

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 17, 2004**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in 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 June 17, 2004 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mr. Thomas W. Colbert, Dr. L. Stacy Davidson, Jr., Mr. Roy Klumb, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, Mr. Scott Ross, and Ms. Amy Whitten. The meeting was called to order by Mr. Roy Klumb, President. Mr. Ross deferred saying the opening prayer to Reverend Ruth Wallace Black, Director of Pastoral Services at the University of Mississippi Medical Center.

BOARD DINNER

Ms. Newton thanked Dr. Charles Lee, President of Mississippi State University, and his faculty and staff for hosting the June Board dinner.

APPROVAL OF THE MINUTES

On motion by Ms. Robinson, seconded by Ms. Newton, and unanimously passed by those present, it was

RESOLVED, That the Minutes of the Board meeting held on May 20, 2004, stand approved.

**Legal Committee Meeting
Thursday, June 17, 2004**

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

1. **UMMC - Tort Claim Settlements**

Executive Session

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

Discussion of the settlement of tort claim cases at the University of Mississippi Medical Center.

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

On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a tort claim case styled *Michael Brent Garrett vs. UMMC, et al.* as referenced by committee agenda item #6 in the Board Book.

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On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the settlement of a tort claim case styled *Johnnie Ella Fields vs. UMMC, et al.* as referenced by committee agenda item #7 in the Board Book.

2. **Potential Litigation Involving the Board**

Executive Session

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

Discussion of potential litigation involving the Board.

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

On motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve its counsel taking action up to and including the filing of a declaratory judgment to secure the Board's authority to teach courses authorized by the Board.

3. **Potential Litigation at JSU**

Executive Session

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

Discussion of potential litigation at Jackson State University.

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

The Legal Committee received a report on the potential litigation at Jackson State University. No action was taken.

4. **Legal Fees**

The Board received the reports concerning legal fees paid to outside counsel in relation to litigation and other matters and in relation to patent matters as referenced by committee agenda items #8 and #9 in the Board Book.

5. **Agreements for Legal Services**

On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the agreements for legal services at MSU as referenced by committee agenda items #1 - #3 in the Board Book. On recommendation of the Attorney General,

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items #1 and #3 the contract amounts were reduced from \$100,000 to \$70,000. Item # 2 was reduced from \$250,000 to \$150,000.

Ms. Maudine Eckford, Special Assistant Attorney General, announced that Attorney General Jim Hood appointed Mr. George Neville to review all legal fee contracts in an effort to reduce costs and to utilize local counsel.

6. **MSU Agreement for Legal Services with Wenderoth, Lind, and Ponack, L.L.P.**

On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the agreement for legal services with Wenderoth, Lind, and Ponack, L.L.P. as referenced by committee agenda item #4 in the Board Book.

7. **Agreement for Legal Services at UMMC**

On motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present, the committee also recommended that the Board approve the agreement for legal services at UMMC as referenced by committee agenda item #5 in the Board Book.

8. **Other Business** - On motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve a one month extension of the inter-agency agreement with the Office of the Attorney General for legal services until July 31, 2004.

The following committee members attended the meeting: 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, Mr. Roy Klumb, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, and Mr. Aubrey Patterson.

**Building/Facilities Committee Meeting
Thursday, June 17, 2004**

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

1. **Initiation of Project, Construction Documents, and Timber Sales**

On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the various items for UM, ASU, JSU, and MSU as referenced by committee agenda items #1 and #3 - #6 in the Board Book.

2. **MVSU - Schematic Design**

On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the schematic design item for MVSU as referenced by committee agenda item #2 in the Board Book. Dr. Roy Hudson, Vice President for University Relations/Senior Advisor to the President at Mississippi Valley State University, showed the architectural rendering of the Wellness and Assembly Center.

3. **Award of Contracts**

On motion by Mr. Ross, seconded by Dr. Magee, and unanimously passed by those present, the committee recommended that the Board approve the award of contract items for JSU, MSU, MUW, and USM as referenced by committee agenda items #7 - #14 in the Board Book.

4. **Name Building, EBC Resolution, Remove Building, Deed of Trust, Lease Agreement, and Easements**

On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the items for JSU, MSU, and UM as referenced by committee agenda items #15 - #20 in the Board Book.

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5. **Facilities Summary**

The committee received the facilities summary for informational purposes only.

6. **Other Business** - Mr. Frank Alley, IHL Assistant Commissioner of Construction and Physical Affairs, will schedule a presentation by the architect relating to the Point Cadet Master Plan for the next Board meeting.

The following committee members attended the meeting: 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, Mr. Roy Klumb, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Aubrey Patterson, and Ms. Amy Whitten.

**COMMITTEE REPORTS
Monday, June 7, 2004**

**Budget & Financial Affairs/Audit Committee Report
Monday, June 7, 2004**

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

1. **Proposed Tuition Rate Increases**

The committee received presentations from each university concerning the proposed tuition rate increases and proposed rate increases for Student Room, Board, and Other Living Fees. The presenters were as follows: ASU - Mr. Wiley Jones, Vice President for Business Affairs; DSU - Mr. Billy Moorehead, Vice President for finance; JSU - Dr. Ron Mason, President; MSU - Dr. Charles Lee, President; MUW - Dr. Claudia Limbert, President; MVSU - Dr. Lester Newman, President; UM - Dr. Robert Khayat, Chancellor; and USM - Dr. Shelby Thames, President.

2. **Other Business** - Mr. Colbert requested that the IEOs send their recommendations to Dr. Linda McFall, IHL Assistant Commissioner of Finance and Administration. Dr. McFall will compile the data for action at the next Board meeting. The focus of the recommendations should be faculty salaries, deferred maintenance, and fairness.

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

**Inter-Collegiate Athletics Committee Report
Monday June 7, 2004**

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

1. **Mississippi State University Athletic Program Review
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. Colbert, and unanimously passed by those present, the committee **voted to go into**

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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 Mississippi State University.

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

The committee discussed a personnel matter at Mississippi State University. Ms. Amy Whitten was appointed chair of the Inter-Collegiate Athletics Committee for the purpose of coordinating a review of the operation of the athletic program at Mississippi State University.

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

UNANIMOUS CONSENT

On motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present, it was

RESOLVED, That consent to be considered is granted to all items not previously placed on the agenda and hereinafter reported.

ACADEMIC AFFAIRS

Presented by Dr. David Potter, Commissioner

On motion by Ms. Robinson, seconded by Dr. Davidson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda item #2 as submitted on the following Academic Affairs Agenda. **AGENDA ITEMS #3 - #5 WERE PULLED FROM THE AGENDA.**

1. **DSU (Information item.)** - The Board was notified of the intent to establish, in partnership with the Robert M. Hearin Foundation, the Interdisciplinary Center for Geospatial Information Technologies to: 1) develop an interdisciplinary minor in GIS for traditional students that will prepare them for the large variety of careers available in the GIS field and 2) develop the local work force through credit and non-credit certificate programs beginning with a series of pilot programs targeting the agricultural field. This Center will be made possible through a three-year grant in the amount of \$900,813 from the Robert M. Hearin Foundation.
2. **UMMC** - Approved request to award six Doctor of Medicine degrees on Wednesday, June 30, 2004.
3. **System Administration** - Amendment to the *Board Policies and Bylaws* - 501.05 Academic Class Calendar, as follows:

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501.05 ACADEMIC CLASS CALENDAR

The academic class calendar shall include at a minimum the following:

- the Board required minimum of 2,450 minutes per three semester hour course, which may include final exam time;
- ~~Fall semesters to cover 16 calendar weeks;~~
- ~~Spring semesters to cover 17 calendar weeks including spring break; and~~
- ~~Summer semesters to cover 10 calendar weeks and to begin the week of Memorial Day~~
the number of weeks must meet Federal financial aid requirements.

Each university may include variations of up to ~~three days~~ 180 minutes each semester depending upon the year's holiday schedule and "non-class days" during the semester.

(THIS ITEM WAS PULLED FROM THE AGENDA.)

4. **System Administration** - Approved the following amendment to the *Board Policies and Bylaws* - 504.0101 Hours to Degree:

504.0101 HOURS TO DEGREE

Baccalaureate degrees offered by universities within the Institutions of Higher Learning system shall require 120 semester hours of credit. Any exception to this policy must be proposed by the university, reviewed by the Council of chief Academic Officers and the Office of Academic and Student Affairs, submitted to the Council of Institutional Executive Officers and the commissioner of Higher Education for their review and recommendation, and approved by the Board of Trustees. Exceptions will be limited in number and approved only on the basis of the following criteria:

1. Accreditation standards of the appropriate specialized accrediting agency mandate a baccalaureate program of over 120 credit hours.
2. Licensing standards of the profession involved require a baccalaureate program of over 120 credit hours.
3. Employment and initial success in the profession requires a baccalaureate program of over 120 credit hours.
4. Development and curriculum prerequisite preparative courses do not count as part of the 120 credit hour requirement.

This policy takes effect for all undergraduate students first enrolled in the fall ~~2006~~ 2007 semester and thereafter.

A motion was made by Ms. Robinson, seconded by Dr. Davidson, to approve agenda item #4, as amended. An amended motion was made by Ms. Robinson, seconded by Dr. Davidson, to approve agenda item #4, as amended, with the effective date of Fall 2007. Pursuant to *Board Policies and Bylaws* Section 301.0517 Postponement of Board Consideration, MS. Newton invoked the privilege of temporarily postponing Board action on this item until the next regularly scheduled Board meeting.

5. **System Administration** - Amendment to the *Board Policies and Bylaws* - 504.0102 Tuition Charge for Excess Credit Hours, as follows:

504.0102 TUITION CHARGE FOR EXCESS CREDIT HOURS

Undergraduate students earning a first baccalaureate degree will be subject to a 100% surcharge for all credit hours attempted in excess of 144 or 120% of the student's degree program, whichever is greater. The credit hours counted toward the limitation include all hours attempted by the student except:

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1. Credit hours earned by the student through examination or other procedure by which credit is earned without registering for a course for which tuition is charged;
2. Credit hours earned by the student in remedial education courses;
3. Credit hours earned by the student in a previous enrollment with five years intervening; and
4. Credit hours earned by the student at a private or an out-of-state institution.

