the University served by the Ombudsperson. The Office of the Ombudsperson will seek to improve academic and administrative processes within the University by discovering problems and suggesting reforms. The Office may assist any member of the University community in the resolution of academic, administrative, or personal problems that cannot otherwise be resolved equitably within existing mechanisms.

The Ombudsperson may listen to, investigate, and seek to mediate and resolve complaints and grievances made to him or her concerning academic or administrative policies, procedures, practices, or decisions. The Ombudsperson may recommend appropriate changes or solutions to the Chancellor. However, the Ombudsperson shall have no authority to overturn, reverse, or modify such policies, procedures, practices, or decisions.

No person shall suffer any penalty or disability because of seeking assistance from the Ombudsperson. All information presented to that office by persons seeking assistance shall be considered confidential unless a complainant shall authorize release of such information. All information received by the Ombudsperson shall be considered privileged where otherwise provided by law.

History: Amended, 71, BRUN 11 (02 March 2012)
Amended, 42 BRUN 151 (10 November 1978)
Amended, 40 BRUN 2 (20 November 1976)

cause shall be filed with the appropriate University records officer and shall be considered a public record.

- (b) An official or employee who becomes a supervisor to his or her family member other than by means of nepotism shall notify the President or cognizant Chancellor within seven days of becoming aware of such situation and may continue to act as a supervisor until the President or cognizant Chancellor remedies the situation. The President or cognizant Chancellor shall act as soon as practicable.

3.2.2.5 The President and Chancellors may develop and implement internal policies and directives prohibiting nepotism and the supervision of a family member.

History: Added, 69 BRUN 15-16 (5 March 2010)

3.3 **Compensation for Services Rendered.**

- 3.3.1 **Professional Staff.** The compensation to be paid any member of the professional staff whose appointment is subject to approval by the Board shall be determined and entered on the records of the Board when the appointment or contract for services is made. Any subsequent change in compensation shall likewise be recorded, provided that if such change is shown on the annual detailed budget as adopted by the Board, this shall constitute a sufficient record. Compensation for other professional staff shall

- (c) **Monthly Class.** Members of the professional staff employed for periods of less than the standard academic year or on a part-time basis are normally paid on a monthly basis unless otherwise provided by individual contract or agreement at the time of appointment.

History: Amended, 62 BRUN 14 (28 February 1998)

- 3.3.2 **Office and Service Staff.** Compensation to be paid a member of the office and service staff shall be determined by the President or the Chancellors, as appropriate, or their designated representatives, within the institutional policies established by the Office of the President and approved by the Board. Salaries and wages are paid on a biweekly basis.

History: Amended, 49 BRUN 300 (16 June 1984)
Amended, 42 BRUN 287 (24 March 1979)

- 3.3.3 **Student Employees.** Within institutional policies established by the Office of the President and approved by the Board, compensation for student employees shall be determined by the Chancellor or his or her designee and shall be paid biweekly.

- 3.3.4 **Method of Payment.** Salaries and wages shall be paid in State warrants. No compensation can be paid in advance of services performed. The Office of the President shall properly voucher and certify according to law all salary and wage claims, and shall present them to proper officials for issuance of warrants thereon, and deliver warrants received in pursuance thereof to the proper parties.

3.4 **Conditions of Employment for the Professional Staff.**

3.4.1 **Salary Termination.**

- (a) For members of the professional staff on all-year or on monthly appointments, the proration shall be based upon the fractional part of the month represented by the calendar days preceding the date of termination, plus any unused vacation time earned during the appointment year.

For members of the professional staff on academic year appointments, compensation is divided equally between terms of the academic year. Pro rata compensation shall be based upon the fractional part of the term represented by the calendar days between the date service began and the date of termination, inclusive.

- (b) **Upon Death.** The salary of full-time academic-administrative staff member shall terminate at the end of the month in which death occurs, provided, however, that this provision in no way abrogates the right to receive salary earned but not yet paid because of the method of prorating academic-year salaries over a 12-month period.

- 3.4.2 **Vacations.** Members of the managerial-professional staff designated in accordance with policy adopted by the Board, and all full-time members of the all-year academic-administrative staff shall earn and receive sixteen (16) hours of vacation per month, provided that, once an employee has accumulated two hundred eighty (280) hours of unused vacation, he or she shall not earn or receive additional vacation until his or her accumulated and unused vacation is less than two hundred eighty (280) hours.

