

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

March 20, 2003

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in regular session at the Board Office in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on May 9, 2002, to each and every member of said Board, said date being at least five days prior to this March 20, 2003 meeting. At the above-named place there were present the following members to wit: Mr. William S. Crawford, Dr. Stacy Davidson, Ms. Ricki R. Garrett, Mr. Bryce Griffis, Mr. Roy Klumb, Dr. D. E. Magee, Jr., Ms. Virginia Shanteau Newton, Mr. Carl Nicholson, Jr., Mr. Scott Ross, and Ms. Amy Whitten. Mr. Thomas W. Colbert and Dr. Bettye Henderson Neely were absent. The meeting was called to order by Mr. Bryce Griffis, President, and opened with prayer by Dr. Magee.

ACKNOWLEDGMENT

Mr. Bryce Griffis thanked Dr. Robert Khayat, Chancellor of The University of Mississippi; Dr. Wallace Conerly, Vice Chancellor of Health Affairs and Dean, School of Medicine for the University of Mississippi Medical Center; and their faculty and staff for hosting the Board dinner.

APPROVAL OF THE MINUTES

On motion by Mr. Crawford, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting, and with Ms. Newton recusing herself, it was

RESOLVED, That the Minutes of the Board meetings held on February 20, 2003 and February 27, 2003, stand approved.

UNANIMOUS CONSENT

On motion by Ms. Garrett, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That consent to be considered is granted to all items not previously placed on the agenda and hereinafter reported.

MISSISSIPPI COMMISSION FOR VOLUNTEER SERVICE

Mr. Griffis introduced Ms. Marsha Kelly, the Executive Director of the Mississippi Commission for Volunteer Service (MCVS). Ms. Kelly gave a brief presentation about MCVS. She thanked Dr. Layzell for the support he has given to MCVS. Ms. Kelly presented Dr. Layzell with a Star Person Award in honor of his friendship and support over the years.

Ms. Garrett informed the Board that Mississippi has led the way around the country with their state commission. Mississippi is considered to be one of the top states in the United States in terms of the state-wide volunteer efforts. Ms. Kelly is responsible for that. Ms. Garrett commended Ms. Kelly on the work she has done with the agency.

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Mr. Griffis passed the chairmanship of the Board meeting to Mr. Roy Klumb for consideration of the Academic Affairs Agenda.

ACADEMIC AFFAIRS AGENDA

Presented by Mr. Roy Klumb, Chair

On motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Academic Affairs Agenda. Agenda item #3 was approved on a separate motion by Mr. Klumb, seconded by Dr. Magee, with Mr. Colbert and Dr. Neely absent and not voting and with Mr. Nicholson abstaining.

1. **MSU** - Approved the request to bestow to Mr. Charlie Cliett the honorary degree, Doctorate of Science, at the Commencement Ceremony on Saturday, May 10, 2003. Mr. Cliett's determination, hard work, insight, and ability to bring out the best in his colleagues and students, has brought immense recognition to the engineering research and teaching programs at MSU.
2. **System Administration. (Information item.)** - The 16th Annual Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) program was held on Tuesday, February 18, 2003, in Jackson. Chaired by Lieutenant Governor Amy Tuck, HEADWAE is an annual program of the state legislature that honors faculty and students for academic excellence in Mississippi's 38 public and private colleges and universities. The program is funded by corporate sponsors. HEADWAE faculty and student honorees for 2002-2003 are as follows:

Institution	Student Honoree	Faculty Honoree
Alcorn State University	Carlos Buford	Kim Welch Hoover
Delta State University	Stephen Kenneth Taylor	David Alderton Caudill
Jackson State University	Jacqueline Carter	Elizabeth Semko
Mississippi State University	Parker Y. Wiseman	Walter J. Diehl
Mississippi University for Women	Moriah D. Mozingo	Jane Hinton
Mississippi Valley State University	Daffany Fields	A. A. Farhad Chowdhury
University of Mississippi	Drew Landon Snyder	Ron Dale
University of Mississippi Medical Center	Susan Inchcombe	John Teetson Walker
University of Southern Mississippi	Blake Hamm	Mary Frances Lux

3. **System Administration** - Approved the request by William Carey College School of Nursing to establish a Master of Science in Nursing Program on the Coast Campus. William Carey College School of Nursing has met the standards as required in the *Accreditation Standards and Rules and Regulations for Mississippi Nursing Degree Programs*.

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4. **Other Business** - Dr. Bill McHenry, Assistant Commissioner of Academic Affairs, thanked Ms. Garrett for attending the Chief Academic Officers' meeting on Wednesday, March 19, 2003.

Mr. Klumb passed the chairmanship of the Board meeting to Ms. Amy Whitten for consideration of the Budget & Financial Affairs Agenda.

BUDGET & FINANCIAL AFFAIRS AGENDA

Presented by Ms. Amy Whitten, Chair

On motion by Ms. Whitten, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 and #2 as submitted on the following Budget & Financial Affairs Agenda. Agenda items #3 - #5 were approved on a separate motion by Ms. Whitten, seconded by Mr. Griffis, with Mr. Colbert and Dr. Neely absent and not voting.

