

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 19, 2006**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a 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 June 25, 2005, to each and every member of said Board, said date being at least five days prior to this January 19, 2005 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mr. Thomas W. Colbert, Dr. Stacy Davidson, Mr. Roy Estess, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, Mr. Scott Ross, and Ms. Amy Whitten. Mr. Bob Owens was absent. The meeting was called to order by Ms. Virginia Shanteau Newton, President, and opened with prayer by Ms. Robinson.

APPOINTMENT OF NEW BOARD MEMBER

Miss. Code Ann., §37-101-3, as amended, indicates that in the event of a death or resignation on the Board of Trustees, the Board itself shall elect the successor who shall hold that office until the end of the next legislative session. It is the present practice that the Board confers with the current governor and asks for a recommendation on whom the Board should select for the position. Governor Haley Barbour nominated Mr. Roy Estess to replace Mr. Roy Klumb on the Board of Trustees.

On motion by Mr. Patterson, seconded by Mr. Blakeslee, with Mr. Owens absent and not voting, it was

RESOLVED, that the Board elects Mr. Roy Estess as the next Board member until his formal Senate confirmation. Ms. Newton introduced Mr. Roy Estess and welcomed him to the Board.

ANNOUNCEMENTS

1. Dr. Meredith introduced Ms. Ann Copland, Senior Executive and Legislative Assistant to Senator Thad Cochran. The Board recognized and welcomed Ms. Copland who was instrumental in assisting Mississippi's receipt of the \$95 million in federal relief dollars designated for student financial aid assistance. Since the announcement of the availability of federal aid dollars in December, 2005, IHL's Department of Student Financial Aid worked with all of Mississippi's Title IV institutions, including public universities, private colleges, proprietary schools and community colleges, to assess student need, based on specific student eligibility requirements and institutional requirements. Each institution's allocation is based upon a formula approved by the U. S. Department of Education.
2. The Board also recognized corporate sponsors AmSouth Bank and BellSouth for their financial contributions to the new IHL Board Room. AmSouth Bank donated \$10,000 as the Public Policy Champion, and BellSouth contributed \$25,000 as the Official Sponsor of the new IHL Board Room.

APPROVAL OF THE MINUTES

On motion by Ms. Robinson, seconded by Mr. Blakeslee, with Mr. Owens absent and not voting, it was

RESOLVED, That the Minutes of the Board meeting held on December 15, 2005, stand approved.

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EDUCATIONAL POLICIES & PROGRAMS AGENDA

Presented by Dr. Bettye Neely, Chair

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

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Educational Policies & Programs Agenda. Agenda item #2 was approved on a separate motion by Dr. Neely, seconded Ms. Robinson, with Mr. Owens absent and not voting. Agenda item #3 was approved on a separate motion by Dr. Neely, seconded Ms. Robinson, with Mr. Owens absent and not voting. Agenda item #4 was approved on a separate motion by Dr. Neely, seconded Mr. Blakeslee, with Mr. Owens absent and not voting. Agenda item #5 was approved on a separate motion by Dr. Neely, seconded Mr. Blakeslee, with Mr. Owens absent and not voting.

1. **System Administration** - Approved the request to confer the following degrees on Friday, February 17, 2006.

Institution	Degrees to be Conferred	Number	Subtotal	Total
University of Mississippi Medical Center				
Graduate				
	Doctor of Philosophy	7		
	Master of Science	1		
			8	
	Total			8

2. **System Administration** - Approved the request to establish a Bachelor of Science in Computer Networking and Information Technology degree program (CIP 11.1002) at Alcorn State University as authorized by the *Ayers* Settlement Agreement. The program will be offered on both the Lorman and Vicksburg campuses.
3. **System Administration** - Approved the following modifications to existing academic programs.
 - a. **ASU** - Rename the Bachelor of Science in Business Administration degree program (CIP 52.0201) to the Bachelor of Business Administration degree program (CIP 52.0201) in order to reflect the modernization of terminology adopted by most Schools of Business.
 - b. **ASU** - Rename the Bachelor of Science in Applied Science Education degree program (CIP 13.1309) to the Bachelor of Science in Applied Science degree program (CIP 21.0101) in order to return the degree program to its intended focus to prepare professionals to assist engineers and scientists.
 - c. **ASU** - Rename the Bachelor of Science in Industrial Technology degree program (CIP 15.0612) to the Bachelor of Science in Robotics and Automation Technology degree program (CIP 15.0405) in order to better reflect the trends in advanced technology industries.
 - d. **ASU** - Consolidate the Bachelor of Science in General Agriculture degree program (CIP 01.0000), the Bachelor of Science in Plant and Soil Science degree program (CIP 01.1199), and the Bachelor of Science in Animal Science degree program (CIP 01.0901) into the Bachelor of Science in Agricultural Science degree program (CIP 01.0000) in order to provide the necessary training of students for successful careers in the Agricultural Sciences.

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- e. **ASU** - Consolidate the Bachelor of Science in Health and Physical Education degree program (CIP 13.1314), the Bachelor of Science in Health Systems Management degree program (CIP 19.0101), the Bachelor of Science in Medical Technology degree program (CIP 51.1005), and the Bachelor of Science in Physical Therapy degree program (CIP 51.2308) into the Bachelor of Science in Sports Medicine degree program (CIP 51.0913) in order to prepare graduates for the American College of Sports Medicine's Health Fitness Instructor and Exercise Specialist certification examination.
- f. **ASU** - Consolidate the Bachelor of Music Education degree program (CIP 13.1312) and the Bachelor of Music degree program (CIP 50.0903) into the Bachelor of Music degree program (CIP 50.0903) in order to better prepare graduates.
- g. **ASU** - Delete the Bachelor of Science in Administrative Office Management degree program (CIP 52.0401) due to low enrollment, small graduating classes, and declining demand for this type of degree program.
- h. **JSU** - Consolidate the Education Specialist in Educational Administration and Supervision degree program (CIP 13.0401), Education Specialist in Special Education degree program (CIP 13.1001), Education Specialist in Guidance and Counseling degree program (CIP 13.1101), Education Specialist in Elementary Education degree program (CIP 13.1202), and the Education Specialist in Secondary Education degree program (CIP 13.1205) into the Education Specialist in Education degree program (CIP 13.0101) in order to increase the graduation rate for specialist programs.
- i. **JSU** - Delete the Bachelor of Science in Technology Education degree program (CIP 13.1309) due to departmental mission change.
- j. **JSU** - Delete the Bachelor of Science in Business Education degree program (CIP 13.1303) as the University has created a degree program in entrepreneurship which better fits student and State needs.
- k. **JSU** - Delete the Bachelor of Business Administration in Office Administration degree program (CIP 52.0204) as the University has created a degree program in entrepreneurship which better fits student and State needs.
- l. **JSU** - Delete the Master of Business Education degree program (CIP 13.1303) due to low productivity.
- m. **MSU** - Consolidate the Doctor of Philosophy in Agronomy degree program (CIP 01.1102), Doctor of Philosophy in Horticulture degree program (CIP 01.1103), and the Doctor of Philosophy in Weed Science degree program (CIP 01.1105) into the Doctor of Philosophy in Agricultural Sciences degree program (CIP 01.0000) in order to improve administrative efficiency while allowing students to continue to specialize in discrete concentrations.
- n. **MSU** - Consolidate the Doctor of Philosophy in Food Science degree program (CIP 01.1001) and the Doctor of Philosophy in Nutrition degree program (CIP 30.1901) into the Doctor of Philosophy in Food Science and Nutrition degree program (CIP 19.0501) in order to improve administrative efficiency while allowing students to continue to specialize in discrete concentrations.
- o. **MSU** - Consolidate the Doctor of Philosophy in Animal Physiology degree program (CIP 26.0707) and the Doctor of Philosophy in Entomology & Plant Pathology degree program (CIP 26.0702) into the Doctor of Philosophy in Life Sciences degree program (CIP 26.0100) in order to improve administrative efficiency while allowing students to continue to specialize in discrete concentrations.