For members of the academic-year staff, vacations are fixed by the University calendar for the academic year, normally the period between the end of the first academic term and the first working

All granting of leaves of absence shall be contingent on satisfactory replacement or other arrangements having been made to the end that instruction and research in the department involved will not be disrupted.

History: Amended, 48 BRUN 5 (15 January 1983)
Amended 66 BRUN 37 (15 June 2006)

3.4.3.2 **Stipends for Leaves of Absence.** Stipends for academic leaves of absence shall be subject to the following conditions:

- (a) No limitation is placed on total stipend in cases where leave is granted without University financial support.
- (b) Staff members granted leave with University pay are permitted to accept grants to augment their income for the purpose of covering necessary travel expenses and increased cost-of-living while working outside the immediate University area.
- (c) Leaves with pay ordinarily will not be granted for the purpose of carrying out work leading to higher degrees.
- (d) The Board may provide for a regular system of sabbatical leaves for fulltime faculty members and administrators.

3.4.3.3 **Leaves of Absence Due to Disability.** Whenever a member of the managerial professional staff designated in accordance with policy adopted by the Board or any member of the full-time permanent academic-administrative staff is temporarily disabled due to illness or accident, such staff member upon approval of his or her supervising administrator shall be paid his or her regular salary during the period of such disability, but in no event exceeding a period of six months, less:

- (a) The amount received during such time as worker's compensation; and
- (b) The amount required, if any amount be required, to pay any substitute who has performed all or any part of the work of the incapacitated staff member. Substitutes shall be selected by the supervising administrator of the staff member. Whether such a substitute shall receive pay for such work performed or be permitted to substitute gratuitously for the incapacitated staff member shall be determined by the supervising administrator of the staff member.

Such leaves of absence may be extended beyond six months without pay upon recommendation of the Chancellor and the President and approval by the Board. Other members of the managerial-professional staff shall accumulate one day of sick leave per month for the first two years of employment; thereafter, the foregoing provisions for the academic-administrative staff shall apply.

In order to comply with the terms of existing United States Civil Service retirement regulations, Cooperative Extension staff with federal appointments will accumulate sick or injury leave at the rate of one month per year.

Past or present service retirement benefits will not be paid during the period of an extended disability leave.

originally under a voluntary placement for purposes other than adoption without assistance from an attorney, physician, or other individual or agency which later results in a petition for the adoption of the child by the person with whom the voluntary placement was made. Leave taken for the purpose provided in this section shall be considered and accounted for as disability leave pursuant to Section 3.4.3.3 of these

3.12.4.2 **Eligibility and Participation.** All eligible employees (as defined in the Retirement Plans), who have attained the age of 26 years and have completed two years of service (as defined in the Retirement Plans) may participate in the Plans. All eligible employees (as defined in the Retirement Plans) who have attained the age of 30 years and have completed two years of service (as defined in the Retirement Plans) are required to participate in the Retirement Plans. The term "eligible employee" means any permanent employee of the University whose employment status is one-half of a full-time equivalent (.5 FTE) or greater other than employees not eligible for Federal Old Age Survivor Disability and Medical Care Insurance, but covered by Federal pension benefits. Employees covered by Federal pension benefits will be covered under a separate retirement plan.

History: Amended, 63 BRUN 17 (26 February 2000)
 Amended, 54 BRUN 171 (23 June 1989)

3.12.4.3 Plan Contributions.

(a) Subject to Section 4.7 of the Retirement Plan relating to maximum contributions, each participant in that Plan and the University shall make contributions to the plan at least yearly in accordance with the following schedule:

	Participant Contribution	University Contribution	Total Contribution
Lower Level	3.5%	6.5%	10.0%
Higher Level	5.5%	8.0%	13.5%

Upon commencing participation, each participant shall elect to participate either at the lower level or higher level of contribution. A participant's election to participate at the higher level of contribution shall be irrevocable for the duration of the participant's employment with the University, including any periods of re-employment. During a participant's paid leave of absence, the University shall make contributions for the participant on the basis of the compensation paid during such leave.

(b) Subject to the provisions of the University of Nebraska Retirement Plan for Federal Retirement System Participants relating to maximum contributions, each participant in that Plan shall contribute two percent of the participant's compensation for the Plan Year and the University shall contribute four percent of the participant's compensation for the Plan Year, for a total contribution of six percent. During a participant's paid leave of absence, the University of Nebraska shall make contributions for the participant on the basis of the compensation paid during such leave.

