

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

July 21, 2005

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 9:50 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on June 24, 2005, to each and every member of said Board, said date being at least five days prior to this July 21, 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, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, Mr. Scott Ross, and Ms. Amy Whitten. Mr. Roy Klumb was absent. The meeting was called to order by Ms. Virginia Shanteau Newton, President, and opened with prayer by Ms. Whitten.

ANNOUNCEMENT

Ms. Newton announced that the Board Retreat that was scheduled for August has been cancelled. The Board will conduct a regular meeting on August 18, 2005. Due to time constraints, some of the items on the July agenda may be deferred to August.

APPROVAL OF THE MINUTES

On motion by Mr. Patterson, seconded by Dr. Davidson, with Mr. Klumb absent and not voting, it was

RESOLVED, That the Minutes of the Board meeting held on June 16, 2005, stand approved.

UNANIMOUS CONSENT

On motion by Mr. Blakeslee, seconded by Ms. Whitten, with Mr. Klumb 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.

EDUCATIONAL POLICIES & PROGRAMS AGENDA

Presented by Dr. Bettye Neely, Chair

On motion by Dr. Neely, seconded by Mr. Blakeslee, with Mr. Klumb 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. Klumb absent and not voting. Agenda item #4 was approved on a separate motion by Dr. Neely, seconded Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #5 was approved on a separate motion by Dr. Neely, seconded Dr. Davidson, with Mr. Klumb absent and not voting. Agenda item #6 was approved on a separate motion by Dr. Neely, seconded Mr. Blakeslee, with Mr. Klumb absent and not voting.

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1. **JSU** - Approved the award of degrees for Saturday, August 6, 2005, as follows:

Doctor of Education	1
Doctor of Philosophy	12
Specialist in Education	19
Master of Arts	4
Master of Arts in Teaching	3
Master of Business Administration	4
Master of Public Health	5
Master of Public Policy and Administration	1
Master of Science	54
Master of Science in Education	32
Master of Social Work	2
Bachelor of Arts	22
Bachelor of Business Administration	36
Bachelor of Science	97
Bachelor of Social Work	5
Total Undergraduate Degrees	160
Total Graduate Degrees	<u>137</u>
Total Degrees	<u>297</u>

2. **MSU** - Approved the degrees to be conferred on Saturday, August 6, 2005, as follows:

COLLEGE OF AGRICULTURE AND LIFE SCIENCES	
Bachelor of Landscape Architecture	1
Bachelor of Science	41
Master of Agribusiness Management	3
Master of Landscape Architecture	1
Master of Science	12
Doctor of Philosophy	3
COLLEGE OF ARCHITECTURE, ART, AND DESIGN	
Master of Science	2
COLLEGE OF ARTS AND SCIENCES	
Bachelor of Arts	50
Bachelor of Science in Arts and Sciences	41
Bachelor of Social Work	1
Master of Arts	9
Master of Fine Arts	2
Master of Public Policy and Administration	7
Master of Science	127
Doctor of Philosophy	1
COLLEGE OF BUSINESS AND INDUSTRY	
Bachelor of Business Administration	85
Master of Business Administration	23
Master of Science in Business Administration	5
Master of Science	2
Doctor of Philosophy	1
COLLEGE OF EDUCATION	
Bachelor of Science in Education	38
Master of Arts in Teaching	1
Master of Arts in Teaching Secondary	3
Master of Science	46
Master of Science Instructional Technology	6
Educational Specialist	17
Doctor of Education	1
Doctor of Philosophy	7

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COLLEGE OF ENGINEERING	
Bachelor of Science in Engineering	25
Master of Science	26
Doctor of Philosophy	7
COLLEGE OF FOREST RESOURCES	
Bachelor of Science	5
Master of Science	8
Doctor of Philosophy	2
COLLEGE OF VETERINARY MEDICINE	
Master of Science	2
SCHOOL OF ACCOUNTANCY	
Bachelor of Accountancy	12
Master of Professional Accountancy	7
Master of Taxation	9
Total Undergraduate Degrees	299
Total Graduate Degrees	<u>340</u>
Total Degrees	<u>639</u>

3. **MUW** - Approved the award of degrees in August, 2151005, as follows:

Bachelor of Arts	21
Bachelor of Fine Arts	4
Bachelor of Science	54
Bachelor of Science in Nursing	16
Master of Arts in Teaching	1
Master of Education	12
Master of Science	7
Master of Science in Nursing	36
Undergraduate Degrees	95
Graduate Degrees	<u>56</u>
Total Degrees	<u>151</u>

4. **UM** - Approved the award of degrees for August Commencement 2005, as follows:

COLLEGE OF LIBERAL ARTS	
Bachelor of Arts	181
Bachelor of Science	11
Bachelor of Fine Arts	2
Bachelor of Music	1
SCHOOL OF ENGINEERING	
Bachelor of Science in Chemical Engineering	0
Bachelor of Science in Civil Engineering	0
Bachelor of Science in Computer Science	0
Bachelor of Science in Electrical Engineering	1
Bachelor of Science in Mechanical Engineering	0
Bachelor of Science in Geological Engineering	3
SCHOOL OF EDUCATION	
Bachelor of Arts in Education	35
SCHOOL OF PHARMACY	
Doctor of Pharmacy	7
Pharmaceutical Sciences	0
SCHOOL OF BUSINESS	
Bachelor of Business Administration	138
Bachelor of Science in Journalism	0

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SCHOOL OF ACCOUNTANCY	
Bachelor of Accountancy	29
SCHOOL OF APPLIED SCIENCES	
Bachelor of Arts	4
Bachelor of Science	14
Bachelor of Science in Exercise Science	16
Bachelor of Social Work	29
Bachelor of Arts in Leisure Management	0
Bachelor of Court Reporting	0
Bachelor of Science in Family and Consumer Sciences	48
Bachelor of Arts in Parks and Recreation Management	13
Bachelor of Paralegal Studies	5
GRADUATE SCHOOL	
Master of Arts	9
Master of Science	16
Master of Fine Arts	1
Master of Accountancy	8
Master of Business Administration	0
Master of Taxation	0
Master of Education	30
Master of Music	0
Master of Social Science	0
Specialist in Education	7
Doctor of Arts	0
Doctor of Education	0
Doctor of Philosophy	24
LAW SCHOOL	
Juris Doctor	1
Total Undergraduate Degrees	530
Total Graduate Degrees	<u>103</u>
Total Degrees	<u>633</u>

5. UMMC - Approved the award of degrees for August, 2005, as follows:

Doctor of Philosophy	6
Master of Science	1
Doctor of Physical Therapy	7
Bachelor of Science in Nursing	45
Undergraduate Degrees	45
Graduate Degrees	<u>14</u>
Total Degrees	<u>59</u>

6. **System Administration** - Approved the amendment to the *Board Policies and Bylaws* – 403.0101 Minimum Standards for Tenured Employment – for first reading, as follows:

403.0101 MINIMUM STANDARDS FOR TENURED EMPLOYMENT

All faculty contracts will specify whether the appointment is with tenure, tenure track, or non-tenure track. Beginning with a tenure track appointment to any professorial rank (assistant professor, associate professor, professor), a faculty member must be reviewed for tenure during the sixth academic year of the probationary period. Upon written agreement between the institution and the faculty member, credit up to a maximum of five (5) years toward fulfillment of the minimum probationary period may be allowed for service at an institution of higher education. Such credit toward the probationary period must be determined at the time of initial appointment to rank. Such allowance is to be granted only to an individual who possesses exceptional professional qualifications and achievements and is not to be construed as

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exempting said individual from any other institutional policies and procedures governing the award of tenure.

Once the probationary period has been completed, a tenure track professor of any rank, if reappointed, must be awarded tenure or a terminal contract. For tenure to be awarded, the Institutional Executive Officer must make a recommendation to the Board in writing. Only faculty members of professorial rank can be awarded tenure. The award of tenure is not vested until notice of the award is given in writing by the Institutional Executive Officer, after approval by the Board, and the written notice is actually received by the faculty member.

At the time of initial employment by the Board, a faculty member or an administrative employee whose preceding employment included faculty rank at the level of assistant professor, associate professor, or professor and tenure may be granted tenure only if so recommended by the President/Chancellor and approved by the Board.

There shall be appropriate tenure/grievance committees at the institutions. This policy takes effect for all faculty members hired after January 1, 2005.

7. **System Administration (Information item.)** - The Board received information about the establishment of the Center for Rural School Leadership and Research at Delta State University.

8. **System Administration** - Approved the following modifications to existing academic units:
 - a. **DSU**
 - i. Rename the Department of Audiology and Speech Pathology to the Department of Speech and Hearing Sciences within the College of Arts and Sciences and
 - ii. Rename the Division of Curriculum, Instruction, Leadership, and Research to the Division of Teacher Education within the College of Education.
 - iii. **Information item.** - The Center for Business Research is being renamed the Center for Business and Entrepreneurial Research.

 - b. **USM**
 - i. **Information item.** - At its April 2005 meeting, the Board was informed of the discontinuance of the Center for International and Continuing Education (CICE) in order to allow for tighter academic controls to insure compliance with SACS and other accrediting bodies as well as to insure academic rigor in all for-credit offerings. Since that time, the University has made additional changes to the offices formerly housed in the CICE as follows:
 - (1) Placed International Programs, International Student and Scholar Services, and the English Language Institute under the Office of International Education within the College of Arts and Letters;
 - (2) Placed the Office of Independent Studies within the Office of the Provost and administered by the Coordinator of Distance Learning Support; and
 - (3) Renamed the Office of Non-Credit Programs to the Office of Non-Credit Programs and Conferences within the Office of the Provost.
 - ii. **Information item.** - The Center for Applied Research and Evaluation is being renamed to the Center for Research, Evaluation, Assessment, and Training Services and moving the Center from the Office of the Vice President for Research and Economic Development to the College of Health.

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9. **System Administration** - Approved the following modifications to the existing degree programs:
- a. **DSU** - Delete the BSGS in Audiology and Speech Pathology (CIP 51.0204);
 - b. **UMMC**
 - i. Rename the Master of Science in Craniofacial and Dental Research (CIP 51.0501) to the Master of Science in Biomedical Materials Science (CIP 51.0505);
 - ii. Rename the Doctor of Philosophy in Craniofacial and Dental Research (CIP 51.0501) to the Doctor of Philosophy in Biomedical Materials Science (CIP 51.0505); and
 - c. **USM** - Deletion of the following degree programs:
 - i. BS in Community and Regional Planning (CIP 04.0301);
 - ii. BS in American Studies (CIP 05.0102);
 - iii. BS in Journalism (CIP 09.0401);
 - iv. BS in Radio, Television, and Film (CIP 09.0701);
 - v. BS in Advertising (CIP 09.0903);
 - vi. BS in Speech Communication (CIP 09.9999);
 - vii. BS in Paralegal Studies (CIP 22.0302);
 - viii. BS in English (CIP 23.0101);
 - ix. BS in Library and Information Sciences (CIP 25.0101);
 - x. BA in Biological Science (CIP 26.0101);
 - xi. BS in Philosophy (CIP 38.0101);
 - xii. BS in Administration of Justice (CIP 43.0104);
 - xiii. BS in Anthropology (CIP 45.0201);
 - xiv. BS in Political Science (CIP 45.1001);
 - xv. BS in Business Administration (CIP 52.0201); and
 - xvi. BS in History (CIP 54.0101).
10. **System Administration** - Approved the requests for exceptions with recommended hours (53 programs in 12 disciplines - Architecture, Computer Science, Dance, Dietetics, Forestry, Engineering, Music, Music Education, Music Therapy, Nursing, Pharmacy, and Theatre) per *Board Policy* 504.0101 Hours to Degree. (See **Exhibit 1.**)
11. **System Administration (Information item.)** - The Articulation Agreement with the State Board for Community and Junior Colleges has been reviewed by the university faculty and the Chief Academic Officers of both the universities and the community and junior colleges. A copy of the Agreement is available on the IHL website and is included in the *July 21, 2005 Board Working File*.
12. **System Administration (Information item.)** - In accordance with *Board Policy* 502.02 (2) Procedures (Accreditation), institutional accreditation visits and status changes from July 1, 2004 through June 30, 2005 have been compiled into a report. (See **Exhibit 2.**)

BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Aubrey Patterson, Chair

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

RESOLVED, That the Board hereby approved agenda items #1 - #6 as submitted on the following Budget, Finance & Audit Agenda. Agenda items #7e and #7f were approved on a separate motion by Mr. Patterson, seconded by Ms. Robinson, with Mr. Klumb absent and not voting.

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1. **ASU** - Approved the request to renew the food service contract with Campus Chefs for FY 2006. The cost per student will be \$27.72 per week for 21 meals - an increase of \$1.80 per week. This contract has been reviewed and approved by the Office of the Attorney General. A copy of the agreement is included in the *July 21, 2005 Board Working File*.

2. **UMMC** - Approved the professional school tuition changes as follows:

a. Request to implement a 5% increase in tuition for the following schools for the academic year 2005-2006.

School	Current Tuition	5% Increase/ yr	New Tuition	Additional \$/yr
Medicine	\$7,285	\$364	\$7,649	\$145,600
Nursing	\$3,232	\$162	\$3,394	\$51,104
SHRP	\$3,232	\$162	\$3,394	\$60,000

b. Request to implement a three-year plan to increase tuition for the School of Dentistry.

	Tuition	Increase/yr	Increase/yr	Additional \$/yr
Tuition (AY 04-05)	\$6,030			
Year 1 (2005-06)	\$7,030	\$1,000	16%	\$120,000
Year 2 (2006-07)	\$8,030	\$1,000	14%	\$120,000
Year 3 (2007-08)	\$9,030	\$1,000	12%	\$120,000

3. **UMMC** - Approved the following agreements which have been reviewed and approved by the Attorney General's Office:

a. Request to enter into a Third Amendment with Renal Care Group ("RCG") of Mississippi, Inc. to extend the expiration date for re-negotiation of fees for inpatient and outpatient renal services. Costs will not exceed \$963,000. A copy of the agreement is included in the *July 21, 2005 Board Working File*.

b. Request to enter into an agreement with *RECORDMAX* for medical records filing services under a climate controlled environment. The service includes secure storage, delivery as requested by an authorized Medical Center representative, and a climate controlled facility. The agreement is for the period August 1, 2005 through June 30, 2006 and will not exceed \$336,000 for the period. A copy of the agreement is included in the *July 21, 2005 Board Working File*.

c. Request to enter into a lease agreement with InSight Health Corp., to provide diagnostic imaging services on a scheduled basis with mobile magnetic resonance imaging ("MRI") scanner located at the Holmes County University Hospitals and Clinics. The agreement is for three years beginning August 1, 2005 (or the date the first patient is scanned) with an automatic extension for successive one year periods not to exceed a total of five years. The lease charges for the three-year period will not exceed \$720,000. A copy of the agreement is included in the *July 21, 2005 Board Working File*.

