

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

STATE OF MISSISSIPPI

Executive Sessions

October 16-17, 1985

On motion by Mr. Crosthwait, seconded by Mr. Jacobs, the Board voted unanimously on Wednesday, October 16, 1985, that an executive session was necessary to discuss the following legal matters since to do so in an open meeting would have a detrimental effect on the Board's litigating position:

- a. Bettye Langley v. Jackson State University
- b. Bender Shipbuilding and Repair Co., Inc. v. Mississippi Gulf Coast Research Laboratory
- c. Board of Trustees v. Dr. Thomas Petty
- d. Mississippi Publishers Corporation v. Board of Trustees, et al.
- e. The appeal to the Board of Dr. Robert E. McCaa, Professor at the University of Mississippi Medical Center.
- f. The appeal to the Board of Dr. Linda Donnell, a faculty member of the Department of Home Economics at the University of Southern Mississippi

On motion by Mr. Crosthwait, seconded by Mr. Jones, the Board voted unanimously on Wednesday, October 16, 1985, to meet in executive session to discuss the above mentioned legal matters.

A report was given by Dr. E. E. Thrash on the Bettye Langley v. Jackson State University lawsuit indicating that the Equal Employment Opportunity Commission office continues to request information concerning the case.

On motion by Mr. Crosthwait, seconded by Mr. Jacobs, the Board voted unanimously during executive session on Wednesday, October 16, 1985, to accept the offer to settle the Bender Shipbuilding and Repair Co., Inc. v. Mississippi Gulf Coast Research Laboratory lawsuit pertaining to the research vessel, the Tommy Munroe, for the sum of \$12,000.00 to be paid by the Gulf Coast Research Laboratory to the Bender Shipbuilding and Repair Co., Inc.

The Board of Trustees rejected the proposal for settlement of the Board of Trustees v. Dr. Thomas Petty lawsuit as described in the letter from Bill Waller, Jr., attorney, on October 15, 1985. The Board directed the staff attorneys to continue negotiations to include interest on any agreement with interest to be paid over the time period of the payment schedule.

On motion by Mr. Crosthwait, seconded by Mr. Bourdeaux, the Board voted unanimously during executive session on Wednesday, October 16, 1985, that the Board would not petition the Mississippi Supreme Court for a rehearing on the Mississippi Publishers Corporation v. Board of Trustees, et al. lawsuit.

Mr. Crosthwait, Chairman of the Legal Committee, made a report to the Board concerning the appeal of Dr. Robert E. McCaa. The report indicated that all appropriate administrative procedures had been followed during the appeal process and that the decision recommending termination of employment of Dr. McCaa by Dr. R. Gerald Turner, Chancellor of the University of Mississippi, and Dr. Norman C. Nelson, Vice Chancellor of the University of Mississippi Medical Center, was neither arbitrary nor capricious.

On motion by Mr. Crosthwait, seconded by Mr. Jacobs, the Board voted unanimously during executive session on Wednesday, October 16, 1985, to deny the appeal of Dr. Robert E. McCaa.

Mr. Crosthwait, Chairman of the Legal Committee, made a report to the Board concerning the appeal of Dr. Linda Donnell, a faculty member in the Department of Home Economics at the University of Southern Mississippi. The report indicated that all appropriate administrative procedures had been followed during the appeal process and that the decision recommending termination of employment of Dr. Donnell by Dr. Aubrey K. Lucas, President of the University of Southern Mississippi, was neither arbitrary nor capricious.

On motion by Mr. Jacobs, seconded by Dr. Lovelace, the Board voted unanimously during executive session on Wednesday, October 16, 1985, to deny the appeal of Dr. Linda Donnell.

On motion by Mr. Crosthwait, seconded by Mrs. Williams, the Board voted unanimously on Wednesday, October 16, 1985, that an executive session was necessary to discuss personnel matters concerning the following:

- a. Jackson State University
- b. Mississippi State University
- c. Mississippi Valley State University
- d. University of Mississippi Medical Center
- e. University Press
- f. Executive Office

On motion by Mr. Crosthwait, seconded by Mrs. Williams, the Board voted unanimously on Wednesday, October 16, 1985, to meet in executive session to discuss the above mentioned personnel matters.

Discussion took place during executive session on Wednesday, October 16, 1985, pertaining to the individuals responsible for the overexpenditure of the budget for the year ending June 30, 1985, at Jackson State University.

The Board heard from Dr. Donald W. Zacharias, President of Mississippi State University, concerning possible embezzlement by an employee. The Board attorneys are working with Mississippi State University officials on this matter.

On motion by Mr. Crosthwait, seconded by Mr. Hickman, the Board voted unanimously during executive session on Wednesday, October 16, 1985, to ask the Office of the Attorney General, Universities Division, to develop specific policies to be followed by institutional executive officers when alleged criminal cases develop on campus.

In response to the Board's directive of the September 19, 1985, meeting for the Executive Secretary and Director to assign a staff member to direct the development and implementation of satisfactory financial policies and procedures at Mississippi Valley State University, Dr. E. E. Thrash, Executive Secretary and Director, reported to the Board that Mr. Harry Brown of the University of Southern Mississippi has agreed to perform the necessary overview of the study of implementation of new procedures and to assist in the training of employees. Mr. Brown will serve as a consultant to the Executive Office staff in working with Mississippi Valley State University's financial needs.

On motion by Mr. Crosthwait, seconded by Mr. Jones, the Board voted unanimously during executive session on Wednesday, October 16, 1985, to approve the increase of private earnings of clinical faculty members of the School of Medicine from \$85,000.00 per year to \$95,000.00 per year within the salary policies of the School of Medicine to be effective January 1, 1986.

A report was given by Dr. E. E. Thrash, Executive Secretary and Director, concerning the University Press, a consortium of the eight universities. The report indicated that the financial records and procedures of the

University Press need more specific review by individuals other than the employees of the University Press. A plan of action was outlined using financial experts of the Executive Office staff and the universities. New procedures will be implemented immediately.

A report was given by Dr. E. E. Thrash, Executive Secretary and Director, concerning the employment of Dr. Michael D. Robbins as Associate Director for Legislative Relations. Dr. Robbins will work with the Board of Trustees on a loan agreement between the Board and Delta State University from November 1, 1985, through March 31, 1986.

On motion by Mr. Crosthwait, seconded by Mrs. Williams, the Board voted unanimously on Thursday, October 17, 1985, that an executive session was necessary to discuss personnel matters at:

- a. Jackson State University
- b. Mississippi Valley State University

On motion by Mr. Crosthwait, seconded by Mr. Jones, the Board voted unanimously on Thursday, October 17, 1985, to meet in executive session to discuss the above mentioned personnel matters.

On motion by Mr. Jones, seconded by Mr. Hickman, the Board voted unanimously during executive session on Thursday, October 17, 1985, that an appropriate letter over the signature of Mr. Denton Rogers, Jr., President of the Board of Trustees, be forwarded to Dr. James A. Hefner, President of Jackson State University, concerning the negligence of personnel responsible for over-expenditure of the budget.

On motion by Mr. Griffis, seconded by Mr. Jacobs, the Board in executive session on Thursday, October 17, 1985, directed Mr. Rogers, President of the Board, to talk with the appropriate administrator at Mississippi Valley State University regarding financial and other problems at the University.


Executive Secretary and Director

Approved:


President

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