(c) Under no circumstances or conditions will any contribution of the University revert to, be paid to, or insure to the benefit of, directly or indirectly, the University, except as provided in Section 3.12.4.6(b) (1).

History: Amended, 65 BRUN, 127 (10 June 2005)
 Amended, 63 BRUN 17 (26 February 2000)
 Amended, 54 BRUN 171 (23 June 1989)

3.12.4.4 **Benefits.** Retirement benefits and death benefits under the Retirement Plan shall be as provided in the Plans, as amended from time to time.

History: Amended, 63 BRUN 17 (26 February 2000)
Amended, 54 BRUN 171 (23 June 1989)
Amended, 46 BRUN 52 (25 July 1981)
Amended, 43 BRUN 5 (21 April 1979)

3.12.4.5 **Tax Sheltered Annuities and Custodial Accounts.**

(a) Effective September 1, 1989, each employee of the University (other than students enrolled and are scheduled for regular attendance at classes at the University) may elect to have the University make contributions to annuities and custodial accounts qualifying under Section 403 (b) of the Internal Revenue Code of 1986, provided that such contributions are not less than \$200 in any calendar year. Each such annuity or custodial account, and those annuities or custodial accounts purchased prior to September 1, 1989, shall:

(1) be the property of the individual employee, and

(2) in all respects, comply with the requirements of Section 403(b) of the Internal Revenue Code of 1986, as amended.

(b) Participant contributions with respect to tax-sheltered annuities or custodial accounts shall be made to only those vendors thereof as the Board shall approve.

(c) The terms pursuant to which contributions may be made to t

Chapter IV. Rights and Responsibilities of Professional Staff

4.1 Academic Responsibility

Members of the professional staff are entitled to exercise their right to speak and act as citizens of the United States and of the State of Nebraska. Members of the professional staff shall not suffer sanctions or be discriminated against with respect to the duration of association with the University, pay or other emoluments of their office, appointment, position, or their working conditions because of their enjoyment, or exercise, of their right of academic freedom, or in any case where such action would constitute a violation of federal or

- (ii) Each college shall develop rules and regulations pertaining to the membership of this committee. These rules may allow an elected faculty representative of any department(s) or equivalent administrative units in which the faculty member holds a full or partial appointment to serve on the committee, as either full or nonvoting members.
 - (iii) The committee shall consider the positions of each party in relation to the departmental and college missions, as well as the faculty member's overall areas of professional competence and expertise. The committee shall decide whether the apportionment of the faculty member's responsibilities shall be changed and, if so, in what manner. The decision of the committee shall be reasonably within the faculty member's overall areas of professional competence and expertise; it shall be in writing and it shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these *Bylaws*. It shall be final, subject only to review by the committees established by Sections 4.14, 4.15 and 4.16 of these *Bylaws*.
- (c) Within the terms of a faculty member's general apportionment of responsibilities, the details of a faculty member's specific assigned duties shall, after consultation with the faculty member, be determined by the department chair or head, unit administrator, or director concerned, consistent with the requirements of Section 3.4.4 of these *Bylaws*. Duties may vary from semester to semester, but must be reasonably within the faculty member's overall areas of professional competence and expertise, and shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these *Bylaws*. These decisions are subject to review by the committees established by Sections 4.14, 4.15, and 4.16 of these *Bylaws*.
- (d) Definitions.
- (1) The word "apportionment" as used in this Section 4.3 means and refers to the specified division among teaching, research, service, extension, and administrative responsibilities making up a faculty member's University appointment. It is generally expected that a faculty member's apportionment of responsibilities shall be relatively stable from year to year, unless there is reasonable justification for change.
 - (2) The term "assigned duties" as used in this Section 4.3 means and refers to the specific professional activities a faculty member is responsible for carrying out in a given year within each apportioned area of his or her University appointment.