1. **MSU** - Approved request to increase the Mississippi Alcohol Safety Education Program Budget using participant fees, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2002-2003</u>	<u>Budget Revision #1</u>	<u>Revised Budget 2002-2003</u>
Salaries, Wages & Fringe Benefits	\$860,932	\$0	\$860,932
Travel & Subsistence	\$65,000	\$0	\$65,000
Contractual Services	\$130,650	\$0	\$130,650
Commodities	\$51,900	\$0	\$51,900
Capital Outlay:			
Other than Equipment	\$8,000	\$0	\$8,000
Equipment	\$41,400	\$0	\$41,400
Subsidies, Loans & Grants	<u>\$60,000</u>	<u>\$250,000</u>	<u>\$310,000</u>
Total:	<u>\$1,217,882</u>	<u>\$250,000</u>	<u>\$1,467,882</u>

2. **UM** - Approved request to increase the Off-Campus Centers Budget using tuition revenues, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2002-2003</u>	<u>Budget Revision #1</u>	<u>Revised Budget 2002-2003</u>
Salaries, Wages & Fringe Benefits	\$2,473,915	\$3,754	\$2,477,669
Travel & Subsistence	\$63,995	\$10,000	\$73,995
Contractual Services	\$428,767	\$46,246	\$475,013
Commodities	\$115,237	\$20,000	\$135,237
Capital Outlay:			
Other than Equipment	\$0	\$0	\$0
Equipment	\$123,301	\$0	\$123,301
Subsidies, Loans & Grants (Transfers)	<u>\$105,000</u>	<u>\$0</u>	<u>\$105,000</u>
Total:	<u>\$3,310,215</u>	<u>\$80,000</u>	<u>\$3,390,215</u>

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3. **MSU** - Approved bids and authorize award of purchase order in the amount of \$575,000 to the low bidder JEOL USA, Inc. for Quotation #3896-1, JEOL JSM-6500F Scanning Electron Microscope with accessories. JEOL has offered a \$200,000 price reduction if the purchase order can be placed by the end of their fiscal year which is March 28. Funds are available from the NSF grant, Hearin Foundation funds, and Electron Microscope Center restricted funds. A copy of the purchase order is included in the *March 20, 2003 Board Working File*.
4. **UMMC** - Approved request to enter into an agreement with AHC, Inc., to collect on certain third party patient account balances of \$1,000 and greater. The agreement is for the period beginning April 1, 2003 through June 30, 2004 and will not exceed \$700,000 for the fifteen months. A copy of the agreement is included in the *March 20, 2003 Board Working File*.
5. **System Administration** - Approved the FY 2003 Second Quarter Employment Report for the period October 1, 2002 through December 31, 2002. A copy of the report is included in the *April 17, 2003 Board Working File*.

Ms. Whitten passed the chairmanship of the Board meeting to Mr. Scott Ross for consideration of the Building/Facilities Agenda.

BUILDING/FACILITIES AGENDA

Presented by Mr. Scott Ross, Chair

On motion by Mr. Crawford, seconded by Dr. Magee, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 - #7 as submitted on the following Building/Facilities Agenda. Agenda items #8 - #11 were approved on a separate motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting and with Mr. Nicholson abstaining from agenda item #10. Agenda items #12 - #17 were approved on a separate motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting. Agenda item #18 was approved on a separate motion by Mr. Ross, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting. Agenda items #20 - #21 were approved on a separate motion by Mr. Ross, seconded by Ms. Garrett, with Mr. Colbert and Dr. Neely absent and not voting. Agenda items #22 - #23 were approved on a separate motion by Mr. Ross, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting. Agenda item #24 was approved on a separate motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting. Agenda items #25a and #25b were approved on a separate motion by Mr. Ross, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting. **AGENDA ITEM #25C WAS APPROVED AS SHOWN BELOW.**

1. **JSU** - Approved initiation of a project to renovate the Athletics and Assembly Center parking lots, appointment of LAD Engineering Technologies, Inc., as project professionals, and request approval by the Bureau of Buildings. Funds are available through the Bureau of Buildings in the amount of \$180,000.

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2. **MUW** - Approved initiation of projects for storm damage repairs and renovations in the total amount of \$2,245,165.02. Funding is available through Federal Emergency Management Agency and Mississippi Emergency Management Agency. The list of projects, funding, and project professionals, is as follows:
 - a. Fant Hall Repair - \$124,436.29 with Pryor & Morrow as project professionals.
 - b. Peyton - \$372,790.41 with Pryor & Morrow as project professionals.
 - c. Fine Arts - \$1,487,938.32 with Johnson, Bailey, Henderson, McNeil as project professionals.
 - d. Pohl Gymnasium debris removal/demolition - \$260,000 with Spencer Engineering as project professionals.

3. **MVSU** - Approved initiation of **GS #106-187, Administration Building, Phase I**, appointment of Duvall Decker Architects as project professionals, and request approval by the Bureau of Buildings. Funds are available in the amount of \$100,000 from S.B. 3158, Laws of 2001.

4. **MVSU** - Approved initiation of **GS #106-184, Business Education Renovation F & E/Audio Visual**, appointment of Cooke Douglas Farr Lemons LTD as project professional, and request approval by the Bureau of Buildings. Funds are available in the amount of \$2 million from S.B. 3197, Laws of 2002.

5. **MVSU** - Approved initiation of **GS #106-188, Waste Water Treatment, Phase II**, appointment of W. L. Burle Engineers, P.A., as project professionals, and request approval by the Bureau of Buildings. Funds are available in the amount of \$50,000 from S.B. 3158, Laws of 2001.

6. **UM** - Approved initiation of **#207-232, Stockard-Martin Hall, Phase II**, to continue last summer's renovation and approved the plans provided by Mills & Mills. Funds are available in the amount of \$1.2 million from Housing self-generate sources.

7. **UMMC** - Approved initiation of **IHL #209-471, N524 Lab Area Renovations**, and appointment of Usry Architects, P.A. as project professionals. Funds are available in the amount of \$490,000 from grants and contracts.

