

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 17, 2005**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on April 22, 2004, to each and every member of said Board, said date being at least five days prior to this March 17, 2005 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mr. Thomas W. Colbert, Dr. Stacy Davidson, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, Mr. Scott Ross, and Ms. Amy Whitten. Mr. Roy Klumb was absent. The meeting was called to order by Ms. Virginia Shanteau Newton, Vice President, and opened with prayer by Dr. D. E. Magee.

BOARD DINNER

Ms. Newton thanked Dr. Clinton Bristow, President of Alcorn State University, and his faculty and staff for hosting the March 17, 2005 Board dinner.

APPROVAL OF THE MINUTES

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

RESOLVED, That the Minutes of the Board meeting held on February 17, 2005, and the special Board meeting held on February 21, 2005, stand approved.

2005 BLACK HISTORY MONTH RECOGNITION

Mr. Thomas Colbert presented a plaque and a resolution to Constance Iona Slaughter-Harvey, Attorney at Law, as the special honoree for community service. Ms. Slaughter-Harvey thanked the Board for honoring her.

Dr. Bettye Neely, Chair of the Black History Month Committee, presented a plaque and a resolution to Dr. L. C. Dorsey, Associate Director, Delta Research and Cultural Institute, Mississippi Valley State University, as the Black History Month Educator. Dr. Lester Newman, President of Mississippi Valley State University, expounded on Dr. Dorsey's accomplishments. Dr. Dorsey thanked the Board for honoring her.

Once again, Dr. Neely thanked the committee in selecting two outstanding ladies who have done a significant job in promoting diversity in the Mississippi institutions and communities. Ms. Newton thanked Dr. Newman and congratulated Ms. Slaughter-Harvey and Dr. Dorsey.

ACADEMIC AFFAIRS AGENDA

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

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

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1. **System Administration** - Approved the proposed amendment to the *Board Policies and Bylaws* – 502.01 General Policy – and the new *Board Policy* – 502.02 Procedures, as follows.

502.01 GENERAL POLICY

All institutions under the governance of the Board shall maintain regional accreditation with the Southern Association of Colleges and Schools (SACS), Commission on Colleges. Institutions shall endeavor to acquire accreditation for all programs for which professional accreditation is available and shall comply with the procedures as set forth in 502.02 below.

502.02 PROCEDURES

- (1) A copy of any letter received from an accrediting body stating formal action taken by the body shall be sent to the Commissioner of Higher Education. Other documents including site visit reports and other documents commonly included as part of the accreditation process will be made available at the request of the Commissioner of Higher Education.
 - (2) The Commissioner of Higher Education shall report to the Board at least annually, through its Academic Affairs Committee, on each accreditation visit or change in accreditation status of each university.
 - (3) A copy of the Compliance Certification Report and Quality Enhancement Plan submitted in connection with SACS accreditation review shall be filed, electronically if available, with the Commissioner of Higher Education. Supporting documentation need not be submitted.
 - (4) The Commissioner of Higher Education shall be notified by the Institutional Executive Officers of all site visits by accreditation agencies.
 - (5) A copy of any specialized accrediting agency self-study documents shall be made available at the request of the Commissioner of Higher Education or Board.
 - (6) The Commissioner of Higher Education or designee shall be given an opportunity to meet with the accreditation committee and/or participate in the exit conference at the request of the accrediting agency.
2. **System Administration** - Approved the recommendation to continue the Master of Science in Physics (CIP 40.0801) at the University of Southern Mississippi.
3. **System Administration (Information item.)** - The Board received a report on the academic programs approved and deleted from 2000 - 2005.
4. **System Administration (Information item.)** - Ms. Robinson reported that the Academic Affairs Committee received an update on the post tenure review policies submitted by Alcorn State University and Mississippi Valley State University.
5. **System Administration (Information item.)** - Ms. Robinson reported that the Academic Affairs Committee received a presentation concerning the reorganization of the academic administrative structure at Mississippi University for Women. A copy of the reorganization is included in the bound *March 17, 2005 Board Working File*.

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6. **System Administration (Information item.)** - Ms. Robinson reported that the Academic Affairs Committee received a presentation in regard to accreditation issues by Dr. Margaret Sullivan, Director of the Consulting Network, Southern Association of Colleges and Schools (SACS), Commission on Colleges. An update concerning USM is included in the bound *March 17, 2005 Board Working File*.

BUILDING/FACILITIES AGENDA

Presented by Mr. Scott Ross, Chair

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

RESOLVED, That the Board hereby approved agenda items #1, #4, #7 - #22 as submitted on the following Building/Facilities Agenda. **AGENDA ITEMS #2, #3, #5, AND #6 WERE PULLED FROM THE AGENDA.**

1. **DSU** - Approved the initiation of **GS #102-205, Caylor-White/Walters Halls & Science Labs**, and request approval by the Bureau of Buildings. Funds are available in the amount of \$800,000 from S. B. 2010, Laws of 2004.
2. **DSU** - Initiation of **GS #102-206, Ewing Hall HVAC**, appointment of Eldridge & Associates as the project professionals, and request approval by the Bureau of Buildings. Funds are available in the amount of \$300,000 from S.B. 2010, Laws of 2004. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
3. **DSU** - Initiation of **GS #102-207, 2005 Street Repair**, appointment of Eley Engineering as the project professionals, and request approval by the Bureau of Buildings. Funds are available from S.B. 2010, Laws of 2004, in the amount of \$300,000. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
4. **DSU** - Approved the initiation of **GS #102-208, Kethley, Bailey & Union Renovations**, and request approval by the Bureau of Buildings. The professional will be selected following the RFQ process. Funds are available from S.B. 2010, Laws of 2004, in the amount of \$4,000,000.
5. **DSU** - Initiation of **GS #102-209, Athletic Facility Renovations**, appointment of Singleton and Associates as the project professionals, and request approval by the Bureau of Buildings. Funds are available from S.B. 2010, Laws of 2004, in the amount of \$650,000. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
6. **UM** - Initiation of **IHL #207-258, Pre-Plan New Law Center**, and appointment of Eley Architects as the project professionals. The budget will be determined by the preplanning efforts. Funds are available from private donations. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
7. **ASU** - Approved the contract documents prepared by Robert Lewis Architects, authorized advertising for the receipt of bids, and request approval by the Bureau of Buildings for **GS #101-240, ADA Compliance, Phase II**. The estimated cost is \$150,000. Funds are available from S.B. 3197, Laws of 2002.

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8. **JSU** – Approved the contract documents, authorized advertising for the receipt of bids, and request approval by the Bureau of Buildings for **GS #103-196, Lynch Street Corridor, Phase II**. Funds are available in the amount of \$2,547,489.40.
9. **MSU** – Approved the bid documents and authorized advertising for the receipt of bids for **IHL #205-207, New Residence Hall**. The budget for this portion of the new residence hall project is \$1,000,000, with funds to be provided from the MSU EBC Bond Funds.
10. **MSU** – Approved the construction plans, specifications, and estimates and authorized advertising for the receipt of bids for **IHL #205-207 D, New Residence Hall-Site Improvement**. This portion of the New Residence Hall project will construct, pave, light, and landscape a parking lot for Roy H. Ruby Hall. Also approved the request to award a contract immediately following the opening of bids if the low bid is within available funds. The project budget for this portion of the project is \$600,000, with funds to be provided from MSU EBC Bond Funds.
11. **ASU** - Approved the bids (4) and award of a contract in the amount of \$2,536,556 to the low bidder, Greenbriar Digging Service Limited Partnership, for **GS # 101-149, New Water Treatment Plant**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
12. **JSU** – Approved the bids (3) and award of a contract in the amount of \$547,676.66 to the low bidder, Brashears, Inc. for **GS #103-209, Digital Transmission System for TV-23**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
13. **MUW** – Approved the bids (4) and award of a contract in the amount of \$527,900 to the low bidder, Conn Construction, for **GS #104-144, Physical Plant/Warehouse**, and request approval by the Bureau of Buildings. Funds are available in the project budget.
14. **UMMC** – Approved bids (2) and award of a contract in the amount of \$1,395,000 to the low bidder, Eutaw Construction, for **IHL #209-478, Water System Improvements**. Funds are available in the project budget from interest income.
15. **JSU** – Approved a change order in the amount of \$479,991 for **IHL #203-146, Renovations of John W. Dixon Hall**. During renovation, it was discovered that the Concrete Masonry Unit (CMU) backup wall for the exterior masonry was not built according to the original contract documents, and does not comply with the current building code. This changer order covers the installation of steel and other related items to brace the substandard CMU wall and bring it into compliance with the building code.
16. **ASU** – Approved the request to engage in a planning process with Hinds Community College for a higher education complex in Vicksburg, Mississippi. The University, as a part of its obligations under the *Ayers* Settlement Agreement, has expanded its academic programming in Vicksburg but has no permanent classroom, laboratory, or office space in Vicksburg for these programs.
17. **UMMC** - Approved the request to enter into an agreement with Otis Elevator Company to provide labor, materials, and services to modernize four elevators. The new Elevonic Control System constantly

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monitors the performance of every elevator function controlled by microprocessor and will change elevator demand or performance to correct variances within milliseconds on the elevator group. The modernization was awarded to Otis in accordance with the Premier Purchasing Agreement and will cost a total of \$416,546.