History: Amended, 73 BRUN 46-48 (9 October 2015)
 Amended, 63 BRUN 60 (15 July 2000)
 Amended, 53 BRUN 149 (6 May 1988)

4.4 **Types of Appointments: Professional Staff.** (As defined in Section 3.1.1)

4.4.1 **Special Appointments.** Appointments to (a) all administrative and non-faculty professional staff positions, and (b) all appointments to faculty positions that are not "Appointments for a Specific Term," "Health Professions Faculty Appointments," "Faculty Practice and Faculty Research Appointments," or "Continuous Appointments" shall be "Special Appointments." The following types of faculty appointments shall be filled by Special Appointment only: (1) temporary appointments, (2) appointments to part-time positions, (3) appointments for less than one academic year in any rank, (4) courtesy appointments, (5) appointments to volunteer status, (6) annual appointments beyond retirement age, (7) appointments to the rank of instructor, assistant instructor, lecturer, senior lecturer, assistant extension educator, associate extension educator, or extension educator, (8) appointments to ranks preceded by the designation "visiting," and (9) appointments

- (c) If the term of the appointment expires after two or more years of service on an Appointment for a Specific Term, notice shall be given by an appropriate administrative officer, or by the Board, 12 months in advance of the termination date.
- (d) Notice by an appropriate administrative officer may be signed by the department chair, the Dean, or the Chancellor. Notice, by action of the Board, shall be signed in the manner directed by the Board. In the absence of specific direction, said notice shall be signed by the Corporation Secretary. Notice shall be deemed to have been properly given if mailed to the appointee's home address, as reflected by the records of the University, by certified mail, with sufficient postage attached.
- (e) If written notice is not given to the appointee by the appropriate administrative officer or by the Board in the manner herein provided within the time specified, the appointment shall be extended one academic year if the term expired at the end of an academic year, and shall be extended one calendar year if the term expired during the academic year. Any appointment extended as provided in this Section shall be considered to be an appointment for one year of service, and subject to reappointment in accordance with the provisions specified above.

History: Amended, 53 BRUN 26 (12 September 1987)
Amended, 42 BRUN 51-52 (29 July 1978)
Amended, 40 BRUN 3 (20 November 1976)

- 4.4.3 **Continuous Appointment.** A "Continuous Appointment" is an appointment terminable only for adequate cause, bona fide discontinuance of a program or department, retirement for age or disability, or extraordinary circumstances because of financial exigencies. The University may award a continuous appointment to a person only by the specific affirmative act of an administrative officer duly authorized in accordance with these *Bylaws* to award continuous appointments. No person shall acquire a Continuous Appointment until he or she shall receive official (1)5(QBT-10(ont)792 rb/F3 11 Tf1 0

appointment extended as provided in this section shall be considered to be an appointment for one year of service, and subject to reappointment in accordance with the provisions specified above.

- (f) All notices required by this section shall be deemed to have been properly given if mailed to the appointee's home address, as reflected by the records of the University, by certified mail, with sufficient postage attached.
- (g) Notwithstanding the contrary provisions of subparagraphs (a), (b), (c), and (e) of this Section, in the event a Faculty Research Appointment is funded in whole or in part by funds from a specific source external to the University, such as a research grant, and such funds are reduced or discontinued, then the Faculty Research Appointment may be terminated by the University by giving the appointee at least 90 days written notice of the date of termination.

History: Added, 66 BRUN 59 (3 November 2006)

- 4.5 **Standards for Promotion, Continuous Appointment, and Salary Adjustment.** Each major administrative unit of the University shall prepare written standards that shall be used in making all decisions on promotions, awarding Continuous Appointments, and merit salary adjustments. The standards may be applicable to the entire major administrative unit or to appropriate subdivisions (such as colleges, schools, and departments) of a major administrative unit. The Chancellor of each major administrative unit is empowered to approve the content of the written standards and the scope of their applicability; provided, however, such written standards shall not include any right of appeal to the Board of Regents, and to the extent that any such existing standards do include any provision for appeal to the Board of Regents, each such provision is hereby repealed. After such approval, the written standards shall be published and disseminated to the faculties and staff and a copy shall be provided each appointee when appointed. Each written statement shall include standards relevant to the following areas of endeavor: teaching, extension work, research, scholarship, creative activities, and service. Integrity, academic responsibility, and professional development should be included as they relate to these major areas.

History: Amended, 60 BRUN 184 (14 December 1996)

- 4.6 **Evaluation of Faculty Performance: Procedure.** Each major administrative unit, or appropriate subdivision thereof as stated in Section 4.5 of these *Bylaws*, shall establish procedures for gathering relevant information from all sources, including student evaluations and peer judgments, as part of an annual review of faculty performance in relation to the standards established under Section 4.5. Individual faculty members shall have the opportunity to submit materials deemed relevant to their remuneration and status as a part of the annual review, or as such information becomes available. When appropriate, the judgment of others in each faculty member's specialized field of competence may be included in a review. Faculty members shall have access to all material submitted for their evaluation and the opportunity to respond in writing.

