

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
March 18, 2010**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 10:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 3, 2009, to each and every member of said Board, said date being at least five days prior to this March 18, 2010 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Bob Owens and Mr. Aubrey B. Patterson were absent. The meeting was called to order by Mr. Scott Ross, President, and opened with prayer by Mr. Ralph Simmons, Chair of the Southern Miss Alumni Association Past Presidents Council.

**SPECIAL PRESENTATIONS**

- ▶ Attorney General Jim Hood spoke to the Board about the problem of illegal downloading of music, movies, and software over the university internet access systems. The Higher Education Opportunity Act of 2008 requires the development of policies to address this problem. He also discussed the development of a pilot program in Mississippi to get the industries who are losing money from these illegal downloads to pay for software to filter out these illegal downloads on the university systems.
- ▶ Trustee Pickering introduced Mr. J. R. Robinson, president of the Student Government Association at the University of Southern Mississippi. Mr. Robinson briefly described efforts on the university campuses during *Keep Books Cheap Appreciation Week*. Trustee Pickering noted the work of the Textbook Task Force is not finished yet. There are many other cost saving avenues to explore.

**EFFICIENCIES TASK FORCE REPORT**

- ▶ The Board received an update on the progress on each of the 12 efficiency strategies which includes:
  - ▶ Reducing the cost of textbooks;
  - ▶ Increasing energy efficiency on campuses;
  - ▶ Consolidating back office operations;
  - ▶ Consolidating administration of IRS Section 125;
  - ▶ Consolidating administration of 403(B) program;
  - ▶ Implementing a reverse auction system;
  - ▶ Consolidating hardware/software purchasing;
  - ▶ Creating a systemwide mass notification system;
  - ▶ Improving efficiency of fire protection programs;
  - ▶ Building a space inventory;
  - ▶ Completing campus peer reviews; and
  - ▶ Bidding for Banner (the computer software used to view and maintain university records) as a system.

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**APPROVAL OF THE MINUTES**

On motion by Trustee Neely, seconded by Trustee Pickering, with Trustees Owens and Patterson absent and not voting, it was

**RESOLVED**, That the Minutes of the Board meeting held on February 18, 2010, stand approved.

**CONSENT AGENDA**

On motion by Trustee Blakeslee, seconded by Trustee Robinson, with Trustees Perry, Owens and Patterson absent and not voting, it was

**RESOLVED**, That the Board hereby approved the following Consent Agenda.

**BUDGET, FINANCE AND AUDIT**

1. **MVSU** - Approved a resolution authorizing the filing of an application with the Mississippi Department of Transportation for a \$522,420 grant to assist in providing public transportation services in four Delta counties. The grant has a cash match of \$89,168 which will be funded from indirect cost recovery funds. The Mass Transit system serves as a vital means of transportation for students to attend the university. A copy of the resolution which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.
2. **USM** - Approved the request to enter into a professional service agreement with Licensing Resource Group (LRG) for the licensing of all USM athletic trademarks. The term of the contract is forty-five (45) months – April 1, 2010 to December 31, 2013. Fees paid to LRG and royalties paid to USM will be generated based on gross revenues from the sale of the licensed products. Fees are *projected* at approximately \$234,000 and royalties are *projected* at approximately \$1,500,000 for USM Athletics. In addition to the outlined fee/royalty schedule outlined below, \$30,000 will be paid to USM upon signing the contract. Fees paid to LRG will be generated from gross revenues from the sale of the licensed products. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.

<b>Royalties Received for Each 12 Month Period</b>	<b>LRG Percentage</b>	<b>USM Percentage</b>
\$0 to \$300,000	15%	85%
\$300,001 to \$500,000	18%	82%
In excess of \$500,000	10%	90%

3. **UMMC** - Approved the request to enter into an agreement for dining and environmental services with Morrison Senior Living for Holmes County Hospital and Clinics and Holmes County Long Term Care Center in Durant. The term of the contract is sixty (60) months – April 1, 2010 through March 31, 2015 and shall not exceed \$4,950,000. The contract will be funded from revenues from the hospital and nursing home operations. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.

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4. **UMMC** - Approved the 40<sup>th</sup> amendment to the lease agreement with the Jackson Medical Mall Foundation. The purpose of this amendment is to renovate 2,550 square feet of space within existing leased space to accommodate the installation of a new PET/CT scanner. The unit will provide oncology patients with state-of-the-art lesion detection as well as advanced staging diagnosis. The amendment effective date will be March 22, 2010 and will continue through the January 1, 2012 end date of the original lease agreement. The original lease agreement provides for the option to renew for two additional five-year periods. The cost per square foot will increase from \$16.15 to \$18.07 to pay for the cost of the construction. The annual cost will be increasing from \$672,582.90 to \$752,391.05. The contract will be funded from hospital patient revenues. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.
5. **UMMC** - Approved the 41<sup>st</sup> amendment to the lease agreement with the Jackson Medical Mall Foundation. The purpose of the 41<sup>st</sup> amendment is to lease an additional 4,150 square feet to be used for staff offices and clinical use for the ACT Center for Tobacco Treatment, Education, and Research. The term of the contract is sixty (60) months – April 1, 2010 through March 31, 2015. The cost per square foot is \$15.02, and the total cost for the lease period is \$311,665.20. The contract will be funded by State Special Funds. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.
6. **UMMC** - Approved the request to enter into a reagent (chemical substances and supplies) rental agreement with Cepheid. The instrument and associated chemicals/supplies are used to identify patients with specific bacterial staph infections. The term of the contract is sixty (60) months – February 22, 2010 to February 21, 2015. The total contract cost is \$1,972,824 and will be funded by hospital patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.
7. **UMMC** - Approved the request to renew a contract with Siemens Medical Solutions USA to continue providing license usage, maintenance, and support to the institution's Siemens Healthcare software systems. The term of the contract is sixty (60) months – April 1, 2010 through March 31, 2015. There is not a stipulated dollar cap in the agreement. The agreement consists of both fixed and variable expenses. UMMC is authorized to spend \$5,993,760 for this agreement with the understanding that any costs above this amount will require prior Board approval. \$4,577,707 of the total cost will be funded from hospital patient revenues, and the remaining \$1,416,053 will be funded from the University Physicians Practice Plan. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18, 2010 Board Working File*.

**REAL ESTATE**

8. **DSU** - Approved the initiation of **GS 102-234, Union/Dining Hall Pre-Plan**, and the appointment of LPK Architects as design professionals. This project will determine the most cost effective method of delivering dining services. The analysis will determine the relative costs of three options: 1) renovating the existing cafeteria; 2) replacing the existing cafeteria or; 3) renovating the H.L.

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Nowell Student Union to accommodate all dining services in one facility. The total project budget is \$100,000. Funds are available from HB 1722, Laws of 2009.

9. **MUW** - Approved the initiation of **GS 104-163, Fire Suppression Phase II**, for a fire suppression system for Frazer and Kincannon residence halls and the appointment of Atherton Consulting Engineers as design professionals. The total project budget is \$738,000. Funds are available from HB 1722, Laws of 2009.
10. **UM** - Approved the initiation of **IHL 207-339, Hot and Chilled Water Loop Upgrade**. The current infrastructure is inefficient due to numerous leaks and a general state of disrepair. The project will continue the hot water loop piping to four campus buildings replacing existing steam supply and condensate return lines to the structures with 12” hot water supply return lines which connects to the west end of the existing hot water loop at Library Lane. The buildings connected by this phase will be J.D. Williams Library, Martindale, Lewis Hall, and Bondurant Hall. The total project budget is \$750,000. Funds are available from internal R&R funds.
11. **UM** - Approved the initiation of **IHL 207-340, Northgate 2010 Renovations**, which renovates the Northgate Apartments, and the appointment of Architecture South as design professionals. The project is requested due to the existing HVAC system exceeding its useful life and needing to be replaced to sufficiently condition the buildings to the appropriate humidity and comfort levels. The university also plans to include a new fire detection system, new HVAC system, new electrical services, window restoration, asbestos and lead paint abatement, and all associated miscellaneous patching/sealing of ceilings and walls. The total project budget is \$1,250,000. Funds are available from internal R&R funds.
12. **UMMC** - Approved the request to increase the project budget for **IHL 209-526, Cafeteria and Kitchen Renovations**, from \$4,360,000 to \$6,212,000 for an increase in the amount of \$1,852,000. This project is currently in the design phase. The escalation in the project budget is necessary due to a change in project scope based on the architect’s revised estimate incorporating the increase in scope. Funds are available in the amount of \$6,212,000 from hospital patient revenue.
13. **MSU** - Approved the request to grant a permanent right-of-way easement to Winston County. The easement is necessary to make improvements to Loakfoma Road in Winston County. The Attorney General’s Office has reviewed and approved the easement.
14. **USM** - Approved the request to demolish Building #216, a 9,800 square foot building (six trailers placed together to form a single facility). The demolition is necessary to facilitate the construction of a parking structure on the Hattiesburg campus. The total project budget is \$6,000. Funds are available in the amount of \$6,000 from E&G operations and university maintenance funds.
15. **USM** - Approved the request to demolish Building #621, a 120 square foot transmitter building. The demolition is necessary to facilitate the use of a new Polymer Research Facility that has been constructed adjacent to the abandoned building on the Hattiesburg campus. The total project budget is \$1,000. Funds are available in the amount of \$1,000 from E&G operations and university maintenance funds.

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16. **USM** - Approved the request to grant a permanent **Utility Easement for the City of Hattiesburg, IHL 208-295**. The City of Hattiesburg vacated a city street causing it to become university property. As a result, the university now needs to grant the City of Hattiesburg a utility easement for utility lines that are located along the previous roadway. The Attorney General's Office has reviewed and approved the easement.
17. **USM** - Approved the request to grant a **Temporary Easement for the Mississippi Department of Transportation, IHL 208-296**. The easement is necessary due to the development of a "Rails to Trails" project in Hattiesburg. MDOT will construct approximately 500 feet of a 12-foot wide sidewalk, with associated grading, retaining and drainage structures on university property at the intersection of the West right-of-way line of U.S. Highway 49 and the South right-of-way line of West Fourth Street. MDOT will construct the improvements at no cost to the university and will transfer the improvements to the university upon completion. The proposed Memorandum of Agreement between the university and MDOT requires a temporary easement for MDOT to perform the work on university property. The Attorney General's Office has reviewed and approved the easement.

**LEGAL**

18. **UMMC** - Pending approval by the Attorney General's Office, the Board approved the request to hire William Smith, III of the firm Watkins & Eager, PLLC to provide legal services as real estate counsel. This is a new outside counsel contract. UMMC had previously contracted with Mr. Smith at the law firm of Taylor, Covington, and Smith in 2003-2004. The purpose of the contract is to obtain counsel for real estate work and other related financing matters as the legal expertise is not available in-house. The maximum amount payable under the contract would be \$50,000 and the hourly rate of pay would be \$165 per hour. The contract term would be from 04/01/2010 through 06/30/2011. Either party may terminate on thirty (30) days notice. The contract will be funded by interest income.
19. **System** - Approved the amended contract for legal services between the Attorney General's Office and the Board of Trustees. The amendment to the contract amount is due to the unexpected resignation of one of the staff attorneys at the end of January 2010 and the proposed filling of that position with another attorney from within the Attorney General's Office. The current contract amount is \$473,898.92 and the proposed new contract amount for fiscal year 2010 is \$463,479.60. A copy of the contract is included in the *March 18, 2010 Board Working File*.

