

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

November 20, 1997

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, on November 20, 1997, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 7, 1997, to each and every member of said Board, said date being at least five days prior to this November 20, 1997 meeting. At the above named place there were present the following members to wit: Ms. Nan McGahey Baker, Mr. Thomas W. Colbert, Mr. William Sterling Crawford, Ms. Ricki R. Garrett, Mr. J. Marlin Ivey, Mr. James Roy Klumb, Mr. James Luvane, Dr. D. E. Magee, Jr., Mr. J. P. (Jake) Mills, Mr. Carl Nicholson, Jr. and Dr. Cassie Pennington. Ms. Virginia Shanteau Newton was not present. The meeting was called to order by Mr. Marlin Ivey, President and opened with prayer by Mr. Colbert.

APPROVAL OF THE MINUTES

On motion by Dr. Pennington, seconded by Ms. Baker, and unanimously passed by those present, it was

RESOLVED, That the Minutes of the meeting held on October 16, 1997, stand approved.

UNANIMOUS CONSENT (UC)

On motion by Mr. Nicholson, seconded by Ms. Garrett, 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.

ADMINISTRATION/POLICY

Presented by Dr. Thomas Layzell
Commissioner of Higher Education

On motion by Ms. Baker, seconded by Mr. Nicholson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approves the Agenda Items as submitted in the following report on Administration/Policy. **UNANIMOUS CONSENT** items were approved on a separate motion by Mr. Luvane, seconded by Mr. Colbert and unanimously passed by those present.

Mississippi Valley State University

1. Approved a contractual agreement between Mississippi Valley State University and Delta State University for Dr. James Reid Jones, Coordinator of Academic Research/Professor of Psychology at Delta State University, to direct the Center for Effective Teaching Practices to be housed at Mississippi Valley State University.

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

November 20, 1997

University of Mississippi Medical Center

2. Approved amendments to the Medical Staff Bylaws, as approved by the Accreditation and Bylaws Committee on August 22, 1997, and by the Medical Staff on September 25, 1997. A copy of the amendments are included in the bound copy of the *November 20, 1997 Board Working File*.

University of Southern Mississippi

3. **(Unanimous Consent)** Approved changing the title of the Vice President for Academic Affairs to Provost effective July 1, 1998. A copy of the job description is included in the bound copy of the *November 20, 1997 Board Working File*.

System Administration

4. Approved the recommendation of the Academic and Student Affairs Committee concerning new academic programs. A copy of the new academic program proposals is shown as **Exhibit 1**.
5. Approved the employment contract of Dr. Malcolm Portera as President of Mississippi State University for the period beginning January 1, 1998 and ending on December 31, 2001. A copy of the contract is included in the *November 20, 1997 Board Working File*.
6. **(Unanimous Consent)** Approved that, effective January 1, 1998, Donald W. Zacharias' title will change from President, Mississippi State University, to President Emeritus and Distinguished Professor of Higher Education, Mississippi State University, with an annual salary of \$104,273.
7. **(Unanimous Consent)** Approved the delay of consideration of tenure and promotion for Dr. Gloria Liddell, due to a major illness.
8. **(Information Item)** The Board was given a *draft* copy of the amended Bylaws and Policies for a first reading. A copy of this document is included in the *November 20, 1997 Board Working File*.

INSTRUCTION/STUDENTS

Presented by Dr. William McHenry
Assistant Commissioner of Academic Affairs

On motion by Ms. Baker, seconded by Mr. Luvene, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approves Agenda Items as submitted in the following report on Instruction/Students.

Delta State University

1. Approved a new academic program, Bachelor of Arts Degree in Journalism (CIP 09.0401).
2. Approved a new academic program, Bachelor of Business Administration Degree in

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

November 20, 1997

Hospitality Services Management (CIP 52.0901).

Jackson State University

3. Approved establishment of a Department of Urban and Regional Planning (CIP 04.0301) in the School of Liberal Arts. The Department will offer the Master of Arts and the Doctor of Philosophy degrees in Urban and Regional Planning. Implementation is scheduled for August 1998.
4. Approved establishment of a Department of Communicative Disorders (CIP 51.0201) in the School of Allied Health Sciences. The Department will offer the Master of Science degree in Communicative Disorders. Implementation is scheduled for August 1998.
5. Approved establishment of a Department of Health Care Administration (CIP 51.0701) in the School of Allied Health Sciences. The department will offer the Bachelor of Science degree in Health Care Administration. Implementation is scheduled for August 1998.

Mississippi State University

6. Approved the following degrees to be conferred on December 12, 1997. A list of candidates is included in the *November 20, 1997 Board Working File*.

College of Agriculture and Life Sciences

| | |
|------------------------------------|----|
| Bachelor of Science | 95 |
| Bachelor of Landscape Architecture | 1 |

College of Arts and Sciences

| | |
|--|----|
| Bachelor of Arts | 62 |
| Bachelor of Fine Arts | 7 |
| Bachelor of Science in Arts and Sciences | 57 |
| Bachelor of Social Work | 10 |

College of Business and Industry

| | |
|--|-----|
| Bachelor of Business Administration | 117 |
| Bachelor of Science in Business and Industry | 14 |
| Bachelor of Professional Accountancy | 30 |

College of Education

| | |
|----------------------------------|-----|
| Bachelor of Music Education | 3 |
| Bachelor of Science in Education | 200 |

College of Engineering

| | |
|------------------------------------|-----|
| Bachelor of Science in Engineering | 179 |
|------------------------------------|-----|

College of Forest Resources

| | |
|---------------------------------|----|
| Bachelor of Science in Forestry | 13 |
|---------------------------------|----|

Graduate School

| | |
|-----------------------------------|----|
| Doctor of Business Administration | 6 |
| Doctor of Education | 1 |
| Doctor of Philosophy | 56 |

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

November 20, 1997

| | | |
|--|-----|--------------|
| Educational Specialist | 13 | |
| Master of Agribusiness Management | 1 | |
| Master of Arts 8 | | |
| Master of Business Administration | 31 | |
| Master of Fine Arts | 1 | |
| Master of Music Education | 1 | |
| Master of Professional Accountancy | 4 | |
| Master of Public Policy and Administration | 3 | |
| Master of Science | 205 | |
| Master of Taxation | 3 | |
| Total Degrees | | 1,121 |

7. Approved two new academic programs, Doctor of Philosophy in Environmental Toxicology (CIP 26.0612) and Bachelor of Business Administration in Management of Construction and Land Development (CIP 52.0205).

Mississippi University for Women

8. Approved a new academic program, Master of Education degree in Instructional Management (CIP 13.0301).
9. Approved a new academic program, Master of Science degree in Health Education (CIP 13.1307).

Mississippi Valley State University

10. Approved two new academic programs, Master of Social Work (CIP 44.0701), pending submission of a cooperative MSW plan with Delta State University; and a Master of Science in Special Education (CIP 13.1001).

University of Mississippi

11. Approved six new academic programs, as follows: Bachelor of Business Administration in International Business (CIP 52.1101), Master of Arts in Curriculum and Instruction (CIP 13.0301), Bachelor of Arts in English Education (CIP 13.1305), Bachelor of Arts in Mathematics Education (CIP 13.1311), Bachelor of Arts in Science Education (CIP 13.1316), Bachelor of Arts in Social Science Education (CIP 13.1318).

University of Mississippi Medical Center

12. **(Unanimous Consent)** Approved a new academic program, a collaborative Ph.D program in Nursing (CIP 51.1608) between USM and UMMC.

University of Southern Mississippi

13. Approved a new academic program, Bachelor of Arts in Music (CIP 50.0901).
14. Approved a new academic program, Bachelor of Arts in Sociology (CIP 45.1101).
15. Approved a new academic program, Master of Science in Marriage and Family Therapy (CIP 51.1503).

