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Lincoln, Nebraska  
June 1, 2017

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Chairman Whitehouse welcomed newly-elected student regents Austin Partridge, University of Nebraska at Kearney; Joe Zach, University of Nebraska-Lincoln; Carissa Lueck, University of Nebraska Medical Center; and Carlo Eby, University of Nebraska at Omaha.

President Bounds welcomed newly-elected Faculty Senate Presidents Sarah Purcell, University of Nebraska-Lincoln; and Laura Grams, University of Nebraska at Omaha.

**IV.**

**KUDOS**

**Regent Clare presented a KUDOS award to Rebecca Dobry,** Financial Aid Counselor at the University of Nebraska at Kearney.

**Regent Schafer presented a KUDOS award to Mike Dierks,** Workstation Specialist III in the Customer Support Services Department at the University of Nebraska Medical Center.

**Regent Daub presented a KUDOS award to Ethan Anderson,** Assistant Athletic Director and Event Management at the University of Nebraska at Omaha.

**Regent Kenney presented a KUDOS award to Marlene Busse,**

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University of Nebraska-Lincoln

VIII-B-2



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| Action | Student Opinion: Voting Aye: Partridge, Zach, Eby, and Lueck. Voting Aye: Hawks, Kenney, Phares, Pillen, Schafer, Whitehouse, Clare, and Daub. Motion carried. |
| Motion | Moved by Eby and seconded by Phares to approve item IX-B-7   |
| IX-B-7 | Approve the project budget to remove underground tanks and concrete from University  |

Action Student Opinion: Voting Aye: Eby, Lueck, Partridge, and Zach. Voting Aye: Clare, Daub, Hawks, Kenney, Phares, Pillen, and Whitehouse. Voting No: Schafer. Motion carried.

Motion Moved by Hawks and seconded by Pillen to approve item IX-B-14

IX-B-14 Approve the Nebraska College of Technical Agriculture's FY 2017-18 Operating Budget and tuition rates for FY 2017-18 and FY 2018-19. Reappropriate with the State of Nebraska's Department of Administrative Services any unexpended balances existing on June 30, 2017 that are committed to be spent in FY 2017-18.

There was discussion

Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Daub, Hawks, Kenney, Phares, Pillen, Whitehouse, and Clare. Voting No: Schafer. Motion carried.

**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 Quarterly Personnel Report for the period January-March 2017

IX-D-2 Laboratory, Student, and Miscellaneous Fees for 2017-2018

IX-D-3 Revisions to rules and regulations for faculty and student self-government organizations: Bylaws of the Faculty of the University of Nebraska Medical Center

IX-D-4 Renaming University of Nebraska Online Worldwide (NUOW) to University of Nebraska Online (NU Online)

IX-D-5 Expedited Approval of the Biomedical Science Graduate Certificate in the Department of Biology in the College of Arts and Sciences at the University of Nebraska at Omaha

IX-D-6 Renaming the American Government Graduate Certificate to the Government Graduate

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- IX-D-12 Quarterly Report of Gifts, Grants, Contracts and Bequests
- IX-D-13 Strauss Performing Arts Intermediate Design Report
- IX-D-14 Morrill Hall 4th Floor Redevelopment Intermediate Design Report
- IX-D-15 Naming the two interview rooms within the College of Law Marvin and Virginia Schmid Clinic Building the “Kutak Rock Interview Room” and the “Rembolt Ludtke Interview Room”
- IX-D-16 Naming three internal rooms within the Cather Dining Complex “Red Cloud A, B, C & Atrium”, “Pioneer A & B”, and “Lark A & B”
- IX-D-17 Naming the new UNO parking structure at 67th and Pacific Street as the “Pacific St. Garage”
- IX-D-18 Strategic Framework Report on Debt Management

Chairman Whitehouse accepted the reports on behalf of the Board.

**X. ADDITIONAL BUSINESS**

None

**ADJOURNMENT**

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Amendments to the *Bylaws* of the Board of Regents of the University of Nebraska:

**1.4.4 Records of the University.** Records and documents of the University are available for inspection in the Office of the Corporation Secretary. The following types of records and documents are deemed to be confidential records, and will not be made available, except upon written authorization signed by the individual or individuals to whom the records pertain or by a person duly authorized to act on behalf of such individual or individuals: student academic records; personal information in student, faculty, and staff personnel records, except salary and routine directory information; communications between attorney and client; communications between physician and patient; hospital medical records; and any other records declared to be confidential under the laws of the State of Nebraska, provided such records with names deleted and kept confidential may be made available for governmental research and analysis. Records and documents that are not confidential shall be available by written request to the Corporation Secretary and by paying the reasonable cost and expense of making said records available.