8. **DSU** - Approved bids and award of contract in the amount of \$550,550 (base bid plus alternates #1 and #3) to the low bidder, Baggette, Construction, Inc., for **GS #102-188, Jobe Hall Repair and Renovation**, and request approval by the Bureau of Buildings. Funds are available in the project budget at the Bureau of Buildings as a result of available funds from GS #102-171, Classroom/Administration Building. Bids were as follows:

Contractor	Base Bid	Alternates
1. Baggette Construction, Inc.	\$3,498,000	1. (\$218,600) 2. (\$180,000) 3. (\$331,950) 4. (\$ 44,260)
2. Roy Collins Construction Co., Inc.	\$3,680,000	1. (\$247,000) 2. (\$176,000) 3. (\$340,000) 4. (\$ 45,000)

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3. Seiler Building Corporation	\$3,695,000	1. (\$242,000) 2. (\$100,000) 3. (\$315,000) 4. (\$ 42,200)
4. Malouf Construction Corporation	\$3,720,000	1. (\$227,000) 2. (\$197,000) 3. (\$335,000) 4. (\$ 44,593)
5. Benchmark Construction Corporation	\$3,775,000	1. (\$240,000) 2. (\$168,000) 3. (\$310,000) 4. (\$ 42,000)
6. Harvey C. Green Construction Co., Inc.	\$4,345,000	1. (\$253,228) 2. (\$199,000) 3. (\$327,167) 4. (\$ 43,622)

9. **J,SU** - Approved bids and award of contract in the amount of \$6,145,597 to the low bidder, W.G. Yates & Sons, for **GS #103-202, Transitional Dormitory Phase II**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$6,145,597 from S.B. 3315, Laws of 2000. Bids were as follows:

Contractor	Base Bid	Alternates
1. W. G. Yates & Sons Construction Co.	\$5,773,000	1. \$ 28,313 2. \$ 48,127 3. \$296,157
2. N & W Construction Co.	\$5,791,000	1. \$ 34,500 2. \$ 63,500 3. \$438,000
3. Levine & Poor	*Bid Rejected	
4. C. E. Frazier Construction Co.	\$5,835,000	1. \$ 26,600 2. \$ 47,000 3. \$317,000
5. Fountain Construction Co.	\$5,905,000	1. \$ 27,000 2. \$ 47,000 3. \$306,000
6. Evan Johnson & Sons Construction Co.	\$6,400,000	1. \$ 35,000 2. \$ 58,000 3. \$350,000

*The bid was received after the 2:00 p.m. deadline.

10. **MSU** - Approved bids and award of contract in the amount of \$9,530,000 to the low bidder, Polk Construction Corporation, for **GS #113-099, Mississippi Veterinary Diagnostic Laboratory (Phase I)**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$12 million from S.B. 3197, Laws of 2002. Bids were as follows:

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Contractor	Base Bid	Alternates
1. Carothers Construction, Inc.	\$10,680,000	1. (\$143,500) 2. (\$ 30,500) 3. (\$ 66,500) 4. (\$ 52,500) 5. (\$ 29,500)
2. W. G. Yates & Sons Construction Co.	\$10,793,000	1. (\$145,000) 2. (\$ 70,729) 3. (\$ 66,167) 4. (\$ 29,224) 5. (\$ 19,806)
3. Malouf Construction Corporation	*Bid Rejected	

*The bid was received after the deadline.

11. **UMMC** - Approved bids and award of contract in the amount of \$1,211,102 (base bid plus alternates #1 and #2) to the low bidder Wilkinson Construction, Inc., for **IHL #209-461, Blake Clinic Renovations**. Funds are available in the project budget from interest income. Bids were as follows:

Contractor	Base Bid	Alternates
1. Harris Constructors, Inc.	\$1,000,000	1. \$35,000 2. \$89,000
2. Wilkinson Construction, Inc.	\$1,091,336	1. \$56,074 2. \$63,692
3. Coleman Hammons Construction Co., Inc.	\$1,112,000	1. \$39,000 2. \$89,000

12. **ASU** - Approved contract documents, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #101-229, A/C Repairs–Simmons Hall**. Funds are available in the amount of \$360,000 through the Bureau of Buildings.
13. **ASU** - Approved contract documents, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #101-230, Lighting–Baseball Field**. Funds are available in the amount of \$400,000 through the Bureau of Buildings.
14. **ASU** - Approved contract documents, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #101-234, Transformer Addition**. Funds are available in the amount of \$65,000 through the Bureau of Buildings.
15. **ASU** - Approved contract documents, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #101-233, Re-Roofing Eunice Powell Hall**. Funds are available in the amount of \$103,405 through the Bureau of Buildings.
16. **DSU** - Approved construction document phase, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #102-190, Court of Governors Phase III**. Funds are available in the amount of \$800,000 through the Bureau of Buildings.

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17. **MVSU** - Approved construction documents, authorize advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #106-181, Re-Roofing Project**. Funds are available from S.B. 3158, Laws of 2001.
18. **MVSU** - Approved appointment of Susan Clopton Case Landscape Architect as project professional for **GS #106-185, Campus Drainage**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$500,000 from S.B. 3197, Laws of 2002.
19. **ASU (Information item.)** - Purchase of a 0.69 acre of land from Ms. Felicia Hart in the amount of \$8,750. The land is contiguous to the campus and will be used for the construction of a water treatment plant. The average of two appraisals is \$8,750. Funds are available in the project budget.
20. **DSU** - Approved request for DSU EBC to issue bonds in the amount of \$2.4 million for the repair and renovation of the Court of Governors Dormitory and the Dining Facility. The funds for the Court of Governor's Dormitory will be added to the \$800,000 provided by the Bureau of Buildings to complete this project.
21. **MSU** - Approved refinancing and consolidation of two mortgages into a single mortgage of \$951,500 for Delta Omega House Corporation, Kappa Delta, Inc. The loan will be amortized for a maximum of eleven years and will mature in five years.
22. **MSU** - Approved Changer Order #3 in the amount of \$595,452.08 with sixty days added to the contract time for **IHL #205-189, Cresswell & Hathorn Renovation**. Funds are available in the amount of \$8,284,524 from the MSU EBC.
23. **MUW** - Approved Change Order #2 which adds a total of \$11,213 and three days to the contract time for **GS #104-125, Parkinson Hall Renovation**. Funds are available in the project budget.
24. **System Administration** - Approved the ratification of the action of the Building Committee subsequent to the February 20, 2003 Board Meeting. The Committee approved the bids and awarded a contract in the amount of \$407,000 to the low bidder, West Brothers Construction, for **IHL #213-133, MSU "TimTek" project**. Funds are available in the amount of \$450,000 from the Mississippi Land, Water and Timber Board. Bids were as follows:

Contractor	Base Bid	Alternates
1. West Brothers Construction	\$407,000	1. \$78,427 2. \$ 3,593
2. Vanlandingham Lumber	\$422,827	1. \$81,500 2. \$ 4,550
3. King Metal Buildings	\$448,387	1. \$78,916 2. \$ 4,270
4. Sam Oswalt & Sons, Inc.	\$499,325	1. \$77,800 2. \$ 3,750

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25. **Other Business -**

- a. **UM** - Approved Change Order #1 in the amount of \$179,863 with an addition of 120 days to the contract time for **GS #107-260, 2001 Roofing Project**, and request approval by the Bureau of Buildings. Funds are available from S.B. 3158, Laws of 2001.
- b. **UM** - Approved bids and award of contract in the amount of \$748,000 to the low bidder, J. M. Moore Contractors, Inc., for **GS #107-261, Safety Code Upgrades**, and request approval by the Bureau of Buildings. Funds are available in the project budget. Bids were as follows:

Contractor	Base Bid	Alternates
1. J. M. Moore Contractors, Inc.	\$748,000	1. (\$91,000) 2. (\$25,000) 3. (\$69,000)
2. B & G Electrical Contractors, Inc.	\$770,000	1. (\$80,000) 2. (\$24,000) 3. (\$63,000)
3. Advance Electric Co., Inc.	\$828,500	1. (\$73,000) 2. (\$24,000) 3. (\$55,000)

- c. **USM** - Resolution authorizing the beginning of the discussion with the Legislature of the State of Mississippi, the City of Hattiesburg, Forrest County, Lamar County, and the USM EBC on a joint project for the development or improvement of various campus facilities for the benefit of tourism, economic development, and commerce. A meeting was held Friday, March 14, 2003, seeking the approval of a resolution to the Board of Directors of the USM EBC to approve the need for the local and private legislation. The resolution passed unanimously.

A motion was made by Mr. Ross, seconded by Ms. Whitten, to approve the resolution authorizing opening the discussions for this project. The motion passed on a 9 to 1 vote, with Mr. Thomas W. Colbert and Dr. Bettye Henderson Neely absent and not voting. Board members voting for the motion were: Mr. William S. Crawford, Dr. Stacy Davidson, Ms. Ricki R. Garrett, Mr. Bryce Griffis, Dr. D. E. Magee, Jr., Ms. Virginia Shanteau Newton, Mr. Carl Nicholson, Jr., Mr. Scott Ross, and Ms. Amy Whitten. **Mr. Roy Klumb voted against the motion.**

- d. Renovation of Board Room.
A motion was made by Ms. Whitten, seconded by Mr. Nicholson, to move the plans for the project on to the next phase. Pursuant to *Board Policies and Bylaws* Section 301.0517 Postponement of Board Consideration, Ms. Newton **invoked the privilege of temporarily postponing Board action** on this item until the next regularly scheduled Board meeting. Ms. Whitten explained that the intent of the proposed motion was to take the next step. She suggested formalizing the consultation with Jackson State University to address some of the issues. Further discussion was held concerning the placement of the new Board Room and the financing of this project.
- e. Mr. Ross announced that the Mississippi Procurement Center has submitted an informal proposal to the Board. The proposal includes funding of \$25,000 and \$25,000 of in-kind services provided by the Board. The money and services would be appropriated from the universities. This alliance will assist the Board in educating small minority and women businesses about how to obtain work at the institutions. The Center will: hold six workshops across the state instructing the businesses on bidding

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procedures and methods for obtaining work; will conduct a seminar with university personnel informing them of the minority businesses; and will serve as a resource for the Board to track minority participation in the construction projects. **On motion by Mr. Ross, seconded Mr. Crawford, with Mr. Colbert and Dr. Neely absent and not voting, the Board approved the concept and authorized a formal proposal to be presented for approval at the next Board meeting.**

Mr. Ross passed the chairmanship of the Board meeting to Mr. Bryce Griffis.

MANAGING HIGHER EDUCATION TALENT AFTER GRADUATION

Mr. Griffis introduced Dr. Art Cosby, Director of Social Science Research at Mississippi State University. Dr. Cosby gave a presentation about *Managing Higher Education Talent after Graduation*.

PERSONNEL/FOREIGN TRAVEL AGENDA

Dr. Thomas Layzell, Consultant, presented for
Dr. David Potter, Commissioner

On motion by Mr. Griffis, seconded by Ms. Garrett, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved the employment of personnel items as submitted on the following Personnel/Foreign Travel Agenda. The termination items were approved on a separate motion by Mr. Crawford, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting. The change of status item, contract extension item, leave of absence item, sabbatical leave items, emeritus status item, and necrology item were approved on a separate motion by Mr. Nicholson, seconded by Mr. Crawford, with Mr. Colbert and Dr. Neely absent and not voting. Agenda item #2 was approved on a separate motion by Ms. Garrett, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting. Agenda item #3 was approved on a separate motion by Mr. Crawford, seconded by Ms. Newton, with Mr. Colbert and Dr. Neely absent and not voting.