The annual review shall be considered in determining merit salary adjustments, promotions, and for awarding Continuous Appointment. The results of the review will be communicated to the individual faculty member.

4.7 **Administrative Leave of Absence**

- 4.7.1 **Applicability of Leave.** On occasion, an administrator may need to place an individual holding an academic appointment (defined herein as faculty members holding the academic rank of assistant instructor and above, or other formally approved ranks, as referenced in Section 3.1.1.1 of these *Bylaws*

follow as referenced in Section 3.1.1.2), on a temporary, paid administrative leave of absence (hereinafter referred to in this section as “leave”) while the University reviews whether (a) the individual’s presence in the workplace presents a significant risk of harm to the individual, to others within the workplace, or to University property or facilities, or (b) such leave is necessary to protect University resources, prevent the destruction of evidence, or avoid continuing violation of a policy while an investigation is being conducted into whether that individual has engaged in misconduct in violation of University policy. Leave will not be imposed in a manner that is inconsistent with the principles of academic freedom or used as a means of disciplining individuals for exercising rights guaranteed

duties during the leave, a summary of the process for responding to or addressing the allegations giving rise to the leave, and the circumstances under which the leave is anticipated to end. Expectations and evaluations of the individual's work performance while on leave must be compatible with the terms of the leave.

- 4.7.3 **Duration.** A leave will be limited in duration to the shortest period necessary to fulfill the purpose of the leave and will be subject to the reinstatement requirements set forth in Section 4.7.4 below. Accordingly, an individual who has been placed on leave due to significant risk of harm must be returned to duty as soon as the risk has been alleviated. Similarly, an individual who has been placed on leave for investigative purposes must be returned to duty upon the conclusion of a timely completed investigation. If the investigation results in the initiation of disciplinary proceedings against the individual, the administrator must file a complaint as specified in Section 4.15 (Academic Freedom and Tenure Committee) or Section 4.16 (Professional Conduct Committee) of these *Bylaws* and the ability and authority for the individual's continued removal from duty will be governed by the policies addressing those disciplinary proceedings.
- 4.7.4 **Reinstatement.** An individual placed on leave will be reinstated to his or her position upon the expiration of the leave. A leave cannot extend more than ninety (90) calendar days without additional review by a faculty committee and, if necessary, a threat assessment committee. If the administrator believes that the initial leave needs to be extended for a period of up to an additional ninety (90) calendar days, the administrator will follow the procedures specified in Section 4.7.2 for imposing a leave. The leave will be extended automatically if the administrator initiates formal disciplinary proceedings against the individual as specified in Section 4.15. (Academic Freedom and Tenure Committee) or Section 4.16 (Professional Conduct Committee) of these *Bylaws*.
- 4.7.4.1 **Expiration of Appointment While on Leave.** A leave imposed through the end of the appointment period is a termination for cause and requires the President or the Board of Regents to file a complaint with the Academic Freedom and Tenure Committee under Section 4.15.2(b) of these *Bylaws*. The period of the individual's appointment need not be extended beyond the appointment end date. If the individual would like to waive their right to a termination hearing, then they may do so in

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Appointee. When the University notifies a person holding an Appointment for a Specific Term, Health Professions Faculty Appointment, or a Faculty Practice and Faculty Research Appointment, that his or her appointment will not be renewed at the expiration of the term stated, the appointee shall:

- (a) Have the opportunity to request a reconsideration by any individual or group making a recommendation or decision not to renew such an appointment and to offer evidence for that reconsideration.
- (b) Have the right to petition the Grievance Committee, if one is established at his or her major administrative unit pursuant to Section 4.14.1, and upon such petitioning shall have the rights provided by Section 4.14.2.

History: Amended, 73 BRUN 46-48 (9 October 2015)
Amended, 62 BRUN 14 (28 February 1998)

4.12 **Termination of a Continuous Appointment: Grounds.** A Continuous Appointment may be terminated only for adequate cause, retirement for age or disability, bona fide discontinuance of a program or department, or extraordinary circumstances because of financial exigency. Before any termination for cause may occur, it shall be necessary to submit the matter to the Academic Freedom and Tenure Committee in the manner provided in Section 4.15.2.

