

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 20, 2008**

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 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2007, to each and every member of said Board, said date being at least five days prior to this March 20, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Mr. Roy Estess, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Robin J. Robinson, Mr. Scott Ross and Ms. Amy Whitten. Mr. Thomas W. Colbert was absent. The meeting was called to order by Dr. Stacy Davidson, President, and opened with prayer by Dr. Bettye Neely.

ANNOUNCEMENTS

- ▶ Dr. Davidson welcomed Braxton Coombs, Attorney General in the Student Body Association at Mississippi State University, and Alex Shanteau, a freshman at Mississippi State University and Ms. Newton's nephew.
- ▶ Commissioner Meredith introduced Dr. Eric Clark, Executive Director for the State Board for Community and Junior Colleges and former Secretary of State.
- ▶ Dr. Davidson announced that four of the trustees will rotate off the Board in May: Mr. Thomas Colbert, Mr. Roy Estess, Dr. D. E. Magee and Ms. Virginia Shanteau Newton.
- ▶ Dr. Dan Jones, Vice Chancellor, School of Medicine, the University of Mississippi Medical Center, announced that Thomson Healthcare released its list of the Top 100 Hospitals in the United States for 2007, National Benchmarks for Success. Each year Thomson Healthcare ranks the top 100 hospitals that achieve the highest national score based on the hospital's combined rank on eight separate measures of hospital performance including mortality, complications, patient safety, CMS Core measures, length of stay, expense per adjusted discharge, operating margin, and cash to total debt ratio. This award is very difficult to achieve for three reasons: 1) it uses only statistical information selected from public data; 2) it compares over 3,000 hospitals; and 3) the measures in the study change annually based on new and higher standards of care. UMMC was included on this list. Dr. Jones thanked the Board for its support and help in achieving this honor.

APPROVAL OF THE MINUTES

On motion by Ms. Newton, seconded by Dr. Neely, with Mr. Colbert and Mr. Ross absent and not voting, it was

RESOLVED, That the Minutes of the regular Board meeting held on February 21, 2008 and the emergency teleconference meeting held on March 7, 2008, stand approved.

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CONSENT AGENDA

On motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting, it was

RESOLVED, That the Board hereby approved the following Consent Agenda, as amended.

BUDGET, FINANCE AND AUDIT

1. **UMMC** - Approved the request to enter into an agreement with Kforce Healthcare Staffing for interim staffing services. The purpose of the agreement is to provide interim professional staffing support services in medical coding; clinical coding; and assembly and analysis. The regular hourly rate is \$66 and the overtime rate is \$99. The agreement is for the period March 20, 2008 through November 14, 2011. The total agreement amount is not to exceed \$1 million and includes reimbursement of travel and expenses. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 20 2008 Board Working File*.
2. **UMMC** - Approved the request to enter into a volume campus-wide licensing agreement with Microsoft. The licensing agreement is for the MS Operating System and is for all UMMC faculty and staff. The per unit cost is \$52.84 for 7,360 employees. The three-year licensing agreement is for the period April 1, 2008 through March 31, 2011. Year 1 cost: \$388,902.40; Year 2: \$427,792.64; Year 3: \$470,571.90 for a total contract amount of \$1,287, 266.94. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 20 2008 Board Working File*.

REAL ESTATE AND FACILITIES

3. **UM** - Approved the initiation of **IHL 207-309, Coliseum Roof**, and the appointment of Mullen & Associates of Grenada, MS as the design professionals. The project budget is \$875,000. Funds are available from self-generated sources.
4. **UMMC** - Approved the initiation of **IHL 209-507, Dental School Lab D512 Repairs**, and the appointment of Mark Vaughan Architect as project professional to repair the lab area that was damaged by fire in October 2007. The project budget is \$500,000. Funds are available from interest income.
5. **MSU** - Approved the award of a contract in the amount of \$397,210 to Weathers Construction, Inc., the lower of seven (7) bidders, for **IHL 205-230, Simrall Engineering Building**. Also, approved the request to increase the project budget from \$498,000 to \$600,000 for an increase of \$102,000. The project budget is \$600,000. Funds are available from university sources.
6. **MSU** - Approved the schematic design documents, a change in scope, the budget and funding source and the request for Robert Lewis Architect to continue as the project professional for **GS 113-121, Building 1532 R&R**, Mississippi State University Division of Agriculture, Forestry and Veterinary Medicine. The original scope of this project was to address roofing issues on the building. The scope will be changed to include re-roofing, replacing windows and exterior doors, and exterior masonry work.

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The original budget for this project was \$255,000 from HB 1634, Laws of 2006. Additional funding is available from MSU-MAFES in the amount of \$495,000 and from MSU-ES in the amount of \$350,000 for a budget increase of \$845,000. The new total project budget is \$1,100,000.

7. **USM** - Approved an increase in the budget for **GS 114-009, 2006 Campus Building Repairs, Gulf Park Campus**, from \$3,388,266 to \$4,000,000 for an increase of \$611,734. The increase is needed due to repair of damaged underground chilled water distribution lines at the Advanced Education Center and the Library which were damaged by Hurricane Katrina. Funds are available from the Bureau of Building, Grounds and Real Property Management project contingency funds.
8. **USM** - Approved an increase the budget for **IHL 214-012, Technical Learning Center Replacement, Gulf Park Campus**, from \$1,500,000 to \$2,332,187 for an increase of \$832,187. This increase is needed for reconstruction of the Technical Learning Center (Toy Library) that was destroyed by Hurricane Katrina. The project was initially funded by a grant from the Mississippi Department of Rehabilitation Services. A revision to the grant funding has been approved and additional funds have been made available from that agency.
9. **UM** - Approved the request of Richard and Diane Scruggs to remove their names from the Richard and Diane Scruggs Hall. The university may come forth with a request to rename this building at a later date.

10. **PERSONNEL REPORT**

EMPLOYMENT

Jackson State University

Lee, Jae-Eun

Mississippi State University

Banda, Alejandro
Nozette, Stewart D.
Pagnutti, Mary A.
Ryan, Robert E.

System Administration

Adcock, Mitchell

CHANGE OF STATUS

Delta State University

Jackson, Tyrone

Mississippi State University

Pruett, Stephen B.
Shmulsky, Rubin

Taylor, G. Stephen

SABBATICAL LEAVE

Jackson State University

Prater, Gwendolyn Spencer

Mississippi State University

Bentley, Gregory W.
Campbell, Charles A.
Gaddis, Deborah A.
Greenwood, Allen G.
Greenwood, Jane B.
Jacquin, Kristine M.
Messer, Peter C.
Miller, Patrick M.
Novotny, Mark A.
Schulz, Noel N.
Sebba, Rosangela Yazbec
Silva, Juan L.
Willeford, Kenneth O.
Wise, Dwayne A.

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Xu, Jianzhong

Mississippi University for Women
Bunnell, Gloria D.

University of Southern Mississippi
Ball, Angela
Berman, Mitchell
Blackwell, Ann
Chambers, Douglas
Holley, David
Huang, Faqing
Lansford, Tom
Kaufmann, Jeffrey
Shiller, Alan

Wiest, Andrew
Yuen, Steve

EMERITA/EMERITUS STATUS

Mississippi University for Women
Bean, Suzanne

TERMINATION

University of Mississippi
Frierson-Adams, Vickie **(THIS ITEM WAS
PULLED FROM THE AGENDA AT THE
REQUEST OF THE UNIVERSITY.)**

EDUCATIONAL POLICIES & PROGRAMS AGENDA

Presented by Dr. Bettye Neely, Chair

AGENDA ITEMS #1 AND #2 WERE APPROVED AS SHOWN BELOW. On motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #3 as submitted on the following Educational Policies & Programs Agenda. Agenda item #4 was approved on a separate motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting. Agenda item #5 was approved on a separate motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting.

1. **System Administration** - On motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting, the Board approved the proposed amendments and additions to various sections of the *Board Policies and Bylaws*. **(See Exhibit 1.)** On motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert and Mr. Ross absent and not voting, the Board approved a new numbering system for section 500 to match the system utilized in section 900 and authorized the implementation of various non-substantive changes to the policy titles in section 500 as appropriate.
2. **System Administration** - On motion by Dr. Neely, seconded by Mr. Patterson, with Mr. Colbert and Mr. Ross absent and not voting, the Board approved the request to waive Board Policy 201.0402 Procedures for Changing Board Policies and Adopting New Policies which requires a first and second reading of all proposed policy changes. Also, approved the proposed amendment to Board Policy 401.0102 Delegation of Authority, as follows:

401.0102 DELEGATION OF AUTHORITY

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Acting under appropriate statutory authority, the Board of Trustees hereby empowers the Commissioner and the Institutional Executive Officers of the several institutions to make all appointments and promotions of faculty and staff except as otherwise noted below:

- a. Board approval shall be required for creation, appointment, elimination, or significant modification of the position of Vice Chancellor, Provost, Vice President, Dean, or Associate/Assistant Provost, Vice President or Vice Chancellor who supervises Deans. ~~Board approval shall also be required for the appointment of any employee making a salary of \$75,000 or more.~~
- b. Board approval shall be required for the award of tenure, the final, involuntary separation of an employee to be effective during the term of an employment contract, and where applicable creation, elimination, or modification of categories of appointments as approved by the Board.
- c. Acceptance of the resignation of an employee with a written contract on behalf of the Board may be made by the Commissioner for the System Office and the Institutional Executive Officers of the several institutions.
- d. In accordance with Miss. Code. Ann., § 37-101-7, as amended, the Board delegates to the Commissioner the authority to approve the quarterly reports of employment from the several institutions.

3. **System Administration** - Approved the modifications to existing academic programs as follows:
 - a. **DSU** requests permission to rename the *Bachelor of Science in Criminal Justice* degree program (43.0104) to the *Bachelor of Science in Social Justice and Criminology degree program (43.0104)* in order to better express a more holistic and integrative approach to the broader social sciences.
 - b. **DSU** requests permission to rename the *Master of Science in Criminal Justice* degree program (43.0104) to the *Master of Science in Social Justice and Criminology* degree program (43.0104) in order to better express a more holistic and integrative approach to the broader social sciences.
 - c. **MUW** requests permission to rename the *Bachelor of Arts/Science in Paralegal Studies* degree program (CIP 22.0302) to the *Bachelor of Arts/Science in Legal Studies* degree program (CIP 22.0302) in order to better reflect the breadth of courses offered in the program and the Liberal Arts mission of the Mississippi University for Women.
4. **System Administration** - Approved a new academic unit, the Department of Leadership and Foundations within the College of Education at Mississippi State University. The department will focus on leadership at the P-12 and community college levels. In the current organizational arrangement, the leadership areas have limited autonomy and visibility. Moreover, the recent National Council for Accreditation of Teacher Education (NCATE) accreditation cited an inadequate number of professors in the educational leadership area for which this change would address. There will be no new costs to the institution as existing salary lines and operating expenses are being moved from other academic departments within the College of Education.
5. **System Administration** - Approved the modifications to existing academic units, as follows:
 - a. **MSU** requests permission to move the special education program to the Department of Curriculum and Instruction and to rename the *Department of Counseling, Educational Psychology, and Special Education* in the College of Education to the *Department of Counseling and Educational Psychology*. This change is necessitated by the requested move of the special education program. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).

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- b. **MSU** requests permission to rename the *Department of Curriculum and Instruction* in the College of Education to the *Department of Curriculum, Instruction, and Special Education*. This change is necessitated by the move of the special education programs from the Department of Counseling, Educational Psychology, and Special Education. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
 - c. **MSU** requests permission to rename the *Department of Instructional Systems, Leadership, and Workforce Development* in the College of Education to the *Department of Instructional Systems and Workforce Development*. This change is necessitated by the move of the leadership programs from the Department of Instructional Systems, Leadership, and Workforce Development to the new Department of Leadership and Foundations. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
 - d. **MUW** requests permission to move the legal studies program, for which a name change is requested in Item 3-c, to the *College of Business* and to rename the *College of Business* to the *College of Business and Legal Studies*. This change capitalizes upon the professional school environment and is necessitated by the change in the legal studies program. The modification will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
 - e. **MUW** requests permission to rename the *College of Business* to the *College of Business and Legal Studies*. This change is necessitated by the requested move of the paralegal program to the College of Business and capitalizes upon the professional school environment. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
 - f. **MUW** requests permission to rename the *Department of History, Political Science, Geography, and Paralegal* to the *Department of History, Political Science, and Geography*. This change is necessitated by the requested move of the paralegal program to the College of Business. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
 - g. **MUW** requests permission to rename the *Department of Business Administration* to the *Department of Business Administration and Legal Studies*. This change is necessitated by the requested move of the paralegal program into the College of Business Department of Business Administration. The change will require minimal resources (e.g., change of campus sign, stationary, recruiting materials, etc.).
6. **System Administration (Information item.)** - Mississippi State University plans to offer the *Master of Science in Food Science, Nutrition, and Health Promotion* (CIP 19.0501), health promotion concentration, in an online format. This degree program has been around since 1998 and has offered some courses through distance learning. The movement of the health concentration of the program to an online format will allow place-bound students the opportunity to pursue the degree which will prepare entry level and professional health educators to meet the requirements for the Certified Health Education Specialist designation.
7. **System Administration (Information item.)** - 2008-09 No Child Left Behind Act: Improving Teacher Quality Awards. This year, 13 grants to 11 higher education institutions (8 public/3 private) totaling \$1,036,676 will be awarded from Title II federal funds. These awards will provide professional development to approximately 300 in-service teachers and administrators across Mississippi. The institutions and amount to be awarded are as follows:

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INSTITUTION	DISCIPLINE	AWARD AMOUNT
Alcorn State University	Biology/Technology	\$81,480.00
Blue Mountain College	Math and Science Integration	\$50,000.00
Delta State University	Mathematics	\$72,500.00
Delta State University	Reading	\$72,500.00
Jackson State University	Mathematics	\$82,927.00
Millsaps College	Mathematics	\$63,750.00
Mississippi State University	Physical Science	\$82,500.00
Mississippi State University	Mathematics and Reading	\$78,558.00
Mississippi University for Women	Mathematics	\$78,000.00
Mississippi Valley State University	Reading	\$112,000.00
Tougaloo College	Mathematics	\$66,000.00
University of Mississippi	Reading	\$105,500.00
University of Southern Mississippi	Mathematics	\$90,961.00

BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Aubrey Patterson, Chair

On motion by Mr. Patterson, seconded by Mr. Owens, with Mr. Colbert absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Budget, Finance & Audit Agenda. Agenda item #2 was approved on a separate motion by Mr. Patterson, seconded by Mr. Blakeslee, with Mr. Colbert absent and not voting. Agenda items #3 and #4 were approved on a separate motion by Mr. Patterson, seconded by Mr. Blakeslee, with Mr. Colbert absent and not voting. **AGENDA ITEM #5 WAS APPROVED AS SHOWN BELOW.**

1. **UM** - Approved the request to enter into a service agreement with Global Financial Aid Services, Inc. The purpose of the agreement is to outsource a fully equipped call service center to handle inbound calls for the offices of Financial Aid and the Bursar. The contractor has technology required to track call numbers and outcomes. The contract period is April 1, 2008 through March 31, 2009. The per call cost is \$4.40 with forecasted total of 82,000 calls expected during the contract period. Prices are all inclusive, including labor, insurance and long distance charges. Fiscal year 2008 costs: \$90,201 and fiscal year 2009: \$270,599 for a total contract amount of \$360,800. The contractor agrees to a 2% discount off gross invoice amount if payment is received in full within 10 days or less of invoice date. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 20, 2008 Board Working File*.
2. **UMMC** - Approved the request to amend an existing professional services agreement with Computer Sciences Corporation (CSC). The purpose of the original contract executed September 25, 2007 and the first two amendments were to provide upgrade and enhancement support for the Lawson HR/Payroll system. As the total was less than \$250,000, Board approval was not required. The purpose of the current amendment is to extend the contract period and allocate additional funds as reconfiguration of the current system is more complicated and requires more resources than originally projected. The extended contract period is March 31, 2008 - June 28, 2008. The total cost for the amendment is

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\$129,600 at a rate of \$270 per hour for an additional 480 hours. The amended total contract amount is \$367,800. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 20, 2008 Board Working File*.

3. **UM** - Approved the request to escalate the FY 2008 budgets for off-campus and auxiliary enterprise operations. For the off-campus operations, escalations are necessary to cover increased personnel costs and operational expenses incurred as a result of additional class offerings. The escalation will be funded with higher than expected tuition revenues.

OFF CAMPUS CENTERS	CURRENT BUDGET	INCREASE / DECREASE	REVISED BUDGET
Salaries, Wages and Fringe Benefits	\$5,279,326	\$250,000	\$5,529,326
Travel and Subsistence	\$113,050		\$113,050
Contractual Services	\$1,105,062	\$100,000	\$1,205,062
Commodities	\$166,358	\$99,700	\$266,058
Capital Outlay:			
Non Equipment			
Equipment	\$212,898	\$100,000	\$312,898
Transfers:			
Mandatory	\$103,484		\$103,484
Other	\$57,284	\$50,300	\$107,584
Total Uses of Funding	<u>\$7,037,462</u>	<u>\$600,000</u>	<u>\$7,637,462</u>

4. **UM** - Approved an escalation in the auxiliary enterprise budget. The auxiliary enterprise escalations are necessary to cover increased personnel costs in the Intercollegiate Athletics program. The additional funds will be provided through private gift revenues. In addition, an escalation is needed to cover increased costs for the campuses' Cost Recovery Center. These additional funds will be self-generated.

OFF CAMPUS CENTERS	CURRENT BUDGET	INCREASE / DECREASE	REVISED BUDGET
Salaries, Wages and Fringe Benefits	\$19,258,984	\$701,000	\$19,959,984
Travel and Subsistence	\$3,133,650	(\$400,000)	\$2,733,650
Contractual Services	\$20,542,094	(\$67,600)	\$20,474,494
Commodities	\$8,177,649	\$201,500	\$8,379,149
Capital Outlay:			
Non Equipment			

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Equipment	\$1,053,049	\$12,000	\$1,065,049
Transfers:			
Mandatory	\$6,472,732		\$6,472,732
Other	\$2,107,781		\$2,107,781
Total Uses of Funding	<u>\$60,745,939</u>	<u>\$446,900</u>	<u>\$61,192,839</u>

5. **UM** - Initiation of the bond issuance process. Net proceeds from these bonds will be used to finance a portion of the Residential College and Law School projects. These bonds will be offered in two series. The first series, not to exceed \$37 million, will be issued as soon as feasible to fund the \$46.5 million Residential College project. The second issue, not to exceed \$30 million, will be used to fund the \$50 million Law School project. This issuance will not occur until existing project resources have been depleted. University staff selected First Southwest as its financial advisor.

On motion by Mr. Patterson, seconded by Dr. Neely, with Mr. Colbert absent and not voting, the Board approved the request to initiate the bond process, pending the analysis of the financial information by the Board staff, and the request to begin the process of soliciting bond counsel and underwriters. The retention of bond counsel and underwriters are subject to Board approval.

REAL ESTATE & FACILITIES AGENDA
Presented by Mr. Scott Ross, Chair

On motion by Mr. Ross, seconded by Ms. Newton, with Mr. Colbert and Dr. Davidson absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 and #2 as submitted on the following Real Estate & Facilities Agenda. Agenda items #3 - #5 were approved on a separate motion by Mr. Ross, seconded by Ms. Robinson, with Mr. Colbert absent and not voting. Agenda items #6 - #7 were approved on a separate motion by Mr. Ross, seconded by Ms. Robinson, with Mr. Colbert absent and not voting. Agenda item #8 was approved on a separate motion by Mr. Ross, seconded by Dr. Neely, with Mr. Colbert and Ms. Newton absent and not voting. On motion by Mr. Ross, seconded by Dr. Neely, with Mr. Blakeslee, Mr. Colbert and Ms. Newton absent and not voting, the Board agreed to add the Cedar Point Master Plan item to the agenda as item #10. Agenda item #10 was approved on a separate motion by Mr. Ross, seconded by Ms. Whitten, with Mr. Colbert absent and not voting.

1. **ASU** - Approved initiation of **GS 201-241, Campus Housing**, to develop privately financed units on campus. This project will require the university to lease property to a developer for the purpose of constructing residence halls and faculty housing.
2. **MUW** – Approved initiation of **GS 104-164, Fine Arts Improvements**, and appointment of Johnson Bailey Henderson McNeel as project professionals. This project is for building improvements beyond those covered by FEMA funds. The project budget is \$1,850,000. Funds are available from HB 246, Laws of 2007.

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3. **UM** – Approved an increase in the budget for **IHL 207-279, Interior of Old Chemistry**, from \$2,000,000 to \$3,400,000 for an increase of \$1,400,000. This increase is needed for the updated estimate of the Schematic Design Phase issued by McCarty Company, of Tupelo, MS. The project budget is \$3,400,000. Funds are available from self-generated sources.
4. **USM** – Approved an increase in the budget for **GS 108-230, Polymer Institute Product Process Unit/Building**, from \$22,000,000 to \$26,800,000 for an increase of \$4,800,000. This increase is needed for two additive alternates that were bid as part of the original solicitation in 2007. The scope of work in the alternates is to finish “shelled out” areas in the building for laboratory and administrative space. Funding is available from university sources and a NIST Grant.
5. **USM** – Approved an increase in the budget for **GS 110-089, 2005 Research Office/Lab Facility, Cedar Point**, from \$9,300,000 to \$12,672,512 for an increase of \$3,372,512 in order to consolidate the budgets for Phase I and Phase II. The project is being managed by the Bureau of Building, Grounds and Real Property Management (Phase I and II) as a single project. The Phase I building is now complete and the Phase II building is in design. Funding is available for both phases from DMR and NOAA grant (GRO 02733).
6. **MSU** – Approved the execution of a lease for up to 620 square feet of a university facility to InfiniSat, LLC, a commercial entity involved in collaborative research with Mississippi State University and economic development in the state of Mississippi. InfiniSat, LLC will be working jointly with the GeoResources Institute (GRI) carrying out a contract to conduct development requirements and mission design of constellation of small satellites. The program under development by InfiniSat requires involvement of MSU undergraduate and graduate students and will require the research services of both GRI and the Bagley College of Engineering. These activities will provide MSU students with application specific research topics and long term employment and research opportunities for MSU graduates. A copy of the executed lease will be kept on file in the Office of Real Estate and Facilities. This item has been reviewed and approved by the Attorney General’s Office.
7. **MSU** - Approved the exterior design for the renovation and additions to the Sigma Chi Fraternity building located on leased university property. Portions of the building will be demolished and rebuilt. Funds for the project will be provided by the Sigma Chi Fraternity.
8. **MSU** - Approved the execution of a lease with Cellular South Real Estate to locate a cellular tower on the north water tank on the campus of Mississippi State University. A copy of the executed lease will be kept on file in the Office of Real Estate and Facilities. This item has been reviewed and approved by the Attorney General’s Office.
9. **System Administration (Information item.)** - The Board received the Real Estate & Facilities items that were approved by the Board staff subsequent to the February 21, 2008 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 2.)**
10. **USM** - Approved the master planning documents for the Hattiesburg Campus and for the Gulf Coast Research Laboratory at Cedar Point in Oceans Springs. A copy of the documents are included in the *March 20, 2008 Board Working File*.

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GOVERNANCE AGENDA

Presented by Dr. D. E. Magee, Chair

On motion by Dr. Magee, seconded by Mr. Ross, with Mr. Colbert absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Governance Agenda.

1. **System Administration** - Approved for first reading the proposed amendments to Board Policy 301.0806 University Foundation/Affiliated Entity Activities and the Annual Institutional Executive Officer's Certification Statement. **(See Exhibits 3 and 4.)**

LEGAL AGENDA

Presented by Ms. Amy Whitten, Chair

On motion by Ms. Whitten, seconded by Ms. Newton, with Mr. Colbert absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Legal Agenda contingent upon approval by the Attorney General's Office. Agenda item #2 was approved on a separate motion by Ms. Whitten, seconded by Ms. Newton, with Mr. Colbert absent and not voting. **AGENDA ITEM #3 WAS TAKEN UP IN EXECUTIVE SESSION LATER IN THE MEETING.**

1. **ASU** - Approved the request to enter into a contract with VISANOW.COM, contingent upon approval by the Attorney General's Office, to provide legal services necessary in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. Visanow.com is a virtual legal services firm with a nationwide practice located at 350 N. LaSalle Street, Chicago, IL. (Phone: 312-279-1900) and at www.visanow.com. The university anticipates completing all forms and submitting all required documents via the Internet using the firm's online platform. This contractual agreement is necessary due to recent changes announced by the U.S. Department of Labor to the permanent labor certification regulations, specifically: Employers are now required to pay the cost of preparing, filing, and obtaining certification. The new regulations prohibit employers from transferring those costs to the beneficiary. Under the new rule, alien applicants are prohibited from paying the employer's attorney fees. The rule does allow an alien to pay his or her own personal costs incurred in connection with a labor certification and related work authorization, including attorney fees for personal legal representation, but where the same attorney represents the alien and the employer, the costs must be borne by the employer. The term of the contractual agreement will be for one (1) year, for a maximum amount of \$3,000 (per application) submitted to the government during the contractual term.
2. **MSU** - Approved the request to hire Kevin J. Dunleavy and the firm of Knoble, Yoshida and Dunleavy, LLC as outside counsel to provide legal services in relation to a "Patent Corporation Treaty" patent application to be filed in Europe, dealing with a method for epitaxial growth of silicon carbide semiconductors. When filing in the European Patent Office, a licensed member of the European Patent Office must represent the applicant. Mr. Dunleavy is such a member. Therefore, Mississippi State

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University is in need of procuring his services in order to proceed with obtaining the necessary patent. The hourly rate for attorneys in this firm is \$310 and the hourly rate for paralegals is \$100. The Attorney General has approved this outside counsel request.

3. **UMMC** - Settlement of Tort Claim No. 1410. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**
4. **System Administration (Information item.)** - The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 5.)**

GULF COAST COMMITTEE REPORT

Presented by Ms. Amy Whitten, Chair

Ms. Whitten reported that the planners and university staff are working to adjust the project to fit the budget.

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Thomas Meredith, Commissioner

On motion by Dr. Neely, seconded by Ms. Robinson, with Mr. Colbert absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 - #3 as submitted on the following Administration/Policy Agenda.

1. **DSU** - Approved the request to bestow an honorary degree at its May 2008 commencement.
2. **JSU** - Approved the request to bestow an honorary degree at its May 2008 commencement.
3. **MUW** - Approved the request to bestow an honorary degree at its May 2008 commencement.
4. **System Administration (Information item.)** - Approval of items considered subsequent to the February 21, 2008 Board meeting.
 - a. **UMMC** - Request for emergency approval to hire Suzanne T. Miller, Associate Professor of Medicine and Associate Professor Emeritus of Pediatrics, School of Medicine and Honorary Physician, University Hospitals and Health System, \$40,000 per annum, prorata; part-time; to \$100,000 per annum, prorata; full-time; effective March 1, 1008.
 - b. **UMMC** - Request for emergency approval to hire Colleen G. Cannon, Instructor/Clinical Nurse Practitioner, Department of Orthopedic Surgery and Rehabilitation, School of Medicine to Manager Care Coordination and Registered Nurse, University Hospitals and Health System; \$65,776 per annum, prorata; full-time; to \$90,000 per annum, prorata; full-time; effective March 3, 2008.

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- c. **UMMC** – Request for emergency approval to hire Tony McLaurin, Registered Nurse II, University Hospitals and Health System to Manager Patient Placement and Ambassador Services, University Hospitals and Health System; \$22.86 per hour; full-time; to \$78,200 per annum, prorated; full-time; effective March 3, 2008.
- 5. **System Administration (Information item.)** - In compliance with Board policy, the following item have been approved by the Commissioner on behalf of the Board.
 - a. **UM** – Budget revisions of the State Court Education Program and the Mississippi Law Research Institute; no increase in the total budget, rather a reallocation among funds.

COMMISSIONER’S REPORT

Presented by Dr. Thomas Meredith, Commissioner

The highlights from the Commissioner’s Report were as follows:

- ▶ Thank you, Mr. President. It is a pleasure to present the March Commissioner’s report.
- ▶ As you all know, this is the second-to-last Board meeting for Trustees Colbert, Estess, Magee, and Newton, who have served the state for a combined 38 years. Next month, we will honor them for their service to our System and to the state of Mississippi!
- ▶ Today is an exciting day because, at 2:00 pm, Governor Barbour will announce the four new appointees to our Board. Nothing can underscore the importance of these positions to the future of Mississippi. We eagerly anticipate his press conference.
- ▶ We have a new Executive Office staff member to introduce to you today, Mr. John Pearce. John comes to us from the Joint Committee on Performance Evaluation and Expenditure Review (PEER), where he served as an auditor. John will fill Myra Trotter’s position as Director of University System Budgets. Welcome, John!
- ▶ I’d like to bring you up-to-date on our FY 2008 appropriations Dr. McFall mentioned last month under “other business.” We continue to have a loss in appropriations through a hidden budget reduction that no one talks about—Education Enhancement Funds. Education Enhancement Funds are generated from sales tax revenue—the 1% dedicated to education. IHL’s FY08 Education Enhancement appropriation was over \$60 million, or approximately 7% of our state appropriation. The \$60 million includes on and off campus, separately budgeted units, the University of Mississippi Medical Center, and the Executive Office. As a result of the shortfall on sales tax collections, our actual appropriation has been cut. As of the end of February, we should have received \$40.2 million; however, the actual amount received to-date is \$35.5 million. At this point, IHL has been cut approximately \$5 million, which represents 8% of our Education Enhancement Funds. This proves how important stable, consistent funding is to our appropriation request.
- ▶ Finally, in institutional good news:
 - ▶ Alcorn State recently signed a Cooperative Agreement with Mississippi Prison Enterprises, the North Delta Vegetable Growers Association, and the Mississippi Association of Cooperatives. The agreement will provide jobs and training for local residents and serve as an outlet for farmers.

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- ▶ Our own Dr. Hilpert from Delta State recently received a prestigious appointment from the Southern Association of Colleges and Schools (SACS) in Decatur, Georgia. Dr. Hilpert was selected to serve a one-year term on the 2008 Executive Council of the Commission. Congratulations, John!
- ▶ This month, New York City's prestigious Columbia College recently honored its distinguished alumnus Dr. Ron Mason during the College's John Jay Awards for Distinguished Professional Achievement. Congratulations, Ron!
- ▶ A donation of old-but-functional computers from the Mississippi State University Extension Service soon will give local law enforcement, intelligence, and public safety agencies connectivity for sharing information. Extension's donation gives these agencies additional communication tools to respond to criminal activities, natural disasters, and emergencies.
- ▶ Students from MUW's Culinary Arts Institute garnered third place at the finals of the Research Chefs Association Student Culinology Competition in Seattle. The team—which has placed two years in a row—won \$1,500 for its entrée of lemon ginger salmon with toasted Israeli couscous and steamed asparagus. Sounds pretty good!
- ▶ Mississippi Valley State University is hoping to make a big splash when it arrives on the West Coast for its first NCAA Tournament appearance since 1996! The Delta Devils will play UCLA tonight at 8:55 pm in Anaheim, CA. Good luck, Mississippi Valley!
- ▶ University of Mississippi senior Shad White of Sandersville is among 60 University of Mississippi students nationwide chosen for *USA Today's* All-USA College Academic teams. Enrolled in Sally McDonnell Barksdale Honors College and a Truman Scholar, White made the competition's Third Team. Many of you will remember Shad through his work with the Textbook Task Force. We send our congratulations to him!
- ▶ And finally, the University of Southern Mississippi congratulates Brett Farve as a Great Golden Eagle and Phenomenal Packer! Dr. Saunders, I know Southern Miss is pleased to welcome Brett home.
- ▶ And that, Mr. President, brings me to the end of my report.

EXECUTIVE SESSION

On motion by Ms. Whitten, with Mr. Colbert 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 Ms. Whitten, seconded by Dr. Davidson, with Mr. Colbert 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 litigation matter at the University of Mississippi Medical Center;
Discussion of a personnel matter at Mississippi State University; and
Discussion of an investigation by a public body.

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

On motion by Ms. Whitten, seconded by Ms. Robinson, with Mr. Colbert absent and not voting, the Board approved the settlement of the University of Mississippi Medical Center Tort Claim 1410 case styled as *Saleen Salazar vs. UMMC, et al.*, as presented by legal counsel.

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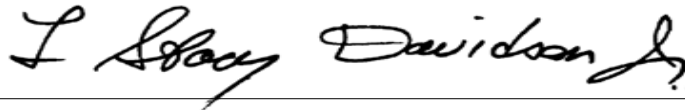
On motion by Mr. Owens, seconded by Mr. Ross, with Mr. Colbert absent and not voting, the Board appointed Dr. Vance Watson as Interim President of Mississippi State University, with a salary and start date to be determined at a later date.

The Board discussed an investigation by the Joint Committee on Performance Evaluation and Expenditure Review (PEER). **No action was taken.**

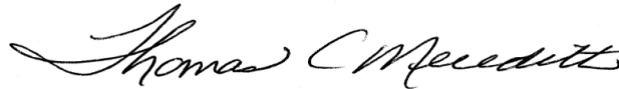
On motion by Ms. Robinson, seconded by Dr. Neely, with Mr. Colbert absent and not voting, the Board voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Ms. Whitten, seconded by Dr. Neely, with Mr. Colbert absent and not voting, the Board members voted to adjourn.



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

Exhibit 1 Proposed amendments and additions to the following sections of the *Board Policies and Bylaws*:

Amendments

201.0601	Role and Scope of the Institutions
201.0605	Institutional Officers
201.0607	Campus Locations and Programs
301.0801	Duties of the Institutional Executive Officers
301.0804	Records
402.01	Faculty Defined
403.0101	Minimum Standards for Tenured Employment
403.04	Tenure of Institutional Executive Officers
408.03	Sabbatical Leave
501	Academic Program Approval
501.02	New Programs
501.03	New Academic Programs and Units
403.03	Program Modification
501.04	Consolidation or Suspension of Programs
501.06	Academic Class Calendar Course Requirements
503.01	Distance Learning Policy Statement of Principles
503.0101	Definitions
503.0102	Types of Degrees to be Granted and Role of Individual Institutions
504.0101	Hours to Degree
601.05	Core Requirements for University Graduation
505	Military Policies
505.01	Students Called to Active Duty
506	Teacher and Administrator Preparation Programs
506.01	Quality Assurance Policy for Beginning Teachers
506.02	Quality Assurance Policy for Beginning Principals
506.03	Process and Performance Standards for State Approved Teacher and Administrator Preparation Programs
506.0301	Minimum Teacher Education Standards
506.0302	Teacher Education Process Review Visits
506.0303	Selection and Composition of Visiting Teams
506.0304	Process and Performance Review
506.0305	Program Approval for New Teacher Education Programs
506.0306	Accreditation of Teacher Education Programs by NCATE
506.0307	Annual Updates through the AACTE Reporting Form
506.0308	Educational Leadership Programs
506.0309	Educational Leadership Program Process Review
506.0310	Selection and Composition of Visiting Teams

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506.0311	Accreditation of Educational Leadership Programs through Formal NCATE Review
600	Student Affairs
801.04	Employment Contracts
801.06	Hiring Procedures
801.15	Staff and Dependent Tuition Waivers

Additions

505	Class Attendance
505.01	Class Attendance

- | | |
|-----------|-----------------------------------------------------------------------------------------------------------------------------|
| Exhibit 2 | Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the February 21, 2008 Board meeting. |
| Exhibit 3 | Proposed amendments to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading. |
| Exhibit 4 | Proposed form entitled Annual Institutional Executive Officer's Certification Statement for first reading. |
| Exhibit 5 | Report of the payment of legal fees to outside counsel. |

EXHIBIT 1

March 20, 2008



**Proposed Changes
to
IHL Board Policies and Bylaws**

Educational Policies and Programs Committee

March 20, 2008

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

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201.0601 ROLE AND SCOPE OF THE INSTITUTIONS

It shall be the duty of the Board to ~~begin immediately a~~ conduct a periodic, comprehensive study of the role and scope of all of the various institutions under its jurisdiction, including a detailed study of the programs of study, degrees and courses offered. Following the completion of such study, the Board shall make such adjustments as may be found to be necessary in the programs of the various institutions, to the end that the broadest possible educational opportunities shall be offered to the citizens of this state without inefficient and needless duplication. The Board shall, through such officers of the Board and through such procedures as it shall see fit to establish, exercise continuing jurisdiction and control over the establishment of new courses of study, new departments and new functions and activities in each institution so that the growth and development of the program of higher education in the state shall proceed in an orderly and rational manner, inefficient and needless duplication may be avoided, and new expanded programs will be undertaken only as the same may become justified, based upon objective criteria to be established by the Board. ~~In carrying out the purposes of this section, particular attention shall be given to the extension programs of the various institutions.~~ The Board, in conjunction with the chancellor and presidents of the institutions of higher learning, shall take such steps as may be necessary to improve and coordinate such programs and shall exercise such direct control over the establishment, organization, operation and granting of credit for such programs as may be necessary to accomplish such purposes.

Reason for Suggesting Change: It would make sense for policy to instruct the Board to conduct a periodic study (such as done with the academic program review and the auditing processes). Also, it seems the extension programs should not be subject to particular attention.

201.0605 INSTITUTIONAL OFFICERS

- A. ~~The Board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four (4) years. The Board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the Board to permit each Institutional Executive Officer to nominate for election by the Board all subordinate employees of the institution over which he or she presides. It shall be the policy of the Board to elect all officials for a definite tenure of service and to reelect during the period of satisfactory service. The Board shall have the power to make any adjustments it thinks necessary between the various departments and schools of any institution or between the different institutions.~~
- B. Each institution of higher learning shall be under the management and control of an Institutional Executive Officer. In exercising this authority as delegated by the Board, the Institutional Executive Officer shall act in accordance with Board policy, institutional policy, ~~and the laws of the State of Mississippi, the Federal government,~~ and in coordination with the Commissioner.

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

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Reason for Suggesting Change: It is clear that the Board has the authority to do this as set forth in sections 401.0101 Statute Applicable and 301.04 Board Regulations. Also, the IEO should act in accord with the laws of the Federal government as this is where funds often originate.

201.0607 CAMPUS LOCATIONS AND PROGRAMS

A. GENERAL

It is the responsibility of the State Institutions of Higher Learning to serve the citizens of the state with programs and services at on and off-campus locations and through distance learning. ~~The comprehensive institutions have a statewide mission to meet the needs of part-time students and/or working adults who do not have ready access or availability to the educational opportunities that they desire or that are required by their occupation. Other institutions are free to offer courses and services as appropriate to meet local needs within their immediate service area.~~

Reason for Suggesting Change: The modes of program delivery have changed such that distance learning should be considered as “off-campus” programming. Also, all institutions have a statewide mission that is met through distance learning rather than through the defined “immediate service areas.” Moreover, this brings policy in line with SACS accreditation principles in 3.4.

B. SUPERVISION AND CONTROL OF FACILITIES

The Board exercises control over all lands, buildings and other real property belonging to or assigned to the use or benefit of the various institutions at their campuses. The Board shall have general supervision over matters relating to the care of all buildings and grounds. An institution may add locations and facilities to its campuses as determined to be reasonable and necessary by the Board. Such additional campus locations and facilities must be used by the institution in direct support of, or related to, the institution’s educational purpose.

C. ESTABLISHMENT OF OFF-CAMPUS INSTRUCTIONAL PROGRAMS AUTHORIZED; ATTENDANCE:

~~The Board may establish off-campus instructional programs for existing universities. However, the Board shall not establish off-campus instructional programs if, in its opinion, such action is not in the best interest of quality education for the s State of Mississippi and the university system.~~

~~Students at any off-campus program site may, in the discretion of the Board, be permitted to register for full-time course loads.~~

~~Attendance at an off-campus site or through distance learning shall fulfill the residency requirements, as if the student had attended class on the parent campus of the university, and there shall be no difference in the standards for work nor quality weight of a degree earned in the off-campus program from that earned at the parent institution.~~

~~The existing degree granting off-campus instructional programs shall include but not be limited to the following:~~

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1. ~~Greenville~~
2. ~~The Meridian Center~~
3. ~~The Natchez Center~~
4. ~~The Southaven Center~~
5. ~~Stennis Space Center~~
6. ~~The Tupelo Center~~
7. ~~The Vicksburg Center~~
8. ~~Yellow Creek~~

Reason for Suggesting Change: Distance learning allows for students to fulfill residency requirements without physically coming to campus and there appears to be no specific need for a list of off-campus sites in policy.

D. OPERATION AND LOCATION OF PROGRAMS:

The Board may designate the university which shall operate and be responsible for each off-campus site. However, off-campus sites shall be located in such a manner as to make the services of the institutions of higher learning available to the people of Mississippi without unnecessary program duplication in the same geographic area.

E. OFF-CAMPUS CONFLICTS

Whenever one institution desires or is requested to offer programs or courses in close proximity to another ~~senior institution~~ state university, such instruction may be offered providing an agreement is made with the closest institution. Any exceptions shall be mediated by the Institutional Executive Officers and reported to the Commissioner. ~~Any remaining conflicts~~ If necessary, the Commissioner shall mediate any remaining conflicts and make recommendations as to a resolution to the Board ~~for approval~~ as needed.

Reason for Suggesting Change: The changes provide grammatical clarity while the use of “senior institution” is passé.

F. BUDGET REQUESTS:

The Board shall submit to the Legislature budget requests with off-campus programs being an identified part of the total general support budget request for universities by being a separate item within the budget request of the respective university which offers the program. Said budget request shall include a statement of all actual or estimated receipts and disbursements for such off-campus programs and such other information as may be required by the Legislative Budget Office.

G. ASSISTANCE IN PROVIDING FACILITIES:

The political subdivision or the people of the area may assist in providing facilities for the establishment of such off-campus sites.

H. EXTRACURRICULAR ~~ITEMS~~ FACILITIES AND INTERCOLLEGIATE ATHLETICS PROHIBITED:

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Extracurricular facilities ~~items~~ such as ~~dormitories, gymnasiums~~, stadiums, and such ~~related items~~ shall not be constructed for use by off-campus sites of universities.

Reason for Suggesting Change: Facilities are not “items,” we have dormitories on the Natchez campus and the GCRL, and may consider constructing such on the Cross Creek/Gulf Park campus.

I. CONSIDERATION OF PROGRAMS OF PRIVATE COLLEGES BEFORE AUTHORIZING OFF-CAMPUS PROGRAMS; ~~PURPOSE OF CHAPTER:~~

The Board shall take into account the ongoing programs of the private colleges in the State of Mississippi when said Board authorizes off-campus programs ~~created under this chapter. It is the intent of this chapter~~ to meet the educational needs of students who do not have ready access to the educational opportunities that they desire.

Reason for Suggesting Change: The language refers to state statute and not Board policy such that it is confusing.

J. CAPITAL IMPROVEMENT EXPENDITURES:

The Board and the Bureau of Buildings, Grounds and Real Property Management shall not make any expenditure for capital improvements for off-campus sites unless specifically authorized by the Mississippi Legislature. However, this shall not preclude such capital improvements from being made by county or municipal governments locally or regionally involved.

301.0801 DUTIES OF THE INSTITUTIONAL EXECUTIVE OFFICERS

- A. The Institutional Executive Officer of each of the several state institutions shall report directly to the Commissioner of Higher Education, who reports to the Board of Trustees.
- B. The Institutional Executive Officer of each of the several state institutions of higher learning shall be responsible for the administration of the divisions and departments of his/her institution and for keeping its expenditures strictly in ~~harmony~~ compliance with the budgetary authorizations of the Board and within the limitations provided therein. ~~The Chief Financial Officer under the direction of the Institutional Executive Officer shall be responsible for all financial matters of the university.~~

Reason for Suggesting Change: Compliance is a better word than harmony. Also, the statement about the CFO being under the direction of the IEO seems redundant. Moreover, there is no redundant statement in 301.0801 (C) Duties of the Institutional Executive Officers stating the CAO is responsible for academic matters of the university.

- C. The Institutional Executive Officer shall ~~have the initiative in shaping~~ make recommendations regarding the educational policy and academic standards of his/her institution ~~in consultation with the Commissioner~~. The Commissioner may recommend such policy to the Board for approval.

Reason for Suggesting Change: It is clearer to use “make recommendations” rather than “shall have the initiative” as the latter is not common vernacular easily understood by those reading the policy. The

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

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process appears to be that the IEOs make recommendations to the Commissioner so it seems redundant to have the statement “in consultation with the Commissioner.” Additionally, the statement could impact SACS accreditation principle 3.2.6, “There is a clear and appropriate distinction, in writing and practice, between the policy-making functions of the governing board and the responsibility of the administration and faculty to administer and implement policy.”

- D. The Institutional Executive Officer shall ~~have the initiative in the selection and recommendation~~ recommend for election by the Board of all employees and faculty members of his/her institution; ~~and he/she~~. In an emergency, the Institutional Executive Officer shall have authority to fill vacancies that occur as emergencies, the vacancy when the salary outlay is within the budget appropriations provided for such positions, all subject to authority for review and rejection or approval by the Board, in which body rests the sole power of election and confirmation or rejection of all appointments at the Board’s next regular meeting. See also 401.0102 Delegation of Authority.

Reason for Suggesting Change: It is clearer to use “recommend” rather than “shall have the initiative” as the latter is not common vernacular easily understood by those reading the policy. Also, the second sentence is verbose, redundant, and unclear.

- E. All personnel appointments at the level of deans and above ~~or employees making a salary of \$75,000 or more~~ shall be submitted separately for approval before appointments have been finalized and/or announced.

Reason for Suggesting Change: This change would substantially decrease the number of personnel hires or change of status requests to the Board allowing the Board to deal with higher level hires.

- F. The Institutional Executive Officer is charged with the responsibility for maintaining appropriate standards of conduct of students, and is authorized to expel, dismiss, suspend, and place limitations on continued attendance and to levy penalties for disciplinary violations, subject to procedures of due process.
- G. After ten (10) or more years of satisfactory service; as an Institutional Executive Officers ~~(including the Commissioner)~~ or as Commissioner, he/she may apply for a Board Distinguished Professorships. ~~These~~ This positions would be separately funded by the Board at a salary rate of no less than 75 percent of the Institutional Executive Officer’s or Commissioner’s last base state salary and could be ~~based~~ placed in any institution under the governance of the Board. Each appointment must be approved by the Board based upon merit and possible future contributions to higher education in the state. See also 403.04 Tenure of Institutional Executive Officers.

Reason for Suggesting Change: As the policy presently reads, an IEO could serve one year as an IEO and have nine years in the system and be eligible for the professorship. Further, the salary of one IEO has the potential of costing the department wherein the IEO is placed from two to five faculty member salaries. Also, this brings this policy in line with 403.04 Tenure of Institutional Executive Officers.

301.0804 RECORDS

Pursuant to the Mississippi Public Records Acts of 1983 (the "Act"), effective from and after July 1, 1983, the Board hereby adopts the following regulations and procedures with respect to

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such records as may be in its possession, or in the possession of any university or other institution under its jurisdiction or control, ~~as provided for in Sections 3 and 4 of the Act.~~ Such rules and procedures are applicable to and shall govern the right to inspection, copying, and/or mechanically reproduce or obtain a reproduction of any public records in the possession of the Board, or any institution under its jurisdiction or control.

Reason for Suggesting Change: Reference to the statute section numbers is unnecessary. The other changes bring the policy in line with the statute.

- A. Recipient(s) should submit a written request indicating the specific information wanted. Any response by the Board for a request for access to records will be forwarded to the requesting party within fourteen working days of the receipt of such request.
- B. Recipient(s) will be assisted by a staff member at a charge not to exceed actual costs and will be charged \$1.00 per page for making copies. Records will be available for inspection and copying ~~only~~ by appointment during regular working hours (8:00 a.m.-5:00 p.m.), Monday through Friday, holidays excluded.

Reason for Suggesting Change: Standard institutional working hours may not be 8-5 for those who must provide the records.

- C. Recipient(s) will deposit a certified check, money order, or cash in escrow with the staff accountant prior to receiving material. This estimated amount must be sufficient to cover the estimated cost of the staff member's assistance, ~~and~~ copying fees, mailing fees, and/or mechanical reproduction fees.

Reason for Suggesting Change: These changes bring the policy in line with the statute.

- D. Recipient(s) will be provided adequate space to work at no cost, if available.
- E. Recipient(s) will be provided requested documents by a staff member. In the case of academic programs documents, recipient(s) will be allowed to look at documents from no more than two programs at a time. In the case of all other Board documents, recipient(s) will be allowed to examine documents in a systematic manner to be determined by Board staff.
- F. No more than two recipient(s) per organization will be assisted at a time.
- G. Recipient(s) desiring information by mail will be charged for copying costs and staff time at the rates given in subsection B. An additional charge will be added for mailing costs.
- H. Specific policies will be on file with the Commissioner in the Board ~~o~~ Office and will be made available upon request.

402.01 FACULTY DEFINED

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The teaching staff and those members of the administrative staff having academic rank in a college, university or other educational institution or one of its divisions. In all institutions the faculty will consist of the Corps of Instruction and the administrative officers with faculty rank.

A. Corps of Instruction:

~~Full-time p~~ Professors, associate professors, assistant professors, instructors, lecturers, and teaching personnel with such other titles as may be approved by the Board, shall be the Corps of Instruction. ~~Full-time r~~ Research and extension personnel and duly certified librarians may be included in the Corps of Instruction on the basis of comparable training. Persons holding adjunct appointments or other honorary titles shall not be considered to be members of the faculty.

Reason for Suggesting Change: Part-time faculty members, though not adjuncts, may be considered to be within the corps of instruction.

B. Administrative Officers:

Faculty status of full-time administrative officers will necessarily vary with the size and complexity of the institution. A faculty member who has academic rank and rights of tenure in the Corps of Instruction and who accepts an appointment to an administrative office shall retain his/her academic rank and rights of tenure as an ex officio member of the Corps of Instruction but shall have no rights of tenure in the administrative office to which he or she has been appointed. The additional salary or method of salary computation, if any, for the administrative position shall be stated in the employment contract and shall not be paid to the faculty member when he or she ceases to hold the administrative position. In all other cases of an individual becoming a full-time member of the faculty after relinquishing an administrative position, his or her salary shall be determined on the basis of such individual's qualifications as a faculty member. An administrative officer having faculty status shall retain privileges of faculty membership. Administrative officers shall be nominated by the Institutional Executive Officer for election by the Board, as provided in Section 401.0102 Delegation of Authority.

Reason for Suggesting Change: It has been recommended by attorneys Mary Ann Connell and Cal Mayo in their seminars that the institutions use a method of salary computation.

403.0101 MINIMUM STANDARDS FOR TENURED EMPLOYMENT

All faculty contracts will specify whether the appointment is with tenure, tenure track, or non-tenure track. Beginning with a tenure track appointment to any professorial rank (assistant professor, associate professor, or professor), a faculty member must be reviewed for tenure during the sixth academic year of the probationary period. The review shall include, but not be limited to, the criteria set forth in Section 402.03 Promotions in Rank. Upon written agreement between the institution and the faculty member, credit up to a maximum of five (5) years toward fulfillment of the minimum probationary period may be allowed for service at an institution of higher education. Such credit toward the probationary period must be determined at the time of initial appointment to rank. Such allowance is to be granted only to an individual who possesses exceptional professional qualifications and achievements and is not to be construed as exempting

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said individual from any other institutional policies and procedures governing the award of tenure.

Once the probationary period has been completed, a tenure track professor of any rank, if reappointed, must be awarded tenure or a terminal contract. For tenure to be awarded, the Institutional Executive Officer must make a recommendation to the Board in writing. Only faculty members of professorial rank can be awarded tenure. The award of tenure is not vested until notice of the award is given in writing by the Institutional Executive Officer, after approval by the Board, and the written notice is actually received by the faculty member.

At the time of initial employment by the Board, a faculty member or an administrative employee whose preceding employment included faculty rank at the level of assistant professor, associate professor, or professor and tenure may be granted tenure only if so recommended by the President/Chancellor and approved by the Board.

There shall be appropriate tenure/grievance committees at the institutions.

Reason for Suggesting Change: This change would point back to the criteria for promotion as, generally, the granting of tenure and promotion go hand-in-hand.

403.04 TENURE OF INSTITUTIONAL EXECUTIVE OFFICERS

Institutional Executive Officers, upon appointment, will be concurrently appointed to the faculty in his/her discipline at the rank of full professor. After successful completion of five (5) years of service as Institutional Executive Officer, the incumbent may be tenured as a full professor in the designated department at the discretion of the Board. Tenure shall carry the usual rights and privileges as specified in Board and ~~I~~ institutional ~~P~~ policy. In the event that the Institutional Executive Officer resigns and elects to remain with the institution, the salary as a professor shall be determined based upon the appropriate consideration of teaching, research, public service and salary conditions in the discipline. After ten (10) or more years of satisfactory service as an Institutional Executive Officer or as the Commissioner, he/she may be appointed to a Board Distinguished Professorship per Section 301.0801 (G) Duties of the Institutional Executive Officers.

Reason for Suggesting Change: This change brings the policy in line with 301.0801 (G) Duties of the Institutional Executive Officers.

408.03 SABBATICAL LEAVE

A. QUALIFICATIONS:

~~Any members of the faculty of the S state I institutions of H higher L learning of the State of Mississippi shall be eligible for sabbatical leaves, for the purpose of professional improvement, for not more than two semesters (fall and/or spring) immediately following any twelve (12) or more consecutive semesters of active service in the an institutions of higher learning of this state where such faculty member is employed or for not more than one (1) semester immediately following any six (6) or more consecutive semesters of such service. Absence on sick leave shall not be deemed to interrupt the active service herein provided for.~~

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

~~Strikeouts are deletions~~

Red is state statute

B. APPLICATION:

Applications for sabbatical leave shall be made to the Institutional Executive Officers and submitted to the Commissioner for consideration by the Board.

Approval or disapproval of the applications for sabbatical leave shall be made on the basis of regulations prescribed by the Board.

C. CONTRACTUAL AGREEMENTS:

Any person who is granted sabbatical leave and who fails to comply with the provisions of such leave as approved by the ~~S~~ state ~~I~~ institutions of ~~H~~ higher ~~L~~ learning may have his or her leave terminated by the Board. No person on sabbatical leave can be denied any regular increment of increase in salary because of absence on sabbatical leave.

Service on sabbatical leave shall count as active service for the purpose of retirement and contributions to the retirement fund shall be continued.

In order to provide for the above leaves, the Board shall have the power to adopt rules and regulations regarding such leave. In no instance shall leave be granted unless there is a contract providing for continued service, after expiration of the leave, in the college where the faculty member is employed.

Every person on sabbatical leave shall enjoy all the rights and privileges pertaining to his or her employment in the state ~~I~~ institutions of ~~H~~ higher ~~L~~ learning in which such person is employed, which such person would have enjoyed if in active service during such leave in the position from which such leave was taken.

D. COMPENSATION:

The Board is hereby authorized to make payment of salary, or such part of salary as may be decided for such faculty members who are under contract for academic leaves. No salary is to be paid by the institution for the period of leave, except under the provisions of the sabbatical leave policy. Each person granted sabbatical leave may receive and be paid compensation up to the rate of fifty percent of such person's annual salary. Compensation payable to persons on sabbatical leave shall be paid at the same time and in the same manner in which salaries of the other members of the faculty are paid.

E. BENEFITS:

A faculty member on sabbatical leave remains a full-time employee of the Board ~~with all benefits and responsibilities continued by law.~~ Such faculty member shall retain all the rights and benefits include including those of retirement, insurance, housing, longevity, and other benefits.

F. INSTITUTIONAL QUOTA:

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

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No more than 4 percent (4%) of the full-time regular faculty of any one institution may be on sabbatical leave during any one semester.

Reason for Suggesting Change: These changes clarify the policy.

501 ACADEMIC PROGRAMS ~~APPROVAL~~ AND UNITS

~~501.02~~ ~~NEW PROGRAMS~~

~~A new program request will be considered by the Board when all programs at the institution for which appropriate accreditation is available are accredited within the discipline of the new program request. A new program request in a discipline for which no accreditation is available will be considered when all programs within that discipline have undergone an academic programs review and the appropriate academic officer responds in writing to the Commissioner.~~

Reason for Suggesting Change: This policy is redundant as 501.03 New Academic Programs and Units states the same.

~~501.03~~

501.02 NEW ACADEMIC PROGRAMS AND UNITS

Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers. In developing such guidelines and procedures, the Commissioner shall consider state, system, and institutional priorities, institutional missions, institutional performance, comparative funding, market demand, and other appropriate criteria. ~~All requests not receiving final action by the Board within nine months from the date of the original submission must be updated and resubmitted before being considered by the Board.~~

Reason for Suggesting Change: The Board acts immediately and can tell the institutions to resubmit anyway.

~~403.03~~

501.03 PROGRAM MODIFICATION

As part of its broad constitutional authority to ~~manage~~ govern the universities, the Board shall exercise its authority to modify programs offered by the ~~U~~ universities generally or at various units of the ~~U~~ universities.

Reason for Suggesting Change: Though the Mississippi constitution and statutes use the word manage, govern is better. Also, this policy was improperly placed in section 403 Tenure Track Faculty and should be moved into section 501 Academic Programs and Units.

501.04 ~~CONSOLIDATION OR~~ SUSPENSION OF PROGRAMS

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

Strikeouts are deletions

Red is state statute

~~Those institutions which choose to suspend admission to a major academic degree program as listed in the Academic Programs Inventory or which consolidate major academic degree programs shall be permitted to reactivate such programs upon presentation of sufficient justification and approval by the Board.~~

A program may be suspended such that new students are not permitted to enroll, without obtaining Board approval, for a period not to exceed three academic years and may subsequently be reinstated by the institution within that period. However, the Commissioner must be advised of such actions. If the program has not been reactivated by the end of the third academic year, the program will be deleted from the Academic Program Inventory.

Reason for Suggesting Change: The consolidation of programs involves deletion so it doesn't fit with suspension. Also, the change clarifies the suspension process.

501.06 ~~ACADEMIC CLASS CALENDAR~~ COURSE REQUIREMENTS

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

- ~~†~~ The Board required minimum of 2,250 minutes per three semester hour course, which may include final exam time;
- ~~Summer semesters to begin the week of Memorial Day; and~~
- ~~†~~ The number of weeks must meet Federal financial aid requirements.

Reason for Suggesting Change: As the primary focus of the policy has to do with courses, the revised title is more appropriate.

503.01 DISTANCE LEARNING POLICY STATEMENT OF PRINCIPLES

~~Distance learning programs of the Institutions of Higher Learning in Mississippi are intended to provide increased access to higher education for the citizens of the state of Mississippi.~~

~~Programmatic and administrative procedures are addressed to expand education resources to populations that cannot access traditional campus based study because of barriers of time, distance, physical disabilities, and personal and professional responsibilities not faced by the traditional student. Distance learning also creates a mechanism to provide to the traditional student additional faculty in a wide variety of subject areas.~~ All distance learning courses and programs shall be in accord with Southern Association of Colleges and Schools (SACS), Commission on Colleges *Principles of Accreditation* and Southern Regional Education Board *Principles of Good Practice*.

Unless otherwise provided, all Board and university policies, standards, and guidelines for on and off campus instruction apply to ~~telecommunicated instruction~~ distance learning.

Reason for Suggesting Change: The change clarifies and strengthens the distance learning policy.

503.0101 DEFINITIONS

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

~~Strikeouts are deletions~~

Red is state statute

~~**Distance Education** consists of all arrangements for providing instruction through technology-based instruction to persons engaged in planned learning in a place or at a time different from that of the instructor or instructors. This policy does not regulate regularly scheduled campus instruction augmented by electronic media or other media.~~

~~**Technology-based Instruction** includes, but is not necessarily limited to, television (cable, ITFS, interactive video, satellite, broadcast) audio and computer conferencing, videotapes, CD-ROM and interactive CD-ROM, radio broadcasting, telephone instruction and combinations thereof.~~

~~**Receiving Institution** is the institution that requests to receive a course electronically delivered from another institution.~~

~~**Originating Institution** is the institution whose faculty member is teaching the course electronically delivered to the receiving institution or its off campus site.~~

~~**Instruction** means any course which results in credit.~~

Reason for Suggesting Change: This policy offers no guidance or clarification to Board policy.

503.0102 TYPES OF DEGREES TO BE GRANTED AND ROLE OF INDIVIDUAL INSTITUTIONS

Definitions of distance learning programs

- ~~(1) **Collaborative Degree Programs**—Those programs in which two or more institutions share responsibility to offer courses in a planned curriculum leading to a degree or certificate or level of competency, with all participating institutions authorized to confer the degree or certificate.~~
- ~~(2) **Cooperative Degree Programs**—Those programs in which all institutions share responsibility to offer courses in a planned curriculum leading to a degree or certificate, with only one or some of the institutions being authorized to confer the degree or certificate. Courses provided by non-credential granting institutions would include courses taught for other programs at the providing institution or "purchased" by the degree or certificate granting institution.~~
- ~~(3) **Dual Degree Program**—Those programs in which two or more institutions share responsibility to offer courses in a planned curriculum leading to two degrees or certificates awarded by separate institutions to an individual student.~~
- ~~(4) **Single Institution Degree Program**—A program offered on a statewide basis by a single institution as a result of an institution's unique degree or certificate offering or statewide mission as determined by the Board of Trustees.~~
- ~~(5) **Cross-Listed Courses**—Courses for which enrolled students may receive academic credit at either the sending institution or the receiving institution(s), beyond current institutional transfer credit hour policies, as determined by the appropriate faculty governance bodies at each institution.~~

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

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~~The degrees or programs to be offered through telecommunications technology must be consistent with the mission of the individual university.~~

~~All institutions should have an opportunity to participate in providing distance learning programs and will be encouraged to provide distance education wherever there is a need.~~

~~Administrative procedures for implementation of this policy are on file at the Office of the Commissioner.~~

Reason for Suggesting Change: This policy offers no guidance or clarification to Board policy.

504.0101 HOURS TO DEGREE

~~The IHL Board directs each institution's faculty to review credit hour requirements for all degree programs by July 2005, and to reduce the expectation of degree program requirements to 124 hours or less in every case possible. Each institution will report to the Board any requests for exception at that time. Thereafter, whenever the institution believes more than 124 hours are required for a degree program, a~~ All undergraduate degree programs must have a minimum of 120 hours and a maximum of 124 hours unless the Board has granted an exception. A request for exception will come to the Board with a justification and recommendation from the institution and the Presidents' Council Commissioner. Among other issues, these reviews will take into account:

- A. Accreditation standards of the appropriate specialized accrediting agencies which mandate a baccalaureate program of over 124 credit hours.
- B. Licensing standards of the professions involved which require a baccalaureate program of over 124 credit hours.

Developmental and curriculum prerequisite preparative courses do not count as part of the 124 credit hour requirement.

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

Reason for Suggesting Change: The effective date of this policy has passed so there is no need for "date" language; it aligns the policy with the SACS requirement (2.7.1) of a minimum of 120 hours for a degree program; and the "president's council" no longer exists.

601.05

504.0102 CORE REQUIREMENTS FOR UNIVERSITY GRADUATION CURRICULUM

~~The Board approved core requirements for graduation from the universities are as follows: In order to be awarded a baccalaureate degree, all students must complete a core curriculum consisting of the following:~~

English Composition	6 semester hours
College Algebra, Quantitative Reasoning, or <u>H</u> igher <u>L</u> evel <u>m</u> athematics	3 semester hours

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~~Laboratory~~ Natural Science
Humanities and Fine Arts
Social or Behavioral Science

6 semester hours

9 semester hours

6 semester hours

~~All students enrolled for the first time at any college must complete the Board approved core requirements before graduating from a Mississippi public university.~~

~~All students entering Mississippi public universities must take the Board approved core requirements.~~

Reason for Suggesting Change: This change clarifies the policy. Also, it aligns the policy with the SACS requirement (2.7.3) of a minimum of 30 hours for a general education component.

505 CLASS ATTENDANCE

505.01 CLASS ATTENDANCE

The Board requires that each institution develop, maintain, and follow written class attendance procedures. Such procedures shall conform to all applicable state and federal laws.

Reason for Suggesting Change: As student class attendance and retention are linked, this change should aid in the retention of students and meet Federal financial aid requirements.

505

506 MILITARY POLICIES

The Institutional Executive Officers ~~of institutions~~ are authorized to offer Reserved Officers' Training Corps (R.O.T.C.) as an elective course. (BT Minutes, 9/90; 1/98)

Reason for Suggesting Change: Renumbered, clarified and corrected.

505.01

506.01 STUDENTS CALLED TO ACTIVE DUTY

Any student who has enrolled at an institution under the governance of the Board of Trustees, who is a member of the Mississippi National Guard, or one or more units of the Mississippi State Guard, or who is a member of any of the reserve components of the armed forces of the United States, and who has been placed in active duty status by orders of the President of the United States, or who has been drafted into any component of the armed forces of the United States, may be allowed to withdraw as a student of the institution, with a full refund of tuition, ~~out_of_~~ state fees (if applicable), student fees and any special fees, with room and board fees prorated with the approval of the Institutional Executive Officer.

Any student who withdraws from an institution under this policy will not receive any grades. The student record will show evidence of the withdrawal with documentation on file.

Any student called to active duty who has completed at least 3/4 of the semester and is in good standing with the institution, and who needs to only take the final examination to complete the

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semester, has the option to leave the university pursuant to this policy, without his/her class standing effected, and without refund of any of the above fees or tuition. However, within ninety (90) days after release from active duty, the student may make arrangements to take the final examination. The score of the final exam plus the unfinished semester's work will constitute the student's final grade.

Alternatively, any student called to active duty who has completed at least 3/4 of the semester and is in good standing with the institution, has the option to leave the university pursuant to this policy, without his/her class standing effected, and without refund of any of the above fees or tuition and shall have the option of receiving full credit for each enrolled course of study with the grade earned at the date he or she was called into active duty.

Reason for Suggesting Change: Renumbered.

506

507 TEACHER AND ADMINISTRATOR PREPARATION PROGRAMS

507.01 GENERAL

All teacher and administrator preparation programs shall be appropriately accredited by the National Council for Accreditation of Teacher Education (NCATE) or the Teacher Education Accreditation Council (TEAC) and meet all Mississippi Department of Education standards so program graduates may receive appropriate licensure from the Mississippi Department of Education.

Reason for Suggesting Change: This addition will allow the removal of all of 506.03 Process and Performance Standards for State Approved Teacher and Administrator Preparation Programs as the section is the Mississippi Department of Education's policy copied into our policy.

~~506.01~~

507.02 QUALITY ASSURANCE POLICY FOR BEGINNING TEACHERS

Each institution will assure that its graduates:

- have completed an accredited educator preparation program, ~~which is accredited by the National Council for Accreditation of Teacher Education (NCATE);~~ passed the entrance and exit examinations, and successfully completed a supervised student teaching experience in a K-12 setting;
- have sufficient subject matter knowledge in all areas included on their teaching certificate;
- can demonstrate success in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;
- are able to use telecommunication and information technologies as tools for learning; and
- can maintain an environment conducive to learning.

Within the first two years after graduation, the university will provide additional training to any graduate who is teaching in-field, and endorsed at a the appropriate grade level, ~~included on the certificate~~ and is judged by both the employing Mississippi school district and the university

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school district liaison to need ~~additional training to be effective in helping students make satisfactory progress~~ such training to be more effective. ~~Additional training~~ This training will be provided at no cost to the teacher or to the school district. ~~This training and will consist of~~ employ an individualized plan with specified learning outcomes agreed upon between the school district and the university.

Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the principal's rationale for referring the teacher to the university.

~~The Quality Assurance Policy~~ This policy does not apply in situations where the teacher has been given an unreasonable number of assignments, an out-of-field assignment, an excessive number of students, or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning teachers.

~~This policy will take effect with the 2002 education graduates.~~

Reason for Suggesting Change: These changes clarify the policy.

506.02

507.03 QUALITY ASSURANCE POLICY FOR BEGINNING ~~PRINCIPALS~~ ADMINISTRATORS

Each institution will assure that its graduates:

- have completed a ~~principal~~ an accredited administrator preparation, program ~~which is accredited by the National Council for Accreditation of Teacher Education (NCATE);~~ passed the entrance and exit requirements, and successfully completed a supervised internship experience in a K-12 setting;
- have sufficient leadership knowledge in all areas included on their ~~principal~~ administrator certificate;
- can demonstrate successful leadership in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;
- are able to use telecommunication and information technologies as tools for learning; and
- can maintain an environment conducive to learning.

Within the first two years after graduation, the university will provide additional training to any graduate who is employed as a building principal/assistant principal and is judged by the employing Mississippi school district and the university school district liaison to need such training to be more effective. ~~additional training to be an effective principal/assistant principal.~~ ~~Additional training~~ This training will be provided at no cost to the principal/assistant principal or to the school district. ~~This training and will consist of~~ employ an individualized plan with specified leadership outcomes agreed upon between the school district and the university.

Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the superintendent's rationale for referring the building principal/assistant principal to the university.

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~~The Quality Assurance Policy~~ This policy does not apply in situations where the principal/assistant principal has been given an unreasonable number of assignments, or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning principal/assistant principals.

~~This policy will take effect with the 2002 education graduates.~~

Reason for Suggesting Change: These changes clarify the policy.

~~506.03 PROCESS AND PERFORMANCE STANDARDS FOR STATE APPROVED TEACHER AND ADMINISTRATOR PREPARATION PROGRAMS~~

~~506.0301 MINIMUM TEACHER EDUCATION STANDARDS~~

~~Process Standards~~

~~Standard 1 Prior to being admitted to a teacher education program, students shall have completed a minimum of 44 semester hours of coursework achieving a minimum grade point average of 2.5 on this coursework (4.0 system).~~

~~Standard 2 Prior to being admitted to a teacher education program, students shall attain a minimum score set by the Commission on Teacher Certification on an instrument approved by the Commission. The Commission has established minimum scores on the following test for entry into a teacher education program: Praxis I (Pre-Professional Skills – Reading, Writing, and Math; or Computer-Based Academic Skills Assessment Reading, Writing, and Math) or a minimum ACT score of 21 (with no score lower than 18 in any subcategory) or a minimum SAT score of 860.~~

~~Standard 3 Prior to completing a teacher education program, all elementary, secondary, and special area teacher education candidates shall have successfully completed a teacher education program which is accredited by the National Council for Accreditation of Teacher Education.~~

~~Standard 4 Prior to completing a teacher education program, students shall have successfully completed a minimum 12 weeks (60 working days), full day student teaching experience.~~

~~Standard 5 Beginning September 1, 2000 and thereafter, teacher education programs must document that State and National standards, as approved by the Commission, are incorporated into all their elementary, secondary, and special area programs. Documentation of the approved standards should be found in course syllabi, practicum, student teaching, and student portfolios.~~

~~Standard 6 Teacher candidates shall be required to complete specific programs of study:~~

~~**K-3 teacher candidate program of study**~~

~~An interdisciplinary program of study, which shall include, but is not limited to courses (or their equivalents) in:~~

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English—12 semester hours
Mathematics—9 semester hours
Science—9 semester hours
Social Studies—12 semester hours
Fine Arts/Teaching of Fine Arts—6 semester hours
Reading—15 semester hours
Special Education—3 semester hours

Classroom Management
Data Analysis/Evaluation

~~K-6 or K-6 with 4-8 Subject Area teacher candidate program of study~~

An interdisciplinary program of study, which shall include two 18 or 21 hour content concentrations* which shall include, but not be limited to, courses (or their equivalents) in:

English—12 semester hours
Mathematics—9 semester hours
Science—9 semester hours
Social Studies—12 semester hours
Fine Arts/Teaching of Fine Arts—6 semester hours
Reading—15 semester hours
Special Education—3 semester hours
Classroom Management
Data Analysis/Evaluation
Middle Grade Pedagogy

~~*[K-6 Candidate] = 18 semester hours of academic content courses, a total which can include 3 semester hours of academic pedagogy courses in each of the concentration areas.~~

~~*[4-8 Subject Area Candidate] = 21 semester hours of academic content courses, a total which can include 3-6 hours of pedagogy courses in each of the concentration areas. [See rationale below]~~

~~7-12 Subject Area teacher candidate program of study~~

The 7-12 teacher candidate must have a major in a content area licensed by the state and complete a program of study, which shall include, but is not limited to courses (or their equivalents) in:

Special Education—3 semester hours
Classroom Management
Data Analysis/Evaluation
Pedagogy/Literacy/Reading Integration

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- ~~Standard 7 Teacher candidates shall complete a teacher education program accredited by NCATE or by the State utilizing NCATE standards. The annual American Association of Colleges of Teacher Education/National Council for Accreditation of Teacher Education (AACTE/NCATE) report shall be provided to the Mississippi Department of Education (MDE) and the Mississippi Institutions of Higher Learning (IHL) by March 1 of each calendar year.~~
- ~~Standard 8 Each college/school/department of education shall annually document that they maintain collaborative relationships, programs, and projects with P-12 schools, their faculties, and appropriate others to develop and refine knowledge bases, to conduct research, and to improve the quality of education.~~
- ~~Standard 9 Teacher candidates shall be able to manage a classroom. In accordance with Section 37-3-89 of the Mississippi Code of 1972 Annotated, teacher education programs shall require a course or courses on school discipline or classroom management for all majors. The Licensure Commission shall approve syllabi for the course(s) on school discipline or classroom management. Best practices for discipline and classroom management shall also be incorporated into all elementary, secondary, and special area programs. Documentation should be found in course syllabi, practicums and student teaching, field experiences, and student portfolios.~~
- ~~Standard 10 All persons receiving instruction provided by an approved teacher education program shall receive and provide signed acknowledgment of the receipt of the "Teacher Candidate Licensure Advisory" provided by the Mississippi Department of Education. Approved programs shall provide teacher licensure information and a copy of the "Advisory" to these persons as part of the program admissions process or upon initial instructional contact, depending upon which is first. A student signed and dated "Advisory," in its current revision, shall be retained as a permanent part of student records and made available during program reviews and accreditation visits.~~

Performance Standards

- ~~Standard 1 A minimum of eighty (80) percent of all teacher education graduates from an institution over a three year period shall score at or above the proficiency level on Praxis II (Principles of Learning and Teaching and subject area test).~~
- ~~Standard 2 The Mississippi Department of Education and the Institutions of Higher Learning Board, as mandated by House Bill 609, shall issue an annual Teacher Education Performance Report. One component of the report shall consist of a job satisfaction survey sent to all school districts asking them to rate the job performance of their first year teachers. The returned surveys shall be tallied by the MDE and mailed to the teacher education program. Programs not receiving a satisfactory rating of eighty percent over a three year period from the total returns shall prepare a plan of improvement. Plans must be approved by the Licensure Commission.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

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~~506.0302 TEACHER EDUCATION PROCESS REVIEW VISITS~~

~~Process reviews are scheduled annually during the months of February, March, April and May at each of the teacher education programs. A mutually acceptable date is agreed upon in advance of the visit. An attempt will be made by the Mississippi Department of Education to honor requests by institutions for specific dates whenever possible. Cancellation of visits by institutions, once a date has been established, should only occur under emergency conditions.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0303 SELECTION AND COMPOSITION OF VISITING TEAMS~~

~~The members of the Process Review Team are selected by the Coordinator of Professional Program Approval. Team members will include a representative from the Office of Educator Licensure, a local school administrator, and a representative from another institution of higher learning within the State. The Mississippi Department of Education will reimburse expenses for the mileage incurred by team members while traveling to and from Process Review visits.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0304 PROCESS AND PERFORMANCE REVIEW~~

~~At the completion of the site visit, a brief report will be given to the Dean/Department Chair indicating whether standards which can be monitored on site have been met. A written response will be given when other data are analyzed. Deans/Department Chairs will sign a Process Review Team Report indicating that they have been informed of initial visit results.~~

~~Data collected on a site visit will be analyzed by MDE for Performance Standards 1 and 2. This analysis will be done as soon as possible but will be completed within 30 days of the last scheduled Process Review. If a preliminary check indicates that a college or university is in violation of Process or Performance Standards, notification in writing will be given to the Dean or Department Chair. This notification will contain names and social security numbers of students so that the report can be checked for errors by the institution. A written response to the notification is required within thirty days so that a final recommendation can be made to the Licensure Commission.~~

~~After a response is received from institutions in possible violation of Process and Performance Review Standards, a final report is prepared for the Licensure Commission. Upon review and consideration of the adequacy of the report in addressing Process and Performance Standards, the Commission will make a recommendation to the State Board of Education with respect to program approval at the earliest practical date.~~

~~Upon review of the visiting team report, the Commission will recommend to the State Board of Education programs, which will be assigned to one of the following categories.~~

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1. ~~Approved~~ Program which is in compliance with ~~all~~ Process and Performance Standards.
2. ~~Approved with Reservation~~ Program which has not effectively demonstrated that all Process and Performance Standards for teacher education have been met. A program receiving approved with reservation status will develop a plan that will correct the deficiencies noted within a maximum of two years. The Commission will facilitate the development and implementation of the plan and will offer assistance through the Mississippi Department of Education during the approved with reservation period. This plan will be reviewed and approved by the Commission. The program will file an annual report to the Commission and the IHL Board on the success of the remediation plan, and a visiting team will annually monitor the progress of the plan. If the program has not corrected deficiencies after the second year of the three year period, the institution must inform all students presently enrolled in the program and those making application to the teacher education program of its status.
3. ~~Non-Approved~~ Teacher education program not in compliance with all program approval standards after the remediation period.

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

506.0305 PROGRAM APPROVAL FOR NEW TEACHER EDUCATION PROGRAMS

New programs shall be submitted to the Licensure Commission and State Board twice annually in January and July of each year. To be considered by the Commission and the Board in July, a program must be received by the Coordinator of Professional Program Approval no later than January 15 of that year. A program submitted for consideration in January must be received by the Coordinator of Professional Program Approval no later than July 15 of the previous year.

The following process should be followed whenever an institution is seeking approval for a **new** teacher education program:

- A. A letter signed by the Dean or Department Chair should be sent to the Coordinator of Professional Program Approval which identifies the new program and gives a rationale for its implementation. A list of courses needed to complete the program and a syllabus for each course should be included. Additionally, assurances should be included that the program is also being submitted to the IHL Board of Trustees for approval. Prior to program submission for MDE review, an institutional review of the program keyed to criteria established by a recognized external agency such as the Council for Exceptional Children should be carried out.
- B. After review by the Coordinator of Professional Program Approval to ensure that all needed documents are included, the request will be sent to Licensure Commission members along with backup material, and then to the State Board of Education for action at their next scheduled meeting. If the Board approves, the institution requesting approval of the new program and IHL will be informed in writing by the Coordinator of Professional Program Approval of the State Board's action.

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

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- C. ~~If a new program is not recommended for approval by the Licensure Commission, a letter detailing the reasons for not approving the program will be sent to the Dean/Department Chair of the institution.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0306 ACCREDITATION OF TEACHER EDUCATION PROGRAMS BY NCATE~~

~~All approved teacher education programs must be accredited by the National Council for the Accreditation of Teacher Education. Loss of NCATE approval for a teacher education program will automatically call for program graduates to be licensed through the alternate route only. Only when accreditation has been reestablished through NCATE and the State of Mississippi will graduates be licensed through the regular licensure process.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0307 ANNUAL UPDATES THROUGH THE AACTE REPORTING FORM~~

~~Weaknesses in meeting standards identified through initial NCATE visits shall be updated annually through the American Association of Colleges for Teacher Education annual report forms, a copy of which should be sent to the Coordinator of Professional Program Approval, MDE, and the Office of Academic Affairs, IHL. These reports will be the basis for keeping the Licensure Commission, the State Board of Education, and the IHL Board apprised of progress made in removing weaknesses identified in initial and continuing accreditation visits.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0308 EDUCATIONAL LEADERSHIP PROGRAMS~~

~~Process Standards~~

- ~~1. Prior to being admitted to an education leadership program, students submit a standard application packet that assesses knowledge, background, experiences related to teaching and learning, leadership ability or capacity, interpersonal skills, and written communication skills.~~
- ~~2. Prior to being admitted to an educational leadership program, students participate in a standard interview process that assesses background experiences related to teaching and learning, leadership ability or capacity, interpersonal skills, and oral communication skills.~~
- ~~3. Prior to being admitted to an educational leadership program, candidates complete a standard portfolio that demonstrates evidence of successful teaching experiences, leadership ability or capacity, interpersonal skills, professional development activities, and written communication skills. Portfolios are evaluated using established criteria.~~

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

Strikeouts are deletions

Red is state statute

4. ~~Prior to completing an educational leadership program, all candidates shall have successfully completed a program within a unit which is accredited by NCATE or which meets the NCATE Curriculum Guidelines for advanced programs in Educational Leadership.~~
5. ~~Beginning January 1, 1998, and thereafter, programs must document that the Mississippi Administrator Standards and Indicators or other approved national standards are incorporated into their programs.~~

~~Performance Standard~~

1. ~~A minimum of eighty percent of all educational leadership graduates over a three year period from an institution seeking initial licensure shall score at or above the proficiency level of the School Leaders Licensure Assessment (SLLA).~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0309 EDUCATIONAL LEADERSHIP PROGRAM PROCESS REVIEW~~

~~Annual review of educational leadership programs will be scheduled concurrently with the Teacher Education Process and Performance Review at all institutions having an approved educational leadership program. Deans/Department Chairs will consult with heads of educational leadership programs to establish a convenient date for review of both programs subject to approval by the Coordinator of Professional Program Approval.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0310 SELECTION AND COMPOSITION OF VISITING TEAMS~~

~~Each visiting team will consist of an MDE representative, a representative of another institution of higher learning, a local school district superintendent or his/her designee, and a representative of another approved educational leadership program in the State. All team selections will be made by the Coordinator of Professional Program Approval.~~

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

~~506.0311 ACCREDITATION OF EDUCATIONAL LEADERSHIP PROGRAMS THROUGH FORMAL NCATE REVIEW~~

~~All approved educational leadership programs must be accredited by the National Council for the Accreditation of Teacher Education. Loss of NCATE approval for an educational leadership program will automatically cause program graduates **not** to be licensed by the Office of Educator Licensure. Only when accreditation has been reestablished through NCATE can program graduates be licensed as administrators. Educational leadership programs will be evaluated on a five year cycle in conjunction with the teacher education program evaluations.~~

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

Strikeouts are deletions

Red is state statute

Reason for Suggesting Change: This is the Mississippi Department of Education's policy copied into our policy.

600 STUDENT AFFAIRS AND ADMISSIONS

Reason for Suggesting Change: This change would make it easier to find the admissions policy.

801.04 EMPLOYMENT CONTRACTS

Acting under appropriate statutory authority and Board policy, the Board of Trustees hereby empowers the Institutional Executive Officers of the several institutions the authority to approve and execute contracts only with deans, professors, other members of the teaching staff and such categories of administrative employees as designated by the Commissioner in accordance with state law and Board Policy. Board approval for appointments and promotions is still required as provided within Board Policy 401.0102 Delegation of Authority. ~~These contracts are for a maximum length of 12 months, unless specifically approved by the Board.~~ The maximum Board approved contract length is for four years. ~~The Board may consider Institutional Executive Officers and selected athletic personnel for multi-year contracts.~~

Employee contracts are to be maintained on campus in an office designated by the Institutional Executive Officer. The contracts for Institutional Executive Officers and selected athletic personnel are also to be maintained at the Office of the Commissioner.

Reason for Suggesting Change: This change would make this section consistent with section 401.01 Authorization for Employment, 401.0101 Statute Applicable, and 404.01 Non-Tenure Track Defined.

801.06 HIRING PROCEDURES

The ~~policy of the~~ Board requires that each institution develop, maintain, and follow written employment and/or hiring procedures for both faculty and staff. Such procedures shall conform to all applicable state and federal laws and shall be on file within each institution's ~~personnel~~ human resources department.

Reason for Suggesting Change: Human Resources is the term used on our campuses.

PROPOSED CHANGES TO IHL BOARD POLICIES AND BYLAWS

Underlines are additions

Strikeouts are deletions

Red is state statute

801.15 STAFF AND DEPENDENT TUITION WAIVERS

- A. **Staff Tuition Waivers** - Full-time faculty and staff of the State Institutions of Higher Learning may, with the approval of the appropriate Institutional Executive Officer, register without tuition for up to six (6) undergraduate or graduate credit hours per term at the institution where they are employed.

Full-time employees in the Executive ~~o~~ Office of the Board may, with the approval of the Commissioner, register without tuition for up to six (6) undergraduate or graduate credit hours per term at any institution of higher learning under the governance of the Board. Staff tuition waivers shall be accounted for and reported at the face value of the tuition being waived in the appropriate functional category.

- B. **Dependent Tuition Waivers** - The Dependent Tuition Waiver employee benefit for the state institutions applies to all ~~single~~, dependent children (as defined in Internal Revenue Code § 152(c)(3)) of fulltime faculty and staff of the universities and full-time employees of the Executive Office. In order to receive an undergraduate tuition waiver for 50 percent (50%) of the total tuition, the dependent must gain admission to the university where the parent or legal guardian is employed, or in the case of dependent children of the IHL Executive Office, at any of the eight state universities, and make a formal written request to the Office of Financial Aid of the respective institution. In cases wherein both parents or legal guardians are eligible employees, a tuition waiver of one hundred percent (100%) shall be provided to the dependent children. ~~Single,~~ Dependent children of continuing employees hired prior to July 1, 1977, are eligible for full waiver of undergraduate tuition at the appropriate institutions because of the grandfather clause included in the April 28, 1977, minutes of the Board.

1. **Continued Eligibility** - A single, dependent child may receive an undergraduate tuition benefit (consistent with the continued employment of the parent or guardian) which may be continued until the degree requirements for one baccalaureate degree are met or until age 25, whichever comes first.
2. Dependent tuition shall be accounted for and reported at the face value of the tuition being waived in the appropriate functional category.

Reason for Suggesting Change: As the tuition waiver is a benefit to each employee, this change provides clarity. Additionally, the change adds clarity as to the definition of dependent and the children of IHL Executive Office employees.

EXHIBIT 2

March 20, 2008

Real Estate & Facilities items that were approved by the Board staff subsequent to the February 21, 2008 Board meeting in accordance with Board Policy 904 Board Approval.

Jackson State University

The Board staff approved Change Order #7 for GS 103-179, School of Engineering, in the amount of \$9,760.64 and requested approval from the Bureau of Building, Grounds and Real Property Management. The change order is needed to furnish and install audio-visual conduit in various rooms, furnish and install 130 locks in the lab casework, and furnish and install wood built-in file cabinets to millwork. The total project budget is \$22,632,229.59. Funds are available from SB 1675, Laws of 1999.

The Board staff approved Change Order #8 for GS 103-179, School of Engineering, in the amount of \$14,250 with an additional forty-five (45) days to the contract of Evan Johnson & Sons Construction, Inc. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The change order is needed to add ground face CMU and brick to elevator #1 exterior shaft walls in lieu of architectural concrete finish and delete glass plaques. The total project budget is \$22,632,229.59. Funds are available from SB 1675, Laws of 1999.

The Board staff approved Change Order #1 for GS 103-233, Repair/Replace Tennis Courts, in the amount of \$20,927.37 and requested approval by the Bureau of Building, Grounds and Real Property Management. The change order is required to furnish all site work per subcontractor quotes, furnish new fencing and a 20% O/P Taxes and Insurance. The total project budget is \$1,220,927.37. Funds are available from SB 3120, Laws of 1996, and SB 2010, Laws of 2004.

Mississippi State University

The Board staff approved the university's request to remove Building 1663, Glass Greenhouse, at Crystal Springs, Mississippi, from the Mississippi Agricultural & Forestry Experiment Station (#422) inventory and requested approval from the Bureau of Building, Grounds and Real Property Management. The building is no longer needed and is beyond practical repair. The Office of Real Estate and Facilities will keep all approval letters from the Mississippi Department of Archives and History on file.

The Board staff approved the university's request for additional fees for GS 105-310, Harned Hall Renovations, in the amount of \$107,800 incurred by Earl Walls Associates for additional time and expenses incurred to create schematic and design development documents. An approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are provided from SB 2010, Laws of 2004, and HB 246, Laws of 2007.

The Board staff approved the university's request for additional fees for GS 105-310, Harned Hall Renovations, in the amount of \$24,500 incurred by Montgomery Dodson P.E. for additional time and expenses incurred to perform an analysis of the existing concrete structure for each floor slab and beams and to provide plans and specifications for strengthening the existing slabs for the live loads that are required. Approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are provided from SB 2010, Laws of 2004, and HB 246, Laws of 2007.

The Board staff approved the university's request for additional fees for GS 105-310, Harned Hall Renovations, in the amount of \$9,000 incurred by Burns Cooley Dennis, Inc. for additional time and expenses incurred to perform soil boring and concrete cores of the existing structure. Approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are provided from SB 2010, Laws of 2004, and HB 246, Laws of 2007.

The Board staff approved the university's request for additional fees for GS 105-310, Harned Hall Renovation, in the amount of \$83,100 incurred by Earl Walls Associates for additional time and expenses incurred to create construction documents and for construction administration. Approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are provided from SB 2010, Laws of 2004, and HB 246, Laws of 2007.

The Board staff approved the award of a contract for GS 105-324, McComas Hall Lobby Finishes, to Weathers Construction Company, the lower of six (6) bidders in the amount of \$292,207 and requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$350,000. Funds are available from HB 1634, Laws of 2006.

The Board staff approved Change Order #8 for IHL 205-210, New Residence Hall Complex – Phase II, which adjusts the final contract in the amount of \$15,356 for various construction modifications. The total project budget is \$44,185,000. Funds are provided from MSU Educational Building Corporation Bond Funds.

Mississippi University for Women

The Board staff approved the contract documents for IHL 204-130, Painter Hall, and authorized the advertisement for the receipt of bids. The total project budget is \$495,000. Funds are available from a U.S. Department of Housing and Urban Development Grant.

University of Mississippi

The Board staff approved the design development phase for GS 107-287, Coulter Hall Renovations, and requested approval by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$4,422,070. Funds are provided by HB 1634, Laws of 2006, and university sources.

The Board staff approved the university's request to authorize the advertisement for the receipt of bids for IHL 207-294, Residential College. The total project budget is \$46,500,000. Funds are provided through self-generated sources.

The Board staff approved the bids and the award of a contract for IHL 207-294, Residential College, to Harrell Construction, the lower of six bidders, in the amount of \$27,687,000. The central mechanical plant estimated budget is \$5,374,247.55 and will be bid separately as part two of the project. The total project budget is \$46,500,000. Funds are provided through self-generated sources.

University of Mississippi Medical Center

The Board staff approved UMMC's request to use the balance of the funds of GS 109-186, New Teaching Facility, for the purchase of an existing property located at 764 Lakeland Drive. The bond bill language provides that this funding can be used to "aid in the purchase" of such property. Therefore, Board staff concurs with UMMC's request to pursue redirecting the funds for this purpose.

The Board staff approved Change Order #1 for IHL 209-498, DIS Generator 2006, in the amount of \$5,843.45 with an increase of forty-five (45) days to the contract time of Electro-Mech, Inc. The change order provides for the addition of hand rails on two sides of the generator pad, the preservation of existing drainage, and a chute was created leaving a void between the new pad and existing building which was covered with bar grating. The total project budget is \$433,000. Funds are available from self-generated sources.

The Board staff approved Change Order #2 for IHL 209-498, DIS Generator 2006, in the amount of \$6,948.98. The change order provides for the cost of the contractor providing a temporary, portable generator to provide power during the installation of the auto transfer switch. The total project budget is \$433,000. Funds are available from self-generated sources.

The Board staff approved Change Order #1 for IHL 209-499, Day Surgery HVAC Renovations, in the amount of \$10,495 to provide waterproof membrane to new areaway concrete walls which is needed to prevent seepage through the new areaway walls and into crawlspace. The total project budget is \$1,500,000. Funds are available from self-generated sources.

The Board staff approved Change Order #2 for IHL 209-499, Day Surgery HVAC Renovations, in the amount of \$13,025 to provide for installation of a new electrical panel to feed the existing Day Surgery area/equipment. The total project budget is \$1,500,000. Funds are available from self-generated sources.