This policy takes effect for all undergraduate students first enrolled in the fall 2006 semester and thereafter.

(THIS ITEM WAS PULLED FROM THE AGENDA.)

6. **Other Business** - Mr. Klumb asked Ms. Robinson to chair the Academic Affairs Committee. Also, Mr. Patterson has requested to serve on the committee.

BUDGET & FINANCIAL AFFAIRS/AUDIT

Presented by Mr. Thomas Colbert, Chair

On motion by Mr. Colbert, seconded by Ms. Whitten, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda items #1 - #8 as submitted on the following Budget & Financial Affairs/Audit Agenda. **AGENDA ITEMS #9 AND #10 WERE APPROVED AS SHOWN BELOW. AGENDA ITEM #12 WAS PULLED FROM THE AGENDA.** Agenda item #13 was approved on a separate motion by Mr. Colbert, seconded by Ms. Whitten, and unanimously passed by those present. Agenda items #14 - #15 were approved on a separate motion by Mr. Colbert, seconded by Ms. Whitten, and unanimously passed by those present.

1. **ASU** - Approved request to renew a food service contract with Campus Chefs for FY2005. The cost per student will be \$26.76 per week for twenty-one meals which is an increase of six cents per meal. A copy of the contract is included in the *June 17, 2004 Board Working File*.
2. **DSU** - Approved request to enter into a ten-year (10 year) management services agreement with ARAMARK Corporation to provide food service operation, both board plan and retail, catering, and concessions. Through a public Intent to Negotiate/Request for Proposal process, ARAMARK's proposal was selected as the best over the Compass, Sodexo, and Valley proposals. The agreement will become effective on or before July 1, 2004 to coordinate both facility changes and personnel changes through orderly transitions. A copy of the agreement is included in the *June 17, 2004 Board Working File*.
3. **DSU** - Approved request to enter into a five-year (5 year) management services agreement with Sungard Collegis, Inc. to provide technology services to support the University's administrative and instructional technology needs. Through a public request for proposal process, Collegis' proposal was selected. This agreement will become effective on July 1, 2004. A copy of the agreement is included in the bound *June 17, 2004 Board Working File*.

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4. **MSU** - Approved budget increase for the Mississippi Alcohol Safety Education Program to be funded by MASEP student participant fees, as follows:

<u>OBJECT OF EXPENDITURE</u>	<u>CURRENT BUDGET 2003-04</u>	<u>BUDGET REVISION</u>	<u>REVISED BUDGET 2003-04</u>
Salaries, Wages and Fringe Benefits	\$931,462	\$0	\$931,462
Travel & Subsistence	\$44,000	\$0	\$44,000
Contractual Services	\$129,477	\$0	\$129,477
Commodities	\$44,400	\$0	\$44,400
Capital Outlay			
Other Than Equipment	\$8,000	\$0	\$8,000
Equipment	\$12,500	\$0	\$12,500
Subsidies, Loans & Grants	<u>\$60,000</u>	<u>\$250,000</u>	<u>\$310,000</u>
Total	<u>\$1,229,839</u>	<u>\$250,000</u>	<u>\$1,479,839</u>

This budget revision is requested for the purpose of: (1) \$250,000 – MASEP’s pro rata share for the Social Science Research Center Building Project for FY 2004 and (2) an award of \$400,000 has been appropriated by the U. S. Department of Health and Human Services for this building.

5. **UM** - Approved request to enter into a new five-year (5 year) vending and sponsorship contract with the Coca-Cola Company and the Coca-Cola Bottling Company of Sardis, MS for the time period July 1, 2004 through June 30, 2009. A copy of the contract is included in the *June 17, 2004 Board Working File*.

6. **UMMC** - Approved FY 2004 budget escalation for UMMC, as follows:

<u>CONSOLIDATED:</u>	<u>2003-04 BUDGET</u>	<u>BOARD MANDATED RESERVE</u>	<u>REVISED 2003-2004 BUDGET</u>	<u>REVISION #1</u>	<u>REVISED 2003-04 BUDGET</u>
Salaries, Wages and Fringe	\$320,474,426	\$3,447,624	\$323,922,050	\$10,000,000	\$333,922,050
Travel	\$517,473	\$0	\$517,473	\$40,000	\$557,473
Contractual Services	\$115,956,088	\$0	\$115,956,088	\$12,600,000	\$128,556,088
Commodities	\$86,123,274	\$0	\$86,123,274	\$6,500,000	\$92,623,274
Capital Outlay					
Other Than Equipment	\$4,941,227	\$0	\$4,941,227	\$4,500,000	\$9,441,227
Equipment	\$22,388,534	\$2,000,000	\$24,388,534	\$0	\$24,388,534
Subsidies, Loans & Grants					
Interest	\$5,130,379	\$0	\$5,130,379	\$0	\$5,130,379
Programs Sponsored by Outside Agencies	<u>\$64,468,000</u>	<u>\$0</u>	<u>\$64,468,000</u>	<u>\$0</u>	<u>\$64,468,000</u>
Total	<u>\$619,999,401</u>	<u>\$5,447,624</u>	<u>\$625,447,025</u>	<u>\$33,640,000</u>	<u>\$659,087,025</u>
<u>CONSOLIDATED:</u>					
Education Enhancement Fund	\$3,854,830	\$0	\$3,854,830	\$0	\$3,854,830
Budget Contingency	\$16,572,614	\$0	\$16,572,614	\$0	\$16,572,614
State Appropriation	\$127,040,187	\$0	\$127,040,187	\$0	\$127,040,187
Other Funds	\$477,979,394	\$0	\$477,979,394	\$33,640,000	\$511,619,394
Board Mandated Reserve	(\$5,447,624)	<u>\$5,447,624</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	<u>\$619,999,401</u>	<u>\$5,447,624</u>	<u>\$625,447,025</u>	<u>\$33,640,000</u>	<u>\$659,087,025</u>

A budget escalation is necessary for an increase in patient volume, pediatric surgery inventory, essential hospital technical market adjustments for nurses, technical patient care positions, increased overtime, contractual nursing agency costs due to nursing and patient care technical position shortages, travel to University Hospital offsite facilities, and necessary building improvements.

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7. **UMMC** - Approved request to enter into an agreement with STERIS Corporation for sterilizing equipment located at the University Hospitals and Clinics. The Platinum Service Plan covers all labor and comprehensive parts to ensure that the components are in service. The agreement is for the period August 1, 2004 through June 30, 2007 at an annual cost of \$97,405.21 with the exception of the first eleven months that will total \$89,288.10. The total cost of the agreement should not exceed \$295,000. A copy of the agreement is included in the *June 17, 2004 Board Working File*.
8. **UMMC** - Approved request to enter into an agreement with Rotolo Consultants, Inc. ("RCI") for grounds maintenance and landscape management services. The services include material and labor for the Medical Center's master site plan listings (and additional sites as buildings are completed) in accordance with the Request for Proposal. The two-year agreement is for the period July 1, 2004 through June 30, 2006, with an option to renew each year up to three years, at a monthly cost of \$31,450.51 and should not exceed \$850,000 for the contract period. A copy of the agreement is included in the *June 17, 2004 Board Working File*.
9. **System Administration** - Request to increase tuition rates effective with the Fall, 2004 academic term, as follows:

Institution	In-State Tuition	Out-of-State Tuition
Alcorn State University	7.9%	6.3%
Delta State University	7.0%	7.0%
Jackson State University	6.3%	5.6%
Mississippi State University	6.0%	6.0%
Mississippi University for Women	6.0%	6.0%
Mississippi Valley State University	12.3%	11.0%
University of Mississippi	5.0%	5.0%
University of Mississippi Medical Center	5.0%	5.0%
University of Southern Mississippi	6.0%	6.0%

Additional information concerning dollar amount increases and percentages is included in the bound *June 17, 2004 Board Working File*.

A motion was made by Mr. Colbert, seconded by Ms. Newton, to approve the recommendations from the Institutional Executive Officers for increased tuition rates effective with the Fall, 2004 academic term as referenced by committee agenda item #9 in the Board Book. The motion passed on a 10 to 2 vote. Board members voting for the motion were: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey Patterson, Ms. Robin Robinson, Mr. Scott Ross, and Ms. Amy Whitten. Board members **voting against the motion were: Mr. Thomas Colbert and Mr. Roy Klumb.**

10. **System Administration** - Proposed rate increases for Student Room, Board and Other Living fees for each university. A copy of the increases is included in the bound *June 17, 2004 Board Working File*.

A motion was made by Mr. Colbert, seconded by Ms. Newton, to approve the recommendations from the Institutional Executive Officers for increased Student Room, Board and Other Living fees as referenced by committee agenda item #10 in the Board Book. The motion passed on a 10 to 2 vote. Board members voting for the motion were: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey Patterson,

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Ms. Robin Robinson, Mr. Scott Ross, and Ms. Amy Whitten. Board members **voting against the motion were: Mr. Thomas Colbert and Mr. Roy Klumb.**

11. **System Administration (Information item.)** - The Budget & Financial Affairs/Audit Committee received a presentation by The University of Mississippi concerning their *Zone Maintenance Program*. Mr. Colbert thanked Dr. Robert Khayat, Chancellor of The University of Mississippi, and Mr. Johnnie Williams, Vice Chancellor for Administration and Finance at The University of Mississippi, for the wonderful presentation. Ms. Whitten also commended them.
12. **System Administration** - Reserve for contingency an amount equal to 5% of the general fund appropriation at the beginning of FY 2005.
A motion was made by Mr. Colbert, seconded by Mr. Ross, to approve each institution reserving for contingency an amount equal to 5% of the general fund appropriation at the beginning of Fiscal Year 2005 and that the funds be released quarterly upon IHL staff approval. Mr. Colbert withdrew the motion.
(THIS ITEM WAS PULLED FROM THE AGENDA.)
13. **System Administration** - Approved the Fiscal Year 2004-05 Operating Budgets for the institutions and separately budgeted units. Supplemental information for the FY 2004-2005 Athletic Budgets and the FY 2004-2005 Budget of E & G Scholarships, Fellowships and Tuition Waivers is included in the bound *June 17, 2004 Board Working File*.
14. **System Administration** - Approved the following funding priorities for the Fiscal Year 2006 appropriation request:
General Support:
 1. Stable funding for the base budget; i.e., replacing one time monies with general fund monies;
 2. Multi-year salary increases;
 3. Funding to cover the increased cost of doing business (as measured by increases in the Higher Education Price Index and by costs to operate new and renovated buildings);
 4. Funding for enrollment increases (as measured by funding per FTE student and including an adjustment for increased enrollment; and
 5. Funding for Alcorn State University's Agricultural Units.Bond Bill:
 1. Deferred maintenance.
15. **System Administration** - Approved the Third Quarter Employment Report for the period January 1, 2004 through March 31, 2004. A copy of the report is included in the *June 17, 2004 Board Working File*.
16. **Other Business** - On motion by Dr. Magee, seconded by Mr. Blakeslee, and unanimously passed by those present, the Board approved the following statement in regard to *Ayers*:
Due to the probability of the finality of the *Ayers* Settlement in 2004, we urge the legislature to reaffirm its commitment to fully fund the *Ayers* Settlement by taking timely action to meet the terms of the settlement.