4.13 **Termination of Appointments for Financial Exigency or Because of Discontinuance of a Program or Department: Time.** When any type of appointment is terminated because of financial exigency or discontinuance of a program or department, whether the termination is effective on or before the date stated for termination in the written appointment contract, the University shall give notice of termination as soon as possible, and shall make reasonable efforts to notify persons twelve (12) months prior to the effective date of termination. In such a case the released faculty member's place will not be filled by a replacement within a period of two years unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

4.14 **Grievance Committee.**

4.14.1 **Grievance Committee: Power to Create.** Pursuant to authority granted by these *Bylaws*, the faculty governing agency of each major administrative unit is empowered to create a Faculty Grievance Committee, which shall have the powers specified in Section 4.14.2, in addition to any other powers granted by the faculty governing agency pursuant to these *Bylaws*.

4.14.2 **Powers of Faculty Grievance Committee.** Any Faculty Grievance Committee established under Section 4.14.1 shall be empowered:

- (a) To consider a complaint filed by any faculty member alleging any grievance;
- (b) To seek to settle the grievance by informal methods of adjustment and settlement, either itself or by using the services of any officer or body directed to settle grievances and disputes by mediation, conciliation, or other informal methods;
- (c) To draft rules of procedure for the orderly and fair handling of grievances by the Committee, which rules shall become effective after notice and hearing when approved or modified by the Board, and, upon approval, shall be effective as a part of the Rules of the Board; and
- (d) To proceed, if informal methods fail to resolve the matter satisfactorily, with further proceedings, to be conducted in accordance with the Rules of Procedure approved by the Board under this Section, and in accordance with the following principles:
 - (1) If the grievance alleges that inadequate consideration was given to relevant matters by the person or body that took the action or made the decision that led to the grievance, the Grievance Committee shall investigate the facts, and, if convinced that inadequate consideration of the relevant matters occurred, state the facts found and the respects in which the consideration was inadequate. The Committee may order the matter reconsidered by the appropriate person, group or groups, or recommend that other rectifying action be taken. The Grievance Committee shall not substitute its judgment on the merits for that of the person, group, or groups that previously considered the decision.

- (2) If the grievance alleges that a discontinuance of a department or program is not bona fide, or that no extraordinary circumstances because of financial exigency exist, the Committee shall investigate and state its factual findings, conclusions, and recommendations in writing, which shall be filed with the Chancellor of the major administrative unit involved, the complainant, and the faculty governing agency.

4.15 **Academic Freedom and Tenure Committee.**

- 4.15.1 **Academic Freedom and Tenure Committee: Creation.** The faculty governing agency of each major administrative unit shall create an elected faculty Committee on Academic Freedom and Tenure, which shall have the powers specified in these *Bylaws*, and any other powers granted by the faculty governing agency and approved by the Board.
- 4.15.2 **Academic Freedom and Tenure Committee: Powers; Rules of Procedure.** The Committee established by Section 4.15.1 (Academic Freedom and Tenure Committee: Creation) shall have the following powers and rules of procedure:
 - (a) The Committee shall consider any complaint filed by any member of the professional staff alleging any procedural or substantive grievance that constitutes an allegation that action taken, or threatened, violates the complainant's academic freedom or academic tenure.
 - (b) The Committee shall consider a complaint filed against any member of the faculty seeking to

- (ii) In cases where the grounds for termination of a UNMC Health Professions Faculty Appointment, or a UNL Faculty Practice or Faculty Research Appointment are based in whole or in part on questions of professional competence, no such certification shall be made until the faculty holding such a UNMC or UNL appointment who have received at least one promotion in academic rank while holding such an appointment and the tenured members of the faculty member's school, division or department, or college in the absence of small units, have been consulted on the issues involving professional competence. Such consultation shall be effected through the appropriate administrator (department chair, school or division director, or dean) calling on fourteen (14) days' notice a meeting of the eligible consulting faculty of the unit for the specific purpose of discussing the faculty member's professional competence. Votes on substantive matters relating to the faculty member's professional competence shall be by secret ballot. The report of such meeting, in the form of approved minutes containing a summary of the matters discussed and the votes taken, shall be forwarded by the administrator to the Chancellor for transmission to the President.
- (3) If the Board or President has determined that an investigation should be made, the President shall employ an attorney to make the investigation and report to the President if he or she believes reasonable cause exists for termination of the appointment. Investigation shall be made in such manner as the attorney so employed determines to be appropriate, but shall not involve a public hearing and shall be conducted on as confidential a basis as possible. The