(a) For the purposes of this section, the term "personnel" shall mean and include persons who are employees of the University and persons who are or have been either applicants or nominees for employment by the University.

(b) For the purpose of this section, the term "personnel records" shall be inclusive of the entire employment process beginning with application or nomination for appointment, search committee evaluation and appointing authority evaluation, through appointment and employment, and ending with separation from employment. Personnel records shall include (1) all records and documents pertaining to any person who is an applicant or nominee for any University personnel position described in Section 3.1 of these Bylaws, regardless of whether any such person is ever actually employed by the University, and (2) all records and documents pertaining to any person employed by the University.

(c) For the purpose of this section, the term "personal information" when used in relation to faculty and staff personnel records shall mean and include, but not be limited to, (1) all records and documents pertaining to any applicant or nominee for appointment to any University personnel position described in Section 3.1 of these Bylaws, except the names of candidates accepted by an appointing officer or appointing authority pursuant to Section 2.1 of these Bylaws as finalists under consideration for appointment, and (2) all records and documents pertaining to the employment of any person by the University, except salary and routine directory information.

(d) For the purpose of this section, the term "routine directory information," when used in relation to the term "personal information" in faculty and staff personnel records, shall mean and be limited to (1) name of the person employed by the University, (2) date of employment, (3) type of University personnel appointment or appointments held and term of each appointment, (4) title or academic rank, (5) University employment address, (6) postsecondary education degrees earned, (7) awards or honors, and (8) date of separation from University employment.

**5.6 Public Information Regarding Students.** Public information regarding students attending the University shall be the (i) student's name, (ii) local address, (iii) permanent address, (iv) telephone listings, (v) year at the University, (vi) dates of attendance, (vii) academic college and major field of study, (viii) enrollment status (e.g., undergraduate or graduate; full-time or part-time), (ix) participation in officially recognized activities and sports, (x) degrees, honors and awards received, and (xi) most recent educational agency or institution attended. The names of students mentioned in some kinds of campus security or campus police reports concerning accidents and incidents may also be released to the public. Each major administrative unit shall define the kinds of reports and information that may be released to the public. Information contained in personal files of the student is considered confidential and requires

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Amendments to the *Policies* of the Board of Regents of the University of Nebraska:

**RP-6.7 Records of the University**

Records and documents of the University are available for inspection in the Office of the Corporation Secretary. The following types of records and documents are deemed to be confidential records, and will not be made available to the public, except upon written authorization signed by the individual or individuals to whom the records pertain or by a person duly authorized to act on behalf of such individual or individuals: student academic records; personal information in student records; personal information in

Maintained by an institution or a party acting for the institution.

- b. FERPA provides students who reach the age of 18, or who attend the University of Nebraska, with the right to inspect and review their own education records. Students also have the right to request an amendment to their education records and have some control over the disclosure of personally identifiable information contained in these records.
- c. FERPA applies to the education records of persons who are or have been in attendance at the University of Nebraska, including students in cooperative and correspondence study programs. The rights provided to students under the federal law set forth in FERPA do not apply to records of applicants for admission who are denied acceptance or, if accepted, do not attend the University of Nebraska; however, student application materials are not considered public records under Nebraska state law and will not be disclosed to the public except as permitted by law.

### 3. Records Not Covered By FERPA

The term "education records" does not include:

- a. Records which are in the sole possession of the maker and are neither accessible nor revealed to any other person, except a substitute who performs on a temporary basis the duties of the individual who made the records.
- b. Records maintained by a law enforcement unit of the University of Nebraska for the purpose of law enforcement. (Note other laws addressing campus security may also apply to law enforcement records.)
- c. Records relating to an individual's employment at the University of Nebraska, when such employment is not based upon the individual's status as a student; provided that the records are made and maintained in the normal course of business, relate exclusively to the individual's capacity as an employee, and are not available for use for any other purpose.
- d. Medical and counseling records used solely for treatment. (Medical records may be reviewed by a physician of the student's choice.)
- e. Records that only contain information about an individual after he or she is no longer a student (e.g. alumni records). Records of an individual while a student continue to be "education records" after the student leaves or graduates from the University of Nebraska.

