

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

**August 18, 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 Norman C. Nelson Student Union at the University of Mississippi Medical Center campus in Jackson, Mississippi, at 1:30 p.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 August 18, 2005 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, and Mr. Scott Ross. Mr. Thomas W. Colbert and Ms. Amy Whitten were absent. The meeting was called to order by Ms. Virginia Shanteau Newton, President, and opened with prayer by Dr. Robert Khayat, Chancellor of The University of Mississippi.

**ANNOUNCEMENTS**

1. Ms. Newton welcomed Dr. Khayat back to the Board meeting after his recent absence.
2. Ms. Newton asked that Dr. Michelle Roberts, who is the Executive Assistant to the President and Chief Planning Officer at Delta State University and who was sitting in for President John Hilpert today, to convey the Board's regards to Dr. Hilpert in his absence.
3. Ms. Newton thanked Dr. Dan Jones, Vice Chancellor of The University of Mississippi Medical Center and his faculty and staff for hosting the Board meeting on such short notice.

**APPROVAL OF THE MINUTES**

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

**RESOLVED**, That the Minutes of the interim and regular Board meeting held on July 21, 2005, stand approved.

**UNANIMOUS CONSENT**

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

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Educational Policies & Programs Agenda.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

1. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 601.02 Freshman Admission Requirements for University System Institutions – for first reading. **(See Exhibit 1.)**
2. **System Administration (Information item.)** - The Board was notified of the establishment of the Sally Barksdale Educational Resource Center which will house several collaborative programs between Jackson State University and the Jackson Public School District. The Center will also house the JSU Region of the America Reads Mississippi (ARM) program which places full-time literacy tutors in high needs schools.

Ms. Newton congratulated Dr. Ronald Mason, President of Jackson State University, for the establishment of the Sally Barksdale Educational Resource Center.

**BUDGET, FINANCE & AUDIT AGENDA**  
Presented by Mr. Aubrey Patterson, Chair

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

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Budget, Finance & Audit Agenda. Agenda item #2 was approved on a separate motion by Mr. Patterson, seconded by Ms. Robinson, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #3 was approved on a separate motion by Mr. Patterson, seconded by Mr. Klumb, with Mr. Colbert and Ms. Whitten absent and not voting.

1. **UMMC** - Approved the request to amend an agreement with MedQuist Transcriptions, Ltd. to provide full-service medical transcription services to the Department of Radiology. The original agreement provided direct dial dictation services and equipment, the storage on computer media of dictations concerning or relating to patients, hardware and software at no cost, and other services requested by the University. The terms of the original agreement provided for a two-year renewal on the anniversary date of September 1<sup>st</sup> and will expire on August 31, 2005. The amendment provides an extension to August 31, 2006 in order to set-up and install voice recognition to the dictation services. The amendment will not exceed \$1 million. A copy of the agreement is included in the *August 18, 2005 Board Working File*.
2. **System Administration** - Approved, for first reading, the proposed amendments to the *Board Policies and Bylaws* – Policies 702.01 General Policy, 702.02 Definitions, and 702.03 Approval of Tuition, Fees, and Other Student Charges. Policy 702.05 Assessment Procedures was approved for the final time. **(See Exhibit 2.)**
3. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 703.05 (I.) Staff Tuition Waivers and 703.05 (J.) Dependent Tuition Waivers and the renumbering of the two as 801.14 Staff and Dependent Tuition Waivers. **(See Exhibit 3.)**

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

**August 18, 2005**

4. **System Administration (Information item.)** - Mr. Brent Ballard, IHL Director of Internal Audit, presented information to the committee about a three party contract that is being developed between the State Auditor's Office, Jackson State University, and an independent CPA firm for the audit of those accounts and activities at JSU that are selected for testing as part of the 2005 IHL University System Audit.

**REAL ESTATE & FACILITIES AGENDA**

Presented by Mr. Ed Blakeslee, Chair

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

**RESOLVED**, That the Board hereby approved agenda items #1 - #8 as submitted on the following Real Estate & Facilities Agenda. Agenda item #9 was approved on a separate motion by Mr. Blakeslee, seconded by Mr. Klumb, with Mr. Colbert and Ms. Whitten absent and not voting.

1. **UM** - Approved the initiation of **IHL #207-265, Standing Seam Roof on the Inn**, to construct a standing seam roof on the Inn, and the appointment of Foil-Wyatt Architects and Planners of Jackson, Mississippi as the project professionals. The installation of this roof will bring this building more in line with the surrounding buildings on campus. The project is estimated to cost \$750,000 and funds are available from private donations and self-generated funds.
2. **USM** - Approved the initiation of **IHL #208-262, Asbestos Abatement/Demolition**, Hattiesburg Campus, for asbestos abatement and demolition of 12 buildings constructed in 1960-63 and the appointment of Allred-McNabb Architects of Pascagoula, Mississippi, as the project professionals. The project was initially undertaken based on an estimated cost of less than \$250,000, but asbestos was discovered in the roofing material of the buildings causing the estimate to rise dramatically. The Board also approved the plans and authorized the advertisement for the receipt of bids. University funds in the amount of \$750,000 will be used for this project.
3. **ASU** - Approved the design documents (all phases) as developed by Waycaster and Associates for **IHL #201-138, Renovation of Dorm III**, and authorized the advertisement for the receipt of bids. The project budget is \$715,000 which includes \$500,000 federal funds and \$215,000 in-kind contributions.
4. **MSU** - Approved the construction documents and authorized the advertisement for the receipt of bids for **IHL #205-211, Hardy Street Parking Lot**. Funds are available from Institutional Plant Fund accounts in the amount of \$650,000.
5. **ASU** - Approved the bids and the award of a contract to W. E. Blain & Sons, Inc., the sole bidder, in the amount of \$1,043,160.52, for **IHL #201-130, Bicycle & Pedestrian Path**. The certified bid tabulation is on file in the Board office. Funds are available from the Mississippi Department of Transportation in the amount of \$1,125,436.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

6. **JSU** - Approved the bids and the award of a contract by the Bureau of Buildings to Ross Environmental & Civil Contractors, Inc., the lowest of three bids, in the amount of \$1,630,000 for **IHL #103-221, 2003 Baseball Stadium/Field Construction**. The project includes the construction and lighting of the ball field. Construction of the stadium will take place as funds become available. The certified bid tabulation is on file in the Board office. Funds are available from S.B. 2988, Laws of 2003.
7. **UM** - Approved the bids and the award of a contract to Hooker Construction, the second lowest of three bids, in the amount of \$1,200,150 for **IHL #207-248, Women's Softball Stadium Renovations**. The award is for the base bid and additive alternates #1, #2, #3, and #4. The low bidder, Jackson Construction of Grenada, withdrew its bid due to the omission of \$31,000 of steel materials in their calculations. The certified bid tabulation is on file in the Board office. Funds are available from self-generated funds and The University of Mississippi Loyalty Foundation.
8. **UMMC** - Approved the bids and the award of a contract to Independent Roofing Systems., Inc., the lowest of four bids, in the amount of \$435,640 for **GS #109-187, Acute Services Re-roofing '04**, and request approval by the Bureau of Buildings. The certified bid tabulation is on file in the Board office. Funds are available from H.B. 1675, Laws of 1999.
9. **System Administration** - Approved the amendments to the *Board Policies and Bylaws* – 901.0705 Financial Advisor – for first reading, as follows:  
**901.0705 FINANCIAL ADVISOR**

The Board recognizes the need of the institutions to periodically issue debt through the Educational Building Corporations to finance construction or renovation of facilities. Prior to Board consideration of a request to issue debt, ~~the institution~~ Board staff in conjunction with institutional staff must select a financial advisor(s) to represent the interests of the Board of Trustees, the Educational Building Corporation and the institution, and to provide the Board with an independent analysis of the institution's financial condition, verification that the proposed revenue stream(s) are sufficient to repay the debt service, and a recommendation concerning the project's viability. The financial advisor(s) shall meet such qualifications and perform such services as may be prescribed by the Board or its staff. Payment to the financial advisor shall be made by the institution, or the institution's Educational Building Corporation, without regard for whether the Board approves the construction or renovation or whether the institution or Educational Building Corporation constructs the project. The Commissioner will make a recommendation to the Board about the impact of additional borrowing on the financial condition of the institution.
10. **System Administration (Information item.)** - Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the July 21, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities. **This item was previously entitled "Facilities Summary."** (See Exhibit 4.)