4. **System Administration** - Approved the Rules and Regulations for the GEAR UP Mississippi Scholarship Program effective with the 2008/2009 award year. A copy of the Rules and Regulations, which have been reviewed and approved by the Attorney General's Office, is included in the bound *July 21, 2005 Board Working File*.

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5. **System Administration** - Approved the Fiscal Year 2006 Operating Budgets for the institutions and separately budgeted units. The operating budgets were provided at the June Board meeting. A revised budget for the Board Office and supplemental information for the Athletic Budgets and the Budget of E & G Scholarships, Fellowships, and Tuition Waivers are included in the bound *July 21, 2005 Board Working File*.
6. **System Administration** - Approved the FY 2007 proposed Appropriations Request which is based on the funding priorities for FY 2007 that were approved at the May 19, 2005 Board meeting. A copy of the request is included in the bound *July 21, 2005 Board Working File*.
7. **System Administration** - Tuition Stabilization Plan (formerly named the Multi-Year Tuition Plan).
 - a. Recommend flexibility to allow a market orientation in setting tuition that addresses distinct campus needs.
 - b. Recommend an institution be allowed to increase tuition up to the Higher Education Cost Adjustment Index (HECA) with written justification to the Commissioner and the Commissioner's approval. This would be an informational item for the Board of Trustees.
 - c. Recommend that flexibility be given to allow an IEO to make an appeal, with justification, to the Board of Trustees for a tuition increase in excess of the ceiling (HECA) which would be presented to the Board as an action item. State funding levels should be an allowed criteria in requesting tuition increases above the ceiling.
 - d. Recommend that any change in the way tuition is priced should be separately addressed by the IEO with the presentation including the effects of the new pricing strategy compared to the current pricing structure and an explicit description of how much tuition increase or additional revenue generation, if any, would be generated due to the change.
 - e. Approved, for first reading, the recommendation to change the terminology in the *Board Policies and Bylaws* – 702.05 Assessment Procedures – by changing the term “tuition and required fees” to “tuition,” in order to reflect current policy. **(See Exhibit 3.)**
 - f. Approved, for first reading, the recommendation that tuition waivers to employees and their dependents be reflected as a benefit of employment in the *Board Policies and Bylaws* – 703.05 Categories of Scholarships and Tuition Waivers – since the privilege exists only by virtue of employment and approved the removal of the grade point average requirement. The suggested language would read “the student receives the benefit as long as he or she maintains enrollment at the institution.” **(See Exhibit 4.)**
8. **System Administration (Information item.)** - The Board received the quarterly financial reports relating to the IHL Tort Plan, IHL Workers' Compensation Plan, IHL Unemployment Program, and the UMMC Tort Plan. A copy of the report is included in the bound *July 21, 2005 Board Working File*.
9. **System Administration (Information item.)** - Mr. Patterson briefed the Board on the highlights of the IHL System Audit Report. The Board will receive a presentation about the report later on in the meeting. A copy of the report is included in the *July 21, 2005 Board Working File*.

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REAL ESTATE & FACILITIES AGENDA

Presented by Mr. Ed Blakeslee, Chair

On motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Klumb absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 - #3 as submitted on the following Real Estate & Facilities Agenda. Agenda items #4 - #10 were approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda items #11 - #18 were approved on a separate motion by Mr. Blakeslee, seconded by Dr. Neely, with Mr. Klumb absent and not voting. Agenda items #19 - #22 were approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. **AGENDA ITEM #23 WAS APPROVED ON A SPLIT VOTE AS SHOWN BELOW. AGENDA ITEM #24 WAS PULLED FROM THE AGENDA.**

1. **MSU** - Approved the initiation **IHL #205-211, Hardy Street Parking Lot**, to construct a parking lot for 238 cars, and install lighting and landscaping. Also, approved the request for the Facilities Management Department to design and administer construction of the project. The project budget is \$650,000 with funds to be provided from institutional plant fund accounts.
2. **UM** - Approved the initiation of **GS #107-280, Campus Re-Roofing**, the appointment of McElroy Architects of Jackson, MS as project professionals, and request approval by the Bureau of Buildings. Funds are available from S.B. 2010, Laws of 2004, in the amount of \$800,000.
3. **UM** - Approved the initiation of **GS #107-281, Campus Waterproofing**, the appointment of George Mullen of Grenada, MS as project professionals, and request approval by the Bureau of Buildings. Funds are available from S.B. 2010, Laws of 2004, in the amount of \$600,000.
4. **DSU** - Approved the construction documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #102-209, Athletic Facilities Renovation**. Funds are available in the project budget in the amount of \$500,000.
5. **MSU** - Approved the contract documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #113-102, Ag/Bio Engineering**. Funds are available from S.B. 2988, Laws of 2003, in the amount of \$4.75 million and from S.B. 2010, Laws of 2004, in the amount of \$4.75 million.
6. **MSU** - Approved the contract documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #113-106, Landscaping Pace Seed Lab**. Funds for the project are available from S.B. 3197, Laws of 2002, in the amount of \$3.0 million.
7. **USM** - Approved the construction documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #108-229, Reed Green Improvements Program – PH I**, Hattiesburg Campus. Funds are available in the amount of \$6.5 million from S.B. 2988, Laws of 2003, and S.B. 2010, Laws of 2004.

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8. **USM** - Approved the construction documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #108-236, 2004 Greene Hall HVAC Upgrade Program**, Hattiesburg Campus. Funds are available in the project budget in the amount of \$1,375,000 from S.B. 2988, Laws of 2003.
9. **USM** - Approved the construction documents, authorized the advertisement for the receipt of bids, and request approval by the Bureau of Buildings for **GS #108-239, Bennett Auditorium ADA Repairs**. Funds are available in the amount of \$500,000 from S.B. 2988, Laws of 2003, and S.B. 3197, Laws of 2002.
10. **USM** - Approved the construction documents and authorized the advertisement for the receipt of bids by the Institutions of Higher Learning, for **IHL #210-233, Aquaculture Visitor Center**, Cedar Point Campus. Funds are available in the amount of \$1.5 million from NOAA Grants.
11. **ASU** - Approved the bids and the award of a contract in the amount of \$440,560 to the low bidder, Smith Painting and Contracting Company for **IHL #201-136B, Renovation of Dorm II**. Funds are available in the project budget from a grant in the amount of \$900,000. Supporting documents are on file in the Board Office.
12. **JSU** – Approved the award of an Abatement and Demolition Work contract in the amount of \$192,800 to the low bidder, Gulf Services Contracting, Inc., for **IHL #203 - 145, JSU Educational Building Corporation - New JSU Campus Union Building**. Funds are available in the project budget. Supporting documents are on file in the Board Office.
13. **JSU** – Approved the bids and the award of the following contracts for **IHL #203-147, JSU Educational Building Corporation – Campbell College Apartments**:
- | | |
|--|--------------|
| Electrical Package: Moses Electric Inc. (lowest of 4 bids) | \$2,808,000 |
| Fire Protection Package: United Piping, Inc. (lower of 2 bids) | \$514,148 |
| General Works Package: Harrell Contracting Group (lower of 2 bids) | \$15,387,000 |
| Mechanical Package: Harrell Contracting Group (lowest of 3 bids) | \$3,060,000 |
- The total award for all packages is \$21,769,148. With fees, general conditions, and insurance the cost of the project is \$23,256,183 exclusive of architectural fees, development fees, and contingencies. The budget for this project was \$22,797,814. Funds are available from JSU’s EBC. Supporting documents are on file in the Board Office.
14. **MSU** – Approved the sole bid and the award of a contract in the base bid amount of \$1,168,365 to RAF Contracting, Inc., for **IHL #205-193, North Entrance Bicycle and Pedestrian Facility**. Funds are available from the Mississippi Department of Transportation in the amount of \$934,692 and from University Capital Improvement Funds in the amount of \$273,673, for a total project budget of \$1,208,365. Supporting documents are on file in the Board Office.
15. **MVSU** – Approved the bids and the award of a contract in the amount of \$2,168,000 to the low bidder, Sullivan Enterprises of Magee, MS, and request approval by the Bureau of Buildings for **GS #106-182,**

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Renovation Academic Skills Building. This recommendation is approved by the project professional, McElroy, Ward & Associates Architects, PLLC. Funds for the project are available in the project budget in the amount of \$2,360,077. Supporting documents are on file in the Board Office.

16. **UMMC** – Approved the bids and the award of a contract to the low bidder, Sunbelt General Contractors, in the amount of \$529,100 (base bid and alternates #2, #3 & #4) for **IHL #209-489, D101/117 Central Supply Renovations**. Funds are available from indirect cost recoveries in the amount of \$620,000. Supporting documents are on file in the Board Office.
17. **UMMC** – Approved the bids and the award of a contract to the low bidder, Sunbelt General Contractors, in the amount of \$1,392,000 (base bid) for **IHL #209-454C, Firewall Revisions**. Funds are available in the amount of \$1,450,000 from hospital patient revenue. Supporting documents are on file in the Board Office.
18. **USM** - Approved the bids and the award of a contract in the amount of \$522,860 to the low bidder, D. N. P., Inc. of Biloxi, Mississippi, for **GS #114-003, Hardy Hall Renovations & Infrastructure**, Gulf Park Campus, and request approval by the Bureau of Buildings. Funds are available in the amount of \$724,184.15 from S. B. 3315, Laws of 2000. Supporting documents are on file in the Board Office.
19. **UM** - Approved the execution of an Easement and Lease to the City of Oxford for a walking/bike path. The City of Oxford wishes to construct a walking/bike path beginning at Molly Barr Road and proceeding south along the railroad bed until Mile Post 576.0, the southern-most point of the railroad bed owned by the University. The City has requested an easement from the University to construct the path and has requested to lease the path from the University for use by the City's residents and visitors.
20. **UM** - Approved the request to join with the City of Oxford in conveying an easement to Megapop to bury a fiber optic cable on the west right-of-way of Old Taylor Road between the Highway 6 by-pass and University Avenue.
21. **UM** - Approved the request to grant easements to the owners of the Oxford Mall, CG Oxford Development, LLC. The University anticipates entering an Operation and Easement Agreement that includes grants of mutual easements allowing access to driveways, parking lots, utility and drainage right-of-ways, and detention ponds.
22. **USM** – Approved the granting of a road right-of-way and utility easement to the City of Hattiesburg for the upgrade/construction of roadways and utility extensions on USM property. Plans and legal descriptions for the right-of-way and easements are on file in the Board Office.
23. **MUW** - Request approval of the bids (2) and the award of a contract with Sodexho Campus Services to manage and operate the campus facilities management services. The contract will be for 5 years commencing on August 26, 2005. The contract price from August 26, 2005 through August 31, 2006 will be \$2,715,131. Commencing September 1, 2006, and annually thereafter, the contract price shall be adjusted as specified in the contract. A copy of the contract, which has been reviewed and approved by the Attorney General's Office, is included in the *July 21, 2005 Board Working File*.

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A motion was made by Mr. Blakeslee and seconded by Dr. Davidson to approve the bids and the award of a contract between MUW and Sodexho Campus Services. The motion passed on a 10 to 1 vote, with Mr. Klumb absent and not voting. Board members voting for the motion were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Dr. Stacy Davidson, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey Patterson, Ms. Robin Robinson, and Ms. Amy Whitten. **Mr. Scott Ross voted against the motion.**

24. **System Administration** - Adoption of the Department of Finance and Administration's *Bureau of Buildings Procedure Manual* as the standard for dealing with building programs throughout the university system. A copy of the draft manual is included in the *July 21, 2005 Board Working File*. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
25. **System Administration (Information item.)** - Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the June 16, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities. **This item was previously entitled "Facilities Summary."** (See Exhibit 5.)

BUDGET, FINANCE & AUDIT AGENDA (Cont'd)

The Board received a presentation on the IHL System Audit Report for the Fiscal Year Ended June 30, 2004 by Mr. Bill Doss, Director of the Financial & Compliance Audit Division in the Office of the State Auditor. Mr. Doss then introduced his colleagues Ms. Linda Reeves, Director of Education Audit Section, and Mr. Jamie Goodwin, Manager of the College/University Audit section. Mr. Mick Bullock, Executive Assistant in the Executive Division also attended the meeting. The IHL System Audit Report will be placed on the State Auditor's website.

LEGAL AGENDA

Presented by Mr. Bob Owens, Chair

On motion by Mr. Owens, seconded by Dr. Neely, with Mr. Klumb 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. Robinson, seconded by Ms. Whitten, with Mr. Klumb absent and not voting. Agenda item #3, as amended, was approved on a separate motion by Ms. Whitten, seconded by Dr. Davidson, with Mr. Klumb absent and not voting. Agenda items #8 - #10 were approved on a separate motion by Ms. Whitten, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting.

1. **MUW** - Approved the request to enter into an agreement with Mississippi University for Women Foundation, Inc. A copy of the contract, which has been reviewed and approved by the Attorney General's Office, is included in the bound *July 21, 2005 Board Working File*.

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- 2. **USM** - Approved the Traffic and Parking Regulations fo 2005-2006. A copy of the regulations, which have been reviewed and approved by the Attorney General’s Office, is included in the bound *July 21, 2005 Board Working File*.
- 3. **System Administration** - Approved the amendment to the *Board Policies and Bylaws* – 1102.01 Retention of Outside Counsel and the additional amendment to 1102.02 (D) Payment of Outside Counsel which reflects a cap of 25% instead of \$250,000 – for first reading. **(See Exhibit 6.)**

- 4. **System Administration (Information item.)** - Payment of legal fees to outside counsel, as follows:
 - a. In relation to litigation and other matters:
Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 4/30/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with DSH Litigation.)

TOTAL DUE **\$40.00**

Payment of legal fees for professional services rendered by Watkins & Eager (Statement dated 5/18/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the purchase of the 880 Lakeland Drive property.)

TOTAL DUE **\$2,122.00**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statement dated 5/10/05) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the *Durham v. MSCI* case.)

TOTAL DUE **\$2,238.05**

Payment of legal fees for professional services rendered by Adams & Reese (Statements dated 4/22/05, 4/22/05 and 4/20/05, 5/10/05, 5/13/05, 5/16/05, 6/10/05, 6/10/05 and 6/13/05) from the funds of The University of Southern Mississippi. (These statements represent services and expenses in connection with the following cases: *DePree* \$3,369.70; *Brewer* - \$7,639.35; *Servedio* \$9,564.75; *Servedio* - \$4,001.60; *Brewer* - \$3,651.25; *DePree* - \$1,212.40; *DePree* - \$3,888.54; *Servedio* - \$2,643.50; and *Brewer* - \$11,694.91, respectively.)

TOTAL DUE **\$47,666.00**

Payment of legal fees for professional services rendered by Gore, Kilpatrick, Purdie, Metz and Adcock (Statement dated 4/27/05) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Williams v. USM* case.)