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

November 20, 1997

candidates is included in the *November 20, 1997 Board Working File*.

College of Liberal Arts

| | |
|---|----|
| Master of Science | 56 |
| Master of Arts 31 | |
| Master of Arts in Teaching Language | 21 |
| Master of Library Science | 2 |
| Master of Library and Information Science | 15 |
| Doctor of Philosophy | 11 |
| Master of Arts (Gulf Park) | 2 |

College of Business Administration

| | |
|---|---|
| Master of Business Administration | 4 |
| Master of Public Accountancy | 7 |
| Master of Business Administration (Gulf Park) | 3 |

College of Education and Psychology

| | |
|---------------------------------|----|
| Master of Science | 13 |
| Master of Arts 4 | |
| Master of Education | 29 |
| Specialist in Education | 7 |
| Doctor of Education | 8 |
| Doctor of Philosophy | 34 |
| Master of Education (Gulf Park) | 9 |

College of the Arts

| | |
|---------------------------|---|
| Master of Music | 5 |
| Master of Art Education | 1 |
| Master of Music Education | 1 |
| Doctor of Music Education | 1 |
| Doctor of Philosophy | 1 |

College of Science and Technology

| | |
|-------------------------------|----|
| Master of Science | 49 |
| Doctor of Philosophy | 27 |
| Master of Science (Gulf Park) | 4 |

College of Health and Human Sciences

| | |
|-------------------------|----|
| Master of Science | 23 |
| Master in Nursing | 17 |
| Master in Public Health | 13 |
| Doctor of Philosophy | 3 |

| | |
|--------------|------------|
| Total | 401 |
|--------------|------------|

University of Southern Mississippi

23. **(Unanimous Consent)** Approved the University of Southern Mississippi's participation in the new Police Corps Program. USM will cooperate with the Mississippi Department of Public Safety in implementing this program in our state. The program is designed to recruit some of our best students to law enforcement. A description of the Police Corps program is

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

November 20, 1997

included in the bound copy of the *November 20, 1997 Board Working File*.

System Administration

24. Approved the following Commencement Schedule for Fall 1997:

Mississippi State University
10:00 a.m., Friday, December 12, 1997
Humphrey Coliseum
Speaker: Dr. Donald W. Zacharias

University of Southern Mississippi
6:30 p.m., Friday, December 19, 1997
Reed Green Coliseum
Speaker: Mr. Reginald Murphy
President, National Geographic Society
Washington, DC

25. Approved, based on results of a state site visit conducted concurrently with NLNAC (National League for Nursing Accrediting Commission), as authorized by the Board's Accreditation Standards and Rules and Regulations for Mississippi Nursing Degree Programs, Revised July 1, 1993, the continued accreditation for Associate Degree Nursing Program at East Central Community College (Decatur).
26. **(Information Item)** The Winners of the Halbrook Awards for Academic Achievement among Athletes for 1996-97 were announced. The following colleges and universities received the awards at the Annual Junior/Senior College Conference of the Mississippi Association of Colleges which was hosted by William Carey College, in Hattiesburg on October 19-21, 1997:

| <u>Division</u> | <u>Award Recipient</u> |
|---|------------------------------------|
| Public University - Women's | Delta State University |
| Public University - Men's | University of Southern Mississippi |
| Community and Junior College | Hinds Community College |
| Independent College | Blue Mountain College |
| John C. and Ernestine McCall Halbrook Achievement Award (Cash award to institution that had greatest increase in percentage of athletes graduating) | Jones County Junior College |

**Halbrook Certificates for
Academic Achievement Among Athletes**

Certificates were awarded by the participating institutions to one male and one female student athlete who excelled in academics, leadership, or service. A list of individual names are included in the bound copy of the *Board Agenda Working File* for November 20, 1997.

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

November 20, 1997

PERSONNEL

Presented by Dr. Marilyn Beach
Special Projects Officer

On motion by Mr. Mills, seconded by Ms. Baker, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approves the report on Personnel, as follows:

The Personnel Report for November 20, 1997, is composed of **127 regular personnel actions** in the categories of: Employment - 49; Change of Status - 52; Termination - 18; Sabbatical - 4; Mid-Year Salary Adjustments - 1; and Emeritus - 3.

EMPLOYMENT

Alcorn State University

Davis, Melvin

Delta State University

Abrahams, Caryl Mae

Troyka, Jonathan Lindsey

Jackson State University

Sturgis, Thomas C.

Mississippi State University

Johnson, Thomas C.

Smith, Ronald G.

Vaughn, Rayford B.

Zhang, Xiaoyan

Mississippi University for Women

Labensky, Sarah R.

University of Mississippi

Boutwell, Ken E.

Brown, Larry

Davis, Joe M.

Drewnowski, Lech

Eftink, Susan E.

Falconer, Allan

Hobbs, Margie

Rader, Dennis

Roberts, Richard A.

Sheidy, Michael G.

Williamson, Sheila M.

University of Mississippi Medical Center

Ahene, Charles A.

Arthur, Chris Anne

Bain, Gregg

Bertolet, Toni J.

Bohannon, Tony

Buchanan, Beverly D.

Cannon-Smith, Gerri

Eduardo, Kay Aultman

Gillespie, Constance M.

Hollingshead, Charles A.

Hoxie, Susan M.

Kelley, Colin T.

Kemp, Stephen F.

Knight, Kathy

Kubota, Kimio

Naber, Carol

Newcomb, Ward W.

Norton, John W.

Plank, Leann

Singh, Lalit P.

Sink, Jill

Smoot, Betty

Williams, Jim T.

Williams, Mark

Yablon, Stuart Aaron

University of Southern Mississippi

Hill, Homer

Jones, Mary Kristina

Sheres, David

Zhang, Jennifer

CHANGE OF STATUS

Alcorn State University

Lei, Wei

Posey, Josephine

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

November 20, 1997

Delta State University

Jones, James Reid
Nicodemus, Paul D.

Jackson State University

Drummond, LaDonna S.
Harris, William
James, Elisabeth
Swanson, Lealan
Tchounwou, Paul

Mississippi State University

Adsit, Russell A.
Belew, Sharron B.

University of Mississippi

Chambers, James P.
Parcher, Jon F.
Showalter, Marc

University of Mississippi Medical Center

Abusaa, Taysir M.
DeShazo, Richard D.
Dostrow, Victor G.
Gospodarski, Paul
Gospodarski, Paul
Gospodarski, Paul
Graeber, Michael C.
Gutierrez-Mohamed, Mary L.
Herron, Irma L.
James, Maurice
Kahlstorf, Jack H.
Kosek, Mary Anne
Kumar, Parveen
Livingston, Harold M.
Magee, Jr., Steve E.
McKenna, Margaret E.
Minninger, Vicky
Myers, Clara Ann
Neral, Susan M.
Pulliam, Cynthia Ann
Roberts, Dennis R.
Sewell, Patrick E.
Smith, David Ryan
Smith, Jr., Mervyn P.
Stein, Janis L.
Swiatlo, Edwin
Vaughn, Cynthia
Vives, Lidgia R.
Wahl, Nancy G.

Wahl, Nancy G.
Walker, Evelyn R.

University of Southern Mississippi

Alber, Shelia R.
Boudreaux, Laura Jane
Herman, Steve
LeFlore, Larry
Middlebrooks, Bobby L.
Moore, Frank R.
Ponder, Charles A.

TERMINATION

Delta State University

Smith-Larson, Debra

Jackson State University

Asberry, Darrell
Tolliver, Nellie

Mississippi State University

Epley, Donald R.
Haake, Christina D.
Purchase, H. Graham
Roy, Kenneth W.
Ware, Lee E.

University of Mississippi

Aparicio, Carlos
Hoops, Rosalinda L.