18. **MVSU** - Approved the initiation of an EBC project for the purpose of renovating campus residence halls, constructing new residence halls, and refinancing the existing bond for faculty and staff housing. Also, approved the appointment of Watkins and Young, as the bond counsel. Mr. Will Fisher, of The PFM Group, is providing financial advisory services and has performed a detailed financial analysis of the project for review/consideration by the Board. The indebtedness would be amortized over a 25- year period secured by the revenues from the facilities. The primary project budget is \$14,000,000.
19. **MVSU** - Approved the following plan for capital improvements from the *Ayers* Settlement Agreement:
- | | |
|--|---------------------|
| Library Renovation | \$7,500,000 |
| Architect selection is in progress. | |
| Landscaping | \$3,000,000 |
| Implement a comprehensive landscaping drainage and infrastructure project that will complement the construction of a golf course. Landscaping will include preparation of plots in developed areas of the campus for the planting and maintenance of ornamental trees and plants. Drainage and buildup of low-lying areas are crucial components of the landscaping project. As the project extends into undeveloped areas of the campus infrastructure, boundary monuments, streets, and utility systems will be included. Drainage of low areas in the undeveloped sections will result in retention ponds, tree management and planning, utilization, and management of existing wetlands. Work done in these areas will be done to complement the initial phase of the golf course construction. | |
| Repair & Renovation | \$1,000,000 |
| Funds will be used to supplement on-going R&R projects. | |
| Science & Technology Bldg. | \$15,100,000 |
| The University has forwarded a revised space requirement analysis and recommendations to the project professional for review and implementation into the design development package | |
20. **USM** - Approved the purchase of property located at North 35th Avenue in Hattiesburg which is currently a vacant lot owned by Chhotalal B. & Lilvati C. Patel. Two appraisals were received. The purchase price is \$77,500. Funds are available from University sources.
21. **UMMC** - Approved the purchase of property located at 880 Lakeland Drive. The purchase price is \$248,000, which is the average of two independent appraisals.
22. **MSU** - Approved the request for the Institute for Neurocognitive Science and Technology (INST) to participate in a joint venture with Premier Radiology, P.A., to conduct scientific research and provide biological imaging, as provided for in the proposed contractual agreement. Premier Radiology will invest more than \$12 million in a facility and equipment that will be available to MSU researchers. A 30,000-square-foot facility to house both INST research and Premier Radiology clinical services will be constructed in Starkville at a cost of approximately \$7 million, including land acquisition. The facility will be owned by Premier Radiology's affiliate, Medical Facility Partners, LLC, and INST will

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lease more than one-third of the building. Premier Radiology also will bring to the partnership an array of equipment valued at more than \$5 million that will be available to MSU researchers on a fee basis. Premier Radiology also will split with INST the revenue from the technical component of MRI clinical services, with first-year revenues expected to cover all INST infrastructure and staff costs. An executive summary and copy of the agreement are included in the bound *March 17, 2005 Board Working File*.

23. **System Administration (Information item.)** - Facilities Summary. (See Exhibit 1.)
24. **Other Business**
- a. Dr. Crofts announced that he will be working with the IHL staff and the IEOs to develop additional guidelines that will allow the Board to be more proactive in searching for or even recruiting diversity vendors. He stated his appreciation for the offers of help that he received.
 - b. Dr. Crofts reported that certain IHL staff members who have been involved in the privatized housing issue in the past received a very instructive visit a couple of weeks ago from a member of an investment firm who reported to have been involved professionally in about half of the privatized housing deals that have been done in higher education in the country. Dr. Crofts has invited this person to give a presentation at the April or May Board meeting.

BUDGET & FINANCIAL AFFAIRS AGENDA

Presented by Mr. Thomas Colbert, Chair

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

RESOLVED, That the Board hereby approved agenda items #1 - #2 as submitted on the following Budget & Financial Affairs Agenda. Agenda item #3 was approved on a separate motion by Mr. Colbert, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting. Agenda item #4 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #5 was approved on a separate motion by Mr. Colbert, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting. Agenda item #6 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #7 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #8 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #9 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #10 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #11 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #12 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #13 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #14 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting. Agenda item #15 was approved on a separate motion by Mr. Colbert, seconded by Ms. Robinson, with Mr. Klumb absent and not voting.

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1. **MSU** - Approved bid documents and the award of a contract to the lowest bidder, McKesson, (Bid No. 04-128) to purchase a Photo Archiving and Communications System to be housed in the John C. Longest Student Health Center. This equipment will be used to archive digital x-rays on the current computer system. Bids were expected to be less than \$250,000. The lowest bid came in at \$254,773. This project is being funded from student health fees. Supporting documents are on file in the Board Office.
2. **MSU** - Approved bid documents and authorized the issuance of a purchase order from Bid No. 05-02 to purchase an X-Ray Computed Tomography System to be used by the mechanics lab of the computational manufacturing and design thrust in the Center for Advanced Vehicular Systems. This machine will be used to measure and reconstruct internal defects/cavities of metallic materials. Approval was received from the Office of Purchasing and Travel (DFA) to purchase this item from Phoenix X-Ray Systems for the amount of \$425,500. This project is being funded through a grant with the Mississippi Development Authority/Nissan. Supporting documents are on file in the Board Office.
3. **MVSU** - Approved the request to escalate the FY 2005 Education and General Budget, as follows:

<u>Categories</u>	<u>Original Budget</u>	<u>Budget Revision</u>	<u>Revised Budget</u>
Salaries	\$13,331,408	\$57,000	\$13,388,408
Wages	\$1,646,586	\$0	\$1,646,586
Fringe Benefits	\$4,343,620	\$0	\$4,343,620
Travel	\$708,219	\$69,671	\$777,890
Contractual Services	\$7,268,342	\$395,989	\$7,664,331
Commodities	\$989,258	\$84,340	\$1,073,598
Capital Outlay			
Other Than Equipment	\$239,175	\$0	\$239,175
Equipment	\$438,810	\$75,000	\$513,810
Subsidies, Loans & Grants	<u>(\$334,553)</u>	<u>\$0</u>	<u>(\$334,553)</u>
TOTAL	<u>\$28,630,865</u>	<u>\$682,000</u>	<u>\$29,312,865</u>

The request to escalate the budget is based on the need to accommodate a student enrollment that is higher than the enrollment on which the budget was projected. MVSU's FY 2004-2005 enrollment increased by three percent over FY 2003-2004. Costs for technology services are increasing in concert with increased enrollment. The funds will be used to provide services, materials and personnel to accommodate the higher student enrollment. Per phone confirmation on March 7, 2005, tuition revenues are the source of funding for the escalation.

4. **UM** - Approved the request to escalate and revise the Off-Campus Centers Budget, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2004-2005</u>	<u>Budget Revision</u>	<u>Revised Budget 2004-2005</u>
Salaries, Wages & Fringe Benefits	\$3,106,483	\$160,000	\$3,266,483
Travel & Subsistence	\$46,000	\$16,800	\$62,800
Contractual Services	\$646,602	\$18,530	\$665,132
Commodities	\$113,061	\$6,797	\$119,858
Capital Outlay			
Other Than Equipment	\$0	\$0	\$0
Equipment	\$74,648	\$0	\$74,648
Subsidies, Loans & Grants (Transfers)	\$185,524	(\$62,040)	\$123,484
TOTAL	<u>\$4,172,318</u>	<u>\$140,087</u>	<u>\$4,312,405</u>

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A budget escalation and realignment in the Off-Campus Centers Budget is needed to provide funds to hire additional faculty and to cover additional operational expenditures. Tuition revenues will fund this escalation.

5. **UM** - Approved the request to escalate and revise the Education and General Budget, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2004-2005</u>	<u>Budget Revision #1</u>	<u>Revised Budget 2004-2005</u>
Salaries, Wages & Fringe Benefits	\$106,666,534	\$534,100	\$107,200,634
Travel & Subsistence	\$1,511,031	\$0	\$1,511,031
Contractual Services	\$25,947,841	\$0	\$25,947,841
Commodities	\$4,888,472	\$0	\$4,888,472
Capital Outlay			
Other Than Equipment	\$3,356,327	\$0	\$3,356,327
Equipment	\$2,698,231	\$0	\$2,698,231
Subsidies, Loans & Grants (Transfers)	<u>\$6,377,227</u>	<u>\$0</u>	<u>\$6,377,227</u>
TOTAL	<u>\$151,445,663</u>	<u>\$534,100</u>	<u>\$151,979,763</u>

A budget escalation in the Education and General Budget is needed to provide funds for instructional costs for the Winter Session. Tuition revenues will fund this escalation.

6. **UM** - Approved the request to escalate and revise the Intercollegiate Athletics Budget, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2004-2005</u>	<u>Budget Revision #1</u>	<u>Revised Budget 2004-2005</u>
Salaries, Wages & Fringe Benefits	\$9,353,363	\$316,456	\$9,669,819
Travel & Subsistence	\$2,831,976	(\$4,450)	\$2,827,526
Contractual Services	\$9,965,510	(\$194,325)	\$9,771,185
Commodities	\$2,341,480	\$158,900	\$2,500,380
Capital Outlay			
Equipment	\$378,250	\$38,000	\$416,250
Subsidies, Loans & Grants (Transfers)	<u>\$4,358,182</u>	<u>\$54,411</u>	<u>\$4,412,593</u>
TOTAL	<u>\$29,228,761</u>	<u>\$368,992</u>	<u>\$29,597,753</u>

A budget escalation in the Intercollegiate Athletics Budget is needed to cover staff changes and other operational costs. Private gift revenues will fund this escalation.