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- p. **UM** - Suspend admission to the Bachelor of Science in Biomedical Sciences degree program (CIP 26.9999) due to low enrollment and graduation rates.
 - q. **UM** - Suspend admission to the Bachelor of Science in Medical Technology degree program (CIP 51.1005) due to low enrollment and graduation rates.
 - r. **UM** - Delete the Bachelor of Science in Clinical Laboratory Science degree program (CIP 26.9999) as this degree program is offered at the Medical Center.
 - s. **UM** - Delete the Bachelor of Arts in Home Economics degree program (CIP 19.0101) due to low enrollment and graduation rates.
 - t. **UM** - Delete the Doctor of Philosophy in Computational Engineering Science degree program (CIP 14.1301) due to the February 2005 deletion of the Master of Science in Computational Engineering Science as a feeder degree program.
 - u. **USM** - Rename the Master of Science in Family Studies and Consumer Sciences degree program (CIP 19.0499) to the Master of Science in Child and Family Studies degree program (CIP 19.0704) in order to align the program title with the bachelor's degree program and the departmental name.
4. **System Administration** - Approved the creation of a new academic unit as follows:
- a. **MSU** - Create the School of Architecture within the College of Architecture, Art, and Design. The new unit will allow architecture to further the University mission and be consistent with the administrative structure of the University's peers. The change will require no new resources.
 - b. **MSU (Information Item.)** - MSU is establishing the Institute for Digital Biology. This limited scope and outreach center will provide a structure for the Divisions of Agriculture, Forestry, and Veterinary Medicine and Research to coordinate multidisciplinary research on the MSU campus to focus on functional genomics experiments and computational methods for use in finding real-life solutions to biological problems and train Mississippians for high value economic endeavors in biotechnology, bioengineering, computational biology, computer science, mathematics pharmaco-genomics, statistics and systems analysis. Mississippi will maintain its agricultural competitiveness and new tangible value will be derived from existing agricultural crops. The Institute will be funded through external sources.
 - c. **USM (Information Item.)** - USM is establishing the Katrina Research Center. This limited scope and outreach center will provide a public clearing house for information and materials that contribute to the expansion of knowledge about Hurricane Katrina. The University is seeking funding for the Center from various external sources.
 - d. **USM (Information Item.)** - USM has established the Center for Human Rights and Civil Liberties. This limited scope and outreach center serves to sponsor a degree program minor in human rights and provide opportunities for students to apply knowledge in practical ways. The Center is administered by a voluntary Advisory Board and Board of Directors comprised of faculty, students, and community representatives. The University is seeking funding for the Center through external grants.
5. **System Administration** - Approved the modification to an existing academic unit as follows:
- a. **MSU** - Rename the Department of Industrial Engineering to the Department of Industrial and Systems Engineering. The inclusion of the word "systems" better describes the department and professional trend. The change will require no new resources.

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- b. **MSU (Information Item.)** - MSU is renaming the Diagnostic Instrumentation and Analysis Laboratory to the Institute for Clean Energy Technology in order to reflect the change in scope of the unit's mission. This change to the limited scope and outreach unit is in response to Mississippi State's increased research efforts in the area of energy systems. As the Bagley College of Engineering moves forward to support the University's strategy, careful examination brought the Diagnostic Instrumentation and Analysis Laboratory, the new Center for Advanced Portable Power Technology & Manufacturing, and the Fuel Cell Research Laboratory previously housed in the Center for Advanced Vehicular Systems together to support University research in clean energy. This synergy will serve as the catalyst for the University's research for the "hydrogen economy" and for the clean use of other forms of energy. The Institute will have four research thrusts focused on Characterization, Process Engineering & Development, Production & Storage, and Environmental Mediation.

6. **System Administration (Information item.)** - Dr. Dennis Watts, IHL Coordinator of Academic Programs, presented the 2003-2004 Annual Performance Report of Mississippi Teacher Preparation Programs. A copy of the report is included in the bound *January 19, 2006 Board Working File*.

BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Aubrey Patterson, Chair

On motion by Mr. Patterson, seconded by Ms. Robinson, with Mr. Owens and Ms. Whitten absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Budget, Finance & Audit Agenda.

1. **System Administration** - Approved the Administrative Guidelines for Federal Katrina/Rita Relief Aid and the request to seek the spending authority from the appropriate body to administer and disburse the \$95 million to the students. The Administrative Guidelines have been reviewed and approved by the Attorney General's staff. A copy of the guidelines is included in the bound *January 19, 2006 Board Working File*.

2. **System Administration** - Mr. Brent Ballard, IHL Internal Auditor, presented a report pertaining to a review of the presidential transition at MSU and the evaluation of Board Policy 711.01 Institutional Audits. These issues will be further discussed at the February Board meeting. A copy of the report is included in the *January 19, 2006 Board Working File*.

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REAL ESTATE & FACILITIES AGENDA

Presented by Mr. Ed Blakeslee, Chair

On motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Owens absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 and #2 as submitted on the following Real Estate & Facilities Agenda. Agenda item #3 was approved on a separate motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Owens absent and not voting. Agenda items #4 - #10 were approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Owens absent and not voting. Agenda item #11 was approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Owens absent and not voting. Agenda items #12 - #16 and #19a were approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Owens absent and not voting and with Mr. Patterson abstaining from voting on item #16.

1. **MSU** – Approved the initiation of **IHL #205-214, Fraternity House Parking and Infrastructure**. The project will be designed by in-house staff. Funds are available from the U.S. Department of Transportation in the amount of \$500,000.
2. **UM** – Approved the initiation of **IHL #207-267, Meek Hall Auditorium**, and the appointment of Shafer and Associates as the Project Design Professional. Funds are available from self-generated sources in the amount of \$1,000,000.
3. **MSU** – Approved the furniture specifications and authorized advertising for the receipt of bids for **IHL #205-210, New Residence Hall Complex**. Funds are available from Mississippi State Educational Building Corporation Bond Funds in the amount of \$1,500,000.
4. **DSU** – Approved the bids and the award of a contract in an amount not to exceed \$5,580,000 to the lowest of three bidders, Panola Construction Co., Inc., for **GS #102-195, Coahoma County Higher Education**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
5. **DSU** – Approved the bids and the award of a contract in the amount of \$94,723 to the lowest of three bidders, Marchbanks Specialty Company, Inc., for **GS #102-210, Cutrer House Re-Roofing**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
6. **JSU** – Approved the bids and the award of a contract in the amount of \$1,140,845 to the low bidder, Crescent Communications, for **GS #103-225, Digital Transmission System for TV23**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
7. **MUW** – Approved the bids and the award of a contract in the amount of \$604,000 to the lowest of two bidders, Conn Construction, for **GS #104-144, Physical Plant Warehouse Building, Phase II-Interior**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
8. **UM** – Approved the bids and the award of a contract in the amount of \$3,790,000 to the lowest of three bidders, Panola Construction, for **IHL #207-261, Wesley Knight Fieldhouse Renovations**. Funds are available from private gifts and auxiliary funds.