University of Mississippi Medical Center

Griffin, Kelly K.
Novak, Jacqueline
Rogers, Harlan B.
Sims, Karen Leigh

University of Southern Mississippi

Buckner-Brown, Joyce
Carver-Hunt, Barbara Ann
Landrum, Perry D.
Wheat, Stella

MID-YEAR SALARY ADJUSTMENT

Mississippi State University

Tompkins, Paige L.

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

November 20, 1997

SABBATICAL LEAVES

Mississippi State University

Krans, Jeffrey V.
St. Louis, David G.
Wampler, Lynn B.

University of Southern Mississippi

Schnur, James O.

EMERITUS

University of Mississippi

Champion, William M.
Fox, Andrew C.
Kincaid, Desmond

ATHLETICS

Presented by Dr. Marilyn Beach
Special Projects Officer

On motion by Mr. Mills, seconded by Ms. Baker, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approves the following report on Athletics.

EMPLOYMENT

Mississippi State University

Sherman, John A.
Simmons, Sharon A.

University of Southern Mississippi

Floyd, Jr., Ralph "Nick"

CHANGE OF STATUS

University of Southern Mississippi

Grant, Helen C.

TERMINATION

Mississippi State University

Miller, Edward O.

SALARY ADJUSTMENT

Mississippi State University

Sherrill, Jackie (**Unanimous Consent**)

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

November 20, 1997

LEGAL

Presented by Mr. Chuck Rubisoff
Special Assistant Attorney General

On motion by Mr. Crawford, seconded by Mr. Nicholson, and unanimously passed by those present, it was

RESOLVED, That upon review and recommendation of the Office of Attorney General, the Board hereby approves the agenda items in this section.

Mississippi State University

1. Approved the settlement agreement in the case of *Smythe v. Pi Kappa Alpha, et. al.*
2. **(Unanimous Consent)** Approved the settlement agreement in the case of *Trustmark National Bank v. R.T. McCool v. Mississippi State University, and Wayne Reed, Purchasing Agent.*

University of Southern Mississippi

3. Approved employment of Michael B. McMahan, Attorney with McMahan, McMahan and Brinkley for his services in the case styled *Jordan v. USM, et. al.*, at a pay rate of \$110.00 per hour, plus expenses, with a maximum FY total estimate of \$22,000.

System Administration

4. Approved payment of legal fees to outside counsel in relation to patent work for the universities, as follows:

Payment of legal fees for professional services rendered by Bacon & Thomas (Statement dated 12/4/96) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with obtaining a patent on "Methods Active Noise Control Stethoscope.")

TOTAL DUE\$ 914.39

Payment of legal fees for professional services rendered by Oblon, Spivak, McClelland, Maier & Neustadt (Statements dated 9/17/97 and 9/18/97) from the funds of Mississippi State University. (These statements represent services and expenses in connection with obtaining patents on "Analytical Method Using Laser-Induced Breakdown Spectroscopy" - \$1,046.01 and "Non-intrusive Pressure Sensor for Sealed Containers" - \$412.78)

TOTAL DUE\$ 1,458.79

Payment of legal fees for professional services rendered by Wenderoth, Lind & Ponack (Statement dated 8/6/97) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with obtaining patents on "Blood Test for Depression.")

TOTAL DUE\$ 3,245.00

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

November 20, 1997

Payment of legal fees for professional services rendered by Oblon, Spivak, McClelland, Maier & Neustadt, P.C. (Statement dated 10/13/97) from the funds of the Mississippi State University. (This statement represents services and expenses in connection with obtaining a patent on "Fiber Specific Protein Expression in the Cotton Plant.")

TOTAL DUE\$1,200.07

Payment of legal fees for professional services rendered by Kilpatrick Stockton (Statement dated 10/31/97). (This statement represents services and expenses in connection with setting up a research institute.)

TOTAL DUE\$ 4,557.46

5. Approved payment of legal fees to outside counsel in relation to litigation, as follows:

Payment of legal fees for professional services rendered by Hale & Dorr, LLP (Statement dated 10/1/97) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the RAMP Industries, Inc. Superfund proceedings.)

TOTAL DUE\$ 370.68

Payment of legal fees for professional services rendered by Currie Johnson Griffin Gaines & Myers, PLLC (Statement dated 10/1/97). (This statement represents services and expenses in connection with the tort claim styled *Kenta A. Clemons v. UMMC*.)

TOTAL DUE\$ 1,118.72

Payment of legal fees for professional services rendered by Gerald & Brand (Statement dated 10/17/97). (This statement represents services and expenses in connection with the claim styled *Melvin Crusoe v. JSU*.)

TOTAL DUE\$ 3,418.10

Payment of legal fees for professional services rendered by Page, Kruger & Holland, P.A. (Statement dated 10/20/97). (This statement represents services and expenses in connection with the tort claim styled *Mircea Mot v. Margaret Miller, et al.*[UMMC].)

TOTAL DUE\$ 179.32

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (Statement dated 10/8/97). (This statement represent services and expenses in connection with the tort claim styled *Emerson v. Bobby J. Health, M.D., et al.* [UMMC].)

TOTAL DUE\$ 6,079.75

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC

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

November 20, 1997

(Statement dated 10/8/97.) (This statement represents services and expenses in connection with the tort claim/styled *Lucille Owens v. Keith Thomae, M.D., et al.* [UMMC])

TOTAL DUE.....\$ 1,731.19

Payment of legal fees for professional services rendered by Metro Court Reporting Services (Statement dated 8/7/97) from the funds of Mississippi Valley State University. (This statement represents a bill for the original and one copy of deposition of Dr. Joanna Sanders Mann together with expenses in the case styled *Mann v. MVSU, et al.*.)

TOTAL DUE.....\$ 601.50

Payment of legal fees for professional services rendered by McNamara, Bailey & Kelly (Statement dated 7/10/97). (This statement represents services and expenses in connection with the tort claim styled *Irving Williams v. JSU.*)

TOTAL DUE.....\$ 573.12

Payment of legal fees for professional services rendered by McNamara, Bailey & Kelly (Statement dated 7/10/97). (This statement represents services and expenses in connection with the tort claim styled *Bennie Foster v. JSU.*)

TOTAL DUE.....\$ 138.19

Payment of legal fees for professional services rendered by Currie Johnson Griffin Gaines & Myers, PLLC (Statement dated 10/1/97). (This statement represents services and expenses in connection with the tort claim styled *Lucille Owens v. Dr. Keith Thomae.* [UMMC])

TOTAL DUE.....\$ 1,976.89

Payment of legal fees for professional services rendered by Currie Johnson Griffin Gaines & Myers, PLLC (Statement dated 10/06/97). (This statement represent services and expenses in connection with the tort claim styled *Jay Johnathan Bailey v. Eifert, M.D.*[UMMC].)

TOTAL DUE.....\$ 1,869.63

Payment of legal fees for professional services rendered by Steen Reynolds & Dalehite (Statement dated 7/29/97). (This statement represent services and expenses in connection with the tort claim styled *Mot v. Hattie Bell, M.D., et al.* [UMMC].)

TOTAL DUE.....\$ 513.00

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

November 20, 1997

Payment of legal fees for professional services rendered by Daniel Coker Horton & Bell, P.A. (Statement dated 10/6/97) from the funds of the University of Mississippi Medical Center. (This statement represent services and expenses in connection with the claim styled *Paul A. Lenart v. UMMC*.)

TOTAL DUE.....\$ 668.11

Payment of legal fees for professional services rendered by Vinson & Elkins (Statements dated 7/28/9 and 8/25/97) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with Medicare/Medicaid Reimbursement general matters in the amounts of \$159.08 and \$142.28, respectively.)