TOTAL DUE **\$11,835.76**

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b. In relation to patent and other matters:

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 5/4/05) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patent applications: “Abell/Temporary Mucosal Gastric Electrical Stimulation Device and Method for Treating Gastroparesis” - \$72.56; “Abell/Method for Localizing Enteric Nervous System” - \$72.56; “Golanov/Method for the Treatment and Prevention of Brain Damage” - \$8,195.88; “Streckfus/Method of Diagnosing” - \$1,650.06; and “Taylor/Synergistic Combinations of Chrome Free Corrosion Inhibitors” - \$140.59.)

TOTAL DUE \$10,131.65

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 4/26/05 and 4/21/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Seiner/Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust Noise” - \$102.56; “Avery/Novel Antigiardial Agent” - \$130.00; “Roux, et al./Multiple Dual Port Injection Chamber for the Pultrusion Manufacturing of Composite Materials” - \$170.18; “Cleary, et al./Amphotericin BHP” - \$1,436.08; “Repka/Medicaments to Nail & Perionychiu” - \$253.39; “Nagle/Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - \$218.00; “Nagle/Marine Compound Inhibiting Cellular Responses to Hypoxia” - \$9,788.62; and “Li/Antifungal Cyclopentenediones” - \$8,589.88.)

TOTAL DUE \$20,688.71

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 12/28/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Nagle/Marine Compound Inhibiting Cellular Responses to Hypoxia” - \$28.78; “Seiner/Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust” - \$9,754.52; “Zjawiony/Cembranoids/Chemopreventive” - \$573.61; “Cleary, et al./Amphotericin BHP” - \$47.50; “Cheboyina/Spherical Pellet Production” - \$814.48; “Nagle/Saaururus Cernuus Compounds that Inhibit Cellular Respsnes to Hypoxia” - \$442.86; “Pasco/Immunostimulatory Agents in Enchinacea” - \$98.67; “Zjawiony/Diterpenes as Selective Kappa Oploid Receptor Agonists” - \$46.06 and “Miscellaneous Matters” - \$3.10.)

TOTAL DUE \$11,809.58

Payment of legal fees for professional services rendered by Stites & Harbison (Statement dated 5/18/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the patent application for “Golanov/Method for the Treatment and Prevention of Brain Damage.”)

TOTAL DUE \$359.78

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Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 5/9/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Austria” - \$2,288.12; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Belgium” - \$2,162.06; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Denmark” - \$3,080.92; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Finland” - \$3,160.34; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – France” - \$2,567.94; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Great Britain” - \$1,080.17; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Greece” - \$2,714.68; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Ireland” - \$1,466.04; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Italy” - \$2,642.67; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Luxembourg” - \$387.23; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Monaco” - \$387.23; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – The Netherlands” - \$2,516.31; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Portugal” - \$3,226.91; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Spain” - \$3,070.66; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Sweden” - \$2,926.01; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – Switzerland” - \$1,120.93; “Artemininin-Based Peroxide Compounds as Broad Spectrum Anti-Infective Agents – U. S. Nat’l Phase” - \$168.75; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents - Australia” - \$1,964.94; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents – Canada” - \$83.17; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents – Europe” - \$7,282.26; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents – Japan” - \$74.82; and “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents – Mexico” - \$3,221.84.)

TOTAL DUE \$47,594.00

Payment of legal fees for professional services rendered by Needle & Rosenberg (Statement dated 4/25/05) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the patent application for “Hexavalent Chromium Detector/Monitor.”)

TOTAL DUE \$1,698.70

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 1/31/05, 1/31/05, 2/10/05, 2/15/05, 3/10/05, 3/11/05, 3/11/05, 3/14/05, 3/16/05, 3/16/05, 3/16/05, 3/21/05, 3/21/05, 3/21/05, 3/21/05 3/21/05 and 3/21/05) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: “Optical Reflectance Based Mass Flow Sensor” - \$363.72; “Through-Long Density Detector” - \$207.00; “Mechanically Stressing Wood to Improve It” - \$801.00; “Substituted Phenylheterocyclic Herbicides” - \$1,408.20; “Moisture and Density Detector” - \$362.95; “Substituted Phenylheterocyclic Herbicides” - \$679.89; “Through-Long Density

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Detector” - \$407.60; “On-Site Biological Treatment of Contaminated Fluids” - \$1,506.88; “Fiber Ringdown Pressure/Force Sensors” - \$275.83; “Self-Aligned Transistor and Diode Topologies in Silicon” - \$440.00; “Oligo Fructose and Insulin Reduce Growth of Listeria” - \$2,952.20; “Determination and Potential Control of Pathogenic Bacteria...” - \$427.95; “A Renewable Fuel/Lubricant” - \$325.55, “Method and Apparatus ...Isotype...” - \$3,205.18; “Moscharge Pump” - \$8,405.55, “Silicon Carbide Through the Use of ...” - \$2,184.32; and “Method for Transformation of Cotton and Organogenic...” - \$5,244.20.)

TOTAL DUE \$29,198.02

5. **System Administration (Information item.)** - The Board received the quarterly litigation expense reports relating to the IHL Tort Plan, IHL Workers’ Compensation Plan, and UMMC Tort Plan. A copy of the reports is included bound *July 16, 2005 Board Working File*.
6. **System Administration (Information item.)** - Dr. Crofts gave an update on the gaming case styled *IHL vs. State*. A copy of the final judgment is attached hereto as **Exhibit 7**.
7. **System Administration (Information item.)** - Dr. Crofts gave an update on the Administrative Procedures Act as it pertains to the IHL Board Office and the university system. A copy of an analysis of the Administrative Procedures Act as it pertains to IHL is attached hereto as **Exhibit 8**.
8. **MVSU** - Approved the proposed settlement of the tort claim case styled *Peggy Oatis, et al. vs. State of Mississippi, et al.*
9. **UMMC** - Approved the proposed settlement of a tort claim case styled *Kolton Gunn vs. UMMC*.
10. **System Administration** - Approved the proposed settlement of a Workers’ Compensation case styled *Mary Card vs. University of Mississippi*.

GOVERNANCE AGENDA

Presented by Dr. D. E. Magee, Chair

On motion by Dr. Magee, seconded by Ms. Robinson, with Mr. Klumb absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Governance Agenda. Agenda item #2a was approved on a separate motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #2b was approved on a separate motion by Dr. Neely, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting. Agenda item #3 was approved on a separate motion by Mr. Blakeslee, seconded by Ms. Whitten, with Mr. Klumb absent and not voting. Agenda item #4 was approved on a separate motion by Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. **AGENDA ITEM #5 WAS APPROVED ON A SPLIT VOTE AS SHOWN BELOW.**

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1. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 702.04 Tuition Approval Process, as follows:

702.04 TUITION APPROVAL PROCESS

A. Schedule and Guidelines

The Commissioner, after consultation with the Institutional Executive Officers, shall prepare a schedule and guidelines for the submission of requests to establish tuition, ~~required fees~~, and room and board charges. The guidelines shall include the information to be submitted in support of the requests and any limitations on the amounts to be requested.

B. Submission of Requests

Each Institutional Executive Officer shall prepare and submit to the Commissioner for consideration by the Board an annual request to maintain, increase, or decrease tuition, ~~required fees~~, and room and board charges. In developing the annual request, the Institutional Executive Officer shall consider family income indicators, availability of financial aid, inflationary indicators, institutional costs, performance and resource needs, bond resolutions and other legal requirements, comparisons with peer institutions and groups, state appropriations, and other appropriate criteria. Tuition, ~~required fees~~, and room and board charges in effect at the time of such request shall remain in effect until the Board takes action to change them.

C. Consideration of Requests

Requests to establish tuition, ~~required fees~~, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner, ~~and for comment by Institutional Executive Officers. Any comments by Institutional Executive Officers shall be submitted to the Commissioner for consideration by the Board.~~ The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint.

2. **System Administration** - Approved amendments to the *Board Policies and Bylaws* for first reading, as follows:

- a. The proposed amendments to 301.0512 Meeting Rules of Order and the additional amendments as noted below:

- i. Rule 3 in the second paragraph delete “unanimous consent” and insert “a 2/3 vote” and in the fifth paragraph delete “the provisions below” and insert the appropriate reference and
ii. Rule 9 to include the sentence, “Additionally, the maker may withdraw a motion with the consent of the member who seconded the motion.”

- b. The proposed amendments to 201.0402 Procedures for Changing Board Policies and Adopting New Policies and the further amendment to delete the language “a majority of a quorum of” and “at a properly noticed Board meeting.” (See Exhibit 9.)

3. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 401.0102 Delegation of Authority – for first reading, as follows:

401.0102 DELEGATION OF AUTHORITY

Acting under appropriate statutory authority, the Board of Trustees hereby empowers the Commissioner and the Institutional Executive Officers of the several institutions to make all appointments and promotions of faculty and staff except as otherwise noted below:

- a. Board approval shall be required for creation, appointment, elimination, or significant modification of the position of Vice Chancellor, Provost, Vice President, Dean, or

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Associate/Assistant Provost, Vice President or Vice Chancellor who supervises Deans. Board approval shall also be required for the appointment of any employee making a salary of ~~\$50,000~~ \$75,000 or more.

- b. Board approval shall be required for the award of tenure, the final, involuntary separation of an employee to be effective during the term of an employment contract, and where applicable creation, elimination, or modification of categories of appointments as approved by the Board.
 - c. Acceptance of the resignation of an employee with a written contract on behalf of the Board may be made by the Commissioner for the System Office and the Institutional Executive Officers of the several institutions.
 - d. In accordance with Miss. Code. Ann., §37-101-7, as amended, the Board delegates to the Commissioner the authority to approve the quarterly reports of employment from the several institutions.
4. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* by replacing 403.0105 Appeals with new language and renumbering and amending 403.0105 Appeals to become 403.0106 Appeals of Faculty Terminations and Denials of Tenure to the Board of Trustees – for first reading. (See Exhibit 10.)

5. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 901.03 Facilities Staff Responsibilities – for first reading, as follows:

901.03 FACILITIES STAFF RESPONSIBILITIES

- A. It is the responsibility of the Facilities professional staff to report items relating to building construction and planning to the Board for their information and approval. The Board staff shall develop a manual of specific procedures for dealing with building programs. This manual shall be approved by the Board and distributed to the institutions for their use and be on file in the Commissioner's office.
- B. Once the Board has initiation of a facilities project, the Commissioner, upon recommendation of the Board's facilities professional staff, may approve all subsequent Schematic Design and Design Development documents for construction projects provided the integrity of the design is maintained and the budget is not exceeded. If the design is substantially modified or the budget is exceeded, the project will be submitted to the Board for approval prior to any further action being taken.
- C. The Commissioner, upon recommendation of the Board's facilities professional staff, is authorized to act for the Board on facilities matters involving expenditures of \$100,000 or less all projects less than three-million dollars (\$3,000,000). The Board shall approve project initiation, professional selection and project scope. All other actions, up to and including the award of contract, may be approved by the Commissioner provided the integrity of the design is maintained and the budget is not exceeded.
- D. A member of the Board appointed by the President and the Board staff has the authority to act for the Board between meetings on items pertaining to the building programs needing immediate attention prior to the next Board meeting.
- E. The Institutional Executive Officers shall instruct the heads of Physical Plant Departments to notify the Board staff in the event problems or delays occur on any construction projects on the respective campus.

A motion was made by Mr. Blakeslee, seconded by Ms. Robinson, to approve the proposed amendments to *Board Policies and Bylaws* – 901.03 Facilities Staff Responsibilities – for first reading. The motion passed on a 9 to 2 vote, with Mr. Klumb absent and not voting. The following

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Board members voted for the motion: Mr. Ed Blakeslee, Mr. Thomas Colbert, Dr. Stacy Davidson, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Aubrey Patterson, Ms. Robin Robinson, and Ms. Amy Whitten. **Mr. Bob Owens and Mr. Scott Ross voted against the motion.**

STRATEGIC PLANNING AGENDA

Presented by Ms. Amy Whitten, Chair

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

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

1. **System Administration** - Approved the FY 2007 - 2011 System Strategic Plan including universities, system office, and all separately budgeted units in accordance with the Mississippi Performance Budget and Strategic Planning of 1994. A summary of the plan is included in the bound *July 21, 2005 Board Working File*.

ANNOUNCEMENT

1. Ms. Newton thanked Ms. Suzanne S. Sharpe, IHL Chief of Staff, and her staff for preparing the reports used by the committee chairs during the Board meetings. The reports reflect the actions taken by each committee prior to the regular Board meeting. She requested that all Board members receive the entire set of reports at future Board meetings.

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Richard Crofts, Commissioner

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

RESOLVED, That the Board hereby approved agenda items submitted on the following Administration/Policy Agenda.

1. **System Administration** - Approved the agenda items considered subsequent to the June 16, 2005 Board meeting, as follows:
 - a. **UMMC** - Employment of Thomas A. Long and Pamela McGaugh.
 - b. **UMMC** - Re-budget categories of the FY 2005 budget, as follows:

<u>Consolidated Expenditures</u>	<u>2004-2005 Budget</u>	<u>Revision #1</u>	<u>Revised 2004-2005 Budget</u>
Salaries, Wages & Fringe	\$346,309,609	(\$3,000,000)	\$343,309,609
Travel	\$599,568	\$0	\$599,568
Contractual Services	\$129,415,600	\$6,000,000	\$135,415,600
Commodities	\$109,784,946	\$0	\$109,784,946

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Capital Outlay			
Non Equipment	\$9,766,065	\$0	\$9,766,065
Equipment	\$16,901,023	(\$3,000,000)	\$13,901,023
Programs Sponsored by Outside Agencies	<u>\$75,986,945</u>	<u>\$0</u>	<u>\$75,986,945</u>
Total	<u><u>\$688,763,756</u></u>	<u><u>\$0</u></u>	<u><u>\$688,763,756</u></u>

**Consolidated
Income**

Supplemental Funds	\$4,000,000	\$0	\$4,000,000
MDOC	\$6,085,961	\$0	\$6,085,961
Education Enhancement Fund	\$3,854,830	\$0	\$3,854,830
Budget Contingency Fund	\$6,000,000	\$0	\$6,000,000
State Appropriation	\$131,139,243	\$0	\$131,139,243
Other Funds	<u>\$537,683,722</u>	<u>\$0</u>	<u>\$537,683,722</u>
Total	<u><u>\$688,763,756</u></u>	<u><u>\$0</u></u>	<u><u>\$688,763,756</u></u>

Re-budgeting is necessary due to the shortage of technical personnel, thus an increase in agency nursing contracts, and higher than anticipated Medicaid Transfer costs.

PERSONNEL/FOREIGN TRAVEL AGENDA

Presented by Dr. Richard Crofts, Commissioner

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

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

1. Personnel Report.

EMPLOYMENT

Jolly, Sue

Alcorn State University

Meehineni, Sreedhar
Wyatt, Helen

Mississippi Valley State University

Branton, Camille Baker
Cross, James S.

Jackson State University

Al-Fadhli, Hussain
Cannon, Carol

University of Mississippi

Breeding, Samantha K.
Jannik, Carmen N.
Krhut, Lorinda S.
Yarbrough, Lance D.