7. **UM** - Approved the request to escalate and revise the Auxiliary Enterprises Budget, as follows:

<u>Object of Expenditure</u>	<u>Current Budget 2004-2005</u>	<u>Budget Revision #1</u>	<u>Revised Budget 2004-2005</u>
Salaries, Wages & Fringe Benefits	\$6,382,079	\$43,844	\$6,425,923
Travel & Subsistence	\$116,950	\$2,000	\$118,950
Contractual Services	\$7,287,610	\$35,000	\$7,322,610
Commodities	\$5,490,357	\$87,000	\$5,577,357
Capital Outlay			
Equipment	\$860,521	(\$71,000)	\$789,521
Subsidies, Loans & Grants (Transfers)	<u>\$3,882,079</u>	<u>\$0</u>	<u>\$3,882,079</u>
TOTAL	<u>\$24,019,596</u>	<u>\$96,844</u>	<u>\$24,116,440</u>

A budget revision is needed to escalate and realign the Auxiliary Enterprises Budget for additional operating costs. This escalation will be funded from self-generated revenues.

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8. **UM** - Approved the request to execute a contract with Venture Technologies to upgrade the technology of the campus network to strengthen security, improve performance, and ensure continued stable reliable network services. On November 19, 2004, the ITS Board granted an exemption to the University to request proposals. Following the bid closing on January 25, 2005, the responses were evaluated by a committee of technology professionals with selection being completed on February 8, 2005. Venture Technologies submitted the low bid in the amount of \$2,303,598.40 and was the selection of the committee. This upgrade will be completed by Fall 2005. Funds are available from self-generated funds. A copy of the contract is included in the *March 17, 2005 Board Working File*.
9. **UMMC** - Approved the request to enter into a Second Amendment to an agreement with Renal Care Group ("RCG") of Mississippi, Inc. to agree on an expiration date of August 31, 2005. The original agreement dated March 16, 2000 was approved by the Board and allowed for acceptance of the lease space by RCG subject to punch list items. The actual date of acceptance by RCG was November 2004, thereby requiring a second amendment extending the date from March 16, 2005 to August 31, 2005. The first amendment to the management agreement allowed for patient volume increases and was approved by the Board in November 2004. The inpatient and outpatient services including fees will not change in accordance with the first amendment. A copy of the amendment is included in the *March 17, 2005 Board Working File*.
10. **System Administration** - Approved the request to renew the current contract with AmFed Companies, LLC for FY 2006 at the same fee that has been in effect since FY 2002. The amount of the amended agreement for the basic required services is \$367,500 for FY 2006. The term of the amended agreement is September 1, 1999 through June 30, 2006. A copy of the contract is included in the bound *March 17, 2005 Board Working File*.
11. **System Administration** - Approved the Second Quarter Employment Report which covers employment activities for the period October 1, 2004 thru December 31, 2004. A copy of the report is included in the *March 17, 2005 Board Working File*.
12. **System Administration** - Approved the revisions to the Rules and Regulations for the Health Care Professions Loan/Scholarship Program effective for the 2005-2006 award year. A copy of the document is included in the bound *March 17, 2005 Board Working File*.
13. **System Administration** - Approved the revisions to the Contract and Note for the Health Care Professions Loan/Scholarship Program effective for the 2005-2006 award year. A copy of the document is included in the bound *March 17, 2005 Board Working File*.
14. **System Administration** - Approved the revisions to the Rules and Regulations for the Nursing Education Loan/Scholarship Program effective for the 2005-2006 award year. A copy of the document is included in the bound *March 17, 2005 Board Working File*.
15. **System Administration** - Approved the revisions to the Contract and Note for the Nursing Education Loan/Scholarship Program effective for the 2005-2006 award year. A copy of the document is included in the bound *March 17, 2005 Board Working File*.

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LEGAL AGENDA

Presented by Ms. Amy Whitten, Chair

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

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

1. **MSU** - Approved the request for the MSU Educational Building Corporation to retain Butler, Snow, O'Mara, Stevens & Cannada, PLLC as bond counsel in connection with the issuance of bonds for Phase II - Residence Hall Construction, in the approximate amount of \$40,000,000. The rate will be \$2.25 per \$1,000 of bonds issued, which is the same fee approved for Phase I. Approval of the Attorney General was granted by letter dated February 14, 2005.
2. **MSU** - Approved the request to enter into an interlocal agreement with Oktibbeha County for the creation of the South Access Roadway Commission. The purpose of the interlocal agreement will be (1) to create the conditions necessary to bring about the agreement of the parties on the location and construction of a proposed roadway and connecting roadways to U.S. Highway 82 and State Highway 25 including a connector along the East side of the University's South Farm; (2) to create a mechanism to seek proper funding and approval of transportation improvements needed; (3) to create a mechanism to implement a request that the Mississippi Department of Transportation delegate the responsibility for implementation of the aforesaid improvements to an interlocal commission comprised of the County and the University, and the supporting efforts of the Parties in pursuing special congressional appropriation funding assistance to advance the project to reality; and (4) to create a mechanism for the administration of any funds which are available or may become available for planning, design, permitting, right of way acquisition, construction engineering, and construction of the aforesaid transportation improvements. A copy of the agreement is on file in the Board Office.
3. **System Administration** - Approved the proposed settlement of the Workers' Compensation case styled *Cynthia Crabtree v Mississippi State University*.
4. **System Administration (Information item.)** - The Board received the quarterly litigation expense reports relating to the IHL Tort Plan & IHL Workers' Compensation Plan. A copy is included in the bound *March 17, 2005 Board Working File*.
5. **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 2/1/05) from the funds of the Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with *IHL v. State.*)

TOTAL DUE \$4,094.61

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Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 1/13/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with general advice.)

TOTAL DUE \$7,719.50

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton & Mulroy (Statement dated 1/19/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *Priscilla Sterling and Sandra Bernard v. UMMC, et al.*)

TOTAL DUE \$3,590.78

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 1/11/05) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with *William Durham v. the Mississippi Space Commerce Initiative and Allan Falconer.*)

TOTAL DUE \$100.39

Payment of legal fees for professional services rendered by Hickman, Goza & Spragins (Statement dated 12/28/04) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with *DFA v. Clark* - airport expansion.)

TOTAL DUE \$1,280.50

Payment of legal fees for professional services rendered by Sims Moss Kline & Davis (Statement dated 12/16/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *Business Litigation.*)

TOTAL DUE \$112.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 12/14/04) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with *William Durham v. the Mississippi Space Commerce Initiative and Allan Falconer.*)

TOTAL DUE \$145.28

Payment of legal fees for professional services rendered by Maxey Wann, PLLC (Statement dated 1/3/05) from the funds of the Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with *IHL v. State.*)

TOTAL DUE \$3,722.75

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Payment of legal fees for professional services rendered by Gore, Kilpatrick, Purdie, Metz and Adcock (Statement dated 1/26/05) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with *Williams v. USM.*)

TOTAL DUE \$3,188.18

Payment of legal fees for professional services rendered by Bossier Kitchens (Statement dated 12/1/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *Eric Williams v. UMMC.*)

TOTAL DUE \$2,660.00

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton and Mulroy (Statements dated 12/7/04 and 12/21/04) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$98.00 and \$9,517.67, respectively, represent services and expenses in connection with general advice and *Sterling v. UMMC, et al.*)

TOTAL DUE \$9,615.67

Payment of legal fees for professional services rendered by Page, Kruger & Holland (Statement dated 1/31/05) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *Smith v. UMMC.*)

TOTAL DUE \$52.00

Payment of legal fees for professional services rendered by Hickman, Goza & Spragins (Statement dated 1/26/05) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with *DFA v. Clark* - airport expansion.)

TOTAL DUE \$937.50

b. In relation to patent matters:

Payment of legal fees for professional services rendered by Needle & Rosenberg (Statement dated 11/22/04) 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 \$4,044.39

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 11/20/04, 11/30/04, 11/30/04, 11/16/04, 10/27/04, 9/29/04, 9/29/04, and 9/29/04) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: "Heliothis Virescens and Helicopter ZeaE" - \$770.88; "Silicon and Related Transistors..." - \$1,401.79; "Vehicle Location and Performance Tracking..." - \$400.00; "Moisture and Density Detector" - \$874.56; "Production of Biodiesel

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and Other Valuable...” - \$1,009.65; “Moisture and Density Detector – EPC” - \$795.50; “Moisture and Density Detector-NZ” - \$796.80; and “Moisture and Density Detector-AU” - \$796.80.)