TOTAL DUE.....\$ 301.36

Payment of legal fees for professional services rendered by McCoy, Wilkins, Stephens & Tipton, P.A. (Statement dated 8/27/97). (This statement represents services and expenses in connection with the tort claim styled *John Conley v. Wait, M.D., et al.* [UMMC])

TOTAL DUE.....\$ 142.10

Payment of legal fees for professional services rendered by McCoy, Wilkins, Stephens & Tipton, P.A. (Statement dated 8/27/97). (This statement represent services and expenses in connection *Sue Emerson, et al. v. Heath, et al.*[UMMC].)

TOTAL DUE.....\$1,170.73

Payment of legal fees for professional services rendered by McCoy, Wilkins, Stephens & Tipton, P.A. (Statement dated 8/27/97). (This statement represent services and expenses in connection with the tort claim styled *Earmis Smith v. Methodist Medical Center.* [UMMC].)

TOTAL DUE.....\$ 158.20

6. Approved, upon review and recommendation of the Office of the Attorney General, the Litigation Report for November 1, 1997. The report is included in the bound "Board Meeting Agenda Working File dated November 20, 1997," on file in the Board office.
7. **(Unanimous Consent)** Approved settlement in the following Workers' Compensation cases:
 - Winnie R. Morris v. Mississippi State University;*
 - Lelia J. Tutton v. Mississippi State University;*
 - Gary Chesser v. Mississippi State University;* and
 - Curtis D. Moore v. University of Mississippi Medical Center.*

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

November 20, 1997

FINANCE/FINANCIAL AID/FOREIGN TRAVEL

Presented by Mr. Jim Rhodes
Assistant Commissioner of Finance and Administration

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

RESOLVED, That the Board hereby approves the report on Finance/Financial Aid/Foreign Travel.

Alcorn State University

1. Approved a revision in the budget of the agricultural units to provide the areas listed with necessary funds, that they may function properly: the Extension/Research Demonstration Farm and Technology Transfer Center in Mound Bayou, MS; the University Dairy; Model Farm; University Poultry Facility; Shiitake Mushroom Project; and the Small Farm Incubator for Kemper and Winston Counties.

| | CURRENT BUDGET 1997-98 | CHANGE | REVISED BUDGET 1997-98 |
|-----------------------------------|---------------------------------------|---------------|---------------------------------------|
| Salaries, Wages & Fringe Benefits | \$ 2,342,900 | \$ 92,853 | \$ 2,435,753 |
| Travel & Subsistence | 120,486 | 14,600 | 135,086 |
| Contractual Services | 251,593 | 94,786 | 346,379 |
| Commodities | 326,407 | 110,161 | 436,568 |
| Equipment | 276,428 | 37,600 | 314,028 |
| Other than Equipment | 688,437 | (350,000) | 338,437 |
| Transfers | | 0 | 73,775 |
| TOTALS | \$ 4,080,026 | \$ 0 | \$ 4,080,026 |

Delta State University

2. **(Unanimous Consent)** Approved the adjustment of the 1997-98 Operating Budget to reflect the increase in tuition and recognize revenue changes in expenditure patterns, as follows:

| OBJECT OF EXPENDITURE | CURRENT BUDGET 1997-98 | BUDGET REVISION #1 | REVISED BUDGET 1997-98 |
|-----------------------------------|---------------------------------------|-----------------------------------|---------------------------------------|
| Salaries, Wages & Fringe Benefits | \$ 20,788,695 | \$ 249,176 | \$ 21,037,871 |
| Travel & Subsistence | 509,731 | -4,394 | 505,337 |
| Contractual Services | 4,953,701 | 106,190 | 5,059,891 |
| Commodities | 1,256,190 | 14,291 | 1,270,481 |
| Capital Outlay: | | | |
| Other than Equipment | 521,400 | 37,287 | 558,687 |
| Equipment | 312,400 | 433 | 312,833 |
| Subsidies, Loans & Grants | 600,000 | 10,000 | 610,000 |
| TOTALS | \$ 28,942,117 | \$412,983 | \$29,355,100 |

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

November 20, 1997

REVENUE

| | | | |
|-------------------------------|----------------------|-------------------|----------------------|
| Student Fees | \$ 8,768,700 | \$ 304,247 | \$ 9,072,947 |
| General Support | 16,343,655 | 0 | 16,343,655 |
| Education Enhancement | 1,083,200 | 0 | 1,083,200 |
| Education Enhancement Reserve | 1,532,041 | 0 | 1,532,041 |
| Federal Contracts & Grants | 103,000 | 0 | 103,000 |
| Sales & Services | 623,150 | 0 | 623,150 |
| Other Income | 488,371 | 108,736 | 597,107 |
| TOTALS | \$ 28,942,117 | \$ 412,983 | \$ 29,355,100 |

University of Mississippi

3. Approved an agreement with KPMG Peat Marwick LLP to provide consulting services for a comprehensive process re-engineering project, which will be funded by a grant from the Donald W. Reynolds Foundation. A copy of the agreement is included in the bound copy of the *Board Working File* dated November 20, 1997.

4. Approved a budget revision to realign funds due to a change in funding sources for several staff members in the **Small Business Development Center Budget**.

| OBJECT OF EXPENDITURE | CURRENT BUDGET 1997-98 | BUDGET REVISION #1 | REVISED BUDGET 1997-98 |
|--|---------------------------------------|-----------------------------------|---------------------------------------|
| Salaries, Wages & Fringe Benefits | \$ 169,863 | \$ 20,254 | \$ 190,117 |
| Travel & Subsistence | 0 | 0 | 0 |
| Contractual Services | 397,806 | (17,806) | 380,000 |
| Commodities | 3,961 | (2,448) | 1,513 |
| Merchandise for Resale | 0 | 0 | 0 |
| Capital Outlay: | | | |
| Other than Equipment | 0 | 0 | 0 |
| Equipment | 0 | 0 | 0 |
| Subsidies, Loans & Grants (Transfers) | 0 | 0 | 0 |
| TOTALS | \$ 571,630 | \$ 0 | \$ 571,630 |

5. Approved a budget revision to escalate the **Intercollegiate Athletic Budget** for additional funds provided by the Loyalty Foundation. The realignment of funds will provide additional travel funds and reduce contractual obligations in the men's basketball program and provide for the lease purchase of sports editing equipment in the football program.

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

November 20, 1997

| OBJECT OF EXPENDITURE | CURRENT BUDGET 1997-98 | BUDGET REVISION #1 | REVISED BUDGET 1997-98 |
|--|---------------------------------------|-----------------------------------|---------------------------------------|
| Salaries, Wages & Fringe Benefits | \$ 4,939,538 | \$ 0 | \$ 4,939,538 |
| Travel & Subsistence | 1,666,223 | 24,500 | 1,690,723 |
| Contractual Services | 5,396,291 | (9,500) | 5,386,791 |
| Commodities | 1,016,749 | 0 | 1,016,749 |
| Merchandise for Resale | 0 | 0 | 0 |
| Capital Outlay: | | | |
| Other than Equipment | 0 | 0 | 0 |
| Equipment | 467,724 | (34,550) | 433,174 |
| Subsidies, Loans & Grants (Transfers) | 1,831,768 | 34,550 | 1,866,318 |
| TOTALS | \$ 15,318,293 | \$ 15,000 | \$ 15,333,293 |

University of Mississippi Medical Center

6. Approved an agreement with Valley Innovative Services, Inc. to occupy and operate the food service facilities of the food court upon the opening of The Norman C. Nelson Student Union. The contract is for a period of 36 months commencing on the anticipated opening date (May 1998) of the student union building. A copy of the agreement is on file with the Attorney General's Office at the IHL Board Office.