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9. **UM** – Approved the bids and the award of a contract to the lowest of three bidders, Hooker Construction, Inc., in the base bid amount of \$1,983,000, plus alternates #1 and #2 in the amount of \$82,000 for a total of \$2,065,000 for **IHL #207-256, Odom & Deupree Renovations**. Funds are available from private gifts and auxiliary funds.
10. **UM** – Approved the bids and the award of a contract in the amount of \$289,000 to the lowest of six bidders, C & M Builders, for **IHL #207-218, Civil Rights Memorial**. Funds are available from the Mississippi Department of Archives and History’s African-American Heritage Grant Program and private donations.
11. **MSU** – Approved Change Order #1 which adds \$590,406.50 and 12 days of time to the contract of Inman Construction Company for **IHL #205-210, New Residence Complex Phase II**. This change order will construct an academic center with classrooms, an auditorium, and support spaces for the University Honors Program. The project budget will be increased to \$40,100,000. Funds will be provided by MSU Educational Building Corporation Bond Funds.
12. **MSU** – Approved the request to use university facilities by commercial entities involved in collaborative research with Mississippi State University and/or economic development in the state of Mississippi. The facilities under consideration for use by commercial entities are the Raspet Flight Research Laboratory (RFRL) and the Diagnostic Instrumentation and Analysis Laboratory (DIAL). Aurora Flight Sciences would lease space in the RFRL and ABSL Power Solutions would lease space in DIAL. Allowing use of the facilities would greatly enhance research efforts and enable further economic development of the State.
13. **USM** – Approved the purchase of property located at 596 North 25th Avenue in Hattiesburg, Mississippi. The purchase price of \$48,600 is less than the average of two appraisals. University funds will be used for the purchase.
14. **System Administration** - Approved a resolution designating Frank D. Alley, IHL Assistant Commissioner for Construction and Physical Affairs, as the Designated Applicant Agent in order to receive FEMA reimbursement for damage to the Education and Research Center. A copy of the resolution is included in the bound *January 19, 2006 Board Working File*.
15. **System Administration** - Approved the Capital Improvements Request for FY 2007. A copy of the request is included in the *January 19, 2006 Board Working File*.
16. **System Administration** – Approved the recommendation to require the submission of a plan for installing a sprinkler system in all Fraternity and Sorority houses on State property by June 30, 2006 and execution of said plans by June 30, 2008.
17. **System Administration (Information item.)** – Mr. Frank Alley, IHL Assistant Commissioner for Construction and Physical Affairs, presented a report concerning the Minority Contractors, Vendors, and Design Professionals. A copy of the report is included in the *January 19, 2006 Board Working File*.

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18. **System Administration (Information item.)** - The Board received the Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the December 15, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities. **(See Exhibit 1.)**
19. **Other Business**
- a. **UM** - Approved the request to allow the Housing Corporation of the University of Mississippi Chapter of Alpha Tau Omega (ATO) fraternity to encumber its leasehold by executing a Note and a Deed of Trust in favor of Regions Bank, thus enabling reconstruction of the ATO house previously destroyed by the 2004 fire. Following the fire, ATO received insurance proceeds totaling \$1,200,000. It immediately began a campaign to raise \$1,500,000 and to date has \$1,040,000 in pledges to be paid over the next five years. ATO has already begun reconstruction of its house and nearly all the insurance proceeds have been spent. ATO plans to obtain a \$2,197,069 construction line of credit from Regions Bank for one year, followed by a \$1,500,000 four-year term loan. At the retirement of the four-year loan, a mortgage of \$697,068 will be set up with monthly payments based on a 15-year amortization plan. Should ATO default, Regions Bank would be allowed to participate in assigning the lease or sub-leasing the property, but only with the written permission of the University.
- b. There is a special committee meeting scheduled for Thursday, February 9, 2006 from 10:00 a.m. until 2:00 p.m. at the Board Office. An agenda for the meeting will be sent out beforehand.

LEGAL AGENDA

Presented by Mr. Bob Owens, Chair

On motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Owens absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Legal Agenda. Agenda item #2 was approved on a separate motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Owens absent and not voting.

1. **UM** - Approved the request to retain the services of Mr. Gene Rzucidlo who has recently changed law firms and the new law firm of Hunton & Williams to assist with patent applications and prosecutions and related intellectual property issues. Mr. Rzucidlo's hourly rate is \$550, with other professionals who may work on University matters billing between \$210 and \$350 per hour. These rates are comparable to the rates of similarly qualified patent attorneys. The University presently anticipates spending up to \$250,000 this year on this engagement, with approximately one-half of those costs reimbursed by the University's commercial licensees. The Attorney General has approved this request, including the hourly rates.
2. **UMMC** - Approved request to settle the tort claim case styled *Rochelle Ollie and Bobbie M. Ollie vs. UMMC*.
3. **System Administration (Information item.)** - Payment of legal fees to outside counsel, as follows:
- a. In relation to litigation and other matters:

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Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 7/27/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with general advice.)

TOTAL DUE \$210.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 7/18/05, 7/18/05, 8/15/05, and 11/4/05) from the funds of The University of Mississippi. (These statements, in the amounts of \$107.50, \$860.00, \$537.50, and \$2,532.59, respectively, represent services and expenses in connection with a License Agreement with AHMC, Inc.; Commercialization; AHMC, Inc. License; and the *Durham v. MSCI* case, respectively.)

TOTAL DUE \$4,037.59

Payment of legal fees for professional services rendered by Page, Kruger & Holland (Statements dated 9/16/05 and 11/14/05) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$30,567.24 and \$56.00, respectfully, represent services and expenses in connection with the *Williams* and *Bowles* cases, respectfully.)

TOTAL DUE \$30,623.24

Payment of legal fees for professional services rendered by Bryan Nelson, P.A. (Statement dated 10/17/05) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Krell* case.)

TOTAL DUE \$150.90

Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 10/31/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with DSH Litigation.)

TOTAL DUE \$16.00

Payment of legal fees for professional services rendered by Baker Donnelson (Statements dated 7/20/05, 8/24/05, and 9/19/05) from the funds of Mississippi State University. (These statements, in the amounts of \$885.00, \$345.00, and \$2,942.50, respectively, represent services and expenses in connection with a sales tax issue.)

TOTAL DUE \$4,172.50

b. In relation to patent and other matters:

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 9/27/05, 10/12/05, 10/12/05, 10/24/05, 10/24/05, 10/26/05, 10/31/05, and 10/31/05) from the funds of Mississippi State University. (These statements represent services and expenses in

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connection with the following patent applications: “Through-Log Density Detector” - \$417.00; “Fiber Optic Laser-Induced Breakdown Spectroscopy Sensor” - \$51.20; “Moisture Sensor Based on Evanescent Wave Light” - \$453.11; “Breath Gas Analyzer for Diabetes Diagnostics” - \$1,355.70; “Substituted Phenylhete Herbicides” - \$763.90; “Directed Movement of Termites Using Low Frequency Emissions” - \$10,902.10; “Elemental and Isotope Measurements and Diagnostics – Microwave Induced Plasma-Cavity Ring Down Spectroscopy” - \$4,396.08, and “Fiber-Bragg Grating-Loop Ringdown” - \$325.68.)

TOTAL DUE \$18,664.77

Payment of legal fees for professional services rendered by Stites & Harbison (Statement dated 10/26/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the following patent application: “Streckfus/Method of Diagnosing & Monitoring Malignant Breast Carcinomas.”)