TOTAL DUE \$6,845.98

Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 8/10/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “General” - \$22.67; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC” - \$840.98; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Belgium” - \$504.97; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Denmark” - \$1,101.36; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Germany”- \$1,155.72; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Netherlands” - \$993.95, “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Sweden” - \$828.29; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Switzerland” - \$746.12; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - UK” - \$633.65; “Stable Suppository Formulations Effecting Bioavailability of Delta Sup.9-THC - Japan” - \$637.02; “Manzine Alkaloids with Potent Activity Against Infectious Diseases-US Natl” - \$818.86; “Namzamines for Treatment of Drug Resistant Infection – Hong Kong” - \$2,131.29; “New PCT App. Priority from US 60/217,001” - \$795.00; “Potent Immunostimulants from Microalgae” - \$1,062.57; “Peroxide Compounds as Anti-Infective Agents-US” - \$7.16; “National Phase Filing in Japan Corresponding to PCT/US02/37488” - \$5,329.77; “National Phase Filing in New Zealand Corresponding to PCT/US02/37488” - \$947.50; “Divisional Application of U.S. Application No. 10/271,960” - \$430.21; and “Potent Immunostimulants From Microalgae” - \$795.00.)

TOTAL DUE \$19,782.09

Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 3/4/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “New Manzine Alkaloids with Potent Activity Against Infectious Disease” - \$150.00; “Natl Phase Australian Patent App. No. 12348/00” - \$21.91; “New Manzine Alkaloids with Potent Activity Against Infectious Disease-Australian” - \$2.10; “New Manzine Alkaloids with Potent Activity Against Infectious Disease – Canada” - \$6.40; “Method of Producing Delta-9-Tetrahydrocannabinol Esters-GB” - \$1,147.58; “Method of Producing Delta-9-Tetrahydrocannabinol Esters –GB” - \$1,147.58; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters –IL” - \$307.19; and “Method of Preparing Delta-9-Tetrahydrocannabinol Esters –RU” - \$310.10.)

TOTAL DUE \$945.28

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Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 12/9/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “National Phase Canadian Patent App.” - \$1,007.71; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-CA” - \$892.06; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-IL” - \$64.60; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-KR” - \$825.93; “National Phase Filing in Australia of PCT/03/16812” - \$535.00; “National Phase Filing in Canada of PCT/03/16812” - \$535.00; “Regional Phase Filing of PCT/03/16812” - \$535.00; “National Phase Filing in Mexico of PCT/03/16812” - \$535.00; “National Phase Filing in U.S. of PCT/03/16812” - \$553.35; “Peroxide Compounds as Anti-Infective Agents” - \$42.30; and “PCT Application Based on U.S. Provisional No. 60/483,380” – -\$17.75.)

TOTAL DUE \$5,508.20

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 11/17/04, 11/18/04, 11/18/04, 11/18/04, 11/18/04, and 12/17/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Miscellaneous IP Matters” - \$50.60; “Sumrall/Plastic Grocery Bag Transporter” - \$262.58; “Nagle/Marine Compound Inhibiting Cellular Responses to Hypoxia” - \$67.50; “Nagle/Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - \$325.50; “Repka/Medicaments to Nail & Perionychiu” - \$35.70; “Cheboyina/Spherical Pellet Production Provisional...” - \$6,790.40; “Zjawiony/Diterprenes as Selective Kappa Oploid Reception Agonists” - \$208.50; and “Slattery/Antibacterial Plybrominated Diphenyl Ether Compounds” - \$315.00.)

TOTAL DUE \$8,055.78

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 12/6/04) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: “Moisture Density Detector” - \$1,707.73; “Micro-Fluidic Device for ... Biomolecular Interations” - \$1,306.43; “Positive Directed Movement of Termites by Radio Waves” - \$1,307.01; and “Optical Fiber Sensor Having Fiber Core...” - \$2,644.58.)

TOTAL DUE \$6,965.75

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 1/13/05) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patent applications: “Zwich/Saliva-Based Protein Profiling” - \$75.18 and “Hiser/Cell Culture Model for Demyelination/Remyelination” - \$97.06.)

TOTAL DUE \$172.24

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Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 1/10/05) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: “Stable Suppository Formulations Effecting Bioavailability of 9-THC” - \$552.13; “Stable Suppository Formulations Effecting Bioavailability of 9-THC- Japan” - \$2,041.73; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-CN” - \$2,556.66; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-HU” - \$1,003.46; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-IL” - \$256.78; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters-SG” - \$2,876.90; “Transmucosal Delivery of Cannabinoids” - \$37.50; “National Phase Filing in Australia” - \$1,752.00; “Regional Phase Filing – EP” - \$8,222.57; “National Phase Filing in Mexico” - \$1,922.60; and “National Phase Filing in Mexico Corresponding to PCT/US02/37488” - \$181.50.)

TOTAL DUE \$22,796.52

LEGISLATIVE AGENDA

Presented by Ms. Amy Whitten, Chair

1. **Issues** - On motion by Ms. Whitten, seconded by Dr. Neely, with Mr. Klumb absent and not voting, the Board voted to adopt a resolution concerning its position in relation to the budget under consideration for IHL funding. (See Exhibit 2.)

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Richard Crofts, Interim Commissioner

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

RESOLVED, That the Board hereby approved agenda items #1 - #3 as submitted on the following Administration/Policy Agenda. Agenda item #4 was approved on a separate motion by Dr. Davidson, seconded by Dr. Neely, with Mr. Klumb absent and not voting. Agenda item #5 was approved on a separate motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Klumb absent and not voting. Agenda item #6 was approved on a separate motion by Dr. Davidson, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting.

1. **DSU** - Approved the request to bestow an honorary degree on Mr. Elbert Hilliard at the May 2005 commencement.
2. **MSU** - Approved the request to bestow an honorary Doctor of Science degree on Mr. James W. Bagley, and an honorary Doctor of Creative and Performing Arts degree on Mr. Morgan Freeman, at the Saturday, May 7, 2005 commencement ceremony.
3. **MVSU** - Approved the request to bestow an honorary doctoral degree on Mr. Earl G. Graves at the Spring Commencement Exercises on Saturday, May 14, 2005.

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4. **System Administration** - Approved the reappointment of Mr. Bruce Crain, Director of Financial Aid and Scholarships at Mississippi State University, and of Ms. Ann Margaret Mullins, Director of Financial Aid at Delta State University, to the Mississippi Higher Education Assistance Corporation by The Board of Trustees for a four year term ending on the day prior to the Annual Meeting of the Membership of the Corporation in 2009.
5. **System Administration** - Approved the proposed amendment to the *Board Policies and Bylaws* – 301.0805 Foundation Activities. **(See Exhibit 3.)**
6. **System Administration** - Approved the agenda items considered subsequent to the February 17, 2005 Board meeting, as follows:
 - a. **UMMC** - Employment of Ronald Lee King.

PERSONNEL/FOREIGN TRAVEL AGENDA
Presented by Dr. Richard Crofts, Interim Commissioner

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

RESOLVED, That the Board hereby approved the personnel action agenda items as submitted on the following Personnel/Foreign Travel Agenda. Agenda item #2 was approved on a separate motion by Mr. Blakeslee, seconded by Dr. Davidson, with Mr. Klumb absent and not voting.

1. **Personnel Report.**

EMPLOYMENT

Mississippi State University

Llull, Harry P.
Zhang, Li

Mississippi State University - Athletics

Stringer, Stephen R.

University of Mississippi

Dougherty, Barbara J.
Fink, Thomas J.
Huang, Boray

University of Mississippi - Athletics

Ausmus, Aaron M.
Rippon, Christopher R.

University of Mississippi Medical Center

Fulton, Linda

Greening, Leilani
Morgan, Christy

University of Southern Mississippi

Snodgrass, Stanley

University of Southern Mississippi - Athletics

Messingham, Courtney Alan
Tate, Frederick Lewis

CHANGE OF STATUS

Jackson State University

Thiagarajan, Palaniappan

University of Mississippi

Reithel, Brian J.

University of Mississippi Medical Center

Santa-Cruz, Robert

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University of Southern Mississippi
Maneval, Mark

Petri, Rick
Slutak, Dennis M., Jr.

TERMINATION

Alcorn State University
Williams, Malvin

Delta State University
Clark, Yolanda
Cooper, Jan
Fears, Lillie M.
Grossi, Deanna Starn
Hoskins, Lori
Waller, Robert
Williams, Joel M.

Mississippi State University
Buchanan, Michael S.
Burg, Clarence O.
Land, Samuel B., Jr.
Nelson, Phillip D.
Tomlinson, Julia E.

Mississippi State University - Athletics
Drayton, Stanley A.

Mississippi University for Women
Jones, Julie
Whitten, Carmen

Mississippi Valley State University
Cates, Anita
Green, Mark
Osborne, Alice
Sams, Larry
Smith, Eddie Jean

University of Mississippi
Vinson, Michael C.

University of Mississippi - Athletics
Camp, Charlie, Jr.
Nunn, Arlington L.

University of Mississippi Medical Center
Boers, Carol
Bias, Brian Di
Fos, Peter J.
Fowler, Daniel
Futvoye, Matt
Houston, Tonya
Kersey, Jenny
LeBrun, Christopher J.
Lennon, Debbie
Luer, Lisa
McKay, Marcella
Montgomery, Lee
Nick, Todd G.
O'Bryan, Tanya M.
Panigrahi, Tammay
Ridgeway, Pamela Cashill
Sellers, Amy
Williams, Patricia C.