System Administration

7. Approved the Foreign Travel Report as follows:

Alcorn State University

Powell, Alice M. Imo, Nigeria

Jackson State University

Leszczynski, Jerzy Pune and Hyderabad, India
 Mohamed, Abdul San Juan, Puerto Rica
 Swanier, Shelton San Juan, Puerto Rica
 Tchnounwou, Paul San Juan, Puerto Rica

Mississippi State University

Balasubramaniam, Krishnan Bangalore, India
 Brook, R. Dan Nelson, British Columbia, Canada
 Cadwallader, Keith R. Cancun, Mexico
 Caldwell, T. Price Toronto, Canada
 Cinnella, Pasquale Bari, Italy
 Cockrell, Amanda M. Mexico City, Mexico
 Gilmore, Paul Toronto, Canada
 Little, Matthew Toronto, Canada
 Moody, Allen Grenoble, France
 Morgan, Matthew Grenoble, France
 Panuska, Bruce C. San Salvador Island, Bahamas
 Parker, Jessica Mann Grenoble, France
 Phillips, Jr., Robert L. Toronto, Canada

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

November 20, 1997

| | |
|---|---------------------------------------|
| Schultz, Melissa | Mexico City, Mexico |
| Thurmond, III, William Edward | Mexico City, Mexico |
| Waterer, III, Willie Frank | Mexico City, Mexico |
| University of Mississippi | |
| Elmahdy, Hesham | Taipei, Taiwan |
| Elsherbeni, Atef | Cairo, Egypt |
| Watson, Judson | Toronto, Canada |
| Rose, Gregory | Honolulu, Hawaii |
| Duff, John | Victoria, Canada |
| Student Group | San Jose, Costa Rica |
| Shelnutt, Gregory | Dundee, Scotland |
| Robinson, Doug | Jyvaskyle, Finland |
| Slattery, Mark | Belize, Central America |
| Burandt, Charles | Belize, Central America |
| Gardiner, Ellen | London, England; and Dundee, Scotland |
| Payne, Elizabeth A. | Copenhagen, Denmark |
| Ownby, Ted | Nottingham, United Kingdom |
| Gaston, Gary | Belize, Central America |
| Edwards, Dex A. | London and Stratford, England |
| University of Mississippi Medical Center | |
| Bissette, Garth | Kona, Hawaii |
| Hall, John E. | San Juan, Puerto Rico |
| Hughes, James L. | Zurich, Switzerland |
| Kregor, Philip James | Davos, Switzerland |
| Netherland, Donald E. | Nassau Bahamas |
| Ordway, Greg | Kona, Hawaii |
| University of Southern Mississippi | |
| Babin, Barry | Canada |
| Bowman, Jeff | Germany |
| Buchenau, Jurgen | Cuba |
| Bushardt, Stephen | France |
| Duhon, David | France |
| Griffin, Anselm | Mexico |
| Grimes, Darrell Jay | Belize |
| Lauterbach, Sarah | Vancouver, B.C. Canada |
| Mackaman, Doug | Canada |
| McCormick, Charles L. | Mexico |
| Peterson, Mark | Belize |
| Rakocinski, Chet | Belize |
| Ryan, Maureen | Canada |

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

November 20, 1997

FACILITIES

Presented by Mr. John Bowman, Assistant Commissioner
of Construction and Physical Affairs

On motion by Mr. Mills, seconded by Mr. Nicholson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approves the report on Facilities.

Alcorn State University

1. Approved Payment #13 in the amount of \$319,428.75 to Mid-State Construction Company, Inc., for work completed on **IHL #201-115, Extension and Research Complex**. Funds are provided by the United States Department of Agriculture.
2. Approved Payment #15 in the amount of \$4,962.17 to Brumfield, Hopton & Brumfield, LTD. for professional services related to construction on **IHL #201-115, Extension and Research Complex**.
3. Approved initiation of a **Campus Lakes, General Improvement and Lighting Project** and appointed Hartley Fairchild and Associates as the architects for the project. The estimated cost of this project is \$128,000 and will be paid from the University's fund balance.
4. Approved bids and award of contract to the low bidder, R. A. Edgin Construction, in the amount of \$136,400 to construct **IHL #201-123, Swine Facility at Church Hill, Mississippi**. Funds are available from a grant from the United State Department of Agriculture. The bids were received as follows:

| <u>Contractor</u> | <u>Base Bid</u> | <u>Alt. #1 (Deduct)</u> | <u>Total Bid</u> |
|-----------------------------|-----------------|-------------------------|------------------|
| R.A. Edgin Construction | \$149,900 | -\$13,500 | \$ 136,400 |
| Barnard & Sons Construction | \$159,000 | -\$13,000 | \$ 146,000 |

5. Approved Contract Documents and advertisement for receipt of bids for connectivity of **IHL #201-124, Fiber Optic Network between the Walter Washington Administration/Classroom Building (Computer Center) and the New Math/Science Building**. The estimated cost is \$40,000, which is available from funds collected from the University's technology fee.
6. Approved Change Order #3 on **IHL #201-115, Extension and Research Complex**. The change will add \$22,635.91 to the cost of the contract. Funds are available in the project budget from the United States Department of Agriculture. The change order provides for the following:
 - Item #1: Labor and materials to revise the layout, sizes, etc. for rooms on the east side of second floor per BH&B Sheets C02-1, C02-E, and MIR dated 9/30/97.
 - Item #2: Labor and materials to revise Storage 160 and Publications per Drawing A-1 dated 9/16/97, A-2 & A-3 dated 9/17/97; E-1 and E-2 dated 9/16/97; and M-1 and M-2 dated 9/16/97.
 - Item #3: Labor and materials to provide electrical power and connections to operable partition.

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

November 20, 1997

Jackson State University

7. Approved the purchase of the following properties from *Ayers* Development funds:
- Sally Reynolds School Building/Cade Field and Additional Land
 - Sheppard Building Supply Company Property
 - Hooker Street Properties
 - Properties on the south side of Lynch Street from Mt. Olive Cemetery to the Fire Station at Terry Road
 - Miller Property (at the corner of Dalton and Lynch Streets) and selected properties on the north side of Lynch Street from Dalton Street to Terry Road
 - Properties on Short Eastview Street (Utica Street) south of Lynch Street
8. Approved the Construction Documents and advertisement for receipt of bids for **IHL #203-117, Southwest Corner Universities Center Renovation Public Policy and Administration**. Funds have been made available from the University's Capitol Improvement Budget and Title III funds.

Mississippi State University

9. Approved to name the Department of Chemical Engineering the Dave C. Swalm School of Chemical Engineering, in appreciation of his commitment to continue to help this program achieve national recognition.
10. Approved the Construction Documents and advertisement for receipt of bids for **IHL #205-172, Sanderson Center Parking Lot**. Funds are available from MSU Educational Building Corporation bonds in the amount of \$450,000.
11. Approved the Schematic Documents for **IHL #205-173, Humphrey Coliseum Alterations and Additions**. Funds are available from Athletic Donations in the amount of \$2,322,000.
12. Approved the Schematic Documents for **IHL #205-174, Magruder Hall Renovation**. Funds are available from Educational Enhancement, House Bill 400, in the amount of \$200,000.
13. Approved bids and award of contract to the low bidder, Sneed Construction Company for **IHL #205-167, Scott Field Restrooms**, in the amount of \$179,500. Funds will be provided from athletic donations. A list of bidders are as follows:

| | Contractors | Base Bid |
|----|---|-----------------|
| 1. | Sneed Construction Company Columbus, Mississippi | \$ 179,500 |
| 2. | Hays Company, Inc. Tupelo, Mississippi | \$ 183,000 |
| 3. | VanLandingham Lumber Company Starkville, Mississippi | \$ 183,200 |