20. **PERSONNEL REPORT**

**EMPLOYMENT**

**University of Mississippi - Athletics**

James D. Rader, Assistant Football Coach, Athletics; salary of \$275,000 per annum, pro rata; Auxiliary Funds; contract period February 3, 2010 to December 31, 2011

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**University of Southern Mississippi - Athletics**

Kasey Dunn, Assistant Football Coach, Department of Intercollegiate Athletics; salary of \$100,000 per annum, pro rata; Auxiliary Funds; effective April 1, 2010 through March 31, 2012

Je'Ney Jackson, Assistant Football Coach, Department of Intercollegiate Athletics; salary of \$100,000 per annum, pro rata; Auxiliary Funds; effective April 1, 2010 through March 31, 2012

**CHANGE OF STATUS**

**Alcorn State University**

Sanders, Blanche

White, Samuel

**IHL Executive Office**

Rankins, Al

**Mississippi State University**

Gilbert, Jerry

Steele, Jr., Wilbur Glenn

**Mississippi State University - Athletics**

Jennifer R. Hazelwood, Head Volleyball Coach, Athletics; *from* a contract period of January 16, 2009 to December 31, 2012; salary of \$75,000; Auxiliary Funds; to effective January 16, 2010, a one-year contract extension through December 31, 2013; no change in salary

**University of Mississippi - Athletics**

Michael J. Markuson, Assistant Football Coach; Athletics; *from* contract period of January 01, 2009 to December 31, 2011; annual salary of \$305,000; Auxiliary Funds; *to*, effective January 1, 2010, a contract extension through December 31, 2012; annual salary of \$320,000; Auxiliary Funds

Tyrone Nix, Assistant Football Coach; Athletics; *from* contract period of January 01, 2009 to December 31, 2011; annual salary of \$360,000; Auxiliary Funds; *to*, effective January 1, 2010, a contract extension through December 31, 2012; annual salary of \$500,000; Auxiliary Funds

Houston D. Nutt, Head Football Coach; Athletics; *from* contract period of January 01, 2009 to December 31, 2012; annual salary of \$2,500,000 (\$200,000 from Auxiliary Funds and \$2,300,000 from Foundation Funds); *to*, effective January 1, 2010, a contract extension through December 31, 2013; no change in salary

Terrence T. Price, Assistant Football Coach; Athletics; *from* contract period of January 21, 2009 to December 31, 2010; annual salary of \$220,000; Auxiliary Funds; *to*, effective January 1, 2010, a contract extension through December 31, 2011, annual salary of \$230,000; Auxiliary Funds

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**SABBATICALS**

**Mississippi State University**

Adams, James H.  
Banicescu, Ioana  
Clay, Rudolf T.  
Edwards-Henry, Jacqueline S.  
Hagenston, Becky E.  
Holt, Dale L.  
Johns, Lana K.  
Kellermanns, Franz W.  
Kim, Seong-Gon  
Koshka, Yaroslav  
Topsakal, Erdem  
Zhang, Jilei

**Mississippi University for Women**

Nawrocki, Tom

**Mississippi Valley State University**

Cobbs, Rochelle

**University of Mississippi**

Bruce, John  
Bu, Qingying  
Cantu`, Joe Turner  
Cao, Lei  
Chavis, Virginia  
Coles, Felice A.  
Elam, Rick  
Elsherbeni, Atef  
Fenno, Jonathan Brian

Ford, Janet Lynn  
Ford-Wade, Mary Allison  
Grayzel, Susan  
Hall, J. R.  
Holland, Marjorie  
Holt, Robert M.  
Hominick, Ian  
Hornsby-Gutting, Angela  
Klodt, Jason  
Kroeger, Robert S.  
Latartara, John  
Lobur, John  
Manson, Neil  
Parsons, Glenn R.  
Raber, Karen L.  
Skemp, Sheila  
Sufka, Kenneth J.  
Thurkill, Mary F.  
Wang, Jianqiang  
Zjawiony, Jordan K.

**University of Southern Mississippi**

Bass, Joby  
Ding, Jiu  
Franke, Damon  
Kolibal, Joseph  
Miller, Mark  
Moak, Elizabeth  
Scurfield, Ray  
Weinauer, Ellen

**ACADEMIC AFFAIRS**

Presented by Trustee Robin Robinson, Chair

On motion by Trustee Robinson, seconded by Trustee Neely, with Trustees Owens and Patterson absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Academic Affairs Agenda. Agenda item #2 was approved on a separate motion by Trustee Robinson, seconded by Trustee Whitten, with Trustees Owens and Patterson absent and not voting.

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1. **System** - Approved the proposed new Board Policy 609 Transfer of the Associate of Arts Degree from a Mississippi Community/Junior College, as follows:

609 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE

General Policy

IHL institutions will accept all transferable courses with a grade of “C” or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree.

- a. Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (Board Policy Section 512 “Core Curriculum”) with a grade of “C” or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
- b. All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the major, pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.

Transferable Courses

When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.

2. **System** - Approved the proposed additions and amendments to Board Policy section 600 Student Affairs and Admissions. (See Exhibit 1.)

**BUDGET, FINANCE & AUDIT AGENDA**

Presented by Trustee Christy Pickering

1. **System** - The Board discussed the proposed multi-year professional tuition rate increases for Mississippi State University and the University of Mississippi for fiscal years 2011 and 2012 and for the University of Mississippi Medical Center for fiscal years 2011 through 2014.
2. **System** - Multi-Year Room and Board Increases
- a. The Board discussed the proposed multi-year room increases for fiscal years 2011 and 2012.
- b. Proposed board increases were discussed later in the meeting.

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**FIRST EXECUTIVE SESSION**

On motion by Trustee Perry, with Trustees Owens and Patterson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Pickering, seconded by Trustee Whitten, with Trustees Owens and Patterson absent and not voting, the Board **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

- Discussion of an investigation by a public body and
- Discussion of a litigation matter at the University of Mississippi Medical Center.

**During Executive Session, the following matters were discussed and/or voted upon:**

The Board discussed an investigation by a public body. **No action was taken.**

On motion by Trustee Whitten, seconded by Trustee Rouse, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board voted to approve the settlement of Tort claim 1585 styled as *Juanita Garrett vs. UMMC*, as presented by counsel.

**On motion by Trustee Perry, seconded by Trustee Smith, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board voted to return to Open Session.**

**BUDGET, FINANCE & AUDIT AGENDA (cont'd)**

2. **System** - Multi-Year Room and Board Increases  
The Board discussed the proposed multi-year board increases for fiscal years 2011 and 2012.

**REAL ESTATE AGENDA**

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Blakeslee, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Real Estate Agenda. Agenda item #2 was approved on a separate motion by Trustee Rouse, seconded by Trustee Blakeslee, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting.

1. **System** - Approved for first reading the proposed amendments to Board Policy 902 Initiation of Construction Contracts, as follows:

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902 INITIATION OF CONSTRUCTION PROJECTS

The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total budget ~~of \$250,000 or more~~ exceeding \$1,000,000 regardless of how these projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs and renovation projects with a total budget ~~under \$250,000~~ of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.

2. **System** - Approved for first reading the proposed amendments to Board Policy 905 Real Estate Management. (See Exhibit 2.)
3. **Other Business** - The Board received an update on the progress of inputting sprinkler systems into all residence halls and fraternities.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

Agenda item #1 was approved during an Executive Session earlier in the meeting. On motion by Trustee Perry, seconded by Trustee Whitten, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda items #2 - #9 as submitted on the following Legal Agenda.

1. **UMMC** - Settlement of Tort Claim No. 1585. (This item was approved during an Executive Session earlier in the meeting.)
2. **System** - Approved for first reading the proposed amendments to Board Policy 701.07 Depository Policy. (See Exhibit 3.)
3. **System** - Approved for first reading the proposed amendments to Board Policy 1201.01 The Law. (See Exhibit 3.)
4. **System** - Approved for first reading the deletion of Board Policy 1201.0101 Board Members. (See Exhibit 3.)
5. **System** - Approved for first reading the deletion of Board Policy 1201.0102 Executive Officers and Personnel. (See Exhibit 3.)
6. **System** - Approved for first reading the proposed amendments to Board Policy 1201.0103 Bids for Depository Contracts. (See Exhibit 3.)

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7. **System** - Approved for first reading the deletion of Board Policy 1201.0104 Decorum. **(See Exhibit 3.)**
8. **System** - Approved for first reading the deletion of Board Policy 1201.0105 Individual Responsibilities. **(See Exhibit 3.)**
9. **System** - Approved for first reading the proposed amendments to Board Policy 1201.02 Board Member Responsibility Guidelines. **(See Exhibit 3.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Dr. Hank M. Bounds, Commissioner

On motion by Trustee Whitten, seconded by Trustee Neely, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda items #1 - #4 as submitted on the following Administration/Policy Agenda.

1. **DSU** - Approved the request to bestow one honorary degree at the May 2010 Spring Commencement.
2. **JSU** - Approved the request to bestow one honorary degree at the May 2010 Spring Commencement.
3. **MSU** - Approved the request to bestow two honorary degrees at the May 2010 Spring Commencement.
4. **JSU** - Approved the vision and mission statements as follows:

**Vision**

Building on its historic mission of empowering diverse students to become leaders, Jackson State University will become recognized as a challenging, yet nurturing, state-of-the-art technologically-infused intellectual community. Students and faculty will engage in creative research, participate in interdisciplinary and multi-institutional/organizational collaborative learning teams and serve the global community.

**Mission**

The University produces technologically-advanced, diverse, ethical, global leaders who think critically, address societal problems and compete effectively.

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**INFORMATION AGENDA**  
Presented by Commissioner Hank M. Bounds

**ACADEMIC AFFAIRS**

1. **System** - The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 24, 2010 at the Jackson Convention Complex, where Commissioner Hank Bounds was the guest speaker. System honorees for 2010 are listed below.

INSTITUTIONS	FACULTY HONOREE	STUDENT HONOREE
Alcorn State University	John G. Igwebuike	Fabian Wiley, Jr.
Delta State University	Henri Lynn Byrd	John Taylor Miller
Jackson State University	Gail G. Fulgham	Matthew Aaron Walker
Mississippi State University	Richard Hartford Bailey	Cameron Blake Jeter
Mississippi University for Women	Bonnie L. Oppenheimer	Janet Guinn Robertson
Mississippi Valley State University	Rachel Venn Beecham	Victor Malakwen Bii
University of Mississippi	John R. Neff	Artair Joel Rogers
University of Mississippi Medical Center	Robert Scott Gatewood	Stacey Ritter Carter
University of Southern Mississippi	Kathleen Yadrick	Kellis Lee McSparrin

2. **System** - 2010 Improving Teacher Quality Awards. Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an "Improving Teacher Quality" competitive grant program. The IHL institutions below were awarded Title II federal grant funds for the period beginning March 9, 2010 through April 30, 2011.

INSTITUTIONS	DISCIPLINE	AMOUNT
Alcorn State University	Technology and Science	\$ 78,518
Delta State University	Algebra and Geometry	\$ 89,951
Delta State University	Reading	\$ 90,000
Jackson State University	Teacher Quality and Literacy	\$ 90,000
Mississippi State University	Science and Social Studies	\$ 89,994
Mississippi Valley State University	Reading	\$ 90,000
University of Mississippi	Literacy	\$ 89,952
University of Southern Mississippi	Mathematics	\$ 89,992
University of Southern Mississippi	Leadership and Literacy	\$ 90,000
Total Awarded to IHL Institutions		\$ 798,407

**REAL ESTATE**

3. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the March 18, 2010 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 4.)

**LEGAL**

4. **System** - The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 5.)

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**ANNOUNCEMENTS**

- ▶ Dr. Bob Lyman, Provost at the University of Southern Mississippi, noted that the centennial commencement will be a combined ceremony for the Gulf Coast and Hattiesburg campuses. There are many events leading up to the commencement ceremony beginning with the Centennial Celebration Day on Tuesday, March 30, 2010 which commemorates founders day.
- ▶ Trustee Ross noted that the inauguration of Dr. Dan Jones, Chancellor of the University of Mississippi, will be on Friday, April 9, 2010.
- ▶ Commissioner Bounds announced that Dr. Ronald Mason, President of Jackson State University, was appointed to the President's Board of Advisors on Historically Black Colleges and Universities in February. Dr. Mason will be one of 11 members to serve on the board. Commissioner Bounds then announced that U.S. Education Secretary Arne Duncan mentioned Delta State University as a leader in teacher and principal preparation in a speech to the American Association of Colleges for Teacher Education Conference in February.
- ▶ Dr. Mark Keenum, President of Mississippi State University, introduced Dr. Jerry Gilbert, who was promoted to Provost and Executive Vice President.
- ▶ Commissioner Bounds announced that Dr. Al Rankins, IHL Interim Assistant Commissioner for Academic and Student Affairs, has been promoted to the position permanently.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Smith, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Alcorn State University and  
Discussion of a personnel matter at the Mississippi University for Women.

**During Executive Session, the following matters were discussed:**

The Board discussed a personnel matter at Alcorn State University.

The Board discussed a personnel matter at the Mississippi University for Women.

**On motion by Trustee Perry, seconded by Trustee Whitten, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board voted to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
March 18, 2010**


**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Owens, Patterson, Pickering and Robinson absent and not voting, the Board members voted to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
March 18, 2010**

**EXHIBITS**

- |           |   |
|-----------|---|
| Exhibit 1 | Proposed additions and amendments to Board Policy section 600 Student Affairs and Admissions for final approval.  |
| Exhibit 2 | Proposed amendments to Board Policy 905 Real Estate Management for first reading.   |
| Exhibit 3 | Proposed amendments and deletions to the following Board Policies for first reading:<br>Amendments to 701.07 Depository Policy<br>Amendments to 1201.01 The Law<br>Deletion of 1201.0101 Board Members<br>Deletion of 1201.0102 Executive Officers and Personnel<br>Amendments to 1201.0103 Bids for Depository Contracts<br>Deletion of 1201.0104 Decorum<br>Deletion of 1201.0105 Individual Responsibilities<br>Amendments to 1201.02 Board Member Responsibility Guidelines |
| Exhibit 4 | Real Estate items that were approved by the IHL Board staff subsequent to the March 18, 2010 Board meeting.   |
| Exhibit 5 | Report of the payment of legal fees to outside counsel.   |

# EXHIBIT 1

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## 601 ADMISSION STANDARDS

The Board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the Board may establish. The manual (*Admission Standards, Developmental Education Curriculum and Core Undergraduate Requirements for University System Institutions*), designed to assist the institutions in proper implementation of *Board Policy* and to assure compliance with the requirements set forth by the Board, is given to university personnel and a copy is on file at the Office of the Commissioner.