TOTAL DUE \$1,048.98

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 9/29/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Repka/PatentMaintenance”- \$1,300.00; “Zjawiony/Cembranoids-Chemopreventive” - \$310.04; “Cleary/Amphotericin BHP” - \$950.79; “Seiner/Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust Noise” - \$20.00; “Li/Antifungal Cyclopentenediones” - \$127.80; “Chen/In-Furnace Reduction of Nitrogen Oxide by Mixed Fuels Involving a Biomass Derivative” - \$313.46; “Zjawiony/Diterpenes as Selective Kappa Oploid Receptor Agonists” - \$3,170.56; “Nagel/Marine Compound Inhibiting Cellular Responses to Hypozia” - \$456.84; “Repka/Medicaments to Nail & Perionychiu” - \$270.42; and “Avery/Novel Antigiardial Agents” - \$91.74.)

TOTAL DUE \$7,011.65

Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 10/7/05, 10/7/05, 10/7/05, 10/7/05, 10/7/05, 11/4/05, and 11/4/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Stable Suppository Formulations Effecting Bioavailability of 9-THC-Japan” - \$2,366.03; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - \$480.84; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anticancer and Anti-Infective Agents – CA” - \$25.88; “Method of Preparing Delta-9-THC” - \$154.40; “Potent Immunostimulatory Extracts from Microalgae” - \$68.45; “Method of Preparing Delta-9-THC” - \$1,024.87; and ”Potent Immunostimulatory Extracts from Microalgae” - \$281.00.)

TOTAL DUE \$4,401.47

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GOVERNANCE AGENDA

Presented by Dr. D. E. Magee, Chair

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

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Governance Agenda. **AGENDA ITEM #2 WAS APPROVED ON A SPLIT VOTE AS SHOWN BELOW.**

1. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 705.0103 Approval for Travel Abroad, as follows:

705.0103 Approval for Travel Abroad

Travel outside the continental United States must be approved by the Commissioner on behalf of the Board and meet the requirements as set forth by state statute. No state or federal funds received from any source by any arm or agency of the state shall be expended in traveling outside of the continental limits of the United States until the governing body or head of the agency makes a finding and determination that the travel would be extremely beneficial to the state agency and obtains a written concurrence thereof from the Governor and the Department of Finance and Administration. Therefore, all requests for travel outside the continental United States are to be submitted to the Commissioner for his consideration. The Commissioner shall prepare a monthly report of approvals to be on file at the Board Office. The Commissioner is authorized on behalf of the Board to approve emergency foreign travel requests between Board meetings. At each Board meeting, these emergency actions shall be reported to the Board with appropriate justification.

2. **System Administration** - Proposed changes to the *Board Policies and Bylaws* – 201.0608 Institutional Executive Officer Search Process. (See Exhibit 2.)

A motion was made by Dr. Magee, seconded by Mr. Blakeslee, to approve the proposed changes to the Board Policies and Bylaws – 201.0608 Institutional Executive Officer Search Process. The motion passed on a 10 to 1 vote, with Mr. Owens absent and not voting. Board members voting for the motion were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Dr. Stacy Davidson, Mr. Roy Estess, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Aubrey Patterson, Ms. Robin Robinson, and Ms. Amy Whitten. **Mr. Scott Ross voted against the motion.**

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Thomas C. Meredith, Commissioner

AGENDA ITEM #1 WAS APPROVED AS SHOWN BELOW. Agenda item #2 was approved on a separate motion by Ms. Whitten, seconded by Mr. Ross, with Mr. Owens absent and not voting.

1. **System Administration** - *Board Policy* 301.02 Election of Officers provides that the Board shall elect its officers at the January meeting of the Board to take office on the 8th day of May each year. Ms. Newton opened the floor for nominations for the office of Vice President of the Board.

Ms. Whitten nominated Dr. Stacy Davidson, and the motion was seconded by Ms. Robinson, with Mr. Owens absent and not voting and with Dr. Davidson abstaining. There being no further nominations, the nominations were closed. It was

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RESOLVED, that Dr. Stacy Davidson was elected as Vice President of the Board for a one year term, beginning May 8, 2006.

2. **System Administration** - Approved the resolution commending Mr. James Roy Klumb for his professional contributions and dedication to the Mississippi Board of Trustees of State Institutions of Higher Learning. (See Exhibit 3.)

PERSONNEL/FOREIGN TRAVEL AGENDA

Presented by Dr. Thomas C. Meredith, Commissioner

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

RESOLVED, That the Board hereby approved agenda items as submitted on the following Personnel/Foreign Travel Agenda.

1. **Personnel Report.**

EMPLOYMENT

Jackson State University - Athletics

Comegy, Ricardo

Woody, James

Jackson State University

McHenry, William

Mississippi State University

White, Mark G.

University of Southern Mississippi

Norbury, Gayle

CHANGE OF STATUS

Alcorn State University

Godley, Linda

Mississippi State University

Broyles, Frederick W.

Harris, Allison B.

White, Michael W.

Mississippi University for Women

Fitzgerald, James

TERMINATION

Jackson State University - Athletics

Bell, James

Rigsby, Edward

Mississippi State University

Hagler, Marion O.

Luthe, Dawn S.

Williams, Michael R.

University of Mississippi

Antilla, Jon C.

Guest, Sandra J.

University of Mississippi - Athletics

Luke, Matthew B.

Mazzone, Noel S.

University of Mississippi Medical Center

Holmes, Frank C., IV

Fontanesi, James

Kowalsky, William

EMERITA/EMERITUS STATUS

University of Southern Mississippi

Wertz, David Lee

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2. Foreign Travel Report.

Jackson State University

Amini, Farshad	London, United Kingdom
Leszczynski, Jerzy	Wroclaw, Poland and Prague, Czech Republic
Mason, Ronald, Jr.	Wroclaw, Poland and Prague, Czech Republic
Mohamed, Abdul	Wroclaw, Poland and Prague, Czech Republic
Okojie, Felix	Wroclaw, Poland and Prague, Czech Republic
Swanier, Shelton	Wroclaw, Poland and Prague, Czech Republic
Tchounwou, Paul	Wroclaw, Poland and Prague, Czech Republic

Mississippi State University

Batchelor, William David	Volos, Greece and Stuttgart, Germany
Buege, David	Cervara, Italy
Freedman, Sara M.	Paris, France
Grzybowski, Stanislaw	Singapore
Hanson, Terrill R.	Vigo, Spain
Haupt, Tomasz	Athens, Greece
Looby, Eugenie Joan	Montreal, Canada
Mistak, Sarah (Student)	San Juan, Puerto Rico
Ryan, Peter L.	Bologna, Italy
Shaik, Saleem	Vigo, Spain

Mississippi University for Women

Daffron, Eric	London
Peveler, Will	Oxford, England

University of Mississippi

Angle, Timothy	Tanzania
Beason, Kim	Honolulu, Hawaii
Latartara, John	San Juan, Puerto Rico
Temple, Paula	San Jose, Costa Rica
Major, Susan	Oxford, England
Maron, Ruth	Tanzania

University of Mississippi Medical Center

Baumann, Michael	Aruba
Bigelow, Carolyn L.	Honolulu, Hawaii
Cleary, John	Iquitos, Peru
Esposito, Domenic P.	Ancona, Italy
Fetterly, Erin L. (Resident)	Iquitos, Peru
Fulton, Linda K.	Iquitos, Peru
Geissler, William B.	Johannesburg, South Africa
Ho, I. K.	Taipei, Taiwan

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McMillan, Teresa	Southampton, Bermuda
Muzny, Christina (Resident)	Iquitos, Peru
Nolan, Rathel L.	Iquitos, Peru
Ragab, Ashraf A.	Alexandria, Egypt
Sealy, Patricia	Iquitos, Peru
Wilhelm, Andrew (Resident)	Iquitos, Peru