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

November 20, 1997

- | | | |
|----|--|------------|
| 4. | Sam Oswalt & Son, Inc. Mathiston, Mississippi | \$ 197,700 |
| 5. | Gillis Construction Company Sturgis, Mississippi | \$ 202,965 |
| 6. | Mast Construction, Inc. Tupelo, Mississippi | \$ 203,600 |
| 7. | Burks-Mordecai Builders, Inc. Columbus, Mississippi | \$ 204,000 |
| 8. | Wolf Enterprises, Inc. Brandon, Mississippi | \$ 247,608 |
-
14. Approved Change Order #2 in the amount of \$9,453 with no change to the contract time for **GS #105-252, Meridian Branch Facility Additional-Bell Tower-Phase II** and request approval by the Bureau of Building, Grounds and Real Property Management. The change will add the bid alternates for the brick screen and seat wall back into the contract. MSU will transfer \$12,713.93 to the Bureau of Building to pay for this change order, fees, and maintain a contingency.
15. Approved Change Order #1 in the amount of \$6,035.48 and 18 days to the contract time for **GS #105-258, Renovation of Existing Water Tank** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from House Bill 1666.
16. Approved Change Order #1 in the deductive amount of \$28,485 and add 21 calendar days to the contract for **GS #113-075, Wise Center Reroofing** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available in the project budget in the amount of \$685,000.
17. Approve Change Order #4 in the amount of \$54,536 and 26 calendar days to contract time for **GS #105-245, Greenhouse Structures** and request approval by the Bureau of Building, Grounds and Real Property Management. The change will install an automatic shade system, install horizontal air flow fans, replace the two inch irrigation main line and install glass lights in the doors. Funds are available in the project budget in the amount of \$2,000,000.

Mississippi University for Women

18. Approved appointment of Johnson Bailey Henderson McNeel Architects as project professional for **GS #104-120, Orr Hall Renovation** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from House Bill 1843, Laws of 1997, in the amount of \$2,000,000.
19. Approved appointment of Pryor and Morrow Architects as project professional for **GS #104-121, Columbus Hall Renovation** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from House Bill 1843, Laws of 1997, in the amount of \$3,000,000.

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

November 20, 1997

Mississippi Valley State University

20. Approved bids and award of contract to the low bidder, Deviney Construction , Greenwood, Mississippi, for **IHL #206-003, Fiber Optic Cabling Project** in the amount of \$987,215.01. Funds are available from the University's reserve fund.
21. Approved partial payment (#1) in the amount of \$69,750 to R and T Construction Company for work satisfactorily completed on **IHL #206-004, Softball-Baseball Fields** and a six-day extension for this pay period due to rain delays. Funds are available from the University's reserve fund.

University of Mississippi

22. Approved the plans, specifications and advertisement for receipt of bids for **IHL #207-169, Site Electrical Relocation/Additions for the National Food Service Management Institute**. Funds will be provided from the University's indirect cost recoveries in the amount of \$228,500.
23. Approved Construction Documents and advertisement for receipt of bids for **GS #107-224, Renovation of Paul B. Johnson Commons East**, and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from the Bureau of Building in the amount of \$850,000.
24. Approved a lease agreement with the Jackson Medical Mall Foundation for the purpose of renting space to use for classroom and clinical instruction. The space is approximately 10,692 square feet and is located at 350 Woodrow Wilson Drive. The term of the lease is for 180 months.
25. **(Unanimous Consent)** Approved the appointment of Cooke Douglass Farr Lemons/LTD. of Jackson, Mississippi, as project design professionals for **IHL #207-161, Renovation of the Old Chapel ("Y" Building)** for the Croft Institute for International Studies. Funds are available from private donations.
26. Approved bids and award of contract to the low bidder, Vince Saia, Contractor, Winona, Mississippi in the amount of \$75,664 for **IHL 207-168, Renovation of (3) Tennis Courts and Resurfacing of (2) Courts**. Funds are available from private donations.

University of Mississippi Medical Center

27. Approved initiation of a project, **IHL #209-387, Animal Lab Renovations Phase II** and appointment of Foil-Wyatt Architects and Planners, P.A., as project professionals. Funds are available from University interest income in the amount of \$475,000.
28. Approved Contract Documents and advertisement for receipt of bids for **IHL #209-382, Network Cabling-Basic Sciences Departments**. Funds are available in the amount of \$112,000 from the Indirect Cost Recovery Fund.
29. Approved Contract Documents and advertisement for receipt of bids for **IHL #209-369, Maintenance Area Roof Replacement**. Funds are available from interest income in the amount of \$125,000.

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

November 20, 1997

30. Approved Change Order #2 for a contract sum increase in the amount of \$21,155 with an increase in contract time of 15 calendar days for **IHL #209-286, Student Union Building**. The change order will provide for miscellaneous owner requested changes. The funding sources for this project is Medical Center Educational Building Corporation and Bookstore sales.
31. Approved Change Order #7 in the amount of \$5,710 with an increase in contract time of 117 calendar days for **GS #109-161, '95 Lab Renovations** and request approval by the Bureau of Building, Grounds and Real Property Management. The change will install two pressure monitors in Room N543 which will reference the corridor to the laboratory space. Funds in the amount of \$6,139.63 will be provided by the University Medical Center. Funding sources for this project are Senate Bill 3304 and U.M.C. Interest Income.
32. Approved the initiation of an in-house project for **IHL #209-386, N025 Renovations**. Funds are available in the amount of \$60,000 from Hospital Patient Revenue.
33. Approved Change Order #1 in the amount of \$373 with no increase in contract time for **IHL #209-378, Post Office Fire Doors**. The change will provide for installation of additional lights over post office boxes. Funds are available in the project budget from Patient Revenues.
34. Approved Change Order #8 in the amount of \$12,539 with an increase in contract time of 15 calendar days for **GS #109-161, '95 Lab Renovations** and request approval by the Bureau of Building, Grounds and Real Property Management. The change will provide for installation of additional dampers, controls and balancing. Funds in the amount of \$13,482 will be provided by Senate Bill 3304 and U.M.C. Interest Income.

University of Southern Mississippi

35. Approved Contract Documents and advertisement for receipt of bids for **GS #108-161, Security Lighting Upgrade** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available from Senate Bill 3199, Laws of 1995, Discretionary R & R in the amount of \$325,000.
36. Approved appointment of Walter T. Bolton and Associates, AIA, of Biloxi, Mississippi, as project professional for **GS #110-072, Repairs & Renovations to Campus Facilities/Gulf Coast Research Laboratory in Ocean Springs** and request approval by the Bureau of Building, Grounds and Real Property Management. Funds are available in the amount of \$250,000 from House Bill 1843, Laws of 1997.
37. Approved resolutions authorizing S. M. Educational Building Corporation to issue revenue refunding bonds relating to the Payne Center Project and to issue revenue bonds and to undertake a project involving improvement and renovations to the existing dormitories and construction of new dormitories on the USM campus.
38. Approved an easement to **BellSouth Telecommunications, Inc.**, to service the Cellular One transmitter tower location West of Hillcrest Dormitory.

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

November 20, 1997

System Administration

39. Approved the Facilities Summary Items, which are located under the appropriate institutional headings.

COMMITTEE REPORTS

Legal Committee

November 19, 1997

Committee Members Attending:

Thomas Colbert, D. E. Magee and Jake Mills

Additional Board Members Attending:

Marlin Ivey (Ex-Officio), Nan Baker, Ricki Garrett, James Luvenc, Carl Nicholson and Cassie Pennington

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education
Suzanne S. Sharpe, Chief of Staff
Chuck Rubisoff, Special Assistant Attorney General
Van Gillespie, Special Assistant Attorney General
Sidney McWilliams, Special Assistant Attorney General

Others Attending:

Board staff, Presidents, Chief Academic Officers and media representatives.