SABBATICAL LEAVE

Mississippi State University
Dang, Hai D.
DelPrince, James M.
Estes, Yolanda D.
Hargrove, Nancy D.
Haupt, Jeffrey S.
Looby, Eugenie J.
Miller, Phyllis B.
Miller, Thomas L.
Sinno, R. Ralph
Uzoigwe, Godfrey N.
Webster, Cynthia
Winger, Jeffrey A.

Mississippi University for Women
Dunkelberg, Kendall

University of Mississippi Medical Center
Tubbs, Carol

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LEAVE OF ABSENCE

Mississippi University for Women
Glass, Will

NULLIFICATION OF EMPLOYMENT

University of Mississippi Medical Center
Neff, Brian A.

EMERITA/EMERITUS STATUS

University of Southern Mississippi
Richmond, Mark
Whorton, James

NECROLOGY

University of Mississippi Medical Center
Bebin, Jose

1. Foreign Travel Report.

Alcorn State University

Muhammad, Addullah F. H. Ghana

Delta State University

Ayers, Eugene J. Caribbean
Tullos, Margaret H. Oxford, England
Waddell, Jenetta Montreal, Canada

Jackson State University

Burks-Berry, Amy Montreal, Canada
Eldek, Abdelnasser A. Honolulu, Hawaii
Gentry, Laverne Montreal, Canada
Guillory, Monique Montreal, Canada
Hwang, Huey-Min Zhuhai, China

Mississippi State University

Bridges, David Toronto, Canada
Brown, Richard L. San Juan, Puerto Rico
Burns, Elizabeth Montreal, Canada
Freedman, Sara M. Toronto, Ontario, Canada
Greenwood, Allen G. San Juan and Mayaguez, Puerto Rico
Havard, Byron Montreal, Canada
Jacobs, Paul Vancouver, British Columbia, Canada
Kanter, Dwight G. San Juan, Rio Piedras, and Lajas, Puerto Rico
Karr, Bob L. Quebec, Canada
Kidd, Michael T. Buenos Aires, Argentina
Lee, SangMi San Juan, Puerto Rico
Lestrade, John Patrick Toulouse, France
Macdonald, Neil Inverness, Scotland
Minnis, Richard Limba, Cameroon, and Kampala, Uganda
Moore, Melissa L. Rome, Bologna, Italy via Paris, France

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Nicholas, Darrel D.	Bangalore, India
Prince, Debra	Montreal, Canada
Richards, Douglas P.	Quebec City, Quebec, Canada
Rogers, Rudy E.	Trondheim, Norway
Schramm, Harold L., Jr.	Trondheim, Norway
Senko, Corwin	Montreal, Canada
Solomon, Walter L.	San Juan, Rio Piedras, and Lajas, Puerto Rico
Srogo, Peter (Student)	London, England
Walker, Linda	Montreal, Canada
Warnock, James	Vancouver, Canada
Yang, Yi	Montreal, Canada

Mississippi University for Women

Richardson, Thomas C.	London, Edinburgh, United Kingdom
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University of Mississippi

Adams, Caroline	Liverpool, England
Adkins, Jessica (Student)	Shanghai, Beijing, China
Approximately 25 Students	Costa Rica
Approximately 25 Students	Liverpool, England
Approximately 25 Students	Paris, France
Approximately 15 Students	Belize
Approximately 15 Students	Cambridge, England
Bass, Henry	Palau, Koror
Clark, Charles	Cambridge, England
Ding, Yan	Anchorage, Alaska
Elsherbeni, Atef	Honolulu, Hawaii
Fisher-Wirth, Ann	Vancouver, Canada
Gabrynowicz, Joanne	Vienna, Austria
Galef, David	Vancouver, Canada
Gaston, Gary	Belize
Glisson, Allen	Honolulu, Hawaii
Gutierrez, John	Costa Rica
Hammond, Nick (Student)	Shanghai, Beijing, China
Ingenue, Charles	Cambridge, England
Inmann, Matthew (Student)	Honolulu, Hawaii
Kishk, Ahmed	Honolulu, Hawaii
Maron, Ruth	Lisbon, Coimbra, Portugal
McGee, Thomas	Victoria, British Columbia, Canada
Melear, Kerry	Montreal, Canada
Mims, Clif	Montreal, Canada
Moore, Jean Renee	Dublin, Ireland
Pepper, Susan Kaye	Montreal, Canada
Quinney, Anne	Paris, France
Rakocinski, Chet	Belize

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Rimoldi, John	Shanghai, Beijing, China
Schirmer, Gregory	Dublin, Coric, Ireland
Slauson, Stephen (Student)	Shanghai, Beijing, China
Swanson, David	Helsinki, Finland; Tours, France; and Dordrecht, The Netherlands
Vitell, Scott	Muenster, Germany
Walsh, Timothy	Assisi, Italy
Wang, Sam	Anchorage, Alaska
Weldon, Dave (Student)	Shanghai, Beijing, China
Wells, Amy	Montreal, Canada
Yakovlev, Alexander	Honolulu, Hawaii

University of Mississippi Medical Center

Badr, Ahmed	Brussels, Belgium
Chandler, Derrick	Cancun, Mexico
Chen, Ching Jygh	Taichung, Taiwan
Faruque, Fazlay	Bangladesh
Geissler, William B.	Vancouver, British Columbia, Canada
Granger, Joey P.	Cancun, Mexico
Grifoni, Samira De Campos	Cancun, Mexico
Hall, John E.	Cancun, Mexico
Hamilton, Robert	Dohuk and Erbil, Iraq
Ho, I. K.	Taipei, Taiwan
Hughes, Gaile D.	Dohuk and Erbil, Iraq
Hughes, James L.	Moscow, Russia
Hughson, Michael D.	Dohuk and Erbil, Iraq
Jones, Daniel W.	Pyeongyang, Democratic Peoples Republic of Korea
LaMarca, Birdie B.	Cancun, Mexico
McCluskey, William P.	Ottawa, Ontario, Canada
McGuire, Robert A.	Cancun, Mexico
Rajkowska, Grazyna	Warsaw, Poland and Vienna, Austria
Reckelhoff, Jane	Cancun, Mexico
Salih, Ziyen	Toronto, Ontario, Canada
Wells, James Michael (Resident)	Geneve, Switzerland
Zhang, Feng	Dalian City, Peoples Republic of China

University of Southern Mississippi

Babin, Barry	Korea
Bass, Linda	Scotland
Brouwer, Marius	Italy
Johnson, Ericka (Student)	China
Kuczaj, Stan	Honduras
Kuskin, William	Scotland
Mays, William Michael	Czech Republic
Ngodock, Hans	France, Norway, and Czech Republic
Niroomand, Farhang	Iran

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Pandey, R. B.	Singapore
Smith, Larry D.	Italy
Welsh, Teresa	Canada

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

Jackson State University

Amini, Farshad	Sao Paulo, Brazil
Maddirala, James	Bluefield, Nicaragua

Mississippi State University

Burgess, Jennifer	London, England
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Mississippi Valley State University

Love, Albert	Baku, Azerbaijan
Hall, Louis	Baku, Azerbaijan
Newsome, Abigail	Baku, Azerbaijan

University of Mississippi

Alabi, Olamide	Nigeria
Beason, Kim	Honolulu, Hawaii
Cavaglia, Marco	La Thuile, Italy
Cremaldi, Lucien	Geneva, Switzerland
Elsherbeni, Atef	Cairo, Egypt
Haasch, Mary	Kirchberg, Tirol, Austria
Holmes, Kerry	Honolulu, Hawaii
Kishk, Ahmed	Cairo, Egypt
Lin, Yi	Beijing, China
Metcalf, Michael	Beijing, China
Raber, Karen	Bermuda
Sanders, David	Geneva, Switzerland
Slattery, Marc	New Zealand
Turner, Raney Mills	Capetown, Port Elizabeth, Petoria, and Matieland, South Africa
Woolsey, Robert	Lee Stocking Island, Bahamas
Wilson, Kelly	Bangor, Wales

COMMISSIONER SEARCH COMMITTEE

Presented by Ms. Virginia Shanteau Newton, Chair

Ms. Newton reported that the committee is moving forward with the search for a new commissioner. The committee's vision is for the Board to concentrate on policy and leadership, while allowing the higher education professionals to manage and operate the institutions. To that end, the committee proposed a *Governance Model*.

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(See Exhibit 4.) Once the model is adopted, the committee will begin its search for a permanent commissioner who will fit into the new role outlined in the *Governance Model*.

On motion by Ms. Newton, seconded by Mr. Blakeslee, with Mr. Klumb absent and not voting, the Board approved the *Governance Model*.

Ms. Newton communicated that the *Governance Model* is a principle/concept that will give rise to significant changes to the *Board Policies and Bylaws*. Other details will need to be worked out and discussed. The IHL staff will take care of assessing the changes to the *Board Policies and Bylaws* and will bring forward any questions that need to be addressed.

Ms. Newton commented that this is a significant reform for higher education in Mississippi. The Board's goal is to be more effective. In recognizing that the Board members are lay people, the Board will depend more on the higher education professionals. The Board will move towards working more effectively with the IHL staff and Institutional Executive Officers. Implementation will take time and will involve a transition period. There will be many more discussions on the details of implementing the *Governance Model*. Ms. Newton thanked the Board, the IHL staff, and the Institutional Executive Officers for their work.