University of Southern Mississippi

Asper, Vernon	Hawaii
Bass, Jack	France
Cameron, Amy	France
Hoggard, Jim	France
Hoggard, Lynn	France
Honkala, Ingrid Garcia-Hansen (Student)	Hawaii
Linden, Paul	France
Lohrenz, Stephen	Hawaii
Mackaman, Douglas	France
Marciani, Lou	England
Niroomand, Farhang	Germany
Pluhar, Raymond J. (Student)	Hawaii
Quiroz, Erik	Chile
Sawant, Pradnya (Student)	Hawaii
Siesling, Jan	France
Urban, Marek	Germany and Czech Republic
Walker, Sharon	Hawaii
Wille, Cynthia	Hawaii
Williams, Jeff	Canada

System Administration - Emergency approval of foreign travel was granted by Commissioner Thomas C. Meredith per *Board Policy* 705.0103, as follows:

Jackson State University

Izevbigie, Ernest	Benin City and Ibadem, Nigeria
Liu, Yiming	Honolulu, Hawaii
Perkins, James	Honolulu, Hawaii

Mississippi State University

Akram, Shaz	Colombo, Sri Lanka
Kane, Harrison	Thailand
Linder, Eric	Cuernavaco, Mexico
Oldham, Philip	Varanasi, India
Vilella, Francisco	San Juan, Puerto Rico

University of Mississippi

Cunningham, Conrad	Koloa, Hawaii
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Doerksen, Robert
Song, Chung R.
Wrobel, Gabriel

Taipei, Tainan, Taiwan
Seoul, Korea
San Ignacio, Belize

University of Southern Mississippi

Asper, Vernon
Brown-Peterson, Nancy
Ding, Jui
Drane, Dan
Grammar, Paul (Student)
Hayden, Bridget
Heard, Richard
Huang, Faqing
Otaigbe, Joshua
Peterson, Mark
Wicks, Douglas

Canada
Colombia
Canada
Korea
Colombia
Costa Rica
Germany
Hawaii
Hawaii
Colombia
Puerto, Rico

ADDITIONAL AGENDA ITEMS

Presented by Dr. Thomas C. Meredith, Commissioner

AGENDA ITEM #1 WAS APPROVED EARLIER IN THE MEETING. On motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Owens absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #2 as submitted on the following Additional Items Agenda. Agenda item #3 was approved on a separate motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Owens absent and not voting.

1. **UM** - Request to allow the Housing Corporation of the University of Mississippi Chapter of Alpha Tau Omega (ATO) fraternity to encumber its leasehold by executing a Note and a Deed of Trust in favor of Regions Bank, thus enabling reconstruction of the ATO house previously destroyed by the 2004 fire. Following the fire, ATO received insurance proceeds totaling \$1,200,000. It immediately began a campaign to raise \$1,500,000 and to date has \$1,040,000 in pledges to be paid over the next five years. ATO has already begun reconstruction of its house and nearly all the insurance proceeds have been spent. ATO plans to obtain a \$2,197,069 construction line of credit from Regions Bank for one year, followed by a \$1,500,000 four-year term loan. At the retirement of the four-year loan, a mortgage of \$697,068 will be set up with monthly payments based on a 15-year amortization plan. Should ATO default, Regions Bank would be allowed to participate in assigning the lease or sub-leasing the property, but only with the written permission of the University. **(THIS ITEM WAS APPROVED EARLIER IN THE MEETING.)**

2. **USM** - Approved the *Resolution for Exclusion of Certain Officers/Directors* which excludes the Board members from access to classified material. The University performs classified research for the Department of Defense. As part of the process of employing personnel with security clearances, the

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Defense Investigative Service requires current and accurate copies of these types of Board resolutions. A copy of the resolution is included in the bound *January 19, 2006 Board Working File*.

3. **MVSU** - Approved the employment of Augusta Clark and the termination of Wanda Dorsey, Bobbie Harris, Georgia King, and Betty Stricklin.

COMMISSIONER'S REPORT

Presented by Dr. Thomas C. Meredith, Commissioner

1. Dr. Meredith informed the Board that his visits with key legislators have been going well. He thanked Dr. Magee for attending the reception last night. Dr. Meredith stated that he has received a positive response from Governor Haley Barbour who is saying this year is the year for higher education. He noted that the state revenue estimates look promising.
2. Dr. Meredith discussed the distribution of the \$95 million for student aid for victims of Hurricane Katrina.
3. On February 3rd, Dr. Meredith will meet with nursing consultants and Dr. Mary Ware, IHL Director of Nursing, to discuss the nursing shortage in the state.
4. On February 22nd, Dr. Meredith plans to meet with consultants, Dr. Hank Bounds who is the State Superintendent of Education in Mississippi, and the teacher education leadership on the campuses to discuss administrator training and changing the curriculum.
5. Dr. Meredith commended the Institutional Executive Officers for their efforts to implement the new Governance Model.
6. Dr. Meredith stated that the MSU presidential search is going well with only a few bumps. No candidates have been chosen yet.

ANNOUNCEMENTS

1. Dr. Claudia Limbert, President of the Mississippi University for Women, announced that Ms. Nora Miller, MUW's Vice President for Finance and Administration, is being honored at a luncheon today as one of the top 50 women in Mississippi.
2. Ms. Newton talked about the aftermath of Hurricane Katrina. She noted that Mr. Blakeslee was asked by the Bishop of the Methodist Church to lead its efforts to help the Mississippi communities that were affected by the hurricane. She further noted that Mr. Blakeslee volunteered to lead the efforts without compensation. Ms. Newton also stated that all prayers are appreciated.
3. Ms. Newton announced that next month's meeting will be a one day meeting. The Board will meet at 8:30 a.m. on Wednesday, February 15, 2006. The April 2006 Board meeting will be held at the Mississippi University for Women.
4. Ms. Newton again welcomed Mr. Roy Estess to the Board and stated that she is looking forward to working with him.

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EXECUTIVE SESSION

On motion by Mr. Patterson, with Mr. Owens 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 Ms. Robinson, with Mr. Owens 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 a personnel matter at the Board Office.

On motion by Mr. Blakeslee, seconded by Ms. Whitten, with Mr. Owens absent and not voting, the Board voted to return to Open Session.

The Board discussed a personnel matter at the Board Office. No action was taken.

COMMITTEE REPORTS

**Educational Policies & Programs Committee
Wednesday, January 18, 2006**

The committee was brought to order by Dr. Neely, Chair. The following items were discussed:

1. **Confer Degrees**
On motion by Mr. Patterson, seconded by Ms. Newton, with Dr. Davidson, Mr. Ross, and Ms. Whitten absent and not voting, the committee recommended that the Board approve the request to confer degrees at the University of Mississippi Medical Center as referenced by committee agenda item #1 in the Board Book.
2. **New Degree Program**
On motion by Mr. Patterson, seconded by Ms. Newton, with Dr. Davidson, Mr. Ross, and Ms. Whitten absent and not voting, the committee recommended that the Board approve the request to establish a Bachelor of Science in Computer Networking and Information Technology at ASU as referenced by committee agenda item #2 in the Board Book.
3. **Modification of Academic Programs**
On motion by Mr. Patterson, seconded by Dr. Davidson, with Mr. Ross and Ms. Whitten absent and not voting, the committee recommended that the Board approve the request to modify existing academic programs at ASU, JSU, MSU, UM, and USM as referenced by committee agenda items #3a - #3u in the Board Book.
4. **New Academic Unit**
On motion by Mr. Patterson, seconded by Dr. Davidson, with Mr. Ross and Ms. Whitten absent and not voting, the committee recommended that the Board approve the request to create the School of Architecture at MSU as referenced by committee agenda item #4a in the Board Book.