Mississippi State University

Bass, Jimmy
Bi, Guihong
Cooley, Jr., Avery J.
German, Randall M.
Otondo, II, Robert F.

University of Mississippi - Athletics

Scharnhorst, Jacob

Mississippi University for Women

Brady, Stephanie

University of Mississippi Medical Center

Herrin, Vincent E.
Kuebler, Joy C.
Nicholas, William C.

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Porter, Scott E.
Soni, Nilam J.
Spurzem, John R.
Valderrama, Rodrigo

University of Southern Mississippi

Chen, C. S.
Maung, Khin
Richard, Brian W.

CHANGE OF STATUS

Alcorn State University

Blanchard, Diane
Butler, Robert M.
Dollar, Carolyn
Godley, Linda
Gill, John

Jackson State University

Bell, Jimmy
Burton, Otha
Harris, William
Jefferson-Aker, Celestine
Presley, Ethel Rita
Rao, V. V. Prakasa
Robinson, Sonja
Shabazi, Mohammad
Wiggins, Ruby

Mississippi State University

Prescott, Dennis A.
Watson, Vance H.

Mississippi University for Women

Adams, Sheila
Balazs, Anne
Donat, Patricia L.
Jenkins, II, Hal E.
Richardson, Thomas

Mississippi Valley State University

Brooks, Patricia
Greene, Jerome
Lee, Tazinski

Osunde, Samuel
Tramiel, Leonard
Young, Robert

University of Mississippi

Canty, Ann L.
Hall, Timothy L.

University of Mississippi - Athletics

Pate, James G.

University of Southern Mississippi - Athletics

Eustachy, Larry
Giannini, Richard C.
McNeilis, Joye
Palmer, Carlton

System Administration

Sharpe, Suzanne

CONTRACT EXTENSION

Mississippi Valley State University

Shanks, Douglas
Smith, Lee

University of Mississippi

Bianco, Michael F.

LEAVE OF ABSENCE

Jackson State University

Khadivi, Mohammad
Wilson, Barbara A.

TERMINATION

Delta State University

Applegate, Felicia O.
Broadwater, Kimberly
Brown, Bonnie A.
Castle, Michael W.
Clark, Marie B.
Clark, Melissa S.
Conrad, Jr., John A.

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Dallas, Jerry Webster
Dixon, Amanda
Gong, Vera Penney
Herring, III, George Bryan
Holt, Todd E.
Johnson, James
Johnston, Julie
Leonard, Sarah
McClain, Margaret
McClure, James Brian
Meloch, Meriah
Pittman, Sandra D.
Tankson, Kandice
White, Brooke C.
Wolfe, Farae L.

Jackson State University

Fletcher, Bettye Ward
Hurley, John

Mississippi State University

Baker, Debbie A.
Bonney, William W.
Cooke, Jr., Fred T.
Courcelle, Justin C.
Dohoney, Paula J.
Donaldson, Jeremy D.
Duncan, Beth
Forrest, Charlie S.
Greer, Rebecca L.
Hutto, Fay Y.
Jefcoat, Irvin A.
Karr, Bob L.
Kirk, Pamela A.
Kohers, Theodor
Land, Jr., Samuel B.
Lorio, Sr., Wendel J.
Lott, Berry D.
McGilberry, Joseph H.
Miller, James E.
Ray, Darryl D.
Tatum, David H.
Tyler, John W.
Veal, Charles D.

Mississippi University for Women

Collum, Nina
Ewing, Steven
Greene-Williams, LaRhonda
Halbert, Linda
Jarrett, Barbara
Labensky, Sarah
Nabors, Charles
Poole, Almetria
Reddy, Narem
Thoms, Jason
Williams, Joyce

Mississippi Valley State University

Collins, Norman
Edwards, Shirley
Franklin, Renell
Holt, Johnny
Moore, Lula
Washington, Michael
Williams, Myrtle
Williams, Maragrette

University of Mississippi

Cooker, Philip G.
Oliphant, William R.
Payne, James F.

University of Mississippi - Athletics

Herzog, Brian
Letts, Candi L.
Pendleton, Dedeann
Walls, Mandy N.

University of Mississippi Medical Center

Bigler, Lenora G.
Brunson, Charlie E.
Carithers, Teresa
Chan, Albert
Creasy, Mary-Ouida
Elshowaia, Salwa H.
Freeland, Alan E.
Gui, Lizhen
Harrison, R. Brent

**MINUTES OF THE BOARD OF TRUSTEES OF
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July 21, 2005

Hughes, Michael P.
Hutchins, James B.
Kolar, Kathryn R.
Logan, Christy
Monahan, Kenneth
Ordway, Gregory A.
Perry, Stephanie
Reed, Shinita Y.
Roy, William A.
Streckfus, Charles F.
Szebeni, Katalin
Wilson, Michael A.
Xiang, Lianbin

University of Southern Mississippi

Crockett, James
Fawcett, Newton C.
Folse, Raymond
Garraway, Hugh
Hobson, Kay
Hong, Sherman
Hunt, Dennis
Moreland, Wilbur
Pace, Wanda Sue
Range, Lillian M.
Scott, Raymond Frank
Smith, Margaret
Wallace, Anne

2. Foreign Travel Report.

Jackson State University

Amini, Farshad
Leszczynski, Jerzy
Mohamed, Abdul
Okojie, Felix A.
Omari, Safiya R.
Osby, Olga
Shahbazyan, Tigran

Honolulu, Hawaii
Prague, Czech Republic, Warsaw, Wroclaw, and Ladek Zdroj, Poland
Prague, Czech Republic
Prague, Czech Republic
Honolulu, Hawaii
Honolulu, Hawaii
Hangzhou, China

Mississippi State University

Amburgey, Terry
Bergiel, Erich B. (Student)
Bridges, Susan
Carver, Jeffrey

Montreal, Canada
Honolulu, Hawaii
Bergen, Norway and Singapore
Dagstuhl, Germany

EMERITA/EMERITUS STATUS

Alcorn State University

Williams, Malvin

Mississippi State University

Bonney, William
Brown, Larry G.
Chen, Tsun C.
Fazio, Michael W.
Ferguson, Joe L.
Harkness, John E.
Hernandez de Lopez, Ana Maria
Jefcoat, Irvin A.
Karr, Bob L.
Kohers, Theodor
Kurtz, Mark E.
Land, Samuel B.
McGilberry, Joe H.
Sullivan, Michael J.
Taylor, Jr., Robert P.
Trotter, J. Donald

University of Southern Mississippi

Crockett, James
Hong, Sherman
Moreland, Wilbur

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Dampier, David	Kyoto, Japan
Dandass, Yoginder	Kyoto, Japan
Dunne, James	Rio de Janeiro, Brazil
Engelken, Terry	Paris, France
Guichard, Sylvain	Paris, France
Gullett, Philip	Barcelona, Spain
Harpole, Sandra H.	Puerto Rico
Johns, Lana K.	Quebec, Canada
Kingery, William L.	Toronto, Canada
Li, Menghe H.	Ensenada, Baja California, Mexico
Lunsford, Kari V. (Resident)	Glasgow, Scotland
Marshall, Douglas L.	Yong-Pyeong, Korea
Matta, Barbara A.	Puerto Rico
McCarthy, Fiona	Bergen, Norway
Novotny, Mark A.	Ouro Preto, Minas Gerais, Brazil
Scanes, Colin G.	Puerto Rico
Siler, Stephanie	Cancun, Mexico
Su, Yi	Glasgow, Scotland
Thaxton, Peggy S.	Tashkent, Uzbekistan and Beijing, Anyang, China
Vaughn, Rayford	Kyoto, Japan and Singapore
Vizzini, Anthony J.	Aalborg, Denmark
Warnock, James	Singapore
Younan, Nicholas H.	Antalya, Turkey
Zhang, Lingxiao	Beijing, Shanghai, Kuang Ming, Harbin, Jiling, and Queng-Ming City, China

University of Mississippi

Brewer, Stephen	Montreal, Quebec, Canada
Brown, Billy Ray	Georgetown, Guyana
Cavaglia, Marco	Cala Gonone, Italy
Chang, Yunhee	London, England
Dor, George	United Kingdom
Easson, Gregory	San Salvador, El Salvador
Elsohly, Mahmoud	Amsterdam, The Netherlands
Ford, Mary Allison	London, England
Gochfeld, Deborah	Bahamas and Panama
Group of Students	London, England
Hamann, Mark	France and Basel, Madrid, and Siena, Italy
Hinman, Sarah (Student)	Montreal, Canada
Janaskie, Justin (Student)	San Salvador, El Salvador
Karlowski, Jasmine (Student)	San Salvador, El Salvador
Kishk, Ahmed	Hangzhou, China
Kroger, Robert (Student)	Montreal, Canada
Lee, Kai Fong	Hangzhou, China
Levitt, Theresa	Beijing, China

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Manson, Neil	Warsaw, Poland
Mehmedic, Zlatko	The Netherlands
Metcalf, Eva-Maria	Graz, Austria
Mizenko, Jennifer	Budapest, Hungary
Murray, Matthew	Cork, Ireland
Oliphant, Susan	England, Ireland, and Scotland
Reed, David	Okinawa, Japan
Slattery, Marc	Bahamas
Stewart, David Jeremy	Florence, Italy
Surette, Sherry (Student)	Montreal, Canada
Wicker, Nancy	Lancaster, England and Madgeburg, Germany

University of Mississippi Medical Center

Bigler, Steven A.	Mont-Tremblant, Quebec, Canada
Briery, Christian M.	Whistler, British Columbia, Canada
Flowers, E. Rhyne	Mont-Tremblant, Quebec, Canada
Henderson, Dawn	Mont-Tremblant, Quebec, Canada
Ho, I. K.	Taipei, Taiwan
Hupp, James R.	Niagara-on-the-Lake, Canada
Machado, Connie K.	San Juan, Puerto Rico
Magee, Steve	La Bartolina, Mexico
McCall, Helvi	San Juan, Puerto Rico
Olson, Mark	Muenstarschwartzach, Germany
Rock, William R.	Sydney, Australia
Seltzer, Ada M.	San Juan, Puerto Rico
Vedanarayanan, V. V.	Chennai, India
Young, David B.	Zurich, Switzerland

University of Southern Mississippi

Bourland, Susan	Puerto Rico
Caruthers, Jerald	England
Delaine, Vrita	Puerto Rico
Ding, Jiu	Canada
Dodd, David	Canada
Green, Adina	Puerto Rico
Hsieh, Chang-tseh	Ireland
Kuczaj, Stan	Scotland
Moore, Robert B.	Hawaii

System Administration - Emergency approval of foreign travel was granted by Commissioner Richard Crofts per *Board Policy* 705.0103, as follows:

Alcorn State University

Dunbar, Abram H.	San Juan, Puerto Rico
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Delta State University

Brown, Pat Honduras

Jackson State University

Gorb, Leonid Kharkov Dnepropetrovsk, Ukraine
Leszczynski, Jerry Kiev and Odessa, Ukraine and Kharkov, Poland
Matlack, Elizabeth Helsinki, Finland

Mississippi State University

Hammi, Youssef Montreal, Canada
Hay, William Anthony London, England
Lane, Tracy St. Petersburg, Russia
Miller, Jay Madrid, Spain
Moorhead, Robert Honolulu, Hawaii
O'Hear, John W. Cienfuegos, Havana, and Holgium, Cuba
Potter, Edward Gottingen, Germany
Stone, Tonya (Student) Montreal, Canada

University of Mississippi

Chadwick, William Liden, The Netherlands; Stockholm, Norchoppin, Sweden; Athens,
Greece; and Slovenia
Chang, Yunhee Paris, France
Cheng, Alexander Southampton, United Kingdom
Dunlap, Angela London, England
Elsherbeni, Atef Hangzhou, China
Gochfeld, Deborah Montego Bay, Kingston, Jamaica
Hanson, Carey London, England
Kleinert, Daniel Quito, Ecuador
Reardon, Thomas Italy
Slattery, Marc Montego Bay, Kingston, Jamaica
Walker, Larry Montego Bay, Kingston, Jamaica and Montreal, Canada

University of Mississippi Medical Center

Hughes, James L. Belize City, Belize
Nipper, Elliott Belize City, Belize

University of Southern Mississippi

Bloomer, Katherine France
Davis, Barbara Spain
Gillespie, Jeanne Terceira Azores, Portugal
Lo, Melody Taiwan
Lopez, Leticia Spain

University Press of Mississippi

Lape, Todd Winnipeg, Canada

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UNANIMOUS CONSENT

Presented by Dr. Richard Crofts, Commissioner

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

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Unanimous Consent Agenda. Agenda items #2 and #3 were approved on a separate motion by Ms. Whitten, seconded by Mr. Patterson, with Mr. Klumb absent and not voting. Agenda item #4 was approved on a separate motion by Ms. Whitten, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting. Agenda item #5 was approved on a separate motion by Ms. Robinson, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting. Agenda item #6 was approved on a separate motion by Mr. Patterson, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting.

1. **ASU** - Approved employment of the following personnel: Charles Beady, Robert Butler, Claudine Gee, Wiley Jones, and Napoleon Moses.
2. **MSU** - Approved a change of status for Jimmy W. Abraham.
3. **MVSU** - Approved employment of Mahon Rao.
4. **MSU** - Approved the bids (4) and the award of a contract in the amount of \$7,668,000 to the low bidder, Jesco, Inc., for **IHL #205-204, Cullis Wade Center**. The apparent low bidder, West Brothers Construction, per bidding procedures, withdrew their bid, due to a miscalculation of a subcontractor's bid. Funds are available in the amount of \$9 million from private gifts, institutional funds, and bookstore revenues. Supporting documents are on file in the Board Office.
5. **MSU** - Approved the bids (2) and the award of a contract in the amount of \$37,698,000 (base bid minus alternate #4) to the low bidder, Inman Construction Company, for **IHL #205-210, New Residence Hall Complexes - Phase II**. Funds are available in the amount of \$40 million from MSU EBC Bond Funds. Supporting documents are on file in the Board Office.
6. **UM** - Approved the Traffic and Parking Regulations for 2005-2006. A copy of the regulations is included in the bound *July 21, 2005 Board Working File*.

COMMISSIONER'S REPORT

Presented by Dr. Richard Crofts, Commissioner

1. Mr. Crofts noted that Governor Haley Barbour has stated that next year higher education will be a funding priority. Dr. Crofts met with Governor Barbour to offer assistance in achieving this goal. In the first week of August, the IHL Board staff will brief the Governor's staff on the funding formula and funding priorities.

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2. The Legislative Liaisons met on Wednesday, July 13, 2005, to discuss FY 2006 legislative issues and strategies. The liaisons are engaged with several groups to work on FY 2006 plans. Those plans include similar meetings with the legislative leadership in the next few weeks.

COMMISSIONER SEARCH COMMITTEE

Ms. Newton thanked the Board members for their participation in the process of selecting the new Commissioner of Higher Education. She also thanked the IHL Board staff for facilitating the meetings.