ANNOUNCEMENTS

1. Mr. Ross noted that this is the last Board meeting that Sarah Nicholas, IHL Communications and Marketing Associate, will attend. He congratulated Ms. Nicholas on becoming a new stay-at-home mom and thanked her for her efforts over the years.
2. Ms. Newton announced that Dr. Clinton Bristow's presidential evaluation will occur immediately following the Executive Session.

EXECUTIVE SESSION

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

Discussion of a personnel matter at the Board Office.

Evaluation of the President of Alcorn State University.

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

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

The Board discussed a personnel matter at the Board Office.

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Evaluation of Dr. Clinton Bristow, President of Alcorn State University.

The Board discussed a personnel matter at The University of Southern Mississippi.

COMMITTEE REPORTS

**Commissioner Search Committee
Wednesday, March 16, 2005**

The committee was brought to order by Ms. Newton, Chair. The following was discussed:

1. **Executive Session**

On motion by Ms. Whitten, seconded by Mr. Patterson, and unanimously passed by those present, the committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Newton, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee **voted to go into Executive Session** for the reason later reported by the Chair in Open Session and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office.

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

The committee discussed a personnel matter at the Board Office.

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

PRESIDENTS' COUNCIL REPORT

Presented by Dr. Charles Lee, President
Wednesday, February 16, 2005

Call to Order:

- Dr. Charles Lee called the meeting to order at 8:30 a.m. on Wednesday, March 2, 2005.
- There were no minutes to be approved.

Multi-Year Tuition Proposal:

- Dr. Linda McFall, IHL Assistant Commissioner of Finance and Administration, presented the Multi-Year Tuition Proposal and explained the rationale behind it.
- A comment was made that it is a great burden on the students to have to wait until the last minute to know the cost of attendance. Students need to be notified as soon as possible so that they can make financial plans. This plan would allow for that.

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- It was agreed that, when state appropriations are being decided, the idea of “quality” has been left out of the public discussion of higher education.
- Action: The proposal will be recommended to the Board when Dr. Richard Crofts feels it is appropriate.

Chief Academic Officers’ (CAOs’) Recommendation for IHL Academic Programs Policies:

- Dr. John Hilpert reported that the CAOs had worked through the issues raised by the Presidents’ Council. The CAOs felt that the checks and balances for the undergraduate and master’s level programs are adequate and appropriate. They felt that policies on doctoral programs addressed four issues brought to them but that two of them should have an external review.
- The presidents felt that the universities need to be able to consider new programs to meet contemporary needs but that, currently, some feel discouraged from attempting new programs. It was felt that, if starting a program involves little or no cost, the institutions should decide whether it is worthwhile to launch it.
- Dr. Crofts said that a report is being written on programs that have been deleted. It will be sent to the presidents.
- It was decided that the document needs to be a recommendation rather than a report as in its current format and that something about accreditation (both general and specialized) should be added.
- Action: Dr. Crofts will work with others to rewrite the report to go forward not as an action item.

Commissioner/IEO Performance Management Process:

- Dr. Crofts will schedule a conference call to the group involved after all background documents are gathered.

Implementation of Funding Formula:

- Dr. Crofts expressed the concern that it has been five years since any allocations were made to the universities that incorporated enrollment trends and addressed the “hold harmless” feature of the current allocation process. He felt that any changes would have to occur in phases over several years since the impact could be significant on some institutions.
- Dr. McFall provided background on how numbers could be generated, including establishing faculty load, student credit hours, cost of classes, lower/upper division courses, discipline costs, etc.
- A question was raised on the cost of maintaining historic buildings versus the cost of maintaining newer buildings.
- Dr. Crofts will raise this issue with the Board.

Admission Standards:

- The Board has discussed the core curriculum in high schools and has read the ACT document.
- Dr. Crofts has worked with the State Superintendent of Education and the Board of Education on changes in core and graduation requirements to call for four units each in English, Math, and Social Studies. Currently, the core and graduation requirements only call for four units in English.

Budget Advocacy:

- There was a discussion of the need for both short-range and long-range approaches to State budget appropriations, it being uniformly felt that the IHL system is being damaged by budget cuts.

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- Dr. Crofts will present testimony to the Legislative Budget Committee (LBC) next week, discussing the possible magnitude of tuition increases and the number of layoffs that will likely occur if the LBC recommendations should prevail.
- Action: Planning for a long-range approach for the coming year needs to begin in the next few weeks.

Executive Session:

- The presidents are looking forward to further discussions about the hiring of a new commissioner and other possible changes.

The meeting adjourned at 10:15 p.m.

COMMITTEE REPORTS (continued)

**Academic Affairs Committee
Wednesday, March 16, 2005**

The committee was brought to order by Ms. Robinson, Chair. The following items were discussed:

1. **Amendment to Board Policies and Bylaws**
On motion by Ms. Robinson, seconded by Mr. Patterson, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendment to policy 502.01 General Policy and the proposed new policy 502.02 Procedures as referenced by committee agenda item #1 in the Board Book.
2. **Academic Program at USM**
On motion by Ms. Robinson, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the recommendation to continue the Master of Science in Physics program at USM as referenced by committee agenda item #2 in the Board Book.
3. **Report on Academic Programs**
The committee received a report on the academic programs approved and deleted from 2000 - 2005 as referenced by committee agenda item #3 in the Board Book.
4. **Post Tenure Review**
The committee received an update on the post tenure review policies submitted by ASU and MVSU as referenced by committee agenda item #4 in the Board Book.
5. **MUW Reorganization**
Dr. Claudia Limbert, President of MUW, introduced Dr. Samuel Gingerich, Provost and Vice President for Academic Affairs, who gave a presentation concerning the reorganization of the academic administrative structure at MUW as referenced by committee agenda item #5 in the Board Book. Dr. Gingerich handed out a notebook detailing the reorganization. This notebook is included in the *March 17, 2005 Board Working File*.

Mr. Patterson commended MUW on the remarkably well-staffed and well-documented presentation. Ms. Robinson thanked Dr. Limbert for her efforts. Ms. Newton echoed Mr. Patterson's comments by thanking Dr. Limbert and Dr. Gingerich on the thorough presentation.

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6. **Accreditation Issues**

Dr. Crofts introduced Dr. Margaret Sullivan who presented a presentation about accreditation issues as referenced by committee agenda item #6 in the Board Book.

7. **Other Business**

- a. Dr. Crofts informed the Board that he will be bringing back proposed changes to the admissions standards in order to align it with changes in the college preparatory curriculum of the State Department of Education.
- b. Ms. Robinson announced that the Mississippi Economic Council is sponsoring a Mississippi Scholars Program. Business people go into the schools to speak with 8th grade students about this program. The program will allow students to take rigorous courses to prepare them for college, work, military, or wherever they might be heading.
- c. Ms. Robinson thanked the CAOs, the IEOs, and staff for working with her on the academic affairs issues this past year.

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

**Budget & Financial Affairs Committee
Wednesday, March 16, 2005**

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

1. **MSU Contracts**

On motion by Ms. Robinson, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the contracts to purchase a Photo Archiving and Communications System and an X-Ray Computed Tomography System as referenced by committee agenda items #1 & #2 in the Board Book.

2. **Budget Escalations**

- a. On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the escalations for the Educational and General Budget as referenced by committee agenda items #3 in the Board Book.
- b. On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the escalations for the Off-Campus Centers Budget as referenced by committee agenda items #4 in the Board Book.
- c. On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the escalations for the Education and General Budget as referenced by committee agenda items #5 in the Board Book.
- d. On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the escalations for the Intercollegiate Athletics Budget as referenced by committee agenda items #6 in the Board Book.
- e. On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the escalations for the Auxiliary Enterprises Budget as referenced by committee agenda items #7 in the Board Book.

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3. **UM Contract**

On motion by Mr. Blakeslee, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the contract with Venture Technologies as referenced by committee agenda item #8 in the Board Book.

4. **UMMC Contract**

On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the second amendment to the contract with Renal Care Group as referenced by committee agenda item #9 in the Board Book.

5. **System Administration Contract**

On motion by Mr. Blakeslee, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the contract with AmFed Companies as referenced by committee agenda item #10 in the Board Book.

6. **Employment Report**

On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the FY 2005 Second Quarter Employment Report as referenced by committee agenda item #11 in the Board Book.

7. **Loan/Scholarship Programs**

a. On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the revisions to the rules and regulations for the Health Care Professions Loan/Scholarship Program as referenced by committee agenda item #12 in the Board Book.

b. On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the revisions to the Contract and Note for the Health Care Professions Loan/Scholarship Program as referenced by committee agenda item #13 in the Board Book.

c. On motion by Ms. Robinson, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve revisions to the rules and regulations for the Nursing Education Loan/Scholarship Program as referenced by committee agenda item #14 in the Board Book.

d. On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the revisions to the Contract and Note for the Nursing Education Loan/Scholarship Program as referenced by committee agenda item #15 in the Board Book.

8. **Other Business**

Dr. Crofts updated the Board on budget funding actions by the Legislature.

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

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**Building/Facilities Committee
Wednesday, March 16, 2005**

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

1. **Building/Facilities Requests**

- a. Agenda items #1 - #6 which concern the Initiations of Projects / Appointments of Professionals for DSU and UM were pulled from the agenda.
- b. On motion by Mr. Ross, seconded by Dr. Magee, and unanimously passed by those present, the committee recommended that the Board approve the construction documents for ASU, JSU, and MSU as referenced by committee agenda items #7 - #10 in the Board Book.
- c. On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the awards of contracts for ASU, MUW, and UMMC as referenced by committee agenda items #11 - #14 in the Board Book.
- d. On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the change order for a project at JSU as referenced by committee agenda item #15 in the Board Book.
- e. On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the following miscellaneous items:
 - i. **ASU**- The planning process for the Higher Education Complex as referenced by committee agenda item #16 in the Board Book;
 - ii. **UMMC** - The elevator modernization agreement with Otis Elevator Company as referenced by committee agenda item #17 in the Board Book;
 - iii. **MVSU** - The EBC bond issue as referenced by committee agenda item #18 in the Board Book;
 - iv. **MVSU** - The plan for capital improvements from *Ayers* as referenced by committee agenda item #19 in the Board Book;
 - v. **USM** - The purchase of property as referenced by committee agenda item #20 in the Board Book; and
 - vi. **UMMC** - The purchase of property as referenced by committee agenda item #21 in the Board Book.

2. **MSU Contract**

A motion was made by Mr. Ross, seconded by Ms. Robinson, for the committee to recommend that the Board approve the joint venture between MSU's Institute for Neurocognitive Science and Technology and Premier Radiology, P. A. as referenced by committee agenda item #2 in the Board Book. The motion passed on a 4 to 1 vote. Committee members voting for the motion were: Mr. Scott Ross (Chair), Dr. Stacy Davidson, Dr. D. E. Magee, and Ms. Robin Robinson. **Mr. Bob Owens voted against the motion.**

3. **Facilities Summary**

The committee received the facilities summary for informational purposes only as referenced by committee agenda item #3 in the Board Book.

4. **Other Business**

- a. Ms. Whitten requested that the IHL staff keep a list of the construction companies and other professionals that provide substandard work.
- b. The committee received an update on the progress of the new Board meeting room.

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5. Initiation of Projects / Appointment of Professionals

Mr. Bob Owens withdrew his objections to agenda items #1 and #4. These items were placed back onto the agenda. On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the Initiations of Projects / Appointments of Professionals for DSU as referenced by committee agenda items #1 and #4 in the Board Book. Items #2, #3, #5, and #6 remain off the agenda.

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

**Legal Committee
Wednesday, March 16, 2005**

The committee was brought to order by Ms. Whitten, Chair. The following items were discussed:

1. Executive Session

On motion by Ms. Whitten, and unanimously passed by those present, the committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Mr. Owens, 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 litigation matter at Mississippi State University.

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. Owens, and unanimously passed by those present, the committee recommended that the Board approve the proposed settlement of the Workers' Compensation case styled *Cynthia Crabtree vs. Mississippi State University* as referenced by the committee agenda item #3 in the Board Book.

2. Retention of Bond Counsel

On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the retention of Butler, Snow O'Mara, Stevens & Cannada as bond counsel as referenced by the committee agenda item #1 in the Board Book.

3. MSU Interlocal Agreement

On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the interlocal agreement with Oktibbeha County for the creation of the South Access Roadway Commission as referenced by the committee agenda item #2 in the Board Book.

4. Quarterly Litigation Expense Reports

The committee received the quarterly litigation expense reports relating to the IHL Tort Plan & IHL Workers' Compensation Plan as referenced by the committee agenda item #4 in the Board Book.

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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 the committee agenda item #5 in the Board Book.

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

**Legislative Committee
Wednesday, March 16, 2005**

The committee was brought to order by Ms. Whitten, Chair. The committee discussed the following:

1. Talking Points

Dr. Crofts presented the *Talking Points for Board Members* which provides facts on the IHL system and the budget cuts. Ms. Whitten thanked Dr. Crofts for providing this helpful document. Dr. Crofts gave credit to the IHL Public Information department in helping to produce the *Talking Points*.

2. Legislative Issues

The committee discussed various issues in relation to the current Legislative Session.

3. Other Business

On motion by Mr. Patterson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that a resolution be drafted for passage by the Board concerning its position in relation to the budget under consideration for IHL funding and that the resolution be transmitted to the appropriate Legislative Leadership.

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

ADJOURNMENT

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

Roy Klumb

President, Board of Trustees of State Institutions of Higher Learning

Richard A. Crofts

Interim Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Facilities Summary for March 2005. |
| Exhibit 2 | A resolution concerning its position in relation to the budget under consideration for IHL funding. |
| Exhibit 3 | Proposed amendment to the <i>Board Policies and Bylaws</i> – 301.0805 Foundation Activities. |
| Exhibit 4 | <i>Governance Model.</i> |

EXHIBIT 1

FACILITIES SUMMARY MARCH 2005

ALCORN STATE UNIVERSITY

Approve the university's request that \$200,000 in IHL ADA funds be transferred to GS# 101-240, 2003 ADA Compliance Program. In an effort to obligate remaining ADA funds currently unobligated at the Bureau of Buildings.

DELTA STATE UNIVERSITY

Approve Change Order #6 in the deductive amount of \$6,300 with no change to contract time for GS#102-188, Jobe Hall Renovations and request approval by the Bureau of Buildings, Grounds, and Real Property Management.

MISSISSIPPI UNIVERSITY FOR WOMEN

Approve the budget increase from \$100,000 (pre-planning) to \$7,000,000 for the renovation/construction on Poindexter Hall, GS #104-149 and request approval by the Bureau of Buildings, Grounds, and Real Property Management. Funds are available in the project budget.

Approve the university's request for Environmental Evaluation and Control to provide an environmental survey for Student Health and Wellness Center, IHL# 204-129. The total fee is \$2,325. Funds are available from federal appropriations from the Department of Health and Human Services.

Approve the Design Development Documents for GS #104-148, 2003 ADA Program and request approval by the Bureau of Buildings. Funds are available in the project budget.

MISSISSIPPI STATE UNIVERSITY

Approve Change Order #3 in the amount of \$22,790 and an additional 23 days to the contract of JESCO, Inc., Tupelo, MS time for Power Generation Plant - Building Construction, IHL #205-191. Funds are available in the project budget from Mississippi State University Educational Building Corporation Bonds.

Approve Change Order #1 in the amount of \$2,773 for R & R Campus Facilities, GS#113-101 and request approval by the Bureau of Buildings. Funds are provided by S.B. 3197, Laws of 2002 in the amount of \$900,000, \$170,000 from MAFES designated funds, and \$50,000 from Veterinary Medicine designated funds.

Approve the university's request for emergency funding to repair the damage to the Raspet Flight Research Laboratory that occurred from a wind storm on January 13, 2005. The architectural firm of Pryor & Morrow was retained to evaluate the building and prepare an estimate of repair cost, and their preliminary estimates are that \$1.2 million will be required to replace the roof, roof deck, all roof appurtenances and repair the observation tower.

Approve the Schematic Documents prepared by Luke & Kaye, P. A., for IHL# 205-210, New Residence Hall Complexes-Phase II. The preliminary project budget is not to exceed \$40,000,000 for both facilities, with funds to be provided from Mississippi State University Educational Building Corporation Bond Funds.

Approve the university's request to hire Dr. Dan Adams, Director of Student Unions at the University of Arizona, and Mr. Jeff Stebar of Perkins & Will in Atlanta as consultants for Colvard Student Union, GS #105-309 and request approval by the Bureau of Buildings. Funds are available in the project budget in an amount not to exceed \$18,023.50.

MISSISSIPPI VALLEY STATE UNIVERSITY

Approve the initiation of a new project for renovations to the Administration Building and relocation of personnel until completion of the project and request approval by the Bureau of Buildings. It is our understanding that funds are available from SB#2010, Laws of 2004.

Approve Change Order #4 in the amount of \$67,935.60 with an additional 180 calendar days to the contract and request approval by the Bureau of Buildings. Funds are available in the project budget.

UNIVERSITY OF MISSISSIPPI

Approve Change Order #3 in the amount of \$20,970.72 and 98 additional days to the contract for Bryant Hall Renovation, Phase I, GS #1070168 and request approval by the Bureau of Buildings. Funds are available in the project budget.

Approve the Construction Documents for Farley Hall Renovation, GS#107-266 and request approval and advertising for receipt of bids by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the approximate amount of \$9,000,000.

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Approve Change Order #9 in the amount of \$17,142 with no increase in contract time for IHL#209-454B, Firewall Revisions. Funds are available in the project budget from Hospital Patient Revenue.

Approve Change Order #1 in the amount of \$38,521 with no increase in contract time for Medical School Lobby Renovations, '03, IHL#209-476. Funds are available in the project budget from Interest Income.

Approve Change Order #7 in the amount of \$2,344 with an increase of 10 calendar days for Classroom Facilities, GS #109-180. It is our understanding that the funds are not available in the project budget; therefore, the University Medical Center will provide \$2,344 from Indirect Cost Recoveries for completion of the Change Order.

Approve Change Order #3 for 3 East Ophthalmology Renovations, IHL #209-458, in the amount of \$19,237.43 with no increase to the contract time of Wilkinson Construction, Inc. Funds are available in the project budget from Indirect Cost Recoveries.

Approve Change Order #1 in the amount of \$759 with no increase in contract time for IHL #209-493, Children's Hospital 5th Floor. Funds are available from Hospital Patient Revenue

UNIVERSITY OF SOUTHERN MISSISSIPPI

Approve the request of the university for authority to be given for the Bureau of Buildings to amend their contract with Larry Albert & Associates, the design professionals for Union Building Restoration & Additions, GS #108-184, to amend their contract to include the review, coordination and verification of food service equipment compatibility with space and utility's availability in the project. The additional work would require the design team to review items of proposed food service equipment and actual utility service locations to insure proper installation of all equipment.

Approve Change Order #4, Union Building Renovation and Addition (Student Life), GS #108-184 in the amount of \$12,780 and request approval by the Bureau of Buildings. This is to extend the second floor cable tray, adjust the bookstore's finish material layout and quantities and increase the number of paint colors for walls of the bookstore. Funds are available in the project budget.

Approve the initiation of a new project for correction of ADA deficiencies at Bennett Auditorium. We need at least \$240,000 to begin this work. Any remaining monies in the ADA funds from the Bureau of Buildings should be reserved to supplement renovation budgets as needed.

EDUCATION AND RESEARCH CENTER

Approve the schematic documents for Landscaping, GS#111-037 and request approval by the Bureau of Buildings. Funds are available in the project budget.

Approve the schematic and design development documents for Road Repairs, GS #111-038 and request approval by the Bureau of Buildings. The estimated budget is \$250,000. Funds are available from SB#2988, Laws of 2003 and SB#3158, Laws of 2001.

EXHIBIT 2

RESOLUTION

WHEREAS, the Board of Trustees of State Institutions of Higher Learning has recognized over the last several years that public higher education must share in budget reductions during difficult economic times for the State; and

WHEREAS, in the last five years we have absorbed nearly \$50 million in budget cuts at the cost of reduced services and higher tuition; and

WHEREAS, the budget currently under consideration for next year reduces IHL funding an additional \$60 million - a reduction that cannot be absorbed without damaging the operations of our universities; and

WHEREAS, most of the proposed reduction comes from the elimination of budget contingency funding which has disproportionate impacts on our programs and services; and

WHEREAS, the increase of line item funding reduces the Board's flexibility to manage IHL and potentially brings the effect of even greater reductions to our educational enterprise; and

THEREFORE, the Board believes that the current economic situation of the State and the budget under consideration demands a comprehensive solution which will allow the Board to preserve the integrity of the Ayers Settlement, as well as the State's support of the Settlement, and will also provide the IHL system better sustainability; and

THEREFORE, the Board believes that total reliance on budget reductions will cause damage to our universities that will take years to overcome; and

THEREFORE, the Board believes that a comprehensive approach to the State's revenue and expenditures is the only way to effectively move IHL forward under the present economic circumstances;

THEREFORE, BE IT RESOLVED that the Board expresses its willingness to be a part of the dialogue to achieve that comprehensive solution.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the official minutes of the Board of Trustees and that a copy of this resolution be forwarded to the Governor, the Lieutenant Governor, and the appropriate Leadership of the Mississippi Legislature.

DONE, this the 17th day of March, 2005.

Virginia Shanteau Newton

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

EXHIBIT 3

301.0805 FOUNDATION ACTIVITIES

~~The Board recognizes the important role of private gifts to the university foundations in supporting the academic and extracurricular activities on each campus. The Board shall exercise appropriate oversight regarding the relationship institutions and the Commissioner have with foundations, including foundations specifically created to support athletic programs. The Institutional Executive Officer of each institution and the Commissioner shall:~~

~~A. — Provide the Board with an annual audited financial report of each of its foundations, disclosing in appropriate detail all expenditures for the past fiscal year;~~

~~B. — Prior to the beginning of the State's fiscal year, provide the Board with an approved foundation budget(s) containing estimated or anticipated unrestricted revenue and expenditures by both major object and programmatic area, including proposed supplemental compensation to university officials, faculty, employees and athletic staff;~~

~~C. — Provide access to the foundations for Board internal audit staff to routinely monitor compliance with Board policy, determine the value, if any, of university provided service and facilities, highlight major non-budgeted expenditures of unrestricted funds of the foundations and evaluate major changes, if any, in the structure, organization and operation of the foundations; and;~~

~~D. — Encourage continuing communications between members of the Board of Trustees and directors of the various foundations. At a minimum, there should be annual meetings between Board members, the Executive Committee of the Foundations' Board of Directors and the Institutional Executive Officers.~~

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

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 appraised 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 chief 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 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, other employees and athletic staff.
- 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 Trustees may allow exceptions to this restriction if needed for NCAA or other purposes. Senior administrators of the institution should 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 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 a institution of the Mississippi's State Institutions of Higher Learning be accounted for and ownership maintained by that institution; that gifts made to a 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 a chief executive officer will be underwritten by a foundation without being reported to the Board of Trustees;
- that institution input will be sought by the chief 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 Trustees have 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 institutions of the Mississippi's State Institutions of Higher Learning.

EXHIBIT 4

**BOARD OF TRUSTEES
OF
STATE INSTITUTIONS
OF HIGHER LEARNING

GOVERNANCE
MODEL**

March 17, 2005

**Board of Trustees of
State Institutions of Higher Learning**

Governance Model

During the past several months, the Board of Trustees has been discussing system governance and how to make our management more effective through the role of the Commissioner. Our vision is to move the Board's work up to the policy level while allowing our higher education professionals to manage and operate the institutions. Although we've explored how to be a better, more effective board in the past, we've never discussed the structural modifications necessary to provide the framework for true behavioral change. Our assessment of other governance models has led us to the conclusion that we should move toward a more effective structure.

The Board of Trustees will adopt operating principles which include the following:

- Focus on policies, goals, and strategic direction, resisting all steps to micromanage and direct involvement at the operational level of the universities.
- Let higher education professionals (the Institutional Executive Officers and the Commissioner) perform their leadership responsibilities and hold them accountable for attaining agreed upon goals.
- Approach all decisions from the perspective of what is best for the State of Mississippi and the students of our universities.
- Ensure that all Board members set aside institutional loyalties and allegiance.
- Maintain trust, respect and open dialog among Board members.
- Make changes in the Board's structure and agenda so that Board meetings are less chaotic and more effective.
- Bring clarity in roles, responsibilities, and relationships among Board members, the Institutional Executive Officers, and the Commissioner.

Therefore, the Board of Trustees proposes the following reporting relationships and operating procedures:

1. The Institutional Executive Officers will report directly to the Commissioner of Higher Education, who reports to the Board of Trustees.
2. The Board of Trustees will elect a President and Vice President for one-year terms. Officers may succeed themselves for no more than one additional year. The Board President will appoint a nominating committee (using former Board Presidents where

possible) to bring forward nominees for President and Vice President. The President will continue (along with the Commissioner) to serve as spokesperson for the Board of Trustees. Board members will defer to the President as the person in charge of Board meetings, without sacrificing the ability to challenge the rulings of the President or to speak on matters of policy or principle. The President of the Board will take a leadership role in ensuring that the Board's Code of Conduct is followed. The President will appoint all committee chairs and committees. The Vice President will stand in for the President when the President is unavailable and will assist the President as called upon. The Vice President may be elected President in subsequent years.

Note: This election process will begin no sooner than the election of a Vice-President to serve during Dr. Magee's term as President.

3. The Board of Trustees will review its committee structure in an effort to reduce the number of committees and streamline the process. Regular Board committees will meet sequentially, not concurrently. Board committees make no final decisions, but make recommendations for action to the total Board. The chairs of committees serve as the leader of the committee and have no authority of their own outside of the committee. Requests for work or reports from the Commissioner's staff that require significant amount of time will be processed through the Commissioner so that matters of workload and priorities can be controlled. Requests for normal or routine information can be addressed directly to the Commissioner's staff with information to the Commissioner.
4. The Board staff shall assume a greater leadership role and support the work of the Board in establishing policies, goals, and strategic direction.
5. The Board of Trustees will continue discussion regarding the number and type of meetings to be held each year. A minimum of two meetings each year will be held on institutional campuses. The Board will experiment with holding one meeting annually for an "educational" session, in which the entire meeting (with the exception of emergency business) will be devoted to educating the Board about one or more major issues facing higher education or the State of Mississippi. The Board will continue to hold annual retreats for the purpose of improving the Board's knowledge and effective working relationships. The agenda of Board meetings will be established by requests from the institutions, recommendations of the Commissioner and staff, and actions by the Board or its committees. The Commissioner is encouraged to streamline Board agendas in order to dispense with routine items quickly and preserve time and energy for more important matters. The Board anticipates regular presentations from its staff, and expects staff recommendations for every issue before the Board.
6. The Board of Trustees will study executive search processes and develop policies and procedures for Institutional Executive Officer searches, including the use and role of local search and advisory committees.
7. The Board of Trustees will ensure that the Institutions of Higher Learning approach the Legislature with one voice, a single set of priorities, and a realization that the whole is greater than the sum of its parts.

8. The Board of Trustees will strengthen its emphasis on audits, which will be the direct responsibility of the Institutional Executive Officers and the Commissioner and considered in performance evaluations.
9. The Board of Trustees places the highest priority on the quality of programs and services and will finalize a list of quantitative and qualitative indicators to be used in measuring institutional and organizational quality and executive performance.