### 4. Students Rights to Inspect and Review Educational Records

- a. Students and former students have the following rights:
  - The right to inspect and review their education records within 45 days of their request to inspect.
  - The right to a response to a reasonable request for an explanation and interpretation of the record.
  - The right to a copy of the education record when failure to provide a copy of the record would effectively prevent the student from inspecting and reviewing the record. The student may be charged a normal cost for copies, if such a charge does not effectively prevent the student from inspecting and reviewing the record.
- b. The University of Nebraska is not required to permit a student to inspect and review education records, which contain:
  - Financial information submitted by parents.
  - Confidential letters and recommendations placed in their files prior to January 1, 1975.
  - Confidential letters and recommendations placed in their files after January 1, 1975, if: (1) the student has waived the right to inspect and review those records; and (2) the records are related to the student's admission to an educational institution or program, application for employment, or receipt of an honor.
- c. If an education record contains information pertaining to more than one student, a review and inspection will only be allowed for that specific information pertaining to the requesting student.

### 5. Procedure to Inspect and Review; Challenges to the Record

- a. A student should submit to the registrar, director of registration and records, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Compliance with an appropriate request for an inspection shall be made within no greater than 45 days.
- b. A student may ask the University to amend an education record that the student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. If the student wishes to amend an education record, the student should write the University official responsible for the record, clearly identify the part of the record the student wishes to amend and specify why it should be changed. If the University official decides not to amend the record as requested, the student will be notified of the decision in writing and advised of his or her right to a hearing regarding the request for amendment. At that time, additional information regarding the hearing procedures will be provided to the student.
- c. The right to challenge grades is not covered by this policy, unless the grade assigned was inaccurately recorded in an education record, in which case the record will be corrected.

#### 6. Consent to Release Education Records

Prior to releasing all or any part of an education record to a person other than the student to whom the record refers, consent must be obtained from the student. The consent must specify the information to be released, the reason for the release, and to whom it is to be released. The student may have a copy of the information released, if he or she desires.

#### 7. Releases Without Consent

No consent from the student is required for the release of an education record or personally identifiable information under the following circumstances:

- a. A request for information in an education record or personally identifiable information by a "school official" determined to have a "legitimate educational interest" in the information. "School official" shall mean a person employed by any administrative unit ( i.e., a campus or central administration) of the University of Nebraska in an administrative, supervisory, academic, research, or support staff position (including University law enforcement personnel and health center staff); a person or company with whom the University of Nebraska has contracted to carry out the duties related to a legitimate educational interest (including attorneys, auditors, and collection agents); employment or degree verification agencies such as the National Student Clearinghouse; a member of the Board of Regents; or those serving on committees or similar bodies charged to carry out tasks on behalf of the University of Nebraska. A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. Note that a school official located at one University of Nebraska administrative unit may have a legitimate educational interest in the educational records and personally identifiable information maintained at another administrative unit.
- b. Lawful compliance with a properly issued subpoena or court order.
- c. A request in connection with a student's application for financial aid.
- d. A request by an organization conducting studies to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction, on behalf of the University of Nebraska, if the studies do not permit the personal identification of parents and students outside of the study representatives, and the information is destroyed once it is no longer needed by the studies.
- e. Information submitted to accrediting organizations.
- f. A request of a parent of a dependent student, as established by Section 152 of the Internal Revenue Code of 1986.
- g. In case of an emergency, if the knowledge of the protected information is necessary to protect the health or safety of students or other persons.
- h. A request from authorized state or federal representatives in relation to a state or federal audit of government supported programs.

- i. A request from an official of another school, school system, or institution of higher education in which a student seeks or intends to enroll; provided however, that the annual notice required by FERPA must include a statement that the University of Nebraska forwards education records to other agencies or institutions, in which the student seeks or intends to enroll, upon request of the agency or institution.
  - j. In the case of a crime of violence, the University of Nebraska shall provide to the victim, the results of any institutional disciplinary proceeding against the alleged perpetrator.
  - k. Requests for directory information, as more specifically discussed below.
8. Directory Information; Definition; Request for Non-Disclosure
- a. The University of Nebraska has defined the following student information as ~~public~~ directory information:

- student name
- local address
- permanent address
- telephone listings
- University email address
- year at the University
- dates of attendance
- academic college and major field of study
- enrollment status (e.g. undergraduate or graduate; full-time or part-time)
- participation in officially recognized activities and sports
- degrees, honors and awards received
- most recent educational agency or institution attended

- b. Directory information will be available to the University faculty, staff, and students. At the University's sole discretion, the University may provide directory information to University affiliates, such as alumni associations, foundations, and other similar affiliated third parties; in addition, the University may provide directory information to entities performing a University service or function. A request by any party unrelated to the University for that party's own commercial purposes will not generally be considered a University purpose and provision of this information to any unrelated party requires the approval of the President or the President's designee. Directory information ~~public upon request and~~ may be included in student directories published electronically and in hard copy. However, students have the right to have directory information withheld from the public if they so desire. During the first two weeks of any semester, a student who wants his or her directory information to be withheld shall so indicate by

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- c. The student provides a FERPA consent to the parental access.