- (g) The Board on its own motion may receive additional evidence at a public hearing, after notice to interested parties, in any case where the Board in its discretion determines that justice requires such further hearing before the Board. Any person desiring to present additional evidence to the Board may apply to the Board for hearing before the Board. Before any such hearing is granted, showing shall be required that there is additional relevant evidence that has been discovered, or has developed, or which could not be produced at the prior hearing; that the same was not available at the prior hearing and could not have been discovered or produced by reasonable diligence.
- (h) In all proceedings before the Committee in which the termination of a Continuous Appointment, the termination of an Appointment for a Specific Term prior to its stated termination date, the termination of a Special Appointment as a faculty member prior to its termination date, or the termination of a Health Professions Faculty Appointment or a Faculty Practice or Faculty Research Appointment prior to its stated termination date are in issue, the burden of proof rests with the University and will be satisfied by the greater weight of the evidence in the record considered as a whole.
- (i) Prior to a decision by the Board, an individual holding an academic appointment shall not be relieved of, or assigned other, duties unless an appropriate administrator can show that placing the individual on paid administrative leave is warranted based on one or more of the reasons enumerated in Section 4.7.1 and can show that the procedures set forth in Section 4.7.2 of these *Bylaws* for placing individuals on leave have been followed. Salary will continue during any leave period and an assignment to other duties shall not diminish a staff member's salary.
- (j) The Committee shall have power to consider a request filed by any person, board or committee that alleges that a staff member should be subjected to sanctions less severe than appointment termination, and power to recommend in any case sanctions less severe than appointment termination where less severe sanctions seem appropriate.

History: Amended, 76 BRUN 69 (9 April 2021)
 Amended, 73 BRUN 46-48 (9 October 2015)
 Amended, 70 BRUN 47-48 (8 December 2011)
 Amended, 53 BRUN 151-154 (6 May 1988)
 Amended, 53 BRUN 80 (12 December 1987)
 Amended, 49 BRUN 300 (16 June 1984)
 Amended, 42 BRUN 53-54 (29 July 1978)

4.16 Professional Conduct Committee.

4.16.1 **Professional Conduct Committee: Power to Create.** Pursuant to power granted by these *Bylaws*, the faculty governing agency of each major administrative unit is empowered to create a Professional Conduct Committee, which shall have the functions and powers specified in Sections 4.16.2 (Powers and Procedures of Professional Conduct Committee) and 4.16.3 (Function of Professional Conduct Committee), in addition to any other power granted by the faculty governing agency to the Committee pursuant to these *Bylaws*.

4.16.2 Powers of Professional Conduct Committee

- (a) To receive complaints from any person charging a member of the professional staff, as defined in Section 3.1.1 (Professional Staff) of these *Bylaws*, with professional misconduct. This includes complaints filed by a University officer against an individual holding an academic appointment seeking a suspension or other major sanction less than termination as described in Section 4.7.5 of these *Bylaws*. Upon receiving a complaint, the Professional Conduct Committee shall ensure the allegations contained within the complaint are shared with the accused individual and the appropriate administrators. The individual shall answer the complaint in writing, and that response shall be provided to the person filing the complaint.
- (b) To investigate the facts relevant to the charge and to make factual determinations. Said investigation shall include advising the affected party of the charge, hearing his or her response, and considering any evidence produced by such party.
- (c) Conclude whether there are reasonable grounds to believe that the person against whom the charge is directed committed acts that amount to professional misconduct. The burden of proof rests with the complainant and will be satisfied by the greater weight of the evidence in the record considered as a whole.
- (d) To advise the person filing the charge, and any other appropriate person or groups, of the

Chapter V. Responsibilities and Rights of Students

5.0 **Statement of Responsibility.** Students, like all members of the academic community, have the responsibility

(f) The hearing board must include student membership, and must grant the student:

- (1) The right to appear with an advisor of the students' choice.
- (2) The right to hear all evidence against the student, and to hear and question witnesses.
- (3) An opportunity to testify and to present evidence.
- (4) The right to appeal through appropriate channels as determined by the rules adopted by the major administrative unit. The decision of the hearing board shall be final subject only to appeal. The burden of proof shall rest upon the person bringing the charge. The decision of the hearing board must be based solely upon evidence introduced at the hearing. Evidence that would not be admissible in a State Court criminal proceeding by reason of the method or manner in which it was acquired shall not be admitted. A verbatim record of the hearing must be maintained.

