

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

April 1, 2004

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in special session at the Board Office in Jackson, Mississippi, at 10:00 a.m., and pursuant to notice in writing on March 26, 2004, to each and every member of said Board, said date being at least five days prior to this April 1, 2004 meeting. At the above-named place there were present the following members to wit: Mr. Thomas W. Colbert, Mr. William S. Crawford, Dr. Stacy Davidson, Ms. Ricki R. Garrett, Mr. Bryce Griffis, Mr. Roy Klumb, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Carl Nicholson, Jr., Mr. Scott Ross, and Ms. Amy Whitten. The meeting was called to order by Mr. Thomas Colbert, President.

EXECUTIVE SESSION

On motion by Mr. Nicholson, seconded by Mr. Klumb, and unanimously passed by those present, the Board voted to close the meeting to determine whether or not it should declare an Executive Session, for the reason reported by the President in Open Session and stated in these minutes, as follows:

Discussion of a potential litigation matter at The University of Southern Mississippi.

On motion by Mr. Griffis, seconded by Mr. Ross, and unanimously passed by those present, the Board voted to return to Open Session.

The Board determined that an Executive Session was not necessary.

Mr. Thomas Colbert welcomed Attorney General Jim Hood and thanked him for taking the time out of his busy schedule to visit with the Board and for all of the work he has put into this project. Attorney General Jim Hood addressed the Board regarding the procedure for use in the proceedings relating to employment actions taken in regard to Dr. Frank Glamser and Dr. Gary Stringer by President Shelby Thames on behalf of The University of Southern Mississippi.

EXECUTIVE SESSION

On motion by Mr. Ross, and unanimously passed by those present, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Dr. Neely, seconded by Dr. Magee, and unanimously passed by those present, 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 potential litigation matter at The University of Southern Mississippi.

On motion by Ms. Newton, seconded by Ms. Garrett, and unanimously passed by those present, the Board voted to return to Open Session.

A motion was made by Ms. Whitten, seconded by Dr. Neely, to adopt the procedures that were recommended by Attorney General Jim Hood for use in proceedings relating to employment actions at The University of Southern Mississippi. The motion passed on an 11 to 1 vote. Board members voting

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for the motion were: Mr. Thomas Colbert, Mr. Bill Crawford, Dr. Stacy Davidson, Ms. Ricki Garrett, Mr. Bryce Griffis, Mr. Roy Klumb, Dr. D. E. Magee, and Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Scott Ross, and Ms. Amy Whitten. **Mr. Carl Nicholson voted against the motion.** The President of the Board announced that a statement of the details will be released later in today. (See Exhibit 1.)

EXECUTIVE SESSION

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

Discussion of a personnel matter at the Board Office.

On motion by Mr. Nicholson, seconded by Mr. Ross, and unanimously passed by those present, the Board voted to return to Open Session.

The Board discussed a personnel matter at the Board Office.

On motion by Mr. Colbert, seconded by Mr. Crawford, and unanimously passed by those present, the Board voted to appoint Ms. Suzanne S. Sharpe, IHL Chief of Staff, as the Acting Commissioner while Commissioner David Potter is out of state, with Mr. Thomas Colbert, Mr. Roy Klumb, and Ms. Amy Whitten as Ms. Sharpe's advisory board.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Crawford, seconded by Mr. Klumb, and unanimously passed by those present, the Board members voted to adjourn.

Thomas Colbert

President, Board of Trustees of State Institutions of Higher Learning

David Potter

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

Exhibit 1

IHL Press Release concerning the approved proceedings to utilize in relation to employment actions at The University of Southern Mississippi.

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EXHIBIT 1

IHL PRESS RELEASE

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING ♦ 3825 RIDGEWOOD ROAD ♦ JACKSON, MISSISSIPPI 39211
TELEPHONE: 601 432-6493 ♦ FACSIMILE: 601 432-6891

BOARD APPROVES ATTORNEY GENERAL'S RECOMMENDATION REGARDING USM

JACKSON, MISS. (April 1, 2004) – The Board of Trustees of State Institutions of Higher Learning (IHL) met today and voted to accept the Attorney General's recommendation for the process and procedures associated with The University of Southern Mississippi matter.

Board President Thomas Colbert said, "Due to the Attorney General's diligent efforts, a procedure has been established to address the ongoing issue at The University of Southern Mississippi."

Attorney General Jim Hood said, "The Board asked us to ensure that this was a fair procedure, and we have worked to streamline the process." The following agreement regarding the recommendation was reached:

The Board of Trustees of State Institutions of Higher Learning, on recommendation of the Attorney General, set the following procedure for use in proceedings relating to employment actions taken against Dr. Frank Glamser and Dr. Gary Stringer by President Shelby Thames on behalf of the University of Southern Mississippi.

1. The Honorable Reuben V. Anderson, former Justice of the Mississippi Supreme Court, is hereby appointed as Hearing Officer in this matter.
2. A hearing will be conducted in this matter on the campus of the University of Southern Mississippi on April 28th and 29th, 2004, unless continued on written order of the Hearing Officer. It is the intent of the Board of Trustees of State Institutions of Higher Learning that the hearing be expedited as best as possible, within the judgment of the Hearing Officer. The Hearing Officer shall decide all issues relating to the form and content of the hearing, including whether the proceedings shall be open or closed. Procedures employed by the Hearing Officer will be guided by statutory provisions relating to hearings for employment matters within the K-12 system; that is, at least fourteen (14) days prior to the hearing, the University shall provide Dr. Glamser and Dr. Stringer with a summary of the factual basis for the proposed terminations, a list of witnesses and copy of documentary evidence substantiating the reasons intended to be presented at the hearing. At least five (5) days before the hearing, Dr. Glamser and Dr. Stringer shall provide the University with their responses to the specific reasons for their proposed terminations, a list of witnesses, and a copy of documentary evidence in support of the response to be presented at the hearing.
3. The Hearing Officer shall resolve all issues relating to the pre-hearing discovery, shall make all decisions relating to the format of the hearing and any related matters, including matters of evidentiary procedure, until such time as the record has been submitted to the Board of Trustees of State Institutions of Higher Learning.
4. The hearing shall be transcribed in writing and by videotape.

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5. At the conclusion of the hearing, the record of the hearing shall be provided to members of the University Advisory Committee and President Shelby Thames, who may each make a written recommendation to the Hearing Officer based solely on matters contained in the record.
6. After receiving the recommendations of the University Advisory Committee and President Thames, the Hearing Officer shall make a written decision which shall be forwarded to the Board of Trustees of State Institutions of Higher Learning. The decision shall be based solely on the proceedings before the Hearing Officer. The record, the decision of the Hearing Officer, and the recommendations of both the University Advisory Committee and President Thames shall be forwarded to the Board of Trustees of State Institutions of Higher Learning.
7. The Board of Trustees of State Institutions of Higher Learning will make a final determination of this matter based solely on the record and recommendations submitted, or, in the alternative, may choose to conduct a *de novo* hearing.

This process shall constitute the full and complete approved process for the conduct of this matter, subject to rulings made by the Hearing Officer under this process.

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