#### 10. Job References for Students by Faculty

FERPA's prohibition on disclosure of personally identifiable information (other than directory information) applies to job references. This includes information about performance in class, grades, attitude, motivation, and ability, whether conveyed in writing, in person, e-mail or over the telephone to third parties.

Although such information is often conveyed by faculty members at the informal request of the student and is usually positive, the better practice would be to request a written consent form, meeting the FERPA requirements, before providing the information.

#### 11. Recordkeeping

Each administrative unit of the University of Nebraska has an obligation to keep a record of requests and disclosures of student record information, except when the request is from the student, a University school official with a legitimate educational interest, a request for directory information, or a request to which the student has given a FERPA consent. A student has the right to review the record of requests and disclosures made in relation to his or her education records.

#### 12. FERPA/Precedence

This policy is intended to comply with FERPA, the provisions of which and its related regulations, are incorporated herein as they exist at the time of this policy's adoption, and as they may from time-to-time be amended. Should it be determined that this policy is inconsistent with FERPA, or any other applicable law, the law shall take precedence.

#### 13. Notice

The following uniform notice shall be published and provided to all students in accordance with federal law:

#### **Notice of FERPA Rights: Student Records and Privacy**

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1. The right to inspect and review your education records within 45 days of the day the University receives a request for access.

2. The right to request the amendment of your education records that you believe are inaccurate, misleading, or otherwise in violation of your privacy rights under FERPA.

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3. The right to provide written consent before the University discloses personally identifiable information from your education records, except







## **ATTACHMENT 2**

### **NOTICE OF MEETING**

Notice is hereby given that the Board of Regents of the University of Nebraska will meet in a publicly convened session on Thursday, June 1, 2017, at 10:00 a.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska.

An agenda of subjects to be considered at said meeting, kept on a continually current basis, is available for inspection in the office of the Corporation Secretary of the Board of Regents, Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, or at <https://nebraska.edu/regents/agendas-and-minutes>.

A copy of this notice will be delivered to the Lincoln Journal Star, the Omaha World-Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, the Lincoln office of the Associated

**ATTACHMENT 3**

Addendum VIII-A-3

Amendments to the *Bylaws* of the Board of Regents of the University of Nebraska:

~~1.4.4 **Records of the University.** Records and documents of the University are available for inspection in the Office of the Corporation Secretary. The following types of records and documents are deemed to~~



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- Confidential letters and recommendations placed in their files after January 1, 1975, if:  
(1) the student has waived the right to inspect and review those records; and (2) the records are related to the student's admission to an educational institution or program, application for employment, or receipt of an honor.
- c. If an education record contains information pertaining to more than one student, a review and inspection will only be allowed for that specific information pertaining to the requesting student.

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- a. A student should submit to the registrar, director of registration and records, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Compliance with an appropriate request for an inspection shall be made within no greater than 45 days.
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#### 7. Releases Without Consent

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- a. A request for information in an education record or personally identifiable information by a "school official" determined to have a "legitimate educational interest" in the information. "School official" shall mean a person employed by any administrative unit ( i.e., a campus or central administration) of the University of Nebraska in an administrative, supervisory, academic, research, or support staff position (including University law enforcement personnel and health center staff); a person or company with whom the University of Nebraska has contracted to carry out the duties 005 Tw{a,8}2186(i).4(ncb0 .00(stude)60-20.09984 f315.5(m)8.5(d)-pr