History: Amended by the Corporation Secretary pursuant to the authority of Sec. 1.12 (b) of these *Bylaws* (27 April 2012)

5.5 **Law Violations.** Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests are distinctly and clearly involved should the special authority of the institution be asserted.

5.6 **Public Information Regarding Students.** Public information regarding students, rules with respect to confidentiality, and any release of information will be governed in accordance with Federal and State law. The Board is authorized to develop policies and procedures consistent with that law.

History: Amended, 74 BRUN 17 and 34-41 (1 June 2017)
Amended, 65 BRUN 142 (16 September 2005)
Amended, 57 BRUN 119 (13 June 1992)
Amended, 49 BRUN 300 (16 June 1984)

5.6.1 **Release of Information.** (Not Currently Used)

History: Amended, 74 BRUN 17 and 34-41 (1 June 2017)
Amended, 57 BRUN 119 (13 June 1992)

5.7 **Disciplinary Records.** Subject to any requirements of the Records Management Act, each major administrative unit shall provide for the periodic destruction of non-current disciplinary records.

5.8 **Entry in University Housing.** University officials or administrators will not make or authorize unlawful or unreasonable entry and search of University-owned housing rented by students.

5.9 **Student Communications Media.** Student publications and broadcasting stations shall be supervised in a manner such that editorial freedom will be maintained and that the corollary responsibilities will be governed by the canons of ethical journalism. Student publications financed in whole or in part by fees collected from all students at a major administrative unit shall be supervised by a publications committee for each major administrative unit. This committee shall have the fut a10(d i)5TJETQq

the committee shall also include members of the faculty and professional journalists from outside the University.

5.10 **Participation in Student Organizations.** Each major administrative unit shall permit students to organize and join associations to promote their common interests, and shall establish procedures for the official recognition of these organizations for use of campus facilities. Each such recognized student organization shall be required to comply with all applicable federal and state statutes and University regulations.

5.10.1 **Regulation of Fraternities, Sororities, and Living Units.** Each major administrative unit shall establish its own regulations for recognition and for governing fraternities, sororities, cooperative houses, and other formally recognized group-living units in accordance with Section 1.2 of these *Bylaws*.

History: Amended by the Corporation Secretary pursuant to the authority of Sec. 1.12 (b) of these *Bylaws* (27 April 2012)

5.11 **Campus Speakers.** Students shall be allowed to invite and hear any person of their own choosing. Those procedures required by the institution should insure orderly scheduling of facilities and adequate preparation for the event. However, the institutional control of campus facilities should not be used as a device of censorship.

5.12 **Demonstrations.** Students are free to express their beliefs and concerns in a variety of ways. In all cases, however, students are expected to function in an orderly manner within the framework of existing rules and laws. Such activity shall be conducted so as not to interfere with the rights of others or the normal activities of the University. Each major administrative unit shall provide reasonable rules and regulations relating to demonstrations.

In cases of the disruption of normal University activities, the Chancellor or his or her designee may impose temporary sanctions including suspensions.

before submission to the Governor's office and the Legislature by the President of the University. The President shall submit the operating and capital construction budgets for all University activities, in accordance with legislative appropriations, for approval by the Board.

- 6.7 **Management of Records.** Notwithstanding anything herein to the contrary, management of records of the University is subject to the provisions of 84-1201 to 84-1220 Nebraska Revised Statutes (Records Management Act) and shall comply in all respects to the requirements of said Act.

as an expansion of the personal liability of any University officer, employee, student in training, or employee of the University or member of the Board.

- (f) General Counsel for the University, together with the Vice President for Business and Finance, and such other individuals whose involvement is necessary and proper, may formulate policies and procedures to implement this Section, and coordinate the processing of claims under this Section with University insurance and risk management policies and programs.
- (g) Coverage Definitions. This subsection defines words and phrases regarding persons who are within the potential coverage of this Section. Where appropriate, reference has been made to other definitional Sections of these *Bylaws*.
 - (1) "Member(s) of the Board." This phrase includes persons within the class defined by the following Sections of these *Bylaws*

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