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INTER-COLLEGIATE ATHLETICS

Presented by Mr. Scott Ross, Chair

On motion by Ms. Robinson, seconded by Dr. Davidson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda item #2 as submitted on the following Inter-Collegiate Athletics Agenda.

1. **Non-Resident Tuition Waivers** - The committee discussed the non-resident tuition waivers for athletics at each university. It was decided that a unanimous consent item would be brought forward for first reading to change Board Policy to amend waivers of non-resident tuition for athletes from athletic expenditures.

2. **Other Business** - Approved the following amendment to the *Board Policies and Bylaws* - 704.01 Athletic Revenue and Expenditures - for first reading:

704.01 ATHLETIC REVENUE AND EXPENDITURES

Institutional Executive Officers are authorized each fiscal year to transfer or use up to the following amounts from Unrestricted Educational and General (E&G) funds for athletic expenditures:

MUW	\$ 750,000
UM, MSU, USM	\$1,000,000
DSU, JSU, ASU, MVSU	\$1,300,000

For the purposes of this section, athletic expenditures includes all direct operating costs, pro-rated costs for facilities support, all athletic scholarships, but excludes ~~and all~~ waivers of non-resident tuition for athletes.

Over and above the sums shown above, each school is authorized to expend a limited amount per student FTE from Unrestricted Education and General funds derived from tuition and fee receipts. The maximum amount per student FTE per semester for each institution is ~~as follows~~:

ASU	\$115.00
DSU	\$115.00
JSU	\$115.00
MSU	\$110.69
MUW	\$62.50
MVSU	\$126.50
UM	\$110.69
USM	\$110.69

\$175.00. All future increases in the athletic fee will be in proportion to future tuition percentage increases.

All other revenue for athletic expenditures must 1) be generated directly by the institution through athletic department receipts, 2) income from available athletic fund balances, or 3) for those institutions operating athletics as an auxiliary enterprise, come from available auxiliary fund balances.

Under no circumstances shall an institution conclude a fiscal year with a deficit between authorized athletic revenue and approved expenditures.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
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ADMINISTRATION/POLICY
Presented by Dr. David Potter, Commissioner

On motion by Mr. Klumb, seconded by Ms. Newton, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Administration/Policy Agenda. Agenda item #2 was approved on a separate motion by Mr. Klumb, seconded by Ms. Whitten, and unanimously passed by those present. Agenda item #3 was approved on a separate motion by Mr. Klumb, seconded by Mr. Blakeslee, and unanimously passed by those present. Agenda item #4 was approved on a separate motion by Ms. Whitten, seconded by Mr. Colbert, and unanimously passed by those present.

1. **System Administration** - Approved resolution commending Delta State University's Baseball Team. (See Exhibit 1.) Dr. Davidson commended Delta State University's record in sports. Under the regime of Dr. Kent Wyatt, former President of Delta State University, DSU won a national championship in women's basketball. Under former President Dr. David Potter, DSU won a national championship in football. Under current President Dr. John Hilpert, DSU won a national championship in baseball. Dr. Hilpert stated that it is a privilege to have a coach, a staff, and young athletes of this caliber representing DSU and the state. He gratefully accepted the resolution.

2. **System Administration** - Approved appointments to serve on the Mississippi University Research Authority (MURA) in accordance with the Mississippi University Research Authority Act, as follows:

Dr. Felix Okojie	Dr. Colin G. Scanes
Vice President for Research and Strategic Initiatives	Vice President for Research and Graduate Studies
Jackson State University	Mississippi State University
Dr. Alice M. Clark	Dr. Angeline Dvorak
Vice Chancellor for Research and Sponsored Programs	Vice President for Research
University of Mississippi	University of Southern Mississippi

President of Mississippi Education and Research Group (MERG) - Dr. Franklin Jackson

By virtue of the Act, the following are Authority members by statute without Board appointments:

 - ** Vice President of the Board of Trustees - Ms. Virginia Shanteau Newton
 - ** Executive Director of Mississippi Development Authority - Mr. Leland Speed, represented by Mr. John Helms
 - ** President of the Mississippi Resource Development Corporation - Dr. Phil Pepper, IHL
 - ** Commissioner of Higher Education - Dr. David Potter, Ex Officio, non-voting member

Appointments are effective July 1, 2004 through June 30, 2005 (Board Policy Section 808.1).

3. **System Administration** - Approved term appointment of Mr. Allen Lind, IHL Chief Information Officer, to serve as representative to the Mississippi Authority for Educational Television, from July 1, 2004 until June 30, 2008.

4. **System Administration** - Approved agenda items considered subsequent to the May 20, 2004 Board meeting, as follows:
 - a. **UMMC** - Approved employment of Rita Carol Beasley and Ken H. Tree.

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

June 17, 2004

PERSONNEL/FOREIGN TRAVEL

Presented by Dr. David Potter, Commissioner

On motion by Mr. Klumb, seconded by Dr. Neely, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved the employment of personnel items as submitted on the following Personnel/Foreign Travel Agenda. The change of status items were approved on a separate motion by Mr. Klumb, seconded by Mr. Blakeslee, and unanimously passed by those present. The termination items were approved on a separate motion by Mr. Blakeslee, seconded by Ms. Whitten, and unanimously passed by those present. The emeritus status item and sabbatical leave item were approved on a separate motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present. Agenda item #2 was approved on a separate motion by Mr. Klumb, seconded by Mr. Blakeslee, and unanimously passed by those present. **AGENDA ITEM #3 WAS APPROVED ON A SEPARATE MOTION AS SHOWN BELOW.**

1. Personnel Report.

EMPLOYMENT

Jackson State University

Stovall, Troy

Mississippi State University

Gullett, Philip M.

Memili, Erdogan

Munshaw, Gregg C.

Pritchett, Jr., Michael A.

Riffell, Samuel K.

Sabanadzovic, Sead

Shaffett, Bobbie D.

Shmulsky, Rubin

Shores, Elizabeth F.

Mississippi University for Women

Gingerich, Samuel B.

Mississippi Valley State University

Green, Mark

University of Mississippi

Blankenship, Casey I.

Matsumoto, Rae R.

Rhodes, Philip J.

Watson, Brad

University of Mississippi Medical Center

Blount, Philip John

Fawad, Lubna

King, Deborah S.

Watson, Steve H.

University of Southern Mississippi

Shelley, Kyna

University of Southern Mississippi - Athletics

Donald, Karen Brooks

Luyties, Ricci Judson

McNelis, Joye Nell Lee

Norris, Austin Lee

Tribble, Nicole Leslie

CHANGE OF STATUS

Mississippi State University

Mixon, Melissa J.

Taylor, Robert P.

Mississippi Valley State University

Newsome, Abigail

University of Mississippi

Smith, Daryl G.

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University of Mississippi Medical Center

Clem, L. William
Hickman, Bernard T.
Powers, Cynthia I.
Warren, Glen C.

TERMINATION

Alcorn State University

Gharge, Abhijit

Delta State University

Beckham, Marie G.
DuBard, Tracey
Hudson, Barbara
Owens, Jason
Rodgers, Wilma Louise
Stone, Robert Neil

Jackson State University

Carbo, Ronnie
Coleman, Bettye
Garrison, Robert
Grierson, Patricia
Jones, Clemon
Langley, Bettye
Lee, Raphael
Levine, Joyce
Simpson, Emma
White, William
Williams, Willie

Mississippi State University - Athletics

Bowlin, Brenda F.
Campbell, Steve
Davis, Billy G.
Grant, Michael W.
Hallman, Hudson C.
Lewis, Terrance R.
Watts, Morris W.

Mississippi State University

Batson, Jr., William E.
Davis, Dolyene R.
Droege, Scott B.

Haug, Charles J.
Hood, III, Burrel S.
McCarley, Cyndie M.
Pappas, Jeffrey L.
Rent, George S.
Snow, Ronald W.
Still, Richard L.
Tang, Lin
Ward, Paul
White, Jack H.
Wilson, Robert P.

Mississippi University for Women

Alexander, Mary L.
Anthony, Gena F.
Brown, Kay
Bullock, Edgar
Canion, Katy
Collier, Willard
Doumit, Carl
Evans, Elaine L.
Fortman, Jon
Haynie, Patsy
Lowder, Joe
McGuff, Karen
Ray, Wanda G.
Schmidt, Glenn
Schumacher, Curtis
Smyth, Patricia
Vickers, Kenneth
Weddle, Jeffrey

Mississippi Valley State University

Blount, Doris
Etikyala, Ashok
Favre, Anthony C.
Gray, Peggy
Gordon, Lanette
Jones, Sheri B.
Kincaide, Donald
Moore, Lula
Marshall, Lueiretta
Randle, Brandy
Sharma, Sunita

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University of Mississippi

Rainey, Patsy
Randall, Amy E.
Williams, Daniel E.

University of Mississippi - Athletics

Cowart, Woodrow F.

University of Mississippi Medical Center

Davis, Thomas M.
Emerson, Amy
Krejmas, Nancy
Neral, Susan
White, Kathinka
Williams, Michael Ray
Zakkak, Thomas B.