1. Personnel Report

EMPLOYMENT

Delta State University

Campbell-Lewis, Nycole

Delta State University - Athletics

Teague, Bradley Berris

Jackson State University

Reed, Christopher

Mississippi State University

Eaves, Frances M.

Mauel, Michael J.

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Mississippi University for Women

Rainer, C. Don

University of Mississippi

Durham, Donald L.

Schiferl, Karen E.

University of Mississippi Medical Center

Bailey, Jessica

Bender, Kaye W.

Herrington, Betty Lou

Tygart, Vicky L.

Wein, Richard O.

TERMINATION

Delta State University

Barnwell, Marion

Donahoe, Jana Newton

Falkner, Jeannie

Hamon, Terry Gene

Lamar, Dana

Myers, Richard

Solomon, Theodore

Woods, Ruben

Delta State University - Athletics

Armstrong, Troy

Jordan, Jim

Jackson State University

Green, Robert

Mississippi State University

Hudson, Susan T.

Kim, Young Jin

Mississippi University for Women

Davis, Tina

Kelley, Mary Ann

McCrary, Vivian

Owens, Steven Chain

Mississippi Valley State University

Gutierrez, Maximo

Hampton, Louis

Oliphant, Anthony

Singh, Elen

University of Mississippi

Douglas, Andrew W.

Graves, David E.

University of Mississippi Medical Center

Logan, Deborah

Roberts, William

Tarver, Russell S.

CHANGE OF STATUS

Delta State University

Myers, Richard

CONTRACT EXTENSIONS

University of Mississippi - Athletics

Cutcliffe, David

Driesbach, Charles R.

Hobby, Marion

Knowles, James G.

LEAVE OF ABSENCE WITHOUT PAY

Delta State University

Barfitt, Laurie

SABBATICAL LEAVE

Mississippi State University

Eshee, William D., Jr.

Watson, Thomas S.

White, Larry R.

University of Mississippi Medical Center

Haynie, Lisa

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EMERITA/EMERITUS STATUS

Mississippi University for Women

Evans, David T.

NECROLOGY

University of Mississippi Medical Center

Hardy, James D.

2. **System Administration** - Approved foreign travel as follows:

FOREIGN TRAVEL

Delta State University

Davis, Miriam

London, England

Jackson State University

Hill, Glake (Student)

Warsaw, Poland

Leszczynski, Jerzy

Warsaw, Poland

Tchounwou, Paul B.

Hamburg, Germany

Mississippi State University

Adams-Price, Carolyn

Greenwich, England

Amburgey, Terry L.

Hilo, Hawaii

Aviles, Mario Alberto Alpuche (Student)

Paris, France

Baker, Mandy (Student)

Ocho Rios, Jamaica

Banicescu, Ioana

Nice, France

Barnes, Hoyt M.

Hilo, Hawaii and Brisbane, Queensland, Australia

Boden, Craig

London, United Kingdom

Boettcher, Joe (Student)

Ocho Rios, Jamaica

Bradley, Kristin (Student)

Ocho Rios, Jamaica

Bumgardner, Joel D.

Goteborg, Sweden

Callais, Mari Ann

Ireland and London

Carino, Ricolindo L.

Saarbrucken, Germany

Conley, Philip (Student)

Ocho Rios, Jamaica

Damms, Richard V.

London, England

Davis, Kimberly

Honolulu, Hawaii

Diehl, Susan V.

Brisbane, Queensland, Australia

Doggett, Richard Anthony

Toronto, Ontario, Canada

Ebanks, Bruce

Noszvzj, Hungary

Embree, H. Daniel

Rouen, France

Eshee, Jr., William D.

Venice, Italy

Foster, George Sam

Quebec, Canada

Fowler, James E.

Ocho Rios, Jamaica

Goodman, Mark A.

Greenwich, England

Grace, Laura A.

Vaxjo, Uppsala, Stockholm, Sweden

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

March 20, 2003

Hansen, Eric	Schloss Dagstuhl, Germany and Trento, Italy
Henington, Carlen	Toronto, Ontario, Canada
Keel, Thomas M. (Student)	Guam, Saipan, Tinian and Rota, Mariana Islands
Kidd, Michael T.	Veracruz, Mexico
Llerandi-Roman, Ivan C. (Student)	Puerto Rico
Mack, Taylor E.	Tegucigalpa, Honduras
McElroy, Thomas	Brisbane, Australia
Myloie, Joan R.	Tinian, Rota, Guam and Saipan Islands, Mariana Islands
Myloie, John E.	Merida, Yucatan, Mexico and Tinian, Rota, Guam and Saipan Islands, Mariana Islands
Nicholas, Darrel D.	Brisbane, Queensland, Australia
O'Hara, Charles	Hyderabad, India
Raymond, Jr., Robert J.	Quebec City, Canada
Roux, David G.	Copenhagen, Denmark
Rucker, Justin (Student)	Ocho Rios, Jamaica
Schramm, Harold L.	Nuevo Leon, Mexico
Schulz, Kirk H.	Cancun, Mexico
Stenmark, John (Student)	Ocho Rios, Jamaica
Stuart, William B.	Stockholm, Uppsala, Vaxjo, Sweden
Taylor, Christopher M.	Manaus, Brazil
Torres, Miguel (Student)	Ottawa, Canada
Vaughn, Rayford	Ottawa, Canada
Vilella, Francisco J.	Manaus, Brazil and Quebec City, Canada
Warkentin, Merrill	Honolulu, Hawaii
Wilson, Jason (Student)	Ocho Rios, Jamaica
Younan, Nicolas H.	Ocho Rios, Jamaica