Admission policies are to be included in materials disseminated to the high schools and in university catalogs. IHL and university websites are to relate the means by which admission policies may be readily obtained.

Miss. Code Ann., §37-101-15, as amended  
(BT Minutes, 9/90; 9/93; 1/98; 1/2003; 2/2009)

## 602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS

The high school course requirements set forth below are applicable to students graduating from high school and entering a public institution of higher learning.

- A. HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum)  
Chemistry, Advanced Chemistry, Physics, and Advanced Physics or any other science course with comparable rigor and content. One Carnegie unit from a Physical Science course with content at a level that may serve as an introduction to Physics and Chemistry may be used. Two of the courses chosen must be laboratory based.

Subject	Carnegie Units	Contents and Remarks
English	4	All must require substantial communication skills components (i.e., reading, writing, listening, and speaking).
Mathematics	3	Includes Algebra I, Geometry, and Algebra II. A fourth class in higher level mathematics is highly recommended.
Science	3	Choice of Biology, Advanced Biology,
Social Studies	3	Courses should include United States History (1 unit), World History (1 unit with substantial geography component), Government (1/2 unit), and Economics (1/2 unit) or Geography (1/2 unit).

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Advanced Electives 2

Requirements may be met by earning 2 Carnegie units from the following areas/courses, one of which must be in Foreign Language or World Geography:

Foreign Language World Geography 4th year  
lab-based Science 4th year Mathematics

Computer Applications 1/2

Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.

Pre-High  
School Units

Algebra I, first year Foreign Language, ~~or~~ Mississippi Studies, or Computer Applications Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.

## B. FULL ADMISSION

Full admission will be granted to the following:

- (1) All students completing the College Preparatory Curriculum (CPC) with a minimum of a 3.20 high school grade point average (GPA) on the CPC; or
- (2) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.50 high school GPA on the CPC or a class rank in the top 50%, and (b) a score of 16 or higher on the ACT (Composite); or
- (3) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.00 high school GPA on the CPC and (b) a score of 18 or higher on the ACT (Composite): or
- (4) NCAA Division I standards for student athletes who are "full qualifiers" are accepted as equivalent to the admission standards established by the Board.

In lieu of ACT scores, students may submit equivalent SAT scores. Students scoring below 16 on the ACT (Composite) or the equivalent SAT are encouraged to participate in the Year-Long Academic Support Program during their freshman year.

## C. ACADEMIC PLACEMENT RESULTING FROM VARIOUS DEFICIENCIES

Those Mississippi residents who applied and failed to meet Full Admission Standards along with any Mississippi high school graduate regardless of academic performance may, as a result of review, be admitted to the summer or fall semester. The ACT is not a requirement in this category. The review shall involve a consideration of high school performance, ACT scores (if

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available), placement testing, special interests and skills as well as other non-cognitive factors. The review shall result in placement in one of the following categories:

## 1. Full Admission

As a result of the review, students in this category may be placed as if admitted under Section B. In addition, students may be required to enroll in selected college level courses in science and social science equivalent to high school courses in which their background is inadequate. These courses will yield institutional credit.\* Other students in this category may be required to participate in the Year-Long Academic Support Program.

## 2 Full Admission with Academic Deficiencies

Students who have not demonstrated adequate readiness in English or Reading or Mathematics will be granted Full Admission with Academic Deficiencies to the Summer Developmental Program. This is an intensive program that concentrates on high school subject areas (English, Reading, and Mathematics) that are applicable to success in first-year college courses. These courses carry institutional credit. \* Students who successfully complete the summer program by passing developmental English, developmental Mathematics, developmental Reading and the Learning Skills Laboratory courses, will receive admission to the fall term with mandatory participation in the Year-Long Academic Support Program. Students who fail to successfully complete the Summer Developmental Program are not eligible for enrollment in the regular academic year and will be counseled to explore other postsecondary opportunities, including those offered by community colleges.

## D. YEAR-LONG ACADEMIC SUPPORT PROGRAM

This program is designed to assist those students admitted with academic deficiencies, as well as other volunteer students, with their freshman courses. The Year-Long Academic Support Program will consist of classroom, individual, and computer-assisted instruction along with career counseling in a laboratory setting. The Program carries institutional credit. \*

\* Institutional credit courses do not count toward graduation but carry all other academic requirements.

(BT Minutes, 5/92; 9/93; 9/94; 3/95; 10/95; 9/96; 1/98; 2/2005; 8/2006; 2/2009)

## E. GENERAL TRANSFER POLICY ADMISSION FOR STUDENTS WHO WERE NOT ELIGIBLE FOR REGULAR ADMISSION

Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher education other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA) on a 4.0 scale, as calculated by the admitting IHL institution) in the following 24 30 transferable semester credit hours to be eligible to transfer to an IHL institution:

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- 3 semester hours College Algebra, Quantitative Reasoning, or higher level mathematics ~~or above~~
- 6 semester hours ~~Laboratory~~ Natural Science
- 9 semester hours ~~Transferable Electives~~ Humanities and Fine Arts
- 6 semester hours Social or Behavioral Sciences

All other transfer admissions-students are subject to the requirements outlined in policy 602 Freshman Admission Requirements for University System Institutions (sections A and B)

(BT Minutes, 9/90; 1/98; 2/2009)

## F. NONRESIDENT ADMISSIONS

Any student identified as a nonresident will be admitted to a Mississippi institution of higher learning based on equivalent preparation as determined by the admitting institution.

### **BEGINNING IN THE SUMMER OF 2012, THE FOLLOWING COLLEGE PREPARATORY CURRICULUM WILL APPLY.**

#### ***FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS***

- A. *HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum) State/Local Government course in any other state may stand in lieu of Mississippi Studies.)*

<i>Subject</i>	<i>Carnegie Units</i>	<i>Contents and Remarks</i>
<i>English</i>	<i>4</i>	<i>Compensatory Reading and Compensatory Writing may not be included.</i>
<i>Mathematics</i>	<i>4</i>	<i>Includes Algebra I, Geometry, Algebra II, and any one Carnegie Unit of comparable rigor and content. (e.g., Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)</i>
<i>Science</i>	<i>4</i>	<i>Includes Biology I, Chemistry I, and any two Carnegie Units of comparable rigor and content. (e.g., Physics, Physical Science, Biology II, Chemistry II, AP</i>

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*Chemistry, Physics II, AP Physics B, AP Physics C – Electricity and Magnetism, AP Physics C – Mechanics, Botany, Microbiology, or Human Anatomy and Physiology.)*

<i>Social Studies</i>	<i>4</i>	<i>Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies. (Credit earned for a</i>
<i>Arts</i>	<i>1</i>	<i>Includes any one Carnegie Unit of visual and performing arts course(s) meeting the requirements for high school graduation.</i>
<i>Advanced Electives</i>	<i>2</i>	<i>Includes any two Carnegie Units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language (I) or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</i>
<i>Computer Applications 1/2</i>		<i>Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.</i>
<i>Pre-High School Units</i>		<i>Algebra I, first year Foreign Language, <del>or</del> <u>Mississippi Studies, or Computer Applications</u> Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.</i>

*(BT Minutes, 5/92; 9/93; 9/94; 3/95; 10/95; 9/96; 1/98; 2/2005; 5/2005; 9/2005; 8/2006; 2/2007; 2/2009)*

## **606-603 APPLICANTS TWENTY-ONE YEARS OF AGE OR OVER**

An applicant who is at least twenty-one (21) years old and does not meet the regular freshman admission requirements may apply for admission as a non-degree seeking student. Non-degree seeking students may enroll in a maximum of twelve (12) semester hours during a regular term, six (6) semester hours during a five-week summer term, or equivalent hours for alternate terms as determined by the admitting institution. To transition from non-degree-seeking to degree-seeking status, students must satisfactorily complete twelve (12) hours with a “C” or better average in the general education core. Once admitted to a degree program, a maximum of eighteen (18) semester hours credit earned as a non-degree-seeking student may be applied toward a baccalaureate

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degree; if approved by the dean of the college or school from which the degree is sought.

(BT Minutes, 5/99; 2/2009)

## ~~607~~ 604 APPLICANTS WITHOUT A HIGH SCHOOL DIPLOMA

Applicants who have not graduated from a regionally accredited high school and were not home-schooled must submit qualifying scores on the General Education Development Test (GED) and any transcripts reflecting academic performance in high school. Home-schooled students must present portfolios summarizing his or her home-school education. Submission of scores on the ACT or SAT is strongly encouraged. Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

(BT Minutes, 1/2003; 2/2009)

## ~~608~~ 605 PROOF OF IMMUNIZATION

### A. MEASLES, MUMPS, AND RUBELLA

Proof of immunization of measles, mumps, and rubella is required (two doses of the MMR vaccine) of all students, unless exempt because of (a) actual or suspected pregnancy (measles or rubella vaccines are not required for females who are pregnant; if pregnancy is suspected, a valid certificate of medical exception from a health provider is required until pregnancy is resolved), (b) medical contraindication, or (c) birth prior to 1957.

(BT Minutes, 1/93; 1/98; 2/2005; 2/2009)

### B. HEPATITIS B

Proof of hepatitis B vaccination is required for students who are involved in health education programs that cause them to be potentially exposed to blood or other bodily fluids.

(BT Minutes, 1/93; 1/98; 2/2009)

### C. TUBERCULOSIS

Proof of test screening for tuberculosis by chest x-ray is required for all international students.

(BT Minutes, 1/93; 1/98; 2/2009)

## ~~603~~ 606 CERTIFICATE OF ADMISSION

Each applicant to any university within the system must receive and have in his possession a letter or certificate of admission signed by the officer designated by the Institutional Executive Officer of the university before presenting him/herself for registration. No student shall be permitted to register or attend classes without such certificate. No officer shall issue a letter or certificate of admission to any student whose application has not been completed in accordance

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with the regulations of the Board.

## ~~604~~ 607 REJECTION OF APPLICATION

### A. FUNDAMENTAL REQUIREMENTS

Applications containing false, contradictory, questionable, or uncertain data, or which fail to comply with the fundamental requirements or the policies of the institutions as established by the Board shall be rejected.

(BT Minutes, 9/90; 1/98; 2/2009)

### B. FRAUDULENT STATEMENTS AND REPRESENTATIONS

Whoever, with intent to defraud the state or any department, agency, office, board, commission, county, municipality or other subdivision of state or local government, knowingly and willfully falsifies, conceals or covers up by trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

This section shall not prohibit the prosecution under any other criminal statute of the state.

Miss. Code Ann., §97-7-10, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## ~~605~~ 608 INTERMEDIATE COURSES

A. All entering freshmen enrolled at an IHL university with an ACT Mathematics subtest score of 16 or less will be required to take Intermediate Algebra during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Mathematics subtest score is 17, 18 or 19 may be required to take Intermediate Algebra.

B. All entering freshmen enrolled at an IHL university with an ACT English subtest score of 16 or less will be required to take Intermediate English during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose English subtest score is 17, 18 or 19 may be required to take Intermediate English.

C. All entering freshmen enrolled at an IHL university with an ACT Reading subtest score of 16 or less will be required to take Intermediate Reading during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Reading subtest score is 17, 18 or may be required to take Intermediate Reading. Students taking Intermediate Reading should not be permitted to take reading-intensive courses, such as History.

D. Students taking two or more intermediate courses must enroll in the Year-Long Academic Support Program and will not be permitted to take more than 17 semester hours, including

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intermediate courses and the Academic Support Program.

(BT Minutes, 2/2000; 2/2005; 2/2009)

## **609 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE**

### A. General Policy

IHL institutions will accept all transferable courses with a grade of “C” or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree.

- 1) Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (Board Policy Section 512 “Core Curriculum”) with a grade of “C” or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
- 2) All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.

### B. Transferable Courses

When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.

## **609 610 RESIDENCY REQUIREMENTS**

### A. RESIDENCE OF A MINOR

**For purposes of determining of whether a minor pays out-of- state or in-state tuition for attendance at universities and community and junior colleges, the residence of a person less than 21 years of age is that of the father, the mother or a general guardian duly appointed by a proper court in Mississippi. If a court has granted custody of the minor to one parent, the residence of the minor is that of the parent who was granted custody by the court. If both parents are dead, the residence of the minor is that of the last surviving parent at the time of that parent's death, unless the minor lives**

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with a general guardian duly appointed by a proper court of Mississippi, in which case his/her residence becomes that of the guardian. A minor student who, upon registration at a Mississippi institution of higher learning or community college, presents a transcript demonstrating graduation from a Mississippi secondary school and who has been a secondary school student in Mississippi for not less than the final four years of secondary school attendance shall not be required to pay out-of-state tuition. This policy shall not apply to the residence of a person as it relates to residency for voter registration or voting.

Miss. Code Ann., §37-103-7, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## B. RESIDENCE OF AN ADULT

The residence of an adult is that place where he/she is domiciled, that is, the place where he/she actually physically resides with the intention of remaining there indefinitely or of returning there permanently when temporarily absent.

Miss. Code Ann., §37-103-13, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009)

## C. REMOVAL OF PARENTS FROM MISSISSIPPI

If the parents of a minor who is enrolled as a student in a community/junior college or in an institution of higher learning move their legal residence from the State of Mississippi, the minor shall be immediately classified as a nonresident student; such a change in classification shall not affect the tuition to be charged until the completion of the semester in which the move takes place.

Miss. Code Ann., §37-103-11, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## D. RESIDENCE REQUIRED

No student may be admitted to any community/junior college or institution of higher learning as a resident of Mississippi unless his/her residence has been in the State of Mississippi preceding his/her admission. Residence shall be as defined in Sections 37103-7 and 37-103-13 unless excepted in Miss. Code Ann., §§37-103-1 through 37-103-29.

Miss. Code Ann., §37-103-3, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009)

## E. RESIDENCY PETITIONS

Nonresidents may petition the institutions for a change of residency classification. A person who enters the state of Mississippi from another state and enters a system institution is considered a nonresident, unless the person meets the residency requirements set out in subsections A and B above. Provided, however, that any person who has attained 21 years of age and has thereafter actually established residency as defined within section A above and resided within the state of Mississippi for 12 consecutive months after attaining 21 years of age upon sworn affidavit and other representation, may petition the particular institution for a change in residency classification for the purposes of fees and tuition assessment. The institution may make reasonable inquiry into the validity of the petitioner's claim. Such petition for change of residency must be made on or before the last day a student may register at the particular

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institution without penalty.

(BT Minutes, 9/90; 1/98; 2/2009)

## F. LEGAL RESIDENCE OF A MARRIED PERSON

A married person may claim the residence status of his or her spouse, or he or she may claim independent residence status under the same regulations set forth in Section 37103-13 as any other adult.

Miss. Code Ann., §37-103-15, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## G. CHILDREN OF FACULTY OR STAFF

Children of parents who are members of the faculty or staff of any institution under the jurisdiction of the board of trustees of any community/junior college in this state or the Board of Trustees of State Institutions of Higher Learning may be classified as residents for the purpose of attendance at the institution where their parents are faculty or staff members.

Miss. Code Ann., §37-103-9, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## ~~610~~ 611 MILITARY PERSONNEL

### A. ACTIVE DUTY STATION IN MISSISSIPPI

Members of the United States Armed Forces on extended active duty and stationed within the State of Mississippi and members of the Mississippi National Guard may be classified as residents, for the purpose of attendance at state-supported institutions of higher learning and community and/or junior colleges of the State of Mississippi. Resident status of such military personnel, who are not legal residents of Mississippi, as defined in Section 37-103-13, shall terminate upon their reassignment for duty in the continental United States outside the State of Mississippi.

Miss. Code Ann., §37-103-17, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

### B. SPOUSE OR CHILD OF MILITARY PERSONNEL

Resident status of a spouse or child of a member of the Armed Forces of the United States on extended active duty shall be that of the military spouse or parent for the purpose of attending state-supported institutions of higher learning and community/junior colleges of the State of Mississippi during the time that their military spouse or parent is stationed within the State of Mississippi and shall be continued through the time that the military spouse or parent is stationed in an overseas area with last duty assignment within the State of Mississippi, excepting temporary training assignments en route from Mississippi. Resident status of a minor child terminates upon reassignment under Permanent Change of Station Orders of the military parent for duty in the continental United States outside the State of Mississippi, excepting temporary training assignments en route from Mississippi, and except that children of members of the Armed Forces who attain Mississippi residency in accordance with the above provisions, who begin and

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complete their senior year of high school in Mississippi, and who enroll full time in a Mississippi institution of higher learning or community/junior college to begin studies in the fall after their graduation from high school, maintain their residency status so long as they remain enrolled as a student in good standing at a Mississippi institution of higher learning or community/junior college. Enrollment during summer school is not required to maintain such resident status.

The spouse or child of a member of the Armed Forces of the United States who dies or is killed is entitled to pay the resident tuition fee if the spouse or child becomes a resident of Mississippi.

If a member of the Armed Forces of the United States is stationed outside Mississippi and the member's spouse or child establishes residence in Mississippi and registers with a Mississippi institution of higher learning or community/junior college at which the spouse or child plans to attend, the institution of higher education or community/junior college shall permit the spouse or child to pay the tuition, fees and other charges provided for Mississippi residents without regard to length of time that the spouse or child has resided in Mississippi.

A member of the Armed Forces of the United States or the child or spouse of a member of the Armed Forces of the United States who is entitled to pay tuition and fees at the rate provided for Mississippi residents under another provision of this section while enrolled in a degree or certificate program is entitled to pay tuition and fees at the rate provided for Mississippi residents in any subsequent term or semester while the person is continuously enrolled in the same degree or certificate program. A student may withdraw or may choose not to reenroll for no more than one (1) semester or term while pursuing a degree or certificate without losing resident status only if that student provides sufficient documentation by a physician that the student has a medical condition that requires withdrawal or nonenrollment. For purposes of this subsection, a person is not required to enroll in a summer term to remain continuously enrolled in a degree or certificate program. The person's eligibility to pay tuition and fees at the rate provided for Mississippi residents under this subsection does not terminate because the person is no longer a member of the Armed Forces of the United States or the child or spouse of a member of the Armed Forces of the United States.

Miss. Code Ann., §37-103-19, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## C. CERTIFICATION OF RESIDENCE OF MILITARY PERSONNEL

A military person on active duty stationed in Mississippi who wishes to avail himself/herself or his/her dependents of the provisions of Section 37-103-17 must submit a certificate from his/her military organization showing the name of the military member; the name of the dependent, if for a dependent; the name of the organization of assignment and its address (may be in the letterhead); that the military member will be on active duty stationed in Mississippi on the date of registration at the state-supported institution of higher learning or community/junior college of the State of Mississippi; that the military member is not on transfer orders; and the signature of the commanding officer, the adjutant, or the personnel officer of the unit of assignment with signer's rank and title. A military certificate must be presented to the registrar of the state-supported institution of higher learning or community/junior college of the State of Mississippi each semester or tri-semester at (or within 10 days prior to) registration each semester for the provisions of said section to be effective.

Miss. Code Ann., §37-103-21, as amended.

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(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## **612 ~~611~~ OUT-OF-STATE TUITION FOR NONRESIDENTS      AUTHORITY TO SET TUITION AND WAIVER OF OUT-OF-STATE TUITION FOR NONRESIDENTS WHO WERE BORN IN MISSISSIPPI AND ARE VETERANS OF THE ARMED FORCES**

The Board of Trustees of State Institutions of Higher Learning and the boards of trustees of the community/junior colleges are authorized to prescribe the amount of tuition and fees to be paid by students attending the several state-supported institutions of higher learning and community/junior colleges of the State of Mississippi.

Except as otherwise provided in this subsection, the total tuition to be paid by residents of other states shall not be less than the average cost per student from appropriated funds. However, the tuition to be paid by a resident of another state shall be equal to the tuition amount established in the above paragraph if:

- 1      The nonresident student was born in the State of Mississippi but subsequently relocated and resided outside the state as a minor under the care of the minor's father or mother, or both;
- 2      The nonresident student is a veteran who served in the Armed Forces of the United States;
- 3      The nonresident student is domiciled in Mississippi no later than six months after the nonresident student's separation from service, as evidenced by a Report of Separation from Military Service or other military discharge document, for the purpose of enrolling in a state institution of higher learning or a community/junior college.

Miss. Code Ann., 37-103-25, as amended  
(BT Minutes, 12/2005; 2/2009)

## **612 ~~613~~ ATHLETICS**

### **A. ATHLETIC RECRUITMENT**

The Board endorses the National Collegiate Athletic Association (NCAA) rules and regulations for the recruitment of student athletes. The Board reserves the prerogative to adopt standards more restrictive than those which have been approved by the NCAA but under no conditions shall the Board adopt less restrictive standards. All institutional standards and/or policies relating to institutional athletics will be on file in the Board Office.

(BT Minutes, 9/90; 1/98; 2/2009)

### **B. INTERCOLLEGIATE AND INTRAMURAL ATHLETICS**

The programs of intercollegiate and intramural athletics of the state institutions shall be organized and developed as elements in the total educational programs of the institutions. Athletic programs shall be conducted so as to promote the total welfare of students, including physical and mental health and the development of capacities and talents, and so as to contribute to the morale of students, alumni and friends of the institutions. Programs of intercollegiate athletics shall be under

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the complete control of the Institutional Executive Officers, subject to the oversight of the Board. Funds used to support all athletic programs shall be fully controlled by the Institutional Executive Officer of the institution; however, no funds budgeted for instructional purposes may be diverted to athletics and no athletics funds may be diverted to other purposes without approval by the Board. Standards of the NCAA and appropriate regional conferences shall be the standards of the institutions' athletic departments.

(BT Minutes, 9/90; 1/98; 2/2009)

## C. ATHLETIC TICKETS

Upon request, Institutional Executive Officers may furnish complimentary athletic tickets for Board members. The number of such tickets for any one event is not to exceed six.

Upon request to the institutions, former Board members may receive two complimentary tickets for athletic events.

The Board delegates to the respective Institutional Executive Officers the administrative responsibility of issuing complimentary athletic tickets to individuals other than those identified in the preceding paragraph. (Universities shall keep accurate records of complimentary tickets distributed by number of tickets and category of recipients and shall file an annual report with the Commissioner.)

(BT Minutes, 9/90; 1/98; 2/2009)

## ~~613~~ 614 PERSONAL PROPERTY

- A. ~~Lost or abandoned personal property as defined in Miss. Code Ann., §1-3-41, as amended, shall be held by the institution for a period of at least three months.~~
- B. ~~Designated officers of the institution shall upon the receipt or recovery of any lost, abandoned or misplaced personal property, cause to be posted in three public places at the institution, notice that such property has been received. Such notice shall contain an accurate and detailed description of such property and if the designated officers are advised as to who owns such property, a copy of such notice shall be mailed to such person or persons in addition to being posted. The owner of such property may recover the same upon a determination by the designated officers of the rightful owner and upon the owner paying to the institution its reasonable expenses for handling and storage.~~
- C. ~~If not claimed and possession resumed by the rightful owner within three months from the date of notice provided for above, the designated officers may cause the same to be sold at public or private sale after first posting notice of such sale in three public places at the institution at least ten (10) days preceding the date of such sale.~~
- D. ~~The property may be sold by the institution, forfeited for official use, given away for a charitable or needy purpose, or other proper disposition.~~
- E. ~~The proceeds of institutional sale of said property shall be placed in such fund or funds as~~

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## 601 ADMISSION STANDARDS

The Board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the Board may establish. The manual (*Admission Standards, Developmental Education Curriculum and Core Undergraduate Requirements for University System Institutions*), designed to assist the institutions in proper implementation of *Board Policy* and to assure compliance with the requirements set forth by the Board, is given to university personnel and a copy is on file at the Office of the Commissioner.

Admission policies are to be included in materials disseminated to the high schools and in university catalogs. IHL and university websites are to relate the means by which admission policies may be readily obtained.

Miss. Code Ann., §37-101-15, as amended  
(BT Minutes, 9/90; 9/93; 1/98; 1/2003; 2/2009)

## 602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS

The high school course requirements set forth below are applicable to students graduating from high school and entering a public institution of higher learning.

- A. HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum)  
Chemistry, Advanced Chemistry, Physics, and Advanced Physics or any other science course with comparable rigor and content. One Carnegie unit from a Physical Science course with content at a level that may serve as an introduction to Physics and Chemistry may be used. Two of the courses chosen must be laboratory based.

Subject	Carnegie Units	Contents and Remarks
English	4	All must require substantial communication skills components (i.e., reading, writing, listening, and speaking).
Mathematics	3	Includes Algebra I, Geometry, and Algebra II. A fourth class in higher level mathematics is highly recommended.
Science	3	Choice of Biology, Advanced Biology,
Social Studies	3	Courses should include United States History (1 unit), World History (1 unit with substantial geography component), Government (1/2 unit), and Economics (1/2 unit) or Geography (1/2 unit).

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Advanced Electives 2

Requirements may be met by earning 2 Carnegie units from the following areas/courses, one of which must be in Foreign Language or World Geography:

Foreign Language World Geography 4th year  
lab-based Science 4th year Mathematics

Computer Applications 1/2

Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.

Pre-High  
School Units

Algebra I, first year Foreign Language, ~~or~~ Mississippi Studies, or Computer Applications Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.

## B. FULL ADMISSION

Full admission will be granted to the following:

- (1) All students completing the College Preparatory Curriculum (CPC) with a minimum of a 3.20 high school grade point average (GPA) on the CPC; or
- (2) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.50 high school GPA on the CPC or a class rank in the top 50%, and (b) a score of 16 or higher on the ACT (Composite); or
- (3) All students completing the College Preparatory Curriculum (CPC) with (a) a minimum of a 2.00 high school GPA on the CPC and (b) a score of 18 or higher on the ACT (Composite): or
- (4) NCAA Division I standards for student athletes who are "full qualifiers" are accepted as equivalent to the admission standards established by the Board.

In lieu of ACT scores, students may submit equivalent SAT scores. Students scoring below 16 on the ACT (Composite) or the equivalent SAT are encouraged to participate in the Year-Long Academic Support Program during their freshman year.

## C. ACADEMIC PLACEMENT RESULTING FROM VARIOUS DEFICIENCIES

Those Mississippi residents who applied and failed to meet Full Admission Standards along with any Mississippi high school graduate regardless of academic performance may, as a result of review, be admitted to the summer or fall semester. The ACT is not a requirement in this category. The review shall involve a consideration of high school performance, ACT scores (if

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available), placement testing, special interests and skills as well as other non-cognitive factors. The review shall result in placement in one of the following categories:

## 1. Full Admission

As a result of the review, students in this category may be placed as if admitted under Section B. In addition, students may be required to enroll in selected college level courses in science and social science equivalent to high school courses in which their background is inadequate. These courses will yield institutional credit.\* Other students in this category may be required to participate in the Year-Long Academic Support Program.

## 2 Full Admission with Academic Deficiencies

Students who have not demonstrated adequate readiness in English or Reading or Mathematics will be granted Full Admission with Academic Deficiencies to the Summer Developmental Program. This is an intensive program that concentrates on high school subject areas (English, Reading, and Mathematics) that are applicable to success in first-year college courses. These courses carry institutional credit. \* Students who successfully complete the summer program by passing developmental English, developmental Mathematics, developmental Reading and the Learning Skills Laboratory courses, will receive admission to the fall term with mandatory participation in the Year-Long Academic Support Program. Students who fail to successfully complete the Summer Developmental Program are not eligible for enrollment in the regular academic year and will be counseled to explore other postsecondary opportunities, including those offered by community colleges.

## D. YEAR-LONG ACADEMIC SUPPORT PROGRAM

This program is designed to assist those students admitted with academic deficiencies, as well as other volunteer students, with their freshman courses. The Year-Long Academic Support Program will consist of classroom, individual, and computer-assisted instruction along with career counseling in a laboratory setting. The Program carries institutional credit. \*

\* Institutional credit courses do not count toward graduation but carry all other academic requirements.

(BT Minutes, 5/92; 9/93; 9/94; 3/95; 10/95; 9/96; 1/98; 2/2005; 8/2006; 2/2009)

## E. GENERAL TRANSFER POLICY ADMISSION FOR STUDENTS WHO WERE NOT ELIGIBLE FOR REGULAR ADMISSION

Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher education other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA) on a 4.0 scale, as calculated by the admitting IHL institution) in the following 24 30 transferable semester credit hours to be eligible to transfer to an IHL institution:

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- 3 semester hours College Algebra, Quantitative Reasoning, or higher level mathematics ~~or above~~
- 6 semester hours ~~Laboratory~~ Natural Science
- 9 semester hours ~~Transferable Electives~~ Humanities and Fine Arts
- 6 semester hours Social or Behavioral Sciences

All other transfer admissions-students are subject to the requirements outlined in policy 602 Freshman Admission Requirements for University System Institutions (sections A and B)

(BT Minutes, 9/90; 1/98; 2/2009)

## F. NONRESIDENT ADMISSIONS

Any student identified as a nonresident will be admitted to a Mississippi institution of higher learning based on equivalent preparation as determined by the admitting institution.

### **BEGINNING IN THE SUMMER OF 2012, THE FOLLOWING COLLEGE PREPARATORY CURRICULUM WILL APPLY.**

#### ***FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS***

- A. *HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum) State/Local Government course in any other state may stand in lieu of Mississippi Studies.)*

<i>Subject</i>	<i>Carnegie Units</i>	<i>Contents and Remarks</i>
<i>English</i>	<i>4</i>	<i>Compensatory Reading and Compensatory Writing may not be included.</i>
<i>Mathematics</i>	<i>4</i>	<i>Includes Algebra I, Geometry, Algebra II, and any one Carnegie Unit of comparable rigor and content. (e.g., Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)</i>
<i>Science</i>	<i>4</i>	<i>Includes Biology I, Chemistry I, and any two Carnegie Units of comparable rigor and content. (e.g., Physics, Physical Science, Biology II, Chemistry II, AP</i>

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		<i>Chemistry, Physics II, AP Physics B, AP Physics C – Electricity and Magnetism, AP Physics C – Mechanics, Botany, Microbiology, or Human Anatomy and Physiology.)</i>
<i>Social Studies</i>	4	<i>Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies. (Credit earned for a state/local government course in any other state may stand in lieu of Mississippi Studies)</i>
<i>Arts</i>	1	<i>Includes any one Carnegie Unit of visual and performing arts course(s) meeting the requirements for high school graduation.</i>
<i>Advanced Electives</i>	2	<i>Includes any two Carnegie Units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language (I) or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</i>
<i>Computer Applications</i>	1/2	<i>Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.</i>
<i>Pre-High School Units</i>		<i>Algebra I, first year Foreign Language, <del>or</del> <u>Mississippi Studies, or Computer Applications</u> Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.</i>

*(BT Minutes, 5/92; 9/93; 9/94; 3/95; 10/95; 9/96; 1/98; 2/2005; 5/2005; 9/2005; 8/2006; 2/2007; 2/2009)*

## **606-603 APPLICANTS TWENTY-ONE YEARS OF AGE OR OVER**

An applicant who is at least twenty-one (21) years old and does not meet the regular freshman admission requirements may apply for admission as a non-degree seeking student. Non-degree seeking students may enroll in a maximum of twelve (12) semester hours during a regular term, six (6) semester hours during a five-week summer term, or equivalent hours for alternate terms as determined by the admitting institution To transition from non-degree-seeking to degree-seeking

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status, students must satisfactorily complete twelve (12) hours with a “C” or better average in the general education core. Once admitted to a degree program, a maximum of eighteen (18) semester hours credit earned as a non-degree-seeking student may be applied toward a baccalaureate degree, if approved by the dean of the college or school from which the degree is sought.

(BT Minutes, 5/99; 2/2009)

## ~~607~~ 604 **APPLICANTS WITHOUT A HIGH SCHOOL DIPLOMA**

Applicants who have not graduated from a regionally accredited high school and were not home-schooled must submit qualifying scores on the General Education Development Test (GED) and any transcripts reflecting academic performance in high school. Home-schooled students must present portfolios summarizing his or her home-school education. Submission of scores on the ACT or SAT is strongly encouraged. Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

(BT Minutes, 1/2003; 2/2009)

## ~~608~~ 605 **PROOF OF IMMUNIZATION**

### A. MEASLES, MUMPS, AND RUBELLA

Proof of immunization of measles, mumps, and rubella is required (two doses of the MMR vaccine) of all students, unless exempt because of (a) actual or suspected pregnancy (measles or rubella vaccines are not required for females who are pregnant; if pregnancy is suspected, a valid certificate of medical exception from a health provider is required until pregnancy is resolved), (b) medical contraindication, or (c) birth prior to 1957.

(BT Minutes, 1/93; 1/98; 2/2005; 2/2009)

### B. HEPATITIS B

Proof of hepatitis B vaccination is required for students who are involved in health education programs that cause them to be potentially exposed to blood or other bodily fluids.

(BT Minutes, 1/93; 1/98; 2/2009)

### C. TUBERCULOSIS

Proof of test screening for tuberculosis by chest x-ray is required for all international students.

(BT Minutes, 1/93; 1/98; 2/2009)

## ~~603~~ 606 **CERTIFICATE OF ADMISSION**

Each applicant to any university within the system must receive and have in his possession a letter or certificate of admission signed by the officer designated by the Institutional Executive

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Officer of the university before presenting him/herself for registration. No student shall be permitted to register or attend classes without such certificate. No officer shall issue a letter or certificate of admission to any student whose application has not been completed in accordance with the regulations of the Board.

## ~~604~~ 607 REJECTION OF APPLICATION

### A. FUNDAMENTAL REQUIREMENTS

Applications containing false, contradictory, questionable, or uncertain data, or which fail to comply with the fundamental requirements or the policies of the institutions as established by the Board shall be rejected.

(BT Minutes, 9/90; 1/98; 2/2009)

### B. FRAUDULENT STATEMENTS AND REPRESENTATIONS

Whoever, with intent to defraud the state or any department, agency, office, board, commission, county, municipality or other subdivision of state or local government, knowingly and willfully falsifies, conceals or covers up by trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

This section shall not prohibit the prosecution under any other criminal statute of the state.

Miss. Code Ann., §97-7-10, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## ~~605~~ 608 INTERMEDIATE COURSES

A. All entering freshmen enrolled at an IHL university with an ACT Mathematics subtest score of 16 or less will be required to take Intermediate Algebra during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Mathematics subtest score is 17, 18 or 19 may be required to take Intermediate Algebra.

B. All entering freshmen enrolled at an IHL university with an ACT English subtest score of 16 or less will be required to take Intermediate English during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose English subtest score is 17, 18 or 19 may be required to take Intermediate English.

C. All entering freshmen enrolled at an IHL university with an ACT Reading subtest score of 16 or less will be required to take Intermediate Reading during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Reading subtest score is 17, 18 or may be required to take Intermediate Reading. Students taking Intermediate Reading should not be permitted to take reading-intensive courses, such as History.

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D. Students taking two or more intermediate courses must enroll in the Year-Long Academic Support Program and will not be permitted to take more than 17 semester hours, including intermediate courses and the Academic Support Program.

(BT Minutes, 2/2000; 2/2005; 2/2009)

## **609 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE**

### A. General Policy

IHL institutions will accept all transferable courses with a grade of “C” or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree.

- 1) Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (Board Policy Section 512 “Core Curriculum”) with a grade of “C” or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
- 2) All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.

### B. Transferable Courses

When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.

## **609 610 RESIDENCY REQUIREMENTS**

### A. RESIDENCE OF A MINOR

For purposes of determining of whether a minor pays out-of- state or in-state tuition for attendance at universities and community and junior colleges, the residence of a person less than 21 years of age is that of the father, the mother or a general guardian duly appointed by a proper court in

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Mississippi. If a court has granted custody of the minor to one parent, the residence of the minor is that of the parent who was granted custody by the court. If both parents are dead, the residence of the minor is that of the last surviving parent at the time of that parent's death, unless the minor lives with a general guardian duly appointed by a proper court of Mississippi, in which case his/her residence becomes that of the guardian. A minor student who, upon registration at a Mississippi institution of higher learning or community college, presents a transcript demonstrating graduation from a Mississippi secondary school and who has been a secondary school student in Mississippi for not less than the final four years of secondary school attendance shall not be required to pay out-of-state tuition. This policy shall not apply to the residence of a person as it relates to residency for voter registration or voting.

Miss. Code Ann., §37-103-7, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## B. RESIDENCE OF AN ADULT

The residence of an adult is that place where he/she is domiciled, that is, the place where he/she actually physically resides with the intention of remaining there indefinitely or of returning there permanently when temporarily absent.

Miss. Code Ann., §37-103-13, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009)

## C. REMOVAL OF PARENTS FROM MISSISSIPPI

If the parents of a minor who is enrolled as a student in a community/junior college or in an institution of higher learning move their legal residence from the State of Mississippi, the minor shall be immediately classified as a nonresident student; such a change in classification shall not affect the tuition to be charged until the completion of the semester in which the move takes place.

Miss. Code Ann., §37-103-11, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## D. RESIDENCE REQUIRED

No student may be admitted to any community/junior college or institution of higher learning as a resident of Mississippi unless his/her residence has been in the State of Mississippi preceding his/her admission. Residence shall be as defined in Sections 37103-7 and 37-103-13 unless excepted in Miss. Code Ann., §§37-103-1 through 37-103-29.

Miss. Code Ann., §37-103-3, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009)

## E. RESIDENCY PETITIONS

Nonresidents may petition the institutions for a change of residency classification. A person who enters the state of Mississippi from another state and enters a system institution is considered a nonresident, unless the person meets the residency requirements set out in subsections A and B above. Provided, however, that any person who has attained 21 years of age and has thereafter actually established residency as defined within section A above and resided within the state of Mississippi for 12 consecutive months after attaining 21 years of age upon sworn affidavit and other representation, may petition the particular institution for a change in residency

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classification for the purposes of fees and tuition assessment. The institution may make reasonable inquiry into the validity of the petitioner's claim. Such petition for change of residency must be made on or before the last day a student may register at the particular institution without penalty.

(BT Minutes, 9/90; 1/98; 2/2009)

## F. LEGAL RESIDENCE OF A MARRIED PERSON

A married person may claim the residence status of his or her spouse, or he or she may claim independent residence status under the same regulations set forth in Section 37103-13 as any other adult.

Miss. Code Ann., §37-103-15, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## G. CHILDREN OF FACULTY OR STAFF

Children of parents who are members of the faculty or staff of any institution under the jurisdiction of the board of trustees of any community/junior college in this state or the Board of Trustees of State Institutions of Higher Learning may be classified as residents for the purpose of attendance at the institution where their parents are faculty or staff members.

Miss. Code Ann., §37-103-9, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## ~~610~~ 611 MILITARY PERSONNEL

### A. ACTIVE DUTY STATION IN MISSISSIPPI

Members of the United States Armed Forces on extended active duty and stationed within the State of Mississippi and members of the Mississippi National Guard may be classified as residents, for the purpose of attendance at state-supported institutions of higher learning and community and/or junior colleges of the State of Mississippi. Resident status of such military personnel, who are not legal residents of Mississippi, as defined in Section 37-103-13, shall terminate upon their reassignment for duty in the continental United States outside the State of Mississippi.

Miss. Code Ann., §37-103-17, as amended.

(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

### B. SPOUSE OR CHILD OF MILITARY PERSONNEL

Resident status of a spouse or child of a member of the Armed Forces of the United States on extended active duty shall be that of the military spouse or parent for the purpose of attending state-supported institutions of higher learning and community/junior colleges of the State of Mississippi during the time that their military spouse or parent is stationed within the State of Mississippi and shall be continued through the time that the military spouse or parent is stationed in an overseas area with last duty assignment within the State of Mississippi, excepting temporary training assignments en route from Mississippi. Resident status of a minor child terminates upon reassignment under Permanent Change of Station Orders of the military parent for duty in the

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continental United States outside the State of Mississippi, excepting temporary training assignments en route from Mississippi, and except that children of members of the Armed Forces who attain Mississippi residency in accordance with the above provisions, who begin and complete their senior year of high school in Mississippi, and who enroll full time in a Mississippi institution of higher learning or community/junior college to begin studies in the fall after their graduation from high school, maintain their residency status so long as they remain enrolled as a student in good standing at a Mississippi institution of higher learning or community/junior college. Enrollment during summer school is not required to maintain such resident status.

The spouse or child of a member of the Armed Forces of the United States who dies or is killed is entitled to pay the resident tuition fee if the spouse or child becomes a resident of Mississippi.

If a member of the Armed Forces of the United States is stationed outside Mississippi and the member's spouse or child establishes residence in Mississippi and registers with a Mississippi institution of higher learning or community/junior college at which the spouse or child plans to attend, the institution of higher education or community/junior college shall permit the spouse or child to pay the tuition, fees and other charges provided for Mississippi residents without regard to length of time that the spouse or child has resided in Mississippi.

A member of the Armed Forces of the United States or the child or spouse of a member of the Armed Forces of the United States who is entitled to pay tuition and fees at the rate provided for Mississippi residents under another provision of this section while enrolled in a degree or certificate program is entitled to pay tuition and fees at the rate provided for Mississippi residents in any subsequent term or semester while the person is continuously enrolled in the same degree or certificate program. A student may withdraw or may choose not to reenroll for no more than one (1) semester or term while pursuing a degree or certificate without losing resident status only if that student provides sufficient documentation by a physician that the student has a medical condition that requires withdrawal or nonenrollment. For purposes of this subsection, a person is not required to enroll in a summer term to remain continuously enrolled in a degree or certificate program. The person's eligibility to pay tuition and fees at the rate provided for Mississippi residents under this subsection does not terminate because the person is no longer a member of the Armed Forces of the United States or the child or spouse of a member of the Armed Forces of the United States.

Miss. Code Ann., §37-103-19, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## C. CERTIFICATION OF RESIDENCE OF MILITARY PERSONNEL

A military person on active duty stationed in Mississippi who wishes to avail himself/herself or his/her dependents of the provisions of Section 37-103-17 must submit a certificate from his/her military organization showing the name of the military member; the name of the dependent, if for a dependent; the name of the organization of assignment and its address (may be in the letterhead); that the military member will be on active duty stationed in Mississippi on the date of registration at the state-supported institution of higher learning or community/junior college of the State of Mississippi; that the military member is not on transfer orders; and the signature of the commanding officer, the adjutant, or the personnel officer of the unit of assignment with signer's rank and title. A military certificate must be presented to the registrar of the state-supported institution of higher learning or community/junior college of the State of Mississippi each semester or tri-semester at (or within 10 days prior to) registration each semester for the provisions

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of said section to be effective.

Miss. Code Ann., §37-103-21, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009)

## **612 ~~611~~ OUT-OF-STATE TUITION FOR NONRESIDENTS      AUTHORITY TO SET TUITION AND WAIVER OF OUT-OF-STATE TUITION FOR NONRESIDENTS WHO WERE BORN IN MISSISSIPPI AND ARE VETERANS OF THE ARMED FORCES**

The Board of Trustees of State Institutions of Higher Learning and the boards of trustees of the community/junior colleges are authorized to prescribe the amount of tuition and fees to be paid by students attending the several state-supported institutions of higher learning and community/junior colleges of the State of Mississippi.

Except as otherwise provided in this subsection, the total tuition to be paid by residents of other states shall not be less than the average cost per student from appropriated funds. However, the tuition to be paid by a resident of another state shall be equal to the tuition amount established in the above paragraph if:

- 1      The nonresident student was born in the State of Mississippi but subsequently relocated and resided outside the state as a minor under the care of the minor's father or mother, or both;
- 2      The nonresident student is a veteran who served in the Armed Forces of the United States;
- 3      The nonresident student is domiciled in Mississippi no later than six months after the nonresident student's separation from service, as evidenced by a Report of Separation from Military Service or other military discharge document, for the purpose of enrolling in a state institution of higher learning or a community/junior college.

Miss. Code Ann., 37-103-25, as amended  
(BT Minutes, 12/2005; 2/2009)

## **612 ~~613~~ ATHLETICS**

### **A. ATHLETIC RECRUITMENT**

The Board endorses the National Collegiate Athletic Association (NCAA) rules and regulations for the recruitment of student athletes. The Board reserves the prerogative to adopt standards more restrictive than those which have been approved by the NCAA but under no conditions shall the Board adopt less restrictive standards. All institutional standards and/or policies relating to institutional athletics will be on file in the Board Office.

(BT Minutes, 9/90; 1/98; 2/2009)

### **B. INTERCOLLEGIATE AND INTRAMURAL ATHLETICS**

The programs of intercollegiate and intramural athletics of the state institutions shall be organized and developed as elements in the total educational programs of the institutions. Athletic programs

# EXHIBIT 1

Underlines are modifications/additions

~~Black Strikeouts are deletions~~

~~Blue Strikeouts~~ language moved/incorporated into another policy

Red is state statute

shall be conducted so as to promote the total welfare of students, including physical and mental health and the development of capacities and talents, and so as to contribute to the morale of students, alumni and friends of the institutions. Programs of intercollegiate athletics shall be under the complete control of the Institutional Executive Officers, subject to the oversight of the Board. Funds used to support all athletic programs shall be fully controlled by the Institutional Executive Officer of the institution; however, no funds budgeted for instructional purposes may be diverted to athletics and no athletics funds may be diverted to other purposes without approval by the Board. Standards of the NCAA and appropriate regional conferences shall be the standards of the institutions' athletic departments.

(BT Minutes, 9/90; 1/98; 2/2009)

## C. ATHELETIC TICKETS

Upon request, Institutional Executive Officers may furnish complimentary athletic tickets for Board members. The number of such tickets for any one event is not to exceed six.

Upon request to the institutions, former Board members may receive two complimentary tickets for athletic events.

The Board delegates to the respective Institutional Executive Officers the administrative responsibility of issuing complimentary athletic tickets to individuals other than those identified in the preceding paragraph. (Universities shall keep accurate records of complimentary tickets distributed by number of tickets and category of recipients and shall file an annual report with the Commissioner.)

(BT Minutes, 9/90; 1/98; 2/2009)

## ~~613~~ 614 PERSONAL PROPERTY

- A. ~~Lost or abandoned personal property as defined in Miss. Code Ann., §1-3-41, as amended, shall be held by the institution for a period of at least three months.~~
- B. ~~Designated officers of the institution shall upon the receipt or recovery of any lost, abandoned or misplaced personal property, cause to be posted in three public places at the institution, notice that such property has been received. Such notice shall contain an accurate and detailed description of such property and if the designated officers are advised as to who owns such property, a copy of such notice shall be mailed to such person or persons in addition to being posted. The owner of such property may recover the same upon a determination by the designated officers of the rightful owner and upon the owner paying to the institution its reasonable expenses for handling and storage.~~
- C. ~~If not claimed and possession resumed by the rightful owner within three months from the date of notice provided for above, the designated officers may cause the same to be sold at public or private sale after first posting notice of such sale in three public places at the institution at least ten (10) days preceding the date of such sale.~~
- D. ~~The property may be sold by the institution, forfeited for official use, given away for a~~

# EXHIBIT 1

Underlines are modifications/additions

~~Black Strikeouts are deletions~~

~~Blue Strikeouts~~ language moved/incorporated into another policy

Red is state statute

charitable or needy purpose, or other proper disposition.

- E. The proceeds of institutional sale of said property shall be placed in such fund or funds as assigned by the Institutional Executive Officer.
- F. All policies regarding abandoned motor vehicles should be in compliance with Miss. Code Ann., §63-23-1, et seq., as amended.

Miss. Code Ann., §1-3-41, as amended; Miss. Code Ann., §63-23-1, et seq., as amended  
(BT Minutes, 9/90; 1/98; 2/2009)

## ~~614~~ 615 STUDENT APPEALS

The Board delegates to the various Institutional Executive Officers full authority in all matters concerning student affairs. The decision of the Institutional Executive Officer shall be final so far as the institution is concerned. Upon rendering of a final decision, the aggrieved student will be notified. The Institutional Executive Officer may request the legal assistance of the Attorney General's Office through the Commissioner.

(BT Minutes, 3/91; 1/98; 2/2009)

## ~~615~~ 616 ALCOHOL ON CAMPUS

The universities are directed to follow all applicable local, state and federal laws as to the possession and consumption of alcohol, light wine and beer on their respective campuses. However, each university is authorized to create more restrictive policies, rules and regulations related to the possession and consumption of alcohol, light wine and beer on campus which do not violate applicable local, state and federal laws. No alcoholic beverages shall be sold or consumed at any public athletic event at any state university. Additionally, each university shall make educational programs on alcohol abuse available to its students.

(BT Minutes, 6/2007; 2/2009)

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# EXHIBIT 2

March 18, 2010

## Proposed amendments for first reading.

### 905 REAL ESTATE MANAGEMENT

A. The Mississippi Code of 1972, as amended, allows all institutions of higher learning governed by the Board to purchase real property; however, only Alcorn State University, Mississippi State University, The University of Mississippi and The University of Southern Mississippi Gulf Coast Research Laboratory may sell land without seeking specific legislative approval. Alcorn State University, Mississippi State University, The University of Mississippi and The University of Southern Mississippi Gulf Coast Research Laboratory must still receive Board approval prior to selling real property. Delta State University, Jackson State University, Mississippi University for Women, Mississippi Valley State University and The University of Southern Mississippi must all receive specific Board and legislative approval to sell real property.

- Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price.
- Board approval prior to execution of the purchase contract is required for all real property purchases that exceed \$100,000. However, all real property purchases of \$100,000 or less involving the expenditure of any state bond funds or Ayers funds shall be reported to the Office of Real Estate and Facilities.
- Prior Board approval is required for the execution of all leases, easements, oil, gas and mineral leases and timber sales. An institution planning on selling timber or entering into oil, gas or mineral leases must follow all applicable provisions of Miss. Code Ann. §37-101-41 through §37-101-161 (1972), as amended.
- Board approval prior to the execution of the contract is required for all other ~~land real property~~ real property contracts requiring an aggregate total expenditure of ~~more than \$250,000~~ exceeding \$1,000,000, but any such expenditure contracts of from \$500,000 to \$1,000,000 shall be submitted to the Commissioner for approval. All contracts approved by the Commissioner shall be subsequently reported to the Board as an information item.

All real property contracts requiring an aggregate total expenditure of less than \$500,000 and involving the expenditure of any state bond funds or Ayers funds shall be reported to the Office of Real Estate and Facilities.

Requests for approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property.

# EXHIBIT 2

March 18, 2010

An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

- B. Prior to Board consideration of the purchase or acceptance of real estate from any source, a Phase I or more detailed Environmental Report shall be completed by qualified personnel and submitted to the Board's Real Estate and Facilities Office. In the event hazardous substances are confirmed as having existed in the past or as presently existing, the Board reserves the right to cancel the transaction without liability, or to permit the other party or parties to remove the hazardous substances at its or their expense in a manner sufficient to receive a "no further action" letter from the State's Department of Environmental Quality. Wetlands or other environmental restrictions on the property are to be identified.

# EXHIBIT 3

March 18, 2010

## Proposed amendments to policy for first reading.

### 701.07 DEPOSITORY POLICY

The state institutions of higher learning and the State Department of Public Welfare, after receiving the written approval of the State Fiscal Officer as provided in §7-9-41, shall select and make a contract with some bank to serve as depository for institutional funds. The contract shall be for two and one-half years.

~~Funds may only be deposited in depositories approved by the Board.~~ If the depository is not a participant in the state collateral pool, the institution shall monitor the collateralization of deposits by the depository to ensure compliance with state statutes.

## Proposed amendments to policy for first reading.

### 1201.01 THE LAW

The Board of Trustees of State Institutions of Higher Learning, as well as all officers and employees of the Board, shall abide by the state ethics statutes, as set out in Miss. Code Ann. §25-4-101, et. seq. (1972), as amended.

~~The Board of Trustees of Institutions of Higher Learning recognizes that the integrity of Board members, staff, Institutional Executive Officers and employees in the conduct of the public's business should be unquestioned and of the highest order. The Board further recognizes that the Mississippi Legislature has declared its intent that public officers comport themselves in a manner which is above question through the adoption of Miss. Code Ann., §25-4-101, et seq., which states:~~

~~The legislature declares that elective and public office and employment is a public trust and any effort to realize personal gain through official conduct, other than as provided by law, or as a natural consequence of the employment or position, is a violation of that trust. Therefore, public servants shall endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of this trust and which will not reflect unfavorably upon the state and local government.~~

~~And pursuant to Miss. Code Ann., §25-4-105(1), which states:~~

~~No public servant shall use his official position to obtain pecuniary benefit for himself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he is associated.~~

# EXHIBIT 3

March 18, 2010

~~Therefore, the Board adopts as its policy that Board members, Board staff, Institutional Executive Officers and all employees of the various institutions of higher learning shall observe the ethics law.~~

## Proposed deletion of policy for first reading.

### ~~1201.0101 BOARD MEMBERS~~

~~The formal policy of this Board applicable to all Board members is as follows:~~

- ~~A. In this regard, Board members shall advise the executive office of the Board of any interest in any banking institution or other enterprise likely to do business with the executive office so that the appearance of impropriety can be avoided. Should such interest in a banking institution or other enterprise be created or acquired by any Board member in the future, then notice will immediately be given to the executive office.~~
- ~~B. In addition, the Board further adopts as its policy that no Board member or Board member's spouse, dependent child or parent shall serve on any board of directors of any banking institution or other enterprise with which the executive office does business or own any interest in said business or receive any income from said business.~~
- ~~C. In addition, Board members shall be prohibited from having an interest in a contract with IHL or the universities during their term of office or within one year after termination of their office.~~

## Proposed deletion of policy for first reading.

### ~~1201.0102 EXECUTIVE OFFICERS AND PERSONNEL~~

~~The Board further adopts as a policy and directs that each institution of higher learning which has been entrusted to this Board shall adopt and publish a policy that:~~

- ~~A. All officers and all employees making or having the responsibility for financial decisions involving the expenditure, safekeeping or investments of funds of all institutions shall advise the Institutional Executive Officer of any interest in any banking institution or other enterprise likely to do business with the institution so that the appearance of impropriety can be avoided. Should such interest in a banking institution or other enterprise~~

# EXHIBIT 3

March 18, 2010

~~be created or acquired by any officer or any employee in the future, then notice will immediately be given to the Institutional Executive Officer.~~

~~B. No officer or employee making or having the responsibility for financial decisions involving the expenditure, safekeeping or investments of funds, or spouse, dependent child or a parent of such officer or employee shall serve on any board of directors of any banking institution or other enterprise with which the institution does business or have a material financial interest\* in said business.~~

~~C. All officers or employees shall be prohibited from being a contractor, subcontractor or vendor with the governmental entity of which he is a member other than his contract of employment or have a material financial interest\* in any business which subcontractor or vendor with the governmental entity of which he is a member.~~

## Proposed amendments to policy for first reading.

1201.0103

1201.02

### BIDS FOR DEPOSITORY CONTRACTS

Public bidding shall be utilized to obtain all depository contracts for the Board executive office and for all institutions which have been entrusted to this Board. At least three written bids for such services shall be obtained.

~~\*"Material financial interest" means a personal and pecuniary interest, direct or indirect, accruing to a public servant or spouse, either individually or in combination with each other. Notwithstanding the foregoing, the following shall not be deemed to be a material financial interest with respect to a business with which a public servant may be associated:~~

~~(i) Ownership of any interest of less than ten percent (10%) in a business where the aggregate annual net income to the public servant therefrom is less than One Thousand Dollars (\$1,000.00);~~

~~(ii) Ownership of any interest of less than two percent (2%) in a business where the aggregate annual net income to the public servant therefrom is less than Five Thousand Dollars (\$5,000.00);~~

~~(iii) The income as an employee of a relative if neither the public servant or relative is an officer, director or partner in the business and any ownership interest would not be deemed material pursuant to subparagraph (i) or (ii) herein; or~~

~~(iv) The income of the spouse of a public servant when such spouse is a contractor, subcontractor or vendor with the governmental entity that employs the public servant and the public servant exercises no control, direct or indirect, over the contract between the spouse and such governmental entity.~~

~~\*\*Interpretation—Pursuant to Mississippi Ethics Commission official opinion No. 88-17-E rendered February 15, 1988, an interpretation based on certain facts was made for a faculty member having a consulting contract with a company contracting with the university under the following circumstances:~~

- ~~1. The faculty member does not have a material financial interest or~~
- ~~2. The faculty member is not an employee, stockholder or continuing contractor with the company, and~~
- ~~3. The existence of either contract is not contingent upon the other. Interpretations for similar situations must be made on a case-by-case basis.~~

## Proposed deletion of policy for first reading.

1201.0104

### DECORUM

# EXHIBIT 3

March 18, 2010

~~Board members, Board staff, Institutional Executive Officers, Chief Financial Officers and employees of all institutions which have been entrusted to this Board shall use every effort to avoid even the appearance of impropriety or conflict of interest regardless of whether or not the activity involved might be permitted under the Ethics in Government Act or the provisions of Mississippi Constitution Section 109.~~

## Proposed deletion of policy for first reading.

### ~~1201.0105 INDIVIDUAL RESPONSIBILITIES~~

~~In addition to the provisions of the foregoing policies by which the Board and the institutions undertake to minimize the incidence of conflicts of interest, be advised that the ultimate responsibility, civil or criminal, remains with the individual member, officer or employee to see that such violations do not occur and that Miss. Code Ann., §25-4-105 contains additional provisions to be followed. These policies are merely a supplement to the conflict of interest laws.~~

## Proposed amendments to policy for first reading.

~~1201.02~~

1203.03

### BOARD MEMBER RESPONSIBILITY GUIDELINES

The purpose of the Board of Trustees of State Institutions of Higher Learning (IHL) is to govern Mississippi's eight public universities. Such governance requires a strong, well-informed board wherein each member functions constructively and with integrity. These guidelines describe the responsibilities ~~and code of ethical conduct~~ of IHL board members.

- A. Members of the IHL Board should make every effort to become well informed about the Mississippi university system and each of its institutions.
- This includes:
1. understanding system, board, and institutional missions, policies, budgets, programs, support organizations, and activities;
  2. understanding academia and its similarities and differences when compared to business and other governmental entities;
  3. understanding state financing and decision-making regarding all of public education; and
  4. understanding regional and national issues and trends in higher education.

# EXHIBIT 3

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- B. Members of the IHL Board should understand the limits of their authority as individual board members and the resultant necessity for the board to function as a cohesive, effective team. In this regard, board members should:
1. Regularly attend board meetings; thoughtfully prepare for and participate in discussions; seek consensus; and vote independently;
  2. Actively engage in policy formation and decision-making, speaking up at board and committee meetings, but understanding the need to support policies and decisions once established;
  3. Focus their efforts on policy making and dealing with the major issues facing our university system and avoid involvement in administrative and management activities;
  4. Allow the President and the Commissioner to serve as the official speakers for the Board of Trustees and university presidents to serve as the official speakers for their institutions – nothing in this guideline seeks to hinder board members from expressing individual opinions about higher education matters;
  5. Publicly support and sustain system and university executive officers while privately assessing and exercising critical judgment on performance, all the while maintaining decent respect for differing opinions and offering criticism in a constructive manner; and
  6. In appropriate circumstances, communicate promptly to the Commissioner any significant concern or complaint and allow him or her the opportunity to deal with it.
- C. Members of the IHL Board should serve as champions and advocates for both the citizens of Mississippi and the system of higher education. In this regard, board members should:
1. Cultivate a commitment to the success of the entire system rather than to any single institution, group of institutions, or institutional constituency;
  - ~~1.~~
  2. Seek to act in the best interests all the Mississippi citizens and not cater to any particular area, community, or constituent interests;
  - ~~2.~~
  3. Seek to enhance the public image of the universities, the system, and the board;
  - ~~3.~~
  4. Show respect for all individuals and conduct business in a professional and ethical manner that fosters trust throughout the system, with public officials, and with the public at-large; and
  - ~~4.~~
  5. Promote initiatives to improve the performance of the system of higher education on behalf of Mississippi's citizens.

# EXHIBIT 3

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- D. Members of the IHL Board are constitutionally challenged to serve with “the highest order of intelligence, character, learning, and fitness.” In this regard, each board member should abide by the following code of ~~ethical~~ conduct:
1. In conducting business, board members should endeavor at all times:
    - a. to place the interests of the state and the universities above their own – this accountability supersedes any conflicting loyalty such as that to other associations or interest groups and/or membership on other boards;
    - b. to avoid both the actuality and appearance of self-interest or self-dealing;  
to avoid both the actuality and appearance of acting on behalf of others’ private interests; and never to make any request or demand for action that violates system or university policies, rules, and regulations or state or federal law.
  2. ~~Board members must avoid conflict of interest with respect to their fiduciary responsibility:~~
    - a. ~~There must be no conduct of private business or personal services between any board member and the universities, except as procedurally controlled, to assure openness and competitive opportunity.~~
    - b. ~~Board members may speak on their area of expertise at workshops and conferences for honoraria; but if an individual is participating in his or her capacity as a board member, it is inappropriate to accept an honorarium. It is important to avoid even the appearance of a conflict of interest.~~
    - e. ~~When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall recuse herself or himself, without comment, from both the deliberation and the vote.~~
    - d. ~~No board member may hire, cause to be hired, or supervise any relative or other close relation. Hiring decisions (employees and consultants) will be based on need, knowledge, experience, and ability, not familial relationships.~~

# EXHIBIT 3

March 18, 2010

e. ~~Board members will annually disclose their involvement with other organizations, with vendors, or any other associations that might produce a conflict.~~

~~3.~~

2.

Board members will exercise professional judgment and respect confidentiality in personnel matters, legal matters, executive session matters, and other items of a clearly sensitive nature.

~~4.~~

3.

Board members, on a regular basis, will undertake activities to improve Board governance and to evaluate Board performance.

# EXHIBIT 4

March 18, 2010

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY 18, 2010 BOARD MEETING SUBMISSION DEADLINE**

**NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:**

### **1. ASU-GS 101-265, Whitney Complex Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$35,314.00 and fifty-five (55) additional days to the contract of Smith Painting and Contracting. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 22, 2010

**Change Order Justification:** The change order is necessary to provide for the removal of 7100 square feet of ceiling tile and to make repairs to the building envelope.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$35,314.00

**Project Initiation Date:** August 15, 2007

**Design Professional:** Duval-Decker Architects

**General Contractor:** Smith Painting & Contracting

**Contract Award Date:** July 14, 2009

**Project Budget:** \$950,000

**Funding Source(s):** HB 246, Laws of 2007

### **2. MSU-GS 105-314, Middleton Hall Waterproofing Phase II**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Shafer and Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids**. Approval is requested from the Bureau of Building, Grounds, and Real Property.

# EXHIBIT 4

March 18, 2010

**Staff Approval Date:** January 29, 2010

**Project Initiation Date:** November 18, 2005

**Design Professional:** Shafer and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$3,750,000

**Funding Source(s):** HB 246, Laws of 2007; SB 2010, Laws of 2004

### 3. MSU-GS 113-117, Wise Center Storm Repairs

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Thrash Commercial Contractors, Inc., the lower of seven (7) bidders for a total contract amount of \$5,130,000. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 25, 2010

**Project Initiation Date:** October 20, 2006

**Design Professional:** Pryor & Morrow Architects

**General Contractor:** Thrash Commercial Contractors, Inc.

**Contract Award Date:** January 25, 2010

**Project Budget:** \$6,790,000

**Funding Source(s):** HB 1634, Laws of 2006; HB 1641, Laws of 2008, and HB 1722, Laws of 2009

### 4. MSU-IHL 205-238, Civil and Environmental Engineering Complex

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Dale and Associates, design professional.

# EXHIBIT 4

March 18, 2010

**Staff Approval Date:** January 29, 2010

**Project Initiation Date:** May 22, 2008

**Design Professional:** Dale and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$27,617,469

**Funding Source(s):** MSU is using private donations for the pre-planning phase of the project that includes the design development document phase. MSU has requested state funds in its capital improvements request for FY 11-15 for the construction phase. Should MSU secure state funding, the project would become a Bureau of Building project.

## 5. MSU-IHL 205-244, Fraternity Row-New Parking Lot

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Michael T. Muzzi, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

**Staff Approval Date:** January 22, 2010

**Project Initiation Date:** May 14, 2009

**Design Professional:** Michael T. Muzzi, AIA, AUA (MSU employee)

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$315,000

**Funding Source(s):** MSU Auxiliary Funds

# EXHIBIT 4

March 18, 2010

## 6. MSU-IHL 205-249, MDOT Fence Project

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board Staff **approved the award of contract** to Wright Steel Erectors, Inc., the lower of seven (7) bidders for a total contract amount of \$266,348.

**Staff Approval Date:** January 25, 2010

**Project Initiation Date:** September 17, 2009

**Design Professional:** Michael T. Muzzi, AIA, AUA (MSU employee)

**General Contractor:** Wright Steel Erectors, Inc.

**Contract Award Date:** January 25, 2010

**Project Budget:** \$500,000

**Funding Source(s):** MDOT Federal Grants (STP-04200-000 and LPA/105134-701000); MSU E&G funds

## 7. MVSU-GS 106-214, Land Drainage Infrastructure-Phase II

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by W.L. Burle Engineers, P.A., design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 29, 2010

**Project Initiation Date:** March 19, 2009

**Design Professional:** W. L. Burle Engineers, P.A.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$950,000

**Funding Source(s):** SB 3197, Laws of 2003

# EXHIBIT 4

March 18, 2010

## 8. MUW-GS 104-167, Cromwell Electrical & Mechanical

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of (\$114.00) and zero (0) additional days to the contract of Air Control Engineering. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** February 5, 2010

**Change Order Justification:** The change order is necessary to repair an underground steam leak in front of the Hogarth Center and to reconcile the controls allowance.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$19,223.00

**Project Initiation Date:** January 18, 2008

**Design Professional:** Atherton Consulting Engineers

**General Contractor:** Air Control Engineering

**Contract Award Date:** October 12, 2009

**Project Budget:** \$250,000

**Funding Source(s):** HB 246, Laws of 2007

## 9. UM-IHL 107-299, Peabody Renovation Preplan

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shafer and Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** February 2, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Shafer and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

# EXHIBIT 4

March 18, 2010

**Project Budget:** \$350,000

**Funding Source(s):** HB 1641, Laws of 2008

## **10. UM-IHL 207-279, Old Chemistry Interiors**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$14,813.90 and fourteen (14) additional days to the contract of Panola Construction Company.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** The change order is necessary to provide window lights with tempered glass and trim to match the doors and to move a wall between rooms.

**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of \$109,519.42

**Project Initiation Date:** May 18, 2006

**Design Professional:** McCarty Company

**General Contractor:** Panola Construction Company

**Contract Award Date:** February 18, 2009

**Project Budget:** \$4,500,000

**Funding Source(s):** Internal R&R funds

## **11. UM-IHL 207-294, Residential Colleges**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #16** in the amount of \$15,304.00 and zero (0) additional days to the contract of Harrell Construction Group, Ltd.

**Staff Approval Date:** January 28, 2010

**Change Order Justification:** The change order is necessary to provide a seal at the bottom of the lake, approximately 2,000 yards of clay material.

**Total Project Change Orders and Amount:** Sixteen (16) change orders for a total amount of \$2,104,546.00

# EXHIBIT 4

March 18, 2010

**Project Initiation Date:** January 18, 2007

**Design Professional:** Cooke Douglas Farr Lemons, Ltd and Eley & Associates, A Joint Venture

**General Contractor:** Harrell Construction Group, Ltd.

**Contract Award Date:** February 28, 2008

**Project Budget:** \$46,500,000

**Funding Source(s):** University of Mississippi EBC bond funds

## **12. UM-IHL 207-311, New Building for UMMC School of Pharmacy**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Chris Albritton Construction Company, Inc., the lower of seventeen (17) bidders for a total contract amount of \$8,359,000.

**Staff Approval Date:** January 28, 2010

**Project Initiation Date:** May 22, 2008

**Design Professional:** Eley Guild Hardy Architects

**General Contractor:** Chris Albritton Construction, Inc.

**Contract Award Date:** January 28, 2010

**Project Budget:** \$9,730,789

**Funding Source(s):** Federal Grants (6C76HF09730 and C76HF09730); Internal R&R funds; Indirect cost reimbursements

## **13. UM-IHL 207-318, Brown Hall Fire Sprinkler System**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by SSR Ellers, design professionals.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by SSR Ellers, design professionals.

# EXHIBIT 4

March 18, 2010

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids.

**Staff Approval Date:** (#1) January 26, 2010; (#2-3) January 28, 2010

**Project Initiation Date:** January 15, 2009

**Design Professional:** SSR Ellers

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$600,000

**Funding Source(s):** Internal Auxiliary R&R funds

## 14. UM-IHL 207-321, North Residential College, Bid Package I

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,033.00 and zero (0) additional days to the contract of Craft Croswell, Inc.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** The change order is necessary to change floor covering from VCT to porcelain tile.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$3,033.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglas Farr Lemons, Ltd.

**General Contractor:** Craft Croswell, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** University of Mississippi EBC bond funds and private gifts

# EXHIBIT 4

March 18, 2010

## **15. UM-IHL 207-321, North Residential College, Bid Package L**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$16,860.00 and zero (0) additional days to the contract of Security Fire Protection Company, Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$990.00 and zero (0) additional days to the contract of Security Fire Protection Company, Inc.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** Change Order #1 is necessary to furnish recessed sprinkler heads in all ceilings. Change Order #2 is necessary to add seven (7) sprinkler heads in the library area.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$17,850.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglas Farr Lemons, Ltd.

**General Contractor:** Security Fire Protection Company, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** University of Mississippi EBC bond funds and private gifts

## **16. UM-IHL 207-321, North Residential College, Bid Package N**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$23,631.96 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$23,631.96 and zero (0) additional days to the contract of Advance Electric Co., Inc.

# EXHIBIT 4

March 18, 2010

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$6,396.52 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** Change Order #2 is necessary to furnish and install dimmer and plywood in A/V cabinet, install conduit and power for projection screen A with additional conduit, and to install contactors for exterior lighting. Change Order #3 is necessary to relocate an existing light pole on east side of North Residential College and to change light fixtures. Change Order #4 is necessary to furnish and install under counter lighting in kitchen and work room.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$43,235.99

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglas Farr Lemons, Ltd.

**General Contractor:** Security Fire Protection Company, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** University of Mississippi EBC bond funds and private gifts

## **17. UM-IHL 207-326, Elevator Replacements at Martin Hall**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by SSR Ellers, design professionals.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by SSR Ellers, design professionals.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

**Staff Approval Date:** January 28, 2010

**Project Initiation Date:** September 17, 2009

# EXHIBIT 4

March 18, 2010

**Design Professional:** SSR Ellers

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$805,000

**Funding Source(s):** Student Housing Auxiliary R&R funds

## **18. UM-IHL 207-329, Triplett Alumni Center Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$4,740.00 and zero (0) additional days to the contract of Hooker Construction, Inc.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** The change order is necessary for the removal of asbestos containing floor tile.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$4,740.00

**Project Initiation Date:** September 17, 2009

**Design Professional:** Foil Wyatt Architects

**General Contractor:** Hooker Construction, Inc.

**Contract Award Date:** December 17, 2009

**Project Budget:** \$1,998,104

**Funding Source(s):** University of Mississippi Alumni Association, Internal R&R funds, and private donations

## **19. UM-IHL 207-332, Golf Course Road Improvements**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Engineering Solutions, Inc., design professional.

# EXHIBIT 4

March 18, 2010

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Bennett Construction, the lower of five (5) bidders for a total contract amount of \$303,970.

**Staff Approval Date:** (#1) January 28, 2010; (#2) January 29, 2010

**Project Initiation Date:** November 19, 2009

**Design Professional:** Engineering Solutions, Inc.

**General Contractor:** Bennett Construction, Inc.

**Contract Award Date:** January 29, 2010

**Project Budget:** \$490,000

**Funding Source(s):** Internal Auxiliary R&R funds

## **20. USM-IHL 108-255, Textbook Services Center Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,378.25 and twenty (20) additional days to the contract of DC General Contractors, Inc.

**Staff Approval Date:** January 29, 2010

**Change Order Justification:** The change order is necessary to provide meters, provide an additional fiber optic run, add a knee wall to cover conduit along exterior walls, and to reconcile a \$10,240 credit. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$3,378.25

**Project Initiation Date:** N/A

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** DC General Contractors, Inc.

**Contract Award Date:** May 12, 2009

**Project Budget:** \$1,500,000

# EXHIBIT 4

March 18, 2010

**Funding Source(s):** HB 1641, Laws of 2008

## **21. USM-IHL 208-267, Dormitory Replacement**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$86,141.00 and zero (0) additional days to the contract of Yates and Sons Construction Co.

**Staff Approval Date:** February 1, 2010

**Change Order Justification:** The change order is necessary for the replacement of primary switch, to add residential hood suppression systems in suites, and to mount porch lights.

**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of \$1,477,465.00

**Project Initiation Date:** March 14, 2007

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** W.G. Yates & Sons Construction Company

**Contract Award Date:** November 12, 2008

**Project Budget:** \$45,000,000

**Funding Source(s):** University of Southern Mississippi EBC bond funds

## **22. USM-IHL 208-267-A, Dormitory Replacement, Phase I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,746.00 and one hundred twenty-two (122) additional days to the contract of Yates and Sons Construction Co.

**Staff Approval Date:** February 1, 2010

**Change Order Justification:** The change order is necessary to install a fire suppression system on the range hood complete with power shutdown and fire alarm interlocks. This change order additionally includes a \$2,000 credit for increasing the contract time by 122 calendar days.

# EXHIBIT 4

March 18, 2010

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$3,746.00

**Project Initiation Date:** March 14, 2007

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** W.G. Yates & Sons Construction Company

**Contract Award Date:** November 12, 2008

**Project Budget:** \$45,000,000

**Funding Source(s):** University of Southern Mississippi EBC bond funds

## **23. USM-IHL 208-281, Chain Technology HVAC Upgrade**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Atherton Consulting Engineers, Inc., design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.**

**Staff Approval Date:** February 1, 2010

**Project Initiation Date:** August 17, 2007

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$700,000

**Funding Source(s):** University year-end funds in a plant account

# EXHIBIT 5

March 18, 2010

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

### **Legal fees approved for payment to outside counsel in relation to litigation and other matters:**

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 12/1/09, 2/11/10 and 2/11/10) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00, \$2,000.00 and \$1,500.00, respectively, represent services and expenses in connection with labor certifications.)

**TOTAL DUE.....\$ 6,000.00**

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statements dated 11/23/09, 12/17/09 and 1/7/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with *MS Commission on Environmental Quality vs. UMMC* - \$2,807.00; *MS Commission on Environmental Quality vs. UMMC* - \$666.50 and *MS Commission on Environmental Quality vs. UMMC* - \$4,434.00, respectively.)

**TOTAL DUE.....\$ 7,907.50**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 11/24/09, 11/24/09, 1/25/09, 1/25/09 and 12/28/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$5,384.20; General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$3,276.00; General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$9,580.50; General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$4,889.22 and General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$5,332.00, respectively.)

**TOTAL DUE.....\$ 28,461.92**

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDermott (statements dated 12/18/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with cases styled *Kermode* - \$250.30, *Kermode* - \$3,410.77, *Seid* - \$2,844.20 and *Thornton* - \$11,270.88, respectively.)

**TOTAL DUE.....\$ 17,776.15**

# EXHIBIT 5

March 18, 2010

Payment of legal fees for professional services rendered by Adams & Reese (statement dated 12/7/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with legal fees related to personnel issues.)

**TOTAL DUE.....\$ 1,125.00**

## **Legal fees approved for payment to outside counsel in relation to patent and other matters:**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 1/15/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compact Time-of-Flight Mass Spectrometer-Canada" - \$4,297.16; "Compact Time-of-Flight Mass Spectrometer-Germany" - \$112.50; "Compact Time-of-Flight Mass Spectrometer-United Kingdom" - \$42.50; "Compact Time-of-Flight Mass Spectrometer-Japan" - \$17.00; "Organic Wood Preservatives" - \$832.70; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$1,368.00; "Self-Propelled Rotary Excavator" - \$17.00; "Moisture Density Detector" - \$532.50; Shaw-Shikimate Surfactant Test Provisional" - \$720.00 and Srinivasan-Elusieve Processing CIP Application" - \$405.00.)

**TOTAL DUE.....\$ 8,344.36**