- e. Information submitted to accrediting organizations.
  - f. A request of a parent of a dependent student, as established by Section 152 of the Internal Revenue Code of 1986.
  - g. In case of an emergency, if the knowledge of the protected information is necessary to protect the health or safety of students or other persons.
  - h. A request from authorized state or federal representatives in relation to a state or federal audit of government supported programs.
  - i. A request from an official of another school, school system, or institution of higher education in which a student seeks or intends to enroll; provided however, that the annual notice required by FERPA must include a statement that the University of Nebraska forwards education records to other agencies or institutions, in which the student seeks or intends to enroll, upon request of the agency or institution.
  - j. In the case of a crime of violence, the University of Nebraska shall provide to the victim, the results of any institutional disciplinary proceeding against the alleged perpetrator.
  - k. Requests for directory information, as more specifically discussed below.
8. Directory Information; Definition; Request for Non-Disclosure
- a. The University of Nebraska has defined the following student information as ~~public~~ directory information:
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    - telephone listings
    - University email address
    - year at the University
    - dates of attendance
    - academic college and major field of study
    - enrollment status (e.g. undergraduate or graduate; full-time or part-time)
    - participation in officially recognized activities and sports
    - degrees, honors and awards received
    - most recent educational agency or institution attended
  - b. Directory information will be available to the University faculty, staff, and students. At the University's sole discretion, the University may provide directory information to University affiliates, such as alumni associations, foundations, and other similar affiliated third parties; in addition, the University may provide directory information to entities performing a University service or function. A request by any party unrelated to the University for that party's own commercial purposes will not generally be considered a University purpose and provision of this information to any unrelated party requires the approval of the President or the President's designee. Directory information ~~public upon request and~~ may be included in student directories published electronically and in hard copy. However, students have the right to have directory information withheld from the public if they so desire. During the first two weeks of any semester, a student who wants his or her directory information to be withheld shall so indicate by completing a form obtained from the registrar's office or other office in charge of registration and records; provided however, that a form to withhold directory information may be submitted after the two week period, when a student for reasonable cause, such as personal threats, safety or health concerns, requests his or her directory information to be withheld. The student's request will be processed within a reasonable amount of time. Directory information





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- 2. The right to request the amendment of your education records that you believe are inaccurate, misleading, or otherwise in violation of your privacy rights under FERPA.**

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

#### Notice Regarding Directory Information

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**ATTACHMENT 4**

Addendum VIII-B-1

**CHARTER OF THE AUDIT, RISK AND COMPLIANCE COMMITTEE OF THE**

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.

5. Review the independent auditors' of the University-wide financial statements audit plan prior to the commencement of the audit and discuss audit scope, staffing, locations, reliance upon management, and internal audit and general audit approach.

6. Review and evaluate the qualifications, performance, and independence of the independent auditors, including an evaluation of

director shall be accountable to ~~their campus Chancellor~~ the CAE and provide information ~~on request for the CAE to be presented to the Audit Committee.~~ be the primary point of contact for their campus. All campus work products shall be provided to the CAE and be ~~reported to the Committee for acceptance by the CAE.~~ Each ~~Chancellor~~ The CAE is responsible for hiring, evaluating, promoting and determining the salary of ~~campus internal~~ all internal audit staff. The ~~Chancellor-CAE~~ should consult with the respective CAE-Chancellor in the hiring of a new campus director. ~~The Chancellor shall notify the Chairperson of the~~

- f. Discuss and consider the integrity of the University's financial reporting guidelines, policies, and controls governing the proc

deems appropriate. The Committee may be vested with other specific powers and authority by resolution of the Board of Regents. The University shall provide for appropriate funding, as determined by the Committee, for payment of (i) compensation to the independent auditors for the purpose of rendering or issuing an audit report, (ii) compensation to any advisors employed by the Committee, and (iii) ordinary administrative expenses that are necessary or appropriate for carrying out the duties of the Committee.

**Performance Self-Evaluation**

~~26-25.~~ The Committee shall perform a review and evaluation, as necessary, of the performance of the Committee. The Committee shall conduct such evaluations and review in such manner as it deems appropriate.

27.26. Annually confirm to the Board annually

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Adopted April 24, 2009  
Revised December 2, 2010  
Revised March 2, 2012  
Revised July 18, 2013  
Revised April 10, 2015  
Revised June 1, 2017 (anticipated date)