ANNOUNCEMENTS

1. Ms. Newton thanked The University of Southern Mississippi and Mississippi University for Women for agreeing to host a Board meeting. In February 2006, the Board will hold its meeting at The University of Southern Mississippi Gulf Coast campus and in April 2006 at the Mississippi University for Women campus.
2. Dr. Charles Lee, President of Mississippi State University, noted that 40 years ago, a young African American named Dr. Richard Holmes enrolled in Mississippi State University on the first day of the second session of summer school. On this past Tuesday 40 years later, he has sent his daughter back to the university to receive her degree. He is returning to be a physician in the MSU Health Center. The university asked him to provide a lecture on his experience. Dr. Lee hopes to provide a transcript of the lecture to the Board members to give them a sense of “then” and “now.” He has made a tremendous contribution to the university and continues to do so.

EXECUTIVE SESSION

On motion by Mr. Patterson, with Mr. Klumb 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. Newton, seconded by Ms. Whitten, with Mr. Klumb 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.

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

The Board discussed a system personnel matter.

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COMMITTEE REPORTS

**Educational Policies & Programs Committee
Thursday, July 21, 2005**

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

1. **Award of Degrees**
On motion by Dr. Davidson, seconded by Dr. Neely, and unanimously passed by those present, the committee recommended that the Board approve the award of degrees at JSU, MSU, MUW, UM, and UMMC as referenced by committee agenda item #1 in the Board Book.
2. **Amendment to *Board Policies and Bylaws***
On motion by Dr. Davidson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to policy 403.0101 Minimum Standards for Tenured Employment for first reading as referenced by committee agenda item #2 in the Board Book.
3. **New Academic Unit**
The committee received information about the establishment of the Center for Rural School Leadership and Research at Delta State University as referenced by committee agenda item #3 in the Board Book.
4. **Modifications to Existing Academic Units**
On motion by Dr. Davidson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the modifications to existing academic units at DSU as referenced by committee agenda item #4 (1) in the Board Book.

On motion by Dr. Davidson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the modifications to existing academic units at DSU as referenced by committee agenda item #4 (2) in the Board Book.

The committee received agenda items #4 (3) for DSU and #4 (4 - 5) for USM as information only.

5. **Modifications to Existing Degree Programs**
On motion by Dr. Davidson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the modifications to an existing degree program at DSU as referenced by committee agenda item #5 (1) in the Board Book.

UMMC modifications were pulled from the agenda as referenced by committee agenda items #5 (2 & 3).

On motion by Mr. Blakeslee, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the modifications to an existing degree program at USM as referenced by committee agenda item #5 (4) in the Board Book.

6. **124 Credit Hour Exception Requests**
On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the requests for exceptions with recommended hours at the universities as referenced by committee agenda item #6 in the Board Book.

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Dr. Neely thanked the Board and university staffs for their hard work in moving towards this point. Dr. Bill Smith, IHL Interim Assistant Commissioner of Academic and Student Affairs, thanked Dr. Dennis Watts, IHL Academic Program Review Coordinator, for his efforts on this project. Dr. Smith also thanked the Chief Academic Officers and the deans from the universities for their cooperation.

7. **Articulation Agreement with SBCJC**

The committee received information about the articulation agreement between IHL and the State Board for Community and Junior Colleges as referenced by committee agenda item #7 in the Board Book.

Dr. Smith thanked Dr. Mary Ware, IHL Director of Nursing, for all of her work on this project.

8. **Institutional Accreditation Annual Report**

In Accordance with Board Policy 502.02 (2) Procedures (for Accreditation), the committee received information about the institutional accreditation visits and status changes from July 1, 2004 through June 30, 2005 as referenced by committee agenda item #8 in the Board Book.

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

**Budget, Finance & Audit Committee
Thursday, July 21, 2005**

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

1. **ASU Contract**

On motion by Mr. Patterson, seconded by Ms. Robinson, with Mr. Klumb and Mr. Owens absent and not voting, the committee recommended that the Board approve the food service contract with Campus Chefs for FY 2006 at ASU as referenced by committee agenda item #1 in the Board Book.

2. **UMMC Changes in Tuition for Professional Schools**

On motion by Ms. Robinson, seconded by Mr. Colbert, with Mr. Klumb and Mr. Owens absent and not voting, the committee recommended that the Board approve the changes in tuition for the Schools of Medicine, Nursing, Health Related Professions, and Dentistry at UMMC for the academic year 2005-2006 as referenced by committee agenda item #2 in the Board Book.

On motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb and Mr. Owens, absent and not voting, the committee also recommended that Board waive the mandatory 30-day period of review and comment by the Board, the Commissioner and the IEOs before final action is taken, which is set forth in IHL Policy 702.04 Approval Process.

3. **UMMC Contracts**

On motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb and Mr. Owens absent and not voting, the committee recommended that the Board approve the contracts between UMMC and the Renal Care Group, *RECORDMAX*, and InSight Health Corp. as referenced by committee agenda item #3 in the Board Book.

4. **Rules and Regulations for GEAR UP Mississippi**

On motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb and Mr. Owens absent and not voting, the committee recommended that the Board approve the rules and regulations for the GEAR UP Mississippi Scholarship Program effective with the 2008-2009 award year as referenced by committee agenda item #4 in the Board Book.

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5. **Operating Budgets**

On motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb and Mr. Owens absent and not voting, the committee recommended that the Board approve the FY 2006 Operating Budgets including the revised budget for the Board Office and the supplemental information for the FY 2006 Athletic Budgets and the Budget of E & G Scholarships, Fellowships, and Tuition Waivers, as referenced by committee agenda item #5 in the Board Book.

6. **FY 2007 Proposed Appropriations Request**

On motion by Ms. Robinson, seconded by Mr. Owens, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the FY 2007 proposed appropriations request as referenced by committee agenda item #6 in the Board Book.

Mr. Patterson noted that the Joint Legislative Budget Committee will hold its annual budget hearings for the IHL System on September 21, 2005.

7. **Tuition Stabilization Plan**

A motion was made by Mr. Colbert, seconded by Ms. Robinson, to approve the Tuition Stabilization Plan, as referenced by committee agenda item #7 in the Board Book. The motion failed on a 2 to 2 vote, with Mr. Klumb absent and not voting. Mr. Aubrey Patterson and Ms. Robin Robinson voted for the motion. **Mr. Thomas Colbert and Mr. Bob Owens voted against the motion.**

8. **Trust Funds' Quarterly Financial Reports**

The committee received the quarterly financial reports relating to the IHL Tort Plan, IHL Workers' Compensation Plan, IHL Unemployment Program, and the UMMC Tort Plan as referenced by committee agenda item #8 in the Board Book.

9. **IHL System Audit Report**

The committee received the report from State Auditor Phil Bryant concerning the IHL System Audit Report for the fiscal year ended June 30, 2004 as referenced by committee agenda item #9 in the Board Book. The Board will receive a presentation on the report during the Board meeting this afternoon.

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

**Real Estate & Facilities Committee
Thursday, July 21, 2005**

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

1. **Real Estate & Facilities Manual**

On motion by Ms. Robinson, seconded by Dr. Davidson, with Mr. Klumb absent and not voting, the agenda item to adopt the Department of Finance and Administration's *Bureau of Buildings Procedure Manual*, as referenced by committee agenda item #3 in the Board Book, **was pulled from the agenda.**

2. **Requests**

a. On motion by Dr. Davidson, seconded by Mr. Owens, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the Initiations of Projects/Appointments of Professionals for MSU and UM as referenced by committee agenda items #1 - #3 in the Board Book.

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- b. On motion by Ms. Robinson, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the construction document items for DSU, MSU, and USM as referenced by committee agenda items #4 - #10 in the Board Book.
- c. On motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the award of contracts for ASU, JSU, MSU, MVSU, UMMC, and USM as referenced by committee agenda items #11 - #18 in the Board Book.
- d. On motion Mr. Blakeslee, seconded by Ms. Robinson, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the following agenda items:
 - i. The request for UM to execute an easement and lease to the City of Oxford as referenced by committee agenda item #19 in the Board Book;
 - ii. The request for UM to join the City of Oxford in conveying an easement to Megapop as referenced by committee agenda item #20 in the Board Book;
 - iii. The request by UM to execute easements as part of an operation and easement agreement with CG Oxford Development, LLC as referenced by committee agenda item #21 in the Board Book; and
 - iv. The request by USM to execute an easement to the City of Hattiesburg as referenced by committee agenda item #22 in the Board Book.

3. **MUW Contract**

On motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Klumb absent and not voting, the committee recommended that the Board approve the contract with Sodexo Campus Services as referenced by committee agenda item #2 in the Board Book.

4. **Other Business**

The new Board Room will be ready in September 2005.

5. **Items Approved Subsequent to the June Meeting**

This item was previously entitled "Facilities Summary." The committee received the summary listing the Real Estate & Facilities items that were approved subsequent to the June 16, 2005 Board meeting as referenced by committee agenda item #4 in the Board Book.

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

**Legal Committee
Thursday, July 21, 2005**

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

1. **MUW Agreement**

On motion by Mr. Ross, seconded by Mr. Owens, and unanimously passed by those present, the committee recommended that the Board approve the agreement with MUW Foundation, Inc. as referenced by committee agenda item #1 in the Board Book.

2. **USM Regulations**

On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those, the committee recommended that the Board approve the Traffic and Parking Regulations for 2005-2006 as referenced by committee agenda item #2 in the Board Book.

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

A motion was made by Ms. Whitten, seconded by Ms. Robinson, to recommend that the Board approve the proposed amendments to policy 1102.01 Retention of Outside Counsel and 1102.02 Payment of Outside Counsel for first reading. No vote was taken.

A substitute motion was made by Ms. Robinson, seconded by Ms. Whitten, to recommend that the Board approve the amendment to 1102.01 Retention of Outside Counsel and the amendment to 1102.02 (D) Payment of Outside Counsel which reflects a cap of 25% instead of \$250,000 for first reading as referenced by committee agenda item #3 in the Board Book. The motion passed on a 4 to 1 vote. The following committee members voted for the motion: Dr. Stacy Davidson, Mr. Bob Owens, Ms. Robin Robinson, and Ms. Amy Whitten. **Mr. Scott Ross voted against the motion.**

4. **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 #4 in the Board Book.

5. **Other Business**

Mr. Van Gillespie, Special Assistant Attorney General for the Office of the Attorney General University Division, responded to a prior inquiry concerning the amount that the Board has spent on outside counsel fees for this fiscal year as compared to the previous fiscal year. In FY 2004 IHL spent \$677,265.18 on outside counsel fees. In FY 2005 IHL spent \$750,140.56.

6. **Update on Gaming Case**

The committee received the final judgment and an update on the case styled *IHL vs. State* as referenced by committee agenda item #6 in the Board Book.

7. **Administrative Procedures Act Update**

The committee received an update about the Administrative Procedures Act in relation to IHL as referenced by committee agenda item #7 in the Board Book.

8. **Other Business** - Dr. Crofts introduced Ms. Keyla McCullum, Special Assistant Attorney General, and welcomed her to IHL. Ms. McCullum will be serving in the Office of the Attorney General University Division.

9. **Executive Session**

On motion by Ms. Whitten, and unanimously passed by those present, 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. Ross, and unanimously passed by those present, 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 legal matter at Mississippi Valley State University.

Discussion of a legal matter at the University of Mississippi Medical Center.

Discussion of a legal matter at The University of Mississippi.

On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee voted to return to Open Session.

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On motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a tort claim case at MVSU as referenced by committee agenda items #8 in the Board Book.

On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a tort claim case at UMMC as referenced by committee agenda item #9 in the Board Book.

On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a Workers' Compensation case at UM as referenced by committee agenda item #10 in the Board Book.

10. **Quarterly Litigation Expense Reports**

The committee received the quarterly litigation expense reports relating to the IHL Tort Plan, IHL Workers' Compensation Plan, and UMMC Tort Plan as referenced by committee agenda item #5 in the Board Book.

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

**Governance Committee
Thursday, July 21, 2005**

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

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

On motion by Dr. Magee, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to policy 702.04 Tuition Approval Process as referenced by committee agenda item #1 in the Board Book.

2. **Amendments to Board Policies and Bylaws**

On motion by Dr. Neely, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve, for first reading, the additional amendment of Board Policy 301.0512 Meeting Rules of Order Rule 3 as follows: in the second paragraph delete "unanimous consent" and insert "a 2/3 vote" and in the fifth paragraph delete "the provisions below" and insert the appropriate reference.

On motion by Mr. Patterson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the additional amendment of Board Policy 301.0512 Meeting Rules of Order, Rule 9 to include the sentence, "Additionally, the maker may withdraw a motion with the consent of the member who seconded the motion."

On motion by Mr. Patterson, seconded by Dr. Neely, and unanimously passed by those present, the committee recommended that the Board approve the originally proposed amendments to Board Policy 301.0512 Meeting Rules of Order for first reading, as referenced by committee agenda item #2 in the Board Book.

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On motion by Dr. Neely, seconded by Mr. Patterson, and unanimously passed those present, the committee recommended that the Board approve the amendments to Board Policy 201.0402 Procedures for Changing Board Policies and Adopting New Policies for first reading and the additional amendment to delete the language “a majority of a quorum of” and “at a properly noticed Board meeting,” as referenced by committee agenda item #2 in the Board Book.

3. ***Amendments to Board Policies and Bylaws***

On motion by Dr. Magee, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to Board Policy 401.0102 Delegation of Authority for first reading as referenced by committee agenda item #3 in the Board Book.

4. ***Amendments to Board Policies and Bylaws***

On motion by Mr. Blakeslee, seconded by Mr. Patterson, and unanimously passed by those present, the committee recommended that the Board approve a new Board Policy 403.0105 Appeals of Faculty Terminations and Denials of Tenure to the Commissioner of Higher Education for first reading. The committee further recommended approval of renumbering and amending Board Policy 403.0106 Appeals of Faculty Terminations and Denials of Tenure to the Board of Trustees for first reading as referenced by committee agenda item #4 in the Board Book.

5. ***Amendments to Board Policies and Bylaws***

A motion was made by Mr. Blakeslee and seconded by Dr. Neely, to recommend that the Board approve the proposed amendments to Board Policy 901.03 Facilities Staff Responsibilities for first reading as referenced by committee agenda item #5 in the Board Book. The motion passed on a 4 to 1 vote. Committee members voting for the motion were: Dr. D. E. Magee (Chair), Mr. Ed Blakeslee, Dr. Bettye Neely, and Mr. Aubrey Patterson. **Mr. Scott Ross voted against the motion.**

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

**Strategic Planning Committee
Thursday, July 21, 2005**

The meeting was brought to order by Ms. Whitten, Chair. The following item was discussed:

1. **USM’s Strategic Plan**

On motion by Ms. Whitten, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the FY 2007-2011 System Strategic Plan, as referenced by committee agenda item #1 in the Board Book.