The committee also received information pertaining to the establishment of the Institute for Digital Biology at MSU, the Katrina Research Center at USM, and the Center for Human Rights and Civil Liberties at USM as referenced by committee agenda items #4b - #4d in the Board Book.

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5. **Modification of Academic Unit**

On motion by Mr. Patterson, seconded by Dr. Davidson, with Mr. Ross and Ms. Whitten absent and not voting, the committee recommended that the Board approve the request to rename the Department of Industrial Engineering at MSU as referenced by committee agenda item #5a in the Board Book.

The committee also received information about renaming the Diagnostic Instrumentation and Analysis Laboratory to the Institute for Clean Energy Technology at MSU as referenced by committee agenda item #5b in the Board Book.

6. **Performance Report**

The committee received the 2003-2004 Annual Performance Report of Mississippi Teacher Preparation Programs as referenced by committee agenda item #6 in the Board Book.

The following committee members were present: Dr. Bettye Neely (Chair), Dr. Stacy Davidson, and Mr. Aubrey Patterson. Mr. Scott Ross and Ms. Amy Whitten were absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. D. E. Magee, and Ms. Virginia Shanteau Newton.

**Governance Committee
Wednesday, January 18, 2006**

The committee was brought to order by Dr. Magee, Chair. The following items were discussed:

1. **Amendment to Board Policies and Bylaws**

On motion by Mr. Patterson, seconded by Dr. Neely, with Mr. Ross absent and not voting, the committee recommended that the Board approve the following items:

- a. The amendments to Policy 705.0103 Approval for Travel Abroad as referenced by committee agenda item #1 in the Board Book and
- b. The amendments to Policy 201.0608 Institutional Executive Officer Search Process as referenced by committee agenda item #2 in the Board Book.

The following committee members attended the meeting: Dr. D. E. Magee (Chair), Mr. Ed Blakeslee, Dr. Bettye Neely, and Mr. Aubrey Patterson. Mr. Scott Ross was absent. Other Board members attending the meeting were: Dr. Stacy Davidson and Ms. Virginia Shanteau Newton.

**Real Estate & Facilities Committee
Wednesday, January 18, 2006**

The committee was brought to order by Mr. Blakeslee, Chair. The following items were discussed:

1. **Initiation of Projects/Appointments of Professionals**

On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the Initiations of Projects/Appointments of Professional at MSU and UM as referenced by committee agenda items #1 - #2 in the Board Book.

2. **Construction Documents**

On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the construction document item for MSU as referenced by committee agenda item #3 in the Board Book.

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3. **Award of Contracts**

On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the award of contracts for DSU, JSU, MUW, and UM as referenced by committee agenda items #4 - #10 in the Board Book.

4. **Change Order**

On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the change order item for MSU as referenced by committee agenda item #11 in the Board Book.

5. **Miscellaneous**

a. On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the request for commercial entities to use MSU facilities as referenced by committee agenda item #12 in the Board Book.

b. On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the purchase of property at USM as referenced by committee agenda item #13 in the Board Book.

c. On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the resolution designating the applicant agent for FEMA reimbursements as referenced by committee agenda item #14 in the Board Book.

d. **Agenda item #15 was taken up later in the day.**

e. On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the recommendation to require the submission of a plan for installing a sprinkler system in all Fraternity and Sorority houses on State property by June 30, 2006 and execution of said plans by June 30, 2008 as referenced by committee agenda item #16 in the Board Book.

f. **Agenda item #17 was taken up later in the day.**

g. The committee received the summary listing the Real Estate & Facilities items that were approved subsequent to the December 15, 2005 Board meeting as referenced by committee agenda item #18 in the Board Book.

6. **Other Business**

a. On motion by Dr. Davidson, seconded by Ms. Newton, with Mr. Klumb, Mr. Owens, and Ms. Robinson absent and not voting, the committee recommended that the Board allow the Housing Corporation of the UM Chapter of Alpha Tau Omega fraternity to encumber its leasehold by executing a Note and a Deed of Trust as referenced by committee agenda item #1 on the Additional Agenda Items agenda in the Board Book.

(The committee recessed until later in the day.)

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Budget, Finance & Audit Committee

Wednesday, January 18, 2006

The committee was brought to order by Mr. Patterson, Chair. The following items were discussed:

1. **Administrative Guidelines for Federal Aid**

On motion by Mr. Owens, seconded by Ms. Newton, with Mr. Colbert, Mr. Klumb, and Ms. Robinson absent and not voting, the committee recommended that the Board approve the Administrative Guidelines for Federal Katrina/Rita Relief Aid as referenced by committee agenda item #1 in the Board Book.

2. **Internal Auditor Report**

Mr. Brent Ballard, IHL Internal Auditor, presented a report pertaining to a presidential transitional review at MSU and the evaluation of Board Policy 711.01 Institutional Audits as referenced by committee agenda item #2 in the Board Book. These issues will be further discussed at the February Board meeting.

The following committee members were present: Mr. Aubrey Patterson (Chair), Mr. Bob Owens, and Ms. Virginia Shanteau Newton (Ex Officio). Mr. Thomas Colbert, Mr. Roy Klumb, and Ms. Robin Robinson were absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. D. E. Magee, Dr. Bettye Neely, and Ms. Amy Whitten.

Legal Committee

Wednesday, January 18, 2006

The committee was brought to order by Mr. Owens, Chair. The following items were discussed:

1. **Retention of Patent Counsel**

On motion by Ms. Whitten, seconded by Dr. Davidson, Ms. Robinson and Mr. Ross absent and not voting, the committee recommended that the Board approve the request to retain Gene Rzucidlo and the law firm of Hunton & Williams to assist UM with patent applications and prosecutions and related intellectual property issues as referenced by committee agenda item #1 in the Board Book.

2. **Agenda item #2 was taken up later in the day.**

3. **Payment of Legal Fees**

The committee received the reports concerning legal fees paid to outside counsel for litigation and other matters and for patent matters as referenced by committee agenda item #3 in the Board Book.

(The committee recessed until later in the day.)

Real Estate & Facilities Committee (Cont'd)

Wednesday, January 18, 2006

(The committee reconvened at 2:30 p.m.)

5. **Miscellaneous**

e. On motion by Mr. Owens, seconded by Dr. Davidson, with Mr. Klumb and Ms. Robinson absent and not voting, the committee recommended that the Board approve the capital improvements request for \$101,180,000 as referenced by committee agenda item #15 in the Board Book.

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ADA compliance matters for the system will be considered by this committee and brought back to the full Board at the February Board meeting.

- f. The committee received a report concerning minority contractors, vendors, and design professionals as referenced by committee agenda #17 in the Board Book.

6. **Other Business**

- b. There is a special committee meeting scheduled for Thursday, February 9, 2006 from 10:00 a.m. until 2:00 p.m. at the Board Office.

The following committee members were present: Mr. Ed Blakeslee (Chair), Dr. Stacy Davidson, Ms. Virginia Shanteau Newton (Ex Officio), and Mr. Bob Owens. Mr. Roy Klumb and Ms. Robin Robinson were absent. Other Board members attending the meeting were: Dr. D. E. Magee, Dr. Bettye Neely, and Mr. Patterson.