University of Southern Mississippi

Appelt-Slick, Gloria
Billon, Wayne E.

Cabana, Donald A.
Edwards, Ron P.
Lowrey, Perriin
Malone, Susan
Nam, Doowoo
Siders, James
Webb, Thomas
Whorton, James

EMERITA/EMERITUS STATUS

University of Southern Mississippi

Hailey, B. Jo
Noblin, Charles D.

SABBATICAL LEAVE

University of Mississippi Medical Center

Spence, Libby

2. Foreign Travel Report.

Alcorn State University

Jackson, Franklin
Rajanna, Bettaiya
Alipoe, Dovi

St. Thomas, U. S. Virgin Islands
India
South Africa

Jackson State University

Amini, Farshad
Bishop, Carrine
Ellis, Stanley (Student)
Franklin, Jacquelyn
Manzoul, Mahmoud A.
Robinson, Preston (Student)
Shahbazi, Mohammad
Swan, Joel (Student)

Vancouver, Canada
Mexico City, Mexico
San Juan, Puerto Rico
Mexico City, Mexico
Alexandria, Egypt
San Juan, Puerto Rico
Vancouver, Canada
San Juan, Puerto Rico

Mississippi State University

Adams-Price, Carolyn
Aktosun, Tuncay
Ballweber, Jeffery
Barbour, Philip J.
Burger, Loren W.
Carskadon, Thomas G.

Glasgow, Scotland, United Kingdom
St. Peterburg, Russia
Dundee, Scotland
Calgary, Alberta, Canada
Calgary, Alberta, Canada
Toronto, Canada

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Chambers, Janice E.	Vancouver, Canada
Fleming, Sherrill A.	Quebec City, Quebec, Canada
Fogarty, Jarrod H.	Calgary, Alberta, Canada
Grzybowski, Stanislaw	Toulouse, France
Hardin, Laura	Edinburgh, Scotland, United Kingdom
Harvill, Jane Lea	Singapore and Toronto, Canada
Hunt, Kevin	Calgary, Alberta, Canada
Ibendahl, Gregory	Honolulu, Hawaii
Jackson, Donald C.	Adelaide, Australia and Penang, Malaysia
Jacobs, Paul F.	Istanbul, Turkey
Jahan, Nusrat (Student)	Toronto, Canada
Jones, Jeanne C.	Calgary, Alberta, Canada
Kaminski, Richard M.	Calgary, Alberta, Canada
Li, Michael	Canada
Little, Randall D.	Vancouver, British Columbia, Canada
Marshall, Douglas L.	Portoroz, Slovenia
Meek, Edward C.	Vancouver, Canada
Moorhead, Robert	Honolulu and Lahani, Hawaii
Nagel, David H.	Vinnytsa, Ukraine
Oswald-Evans, Kristine (Student)	Calgary, Alberta, Canada
Parihar, Naveen (Student)	Vienna, Austria
Picone, Joseph	Vienna, Austria
Pitre, Henry N.	Managua, Nicaragua and San Salvador, El Salvador
Ross, Matthew K.	Vancouver, Canada
Scanes, Colin G.	Budapest, Hungary
Sherman-Morris, Kathleen	San Salvador, Bahamas
Smith, Mark D. (Student)	Alberta, Canada
Stafford, Joshua D. (Student)	Calgary, Alberta, Canada
Wells-Parker, Elisabeth	Honolulu, Hawaii
White, Thomas D.	Funchal, Madeira, Portugal
Zheng, Nibiho (Student)	Toronto, Canada

Mississippi University for Women

Richardson, Thomas C.	Edinburgh, Selkirk, and London, United Kingdom
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Mississippi Valley State University

Gary, Pamela	Torino, Italy
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University of Mississippi

Angle, Timothy R.	Costa Rica
Arrington, Melvin	Paris, France
Cox, Larry	London, United Kingdom
Elsohly, Mahmoud	Paestum, Italy
Gaston, Gary	San Jose, Costa Rica
Gochfeld, Deborah	Bahamas

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Haws, Robert	Moscow, Russia
Ingene, Charles	Beijing, China
Johansson, Michael	Beijing, Shanghai, China
Klodt, Jason	Monterrey, Mexico
Nabors, Murray	San Jose, Costa Rica
Oliphant, Susan	London, Cambridge, Reading, Colchester, Coventry, and Liverpool, England
Slattery, Marc	Bahamas and Virgin Islands
Wicker, Nancy	Leeds, England

University of Mississippi Medical Center

Aru, Giorgio M.	Cagliari, Italy
Baran, Alp Sinan	Prague, Czech Republic
Baumann, Michael H.	Oxford, United Kingdom
Bouldin, Marshall	Big Island, Hawaii and Guam
Crews, Karen	Cozumel Island, Mexico
Dhossche, Dirk	Berlin, Germany
Elkin, T. D.	Honolulu, Hawaii
Geiss, Roger W.	Mont Tremblant, Quebec, Canada
Golanov, Eugene V.	Paris, France and Lisbon, Portugal
Haines, Duane E.	Kochi and Kyoto, Japan
Henegar, Jeff	Barcelona, Spain
Hughes, Gail D.	Duhok and Mosul, Iraq
Hughson, Michael D.	Mont Tremblant, Canada
Knott, Angelina J.	Mont Tremblant, Canada
Lineaweaver, William	Decebren, Hungary
Low, Annette	Big Island, Hawaii and Guam
Parent, Andrew	Montreal, Quebec, Canada
Rock, William A.	Mont Tremblant, Canada
St. John, Kenneth	Los Cabos, Mexico
Thigpen, James Tate	Baden, Germany and Edinburgh, Scotland
Walley, Rana	Vancouver, British Columbia, Canada
Zhang, Feng	Decebren, Hungary

University of Southern Mississippi

Adams, Martha Dow	Mexico
Brown-Peterson, Nancy	Mexico
Cannon, Gordon	Canada
Franks, Jr., James	Panama
Levy, Jacob	Hawaii
Nazarenko, Sergei	Hawaii
Pan, Jiayi	Hawaii
Peterson, Mark	Mexico
Pood, Elliott	England
Shiller, Alan	Canada

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Swann, LaDon	Australia
Williams, Eric (Student)	Canada

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

Jackson State University

Ali, Zeyad	Honolulu, Hawaii
Kettani, Houssain	Honolulu, Hawaii
Payton, Marinelle	The Hague Suburbs, The Netherlands
Stevenson, Joseph M.	Mexico City, Mexico
White, Loren D.	Edmonton, Canada
Yu, Hongtao	Jeju, Korea

Mississippi State University

Davenport, Deborah	Geneva, Switzerland
Horstemeyer, Mark F.	Atsugi, Japan via Tokyo
Oppedal, Andrew Lars (Student)	Atsugi, Japan via Tokyo
Toepke, Kevin M. (Student)	San Salvador, Bahamas via Long Island, Crooked Island, Run Cay, and Eleuthera Island
Trotter, Donald J.	Atsugi, Japan via Tokyo
Truax, Dennis D.	Istanbul, Turkey
Wood, Alan H.	Guelph, Ontario, Canada

Mississippi University for Women

Balazs, Anne L.	Vancouver, British Columbia, Canada
Speer, Nikki	Montreal, Canada

University of Mississippi

Angle, Tim	Beijing, Shanghai, China
Avery, Mitchell	Honolulu, Hawaii
Davis, Sara	Honolulu, Hawaii
Ethridge, Robbie	Aiv-en Provence, France
Fennelly, Beth Ann	London, England
Fisher-Wirth, Ann	England, Switzerland, Sweden, France, and Scotland
Husni, Samir	Helsinki, Finland and Amsterdam, Hollands
Khan, Ikhlal	Hyderabad, Chandrigarh, India
Kollath, Carlie (Student)	Singapore
Raymond, Jason	Honolulu, Hawaii
Seiner, John	Adelaide, Australia
Swanson, David	Honolulu, Hawaii
Ukeiley, Lawrence	Adelaide, Australia
Viera, Dalmo	Brisbane, Australia
Wirth, Peter	Firbourg, Switzerland

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RESOLVED, That the Board hereby approved agenda item #1 as submitted in the following Unanimous Consent Agenda. Agenda item #3 was approved on a separate motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present. Agenda item #5 was approved on a separate motion by Dr. Davidson, seconded by Mr. Blakeslee, and unanimously passed by those present. **AGENDA ITEM #6 WAS TAKEN UP ON THE INTER-COLLEGIATE ATHLETICS AGENDA.**

1. **UMMC** - Approved request to enter into an emergency archive solution with Stentor, Inc., for Picture Archiving and Communications Systems for the Department of Radiology patient database. The current system with Siemens is in a critical situation because the patient database server is close to capacity and could crash. The cost quoted to upgrade with Siemens was \$806,268. Stentor, Inc. has agreed to set-up their archive device (ivault) by Amendment B to their *Services Provider Agreement* for a monthly cost of \$53,550. The Amendment B is for a ten-month period from July 1, 2004 through April 30, 2005 at a total cost of \$535,500. A copy of the contract is included in the *June 17, 2004 Board Working File*.
2. **System Administration (Information item.)** - The University is establishing the Professional Institute for Musical Excellence (PRIME) within the School of Music as a limited scope institute.
3. **System Administration** - Approved employment of Jim Steil as Director of MARIS Technical Center.
4. **System Administration (Information item.)** - Commissioner Potter appointed Dr. Mary Ware as the Interim Assistant Commissioner of Academic and Student Affairs. Dr. Ware is also the IHL Director of Nursing.
5. **System Administration** - Approved the request to purchase automobile liability coverage for the estimated premium of \$726,562 through CNA-Transcontinental Insurance Company and Westchester Surplus Lines Insurance Company. The effective date of coverage is July 1, 2004.
6. **System Administration** - Proposed amendment to the *Board Policies and Bylaws* - 704.01 Athletic Revenue and Expenditures - for first reading. **(THIS ITEM WAS TAKEN UP ON THE INTER-COLLEGIATE ATHLETICS AGENDA.)**

PRESIDENTS' COUNCIL

Dr. Charles Lee, President

Call to Order:

- Dr. Charles Lee called the meeting to order at 10:00 a.m.
- Minutes were approved.

Commissioner's Report:

- Proposal for budget priorities for next year was discussed, raising the question of how we can best approach the legislature this year. By LBO time, it is too late to present our case. Dr. Potter suggested that we might wish to join forces with K-12 and the community colleges as a K-20

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- voice. Various proposals were brought forward. It was decided to ask our legislative liaisons to discuss how best to position ourselves and to bring a plan to our group at our next meeting.
- Tuition Waiver caps for out-of-state athletes would come up for first consideration at the IHL Board meeting and was discussed as a budgetary issue for the universities.
 - Dr. Mary Ware is to serve as interim while a search is concluded for Dr. McHenry's replacement.

Tuition and Fees:

- Discussed at length Mr. Colbert's proposal of a one-size-fits-all 6 ½ % tuition raise for all universities except for Valley, which would be a bit higher and that 3% of the tuition raise should go to faculty and staff salary increases. It was mentioned that our requests were different among campuses because of our differing needs and our missions.
- Discussed the 5% set aside and maintenance needed on buildings in order to protect the state's property investment.
- Decided to ask a task force of the CFOs to put together a multi-year, annual approach to tuition and room and board increases that would allow us to keep up with rising costs and to bring that as a rough draft for us to consider in July.

Post-Tenure Review:

- After discussing the fact that the IHL system does have post-tenure review, asked Dr. Potter to provide us with a summary of the Board's guidelines and how each institution carries them out.

120-Hour Degree Plan:

- After further discussing the 120-hour degree plan, decided to speak at the Board meeting regarding the concerns that we had previously discussed at our May 19 meeting.

Presidential Salary Increases:

- Decided to encourage the Board to approach presidential salary increases on an annual, systematic basis. Dr. Potter will explore this with the Board.

Other Business and Concerns:

- Discussed our institutional views on providing assessments to the Mississippi Press.
- Dr. Jones mentioned that there is confusion on whether we need to send change of status for IHL agenda approval for those of our employees who are just moving to another position. Dr. Potter will provide some clarity on this.
- Discussed whether we would like to move our meetings earlier in the month—perhaps utilizing video or telephone conferencing—so as to have more time to discuss and gather data for upcoming IHL Board agenda items. Dr. Hilpert will chair the group composed of Dr. Newman, Dr. Potter, and himself.

Meeting adjourned at 11:15 a.m.

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LEGAL

Presented by Ms. Amy Whitten, Chair

On motion by Ms. Whitten, seconded by Mr. Klumb, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda items #1 - #3, as amended, and agenda item #4 as submitted, on the following Legal Agenda. Agenda item #5 was approved on a separate motion by Ms. Whitten, seconded by Ms. Newton, and unanimously passed by those present. Agenda items #6 and #7 were approved on a separate motion by Ms. Whitten, seconded by Mr. Ross, and unanimously passed by those present. Agenda item #10a was approved on a separate motion by Ms. Whitten, seconded by Mr. Klumb, and unanimously passed by those present. **AGENDA ITEM #10B WAS APPROVED ON A SEPARATE MOTION AS SHOWN BELOW.**

1. **MSU** - Approved request to renew a contract with the firm of Needle & Rosenberg, P.C., to provide services necessary for obtaining patents for designs, processes, products, and other patentable materials developed in connection with the University. The contractual agreement will be renewed for the period of July 1, 2004 through June 30, 2005, and will not exceed \$100,000 during contract period. **On recommendation of the Attorney General, the contract amount was reduced from \$100,000 to \$70,000.** A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.
2. **MSU** - Approved request to renew a contract with the firm of Piper Rudnick, L.L.P., to provide services necessary for obtaining patents for designs, processes, products, and other patentable materials developed in connection with the University. The contractual agreement will be for the period July 1, 2004 through June 30, 2005, and will not exceed \$250,000 during FY 2005. **On recommendation of the Attorney General, the contract amount was reduced from \$250,000 to \$150,000.** A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.
3. **MSU** - Approved request to renew a contractual agreement for legal services with the firm of Sutherland, Asbill and Brennan, L.L.P., to provide services necessary for obtaining patents for designs, processes, products, and other patentable materials developed in connection with the University. The contractual agreement will be renewed for the period of July 1, 2004 through June 30, 2005, and will not exceed \$100,000 during contract period. **On recommendation of the Attorney General, the contract amount was reduced from \$100,000 to \$70,000.** A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.
4. **MSU** - Approved request to renew a contract with the firm of Wenderoth, Lind & Ponack, L.L.P., to provide services necessary for obtaining trademarks. The contractual agreement will be renewed for the period of July 1, 2004 through June 30, 2005, and will not exceed \$10,000 during FY 2005. A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.
5. **UMMC** - Approved request to engage Richard S. Myers, Jr., with the firm of Stites and Harbison in Nashville, Tennessee, to provide legal services as patent counsel. The hourly rate is \$225 plus expenses for Mr. Myers and \$120 per hour plus expenses for associates. The annual agreement for the period July 1, 2004 through June 30, 2005 will not exceed \$30,000. A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.

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6. **UMMC** - Approved request to settle the Tort Claim case styled *Michael Brent Garrett vs. UMMC, et al.*

7. **UMMC** - Approved request to settle the Tort Claim case styled *Johnnie Ella Fields vs. UMMC, et al.*

8. **System Administration (Information item.)** - Payment of legal fees to outside counsel in relation to litigation and other matters, as follows:

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton & Mulroy (Statements dated 4/12/04) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$182.00, \$168.00 and \$28.00 represent services and expenses in connection with the *Sterling, Phillips and Shack* cases, respectively.)

TOTAL DUE **\$378.00**

Payment of legal fees for professional services rendered by Dogan & Wilkinson (Statement dated 3/4/04) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the forest lands.)

TOTAL DUE **\$3,381.50**

9. **System Administration (Information item.)** - Payment of legal fees to outside counsel in relation to patent matters, as follows:

Payment of legal fees for professional services rendered by Stites & Harbison (Statement dated 3/23/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with "Rockhold/Novel Inhibitors of NNOS".)

TOTAL DUE **\$180.84**

Payment of legal fees for professional services rendered by Wenderoth, Lind & Ponack (Statements dated 3/19/04) from the funds of Mississippi State University. (These statements, in the amounts of \$380.00 and \$471.00, represent services and expenses in connection with the following trademark applications: "NWAC 103-Class 31" and "Mississippi Horse Park Logo - Class 25", respectively.)

TOTAL DUE. **\$851.00**

10. **Other Business -**

a. **System Administration** - Approved the request to extend the existing Inter-Agency Agreement for the Provision of Legal Services for the Fiscal Year 2004 between the Board of Trustees of State Institutions of Higher Learning and the Office of the Attorney General for one month through July 31, 2004.

b. **System Administration** - During executive session, the Committee received a report from Jim Craig of Phelps Dunbar LLP retained to advise and represent the Board in light of the Attorney General's Opinion which has effectively blocked the offering of gaming management courses submitted and approved by the Board previously. On motion by Ms. Whitten, seconded by Mr. Klumb, and unanimously passed by those present, the Board authorized its counsel to proceed

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to take any and all action up to and including the filing of a declaratory judgment action to challenge that Attorney General's Opinion and to secure the Board's right to approve those course offerings.

BUILDING/FACILITIES
Presented by Mr. Scott Ross, Chair

On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda items #1 - #20 as submitted on the following Building/Facilities Agenda.

1. **UM** - Approved the initiation of a project, Village Apartment Renovations, Phase 4, and the authority to hire Mills & Mills Architects as the project professional. The estimated cost of renovating approximately thirteen (13) apartments is \$250,000. Funds are available from self-generated funds.
2. **MVSU** - Approved the schematic design documents for the above referenced project. The schematic design encompasses the full concept for a Wellness and Assembly Center. The design has been developed by the project professional Singleton Architects, P. A. The schematic design submitted herewith meets the critical needs of the University for the current time and into the future. It is consistent with the University's educational and service mission and reflects the growth of the campus population and community involvement. Funds are available in the amount of \$250,000, in planning in the '01 Legislation and an additional \$1,000,000 in '03 Legislation.
3. **ASU** - Approved the contract documents for **GS #101-248, Water Supply Well**, and request the Bureau of Building to advertise for bids. This project is part of GS# 101-200, Alternate Water Source, for which the University is also requesting approval of the contract documents.
4. **JSU** - Approved the contract documents for **IHL #203-144, Campus-Wide Comprehensive Energy Renovation, Phase I**, and authorize advertising for receipt of bids. Funds are available from University sources in the amount of \$1,400,000.
5. **JSU** - Approved the contract documents and authorize advertising for receipt of bids for **IHL#204-146, Dixon Hall Renovations**. Funds are available from JSU EBC.
6. **MSU** - Approved the request to advertise and receive bids for approximately 551 acres of timber from the John W. Starr Memorial Forest.
7. **JSU** - Approved the bids and award of contract for **GS #103-224, Campus-Wide Parking and Repairs**, to the low bidder, APAC-Mississippi, Inc., in the amount of \$419,583.00 by the Bureau of Buildings. Funds are available in the project budget from S.B. 2988, Laws of 2003. Bids were as follows:

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Contractor	Base Bid	Alternate #1
1. APAC-Mississippi	\$419,583.00	(\$99,258.00)
2. Mississippi Paving & Construction, Inc.	\$422,536.00	(\$85,600.00)
3. Donaldson Construction	\$464,324.00	(\$170,873.00)
4. Dickerson & Bowen, Inc.	\$526,996.80	(\$109,640.00)
5. Superior Asphalt, Inc.	\$565,452.00	(\$103,183.00)
6. Cal-Mar Construction Co., Inc.	\$483,250.00	(\$186,000.00)
7. Sullivan Enterprises, Inc.	\$348,000.00	(\$87,000.00)
	*Disqualified	

8. **JSU** - Approved the bids and award of contract for **GS #103-226, Window Replacement**, to the low bidder, Capital Glass Company in the amount of \$216,300 by the Bureau of Buildings. Funds are available in the project budget from S.B. 2988, Laws of 2003. Bids were as follows:

Contractor	Base Bid
1. Capital Glass Company	\$216,300
2. Cal-Mar Construction Co., Inc.	\$233,817
3. Sullivan Enterprises, Inc.	\$250,000

9. **JSU** - Approved the bids and award of contract for **GS #103-227, Roofing Project**, to the low bidder, E. Cornell Malone Corp., in the amount of \$157,115 by the Bureau of Buildings. Funds are available in the project budget from S.B. 2988, Laws of 2003. Bids were as follows:

Contractor	Base Bid
1. E. Cornell Malone Corp.	\$157,115
2. Dixie Roofing, Inc.	\$162,644
3. Rowell Roofing, Inc.	\$173,800
4. Dobson Sheet Metal & Roofing & Spec.	\$284,309
5. Boler Roofing Co., Inc.	\$137,299
	*Bid Form Not Complete
6. Independent Roofing System, Inc.	\$175,726
	*Bid Form Not Complete

10. **MSU** - Approved the bids and award of contract for **IHL #205-205, Cullis Wade "Bully" Center Parking**, to the low bidder, Hanna Contracting, Inc., in the amount of \$488,130. Funds are available from private gifts in the amount of \$400,000 and from university funds in the amount of \$135,000. Bids were as follows:

Contractor	Base Bid
1. Hanna Contracting, Inc.	\$488,130
2. RAF Contracting, Inc.	\$552,850

11. **MSU** - Approved the bids and award of contract for **GS #104-136, Hi-Voltage System Upgrades**, to the low bidder, Webster Electric, Inc., in the amount of \$496,376 and request approval by the Bureau of Buildings. Funds are available in the project budget. Bids were as follows:

Contractor	Base Bid	Alternate #1
1. McInnis Electric	\$778,400	\$11,200
2. Woodall Electric, Inc.	\$625,552	\$7,000
3. Webster Electric, Inc.	\$496,376	\$12,070

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12. **MUW** - Approved the bids and award of a contract in the amount of \$129,500 to the low bidder, Specialty Abatement Services, Inc., for **IHL #204-123, Fine Arts Demolition, Storm Damage**. Funds are available from the Federal Emergency Management Agency and the Mississippi Emergency Management Agency. Bids were as follows:

Contractor	Base Bid
1. Specialty Abatement Services, Inc.	\$129,500
2. Lakeshore Environmental Contractors, LLC	\$189,000
3. General Construction Services, Inc.	\$249,461
4. Gulf Services Contracting, Inc.	\$257,277
5. EnviroRem, Inc.	\$317,443
6. Hardison Enterprises	\$325,000

13. **USM** - Approved the bids and award of a contract for **GS #108-224, 2003 Roofing and Waterproofing**, to the low bidder, The Lathan Company, Inc., in the amount of \$919,400 by the Bureau of Buildings. Funds are available in the project budget in the amount of \$1,050,000 from S.B. 3197, Laws of 2002. Bids were as follows:

Contractor	Base Bid	Alternates
1. The Lathan Company, Inc.	\$919,400	1. (\$122,000) 2. (\$ 24,000) 3. (\$ 26,000) 4. (\$ 26,000) 5. (\$ 35,000)
2. E. Cornell Malone Corporation	\$1,009,342	1. (\$177,702) 2. (\$ 30,905) 3. (\$ 21,032) 4. (\$ 29,146) 5. (\$ 37,279)
3. Independent Roofing Systems, Inc.	\$1,089,000	1. (\$175,500) 2. (\$ 20,000) 3. (\$ 32,000) 4. (\$ 36,000) 5. (\$ 33,000)
4. Rowell Roofing Inc.	\$1,123,000	1. (\$191,600) 2. (\$ 19,000) 3. (\$ 16,000) 4. (\$ 16,000) 5. (\$ 36,383)
5. Maples Construction Company, Inc.	\$1,251,181	1. (\$195,390) 2. (\$ 34,347) 3. (\$ 24,123) 4. (\$ 31,356) 5. (\$ 38,610)
6. D. C. General Contractors, Inc.	\$1,270,000	1. (\$199,000) 2. (\$ 34,000) 3. (\$ 26,800) 4. (\$ 33,000) 5. (\$ 38,000)
7. West Services, Inc.	\$1,370,000	1. (\$160,000) 2. (\$ 14,000) 3. (\$ 14,500) 4. (\$ 14,500) 5. (\$ 36,000)

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14. **USM** - Approved the bids and award of a contract for **IHL #208-244, Pedestrian and Bicycle Plan-Phase I**, to the low bidder, Maples Company, Inc., in the amount of \$1,089,714.69 (base bid and alternate #5). Funds are available in the project budget in the amount of \$1,371,810 from the following sources: \$1,097,488 from a MDOT Grant and \$ 274,362 from University funds. Bids were as follows:

Contractor	Base Bid
1. Maples Construction Company, Inc.	\$1,313,585.49
2. D & D Construction Company, Inc.	\$1,481,226.70
3. Hodges Building & Construction Co.	\$1,998,341.50
4. Chain Electric Co.	\$1,665,615.40

15. **JSU** - Approved request to dedicate the University Park Auditorium as the **Rose Embly McCoy Auditorium** in honor of Dr. Rose McCoy, Professor Emeritus of Psychology at the University.
16. **JSU** - Approved resolution authorizing JSU EBC to issue and sell certain Revenue Bonds, Series 2004-A at fixed rates and Series 2004-B at auction rates. The Bonds will be issued for the purpose of providing funds to finance (a) the acquisition of real property which will become part of the University campus, (b) the construction of a new Campus Union Building and parking facility, (c) the construction of a new Student Housing Complex, (d) the renovation of Dixon Hall, an existing campus student housing facility, and (e) miscellaneous other projects including, but not necessarily limited to, work at athletic facilities and construction of a residence for the president of JSU, and to pay the related costs of issuance, sale and delivery of the Bonds, and interest on and other costs relating to the Bonds.
17. **MSU** - Approved request to remove the Housing Facilities Maintenance Building from the inventory. The building is no longer needed for this purpose. It will be demolished to make the site available for new student housing.
18. **UM** - Approved request for Gamma Iota of Pi Kappa Alpha Alumni House Corporation to execute Deed of Trust of Leasehold Interest with BankPlus to secure a loan for renovation.
19. **UM** - Approved request to extend the lease with the National Food Service Management Institute (“NFSMI”) for an additional one-year term, with the option to renew the lease, month-to-month, for up to twelve months. The current agreement leases space for NESMI’s sales division in order to stock and store materials created by NFSMI, as well as those created by the United States Department of Agriculture.
20. **UM** - Approved request to execute a temporary construction easement and a permanent street right of way and utility easement along a portion of the old railroad bed from Jackson Avenue South to Molly Barr Road on the North. This will allow traffic to access Highway 7 without going through the center of campus. This is Phase III of construction previously approved by the board in 1999.
21. **System Administration (Information item.)** - Facilities Summary. (See Exhibit 2.)

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OTHER BUSINESS

Presented by Dr. David Potter, Commissioner

1. The Inter-Collegiate Athletics Committee met on June 7, 2004 to discuss the athletic department at Mississippi State University. A draft review process document entitled *A Review of the Operation of the Athletic Program at Mississippi State University by the Intercollegiate Athletics Committee* was presented for review. Upon review, the committee recommended two revisions: (1) to examine current policies within the program and (2) to remove references to a review of past issues within the program.

A motion was made by Mr. Klumb, seconded by Mr. Blakeslee, to approve the document entitled *A Review of the Operation of the Athletic Program at Mississippi State University by the Intercollegiate Athletics Committee*.

On an amended motion by Ms. Whitten, seconded by Dr. Neely, and unanimously passed by those present, the Board approved the document entitled *A Review of the Operation of the Athletic Program at Mississippi State University by the Intercollegiate Athletics Committee* with the amendment of August 31, 2004 as the deadline for the completion of the final report.

Ms. Whitten relinquished her chairmanship of the Inter-Collegiate Athletics Committee for the purpose of coordinating a review of the operation of the athletic program at Mississippi State University. Mr. Klumb accepted Ms. Whitten's resignation and requested that Ms. Newton chair the Review Committee. Ms. Newton accepted the chairmanship.

2. Mr. Klumb announced that this year's Board Retreat will be held in Point Clear, Alabama. It is not mandatory that the Institutional Executive Officers attend. Mr. Klumb asked for suggestions from the Board members for the Board Retreat agenda.

COMMITTEE REPORTS

**Academic Affairs Committee
Wednesday, June 16, 2004**

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

1. **Tuition Charge for Excess Credit Hours Policy**
The committee did not move the request forward to the Board for the proposed amendment to policy 504.0102 Tuition Charge for Excess Credit Hours as referenced by committee agenda item #5 in the Board Book. The CAO's asked that this item be pulled to allow the CFO's to look at the financial impact of this change.
2. **DSU - Establish a Center**
The committee was notified that the Interdisciplinary Center for Geospatial Information Technologies will be established at DSU as referenced by committee agenda item #1 in the Board Book.

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3. **UMMC - Degrees to be Granted**

On motion by Dr. Davidson, seconded by Dr. Neely, and unanimously passed by those present, the committee recommended that the Board approve the degrees to be granted at UMMC as referenced by committee agenda item #2 in the Board Book.

4. **Academic Class Calendar Policy**

The committee did not move the request forward to the Board for the proposed amendment to policy 501.05 Academic Class Calendar as referenced by committee agenda item #3 in the Board Book. This item will be taken up at the next Board meeting.

5. **Hours to Degree Policy**

On motion by Mr. Ross, seconded by Mr. Klumb, and unanimously passed by those present, the committee recommended that the Board approve the proposed amendment to policy 504.0101 Hours to Degree as referenced by committee agenda item #4 in the Board Book. The policy was further amended to include the following language: "4. Development and curriculum prerequisite preparative courses do not count as part of the 120 credit hour requirement."

6. **Other Business**

- a. Mr. Klumb stepped down as Chair of the Academic Affairs Committee and appointed Ms. Robin Robinson in his place.
- b. Dr. Potter pointed out that the Board Policy concerning Post Tenure Review and a summary chart of the current institutional policies and how they relate to the various guidelines.

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

**Budget & Financial Affairs/Audit Committee
Wednesday, June 16, 2004**

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

1. **Presentation of Zone Maintenance Program**

The committee received a presentation by Mr. Johnny Williams, Vice Chancellor for Administration and Finance at The University of Mississippi, concerning the University's *Zone Maintenance Program* as referenced by committee agenda item #14 in the Board Book. Other speakers include Mr. Ben Flemmons, Assistant Superintendent of Maintenance, Physical Plant Department; Ms. Lynn Gilliam, Apprentice IV Maintenance Technician; Mr. Chris Harwell, Apprentice IV Maintenance Technician; Ms. Mary Ann Corbett-Jones, Apprentice IV Maintenance Technician; and Mr. Terron E. Jones, Director, Physical Plant Department. Mr. Colbert commended the speakers on their accomplishments.

2. **ASU - Food Service Contract**

On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the food service contract with Campus Chefs subject to the approval of the Attorney General's Office, as referenced by committee agenda item #1 in the Board Book.

3. **Other Business** - On behalf of the Board, Mr. Klumb extended his condolences to Riva Brown, a Clarion Ledger reporter; to the employees at *The Clarion Ledger*; and to the Hunsberger family on the loss of William Hunsberger, Publisher of *The Clarion Ledger*.

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4. **DSU - Agreement with ARAMARK**
On motion by Mr. Colbert, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the management services agreement with ARAMARK as referenced by committee agenda item #2 in the Board Book.
5. **DSU - Agreement with Sungard Collegis, Inc.**
On motion by Mr. Colbert, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the management services agreement with Sungard Collegis, Inc. subject to the approval of the Attorney General's Office, as referenced by committee agenda item #3 in the Board Book.
6. **MSU - Budget Escalation**
On motion by Mr. Blakeslee, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the budget escalation for MSU as referenced by committee agenda item #4 in the Board Book.
7. **UM - Vending and Sponsorship Contract**
On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the vending and sponsorship contract with the Coca-Cola Company and the Coca-Cola Bottling Company as referenced by committee agenda item #5 in the Board Book.
8. **UMMC - Budget Escalation**
On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the budget escalation for UMMC as referenced by committee agenda item #6 in the Board Book.
9. **UMMC - Agreement with STERIS Corporation**
On motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the service agreement with STERIS Corporation as referenced by committee agenda item #7 in the Board Book.
10. **UMMC - Agreement with Rotolo Consultants, Inc.**
On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the management services agreement with Rotolo Consultants, Inc. as referenced by committee agenda item #8 in the Board Book.
11. **Proposed Tuition Rate Increases**
A motion was made by Mr. Ross, seconded by Ms. Whitten, to recommend that the Board approve a 6.5% tuition increase for each institution except for Mississippi Valley State University which will be allowed up to 9.5% and with the request that each institution dedicate 3% of the increase for increased faculty and staff salaries. Mr. Ross withdrew the motion.

A motion was made by Ms. Robinson, seconded by Mr. Ross, to recommend that the Board approve a tuition increase up to 6.5% without designating how the money will be spent for Jackson State University, Mississippi State University, Mississippi University for Women, The University of Mississippi, the University of Mississippi Medical Center, and The University of Southern Mississippi.

A substitute motion was made by Mr. Owens, seconded by Mr. Blakeslee, that the Committee of the Whole approve each institution's original proposed tuition rate increase for Fiscal Year 2004-2005 as referenced by committee agenda item #9 in the Board Book. The motion passed on a 6 to 4 vote, with Mr. Klumb absent and not voting and Ms. Amy Whitten abstaining. Board members voting

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

Ms. Whitten asked that the minutes reflect that she is in favor of the universities receiving the funding that they need and spending it with flexibility. However, she does not think the process is efficient in the way it was just handled.

12. **Other Business**

- a. Ms. Newton noted that the Planning Committee will not meet today due to time constraints.
- b. Ms. Newton announced that the afternoon's schedule has changed. The Budget and Financial Affairs/Audit Committee will finish its discussions today. The Inter-Collegiate Athletics Committee will follow. The Building/Facilities Committee will hold its discussions during the Board meeting tomorrow. The Legal Committees will convene at 8:30 a.m. tomorrow morning.
- c. Ms. Whitten pointed out that the Committee of the Whole was entered into improperly which means that the previous substitute motion was improper.

13. **Proposed Rate Increases for Student Room, Board, and Other Living Fees**

Ms. Whitten made a motion to recommend that the Board approve the proposed tuition rate increases for Student Room, Board, and Other Living Fees for each university as referenced by committee agenda item #10 in the Board Book.

14. **Proposed Tuition Rate Increases (continued)**

Mr. Ross made a motion to suspend the rules to approve the actions of the Budget and Financial Affairs/Audit Committee of the Whole concerning the proposed tuition rate increases.

The Budget and Financial Affairs/Audit Committee did not enter into a Committee of the Whole.

Ms. Robinson withdrew her motion to recommend that the Board approve a tuition increase up to 6.5% without designating how the money will be spent for Jackson State University, Mississippi State University, Mississippi University for Women, The University of Mississippi, the University of Mississippi Medical Center, and The University of Southern Mississippi.

A motion was made by Ms. Robinson, seconded by Ms. Whitten, to recommend that the Board approve each institution's original proposed tuition rate increase for Fiscal Year 2004-2005 as referenced by committee agenda item #9 in the Board Book. The motion passed on a 4 to 1 vote. Committee members voting for the motion were: Mr. Ed Blakeslee, Ms. Robin Robinson, Mr. Scott Ross, and Ms. Amy Whitten. **Mr. Thomas Colbert voted against the motion.**

15. **Proposed Rate Increases for Student Room, Board, and Other Living Fees (continued)**

A motion was made by Mr. Colbert, seconded by Dr. Davidson, for the Budget and Financial Affairs/Audit Committee to resolve itself into a Committee of the Whole.

A motion was made by Ms. Whitten, seconded by Ms. Robinson, to recommend that the Board approve the proposed tuition rate increases for Student Room, Board, and Other Living Fees for each university as referenced by committee agenda item #10 in the Board Book. The motion passed on a 4 to 1 vote. Committee members voting for the motion were: Mr. Ed Blakeslee, Ms. Robin Robinson, Mr. Scott Ross, and Ms. Amy Whitten. **Mr. Thomas Colbert voted against the motion.**

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16. **Fiscal Year 2004-2005 Operating Budgets**
On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve each institution reserving for contingency an amount equal to 5% of the general fund appropriation at the beginning of Fiscal Year 2005. The committee also recommended that the funds be released quarterly upon IHL staff approval.
17. **Proposed Funding Priorities for Fiscal Year 2006 Appropriations**
On motion by Ms. Robinson, seconded by Ms. Whitten, and unanimously passed by those present, the committee recommended that the Board approve the proposed funding priorities for the Fiscal Year 2006 legislative appropriation request as referenced by committee agenda item #12 in the Board Book, amending the item to include ASU's Agricultural Units.
18. **Fiscal Year 2004-2005 Operating Budgets (continued)**
A motion was made by Ms. Whitten, seconded by Ms. Robinson, the committee recommended that the Board approve the Fiscal Year 2004-2005 Operating Budgets for the institutions and separately budgeted units as referenced by committee agenda item #11 in the Board Book. On an amended motion by Ms. Whitten, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the Fiscal Year 2004-2005 Operating Budgets as amended to reflect the approved tuition increases for the institutions and separately budgeted units as referenced by committee agenda item #11 in the Board Book.
19. **Quarterly Employment Report**
On motion by Ms. Robinson, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the FY 2004 Third Quarter Employment Report as referenced by committee agenda item #13 in the Board Book.

The following committee members attended the meeting: 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, Mr. Roy Klumb, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, and Mr. Aubrey Patterson.

**Inter-Collegiate Athletics Committee
Wednesday, June 16, 2004**

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

1. **Other Business** - All the athletic directors were invited to attend today's meeting and briefly discuss the athletic program. The following athletic directors attended: Mr. Brad Teague - Delta State University, Mr. Roy Culberson - Jackson State University, Mr. Lonza Hardy - Mississippi Valley State University, and Mr. Richard Giannini - University of Southern Mississippi.
2. **Non-Resident Tuition Waivers**
The committee discussed the non-resident tuition waivers for athletics at each university. It was decided that a unanimous consent item would be brought forward for first reading to change Board Policy to *exclude* waivers of non-resident tuition for athletes from athletic expenditures.

The following committee members attended the meeting: Mr. Scott Ross (Chair), Mr. Ed Blakeslee, Mr. Thomas Colbert, 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, Mr. Aubrey Patterson, and Ms. Robin Robinson.

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ADJOURNMENT

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

Roy Klumb

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 Resolution commending Delta State University's Baseball Team.
- Exhibit 2 Facilities Summary for June 2004.

EXHIBIT 1

RESOLUTION

WHEREAS, the Board of Trustees of State Institutions of Higher Learning places great value on the importance of academic achievement, personal character and athletic achievement; and

WHEREAS, the Delta State University Baseball Team finished the season by winning the 2004 NCAA Division II National Championship; and

WHEREAS, Delta State University Baseball Team's set a new record with 54 wins and this season marked the Statesmen's ninth appearance in the NCAA Division II Baseball Championship Tournament and their third trip to the NCAA Division II World Series in Montgomery, Alabama; and

WHEREAS, Delta State Head Coach Mike Kinnison was named the Rawlings/ABCA Division II Coach of the Year, the Rawlings/ABCA South Central Region Coach of the Year; and the Gulf South Conference Coach of the Year; and

WHEREAS, Delta State Head Coach Mike Kinnison's 370-96 career record (.794) gives him the best winning percentage among NCAA baseball coaches with at least five years of experience; and

WHEREAS, Jud Thigpen was named Rawlings/ABCA Division II Player of the Year, Rawlings/ABCA South Central Region Player of the Year, and set a DSU single-season record with 112 hits, becoming the first Statesman to rack up over 100 hits in a season; and

WHEREAS, Jud Thigpen and Chris Reed were named to the Rawlings/ABCA All-America First Team and Mark Broome was named to the Rawlings/ABCA All-America Second Team; ; and

WHEREAS, Jud Thigpen, Chris Reed, Craig Newton, and Mark Broome were named to the Rawlings/ABCA All-South Central Region (First Team); Josh Barton was named to the Rawlings/ABCA All-South Central Region (Second Team); Mark Broome, Eric Patten, Jud Thigpen, and Matt McAlpin were named to the All-Gulf South Conference (First Team); and Craig Newton, Clay Smith, Chris Reed, and Josh Barton were named to the All-Gulf South Conference (Second Team); and

WHEREAS, Bert Pickard was named NCAA Division II Championship Tournament MVP; Bert Pickard, Scott Ellison, and Craig Newton were named to the NCAA Division II Championships All-Tournament Team; Will Waldkirch was named NCAA South Central Region Tournament MVP; Will Waldkirch, Craig Newton, Eric Patten, Jud Thigpen, and Josh Barton were named to the NCAA South Central Region All-Tournament Team; Mark Broome was named Gulf South Conference Tournament MVP; and Mark Broome, Clay Smith, Chris Reed, Brad Lightsey, and Jud Thigpen were named to the Gulf South Conference All-Tournament Team; and

WHEREAS, it is with great pride that we recognize this fine group of student athletes who continue to bring honor to their school, their community and to the State of Mississippi;

THEREFORE, BE IT RESOLVED that the Board of Trustees of State Institutions of Higher Learning takes great pride in recognizing and commending the Delta State University Baseball Team and Head Coach Mike Kinnison for their outstanding 2004 season, and wishes them continued success in their athletic, academic and career endeavors.

BE IT FURTHER RESOLVED that copies of this resolution be presented to Delta State University Baseball Team and Head Coach Mike Kinnison.

DONE, this the 17th day of June, 2004.

Roy Klumb

ROY KLUMB, PRESIDENT
BOARD OF TRUSTEES OF STATE INSTITUTIONS
OF HIGHER LEARNING

EXHIBIT 2

FACILITIES SUMMARY JUNE 2004

ALCORN STATE UNIVERSITY

Approve the contract documents for Furniture and Equipment, Extension Building, GS#101-209, and request approval and advertising for receipt of bids by the Bureau of Buildings. Funds are available in the project budget.

JACKSON STATE UNIVERSITY

Approve Change Order #7 for School of Business, GS #103-178, in the amount of \$1,002 which has been revised to \$3,306 and a time increase of 126 calendar days to the contract of Harrell Construction Group. Funds are available in the project budget.

Approve the Design Development Documents prepared by Dale and Associates for IHL #203-146, Dixon Hall Renovations. Funds are available from Jackson State University Educational Building Corporation Bonds. The estimated project budget is \$8,400,000.

Approve the Construction Documents for site preparation only for IHL #203-147, New Student Housing. Funds are available from Jackson State University Educational Building Corporation Bonds. The estimated project budget is \$15,600,000. (Approved by Building Chairman, Construction Management Process)

Approve the Construction Documents prepared by Dale and Associates for the interior demolition of IHL #203-146, Dixon Hall Renovations. Funds are available from Jackson State University Educational Building Corporation Bonds. The estimated project budget is \$8,400,000. (Approved by Building Chairman, Construction Management Process)

Approve additional services for Baseball Stadium/Field Construction, GS#103-221 from Cooke, Douglass, Farr, and Lemons, and request approval by the Bureau of Buildings. The additional services are preparation, presentation and publication of Programming Documents for Phase I and II in the amount of \$6,000 and preparation and presentation of a Master Plan for Phase II for a fee of \$38,900 plus reimbursable expenses. When funds are available for Phase II of this project and CDFL prepares construction documents the owner will be credited with \$38,900 toward fees for these services.

Approve the Design Development Documents for GS #103-179, School of Engineering with the exceptions of the roof guard; urinals which should be wired for automatic flushing, and the all glass curtain wall which should be raised to the curve. When the funds are available, we feel it would be advantageous for CDFL to proceed with the Construction Documents.

MISSISSIPPI UNIVERSITY FOR WOMEN

Approve Change Order #5 with no change to the contract amount and an additional fifty-three (53) days to the contract for Parkinson Hall, GS #104-125 and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the project budget.

Approve Change Order #1 in the deductive amount of \$5,000 for IHL #204-120A, Fant Memorial Library, Kincannon Hall, Goen Hall and Jones Hall.

Approve the appointment of Lundy & Franke Engineering of San Antonio, Texas, as the structural engineers for GS #104-149, Pre-Plan Poindexter Hall, and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the project budget.

MISSISSIPPI STATE UNIVERSITY

Approve the bids and authorize award of contract to C & A Construction, Inc., the lowest of two bids, in the amount of \$788,500 for foundation stabilization for Marks-Rothenberg Building Renovation-Phase II, IHL #205-190 - C. Funds are available in the project budget. (Approved by Building Chairman, Construction Management.)

Approve the bids and authorize award of contract to Americrete Ready Mix Concrete Company, lowest of three bids, in the amount of \$18,723.50 for furnishing and delivering concrete for Marks-Rothenberg Building Renovation-Phase II, IHL #205-190 - C. Funds are available in the project budget. (Approved by Building Chairman, Construction Management.)

Approve Change Order #1 which deducts \$134,025 from the contract of JESCO, Inc., Tupelo, MS, for Power Generation Plant - Building Construction, IHL #205-191. Funds are available from Mississippi State University Educational Building Corporation Bonds.

Approve the revised Construction Documents and authorize re-advertising and receipt of bids for Renovation of Pace Seed Technology Building, GS # 113-097 and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the amount of \$3,000,000 from SB# 3197, Laws of 2002.

Approve the purchase of data communications and networking equipment required for Hand Chemical Laboratory Renovation - Phase III GS # 105-293 in the amount of \$75,000 and request approval by the Bureau of Buildings. Funds are available from SB #3158, Laws of 2001.

Approve Change Order #3 for 2000 Wise Center Renovations, GS#113-084 in the deductive amount of \$500 with an additional 350 days to the contract of West Brothers Construction, Inc. and request approval by the Bureau of Buildings. Funds are available in the amount of \$609,000 from SB#3315, Laws of 2000, from CVM Research Overhead in the amount of \$50,000 and from CVM Facilities Operations in the amount of \$70,000.

Approve Change Order #10 and #11 in the combined amount of \$12,406 with an additional 40 calendar days to the contract of West Brothers Construction, Inc., for Hand Chemical Laboratory Renovation - Phase III, GS # 105-293 and request approval by the Bureau of Buildings. Funds are available from SB #3158, Laws of 2001 in the amount of \$6,000,000 and from SB#3315, Laws of 2000 in the amount of \$1,230,408 for a total project budget of \$7,230,408.

MISSISSIPPI VALLEY STATE UNIVERSITY

Approve Change Order #1 in the amount of \$7,738 for Business Education Building, GS#106-170 and request approval by the Bureau of Buildings. Funds are available in the project budget.

Approve Change Order #2 in the amount of \$6,785 for Business Education Building, GS#106-170 and request approval by the Bureau of Buildings. Funds are available in the project budget.

Approve the Design Development Documents for ADA Compliance Phase I, GS#106-191 and request approval by the Bureau of Buildings. Funds are available in the project budget from SB#3158, Laws of 2001.

UNIVERSITY OF SOUTHERN MISSISSIPPI

Approve Change Order #1 in the deductive amount of \$1,962.13 for GS #108-184, Student Life Center and request approval by the Bureau of Buildings. Funds are available in the project budget.

Approve Change Order #8 in the amount of \$59,516 with an additional 150 days to the contract of Finlo Construction Co., Inc., for Polymer Science Addition, GS #108-185, and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the project budget.

Approve the request of the university to rename and change the scope of projects, GS#108-220, Cox Library Renovation and GS#114-002 F & E Cox Library Furnishings to GS# 108-220- Hardy Hall Renovation and Infrastructure Upgrade, GS#114-002- F &E Hardy Hall Furnishings, Gulf Park Campus and request approval by the Bureau of Buildings.

Approve Change Order #3 in the amount of \$42,462 with an increase of 88 days to the contract for College of International and Continuing Education, Hattiesburg Campus, GS #108-212 (Original #IHL208-241) and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the project budget in the amount of \$4,000,000 from S.B. #3158, Laws of 2001 and USM CICE Reserve Funds in the amount of \$1,900,000 and SMEBC Bond Sale Funds in the amount of \$2,000,000 for total budget of \$7,900,000.

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Approve the Contract Documents for U017 Renovations '04, IHL #209-482, prepared by Dean and Dean/Associates Architects, P.A., and advertising for receipt of bids. Funds are available in the amount of \$186,406 from Interest Income.

Approve Change Order #5 for Exterior Repairs–Clinical Sciences, IHL #209-462, in the amount of \$14,974 with an increase in contract time of 45 calendar days. Funds are available in the project budget. The funding source for this project is Indirect Cost Recoveries and Interest Income.

Approve Change Order #6 for Exterior Repairs–Clinical Sciences, IHL #209-462, in the amount of \$22,746.40 with no increase in contract time for Exterior Repairs–Clinical Sciences, IHL#209-462. Funds are available in the project budget. The funding source for this project is Indirect Cost Recoveries and Interest Income

Approved Change Order #7 for Exterior Repairs–Clinical Sciences, IHL #209-462, in the amount of \$13,032 with no increase in contract time for Exterior Repairs–Clinical Sciences, IHL#209-462. Funds are available in the project budget. The funding source for this project is Indirect Cost Recoveries and Interest Income.

Approve the Design Development Documents for IHL #209-480, Research Wing Electrical Buss Risers prepared by Watkins & O'Gwynn Consulting Engineers. Funds are available in the amount of \$500,000 from Interest Income.

Approve Change Order #3 in the amount of \$2,853 with no increase in contract time for IHL#209-479, U170 Renovations. The funding source is Interest Income.

Approve the initiation of a project and appointment of Dean and Dean/Associates Architects, as project professional for Landscape Improvements 2004, IHL #209-485. Funds are available from Hospital Patient Revenue sources in the amount of \$194,800.00.

Approve the Schematic Documents prepared by Dean and Dean/Associates Architects, as project professional for Landscape Improvements 2004, IHL #209-485. Funds are available from Hospital Patient Revenue sources in the amount of \$194,800.00.

Approve Change Order #2 in the amount of \$25,524 with an additional seven calendar days for IHL #209-472, Suite "A" Renovations '03. Funds are available from Medical Overage Income.