**ATTACHMENT 5**

Addendum IX-A-6

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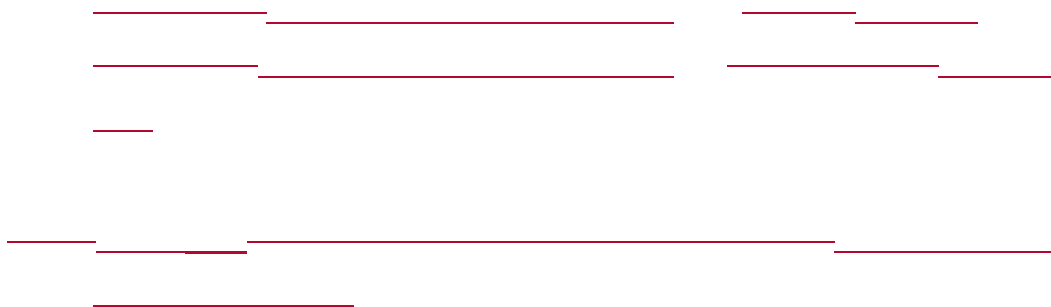
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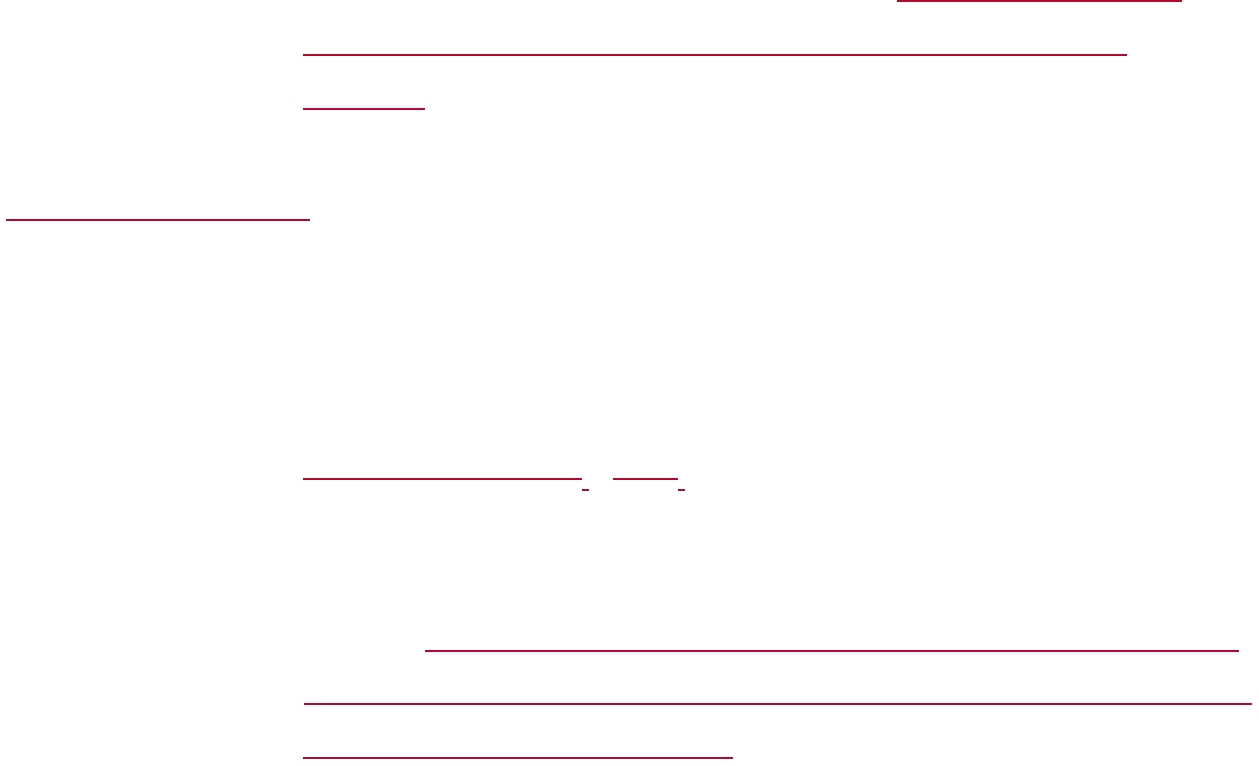














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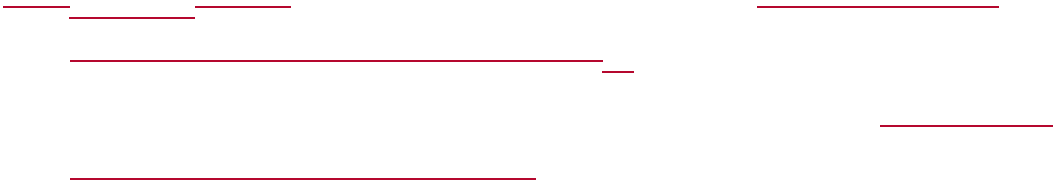
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