ANNOUNCEMENT

Ms. Newton announced that the Board had received the Governor's nomination for the new Board member. She introduced Mr. Roy Estess who is a graduate of Mississippi State University and a former Director of the Mississippi Stennis Space Center.

**Legal Committee (Cont'd)
Wednesday, January 18, 2006**

(The committee reconvened 3:15 p.m.)

1. **Executive Session**

On motion by Ms. Whitten, with Ms. Robinson and Mr. Ross absent and not voting, the committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Mr. Owens, with Ms. Robinson and Mr. Ross absent and not voting, the committee **voted to go into Executive Session** for the reason later reported by the Chair in Open Session and stated in these minutes, as follows:

Discussion of a tort claim case at the University of Mississippi Medical Center.

Discussion of a potential IHL land transaction.

Discussion of potential litigation at the Board Office.

On motion by Mr. Owens, seconded by Dr. Davidson, with Ms. Robinson and Mr. Ross absent and not voting, the committee voted to return to Open Session.

On motion by Dr. Davidson, seconded by Ms. Whitten, with Ms. Robinson and Mr. Ross absent and not voting, the committee recommended that the Board approve the settlement of a tort claim case styled *Rochelle Ollie and Bobbie M. Ollie vs. UMMC* as referenced by committee agenda item #2 in the Board Book.

The Board discussed a potential IHL land transaction and potential litigation at the Board Office. No action was taken.

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The following committee members were present: Mr. Bob Owens (Chair), Dr. Stacy Davidson, and Ms. Amy Whitten. Ms. Robin Robinson and Mr. Scott Ross were absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, and Mr. Aubrey Patterson.

ADJOURNMENT

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

Virginia Shanteau Newton

President, Board of Trustees of State Institutions of Higher Learning

Thomas C Meeditt

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the December 15, 2005 Board meeting.
- Exhibit 2 Amendments to the *Board Policies and Bylaws* – 201.0608 Institutional Executive Officer/Commissioner of Higher Education Search Process.
- Exhibit 3 Resolution commending Mr. James Roy Klumb for his professional contributions and dedication to the Mississippi Board of Trustees of State Institutions of Higher Learning.

EXHIBIT 1

January 19, 2006

Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the December 15, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities.

ALCORN STATE UNIVERSITY

The Board Staff approved additional fees in the amount of \$26,500 for professional services provided by Foil Wyatt Architects for Biotechnology Facility, GS #101-254, and requested approval by the Bureau of Building, Grounds, and Real Property Management. Funds are available in the project budget.

The Board Staff approved Change Order #4 in the amount of \$14,256 for Bowles Hall, GS #101-245, and requested approval by the Bureau of Building, Grounds, and Real Property Management. Funds are available in the project budget.

JACKSON STATE UNIVERSITY

The Board Staff approved Change Order #2 with no change to contract price, and an additional 29 days to the contract time for Digital Transmission Systems-TV23, GS #103-209, and requested approval by the Bureau of Building, Grounds, and Real Property Management. Funds are available in the project budget.

The Board Staff approved an invoice for professional services on GS #103-203, President's Home, and requested payment to Eley Associates in the amount of \$47,574.98 by the Bureau of Building, Grounds and Real Property Management. The project funds remaining were forwarded to Jackson State University.

MISSISSIPPI UNIVERSITY FOR WOMEN

The Board Staff approved the Design Development Documents for Poindexter Pre-Planning, GS #104-149, and requested approval by the Bureau of Building, Grounds and Real Property Management. Funds are available in the project budget.

The Board Staff approved Change Order #4 in the amount of \$10,602 with no additional time to the contract for Hi-Voltage System Upgrades, GS #104-136, and requested approval by the Bureau of Building, Grounds, and Real Property Management. Funds are available in the project budget.

MISSISSIPPI STATE UNIVERSITY

The Board Staff approved the Design Development Documents prepared by Pryor & Morrow Architects for storm damage to Raspet Flight Laboratory, GS #105-313, and requested approval by the Bureau of Building, Grounds and Real Property Management. Funds are available in the amount of \$1,200,000 from SB#3115, Laws of 2005.

The Board Staff approved Change Order #1 in the amount of \$329,000 with no change to the contract time for the Expansion of North Mississippi Research and Extension Center, GS #105-304, and requested approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from SB#2988, Laws of 2003, in the amount of \$960,000.

The Board Staff approved Change Order #1 in the amount of \$128,363 and 50 days of time to the contract of RAF Contracting, Inc., for the North Entrance Bicycle and Pedestrian Facility, IHL #205-193. Funds are available from the Department of Transportation in the amount of \$1,095,838 and from the University Capital Improvement Fund in the amount of \$273,959 for a total project budget of \$1,369,797.

The Board Staff approved a revised budget prepared by the project professional, Johnson Bailey Henderson McNeel, and requested approval and a transfer of funds in the amount of \$60,000 to the 2003 ADA Program, GS #105-303, by the Bureau of Building, Grounds, and Real Property Management. The revised budget will be \$395,000.

The Board Staff approved Change Order #1 in the amount of \$6,580 and 30 additional days to the contract for Memorial Hall Storm Damage, GS #105-305, and requested approval by the Bureau of Building, Grounds, and Real Property Management. This change is needed to replace damaged sheetrock discovered during the demolition phase of the project. The project total is \$95,407. Funds are available in the project budget.

MISSISSIPPI VALLEY STATE UNIVERSITY

The Board Staff approved the Design Development Documents for the Wellness and Assembly Center, GS #106-171, and requested approval by the Bureau of Building, Grounds and Real Property Management. Funds are available in the amount of \$250,000 from 2001 Legislation and an additional \$1,000,000 in 2003 Legislation.

The Board Staff approved Change Order #1, not to exceed \$142,495, for Campus Drainage, GS #106-185, and requested approval by the Bureau of Building, Grounds and Real Property Management. The change replaced an undersized and deteriorated sewage pipe. Funds are available from SB #3197, Laws of 2002.

UNIVERSITY OF MISSISSIPPI

The Board Staff approved Change Order #1 in the amount of \$27,941 for Longstreet Hall Renovations, GS #107-267, and requested approval by the Bureau of Building, Grounds, and Real Property Management. Funds are available in the project budget.

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

The Board Staff approved Change Order #1 for D101/117 Lounge Central Supply Renovations, IHL #209-489, in the amount of \$12,296 with no increase in time to the contract of Sunbelt General Contractors. Funds are available in the project budget from Indirect Cost Recoveries and Student Tuition.

The Board Staff approved Change Order #3 in the amount of \$9,112 with no increase to the contract time for Research Wing Electrical Buss Risers, IHL #209-480. Funds are available in the project budget from Interest Income and Hospital Patient Revenue.

The Board Staff approved the Design Development Documents prepared by Dean and Dean/Associates Architects, P.A., for Cardiovascular Institute Planning, IHL #209-483. Funds are available from Hospital Patient Revenue in the amount of \$350,000.

EXHIBIT 2

January 19, 2006

201.0608 Institutional Executive Officer/Commissioner of Higher Education Search Process

A. General Policy

The Board shall appoint the Commissioner and the Institutional Executive Officers (IEOs). The Board shall make interim appointments to executive officer and/or commissioner positions as necessary and with such consultation as the Board considers appropriate.

B. Board Search Committee

The President of the Board shall appoint a committee of Board members to manage the search for a Commissioner or an ~~Institutional Executive Officer~~ IEO. The President of the Board shall appoint a member of the committee as chairperson. The ~~search committee~~ Commissioner may select a search consultant, with the Board's approval, to assist with the search for an IEO. The Board Search Committee may select a search consultant to assist with the search for a new Commissioner. As part of the initiation of the IEO search process, the Commissioner and Board Search Committee will may consider the input of constituents regarding desired characteristics of a new IEO. The Board shall may also consider input from constituents regarding the desired characteristics of a new Commissioner.

~~D C.~~ Schedule, Ad, Criteria

~~The Board Search Committee~~ Commissioner shall develop the position advertisement and a general schedule for the search with the approval of the Board Search Committee.

~~In a search for an Institutional Executive Officer, the Board Search Committee shall consult with the Campus Advisory Committee on position criteria. In a search for a Commissioner, the Board Search Committee may consult with appropriate individuals or groups on position criteria.~~

~~E D.~~ Advisory Committee Campus Screening Committee

~~A Campus Advisory Committee shall be created to advise the Board in a search for an Institutional Executive Officer. In a search for an IEO, the Commissioner shall appoint a Campus Screening Committee, as well as a chair of such committee. The Campus Advisory Screening Committee shall be representative of the various constituent groups of the university, including faculty, staff, students, alumni, foundation representatives, and members of the community. The Board Search Committee shall select the Chairperson of the Campus Advisory Committee. The Chairperson of the Campus Advisory Committee shall submit recommendations for membership on the Campus Advisory Committee to the Board Search Committee for its approval. In a search for a Commissioner, the Board may seek advice from appropriate individuals or groups, including any search consultant hired by the Board.~~

E. Recruitment, Interviews, Selection

Candidate recruitments may occur up to the point of selection, but candidates will be advised to submit their materials by a specified date to insure optimum consideration for the position.

The Campus Screening Committee shall narrow the field of applicants to no less than five candidates for an IEO position. Those names shall then be submitted unranked to the Commissioner.

~~At a time determined by the Board Search Committee, a meeting will be held to select candidates for initial interviews. All Board Members will be invited to attend the meeting and participate in the selection. In a search for an Institutional Executive Officer, the Campus Advisory Committee shall be requested to submit unranked recommendations of candidates to be considered for initial interviews.~~

The Commissioner shall then forward those IEO candidates' names to the Board Search Committee. The Board Search Committee may then select which of those candidates will participate in initial on-campus interviews to be conducted by the Campus Screening Committee. Following the on-campus interviews, the Commissioner shall gather feedback from the Campus Screening Committee regarding the interviews. The Commissioner shall next report to the Board Search Committee on the feedback obtained following the on-campus interviews. **The Commissioner Board Search Committee, in consultation with the Commissioner,** shall then recommend two final candidates to be interviewed by the Board.

In the alternative, the Board Search Committee may elect to conduct the initial IEO candidate interviews in lieu of allowing the Campus Screening Committee to conduct same. In the event the Board Search Committee elects to conduct the initial interviews, the Board Search Committee may interview those candidates it selects from the unranked candidate list provided by the Campus Screening Committee. In addition, the Board Search Committee may choose to interview any other candidates it deems appropriate. Representatives from the Campus Screening Committee may be included in those interviews, if invited by the Board Search Committee. These interviews may occur at campus or non-campus sites. Following the initial interviews by the Board Search Committee, the Board Search Committee, in consultation with the Commissioner, shall narrow the number of finalists to two.

Final interviews of IEO candidates shall then be held before the Board. If it is deemed necessary, visits may be conducted to the home campuses of the remaining candidates. Following the final interviews, the Board shall select an IEO and announce its decision.

In a search for a Commissioner, the Board Search Committee may request appropriate individuals or groups to submit unranked recommendations of candidates to be considered for initial interviews. The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews. ~~In a search for an Institutional Executive Officer, two members of the Campus Advisory Committee may~~

~~be invited to attend and observe the initial interviews. In a search for a Commissioner, t~~
~~The Board Search Committee may also invite two additional individuals to attend and~~
~~observe the initial interviews: conducted by such committee to fill the position of~~
~~Commissioner. In a search for an Institutional Executive Officer, the Campus Advisory~~
~~Committee will be requested to develop a campus interview schedule for the candidates~~
~~selected for final interviews. In a search for a Commissioner, t~~
~~The Board Search~~
~~Committee will next develop an interview schedule for the candidates selected for final~~
~~interviews: for the position of Commissioner. The Board shall then meet and conduct~~
~~final interviews and select the Institutional Executive Officer or Commissioner.~~

EXHIBIT 3

January 19, 2006

RESOLUTION

WHEREAS, the Board of Trustees of State Institutions of Higher Learning recognizes the outstanding dedication and achievements of Mr. James Roy Klumb, as a member of the Board of Trustees; and

WHEREAS, Mr. Klumb is a native of Crystal Springs, Mississippi, has completed a two-year program in Ornamental Horticulture at the Mississippi Gulf Coast Community College and holds a bachelor's degree from Mississippi State University in political science; and

WHEREAS, Mr. Klumb is an executive with the Klumb Lumber Company, a family owned and operated business, with offices in Mississippi, Texas, Georgia, Alabama and Tennessee; and

WHEREAS, Mr. Klumb is a member of the Mississippi Retail Lumber Dealers Association, the Mississippi Lumber Manufacturers Association, the Harrison County Republican Executive Committee, a former member of the Executive Committee of the Republican Party in Gulfport, Mississippi and a former member of the Gulfport Rotary Club; and

WHEREAS, Mr. Klumb is a member and elder of the Westminster Presbyterian Church in Gulfport, Mississippi; and

WHEREAS, Mr. Klumb was appointed from the Sixth Congressional District of Mississippi in October, 1996 by Governor Kirk Fordice to serve on the twelve-member Board of Trustees; and

WHEREAS, Mr. Klumb has served for nine years as a member of the Board of Trustees, which is responsible for the management and control of the eight public institutions of higher learning and the units that comprise the IHL system in Mississippi: Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, The University of Mississippi and The University of Southern Mississippi; and

WHEREAS, as a Board member, Mr. Klumb demonstrated accountability to the people of Mississippi and effectively communicated the accomplishments, needs and value of the system of institutions of higher learning to the public; and

WHEREAS, Mr. Klumb served as President of the Board of Trustees of State Institutions of Higher Learning from May 8, 2004 to May 7, 2005; and

WHEREAS, Mr. Klumb was an advocate for holding down tuition at the eight public institutions of higher learning and a leading force in eliminating unnecessary duplication of academic programs at all eight public institutions of higher learning; and

WHEREAS, Mr. Klumb has shown an unparalleled commitment to the taxpayers of the state and focused efforts on ensuring fiscal responsibility; and

WHEREAS, Mr. Klumb is known for his frankness and straightforward governance of higher education; and

WHEREAS, it is the policy of the Board of Trustees of State Institutions of Higher Learning to commend the meritorious achievements of its Board members, faculty and staff;

THEREFORE, BE IT RESOLVED, that The Board of Trustees of State Institutions of Higher Learning does hereby express its heartfelt appreciation to Mr. James Roy Klumb for his distinguished service to the Institutions of Higher Learning, the Board of Trustees of State Institutions of Higher Learning, the entire State of Mississippi and its people and wishes him continued success in all his endeavors; and

BE IT RESOLVED, that Mr. Klumb's dedication and passion for providing quality and affordable education to the citizens of this state will always be remembered.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Board and that a copy be presented to Mr. James Roy Klumb and his family.

DONE, this the 19th day of January, 2006.

Virginia Shanteau Newton

VIRGINIA SHANTEAU NEWTON, PRESIDENT
BOARD OF TRUSTEES OF STATE INSTITUTIONS
OF HIGHER LEARNING