**LEGAL AGENDA**

Presented by Mr. Bob Owens, Chair

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

**RESOLVED**, That the Board hereby approved agenda items #1 and #2 as submitted on the following Legal Agenda. Agenda item #3 was approved on a separate motion by Mr. Owens, seconded by Mr. Klumb, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #4 was approved on a separate motion by Mr. Owens, seconded by Ms. Robinson, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #5 was approved on a separate motion by Mr. Owens, seconded by Ms. Robinson, with Mr. Colbert and Ms. Whitten absent and not voting.

1. **JSU** - Approved the Traffic Rules and Regulations for the Campus and Streets. A copy of the regulations, which have been reviewed and approved by the Attorney General’s Office, is included in the bound *August 18, 2005 Board Working File*.
2. **MUW** - Approved the Traffic and Parking Regulations for the Campus and Streets for 2005-06. A copy of the regulations, which have been reviewed and approved by the Attorney General’s Office, is included in the bound *August 18, 2005 Board Working File*.
3. **System Administration** - Approved, for first reading, the proposed amendments to the *Board Policies and Bylaws* – 1102.01 Retention of Outside Counsel and the proposed amendments to 1102.02 Payment of Outside Counsel which reflects a cap of 25% instead of \$250,000. **(See Exhibit 5.)**
4. **UMMC** - Approved the settlement of the tort claim case styled *Aleasge Lewis and Alice D. Lewis vs. UMMC*.
5. **Other Business**
  - a. **USM** - Approved the request to settle the case styled *Dr. Thomas M. Brewer v. USM, Board of Trustees of State Institutions of Higher Learning, Dr. Aubrey K. Lucas, Individually and Officially, Dr. G. David Huffman, Individually and Officially, and Harry C. Ward, Individually and Officially*.
6. **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 Maxey Wann, PLLC (Statement dated 7/1/05) from the funds of The Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with the *IHL v. State* case.)

**TOTAL DUE** ..... **\$2,970.85**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 6/14/05, 5/17/05, and 6/10/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the *Durham v. MSCI* case - \$3,934.12; Commercialism - \$3,017.15; and Commercialism - \$240.00.)

**TOTAL DUE** ..... **\$7,191.27**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 6/13/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with general advice.)

**TOTAL DUE ..... \$3,021.65**

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton & Mulroy (Statement dated 6/20/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Sterling* case.)

**TOTAL DUE ..... \$13,524.11**

Payment of legal fees for professional services rendered by Collins, May, Potenze, Baran & Gillespie (Statement dated 5/12/05) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with *Frank Thomas v. UM, et al.*)

**TOTAL DUE ..... \$176.80**

b. In relation to patent and other matters:

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 6/16/05) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patent applications: "Golanov/Method for the Treatment and Prevention of Brain Damage" - \$238.28 and "Taylor/Synergistic Combinations of Chrome Free Corrosion Inhibitors" - \$103.21.)

**TOTAL DUE ..... \$341.49**

Payment of legal fees for professional services rendered by Needle & Rosenberg (Statement dated 5/19/05) from the funds of Mississippi State University. (This statement represents services and expenses in connection with a patent application for "Hexavalent Chromium Detector/Monitor.")

**TOTAL DUE ..... \$146.92**

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 1/31/05, 3/14/05, 4/29/05, 4/29/05, 4/29/05, 4/29/05, 4/29/05, 4/29/05, 4/29/05, 5/17/05, and 5/17/05) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: "Mechanically Stressing Wood to Improve..." - \$587.88; "Substituted Phenylheterocyclic Herbicides" - \$1,663.09; "Moisture and Density Detector" - \$170.00; "Fiber Optic Moisture Sensor" - \$485.70; "Optical Reflectance Based Mass Flow Sensor" - \$1,369.58; "Silicon and Related Wide-Transistors..." - \$3,633.95; "Optic Fiber Sensor Having Fiber Optic Core..." - \$1,558.70; "On-Site Biological Treatment of Contaminated Fluids" - \$2,904.97; "Oligofructose and Insulin Reduce Growth of Listeria" - \$2,528.36; "In-Situ, Real-Time Viscosity Measurement" - \$2,600.00; and "Fiber Optic Moisture Sensor" - \$1,300.00.)

**TOTAL DUE ..... \$18,802.23**



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

**August 18, 2005**

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Governance Agenda. **AGENDA ITEMS #2 AND #3 WERE PULLED FROM THE AGENDA.** Agenda item #4, as amended, was approved on a separate motion by Dr. Magee, seconded by Ms. Robinson, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #5 was approved on a separate motion by Dr. Magee, seconded by Mr. Patterson, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #6, as amended, was approved on a separate motion by Dr. Magee, seconded by Mr. Patterson, with Mr. Colbert and Ms. Whitten absent and not voting.

1. **System Administration** - Approved the proposed amendment to the *Board Policies and Bylaws* – 401.0102 Delegation of Authority, 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 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.

2. **System Administration** - 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. **(See Exhibit 6.) (THIS ITEM WAS PULLED FROM THE AGENDA.)**

3. **System Administration** - Proposed amendments to the *Board Policies and Bylaws* – 901.03 Facilities Staff Responsibilities. Pursuant to *Board Policies and Bylaws* Section 301.0517 Postponement of Board Consideration, Mr. Ross **invoked the privilege of temporarily postponing Board action** on this item until the next regularly scheduled Board meeting.

**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.

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

**August 18, 2005**

- 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.
4. **System Administration** - Approved the proposed amendments and the additional amendments to the *Board Policies and Bylaws* – 301.0512 Meeting Rules of Order and the deletion of 201.0402 Procedures for Changing Board Policies and Adopting New Policies – for first reading. **(See Exhibit 7.)**
5. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 1107 Enactment of Traffic Rules and Regulations – for first reading, as follows:  
**1107 ENACTMENT OF TRAFFIC RULES AND REGULATIONS**
- The Board of Trustees of State Institutions of Higher Learning is hereby authorized and empowered to enact traffic rules and regulations for the control, direction, parking and general regulation of traffic and automobiles on the campus and streets of any state institution of higher learning under the supervision of such board.
- Pursuant to Miss. Code Ann., § 37-101-7, as amended, the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board. Therefore, all university traffic rules and regulations which have not been approved by the Board must be submitted to the Commissioner for approval prior to enactment. All such rules and regulations shall be kept on file at the Board Office.
6. **System Administration** - Approved the proposed amendments to the *Board Policies and Bylaws* – 301.0806 Foundation Activities and the additional amendments to the new policy 801.15 Foundation Supplementation of Institutional Executive Officers' Salaries – for first reading. **(See Exhibit 8.)**
7. **System Administration (Information item.)** - The Board discussed Policy 201.0610 Institutional Executive Officer Search Process. **(See Exhibit 9.)**

**STRATEGIC PLANNING AGENDA**

Presented by Ms. Amy Whitten, Chair

1. **System Administration (Information item.)** - The Board received the Strategic Planning Committee 2006 Work Plan, which outlines priorities for research and action items in coming years. The priorities

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

defined by the work plan are: increasing the percentage of ninth graders who go on to graduate from high school; marketing the importance of higher education and increasing participation; developing closer working relationships with community colleges to increase matriculation to four year schools; increasing retention and graduation rates; and increasing the quality of education at all levels. A copy of the plan is included in the bound *August 18, 2005 Board Working File*.

**ADMINISTRATION/POLICY AGENDA**

Presented by Dr. Richard Crofts, Commissioner

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

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Administration/Policy Agenda.

1. **System Administration** - Approved the agenda items considered subsequent to the July 21, 2005 Board meeting, as follows:
  - a. **MVSU** - Employment of James Green;
  - b. **UMMC** - Employment of Josie Brown, Arthur Calimaran, and R. Brent Harrison; and
  - c. **UMMC** - Award of a bachelor's degree in health science to Katrina Leigh Bryant effective August 5, 2005. Ms. Bryant finished her prescribed program sooner than expected, and through a departmental error, her name was not submitted timely for inclusion at the July 21, 2005 Board meeting.