University of Mississippi Medical Center

Buskes, Gerard	Rhodes, Greece and Krugar National Park
Cheng, Alexander	Merida, Mexico
Cook, Jennifer	Honolulu, Hawaii
Ding, Yan	Nagoya, Japan
Gabrynowicz, Joanne	Vienna, Austria and Paris, France
Hammond, Nick (Student)	Honolulu, Hawaii
Herrera, Kevin	Toronto, Ontario, Canada
Herrera, Gail	Toronto, Ontario, Canada
Holley, Andy (Student)	Honolulu, Hawaii
Moen, Joni	Durham, England
Pate, Velsie	San Jose, Costa Rica
Paterson, Jim	Vancouver, British Columbia, Canada
Schirmer, Gregory A.	Dublin and Cork, Ireland
Serrao, Jacqueline	Montreal, Ontario, Canada

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Slattery, Marc	Hawaii, Guam, and Saipan
Sundaram, Mecheri	Honolulu, Hawaii
Wang, Sam S. Y.	Tokyo, Nagoya and Hiroshima, Japan

University of Mississippi Medical Center

Batson, Bryan (Resident)	Vancouver, British Columbia, Canada
Blake, Roger	Vancouver, British Columbia, Canada
Blackston, Joseph Walker	Vancouver, British Columbia, Canada
Borman, Karen R.	Vancouver, British Columbia, Canada
Diethelm, Richard G.	Honolulu, Hawaii
Fly, Christopher	Montreal, Quebec, Canada
Fratkin, Jonathan	Honolulu, Hawaii
Greenwald, Neva F.	Barcelona and Valencia, Spain
Ho, I. K.	Taipei and Hualien, Taiwan
Huang, Min	Wuham, China
Hughes, Gail D.	Vancouver, British Columbia, Canada
Langford, Leigh R.	Honolulu, Hawaii
Lawson, Nathaniel O.	Honolulu, Hawaii
Ragab, Ashraf A.	Bad Berka, Germany
Revord, Michelle	Montreal, Quebec, Canada
Shivers, Linda G.	Montreal, Quebec, Canada
Smith, Daphne K.	Montreal, Quebec, Canada

University of Southern Mississippi

Austin, Curtis	Caribbean
Biron, Elixenia	Mexico
Blaylock, Reginal	Hawaii
Brouwer, Marius	Germany
Brown, Cindy	Caribbean
Capper, Daniel	Caribbean
Carr, Philip	Caribbean
Douglas, Dianna	Caribbean
Edwards, Willie	Caribbean
Fonder-Solano, Leah	Spain
Harper, Terry	Austria
Henthorne, Tony	Prague
Johnson, Susan	Hawaii
Lares, Jameela	Spain
Lemus, Jason	Hawaii
Lisovicz, Nedra	Hawaii
Lotz, Jeff	Hawaii
Middlebrooks, Bobby	Hawaii

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Miller, Amy C.	Jamaica
Miller, Mark	Jamaica
Ngodock, Hans E.	France
Ogle, John	Hawaii
O'Neil, Brian	Vietnam
Patterson, Rhonda	Hawaii
Pinero, Edward	Jamaica
Unnold, Yvonne	Mexico
Walker, Sharon	Japan
Williams, Delories	Caribbean
Woodford, Jennifer (Student)	Hawaii
Young, Amy	Caribbean

System Administration - Emergency approval of foreign travel was granted by Commissioner David Potter per *Board Policy 705.0103* for the following:

Jackson State University

Colomb, Mark	St. Thomas, U.S. Virgin Islands
Moering, Marilyn	St. Thomas, U.S. Virgin Islands
Perkins, Issac	Ocho Rios, Jamaica

Mississippi State University

Freedman, Sara M.	Halifax, Nova Scotia, Canada
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University of Mississippi

Crabtree, Brian L.	Sendai, Japan
Czarnetzky, John M.	Berlin, Germany
Fischer, Nikolaus H.	Belize
Goulet, Denis	Oahu, Hawaii
Ilias, Muhammed	Frankfurt, Germany
Lee, Kai Fong	Shanghai, China
McLaughlin, Richard	Victoria, British Columbia, Canada
O'Sullivan, Dan	Cannes France and area
Reksulak, Michael	Konstanz, Germany
Rychlak, Ronald	Berlin, Germany
Tekwani, Babu	Frankfurt, Germany
Uddin, Waheed	Hyderabad, India

University of Mississippi Medical Center

Pesut, Tracy A. (Resident)	Interlaken, Switzerland
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STATE INSTITUTIONS OF HIGHER LEARNING**

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University of Southern Mississippi

Dickinson, Catherine

Lammons, George

Restrepo, Santiago

France

Bahamas

Canada

OTHER BUSINESS AGENDA

Dr. Thomas Layzell, Consultant, presented for

Dr. David Potter, Commissioner

On motion by Ms. Newton, seconded by Mr. Nicholson, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Other Business Agenda.

1. **System Administration** - Approved the following agenda item considered subsequent to the February 20, 2003 Board Meeting:
 - a. **UMMC** - Approved employment of Lisa B. Bonds, Laura Freeman, and Emily S. Brown.

UNANIMOUS CONSENT AGENDA

Dr. Thomas Layzell, Consultant, presented for

Dr. David Potter, Commissioner

On motion by Mr. Crawford, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #3 as submitted on the following Unanimous Consent Agenda. Agenda item #4 was approved on a separate motion by Dr. Davidson, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting. Agenda item #6 was approved on a separate motion by Mr. Crawford, seconded by Mr. Klumb, with Mr. Colbert and Dr. Neely absent and not voting.