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

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
July 21, 2005**

**Budget, Finance & Audit Committee
Thursday, July 21, 2005**

Mr. Patterson reconvened the committee meeting to discuss the following items:

7. **Tuition Stabilization Plan**

On motion by Ms. Robinson, seconded by Ms. Newton, with Mr. Thomas Colbert, Mr. Klumb, and Mr. Bob Owens absent and not voting, the committee recommended that the Board approve the amendments to Board Policies 702.05 Assessment Procedures and 703.05 Categories of Scholarships and Tuition Waivers and for first reading, as follows:

- a. Recommended to change the terminology in the *Board Policies and Bylaws* by changing the term “tuition and required fees” to “tuition,” in order to reflect current policy.
- b. Recommended that tuition waivers to employees and their dependents be reflected as a benefit of employment in the *Board Policies and Bylaws* since the privilege exists only by virtue of employment and approved the removal of the grade point average requirement. The suggested language would read “the student receives the benefit as long as he or she maintains enrollment at the institution.”

**Commissioner Search Committee Report
Thursday, June 23 2005**

The committee was brought to order Ms. Virginia Shanteau Newton, Chair.

1. **Executive Session**

On motion by Mr. Patterson, and unanimously passed by those present, the committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Patterson, seconded by Mr. Blakeslee, and unanimously passed by those present, 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 personnel matter at the Board Office.

On motion by Mr. Blakeslee, seconded by Ms. Whitten, and unanimously passed by those present, the committee voted to return to Open Session.

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

The following committee members attended the meeting: Ms. Virginia Shanteau Newton (Chair), Mr. Ed Blakeslee, Mr. Aubrey Patterson, and Ms. Amy Whitten.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
July 21, 2005**

ADJOURNMENT

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

Virginia Shanteau Newton

President, Board of Trustees of State Institutions of Higher Learning

Richard A. Crofts

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
July 21, 2005**

EXHIBITS

- | | |
|------------|---|
| Exhibit 1 | A list of the 124 Hour Exceptions requests. |
| Exhibit 2 | Report on the institutional accreditation visits and status changes from July 1, 2004 through June 30, 2005. |
| Exhibit 3 | Amendments to the <i>Board Policies and Bylaws</i> – 702.05 Assessment Procedures – for first reading. |
| Exhibit 4 | Amendments to the <i>Board Policies and Bylaws</i> – 703.05 Categories of Scholarships and Tuition Waivers – for first reading. |
| Exhibit 5 | Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the June 16, 2005 Board meeting. |
| Exhibit 6 | Amendments to the <i>Board Policies and Bylaws</i> – 1102.01 Retention of Outside Counsel and to 1102.02 Payment of Outside Counsel– for first reading. |
| Exhibit 7 | Final Judgment in the case styled <i>IHL vs. State</i> . |
| Exhibit 8 | Administrative Procedures Act Analysis as it pertains to IHL. |
| Exhibit 9 | Amendments to the <i>Board Policies and Bylaws</i> – 301.0512 Meeting Rules of Order and to 201.0402 Procedures for Changing Board Policies and Adopting New Policies – for first reading. |
| Exhibit 10 | Amendments to the <i>Board Policies and Bylaws</i> by replacing 403.0105 Appeals with new language and renumbering and amending 403.0105 Appeals to become 403.0106 Appeals of Faculty Terminations and Denials of Tenure to the Board of Trustees – for first reading. |

EXHIBIT 1

124 CREDIT HOUR EXCEPTION REQUESTS IN ACCORDANCE WITH *BOARD POLICIES AND BYLAWS 504.0101*

◆ **Approve** the following requests for exceptions with recommended hours (53 programs in 12 disciplines – Architecture, Computer Science, Dance, Dietetics, Forestry, Engineering, Music, Music Education, Music Therapy, Nursing, Pharmacy, and Theatre):

Institution	CIP	Proposed Hours	Recommended Hours	Degree	Program Title	Reason for Recommending Exception
MSU	30501	128	128	BS....	Forestry	Applicants seeking certification through the Wildlife Society are required to have completed a curriculum in excess of 124 hours.
MSU	40201	152	152	BArch.	Architecture	Program has a fifth year component in Jackson.
JSU	110101	128	128	BS....	Computer Science	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	110101	128	128	BS....	Computer Science	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	110101	128	128	BSCS..	Computer Science	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
ASU	131312	133	130	BMed..	Music Education	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
DSU	131312	134	130	BMed..	Music Education	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
JSU	131312	127.5	130	BMed..	Music Education	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	131312	128	130	BMed..	Music Education	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
MUW	131312	138	130	BM....	Music Education	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
MVSU	131312	138	130	BMed..	Music Education (Instrumental)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
MVSU	131312	135	130	BMed..	Music Education (Vocal)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
MVSU	131312	130	130	BMed..	Music Education (Keyboard)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
UM	500901	127	130	BM....	Music Education (Instrumental - String)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
UM	500901	128	130	BM....	Music Education (Instrumental - Wind/Percussion)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
UM	500901	129	130	BM....	Music Education (Keyboard)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
UM	500901	133	130	BM....	Music Education (Principal - Vocal)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
USM	131312	140	130	BMed..	Music Education (Instrumental, Choral/Vocal, Choral/Guitar, & Choral/Piano)	Music Education programs are commonly granted exceptions in states with 124 hour or less policy.
UM	140101	127	127	BE....	Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	140201	128	128	BS....	Aerospace Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	140501	128	128	BS....	Biological Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.

Institution	CIP	Proposed Hours	Recommended Hours	Degree	Program Title	Reason for Recommending Exception
MSU	140701	128	128	BS....	Chemical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	140701	132	128	BSChE.	Chemical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
JSU	140801	128	130	BS....	Civil Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	140801	131	130	BS....	Civil Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	140801	130	130	BSCE..	Civil Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
JSU	140901	128	128	BS....	Computer Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	140901	128	128	BS....	Computer Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
JSU	141001	128	128	BS....	Telecommunication Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	141001	128	128	BS....	Electrical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	141001	133	128	BSEE..	Electrical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	141901	128	128	BS....	Mechanical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	141901	128	128	BSME..	Mechanical Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	143501	128	128	BS....	Industrial Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
UM	143901	137	137	BSGE..	Geological Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
MSU	149999	128	128	BS....	Software Engineering	College of Engineering programs are commonly granted exceptions in states with 124 hour or less policy.
DSU	190101	144	144	BS....	Family and Consumer Science (Child Development-Nutrition Dietetics)	Program has a fifth year component.
USM	500301	136	136	BFA...	Dance (Performance and Choreography)	This is the only accredited dance program in the state and one of five similar programs in the country.
USM	500301	136	136	BFA...	Dance (Dance Education)	This is the only accredited dance education program in the state and one of six similar programs in the country.
UM	500501	129	129	BFA...	Theatre Arts	This is a professional degree.
USM	500501	129	129	BFA...	Theatre	This is a professional degree.
ASU	500903	124	130	BM...	Music	This is a professional degree.
DSU	500901	124	130	BM...	Music	This is a professional degree.
JSU	500903	124	130	BM...	Performance	This is a professional degree.
UM	500901	129	130	BM...	Music	This is a professional degree.
USM	500901	132	130	BM...	Music	This is a professional degree.
ASU	511601	129	128	BSN...	Nursing	College of Nursing programs are commonly granted exceptions in states with 124 hour or less policy.
DSU	511601	128	128	BSN...	Nursing	College of Nursing programs are commonly granted exceptions in states with 124 hour or less policy.
MUW	511601	129	128	BSN...	Nursing	College of Nursing programs are commonly granted exceptions in states with 124 hour or less policy.

Institution	CIP	Proposed Hours	Recommended Hours	Degree	Program Title	Reason for Recommending Exception
UMMC	511601	126	126	BSN...	Nursing	College of Nursing programs are commonly granted exceptions in states with 124 hour or less policy.
USM	511601	130	128	BSN...	Nursing	College of Nursing programs are commonly granted exceptions in states with 124 hour or less policy.
UM	512099	142	142	BS....	Pharmaceutical Sciences	This degree is granted after completion of the fourth year in the six year doctoral program.
MUW	512305	130	130	BM....	Music Therapy	Music therapy programs are commonly granted exceptions in states with 124 hour or less policy.

◆ Summary of Recommendations

- Of the 53 requests for exceptions:
 1. Eighteen (18) are in engineering (27%) – all institutions with programs asked for exceptions and all were recommended for exceptions though not all at what was requested.
 2. Thirteen (13) are in music education (20%) – all institutions with programs asked for exceptions and all were recommended for exceptions though not all at what was requested.
 3. Five (5) were in nursing (8%) – all institutions with programs asked for exceptions and all were recommended for exceptions though not all at what was requested.
 4. Three (3) were in school of engineering’ computer science (5%) – all institutions with programs asked for exceptions and all were recommended for exceptions as requested.
 5. Two (2) were in music (4%) – all institutions with programs did not ask for exceptions; however, exceptions were recommended for all of the programs.
 6. Two (2) were in theatre (4%) – all institutions with programs asked for exceptions and all were recommended for exceptions as requested.
 7. Seven (7) were single institution programs (11%) – all institutions with programs asked for exceptions and all were recommended for exceptions though not all at what was requested.

◆ Mississippi Department of Education Considerations

- According to the Mississippi Department of Education’s Teacher Education Process Standards (effective January 2006), teacher candidates are required to complete specific programs of study which shall include, but is not limited to the following courses (or their equivalents).

<u>Course</u>	<u>Program Credit Hours as Required by the Mississippi Department of Education</u>		
	<u>K-3</u>	<u>K-6* or K-6 with 4-8 Subject Area**</u>	<u>7-12***</u>
English	12	12	
Mathematics	9	9	
Science	9	9	
Social Studies	12	12	
Fine Arts/Teaching of Fine Arts	6	6	
Reading	15	15	
Special Education	3	3	3
Classroom Management	Not Specified	Not Specified	Not Applicable
Data Analysis/Evaluation	Not Specified	Not Specified	Not Applicable
Middle Grade Pedagogy	Not Applicable	Not Specified	Not Applicable
Pedagogy/Literacy/Reading Integration	Not Applicable	Not Applicable	Not Specified

* [K-6] = 18 semester hours of academic content courses, a total which can include 3 semester hours of academic pedagogy courses in each of the concentration areas.

** [4-8 Subject Area] = 21 semester hours of academic content courses, a total which can include 3-6 hours of pedagogy courses in each of the concentration areas.

***[7-12] = Must have a major in an academic content area licensed by the state.

- However, the Chief Academic Officers would like the Board to be aware that the impact of the State Board of Education on university curricula through teacher licensure requirements is an important issue.

EXHIBIT 2

INSTITUTIONAL ACCREDITATION ANNUAL REPORT

In accordance with Board Policy 502.02 (2), institutional accreditation visits and status changes from July 1, 2004 through June 30, 2005 have been as follows:

Area	Accreditation Agency	Date of Visit	Reason for Visit	Required Institutional Action	Accreditation Agency Action
ASU					
Nursing (MS)	National League for Nursing	10/05	Continuing accreditation		Continuing accreditation for 8 years (2012)
Baccalaureate and Graduate Education	Mississippi Department of Education	04/05	Continuing State approval		Approved for 1 year (2006)
Dietetics and Nutrition	American Dietetic Association	03/05	Continuing accreditation	Response submitted in 05/05	Results pending
Family and Consumer Sciences	American Association of Family and Consumer Sciences	03/05	Continuing accreditation		Results pending
DSU					
Institutional	Southern Association of Colleges and Schools (Commission on Colleges)		Continuing accreditation	Monitoring Report due 09/22/05 to address CS 3.3.1 (Institutional Effectiveness), Recommendation 2	Continuing accreditation for 10 years (2014)
Family and Consumer Science (BS)	Commission on Accreditation for Dietetics Education		Initial accreditation	Interim report due no later than 07/01/07 to clarify documentation of Standard One: Program Planning and Outcomes Assessment	Accreditation for 10 years (2015)
Family and Consumer Sciences	American Association of Family and Consumer Sciences	03/05	Continuing accreditation		Results pending
College of Business	Association of Collegiate Business Schools and Programs	03/05	Continuing accreditation	Status report due 8-1-06 on Standards 4.3, 5.4, and 6.1(b)	Continuing accreditation for 10 years (2015)
Social Work (BSW)	Council on Social Work Education	04/05	Continuing accreditation		Results pending
Athletic Training (BS)	Commission for the Accreditation of Allied Health Education Programs (Joint Review Commission on Athletic Training Staff)	04/05	Continuing accreditation	Deferred accreditation application until September 2005	Results pending
Baccalaureate and Graduate Education, Educational Leadership	Mississippi Department of Education	05/05	Continuing State approval		Approved for 1 year (2006)
JSU					
Baccalaureate and Graduate Education, Educational Leadership	Mississippi Department of Education	04/05	Continuing State approval		Approved for 1 year (2006)
Computer Science	Accreditation Board for Engineering and Technology (Computing Accreditation Commission)	10/03 but findings released 8/04	Continuing accreditation		Continuing accreditation for 6 years (2008)
Clinical Psychology (PhD)	American Psychological Association	3/05	Continuing accreditation	Response to the evaluators' report	Results pending
MSU					
Baccalaureate and Graduate Education, Educational Leadership	Mississippi Department of Education	4/05	Continuing State approval	Rejoinder for Educational Leadership	Approved for 1 year (2006)
Psychology	American Psychological Association		Continuing accreditation		Continuing accreditation for 3 years (2007)
Public Policy and Administration (MPPA)	National Association of Schools of Public Affairs and Administration		Initial accreditation	Submission of additional information	Provisional accreditation for 6 years (2011)

Area	Accreditation Agency	Date of Visit	Reason for Visit	Required Institutional Action	Accreditation Agency Action
Music (BA, BME)	National Association of Schools of Music		Continuing accreditation		Continuing accreditation for 10 years (2015)
Social Work (BS in Meridian)	Council on Social Work Education		Continuing accreditation		Continuing accreditation for 8 years (2013)
Architecture (BA)	National Architectural Accrediting Board		Continuing accreditation		Continuing accreditation for 5 years (2010)
MUW					
Institutional	Southern Association of Colleges and Schools (Commission on Colleges)			Monitoring Report submitted in 09/04	No additional reporting required before next affirmation
Baccalaureate and Graduate Education	National Council for Accreditation of Teacher Education	11/04	Continuing accreditation		Continuing accreditation for 5 years (2009)
Baccalaureate and Graduate Nursing	Commission on Collegiate Nursing Education	04/05	Continuing accreditation		Results pending
Baccalaureate and Graduate Education	Mississippi Department of Education	04/05	Continuing State approval		Approved for 1 year (2006)
MVSU					
Baccalaureate and Graduate Education	Mississippi Department of Education	05/05	Continuing State approval		Approved for 1 year (2006)
Computer and Information Science (BS)	Accreditation Board for Engineering and Technology	10/04	Initial accreditation		Results pending
Environmental Health (MS)	National Environmental Health Science and Protection Accreditation Council	04/05	Initial accreditation		Accreditation for 6 years (2011)
UM					
Chemical (BSCHE), Civil (BSCE), Electrical (BSEE), Geological (BSGE), and Mechanical (BSME) Engineering	Accreditation Board for Engineering and Technology (Engineering Accreditation Commission)	11/04	Continuing accreditation		Results pending
Park and Recreation Management (BAPRM)	National Recreation and Park Association	04/05	Continuing accreditation		Results pending
Family and Consumer Sciences	American Dietetic Association	11/04	Continuing accreditation		Results pending
Theatre Arts (BA, BFA)	National Association of Schools of Theatre	02/04	Initial accreditation		Accreditation for 5 years (2010)
Law (JD)	American Bar Association	03/05	Continuing accreditation		Results pending
Journalism (BA)	Accrediting Council on Education in Journalism and Mass Communication	03/05	Continuing accreditation		Continuing accreditation for 6 years (2011)
Baccalaureate and Graduate Education, Educational Leadership	Mississippi Department of Education	05/05	Continuing State approval		Approved for 1 year (2006)
UMMC					
Occupational Therapy	Accreditation Council for Occupational Therapy Education			Progress report in response to citation in 05/04	Continuing accreditation extended for three years (2014)
Clinical Laboratory Sciences	National Accrediting Agency for Clinical Laboratory Science	04/05	Continuing Accreditation		Results pending
USM					
Institutional	Southern Association of Colleges and Schools (Commission on Colleges)			Monitoring Report submitted in 08/05	Results pending
Mass Communications	Accrediting Council on Education in Journalism and Mass Communication	02/05	Continuing accreditation		Results pending
Library and Information Science	American Library Association	03/05	Continuing accreditation		Continuing accreditation for 7 years (2012)
Medical Technology	National Accrediting Agency for Clinical Laboratory Science	10/04	Continuing accreditation		Continuing accreditation for 7 years (2011)
Baccalaureate and Graduate Education, Educational Leadership	Mississippi Department of Education	04/05	Continuing State approval		Approved for 1 year (2006)

EXHIBIT 3

702.05 ASSESSMENT PROCEDURES

To the extent possible, procedures for assessing tuition, ~~required fees~~, and participation/optional fees shall be consistent between and among the institutions. Assessment procedures shall be reported to the Board by the Commissioner at the time of submission of the annual request to establish tuition ~~and required fees~~ and room and board charges.

EXHIBIT 4

703.05 CATEGORIES OF SCHOLARSHIPS AND TUITION WAIVERS

- I. **Staff Tuition Waivers (Move to Section 801.14-includes Revision to Policy)** - Full-time faculty and staff of the State Institutions of Higher Learning may, with the approval of the appropriate Institutional Executive Officer, register without tuition for up to six (6) undergraduate or graduate credit hours per term at the institution where they are employed.

Full-time employees in the Executive central office of the Board may, with the approval of the Commissioner, register without tuition for up to six (6) undergraduate or graduate credit hours per term at any institution of higher learning under the governance of the Board.

Staff tuition waivers shall be accounted for and reported at the face value of the tuition being waived in the appropriate functional category.

- J. **Dependent Tuition Waivers** - The Dependent Tuition Waiver ~~policy~~ employee benefit for the state institutions applies to all single, dependent children of full-time faculty and staff of the universities and full-time employees of the ~~Board~~ Executive Office.

In order to receive an undergraduate tuition waiver for 50 percent of the total tuition, the dependent must gain admission to the university where the parent or legal guardian is employed and make a formal written request to the Office of Financial Aid of the respective institution.

Single, dependent children of continuing employees hired prior to July 1, 1977, are eligible for full waiver of undergraduate tuition at the appropriate institutions because of the grandfather clause included in April 28, 1977, minutes of the Board.

1. **Continued Eligibility** - A single, dependent child may receive an undergraduate tuition waiver benefit (consistent with the continued employment of the parent or guardian) which may be continued ~~if the student maintains a 2.5 cumulative grade point average at the institution~~ until the degree requirements for one baccalaureate degree are met or until age 25, whichever comes first.
2. Dependent tuition ~~and fee waivers~~ shall be accounted for and reported at the face value of the tuition being waived in the appropriate functional category.

EXHIBIT 5

Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the June 16, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities.

JACKSON STATE UNIVERSITY

Approved Change Order #8 in the deductive amount of \$16,804.94 for GS #103-202, Transitional Dormitory Phase II, and requested approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available from Senate Bill #3315, Laws of 2000.

MISSISSIPPI UNIVERSITY FOR WOMEN

Approved Change Order #1 in the deductive amount of \$8,912 for GS #104-136, Hi-Voltage System Upgrades, and requested approval by the Bureau of Buildings. Funds are available in the project budget.

MISSISSIPPI STATE UNIVERSITY

Approved the purchase of furniture for Pace Seed Laboratory, GS #113-105 in the amount of \$38,062 and requested approval by the Bureau of Buildings. Funds are available from S.B. 3197, Laws of 2002.

Approved the Construction Documents for Memorial Hall Storm Damage, GS #105-305, and requested approval and advertising for receipt of bids by the Bureau of Buildings. Funds will be provided from S. B. 3158, Laws of 2001, in the amount of \$75,000, and from the Division of Academic Outreach and Continuing Education in the amount of \$19,827, for a total budget of \$94,827.

Approved the Design Development Documents and estimates prepared by JH & H Architects for IHL #205-199, McCool Hall Addition/Renovation. Funds are available from private gifts in the amount of \$10,000,000.

Approved Change Order #2 in the amount of \$10,303.86 with an increase of 3 days to the contract for GS #113-07, Renovation of Pace Seed Technology and requested approval by the Bureau of Buildings, Grounds, and Real Property Management. Funds are available in the project budget.

MISSISSIPPI VALLEY STATE UNIVERSITY

Approved the design revisions for the Schematic Design Documents for Science & Technology Building, GS #106-173, and requested approval by the Bureau of Buildings. These changes were necessary so that the cost could be in line with the available budget.

Approved Change Order #3 in the amount of \$9,646.58 for Campus Water System, GS #106-186 with an additional 34 days to the contract time and requested approval by the Bureau of Buildings. Funds are available from the project contingency.

Approved Change Order #1 in the amount of \$2,956 for Administration Building Repairs, Phases A and B, GS #106-202 and requested approval by the Bureau of Buildings. This change order is to cover the cost of asbestos removal in the Administration Annex II, Carpenter Administration Building and repairs to the ceiling grid system in Room #132. Funds are available in the project budget.

Approved the request of the university to proceed with Construction Change Directive #1 not to exceed \$10,000 for Campus Water System, GS #106-186 and requested approval by the Bureau of Buildings. This change is needed to cover an increase in the contract sum for construction of a new shallow water well and installation of a pump. Funds are available in the project budget.

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Approved Change Order #1 in the amount of \$8,381 with an increase of 7 calendar days to the contract of Wilkerson Construction Company for Landscape Improvements 2004, IHL #209-485. Funds are available from Interest Income.

UNIVERSITY OF SOUTHERN MISSISSIPPI

Approved Change Order #1 in the amount of \$10,255.13 for Paving, Lighting, and Storm Drainage Gulf Park, GS# 108-203 and requested approval from the Bureau of Buildings, Grounds, and Real Property Management. This Change Order provides for labor and materials for installation a storm drain pipe. Funds are available in the project budget.

Approved Change Order #2 in the amount of \$30,360.00 with an increase of forty-five (45) days to the contract for Paving, Lighting, and Storm Drainage Gulf Park, GS #108-203 and requested approval from the Bureau of Buildings, Grounds, and Real Property Management. The change provides labor and materials for installation of two additional light poles, removal of 9 existing poles, and an additional 740 feet of conduit. Funds are available in the project budget.

EDUCATION AND RESEARCH CENTER

Approved Change Order #1 in the amount of \$6,731 with an additional 93 days to the contract time for GS #111-035, 2004 Mississippi Education and Research Renovation, Phase II and requested approval by the Bureau of Buildings. Funds are available in the project budget.

EXHIBIT 6

1102 RETENTION AND PAYMENT OF OUTSIDE COUNSEL*

1102.01 RETENTION OF OUTSIDE COUNSEL

- A. **Request for Outside Counsel.** A request for outside counsel may be submitted by the University to the Attorney General through the Attorney General's Universities Division. The request should include (1) the name and address of the attorney requested, (2) a brief description of the services to be provided, (3) the maximum hourly rate to be paid, and (4) the maximum amount budgeted for payment by the University in the current and succeeding fiscal years.
- B. **Approval by the Attorney General.** Upon receipt of the request, a determination will be made as to whether the matters at issue should be handled by the Attorney General's staff, University Counsel, or outside counsel. If it is determined that the matter should be handled by outside counsel, the Attorney General may approve the outside counsel requested or may approve other outside counsel.
- C. **Approval by the Commissioner/IHL Board of Trustees.** Following approval by the Attorney General, the University should prepare and submit an agenda item to the IHL Board of Trustees through the Commissioner for approval. Board approval includes approval of hiring the outside counsel and approval of paying the outside counsel. The agenda item shall include the specific hourly rate to be paid to the attorney(s) for which approval is requested, as well as the maximum amount budgeted for payment to the attorney/firm in the current and succeeding fiscal years.
- D. **Contract for Legal Services.** Following approval by the Attorney General and the IHL Board of Trustees, a contract for legal services will be forwarded by the Attorney General's Universities Division to the Institutional Executive Officer, outside counsel, and the Attorney General for execution. Following execution, fully executed originals will be returned to the Institutional Executive Officer, outside counsel, and the Attorney General. The agreement will be used to review and approve legal fees and expenses payable thereunder.

*Please note that these procedures do not apply to matters falling exclusively within the Mississippi Tort Claims Act. Assignments under the Mississippi Tort Claims Act are made by the IHL Risk Manager from the list of approved attorneys. Tort claims invoices are submitted directly to the third party claims administrator and are paid in accordance with the IHL Tort Claims Plan.

Please note that these procedures do not apply to workers' compensation matters. Assignments for workers' compensation matters are made by the Attorney General by way of request from the IHL Risk Manager and the third-party claims administrator. Workers' Compensation invoices are submitted directly to the third-party claims administrator. The invoices are paid in accordance with the IHL Workers' Compensation Plan.

Please note that these procedures do not apply to *Ayers*-related legal fees. *Ayers*-related legal fees will continue to be submitted for Board approval following approval by the Attorney General.

PAYMENT OF OUTSIDE COUNSEL

- A. **Submission of Invoice.** Following receipt and approval of an invoice by the University, the invoice, with approval noted, should be forwarded to the Attorney General's Universities Division.
- B. **Approval of Invoice.** The invoice will be reviewed and compared to the contract authorizing the services and fees. Upon approval by the Attorney General, the invoice will be forwarded to the ~~Commissioner of Higher Education~~ for review and approval. ~~Following review and approval, the Commissioner of Higher Education will notify the~~ Attorney General's Universities Division. The Attorney General's Universities Division will forward an approval letter to the University.
- C. The Attorney General's Universities Division will report to the IHL Board of Trustees, through the Legal Committee, the outside counsel fees and expenses approved during the previous month.
- D. The Board hereby authorizes the Commissioner, on the Board's behalf, to approve an increase in the Board approved maximum amount budgeted for payment to outside counsel, up to \$250,000.00 and subject to approval by the Attorney General's Office, in the event the original Board approved maximum amount for payment is subsequently determined by the Commissioner to be insufficient to complete legal representation. Any increase in the maximum amount budgeted for payment which would exceed \$250,000.00 requires Board approval.

**ATTEST A TRUE COPY
FILED**

**IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI**

JUL 18 2005

EDDIE JEAN CARR, CHANCERY CLERK



[Signature] D.C.

**BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING,**

PLAINTIFF,

VS.

CAUSE NO. G-2004-001611

THE STATE OF MISSISSIPPI,

DEFENDANT.

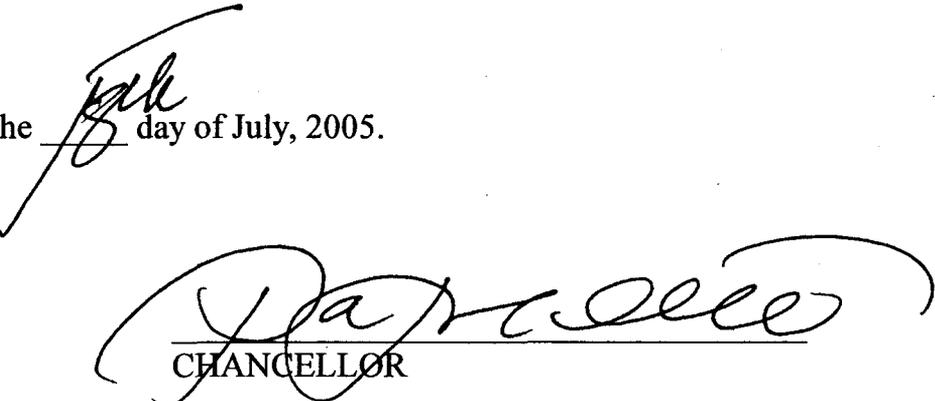
FINAL JUDGMENT

This cause came before the Court on Motion by the Board of Trustees of State Institutions of Higher Learning for Declaratory Judgment on the Pleadings, or in the Alternative, for Cross Motion for Summary Judgment and on Motion by the State of Mississippi for Summary Judgment. The Court conducted a trial on the merits where it heard testimony, argument of counsel, and received briefs and proposed findings of fact and conclusions of law on the issues at trial and the pending motions. The Court issued its Order and Opinion of the Court dated July 1, 2005, which is incorporated herein by reference. Based on these proceedings, it is, therefore,

ORDERED, ADJUDGED AND DECREED the Motion for Summary Judgment of the State of Mississippi is denied; Cross Motion for Summary Judgment of the Board of Trustees of State Institutions of Higher Learning is denied; and the Board of Trustees

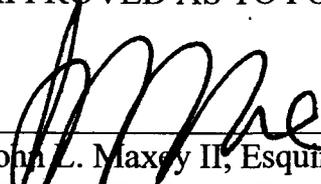
of State Institutions of Higher Learning's Motion for Declaratory Judgment on the Pleadings is granted based on the findings and conclusions set forth in the Court's Order and Opinion of July 1, 2005.

SO ORDERED, this the 15th day of July, 2005.



CHANCELLOR

APPROVED AS TO FORM:



John L. Maxey II, Esquire (#1946)
Venecca G. Green, Esquire (#100730)
Attorneys for Board of Trustees of State
Institutions of Higher Learning



Harold E. Pizzetta III, Esquire
Billy Berryhill, Esquire
Attorneys for State of Mississippi

EXHIBIT 8

ADMINISTRATIVE PROCEDURES ACT ANALYSIS

Under §25-43-1.102 of the Mississippi Administrative Procedures Law, "Rule" means an agency regulation that implements, interprets or prescribes:

- 1) law,
- 2) policy, or
- 3) the organization, procedure or practice requirements of an agency (including the amendment, repeal or suspension of an existing rule).

Exemptions from the definition of "Rule", found within §25-43-1.102, that are likely applicable to the Policies and Bylaws of the Board of Trustees of State Institutions of Higher Learning (IHL) include:

- 1) Regulations concerning only the internal management of an agency which do not directly and substantially affect the procedural or substantive rights or duties of any segment of the public;
- 2) Regulations and guidelines for agency staff in performing audits, investigations or inspections, settling commercial disputes, negotiating commercial arrangements or in the defense/prosecution/settlement of cases if disclosure of the guidelines would:
 - a) enable law violators to avoid detection,
 - b) facilitate disregard of the law, or
 - c) give clearly improper advantage to people in adverse positions to the State;
- 3) A regulation that only establishes specific prices to be charged for particular goods/services sold by the agency;
- 4) A regulation concerning only the physical servicing, maintenance or care of agency owned or operated facilities/property;
- 5) Regulations relating to the use of a particular facility/property owned, operated or maintained by the state, if the regulations are adequately indicated by means of signs or signals to persons who use the facility or property;
- 6) A regulation directly related only to students enrolled in an educational institution, if adopted by that institution (also regulations directly related to patients in a hospital, if adopted by the hospital); and,
- 7) An agency budget.

Under the Administrative Procedures Law, agencies are required, among many other things, to adopt as a rule, a description of the organization of the agency which states the general course and method of operations, as well as where and how the public may obtain information from the agency, or make submissions or requests. Also, agencies must adopt rules of practice setting forth the nature and requirements of all formal and informal proceedings available to the public (see Miss. Code Ann. §25-43-2.104). Therefore, the definition of "Rule" under this Act becomes very important in determining what the rules of practice of IHL are. This review of the *Policies and Bylaws* of the Board attempts to differentiate between those policies and bylaws which would fall under the definition of "rule". Consideration should be given to filing the following policies and bylaws:

Section 100

101.01	These general statements/policies could be submitted as our required rules on methods of operation. They state what the agency does. They should also include how the public can contact the agency.
101.02	
101.03	

Section 200

201.0101	These policies also concern rules on our methods of operation.
201.0102	
201.04	
201.0402	
201.0403	

Section 300

301.0804	This Public Records policy should be included in operational rules.
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Section 800

801.01	These subsections should be included in IHL's rules on methods of operation.
801.02	
801.03	
801.04	
801.13	

EXHIBIT 9

PROPOSED MEETING RULES OF ORDER

PROPOSED MEETING RULES OF ORDER	COMMENTS
<p>301.0512 MEETING RULES OF ORDER Meetings of the Board and its committees shall be conducted in accordance with controlling statutes and applicable bylaws, regulations, or policies. In the absence of such statutes, bylaws, regulations, or policies, meetings shall be conducted in accordance with the following Rules of Order. Inquiries outside the scope of these Rules and directed at parliamentary procedures will be resolved by reference to Robert's Rules of Order.</p>	
<p>Rule 1: Presiding Officer The President of the Board shall be the presiding officer at official Board functions. In his or her absence, the Vice President of the Board shall preside. In the absence of both, the President of the Board may appoint a President Pro Tempore to preside at a Board function. For committee meetings, the chair of the subject committee shall be the presiding officer. In his or her absence, the President of the Board, who is <u>ex officio</u> a member of all committees, shall preside.</p>	
<p>Rule 2: Convening Meetings The Board and its committees shall convene at the times and places announced by public notice and as required by law, policy, or Board action.</p>	
<p>Rule 3: Quorums, Agenda, Other Business, and Rulings of the Presiding Officer A quorum for the transaction of business shall be a minimum of eight members of the Board. For committees, a quorum shall be a majority of the members. In the absence of a quorum of the appointed members of the committee, the President of the Board may then be counted toward a quorum if present. No business may be transacted without the presence of a quorum.</p> <p>The agenda for each Board and Committee meeting shall be submitted to the members and published by the Office of the Commissioner of Higher Education prior to each meeting. Proposed agenda items arriving after publication of the agenda may only be added by unanimous consent of the members present. The presiding officer shall have the discretion to move items up or down the agenda with the consent of the majority of the Board, but may not remove items from the agenda unless so requested by the originator of the item.</p>	<p>Section 41 of Robert's Rules of Order provides that in order to change the program or agenda after its adoption, a 2/3 vote, a vote of a majority of the entire membership, or unanimous consent is required.</p>

PROPOSED MEETING RULES OF ORDER	COMMENTS
<p>Agenda items which create, amend, or eliminate policies and bylaws of the Board must have been presented and read for the first time at a prior meeting.</p> <p>Any member may request a delay in consideration of an agenda item from one meeting to the next, but no agenda item may be so delayed more than once by any member. Such a request shall not be granted if two-thirds of the Board membership present at the meeting vote to proceed immediately with consideration of the matter.</p> <p>Members may bring up non-agenda new business during Other Business. All questions relating to the priority of business and application of the Rules shall be decided by the presiding officer, with debate allowed only at the discretion of the presiding officer, subject to appeal; such appeal must be made immediately upon the ruling of the presiding officer and when made becomes the precedent motion. The appeal shall fail unless a majority of the members present vote to overturn the ruling of the presiding officer. A member may move to suspend the Rules to take immediate action upon any matter in accordance with the provisions below.</p>	<p>Page 6 of these proposed meeting rules of order suggests an alternative to the third paragraph under Rule 3. The adoption of the alternative language on page 6 would require a change in the present wording of Board Policy 201.0402, as indicated.</p> <p>Section 24 of Robert’s Rules of Order provides that the Chair’s decision stands until reversed by a majority.</p>
<p>Rule 4: Decorum and Speaking</p> <p>Members of the Board shall observe proper decorum when speaking, shall address the presiding officer, and shall refrain from derogatory and offensive language. The presiding officer shall recognize members to speak in the order in which they seek recognition. To seek recognition, members should raise their hands, or, if necessary, speak to call attention of the presiding officer. When a member is speaking, other members shall avoid side discussions and make no interruptions. The presiding officer, at his or her discretion, may limit each member to five minutes speaking time on any one issue and after each member has had the opportunity to speak once may call the question. The presiding officer shall have the authority to suspend business to remove members for abusive decorum.</p>	

PROPOSED MEETING RULES OF ORDER	COMMENTS
<p>Rule 5: Questions of Personal Privilege The right of a member to speak on a question of privilege permits a request or main motion relating to the rights and privileges of the member seeking it.</p>	
<p>Rule 6: Parliamentary Inquiries and Points of Order It shall always be in order for a member to make a parliamentary inquiry or to raise a point of order to the presiding officer. Parliamentary inquiries shall be limited to clarification of pending business. A point of order must be raised immediately upon the occurrence of an infraction of the Rules or improper decorum. Inquiries outside the scope of these Rules and directed at parliamentary procedures will be resolved by reference to Robert’s Rules of Order. The presiding officer should consult with the parliamentarian and the presiding officer will rule based on the parliamentarian’s advice.</p>	
<p>Rule 7: Voting The presiding officer shall call for a voice vote to decide motions, but any member may require a vote by show of hands. A vote shall be recorded for each member present, with the exception that a member may, in advance of the vote, abstain, and have such abstention reflected in the minutes. A member may submit a brief written statement explaining his or her vote for inclusion in the minutes.</p>	
<p>Rule 8: Seconding Motions Required Every motion shall require a second, except that a motion to close the meeting to determine the need for an executive session shall not require a second.</p>	
<p>Rule 9: Withdrawal of Motions After a motion is made and seconded it may only be withdrawn by unanimous consent.</p>	<p>Section 33c. of Robert’s Rules of Order provides that in order to withdraw a motion that is before an assembly, unanimous consent is required</p>
<p>Rule 10: Division A member may request and the presiding officer shall then divide any motion which contains two or more distinct and separable propositions.</p>	

PROPOSED MEETING RULES OF ORDER	COMMENTS
<p>Rule 11: Precedence of Motions Except where otherwise stated in these Rules, when a motion on a matter of business has been made and properly seconded, the following motions shall be in order and shall have precedence over each other in order, as listed:</p> <ul style="list-style-type: none"> · to adjourn, · to take a recess, · to lay on the table subject to the call of the presiding officer, · the previous question, · to defer or postpone, · to refer back to a committee, · to substitute, and · to amend. <p>Motions to adjourn, to recess, to lay on the table subject to call, or for the previous question shall be decided without debate. A motion to adjourn shall always be in order, except when a member is in possession of the floor; when the members are voting; when adjournment was the last preceding motion; and when it has been decided that the previous question shall be taken.</p>	
<p>Rule 12: Previous Question When a member shall move the previous question and upon a proper second, the presiding officer shall suspend all debate and put the motion for the previous question to a vote. If 2/3 of the members approve the previous question, then the presiding officer shall call for a vote on the main question without further discussion or debate.</p>	<p>The proposed rules of order have been changed to make Rule 12 consistent with Section 16 of Robert's Rules of Order which requires a 2/3 vote to approve a motion for the previous question and further close debate.</p>
<p>Rule 13: Motion to Amend An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject shall not be in order. A motion to amend a proposed amendment to a motion shall not be in order. However, after a motion to amend has been adopted, a new motion to amend shall be in order.</p>	

PROPOSED MEETING RULES OF ORDER	COMMENTS
<p>Rule 14: Motion to Substitute When a motion to substitute has been adopted, the substituted question replaces the original question and all prior amendments to said question. A motion to substitute may not be offered in place of an amendment but only for the main question.</p>	
<p>Rule 15: Reconsideration The last order of business on the agenda shall be Reconsideration. At this time any member may move that an action taken previously during the same meeting be reconsidered. Upon a proper second and a majority vote of the members, the item of business being reconsidered shall be back before the Board of Trustees and shall require further action. No item may be reconsidered twice at the same meeting. No motion to reconsider actions taken at one meeting shall be in order at a subsequent meeting; provided that when a meeting is recessed it shall be deemed to be a continuation of the original meeting when it is reconvened.</p>	<p>Section 37 of Robert's Rules of Order requires a majority vote for a motion for reconsideration.</p>
<p>Rule 16: Pending Business In the event the Board or a committee adjourns before taking action on agenda items or matters pending, the Office of the Commissioner of Higher Education shall automatically place those items on the agenda for the next meeting.</p>	
<p>Rule 17: Suspension of the Rules During consideration of Other Business, a member may move to temporarily suspend the rules in order to take up a matter of business out of order. Such motion shall also be in order at the time a member exercises his or her right to delay action on a pending matter until the next meeting. A motion to suspend the rules shall state the matter of business to be considered, must be properly seconded, and shall fail unless at least two-thirds of the membership of the Board shall vote in favor of suspension.</p>	<p>Section 25 of Robert's Rules of Order provides that a motion to suspend the rules usually requires a 2/3 vote.</p>

201.0402

PROCEDURES FOR CHANGING BOARD POLICIES AND ADOPTING NEW POLICIES

The adoption of new policies or changing existing policies is solely the responsibility of the Board. It is important that sufficient time be given to permit further study and to give interested parties an opportunity to react; therefore, no new policies nor policy revisions introduced for the first time shall be adopted until a subsequent meeting. However, after 30 days have passed since the meeting at which new policies or policy revisions were first introduced to the Board for consideration, a majority of a quorum of the Board, at a properly noticed Board meeting, may vote to adopt the new policies or revisions, even if the language of same has been further amended by the Board without waiting another 30 days for approval, as long as the notice of such meeting makes general reference to the subject of the proposed change or adoption in policy. The Board may also temporarily approve a policy to meet emergency conditions. However, discussion and a final vote must be taken before the policy shall be formally adopted.

EXHIBIT 10

403.0105 APPEALS OF FACULTY TERMINATIONS AND DENIALS OF TENURE TO THE COMMISSIONER OF HIGHER EDUCATION:

A faculty member who has been terminated or denied tenure may appeal the decision of the Institutional Executive Officer to the Commissioner of Higher Education after the faculty member has exhausted all administrative remedies at the institutional level. In the event that an appeal to the Commissioner is requested by the aggrieved party, the Institutional Executive Officer shall transmit to the Commissioner the full report of the campus review committee concerning the matter appealed.

The individual allegedly aggrieved must submit a written request for review and a statement of his complaint to the Commissioner within a thirty (30) day period following notification of the decision of the Institutional Executive Officer. The Commissioner will then consider the decision of the Institutional Executive Officer based on a review of the aggrieved party's request for appeal, written complaint, and the institutional record. No new evidence may be submitted on appeal. Review is only on the record made at the lower level.

The Commissioner may not substitute his or her judgment for the substantive decision made by the Institutional Executive Officer, unless the Institutional Executive Officer's decision was arbitrary and capricious and/or the institutional due process procedures were not followed. Appeals of decisions of the Commissioner may be appealed to the Board pursuant to the procedure set out in Board Policy 403.0106.

403.0106 APPEALS OF FACULTY TERMINATIONS AND DENIALS OF TENURE TO THE BOARD OF TRUSTEES:

1. Conditions of Appeals to the Board of Trustees:

Miss. Code Ann., Sections 37-101-7 and 37-101-15 sets forth the general obligations of the Board of Trustees of State Institutions of Higher Learning with respect to employment at the various institutions of higher learning. It is the policy of the Board to consider appeals of faculty ~~personnel decisions~~ terminations and denials of tenure only after the aggrieved faculty member has exhausted all administrative remedies at the institutional level and after appealing the termination or tenure denial to the Commissioner of Higher Education. In the event that an appeal to the Board is requested by the aggrieved party, the ~~Institutional Executive Officer~~ Commissioner shall transmit to the Board the full report of the ~~grievance/tenure~~ campus review committee concerning the matter appealed. The Commissioner shall also forward the Board a copy of his written decision from which the aggrieved party is appealing.

The individual allegedly aggrieved ~~will be allowed to~~ must submit a written request for Board review of the termination or denial of tenure and a statement of his grievance complaint to the ~~Commissioner Board~~ Commissioner within a thirty (30) day period following notification of the decision of the ~~Institutional Executive Officer~~ Commissioner. The Board will then consider the request for Board review and the written complaint in making a determination as to whether a review by the Board will be granted. No persons will appear personally before the Board unless invited.

If Board review is allowed ~~by the Board~~, only the record developed at the institution and the written decision of the Commissioner will be reviewed. Review by the Board is not a matter of right but is within the sound discretion of the Board. Review by the Board, if granted, is only on the record made at the lower level. No new evidence may be submitted on appeal.

2. Review of Appeal by the Board:

If the Board determines that a review is appropriate, the Board, upon receipt of such an appeal, shall review the records of the institutional committee's hearing and all documentation relative to the personnel decision. It may also consider the aggrieved party's written complaint to the Board and the Commissioner's written decision.

The Board reserves the right to correct an omission or other inaccuracy in the record submitted upon suggestion by either party or upon its own motion. The Board shall then determine the following:

- a. If the institutional due process procedures were followed;
and/or
- b. If the decision was arbitrary or capricious.

The Board, after reviewing the record and the written argument and documentary evidence complaint, shall affirm the decision of the ~~Commissioner Institutional Executive Officer~~ Commissioner or make another decision which shall be final and binding.