**PERSONNEL/FOREIGN TRAVEL AGENDA**

Presented by Dr. Richard Crofts, Commissioner

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

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

1. **Personnel Report.**

**EMPLOYMENT**

**Alcorn State University**  
Byrd, Sherlynn

**Delta State University**  
Cox, Deborah P.

**Jackson State University**

Humos, Ali Abu-El  
Johnson, Harvey  
Meghanathan, Natarajan  
Moreland, Cheryl  
Yoon, Eunkyung

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

**August 18, 2005**

**Mississippi State University**

Banfield, Catherine M.  
Hopper, George M.  
Johnson-Gros, Kristin  
Kemp, Penny L.  
Schauwecker, Timothy J.  
Senter, Lucy H.  
Taylor, Clifford D., Jr.  
Thaxton, Peggy Susan

**Mississippi Valley State University**

Love, Ronald  
Torregano, Michael

**University of Mississippi**

Cawthorn, Jerome  
Davison, Kristl  
Gottshall, William R.  
Ladha, Krishna K.  
McQueen, W. Doug  
Pate, James P.  
Vaughn-Neely, Elizabeth I.  
Yang, Jun

**University of Mississippi - Athletics**

Dannelly, Jess M.  
Dickerson, Ilnorme M.

**University of Mississippi Medical Center**

Westphal, Andrew J.

**University of Southern Mississippi**

Black, Patricia E.  
Campbell, Christopher P.  
Fitzsimmons, Susan  
Rackoff, Louis  
Sanford, Julie

**University of Southern Mississippi - Athletics**

Dorsey, Chandra Shedale

**CHANGE OF STATUS**

**Alcorn State University**

Bryan, Teresa

Meehineni, Sreedhar

**Jackson State University**

Askew, John  
Brooks, Jean  
Chanay, Marcus  
Frazier, Jean  
Goodwin, Wayne  
Granger, Maury  
Johnson, Curtis  
Liddell, L. Frances  
Morgan, Etta  
Mosley, Alisa  
Mosley, Ivan, Sr.  
Posey, Della  
Rauniar, Rupak  
Reed, Chritopher  
Stepteau-Watson, Desiree  
Wiggins, Ruby

**Jackson State University - Athletics**

Harris, Michael

**University of Southern Mississippi - Athletics**

Loenser, Nathan L.

**CONTRACT EXTENSION**

**University of Mississippi**

Barnes, Rodrick K.

**TERMINATION**

**Delta State University**

Baker, Shameka Raymond  
Branton, Camille B.  
Holecek, Gaye H.  
Jones, Charles  
Kirelawich, Charles R.  
Martin, John  
Pittman, Jeremy  
Raines, Marion  
Scott, Kim  
Sultan, Gerry  
Thornell, John G.

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

**August 18, 2005**

**Delta State University - Athletics**

Meseyton, Duana

**Jackson State University**

Jefferson-Aker, Celestine

Moreland-Young, Curtina

**Mississippi State University**

Min, Philip E.

Parkhurst, Gregory M.

White, Bradley J.

Xia, Tian

**Mississippi Valley State University**

Brooks, Patricia

Prescott, Myoshi

Roy, Engrid

Sims, Tonia

Wilson, Shawonda

**Mississippi Valley State University - Athletics**

Joseph, Dean

**Mississippi University for Women**

Bailey, Deborah

Brock, Patricia

Fleming, Heather

Hannah, Heather

Lyons, Amos

Porter, Reba

Vickers, Kenneth

**University of Mississippi**

Jao, Shyh-Hua Eric

Terasawa, Katsuaki L.

**University of Mississippi - Athletics**

Kovacs, Christopher R.

**University of Mississippi Medical Center**

Aumont, Elisa E.

Bodwell, Heather A.

Bratton, Melyssa R.

Campbell, J. Allen

Clements, James W.

Cole, Joseph

Corkern, Robert S.

D'Aquila, Frances J.

Dowden, S. C.

Drake, Heather M.

Ethridge, Cynthia

Ezell, Gerry D.

Gierut-Wicker, Nancy

Gray, Pam

Griffin, Mervin

Hope, Carol J.

King, Brian

Koelliker, Paul D.

Krause, Christine

Muirhead, Kevin

Pickett, Elizabeth A.

Pinson, Thomas B.

Roberts, Bruce E.

Russell, Lori D.

Sewell, Patrick E., Jr.

Stout, Marshall

Szebeni, Attila

White, Barbara J.

Zoog, Eric

**University of Southern Mississippi**

Bolton, Charles C.

DeChiaro, John P.

**System Administration**

Lind, Allen

**EMERITA/EMERITUS STATUS**

**Mississippi State University**

Correro, John

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

**August 18, 2005**

**2. Foreign Travel Report.**

**Jackson State University**

Mason, Ronald, Jr.	Beijing, Xian and Guilan, China
Mohamed, Abdul	Beijing, Xian and Guilan, China
Okojie, Felix	Beijing, Xian and Guilan, China
Shahbazyan, Tigran	Toronto, Canada

**Mississippi State University**

Capella, Louis M.	Duisburg, Germany and Paris, France
Frazier, Kyle A. (Student)	Barcelona, Spain
Grzybowski, Stanislaw	Krynica, Poland
Jones, Eric “Wynn”	Newmarket and London, England
Kidd, Michael T.	Bristol, The United Kingdom; Budapest, Hungary; and Puerto Vallarta, Mexico
King, Roger L.	Rome, Italy
Li, Tingyu	Honolulu, Hawaii
Ma, Wenchao	Maui, Hawaii
Mackin, Andrew	Banff, Alberta, Canada
Maiers, Richard P.	San Salvador, El Salvador
Prasad, Saurabh (Student)	Lisbon, Portugal
Silva, Juan Luis	Guadalajara, Mexico
Spencer, Barbara A.	Duisburg, Germany and Paris, France
Willard, Scott T.	St. Croix, U.S. Virgin Islands
Woodrey, Mark Steven	LaMancha, Veracruz, Mexico

**University of Mississippi**

Bass, Henry E.	Papeete, Tahiti
George, K. P.	Paris, France
Haasch, Mary	Hamburg, Germany
Hamann, Mark	France, Basel, Madrid, and Siena, Italy
Ingene, Charles	Shanghai
McGee, Thomas	Palermo, Italy
Moen, Jon	Toronto, Canada
Walker, Larry	Bangkok, Thailand
Waxler, Roger	Budapest, Hungary
Woolsey, Robert	Palermo, Italy
Yakovlev, Alexander	Torino, Italy

**University of Mississippi Medical Center**

Baumann, Michael	Montreal, Quebec, Canada and Guong Zhou, China
Ho, I. K.	Taipei and Taichung, Taiwan
Kemp, Stephen F.	Winnipeg, Manitoba, Canada
McGuire, Robert A.	Barcelona, Spain
Mehta, Inder D.	Buenos Aires, Argentina

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

**August 18, 2005**

O'Challaghan, Richard J.	Sapporo, Japan
Sopelak, Victoria M.	Montreal, Quebec, Canada
Tate, James	Amman, Jordan

**University of Southern Mississippi**

Kuczaj, Stan	Honduras
Mauritz, Kenneth A.	Germany
Storey, Robson F.	Germany and Hawaii
Wolfe, James H.	Italy

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

**Jackson State University**

Maddirala, James	Puerto Escondido, Oaxaca, Mexico
Mosley, Alisa L.	Puerto Escondido, Oaxaca, Mexico
Posey, Della R.	Puerto Escondido, Oaxaca, Mexico
White, Joann	Puerto Escondido, Oaxaca, Mexico

**Mississippi State University**

Miller, Phyllis B.	Sofia, Bulgaria
Traux, Dennis D.	Istanbul, Turkey

**Mississippi Valley State University**

Collier, Lula	Namibia, Africa
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**University of Mississippi**

Goodman, Joseph (Student)	Honolulu, Hawaii
Evans, William R.	Honolulu, Hawaii
Haws, Robert	Mexico City, Mexico

**University of Southern Mississippi**

Barnes, Steve	Brazil
Bullard, Ash (Student)	Lima, Peru
Curran, Stephen (Student)	Peru
Goff, Leslie	Canada

**ANNOUNCEMENTS**

1. Ms. Newton noted that Dr. John Thornell, Provost/Vice President for Academic Affairs at Delta State University, has retired but will be returning part-time to Academic Affairs. Ms. Newton requested that Mr. Billy Morehead, who is the Vice President for Finance at Delta State University and who was sitting in for Dr. John Hilpert, convey to Dr. Thornell the Board's commendation for his years of service, especially as the Interim President of Delta State University.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

2. Ms. Newton also noted that Mr. Al Lind, IHL Chief Information Officer, has resigned to take another position.

**UNANIMOUS CONSENT AGENDA**  
Presented by Dr. Richard Crofts, Commissioner

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

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Unanimous Consent Agenda. Agenda item #2 was approved on a separate motion by Mr. Blakeslee, seconded by Mr. Klumb, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #3 was approved on a separate motion by Mr. Blakeslee, seconded by Mr. Patterson, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #4 was approved on a separate motion by Dr. Neely, seconded by Mr. Blakeslee, with Mr. Colbert and Ms. Whitten absent and not voting. Agenda item #5 was approved on a separate motion by Dr. Neely, seconded by Mr. Blakeslee, with Mr. Colbert and Ms. Whitten absent and not voting. **AGENDA ITEM #6 WAS TAKEN UP EARLIER IN THE MEETING.**

1. **JSU** - Approved request to employ Mr. Will Fisher of M. R. Beal and Company as a financial advisor to evaluate the adequacy of the financials to support the debt service for a potential supplemental bond issuance to fund JSU's Capital Improvement Program.
2. **MSU** - Approved the bids and the award of a contract in the amount of \$88,827 (base bid) to the low bidder, VanLandingham Lumber Company, for **GS #105-304, Memorial Hall Storm Damage**, and request approval by the Bureau of Buildings. The certified bid tabulation is on file in the Board office. Funds are available in the amount of \$75,000 from S.B. 3158, Laws of 2001, and in the amount of \$29,288.26 from the Division of Academic Outreach and Continuing Education, for a total budget of \$104,288.26.
3. **MSU** - Approved the request to lease space at 214 East Main Street, Starkville, MS. The three-year lease is for 26,427 sq. ft. of office space at a cost of \$0.55 per sq. ft. The lease will be paid in monthly installments of \$14,534.85 for a total cost of \$174,418.20 per year and a life cycle cost of \$523,254.60. The contract has been reviewed and approved by the Attorney General's Office and is on file in the Board Office.
4. **MVSU** - Approved the bids and the award of a contract in the amount of \$448,232 to the second lowest bidder, Utility Constructors, Inc., for **GS #106-185, Campus Drainage and Infrastructure**, and request approval by the Bureau of Buildings. The certified bid tabulation and letter from the project professional giving the rationale for moving to the second lowest bid are on file in the Board office. Funds are available from S.B. 3187, Laws of 2002.

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

**August 18, 2005**

5. **MVSU** - Approved the bids and the award of a contract in the amount of \$524,900 to the lowest bidder, Chain Electrical Company, for **GS #106-195, Upgrades to the Campus Electrical System**, and request approval by the Bureau of Buildings. The certified bid tabulation is on file in the Board office. Funds are available from S.B. 2988, Laws of 2003.
6. **USM** - Request to settle the case styled *Dr. Thomas M. Brewer v. USM, Board of Trustees of State Institutions of Higher Learning, Dr. Aubrey K. Lucas, Individually and Officially, Dr. G. David Huffman, Individually and Officially, and Harry C. Ward, Individually and Officially*. **(THIS ITEM WAS TAKEN UP EARLIER IN THE MEETING.)**

**COMMISSIONER'S REPORT**

Presented by Dr. Richard Crofts, Commissioner

1. This morning *The Clarion Ledger* reported that the Attorney General's Office has decided not to appeal the Chancery Court's decision on the gaming case styled *IHL vs. State*.
2. *The Clarion Ledger* also reported that the Mississippi State Tax Commission has mandated that the universities collect sales tax on meal plans. Several of the universities have written letters requesting a delay in the implementation of this mandate. Dr. Crofts also sent a letter to the Mississippi State Tax Commission requesting a one-year delay in the implementation. He received word from the Mississippi State Tax Commission that all of the universities will be receiving a letter allowing the one-year delay in the implementation of the meal plan sales tax.

**ANNOUNCEMENTS**

1. Ms. Newton recognized Dr. Jay Grimes, Provost of the Gulf Coast Campuses and Director of the Gulf Coast Research Laboratory at The University of Southern Mississippi, who gave a brief report on the status of offering the Bachelor of Science in Business Administration in Tourism (emphasis: Casino and Resort Management, Restaurant Management).
2. Ms. Newton appointed a Compensation Committee consisting of Ms. Robin Robinson (Chair), Mr. Ed Blakeslee, Dr. D. E. Magee, Mr. Bob Owens, and Ms. Amy Whitten. The committee is charged with devising a salary compensation plan for the institutional executive officers.
3. Ms. Newton anticipates a two-day meeting for the regularly scheduled September Board meeting.
4. Ms. Newton announced that the *Ayers* Endowment Trust Management Committee will still meet immediately following the adjournment of the Board meeting. The committee will discuss investment options for the *Ayers* trust.

**EXECUTIVE SESSION**

On motion by Mr. Owens, with Mr. Colbert and Ms. Whitten 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 Mr. Owens, seconded by Mr. Patterson, with Mr. Colbert and Ms. Whitten absent and not voting, the Board **voted to go into Executive Session** for the reason later reported by Ms. Laura Lesbo, Administrative Assistant to the Commissioner, in Open Session and stated in these minutes, as follows:

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

Discussion of personnel matters at The University of Mississippi and the Commissioner's Office.

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

The Board discussed personnel matters at The University of Mississippi and the Commissioner's Office.  
**No action was taken.**

**COMMITTEE REPORTS**

**Educational Policies & Programs Committee  
Thursday, August 18, 2005**

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

1. **Amendment to the *Board Policies and Bylaws***  
On motion by Mr. Patterson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to Policy 601.02 Freshman Admission Requirements for University System Institutions for first reading as referenced by committee agenda item #1 in the Board Book.
2. **Establishment of a Center**  
The committee was informed of the establishment of the Sally Barksdale Educational Resource Center which will house several collaborative programs between Jackson State University and the Jackson Public School District and the JSU Region of the America Reads Mississippi (ARM) program, as referenced by committee agenda item #2 in the Board Book.

Dr. Neely and Dr. Bill Smith, IHL Interim Assistant Commissioner of Academic and Student Affairs, congratulated Jackson State University on their participation in the Resource Center. Dr. Ronald Mason, President of Jackson State University, recognized and thanked the Barksdale family.

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. Roy Klumb, Dr. D. E. Magee, Ms. Virginia Shanteau Newton, and Mr. Bob Owens.

**Budget, Finance & Audit Committee  
Thursday, August 18, 2005**

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

1. **UMMC Agreement Amendment**  
On motion by Mr. Klumb, seconded by Mr. Owens, with Mr. Colbert and Ms. Robinson absent and not voting, the committee recommended that the Board approve the amendment to the agreement with MedQuist Transcriptions, Ltd as referenced by committee agenda item #1 in the Board Book.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

2. **Amendment to the *Board Policies and Bylaws***

On motion by Mr. Klumb, seconded by Mr. Owens, with Mr. Colbert and Ms. Robinson absent and not voting, the committee recommended that the Board approve the proposed amendments to Policy 702 Tuition, Fees and Other Student Charges as referenced by committee agenda item #2 in the Board Book.

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

On motion by Mr. Klumb, seconded by Mr. Owens, with Mr. Colbert and Ms. Robinson absent and not voting, the committee recommended that the Board approve the proposed amendments to Policy 703.05 (I.) Staff Tuition Waivers and Policy 703.05 (J.) Dependent Tuition Waivers and the renumbering of the two as Policy 801.14 Staff and Dependent Tuition Waivers as referenced by committee agenda item #3 in the Board Book.

4. **JSU Audit**

Mr. Brent Ballard, IHL Director of Internal Audit, presented information about a three party contract that is being developed between the State Auditor's Office, Jackson State University, and an independent CPA firm for the audit of those accounts and activities at JSU that are selected for testing as part of the 2005 IHL University System Audit, as referenced by the committee agenda item #4 in the Board Book.

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

**Real Estate & Facilities Committee  
Thursday, August 18, 2005**

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

1. **Requests**

- a. On motion by Dr. Davidson, seconded by Mr. Klumb, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the Initiations of Projects / Appointments of Professionals for UM and USM as referenced by committee agenda items #1 - #2 in the Board Book.
- b. On motion by Mr. Klumb, seconded by Dr. Davidson, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the construction documents items for ASU and MSU as referenced by committee agenda items #3 - #4 in the Board Book.
- c. On motion by Dr. Davidson, seconded by Mr. Klumb, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the award of contracts for ASU, JSU, UM, and UMMC as referenced by committee agenda items #5 - #8 in the Board Book.

2. **Amendment to the *Board Policies and Bylaws***

On motion by Mr. Klumb, seconded by Dr. Davidson, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the proposed amendments to Policy 901.0705 Financial Advisor for first reading as referenced by committee agenda item #2 in the Board Book.

3. **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 July 21, 2005 Board meeting as referenced by committee agenda item #3 in the Board Book.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

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

**Legal Committee  
Thursday, August 18, 2005**

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

1. **JSU Regulations**

On motion by Dr. Davidson, seconded by Ms. Whitten, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the traffic and parking regulations for JSU as referenced by committee agenda item #1 in the Board Book.

2. **MUW Regulations**

On motion by Ms. Whitten, seconded by Dr. Davidson, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the traffic and parking regulations for MUW as referenced by committee agenda item #2 in the Board Book.

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

On motion by Ms. Whitten, seconded by Mr. Ross, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the proposed amendments to Policy 1102.01 Retention of Outside Counsel and Policy 1102.02 Payment of Outside Counsel for first reading as referenced by committee agenda item #3 in the Board Book.

4. **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 Dr. Davidson, 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 the University of Mississippi Medical Center.

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

On motion by Ms. Whitten, seconded by Mr. Ross, with Ms. Robinson absent and not voting, the committee recommended that the Board approve the settlement of a tort claim case styled *Aleasge Lewis and Alice D. Lewis vs. UMMC* as referenced by committee agenda item #4 in the Board Book.

5. **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 #5 in the Board Book.

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

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

**August 18, 2005**

**Governance Committee  
Thursday, August 18, 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 401.0102 Delegation of Authority as referenced by committee agenda item #1 in the Board Book.

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

Agenda item #2 in the Board Book that concerns implementing a new Policy 403.0105 Appeals of Faculty Terminations and Denials of Tenure to the Commissioner of Higher Education and the renumbering and amending of Policy 403.0106 Appeals of Faculty Terminations and Denials of Tenure to the Board of Trustees **be pulled from the agenda.**

3. ***Other Business***

Ms. Newton announced that the Board staff will develop an educational session to teach the Board about tenure.

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

**A motion was made by Mr. Blakeslee, seconded by Mr. Patterson, to recommend that the Board approve the proposed amendments to Policy 901.03 Facilities Staff Responsibilities as referenced by committee agenda item #3 in the Board Book.** The motion passed on a 3 to 2 vote. Committee members voting for the motion were: Mr. Ed Blakeslee, Dr. Bettye Neely, and Mr. Aubrey Patterson. Committee members **voting against the motion were: Dr. D. E. Magee and Mr. Scott Ross.**

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

On motion by Mr. Patterson, seconded by Mr. Ross, and unanimously passed by those present, the committee further amended a sentence in Subsection C of Policy 301.0512 Meeting Rules of Order to read “the next meeting” instead of “the subsequent meeting” and recommended that the Board approve the non-substantive change.

On motion by Mr. Blakeslee, seconded by Dr. Neely, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to Policy 301.0512 Meeting Rules of Order with its additional amendment and the deletion of Policy 201.0402 Procedures for Changing Board Policies and Adopting New Policies for first reading, as referenced by committee agenda item #4 in the Board Book.

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

On motion by Mr. Blakeslee, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendments to Policy 1107 Enactment of Traffic Rules and Regulations for first reading as referenced by committee agenda item #5 in the Board Book.

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

**A motion was made by Mr. Patterson, seconded by Mr. Blakeslee, to recommend that the Board approve for first reading the proposed amendments to Policy 301.0806 Foundation Activities and the addition of Policy 801.15 Foundation Supplementation of Institutional Executive Officers’ Salaries which was further amended by the committee as referenced by committee agenda item #6 in the Board Book.** The motion passed on a 4 to 1 vote. Committee members voting for the motion were: Mr. Ed Blakeslee, Dr. D. E. Magee, Dr. Bettye Neely, and Mr. Aubrey Patterson. **Mr. Scott Ross voted against the motion.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 18, 2005**

**8. Search Process**

The committee discussed Board Policy 201.0610 Institutional Executive Search Process as referenced by committee agenda item #7 in the Board Book.

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: Dr. Stacy Davidson, Mr. Roy Klumb, Ms. Virginia Shanteau Newton, Mr. Bob Owens, and Ms. Amy Whitten.

**Legal Committee (Cont'd)  
Thursday, August 18, 2005**

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

Discussion of a legal matter at The University of Southern Mississippi.

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

On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a negligence claim case styled *Dr. Thomas M. Brewer v. USM, Board of Trustees of State Institutions of Higher Learning, Dr. Aubrey K. Lucas, Individually and Officially, Dr. G. David Huffman, Individually and Officially, and Harry C. Ward, Individually and Officially*, as referenced by unanimous consent agenda item #6 in the Board Book.

**Strategic Planning Policy  
Thursday, August 18, 2005**

The committee was brought to order by Ms. Newton (Ex Officio). The following item was discussed:

**1. Interim Meeting**

The committee held an interim meeting on Monday, August 1, 2005, to develop an agenda for the upcoming year.

**2. Work Plan**

The committee discussed the 2006 Work Plan as referenced by committee agenda item #1 in the Board Book.

The following committee members were present: Ms. Virginia Shanteau Newton (Ex Officio), Mr. Ed. Blakeslee, Dr. D. E. Magee, and Dr. Bettye Neely. Mr. Thomas Colbert and Ms. Whitten were absent. Other Board members attending the meeting were: Dr. Stacy Davidson, Mr. Roy Klumb, 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  
August 18, 2005**

**ADJOURNMENT**

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

*Virginia Shanteau Newton*

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President, Board of Trustees of State Institutions of Higher Learning

*Richard A. Crofts*

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Commissioner, Board of Trustees of State Institutions of Higher Learning

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

**August 18, 2005**

**EXHIBITS**

- Exhibit 1                      Amendments to the *Board Policies and Bylaws* – 601.02 Freshman Admission Requirements for University System Institutions – for first reading.
- Exhibit 2                      Amendments to the *Board Policies and Bylaws* – Policies 702.01 General Policy, 702.02 Definitions, and 702.03 Approval of Tuition, Fees, and Other Student Charges – for first reading. Policy 702.05 Assessment Procedures was approved for the final time.
- Exhibit 3                      Amendments to the *Board Policies and Bylaws* – 703.05 Categories of Scholarships and Tuition Waivers.
- Exhibit 4                      Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the July 21, 2005 Board meeting. **This item was previously entitled “Facilities Summary.”**
- Exhibit 5                      Amendments to the *Board Policies and Bylaws* – 1102.01 Retention of Outside Counsel and to 1102.02 Payment of Outside Counsel– for first reading.
- Exhibit 6                      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.
- Exhibit 7                      Amendments to the *Board Policies and Bylaws* – 301.0512 Meeting Rules of Order and the deletion of 201.0402 Procedures for Changing Board Policies and Adopting New Policies – for first reading.
- Exhibit 8                      Amendments to the *Board Policies and Bylaws* – 301.0806 Foundation Activities and the addition of 801.15 Foundation Supplementation of Institutional Executive Officers’ Salaries – for first reading.
- Exhibit 9                      Policy 201.0610 Institutional Executive Officer Search Process was discussed.

# EXHIBIT 1

## 601.02 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS

The high school course requirements set forth below are applicable to students graduating from high school and entering a public institution of higher learning beginning in the summer of 2010. Institutions will develop equivalent standards for out-of-state applicants, earlier high school graduates and other applicants not covered by this policy.

Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher learning other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA on a 4.0 scale) in the following 24 transferable semester credit hours to be eligible to transfer to an IHL institution:

6 semester hours	English Composition
3 semester hours	College Algebra or above
6 semester hours	Laboratory Science
9 semester hours	Transferable Electives

All other transfer students are subject to the following requirements:

### A. HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum)

<u>Subject</u>	<u>Carnegie Units</u>	<u>Contents and Remarks</u>
English	4	Compensatory Reading and Compensatory Writing may not be included.
Mathematics	4	Includes Algebra I, Geometry, Algebra II, and any one <u>Carnegie Unit of comparable rigor and content.</u> (e.g., Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, <del>and/or</del> AP Statistics)
Science	4	Includes Biology I, Chemistry I, <del>Physics,</del> and any <del>one</del> <u>two Carnegie Units of comparable rigor and content.</u> (e.g., Physics, Physical Science, Biology II, Chemistry II, AP Chemistry, Physics II, AP Physics B, AP Physics C – Electricity and Magnetism, and AP Physics C – Mechanics, Botany, Microbiology, or Human Anatomy and Physiology.)
Social Studies	4	Includes World History, U.S. History, <u>Introduction to World Geography</u> , U.S. Government, Economics, and Mississippi Studies. (Credit earned for a State/Local Government course in any other state <del>accepted by the Mississippi Department of Education</del> may stand in lieu of Mississippi Studies.)
Arts	1	Includes any <u>one Carnegie Unit of visual and performing arts</u> course(s) <del>accepted by the Mississippi Department of Education</del> as meeting the requirements for <u>high school graduation</u> <del>may suffice.</del>

Advanced Electives	2	Includes <del>a</del> <u>any two Carnegie Units of Foreign Language (I and II), or Advanced World Geography and a Foreign Language (I) or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</u>
Computer Applications	1/2	Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.
Pre-High School Units		Algebra I or first year Foreign Language School Units taken prior to high school will be accepted for admission provided the course content is the same as the high school course.

## B. FULL ADMISSION

Full admission will be granted to the following:

- (1) All students completing the College Preparatory Curriculum (CPC) with a minimum of a 3.20 high school grade point average (GPA) on the CPC; or
- (2) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.50 high school GPA on the CPC or a class rank in the top 50%, and (b) a score of 16 or higher on the ACT (Composite); or
- (3) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.00 high school GPA on the CPC and (b) a score of 18 or higher on the ACT (Composite).
- (4) NCAA Division I standards for student athletes who are "full-qualifiers" are accepted as equivalent to the admission standards established by the Board.

In lieu of ACT scores, students may submit equivalent SAT scores. Students scoring below 16 on the ACT (Composite) or the equivalent SAT are encouraged to participate in the Year-Long Academic Support Program during their freshman year.

## C. ACADEMIC PLACEMENT RESULTING FROM VARIOUS DEFICIENCIES

Those Mississippi residents who applied and failed to meet Full Admission Standards along with any Mississippi high school graduate regardless of academic performance may, as a result of review, be admitted to the summer or fall semester.\* The ACT is not a requirement in this category. The review shall involve a consideration of high school performance, ACT scores (if available), placement testing, special interests and skills as well as other noncognitive factors. The review shall result in placement in one of the following categories:

1. Full Admission

As a result of the review, students in this category may be placed as if admitted under Section B. In addition, students may be required to enroll in selected college level courses in science and social science equivalent to high school courses in which their background is inadequate. These courses will yield institutional credit.\*\* Other students in this category may be required to participate in the Year-Long Academic Support Program.

2. Full Admission with Academic Deficiencies

Students who have not demonstrated adequate readiness in English or Reading or Mathematics will be granted Full Admission with Academic Deficiencies to the Summer Developmental Program. This is an intensive program that concentrates on those high school subject areas (English, Reading, and Mathematics) that are applicable to success in first-year college courses. These courses carry institutional credit.\*\* Students who successfully complete the summer program, by passing developmental English, developmental Mathematics, developmental Reading and the Learning Skills Laboratory courses, will receive admission to the fall term with mandatory participation in the Year-Long Academic Support Program. Students who fail to successfully complete the Summer Developmental Program are not eligible for enrollment in the regular academic year and will be counseled to explore other post-secondary opportunities, including those offered by community colleges.

D. YEAR-LONG ACADEMIC SUPPORT PROGRAM

This program is designed to assist those students admitted with academic deficiencies, as well as other volunteer students, with their freshman courses. The Year-Long Academic Support Program will consist of classroom, individual, and computer-assisted instruction along with career counseling in a laboratory setting. The Program carries institutional credit.\*\*

**\*Non-resident students who do not qualify for Full Admission may be considered for admission under this category through special requirements set by the Board of Trustees and available from each institution.**

**\*\*Institutional credit courses do not count toward graduation but carry all other academic requirements.**

# EXHIBIT 2

## 702 TUITION, FEES AND OTHER STUDENT CHARGES

### 702.01 GENERAL POLICY

It is the goal of the Board to provide high quality programs at the institutions under its jurisdiction that are affordable, accessible and accountable. The level of tuition, ~~fees~~ and other student charges is an important component of efforts to achieve this goal. It is the general policy of the Board that tuition, ~~fees~~ and other student charges should be kept as low as possible consistent with the need to provide sufficient revenues to insure the provision of high quality programs.

(BT Minutes, 6/98)

### 702.02 DEFINITIONS

#### A. Tuition and ~~Required Fees~~

Tuition is the basic, comprehensive, multi-purpose charge all students are required to pay as a condition of enrollment at a university. ~~Required fees are assessed to all students, in addition to tuition, to pay the costs of some of the student services or facilities provided by the institutions.~~

#### B. Room and Board

Room and Board is a charge, or set of charges, assessed to students who elect to stay in residence halls or other institution-owned facilities, or to eat in institutional food service facilities.

#### C. Participation/Optional Fees

Participation/Optional Fees are assessed for supplies, activities or services made available to students, or as fines for misconduct, violation of institutional policy, or violation of contractual agreements.

(BT Minutes, 6/98)

### 702.03 APPROVAL OF TUITION, ~~FEES~~, AND OTHER STUDENT CHARGES

The establishment or waiver of tuition, ~~required fees~~, and room and board charges must be approved by the Board. The establishment or waiver of participation/optional fees may be approved by each institution. An annual report of participation/optional fees shall be presented to the Board pursuant to a schedule and guidelines established by the Commissioner.

(BT Minutes 6/98)

### 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.

(BT Minutes 6/98)

*\* Policy 702.05 was approved for first reading at the July 21, 2005 Board meeting and received final approval at the August 18, 2005 Board meeting.*

# EXHIBIT 3

## 703.05 CATEGORIES OF SCHOLARSHIPS AND TUITION WAIVERS

Mississippi Institutions of Higher Learning may grant scholarships and tuition waivers to undergraduate and/or graduate students in the below categories. These awards shall not exceed the "cost of attendance" and may include non-resident tuition for out-of-state students. These awards shall also be subject to approved specified conditions within institutional policy guidelines:

- A. **Academic Scholarships** - Each institution is authorized at the discretion of the Institutional Executive Officer to award academic scholarships to undergraduate students based on academic achievements.
- B. **Mission-Specific Scholarships** - Each institution is authorized at the discretion of the Institutional Executive Officer to award scholarships to undergraduate and graduate students based on meeting mission-specific goals.
- C. **Graduate Tuition and Fee Waivers** - Each institution is authorized at the discretion of the institutional executive officer to award tuition and fee waivers to graduate students.
- D. **Non-Resident Tuition Waivers** - Each institution is authorized at the discretion of the Institutional Executive Officer to waive the nonresident tuition for undergraduate students that are children of nonresident alumni who are graduates of the institutions, non-resident undergraduate and graduate students approved for participation in the SREB Academic Common Market Program, and undergraduate students who are active members of the Mississippi National Guard. "Active Member" means a member of a federally recognized unit of the Mississippi National Guard meeting the minimum requirements for satisfactory membership as defined in the Department of the Army and Air Force regulations.
- E. **Performance/Service Scholarships** - Each institution is authorized at the discretion of the Institutional Executive Officer to award performance/service scholarships to undergraduate students based on service to the institution.
- F. **Special Talent Scholarships** - Each institution is authorized at the discretion of the Institutional Executive Officer to award scholarships to undergraduate students based on meritorious achievement in a special area of talent.
- G. **Athletic Scholarships** - Each institution is authorized at the discretion of the Institutional Executive Officer to award scholarships, including non-resident tuition (where applicable), to students competing in officially sanctioned or recognized intercollegiate athletics.
- H. **Tuition Waivers for Teachers** - At the discretion of the Institutional Executive Officer, as it may be allowed, individuals holding Mississippi teaching certificates and wishing to upgrade their certificate in the areas of mathematics, science, foreign languages, special education, and computer science may be allowed to enroll with full or partial tuition waiver or with full or partial tuition rebate leading to certification in these areas.

- I. ~~Staff Tuition Waivers~~ — 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 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 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. 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 (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.~~

(BT Minutes, 9/90; 6/91; 1/98; 5/98; 3/99)

## **801.14 STAFF AND DEPENDENT TUITION WAIVERS**

### **I. A. Staff Tuition Waivers**

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. B. 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.

(BT Minutes, 9/90; 6/91; 1/98; 5/98; 3/99)

# EXHIBIT 4

## **Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the July 21, 2005 Board meeting in accordance with Board Policy 901.03 Facilities Staff Responsibilities.**

### **ALCORN STATE UNIVERSITY**

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #3 in the amount of \$68,445.79 for Bowles Hall, GS #101-245. This change will allow for brick repairs, rebuilding low parapet wall, replacing water cut offs, and return air modifications. Funds were available in the project budget.

The Board Staff approved and requested approval and payment by the Bureau of Buildings for additional fees in the amount of \$7,975.75 to be paid to Salmon Architects for services rendered for work abandoned on Eunice Powell, GS #101-211.

### **DELTA STATE UNIVERSITY**

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 in the amount of \$42,902 on GS #102-190, 2002 Court of Governors, Phase III. The change allowed for hardware changes and installations. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 in the amount of \$52,922 on GS #102-201, Demolition of Woolfolk and Daugherty Halls Construction of Parking Lot. There was a 21-calendar day increase to the contract time. The change allowed for replacement of piping, relocation of gas piping and replacement of unsuitable soil. Funds in the amount of \$300,000 are available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 in the amount of \$0 and Change Order #2 in the amount of \$4,007 for GS# 102-200, 2003 Roofing Repairs. The change allowed for owner requested changes. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 in the amount of \$4,973.20 for GS #102-189, Aircraft Hangar Construction. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #8 in the amount of \$1,252 with an additional 10 calendar days to the contract time for GS#102-188, Jobe Hall Renovations. The change allowed for reworking steps and sidewalk. Funds were available in the project budget.

### **MISSISSIPPI UNIVERSITY FOR WOMEN**

The Board Staff approved Change Order #1 for IHL #204-122, Physical Education and Assembly Building Storm Damage, in the amount of \$114,181.71. This change compensated for the increase in cost of materials due to an unavoidable delay in the issuance of the Notice to Proceed. Funds were provided by FEMA/MEMA and University Plant Funds.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #8 in the amount of \$3,163.82 for GS #104-128, South Callaway Renovation. This change allowed the contractor to change the L-1 lavatories from standard to ADA accessible. Funds were available in the project budget.

#### **MISSISSIPPI STATE UNIVERSITY**

The Board Staff approved and requested approval by the Bureau of Buildings the purchase of an Autoloader for the existing mass spectrometer for the F & E Pace Seed Laboratory. The cost was \$33,880. Funding for the equipment was available in the project budget from S.B. 3197, Laws of 2002.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 for IHL #205-203B, 2003 Street and Parking Improvements, Phase II, in the amount of \$35,185.62 with an increase in contract time of 22 days. The change replaced a broken storm drain inlet and rerouted existing drain pipe. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for the University's request to remove from inventory; Building 0021- Intramural Gym, Building 0023 - Blumenfeld Swimming Pool, Building 2158 - Swimming Pool Storage, Building 1614 - Residence located at the Northeast MS Branch Station at Verona, Building 1295-Aquaculture Switch House located on the Animal Research Center campus, and Building 1124-Storage Shed located on the Animal Research Center campus.

#### **MISSISSIPPI VALLEY STATE UNIVERSITY**

The Board Staff approved and requested approval by the Bureau of Buildings for the Construction Change Directive #1 for GS #106-202, Administration Building Repairs, Phases A and B. This change order covered an increase in contract sum for relocation of two (2) modular units due to location of existing overhead utilities and substitution in the modular unit type. This change was not to exceed the lump sum of \$18,000 to complete project installation. Funds were available in the project budget.

#### **UNIVERSITY OF MISSISSIPPI**

The Board Staff approved the Schematic Design Documents for IHL #207-261, Wesley Knight Field House. Funds were available from private donations in the amount of \$2,500,000.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #4 to cover the delay of 423 calendar days due to the financial troubles experienced by the contractor and the necessity of the Bonding Company for GS #107-257, Physical Plant Relocation. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #1 in the amount of \$1,321.42 with an increase of 104 days to the contract time for GS #107-270, Barnard Observatory Waterproofing and Exterior Repairs. The change allowed for the addition of electrical heat, deleting first floor walls, and deleting HVAC heater closet doors. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #4 for GS #107-268, Bryant Hall Phase I, in the deductive amount of \$2,955.12 with an increase of 131 calendar days to the contract time. The change allowed for deletion of underground conduit. Funds were available in the project budget.

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #5 for GS #107-268, Bryant Hall Phase I, in the amount of \$28,107.50 with no change in the contract time. The change re-pointed masonry joints on the exterior of the building. Funds were available in the project budget.

#### **UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

The Board Staff approved Change Order #1 in the amount of \$46,800 with an increase in contract time of 14 calendar days for Preplanning Suite K Renovations, IHL #209-490. The change allowed for miscellaneous owner requested changes. Funds were available in the project budget from Medical Overage Income.

The Board Staff approved Change Order #35 for Adult Tower, IHL #209-381, in the amount of \$46,698 with no increase in contract time. The change allowed for electrical connections to Cooling Tower and basin heaters, changed tunnel steel support, and applied textured coating to an exposed vertical wall at the loading dock. Funds were available in the project budget from Medical Center Educational Building Corporation and Patient Revenue.

The Board Staff approved Change Order #36 for Adult Tower, IHL #209-381, in the amount of \$69,590 with an increase in contract time of 18 calendar days. The change provided additional labor and material to renovate rooms in the 7 West project. Funds were available in the project budget from Medical Center Educational Building Corporation and Patient Revenue.

The Board Staff approved Change Order #3 in the amount of \$2,518.19 with no increase in contract time for Medical School Lobby Renovations, 03, IHL #209-476. The change replaced a damaged corner piece in the Lobby and relocated the Kronus clock system. Funds were available in the project budget from Interest Income.

The Board Staff approved Change Order #37 for IHL #209-381, Adult Tower, in the amount of \$34,641 with no increase in contract time. The change added ten drains at the North walkway, changed lead lined sheetrock in rooms, and installed an additional electrical receptacle for the medical distribution system. Funds were available in the project budget from Medical Center Educational Building Corporation and Patient Revenue.

#### **UNIVERSITY OF SOUTHERN MISSISSIPPI**

The Board Staff approved and requested approval by the Bureau of Buildings for Change Order #2 in the amount of \$14,429.80 for GS #108-210, Security Lighting Phase II. The change provided four Stenberg light fixtures and poles. Funds were available in the project budget.

# EXHIBIT 5

## 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.

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\*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, by up to 25%, not to exceed a total contract amount of \$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 25% of the amount already approved by the Board or cause the total contract amount to exceed \$250,000.00 requires Board approval.

# EXHIBIT 6

## 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.

# EXHIBIT 7

## 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. The Board's Meeting Rules of Order are as follows:

### A. 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 ex officio a member of all committees, shall preside.

### B. 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.

### C. 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, if present, may then be counted toward a quorum ~~if present~~. No business may be transacted without the presence of a quorum.

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~~ a 2/3 vote 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.

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. 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 the Board members present may vote at a subsequent the next\* meeting 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 without such policy having been introduced at a prior meeting. However, discussion and a final vote must be taken before final adoption by the Board.

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.

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~~ subsection Q. Rule 17 - Suspension of the Rules.

#### D. Rule 4 - Decorum and Speaking

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.

*\* Indicates additional amendments recommended by the committee and approved by the Board.*

E. 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.

F. 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.

G. 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.

H. 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.

I. Rule 9 - Withdrawal of Motions

After a motion is made and seconded it may ~~only~~ be withdrawn by unanimous consent. Additionally, the maker may withdraw a motion with the consent of the member who seconded the motion.

J. 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.

K. 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:

- 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.

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.

#### L. 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.

#### M. 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.

#### N. 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.

#### O. 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. 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.

Q. 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.

~~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. The Board may 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 8

## 301.0806 FOUNDATION ACTIVITIES

### **Purpose of Foundations:**

The Board of Trustees recognizes the role of university foundations throughout the nation have in providing additional financial support for their institutions so they can achieve a level of excellence not possible through state funding and tuition alone. The Board of Trustees recognizes and appreciates the contributions made to higher education by the foundations affiliated with the institutions of the Mississippi's State Institutions of Higher Learning, and that their goal is not to replace necessary support from the state. The Board of Trustees acknowledges that the private, independent nature of foundations provides flexibility to the institutions of the Mississippi's State Institutions of Higher Learning in fiscal management and responsiveness.

The purpose of foundations affiliated with institutions of the Mississippi's State Institutions of Higher Learning is to engage in raising funds and other activities consistent with the mission and priorities of the institutions. These foundations are expected to have mission statements relevant to this purpose and to adopt policies, plans, and budgets to achieve their missions. Each institutionally affiliated foundation is authorized to accept gifts, restricted and unrestricted, on behalf of that institution. The institution agrees, through its chief executive officer, to keep the foundation apprised of its needs and priorities; the foundation agrees to consider and communicate to the institution its ability and plans to fund those needs and priorities and accept or solicit gifts that are consistent with the institution's mission, goals, or objectives.

### **Public Confidence:**

The Board of Trustees recognizes it cannot and should not have direct control over institutionally affiliated foundations. These foundations must be governed separately to protect their private, independent status. However, because the Board of Trustees is responsible for ensuring the integrity and reputation of the university system and its institutions and programs, it must be assured that any affiliated foundation will adhere to ethical standards appropriate to such organizations in order to assure the public that it is conducting its mission with honesty and integrity.

Therefore, each Institutional Executive Officer should ensure that the foundation ascribes to the following requirements in order to enhance public confidence in the foundation:

- Compliance with state and federal law applicable to such organizations;
- Maintenance of financial and accounting records in accordance with Generally Accepted Accounting Principles. These records shall be audited annually by a Certified Public Accounting firm and the records shall be maintained separately from the records of the affiliated institution;
- Submission of the annual audited financial statements by each November 1 [to allow compliance with Governmental Accounting Standards Board (GASB) 39]

- along with a list of foundation officers, directors, or trustees, through their institution's chief executive officer, to the Commissioner of Higher Education;
- Submission of an annual report providing a detailed list of supplemental compensation which was submitted to the university for the purpose of providing additional compensation to administrators, faculty, athletic staff, and other employees; and
- Encourage communications between members of the Board of Trustees and directors of the various foundations, to include periodic meetings between Board members, the Chief Executive Officer of the Foundations' Board of Directors, and the Institutional Executive Officers.

The relationship between the institutions of the Mississippi's State Institutions of Higher Learning and the foundations supporting those institutions must be based on a recognition of and respect for the private and independent nature of the foundations. Transactions between an institution and its foundation must be consistent with the foundation's mission to assist and benefit the institution and must also be consistent with the institution's obligation to hold, manage, and use public property and resources to benefit the public interest. To ensure that the institution/foundation relationship is clearly defined, each institution shall consummate a formal written operating agreement with its affiliated foundation. To ensure the independence of the foundation, no employee of the Mississippi's State Institutions of Higher Learning shall hold a voting position on a institutionally affiliated foundation board. The Board of Trustees may allow exceptions to this restriction if needed to comply with NCAA requirements or other purposes. Senior administrators of the institution should only participate on the foundation board in an ex-officio capacity.

### **Operating Agreement:**

Each institution of the Mississippi's State Institutions of Higher Learning and their affiliated foundations shall enter into a public, written operating agreement that outlines the relationship between the two entities. This agreement shall be reviewed by the Board of Trustees at least every five years, or whenever the operating agreement is changed, and include:

- The services and benefits the institution and foundation provide each other and any payments made, including whether institutional assets are managed by the foundation;
- How gifts, grants, and endowments are accepted and accounted for;
- That gifts made to an institution of the Mississippi's State Institutions of Higher Learning be accounted for and ownership maintained by that that gifts made to an institutionally affiliated foundation be accounted for and ownership maintained by that foundation;
- That the foundation has a conflict-of-interest policy;
- That no salary supplements for an Institutional Executive Officer will be underwritten by a foundation without ~~being reported to the Board of Trustees; the~~ prior approval of the Board of Trustees. See Board of Trustees' Policy **801.14 801.15\***.
- That institutional input will be sought from the Institutional Executive Officer before defining the major needs and priorities for foundation consideration; and

- That other requirements stated or implied by this policy have been followed.

### **Board of Trustees' Authority:**

As provided in Miss. Const. Art. 8, Section 213-A, the Board of Trustees has authority over the institutions of the Mississippi's State Institutions of Higher Learning. Under such authority, the Board of Trustees has responsibility for ensuring the public interest is served by any individual or organization established to support an institution of the Mississippi's State Institutions of Higher Learning. While the Board of Trustees cannot control or direct individuals or private organizations, it has the full authority to control the activities of its agents and agencies in their relationships with such individuals or organizations. Such control extends to the regulation of participation in those organizations and the use of a name, logo, or other insignia identified with the institutions of the Mississippi's State Institutions of Higher Learning.

**801.14**  
**801.15\***

### **FOUNDATION SUPPLEMENTATION OF INSTITUTIONAL EXECUTIVE OFFICERS' SALARIES**

**In order to maintain the Board of Trustees' management relationship with the various institutional executive officers, no salary supplement for an institutional executive officer shall be paid by a university foundation without the prior approval of the Board of Trustees. Any proposed new foundation salary supplement, or change in an existing foundation salary supplement, is to be submitted to the Board for consideration in May of each year to go into effect the following fiscal year. Furthermore, †** \*The total amount of any and all salary supplements paid to an institutional executive officer by any foundation shall not exceed the state salary paid by the Board of Trustees to such institutional executive officer.

*\* Indicates additional amendments recommended by the committee and approved by the Board.*

# EXHIBIT 9

## 201.0610 INSTITUTIONAL EXECUTIVE OFFICER SEARCH PROCESS

- A. General Policy  
The Board shall appoint the Commissioner and the Institutional Executive Officers. The Board shall make interim appointments to executive officer positions as necessary and with such consultation as the Board considers appropriate.
- B. Board Search Committee  
The President of the Board shall appoint a committee of Board Members to manage the search for a Commissioner or an Institutional Executive Officer. The President of the Board shall appoint a member of the committee as chairperson. The search committee may select a search consultant to assist with the search.
- C. Advisory Committee  
A Campus Advisory Committee shall be created to advise the Board in a search for an Institutional Executive Officer. The Campus Advisory Committee shall be representative of the various constituent groups of the university, including faculty, staff, students, alumni, foundation representatives, and members of the community. The Board Search Committee shall select the Chairperson of the Campus Advisory Committee. The Chairperson of the Campus Advisory Committee shall submit recommendations for membership on the Campus Advisory Committee to the Board Search Committee for its approval. In a search for a Commissioner, the Board may seek advice from appropriate individuals or groups.
- D. Schedule, Ad, Criteria  
The Board Search Committee shall develop the position advertisement and a general schedule for the search.
- In a search for an Institutional Executive Officer, the Board Search Committee shall consult with the Campus Advisory Committee on position criteria. In a search for a Commissioner, the Board Search Committee may consult with appropriate individuals or groups on position criteria.
- E. Recruitment, Interviews, Selection  
Candidate recruitments may occur up to the point of selection, but candidates will be advised to submit their materials by a specified date to insure optimum consideration for the position.

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

The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews. In a search for an Institutional Executive Officer, two

members of the Campus Advisory Committee may be invited to attend and observe the initial interviews. In a search for a Commissioner, the Board Search Committee may invite two individuals to attend and observe the initial interviews.

In a search for an Institutional Executive Officer, the Campus Advisory Committee will be requested to develop a campus interview schedule for the candidates selected for final interviews. In a search for a Commissioner, the Board Search Committee will develop an interview schedule for the candidates selected for final interviews. The Board shall meet and conduct final interviews and select the Institutional Executive Officer or Commissioner. (BT Minutes, 4/2000)