1. **UM** - Change Order #1 in the amount of \$179,863 with an addition of 120 days to the contract time for **GS #107-260, 2001 Roofing Project**, and request approval by the Bureau of Buildings. Funds are available from S.B. 3158, Laws of 2001. **(THIS ITEM WAS TAKEN UP ON THE BUILDING/FACILITIES AGENDA.)**
2. **UM** - Bids and award of contract in the amount of \$748,000 to the low bidder, J. M. Moore Contractors, Inc., for **GS #107-261, Safety Code Upgrades**, and request approval by the Bureau of Buildings. Funds are available in the project budget. **(THIS ITEM WAS TAKEN UP ON THE BUILDING/FACILITIES AGENDA.)**

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3. **System Administration** - Approved appointment of Ms. Laura Diven-Brwon, Director of Financial Aid at The University of Mississippi, to the Mississippi Higher Education Assistance Corporation by The Board of Trustees for a four year term ending on May 8, 2007.
4. **JSU** - Approved request to award an honorary degree, Doctor of Humane Letters, to Dr. Sidney McNairy during the Spring Commencement on Saturday, May 10, 2003. Dr. McNairy has been a great supporter and advocate for research and training development at JSU.
5. **USM** - Resolution authorizing the beginning of the discussion with the Legislature of the State of Mississippi, the City of Hattiesburg, Forrest County, Lamar County, and the USM EBC on a joint project for the development or improvement of various campus facilities for the benefit of tourism, economic development, and commerce. A meeting was held Friday, March 14, 2003, seeking the approval of a resolution to the Board of Directors of the USM EBC to approve the need for the local and private legislation. The resolution passed unanimously. **(THIS ITEM WAS TAKEN UP ON THE BUILDING/FACILITIES AGENDA.)**
6. **System Administration** - Approved modification of Commissioner contracts as follows:
At the January 16, 2003 Board Meeting the Board appointed Dr. David Potter as Commissioner of Higher Education to begin on or before April 16, 2003. Dr. Potter executed a contract for a salary of \$260,000 per annum, pro rata, for the period April 16, 2003 through April 15, 2007. Subsequently, it was determined that on March 10, 2003 Dr. Potter would assume the position of Commissioner at a salary of \$205,000 per annum, pro rata, to be provided by Delta State University until April 16, 2003. Also on March 10, 2003, Dr. Thomas Layzell would assume the position of consultant until his termination at the close of business April 15, 2003. Dr. Layzell's salary of \$205,000 per annum, pro rata, will remain the same until his termination.
7. **Other Business** - On motion by Ms. Garrett, seconded by Ms. Newton, the Board approved the creation of a resolution honoring Dr. Thomas Layzell for his service to the Board of Trustees. This resolution will be presented to Dr. Layzell on Tuesday, March 25, 2003 and spread upon the April Board Minutes. Ms. Garrett publicly thanked Dr. Layzell for his many contributions to higher education and the State of Mississippi. Dr. Layzell has made a significant contribution in terms of the settlement of the *Ayers* case and in terms of the respect for and regard for higher education in Mississippi and around the country. In talking with commissioners and board members from other states, Ms. Garrett has learned that Dr. Layzell is considered to be the "Dean of Higher Education" across the country. Mississippi has been very fortunate to have him.

Mr. Griffis passed the chairmanship of the Board meeting to Dr. Stacy Davidson for consideration of the Legal Agenda.

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LEGAL AGENDA

Presented by Dr. Stacy Davidson, Chair

AGENDA ITEM #1 WAS TAKEN UP IN EXECUTIVE SESSION. On motion by Dr. Davidson, seconded by Mr. Nicholson, with Mr. Colbert and Dr. Neely absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item#3 as submitted on the following Legal Agenda.

1. **UMMC** - Proposed settlements of the tort claim cases styled *James Hudson vs. UMMC* and *Gwendolyn McCormick, daughter of Willie Bell Brown, Deceased vs. UMMC*. **(THIS ITEM WAS TAKEN UP IN EXECUTIVE SESSION.)**

2. **System Administration - (Information item.)** - Payment of legal fees.

a. Approved payment of legal fees to outside counsel in relation to litigation and other matters as follows:
Payment of legal fees for professional services rendered by Stubblefield Shivers & Yelverton (Statements dated 1/14/03) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice - \$1.87 and the *Halaris* case - \$364.00.)

TOTAL DUE \$365.87

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 12/27/02) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Olson* case.)

TOTAL DUE \$15,828.50

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 12/16/02) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with general representation.)

TOTAL DUE \$768.75

b. Approved payment of legal fees to outside counsel in relation to patent matters as follows:
Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 7/16/02) from the funds of The University of Mississippi. (These statements, in the amounts of \$1,225.90; \$698.17; \$1,119.70; \$259.44; \$29.11; and \$135.00, represent services and expenses in connection with the following patent applications: "Intellectual Property Rep.," "New Compound and Composition Useful...- Canadian Patent," ""Compounds and Compositions Useful as Antifungal and

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Antimycobacterial Agents - Japan Pat.,” “National Phase South African Pat. App.,” “Transmucosal Delivery of Cannabinoids - U.S. Patent App.,” and “Peroxide Compounds as Anti-infective Agents”, respectively.)

TOTAL DUE. \$3,467.32

Payment of legal fees for professional services rendered by Needle & Rosenberg (Statement dated 9/30/02) from the funds of Mississippi State University. (This statement represents services and expenses in connection with a patent application for “Hexavalent Chromium Detector/Monitor.”)