The Legal Committee was brought to order by Mr. Ivey. On motion by Mr. Mills, the meeting was closed to determine the need for Executive Session. On motion by Mr. Mills, seconded by Dr. Magee, and unanimously passed, the Committee **voted to go into Executive Session**, for the reasons later reported by the Chair in Open Session and stated in these minutes, as follows:

Prospective litigation regarding the Cedar Point Property;

Request for Outside Counsel in *Jordan v. USM*;

Proposed Settlements in *Smythe v. MSU* and *McCool v. MSU*;

Proposed Workers' Compensation Settlements;

Proposal to Lease Real Property; and

Prospective litigation regarding the Center for Special Children.

Upon completion of such discussion, on motion by Mr. Mills, seconded by Dr. Magee, and unanimously passed, the Committee **voted to go back into Open Session**, where the following actions were announced:

- I. Prospective litigation regarding the Cedar Point Property

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

November 20, 1997

On motion by Mr. Mills, seconded by Dr. Magee, and unanimously passed, the Committee recommends that the Board authorize the Commissioner and staff to meet with the Jackson County Port Authority to further discuss litigation to clear the title to the property at Cedar Point and to take whatever steps are appropriate to clear the title.

II. Request for Outside Counsel in *Jordan v. USM*

On motion by Mr. Mills, seconded by Mr. Colbert, and unanimously passed, the Committee recommends that the Board approve the request to hire Michael McMahan as outside counsel.

III. Proposed Settlements in *Smythe v. MSU* and *McCool v. MSU*

On motion by Mr. Mills, seconded by Dr. Magee, and unanimously passed, the Committee recommends that the Board approve settlements in *Smythe v. MSU* and *McCool v. MSU*.

IV. Proposed Workers' Compensation Settlements

On motion by Mr. Colbert, seconded by Mr. Mills, and unanimously passed, the Committee recommends that the Board approve settlements in four workers' compensation cases: A. Morris; B. Tutton; C. Chesser; and D. Moore.

V. Prospective litigation regarding the Center for Special Children.

On motion by Mr. Mills, seconded by Dr. Magee, and passed with Mr. Colbert voting against the motion, the Committee recommended that the Board make the following statement about the Center for Special Children that is located at Mississippi University for Women:

- 1. The Board delegates authority to the Presidents to make decisions concerning the operations of their institutions. The Board sees no reason to deviate from its policy at this time. The Board supports Dr. Rent's decision to transfer the operations of the Center for Special Children to the city and/or county effective mid-July, 1998.**
- 2. The Board urges the transfer of the operation of the Center to occur as expeditiously as possible to the city and/or county school districts.**
- 3. The Board stands ready to assist in the transfer of the Center.**

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

November 20, 1997

Academic & Student Affairs Committee

November 19, 1997

Committee Members Attending:

Cassie Pennington (Chair), Ricki Garrett and Carl Nicholson

Additional Board Members Attending:

Marlin Ivey (Ex-Officio), Nan Baker, Thomas Colbert, Bill Crawford, James Luvene, D. E. Magee and Jake Mills

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education
Suzanne S. Sharpe, Chief of Staff
Chuck Rubisoff, Special Assistant Attorney General
Van Gillespie, Special Assistant Attorney General
Sidney McWilliams, Special Assistant Attorney General
Charles Pickett, Special Assistant to the Commissioner
Marilyn Beach, Special Projects Officer for Academic Affairs
Pearl Pennington, Coordinator of Academic Affairs
Di Ann Lewis, Coordinator for Special Projects

Others Attending:

Board staff, Presidents, Chief Academic Officers and media representatives.

The Committee was brought to order by Dr. Pennington, and the following issues were discussed:

I. New Academic Program Recommendations

On motion by Mr. Nicholson, seconded by Ms. Garrett, and unanimously passed, the Committee made recommendations concerning the following new academic programs:

DELTA STATE UNIVERSITY

| <u>Program</u> | <u>Degree</u> | <u>CIP</u> | <u>Recommendation</u> |
|---------------------------------|---------------|------------|--|
| Hospitality Services Management | B.B.A. | 52.0901 | Approve |
| Journalism | B.A. | 09.0401 | Approve |
| Speech Pathology | M.S. | 51.0204 | Postponed. To be reconsidered next year. |
| School Psychology | M.Ed. | 42.1701 | Postponed. To be reconsidered next year. |
| Counseling | Ed.D. | 13.1101 | Postponed. To be reconsidered next year. |

MISSISSIPPI STATE UNIVERSITY

| | | | |
|-----------------------------------|--------|---------|---------|
| Management of Construction & Land | B.B.A. | 52.0205 | Approve |
|-----------------------------------|--------|---------|---------|

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

November 20, 1997

Environmental Toxicology Ph.D. 26.0612 Approve

MISSISSIPPI UNIVERSITY FOR WOMEN

Health Education M.S. 13.1307 Approve

Instructional Management M.Ed 13.0301 Approve

MISSISSIPPI VALLEY STATE UNIVERSITY

Biology M.S. 26.0101 Postponed. To be reconsid-
ered next year.

Social Work M.S.W. 44.0701 Approved pending the
submission of a cooperative
MSW Plan with DSU.

Special Education M.S. 13.1001 Approve

THE UNIVERSITY OF MISSISSIPPI

International Business B.B.A. 52.1101 Approve

English Education, B.A. 13.1305 Approve
Mathematics Education, 13.1311
Science Education and 13.1316
Social Science Education 13.1318

Curriculum and Instruction M.A. 13.0301 Approve

**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER/
UNIVERSITY OF SOUTHERN MISSISSIPPI**

Nursing Ph.D. 51.1608 Approve

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

Marriage and Family Therapy M.S. 51.1503 Approve

Software Engineering B.S. 11.0301 Approve
Technology

Sociology B.A. 45.1101 Approve

Instructional Technology M.S. 13.0501 Approve

Music B.A. 50.0901 Approve

Museum Studies B.A. 30.1401 Postponed. To be reconsid-
ered next year.

Early Intervention M.S. 13.1099 Approve

Sports Administration M.S. 31.0504 Approve

II. House Bill 1601

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

November 20, 1997

House Bill 1601 addressed the development of an implementable pilot program for dealing with the current and projected shortage of K-12 teachers in Congressional District II which has been identified as a region with a critical shortage of teachers.

On motion by Mr. Nicholson, seconded by Ms. Garrett, and unanimously passed, the Committee recommends that the Board approve “The New Frontiers Teacher Education Cooperative Pilot Project”, which is designed to solve current and future teacher shortages.

III. University of Southern Mississippi Proposal to Implement Police Corps Program

On motion by Mr. Nicholson, seconded by Ms. Garrett, and unanimously passed, the Committee recommends that the Board approve the Proposal to Implement the Police Corps Program at the University of Southern Mississippi.

Budget & Financial Affairs Committee

November 19, 1997

Committee Members Attending:

Carl Nicholson, Chair, Nan Baker, Thomas Colbert and Bill Crawford

Additional Board Members Attending:

Marlin Ivey (Ex-Officio), Ricki Garrett, James Luvenc, D. E. Magee, Jake Mills and Cassie Pennington

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education
Suzanne S. Sharpe, Chief of Staff
Chuck Rubisoff, Special Assistant Attorney General
Van Gillespie, Special Assistant Attorney General
Sidney McWilliams, Special Assistant Attorney General
Jim Rhodes, Assistant Commissioner for Finance and Administration
Al Lind, Assistant Commissioner of Technology
Nora Holloway, Director of Budget and Financial Analysis

Others Attending:

Board staff, Presidents, Chief Academic Officers and media representatives.

The Committee was brought to order by Mr. Nicholson, and the following items were discussed:

I. Consulting Agreement Between the University of Mississippi and KPMG Peat Marwick

On motion by Ms. Baker, seconded by Mr. Crawford, and unanimously passed, the Committee recommended that the Board authorize UM to enter into an agreement with the firm of KPMG Peat Marwick LLP to provide consulting services for a comprehensive process re-engineering project.

II. Additional Compensation

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

November 20, 1997

On motion by Ms. Baker, seconded by Mr. Crawford, and unanimously passed, the Committee approved the requests for additional compensation.

III. Budget Revisions at ASU, DSU, and UM

On motion by Mr. Crawford, seconded by Ms. Baker, and unanimously passed, the Committee recommends that the Board approve DSU's request to adjust their FY 98 Operating Budget to reflect the increase in tuition and recognize revenue changes in expenditure patterns.

The Committee recommends that the Board approve ASU's request to revise the budget of the agricultural units by reducing the Capital Outlay (Other than Equipment) Line from \$688,437 to \$338,437, a reduction of \$350,000 and redistributing same in other categories.

The Committee recommends that the Board approve UM's budget revisions in Small Business Development Center Budget and the Intercollegiate Athletic Budget.

IV. Other Business

On motion by Mr. Crawford, seconded by Ms. Baker, and unanimously passed, the Committee recommends that the Board approve the foreign travel request of UM to send the Concert Singers to Italy.

Building/Facilities Committee

November 19, 1997

Committee Members Attending:

Jake Mills (Chair), Bill Crawford and James Luvenc

Additional Board Members Attending:

Marlin Ivey (Ex-Officio), Nan Baker, Thomas Colbert, Ricki Garrett, D. E. Magee, Carl Nicholson and Cassie Pennington

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education

Suzanne S. Sharpe, Chief of Staff

John Bowman, Assistant Commissioner of Construction and Physical Affairs

Chuck Rubisoff, Special Assistant Attorney General

Van Gillespie, Special Assistant Attorney General

Sidney McWilliams, Special Assistant Attorney General

Others Attending:

Board staff, Presidents, Chief Academic Officers and media representatives.

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

November 20, 1997

The Committee was brought to order by Mr. Mills, and the following issues were discussed:

I. Request to Purchase Property for Jackson State University

On motion by Mr. Mills, seconded by Mr. Luvene, and passed with Mr. Crawford voting against the motion, the Committee recommends that the Board approve the purchase of properties (as listed in the Facilities Section of these minutes) for JSU from the Ayers Development funds.

II. Proposal to Name the Department of Chemical Engineering the Dave C. Swalm School of Chemical Engineering at Mississippi State

On motion by Mr. Crawford, seconded by Mr. Luvene, and unanimously passed, the Committee recommends that the Board approve the proposal to name the Department of Chemical Engineering the Dave C. Swalm School of Chemical Engineering at Mississippi State.

Ayers Implementation Committee

November 19, 1997

Committee Members Attending:

Bill Crawford (Chair), Nan Baker, Ricki Garrett, D. E. Magee and Cassie Pennington

Additional Board Members Attending:

Marlin Ivey (Ex-Officio), Thomas Colbert, James Luvene, Jake Mills and Carl Nicholson

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education

Suzanne S. Sharpe, Chief of Staff

Chuck Rubisoff, Special Assistant Attorney General

Sidney McWilliams, Special Assistant Attorney General

Charles Pickett, Special Assistant to the Commissioner

Bill Goodman, Defendants' Private Counsel on Ayers

Paul Stephenson, Defendants' Private Counsel on Ayers

Others Attending:

Board staff, Presidents, Chief Academic Officers and media representatives.

The Ayers Implementation Committee was brought to order by Mr. Crawford. On motion by Ms. Baker, the meeting was closed to determine the need for Executive Session. On motion by Ms. Baker, seconded by Ms. Garrett, and unanimously passed, the Committee **voted to go into Executive Session**, for the reasons later reported by the Chair in Open Session and stated in these minutes, as follows:

The Ayers Monitoring Committee; and

Discussion of the Jackson State University Study, the Delta Study, and the Facilities Maintenance Study.

Upon completion of such discussion, on motion by Ms. Baker, seconded by Ms. Garrett, and

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

November 20, 1997

unanimously passed, the Committee **voted to go back into Open Session**, where the following actions were announced:

I. *Ayers* Monitoring Committee

On motion by Ms. Garrett, seconded by Ms. Baker, and unanimously passed, the Committee recommends that the Board authorizes its attorney to submit to the court in Oxford, Mississippi the confidential list that the Ayers Implementation Committee has put together as potential Monitoring Committee members.

Mr. Crawford made a motion on the above recommendation in **Open Session of the Board meeting**, which was seconded by Mr. Nicholson, and unanimously passed by the Board members that were present.

**Mississippi Valley State University
Presidential Search Committee
October 30, 1997**

Committee Members Attending:

James Luvenc (Chair), Ricki Garrett, D. E. Magee and Cassie Pennington

Additional Board Member Attending:

Nan Baker

Board Staff Attending:

Thomas Layzell, Commissioner of Higher Education

Charles Pickett, Special Assistant to the Commissioner

Pamela Meyer, Assistant Commissioner of Public Affairs & Development

Others Attending:

Dr. Chuck Taylor, Consultant and members of the MVSU Advisory Committee

Mr. Luvenc reported that the Committee had met to hear a report from Dr. Taylor. The Committee took no action.

Chief Executive Officer Evaluation Committee

November 20, 1997

The Committee convened at 10:45 a.m. to conduct Chancellor Khayat's evaluation. A motion was made by Ms. Baker to go into executive session to determine the need for an executive session and then a motion was made by Ms. Garrett to go into executive session for the purpose of evaluating personnel. The motion was seconded by Mr. Luvenc. The vote to go into executive session was unanimous for the reason later reported by the Chair in open session and stated in these minutes as follows: evaluation of personnel.

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

November 20, 1997

The following members of the Committee were present: Dr. Pennington, Chair, Ms. Garrett, Mr. Luvone, and Mr. Mills. Mr. Colbert, Mr. Klumb, Mr. Ivey, Ms. Baker, Mr. Crawford, Mr. Nicholson and Dr. Magee. (Dr. Magee, Mr. Crawford, Mr. Klumb, and Mr. Colbert were not present for Dr. Bristow's and Dr. Layzell's evaluations.)

The Committee met with Dr. Khayat from 10:45 a.m. to 11:45 a.m. and then recessed for lunch. The Committee then met with Dr. Bristow from 1:50 p.m. to 2:50 p.m and Dr. Layzell from 3:00 p.m. to 4:00 p.m. No action was taken.

PRESIDENTS' COUNCIL

Presented by Dr. Robert C. Khayat, President

Dr. Khayat reported that the Presidents' Council met on Wednesday, November 19th. The Council heard a report from Dr. Richard Sullivan regarding the Mississippi Alliance for Minority Participation, a program that encourages minority students to pursue careers in math and science. In addition, there was a discussion concerning: (a) the need for a salary study for faculty and staff; (b) optional retirement; and (c) the Agenda Items to be brought before the Board at the November Board Meeting.

APPEARANCES

**Terry Brown, State Representative
District 40, Lowndes County**

Representative Brown appeared before the Board on behalf of the parents of children at The Center for Special Children. He requested that the Board consider keeping the Center open for at least one year, to allow time for building and preparation before closing.

Statement by Mr. Crawford Concerning the Center for Special Children

Mr. Crawford reminded the members of the Board that it is customary for the Board to delegate authority to the Presidents to handle institutional situations. Unless there is a reason for the Board to overturn the decision, the Board does not consider such matters. *Mr. Ivey asked if there was a motion, and there was none.*

ANNOUNCEMENT

Due to the fact there will not be a December Board meeting, necessary projects, contracts and all other business requiring action prior to the next board meeting may be approved by the Commissioner as long as any related expenditures are within approved budgetary limits. The Commissioner may consult with the Board President and the appropriate Committee Chairperson for input regarding any such matters.

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

November 20, 1997

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Crawford, seconded by Ms. Baker, Board members present voted unanimously to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

EXHIBIT

Exhibit 1

New Academic Program Proposals