The Board staff approved the schematic design documents for IHL 209-500, Health Related Professionals Drainage Revisions 2007, as prepared by Dale/Morris Architects, PLLC. The total project budget is \$570,000. Funds are available from self-generated sources.

301.0806

UNIVERSITY FOUNDATION/AFFILIATED ENTITY ACTIVITIES

Purpose of Foundations and Similar University Affiliated Entities:

The requirements of this policy are to apply to all university development foundations, research foundations, athletic foundations, alumni associations and all other similar entities affiliated with any of our eight state universities. The Board of Trustees recognizes the role university foundations and other similar affiliated entities throughout the nation have in providing additional financial support for their institutions so they can achieve a level of excellence not possible through state funding and tuition alone. The Board of Trustees recognizes and appreciates the contributions made to higher education by such foundations and similar entities affiliated with the ~~institutions of The Mississippi State Institutions of Higher Learning~~, and that their goal is not to replace necessary support from the state. The Board of Trustees acknowledges that the private, independent nature of foundations and similar affiliated entities provides flexibility to ~~the institutions of The Mississippi State Institutions of Higher Learning~~ state universities in fiscal management and responsiveness.

The purpose of foundations and other entities affiliated with ~~institutions of the Mississippi State Institutions of Higher Learning~~ our state universities is to engage in raising funds and/or other activities consistent with the mission and priorities of the institutions as determined by the Institutional Executive Officers. These entities are expected to have mission statements relevant to this purpose and to adopt policies, plans, and budgets to achieve their missions. If authorized by the Institutional Executive Officer, E each institutionally affiliated entity is authorized to accept gifts, restricted and unrestricted, on behalf of that institution. The institution agrees, through its chief executive officer, to keep the foundation/affiliated entity apprised of its needs and priorities; the foundation/affiliated entity agrees to consider and communicate to the institution its ability and plans to fund those needs and priorities and accept or solicit gifts that are consistent with the institution's mission, goals, or objectives and to manage those funds in a fiscally sound and prudent manner.

Public Confidence:

The Board of Trustees recognizes it cannot and should not have direct control over institutionally affiliated foundations/entities. These foundations/affiliated entities must be governed separately to protect their private, independent status. However, because the Board of Trustees is responsible for ensuring the integrity and reputation of the university system and its institutions and programs, it must be assured that any affiliated entity/foundation will adhere to ethical standards appropriate to such organizations in order to assure the public that it is conducting its mission with honesty and integrity and in harmony with the mission of the university.

Therefore, each Institutional Executive Officer should ensure that the university development foundations, research foundations, athletic foundations, alumni associations and any other similarly affiliated entities ascribe to the following requirements in order to enhance public confidence in the foundation/entity:

- Compliance with state and federal law applicable to such organizations;
- Maintenance of financial and accounting records in accordance with Generally Accepted Accounting Principles. These records shall be audited annually by a Certified Public Accounting firm and the records shall be maintained separately from the records of the affiliated institution;
- Submission of the annual audited financial statements by each November 1 [to allow compliance with Governmental Accounting Standards Board (GASB) 39] along with a list of foundation/entity officers, directors, or trustees, through their institution's chief executive officer, to the Commissioner of Higher Education;
- Submission to the Board of Trustees of an annual report providing a detailed list of supplemental compensation ~~which was submitted to the university for the purpose of providing additional compensation~~ provided to administrators, faculty, athletic staff, and other employees;
- ~~No form of compensation may be paid or provided to an Institutional Executive Officer by any university foundation or affiliated entity without prior approval of the Board of Trustees of State Institutions of Higher Learning. The request for approval shall come through the Commissioner to the HHL Board; and~~
- Encourage formal communications between members of the Board of Trustees and directors of the various foundations/entities, to include periodic meetings between Board members, the Chief Executive Officer of the foundations/entities' Board of Directors, the Commissioner and the Institutional Executive Officers: ; and
- See requirements within this policy for operating agreements.

The relationship between the ~~institutions of The Mississippi State Institutions of Higher Learning~~ state universities and the foundations/entities supporting those institutions must be based on a recognition of and respect for the private and independent nature of the foundations/entities. Transactions between an institution and its foundation/affiliated entity must be consistent with the foundation's/affiliated entity's mission to assist and benefit the institution and must also be consistent with the institution's obligation to hold, manage, and use public property and resources to benefit the public interest. To ensure that the relationship is clearly defined, each institution shall consummate a formal written operating agreement with its affiliated foundations/entities. Therefore, each university must enter into an operating agreement with its development foundation(s), research foundation(s), athletic foundation(s), alumni association(s) and any other similar university affiliated entities. To ensure the independence of the affiliated entities, no employee of ~~The Mississippi~~ the Board of Trustees of State Institutions of Higher Learning shall hold a voting position on an institutionally affiliated entity board. The Board of Trustees may allow exceptions to this restriction if needed to comply with NCAA requirements or other purposes. Senior administrators of the institution should only participate on the affiliated entity's board in an ex-officio capacity.

Operating Agreement:

Each ~~state university institution of The Mississippi State Institutions of Higher Learning~~ state university ~~and their~~ its development foundations, research foundations, athletic foundations, alumni associations and any other similar affiliated entities shall enter into a public, written operating agreement that outlines the relationship between the two entities. This agreement shall be reviewed for approval by the Board of Trustees at least every five (5) years, or whenever the operating agreement is changed, and include:

- The services and benefits the institution and affiliated entity provide each other and any payments made, including whether institutional assets are managed by the affiliated entity;
- How gifts, grants, and endowments are accepted and accounted for;
- That gifts made to ~~an institution of The Mississippi State Institutions of Higher Learning~~ a state university be accounted for and ownership maintained by that ~~institution~~ university; that gifts made to an institutionally affiliated entity be accounted for and ownership maintained by that entity;
- That the affiliated entity has a conflict-of-interest policy and that such policy must comply with all requirements of Miss. Code Ann., §79-11-269 (1972), as amended, entitled "Conflict of Interest Transaction";
- That no form of additional compensation for an Institutional Executive Officer will be underwritten or increased by an affiliated foundation/entity without prior approval of the Board of Trustees of State Institutions of Higher Learning. The request for approval shall come through the Commissioner to the IHL Board. As to other university employees, no form of additional compensation may be provided or paid by an affiliated foundation/entity without prior approval by the Institutional Executive Officer. All such approvals by the Institutional Executive Officer must be reported to the Board of Trustees at its next official meeting;
- That institutional input will be sought from the Institutional Executive Officer before defining the major needs and priorities for foundation/affiliated entity consideration; ~~and~~
- That the foundation/affiliated entity agrees to permit periodic contract compliance reviews of the affiliation/operating agreement by the Board of Trustees of State Institutions of Higher Learning or its designee(s), to ensure compliance with the provisions of the agreement. However, any Board staff conducting the reviews shall be prohibited from examining donor records of the affiliated entity in conducting the compliance reviews; Even so, each Institutional Executive Officer is required to submit to the Board, through the Commissioner, a signed, notarized certification statement, annually, which affirmatively states that the Institutional Executive Officer or his/her designee has examined all donor records of the university's affiliated foundations and entities listed on the certification statement, and that there was no evidence of any violation of the foundations'/affiliated entities' conflict of interest policy or of IHL Board policy. In addition, Institutional Executive Officers must certify that, following a review by the Institutional Executive Officer or by his/her designee of the business transactions of the foundation/affiliated entity, there was no evidence of any violation of the foundations'/affiliated entities' conflict of interest policy or of IHL Board policy. Institutional Executive Officers must further certify that if he/she becomes aware of any such violations by the foundations'/affiliated entities' governing boards, officers or employees, the institutional executive officer will immediately notify the Board of Trustees, through the Commissioner, in writing; and
- Foundation/affiliated entity board members, officers or employees, including any businesses or corporations in which foundation/affiliated entity board members, officers or employees have a financial interest, may not conduct any type of business, sell any products or goods, or perform any services of any kind, to, with or for the university with which the foundation or affiliated entity is associated, unless the university has advertised for and received competitive bids for the products, goods or services, and unless the foundation/affiliated entity board member, officer or employee, or his/ her company or business, submitted the lowest and best bid. In addition, any such business transactions must be reported annually to the Board of Trustees through the Commissioner; and

- That other requirements stated or implied by this policy have been followed.

Board of Trustees' Authority:

As provided in Miss. Const. Art. 8, Section 213-A, the Board of Trustees has governing authority over the eight state universities ~~institutions of The Mississippi State Institutions of Higher Learning~~. Under such authority, the Board of Trustees has responsibility for ensuring the public interest is served by any individual or organization established to support one of the eight state universities ~~an institution of The Mississippi State Institutions of Higher Learning~~. While the Board of Trustees cannot control or direct individuals or private organizations, it has the full authority to control the activities of its agents and agencies in their relationships with such individuals or organizations. Such control extends to the regulation of participation in those organizations and the use of a name, logo, or other insignia identified with the state universities ~~institutions of The Mississippi State Institutions of Higher Learning~~.

EXHIBIT 4

March 20, 2008

ANNUAL INSTITUTIONAL EXECUTIVE OFFICER'S CERTIFICATION STATEMENT

I, _____, hereby certify, as Institutional Executive Officer of _____ university, at which I am employed, that either I have examined or my designee has examined all donor records of the university affiliated foundations/entities listed immediately below, and that there was no evidence of any violation of the foundations'/affiliated entities' conflict of interest policies or of IHL Board policy. Additionally, following a review by either me or my designee of the business transactions of the foundations'/affiliated entities listed immediately below, there was no evidence of any violation of the foundations'/affiliated entities' conflict of interest policies or of IHL Board Policy. I further certify that if I become aware of any such violations by the foundations'/affiliated entities' governing boards, officers or employees, I will immediately notify the Board of Trustees through the Commissioner of Higher Education in writing.

- 1.
- 2.
- 3.
- 4.

(Signature of IEO)

State of Mississippi
County of _____

This day came and personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the above named _____, the Institutional Executive Officer of _____, who, after being by me first duly sworn, stated under oath that the matters and facts set out in the foregoing certification statement are true and correct and that they are based upon his/her own personal knowledge.

WITNESS MY SIGNATURE AND OFFICIAL SEAL, THIS THE ____ day of _____, 2008.

(Seal)

My Commission Expires:

Notary Public

EXHIBIT 5

March 20, 2008

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 7/20/07, 5/31/07 and 1/18/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the "University Health System Consortium" - \$45,000.00 and "General advice" - \$3,397.64, "Salter case" - \$43.00, respectively.)

TOTAL DUE \$48,440.64

Payment of legal fees for professional services rendered by Phelps Dunbar (Statements dated 1/30/08 and 12/26/07) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the "DSH litigation" - \$426.47 and "Dean and Dean Architects" - \$720.00.)

TOTAL DUE \$1,146.47

Payment of legal fees for professional services rendered by Scott, Sullivan, Streetman & Fox (Statement dated 1/16/08) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Teer* case.)

TOTAL DUE \$151.84

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 1/11/08) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

TOTAL DUE \$6,912.75

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (Statements dated 10/8/07, 12/11/07, 8/9/07, 11/9/07, 12/10/07 and 1/11/08) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$887.00, \$128.00, \$6,322.93, \$1,484.14, \$105.04 and \$102.00, respectively, represent services and expenses in connection with the *Sterling* case.)

TOTAL DUE \$9,029.11

Payment of legal fees for professional services rendered by Forman Perry Watkins Krutz & Tardy (Statements dated 1/17/08) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$15,954.38, \$2,707.89, \$60.00, \$1,752.36, \$3,156.57, \$11,941.04 and \$1,904.26, respectively, represent services and expenses in connection with the *Blake, Hudson, Seid, Beason, Flowers, Porter and Knight* cases.)

TOTAL DUE \$37,476.50

Payment of legal fees for professional services rendered by Forman Perry Watkins Krutz & Tardy (Statements dated 12/4/07) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,594.15, \$3,399.51 and \$975.00, represent services and expenses in connection the *Blake, Hudson & McGarry* cases.

TOTAL DUE \$7,968.66

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

Payment of legal fees for professional services rendered by Wenderoth, Lind & Ponack (Statements dated 1/15/08 and 2/4/08) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following trademark applications: “TM: College of Veterinary Medicine: Mississippi State University & design – Class 24, 41” - \$67.00 and “TM: MISSISSIPPI STATE UNIVERSITY – Classes 9, 14, 16, 20, 21, 25” - \$3,850.00.)

TOTAL DUE \$3,917.00

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 12/20/07, 12/20/07, 1/24/08, 1/24/08, 1/24/08 and 1/24/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patent applications: “Thermally-Targeted Delivery of Medicaments” - \$1,168.50, “Saliva-Based Protein Profiling” - \$635.94, “Amphotericin BHP Delivery System” - \$85.50, “Saliva-Based Protein Profiling” - \$798.00, “Method for Localizing Enteric Nervous System” - \$331.50 and “Cell Culture Model for Demyelination/Remyelination” - \$2,619.00.)

TOTAL DUE \$5,638.44

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 12/12/07) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: “Method to Control Regulation of Flowering of Poplar Trees” - \$42.50 and “Organic Wood Preservatives” - \$465.00.)

TOTAL DUE \$507.50

Payment of legal fees for professional services rendered by DLA Piper US (Statement dated 12/14/07) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent application: “Termite Control System, Method and Apparatus”.)

TOTAL DUE \$2,645.80