TOTAL DUE. \$5,837.21

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 9/21/02, 9/23/02, 10/18/02, 10/18/02, 10/18/02, 10/18/02, 10/18/02, 11/14/02, 11/14/02, 11/14/02, 12/11/02, 12/11/02, 12/11/02, and 12/11/02) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with patent applications as follows: “Avery/Novel Antigiardial Agents” - \$768.48; “Miscellaneous Intellectual Property Matters” - \$314.40; “Clearly, et al./Amphotericin BHP” - \$780.00; “Miscellaneous IP matters” - \$228.34; “Cheboyina/Pellet Freezing Molten” - \$1,789.32; “Avery/Novel Antigiardian Agents” - \$64.00; “REPKA, Michael/Patent Maintenance” - \$280.00; “Clearly, et al./Amphotericin BHP” - \$348.28; “REPKA, PCT for Medicaments to Nail & Perionychiu” - \$9,339.12; “Cheboyina/Spherical Pellet Production Provisiona” - \$595.95; “Williamson/Microtubulin Structural Series” - \$24.00; “REPKA, Michael/patent Maintenance” - \$240.00; “REPKA, PCT for Medicaments to Nail & Perionychiu” - \$28.25; and “Cheboyina/Spherical Pellet Production Provisiona” - \$121.41.)

TOTAL DUE \$14,921.55

3. **System Administration** - Approved payment of legal fees to outside counsel in relation to the Ayers case: Payment of legal fees for professional services rendered by Watkins & Eager (Statement dated 1/27/03) from the funds of the Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with the *Ayers* case for the period from October, 2002 through December, 2002.)

TOTAL DUE \$7,539.34

4. **System Administration (Information item.)** - Approved, upon review and recommendation of the Office of the Attorney General, the Litigation Report for March 1, 2003. The report is included in the bound *March 20, 2003 Board Working File*.

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PRESIDENTS' COUNCIL

Dr. Ronald Mason, President

COMMISSIONER'S REPORT - Dr. Thomas Layzell, Consultant, presented for Dr. David Potter, Commissioner. Dr. Layzell reviewed the Board agenda and anticipated a routine meeting.

Sponsorship of a Legislative Reception by all components of publicly funded education is believed to be a first for our state.

The group discussed the process for allocating IHL funds among the member institutions, both in the short-term and the long-term.

There was agreement that the institutions displayed a higher level of unity during the session this year. The Council recommended that more external funding proposals be added to Dr. Potter's planned retreat. Dr. Khayat raised the possibility of sharing perspectives with each other about the funding of individual institutions. After discussion, this item was also referred to Dr. Potter for his planned retreat.

In anticipation of visits with Trustee Crawford, the group also discussed the nature and purpose of mission statements and anticipated schedules for approval.

There was unanimous support to present a resolution of appreciation to Dr. Wallace Conerly for his service and his involvement with the Council. Dr. Mason will ask the IHL staff to develop the resolution.

Finally, there were numerous salutes to Dr. Layzell for his leadership and friendship as Commissioner of Higher Education.

The meeting adjourned about 11:45 a.m.

ANNOUNCEMENT

Dr. Ronald Mason announced that last week the NAACP held their Image Award ceremonies which is basically the NAACP version of the Academy Awards. The Sonic Boom was invited to be the feature band performer at this event. Dr. Mason played a five minute video clip of the band's performance that was shown nationally on the Fox network.

**DELTA STATE UNIVERSITY
PRESIDENTIAL SEARCH COMMITTEE**

Mr. Griffis, Co-Chair, gave an update on the Committee's activities. The Committee met with the DSU Campus Advisory Council on February 27, 2003 and elected Dr. John Thornell as the Interim President for Delta State

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University. Then, Dr. Thornell introduced Dr. Richard Meyers as the Interim Vice President of Academic Affairs. Dr. Meyers is currently serving as the Dean of the Arts and Sciences and has been a long-time member of the Chemistry Department. Mr. Griffis welcomed him aboard.

Dr. Davidson, Co-Chair, stated that the Committee has a lot of enthusiasm. The DSU Campus Advisory Committee is very involved in the search process. Everyone is invited to attend the Committee's next meeting which is on Friday, April 4, 2003 at 2:30 p.m. on the DSU campus. The purpose of the meeting is to establish the criteria that the Board wants the candidates to meet.

ANNOUNCEMENT

Dr. Layzell announced that a reception is being held tonight at 5:30 p.m. at Bravo's. This is a new venture. It is a reception hosted jointly by the Board, the State Board for Community and Junior Colleges, and the State Board of Education. The reception is being held to thank the legislative leaders for what they were able to do this year in terms of funding education first and in trying to provide additional funding.

EXECUTIVE SESSION

On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Colbert and Dr. Neely absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting, the Board **voted to go into Executive Session** for the reason later reported by the President in Open Session and stated in these minutes, as follows:

Discussion of the proposed settlements of the tort claim cases at the University of Mississippi Medical Center.

Discussion of a litigation matter at Jackson State University.

Discussion of a personnel matter at Mississippi University for Women.

On motion by Ms. Newton, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting, the Board voted to return to Open Session.

On motion by Ms. Whitten, seconded by Mr. Nicholson, with Mr. Colbert and Dr. Neely absent and not voting, the Board approved the settlement of the tort claim cases styled *James Hudson vs. UMMC* and *Gwendolyn McCormick, daughter of Willie Bell Brown, Deceased vs. UMMC*.

On motion by Mr. Crawford, seconded by Ms. Whitten, with Mr. Colbert and Dr. Neely absent and not voting, the Board approved the settlement the settlement of the case styled *Clearpoint Consulting Engineers, P.A. and Hartley P. Fairchild & Associates, P.A. vs. ASU*.

The Board discussed a personnel matter at Mississippi University for Women.

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ADJOURNMENT

There being no further business to come before the Board, on motion by Ms. Newton, seconded by Dr. Davidson, with Mr. Colbert and Dr. Neely absent and not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning