

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

BE IT REMEMBERED, That the Mississippi 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 9 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2012, to each and every member of said Board, said date being at least five days prior to this March 21, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Christine Pickering and Ms. Robin J. Robinson were absent. The meeting was called to order by Mr. Bob Owens, President, and opened with prayer by Trustee Aubrey Patterson.

PRESENTATION

President Bob Owens welcomed Governor Phil Bryant to the Board meeting. Governor Bryant addressed the Board about increasing teacher preparation program entrance requirements at public universities in Mississippi.

APPROVAL OF THE MINUTES

On motion by Trustee Patterson, seconded by Trustee Dye, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 21, 2013 and February 28, 2013.

CONSENT AGENDA

On motion by Trustee Cummins, seconded by Trustee Parker, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE

1. **UM** - Approved the request to escalate the On Campus budget as shown below. The escalation is funded by additional tuition revenue and non-resident fees. The escalation of expenditures will be used to fund additional scholarships as a result of increased enrollment.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$ 172,626,652		\$ 172,626,652
Travel & Subsistence	1,725,974		1,725,974
Contractual Services	60,147,911	2,300,000	62,447,911
Commodities	5,966,457		5,966,457
Capital Outlay:			
Other than equipment	4,095,477		4,095,477
Equipment	3,036,836		3,036,836

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Transfer:			
Mandatory	1,156,942		1,156,942
Non-Mandatory	6,313,786		6,313,786
Increase in Fund Balance	-		-
TOTAL	\$ 255,070,035	\$ 2,300,000	\$ 257,370,035

2. **UM** - Approved the request to escalate the Off Campus budget as shown below. The escalation is funded by continuing education revenue. Additional expenditure authority will be used for costs related to increased enrollment at the Grenada Center.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$ 8,862,053	\$ 88,011	\$ 8,950,064
Travel & Subsistence	88,750		73,750
Contractual Services	1,690,158		1,767,658
Commodities	255,000		263,500
Capital Outlay:			
Other than equipment	-		-
Equipment	158,000		85,989
Transfer:			
Mandatory	103,484		103,484
Non-Mandatory	43,510		43,510
Increase in Fund Balance	-		-
TOTAL	\$ 11,200,955	\$87,000	\$ 11,287,955

3. **UM** - Approved the request to escalate the Athletic budget due to additional self-generated funds as shown below. Increases are requested to accommodate organizational changes and accounting changes, i.e. adjustment to mandatory versus non-mandatory transfer category. This will be funded with self-generated revenues.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$19,005,173	\$97,887	\$19,103,060
Travel & Subsistence	4,873,346	-	4,873,346
Contractual Services	18,469,264	940,000	19,409,264
Commodities	4,583,747	-	4,583,747
Capital Outlay:			
Other than equipment	-		-
Equipment	726,850	-	726,850
Transfer:			
Mandatory	3,705,696	(451,330)	3,254,366
Non-Mandatory	1,569,397	451,330	2,020,727
Subsidies, Loans, & Grants			
TOTAL	\$ 52,933,473	\$1,037,887	\$53,971,360

4. **UM** - Approved the request to escalate the Auxiliaries budget including The Inn at Ole Miss, Student Housing, Contractual Services Management, and Parking & Transportation Service. The escalation will be funded by additional self-generated revenues from increased demand for services except for the Contractual Services Management. Contractual Services Management will be

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escalated to cover one-time expenses associated with the renovation of the Paul B. Johnson Commons and will be funded from reserves. The one-time expenses include rent for mobile, temporary kitchens while the kitchen and dining areas are being renovated.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$9,890,772	\$514,165	\$10,404,937
Travel & Subsistence	202,031	-	202,031
Contractual Services	12,262,926	703,000	12,965,926
Commodities	8,237,459	90,848	8,328,307
Capital Outlay:			
Other than equipment	-		-
Equipment	1,039,300	29,500	1,068,800
Transfer:			
Mandatory	6,020,963		6,020,963
Non-Mandatory	2,643,179	700,000	2,643,179
Subsidies, Loans, & Grants	-		-
TOTAL	\$ 40,296,630	\$ 2,037,513	\$ 42,334,143

5. **USM** - Approved the request to enter into a charter services agreement with Air Planning, LLC to arrange charter flights for the USM football team for the 2013 football season. Air Planning will act as the authorized agent for USM and will arrange charter flights through the air carrier JetBlue Airways. The agreement will commence upon execution by both parties which is expected to occur in late March 2013. The agreement will expire upon completion of the last flight which is scheduled to be November 2, 2013. The total cost of the agreement is estimated at \$525,000. A fixed fee of \$463,598 is due in three stipulated amounts. Costs associated with Federal Excise Tax, Segment fees, Passenger Facility Charges, and standard beverage services are included in the fixed fee portion of the contract. \$61,402 of the estimated total cost is to cover a fuel surcharge if the cost of actual fuel prices incurred for a charter flight is greater than the base fuel cost of \$3.50. Additional fees may be assessed under the agreement associated with passenger screening, tax charge increases, and optional skycap service. This agreement will be funded by auxiliary funds. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
6. **UMMC** - Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of custom perfusion tubing packs (supplies to regulate blood supply) assembled according to UMMC's specifications and held in reserve by Medtronic as a readily available supply for use in the adult perfusion program. The term of the agreement is for three (3) years beginning on or about April 1, 2013 through March 31, 2016. The total estimated cost for the three (3) year contract term is \$585,792. UMMC anticipates purchasing 240 custom perfusion packs during the first twelve (12) months of the agreement. The cost per pack is \$565. Due to the probability of changes in product assembly, UMMC anticipates an annual price increase of 20% per year for years two and three of the agreement. A breakdown of the costs assuming an annual increase of 20% after year 1, as well as a minimal increase in the number of packs purchased each year, is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

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7. **UMMC** -Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of custom perfusion tubing packs (supplies to regulate blood supply) assembled according to UMMC's specifications and held in reserve by Medtronic as a readily available supply for use in the pediatric perfusion program. UMMC will purchase six different sizes of perfusion packs for the pediatric program in order to treat a wide range of types of pediatric patients. The term of the agreement is for three (3) years beginning on or about April 1, 2013 through March 31, 2016. The total estimated contract cost for the three (3) year contract term is \$720,574.40. UMMC anticipates purchasing 1240 custom perfusion packs annually in various sizes. The cost per pack ranges from \$73 to \$193 for the first twelve months of the agreement. Due to the potential for changes in product assembly, UMMC anticipates an annual price increase of 20% per year for years two and three of the agreement. A breakdown of the costs assuming an annual increase of 20% after year 1 is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **UMMC** - Approved the request to enter into a lease agreement with the Meridian Airport Authority for the provision of helicopter fuel, hangar space, and ground space at Key Field Airport in Meridian, MS (MAA). Although this is a new agreement, UMMC has leased space at Key Field Airport since May 2009 without a formal agreement. UMMC would like to enter into a formal agreement due to the large number of referrals coming from the surrounding areas. The term of the agreement is for five (5) years – May 1, 2013 through April 30, 2018. The total estimated contract cost for the five (5) year term is \$730,510. This amount is based on the following factors: 1) a fixed monthly rental fee of \$2,000 or \$120,000 for the five year contract period, and 2) MAA's cost of fuel plus twenty cents (\$.20) per gallon for fuel. Based on fluctuating fuel prices and actual gallons purchased, UMMC anticipates an annual increase of 10% to cover the cost of fuel and increased usage for years 2 through 5 of the agreement. A breakdown of costs using an annual 10% increase in fuel costs after Year 1 is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
9. **UMMC** - Approved the request to amend the agreement with Philips Healthcare, a division of Philips Electronics North America Corporation (Philips), which was formally VISICU, Inc. The agreement provides for the eCareManger System and related services. The amendment will allow the removal of Delta Health Alliance (DHA) as a third party to the agreement between UMMC and Philips. The term of the original contract, as approved by the Board, was five (5) years - from September 22, 2008 through September 21, 2013. This is a no cost amendment to the agreement. As previously approved by the Board, the total cost of the contract over the five (5) year term beginning in 2008 will be \$13,015,740. The annual cost is as follows: Year 1 - \$ 5,320,400, Year 2 - \$2,343,118, Year 3 - \$2,160,944, Year 4 - \$1,608,514, and Year 5 - \$1,582,764. UMMC has allowed for the cost of the eICU program in its current hospital budget. The agreement will be funded by patient revenues included in UMMC's 2012-13 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

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10. **SYSTEM** - Approved the request for the university affiliated entities to engage the following CPA firms to conduct annual audits for fiscal/calendar year 2013 as required by Board Policy 301.0806 University Foundation/Affiliated Entities Activities, Subsection D. General Requirements of Affiliation Agreements.

University Affiliated Entity	CPA Firm
Alcorn State University Foundation	Silas Simmons, LLP
Delta State University Foundation	Ellis and Hirsberg, CPA, PLLC
Jackson State University Foundation	Banks, Finley, White and Company of MS, PA
Mississippi E-Center Foundation (JSU)	Banks, Finley, White and Company of MS, PA
Jackson State University Alumni Association	Bruno and Tervalon, LLP CPAs
Mississippi State University Foundation, Inc.	KPMG, LLP
The Bulldog Club (MSU)	T.E. Lott and Company, PA
Mississippi State University Research and Technology Corporation	T.E. Lott and Company, PA
Mississippi State University Alumni Association	T.E. Lott and Company, PA
Mississippi State University Alumni Foundation, Inc.	KPMG, LLP
Mississippi University for Women Foundation	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
Mississippi Valley State University Foundation	J.E. Vance and Company, PA
University of Mississippi Foundation	KPMG, LLP
University of Mississippi Athletic Association	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
University of Mississippi Alumni Association	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
University of Southern Mississippi Foundation	RFP process is underway to choose the firm. The selection will be brought to the Board at a future date.
University of Southern Mississippi Athletic Association Foundation	Horne, LLP
University of Southern Mississippi Alumni Association	RFP process is underway to choose the firm. The selection will be brought to the Board at a future date.

11. **SYSTEM - OFFICE OF STUDENT FINANCIAL AID** - Approved the Critical Needs Dyslexia Therapy Teacher Loan/Scholarship Rules and Regulations. State law requires the Board to promulgate Rules and Regulations for administering the state-supported Student Financial Aid programs. During the 2012 Legislative Session, the Critical Needs Dyslexia Therapy Teacher Loan/Scholarship Program (CNDT) was created to begin making awards during the 2013-2014 Aid Year. The Office started accepting applications for this loan/scholarship on January 1. The CNDT makes loan/scholarships available to students pursuing a Masters of Education in Dyslexia Therapy programs that utilize the Orton-Gillingham teaching approach. A copy of the proposed rules and regulations which have been reviewed and approved by the Attorney General's Office are included in the bound *March 21, 2013 Board Working File*. As required by law, the State Board of Education is also required to approve these Rules and Regulations.

REAL ESTATE

12. **ASU** - Approved the initiation of **GS 101-294, Utility Infrastructure**, and the appointment of Atherton Consulting Engineers as the design professional. The project will repair, replace and upgrade the utility infrastructure on the Lorman campus which includes the gas, sewer, water, storm water, and HVAC systems. The estimated project budget is \$1,292,079. Funds are available from SB 2957, Laws of 2012 (\$1,292,079).

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13. **UM** - Approved the initiation of **IHL 207-369, Multi-Purpose Facility and Related Improvements**, and the appointment of AECOM as the primary design professional with Cooke Douglass Farr Lemons supporting AECOM. The expected scope of this project includes the design and construction of a new multi-purpose facility with a capacity of approximately 10,000 individuals, a multi-level parking structure with approximately 750 stalls, associated west side improvements to Vaught Hemingway stadium, related infrastructure improvements, and landscaping. The facility will include an area to display memorabilia, history, and accomplishments of Ole Miss athletes and athletics along with complimentary retail space to replace the Rebel Shop. A dedicated food service operation, with convenient access from outside, will be available throughout regular class days as a campus dining venue. The multi-level garage will be attached or in close proximity to this new facility and will be available as normal parking inventory when not in use for athletic events. These facilities will be sited in the parking lot adjacent to the west stands of Vaught-Hemingway stadium. Design and construction will be financed with revenues from the UMAA Foundation's "Forward Together" campaign and UM EBC financing as needed. The estimated project budget is \$6 million. Funds are available from Private Gifts (\$6,000,000).
14. **UM** - Approved the initiation of **IHL 207-370, Turner Center Basement Renovation**, and the appointment of The McCarty Company as the design professional. This project will renovate parts of the locker room facilities located in the basement of the building. The extent of the work is likely to include removing old lockers and replacing them with new ones, renovating the showers, evaluating the interior air quality, providing new finishes and lighting, and upgrading localized mechanical, electrical, and plumbing systems. The estimated project budget is \$1.5 million. Funds are available from Internal R&R funds (\$1.5 million).
15. **USM** - Approved the initiation of **IHL 208-307, Lucas Administration Building Repairs**, and the appointment of Albert & Associates as the design professional. The Lucas Administration Building has been experiencing some foundation settling. This settling has been causing structural and fascia damage to the exterior of the building. Foundation support will be added and all structural and fascia damage will be repaired. The estimated project budget is \$1.5 million. Funds are available from University Funds (\$1.5 million).
16. **MSU** - Approved the request to add a funding source H.B. 246, Laws of 2007 to **GS 105-343, Lee Hall Renovation**, and to reduce funds from S.B. 3100, Laws of 2011 that were previously approved by the Board. The university will take advantage of the remaining R&R funds made available from GS #105-310 Harned Hall Renovations and GS #105-314 Middleton Hall Renovations, and transfer these funds to GS #105-343 Lee Hall Renovations. This transfer of funds will then allow an equal amount of funds from SB 3100, Laws of 2011 to be transferred to GS #105-345 New Classroom Building with Parking. The project will completely renovate the facility excluding the auditorium space that was renovated in 2005. Exterior renovation and restoration to the exterior façade, roof, site drainage, and windows will take place. Interior renovations will include architectural, mechanical, and electrical. Historic details will be maintained throughout the facility in accordance with the directives from Archives and History. The estimated project budget is \$20.7 million. Funds are available from HB 1641, Laws of 2008 (\$2,463,146.89); HB 1722, Laws of 2009 (\$4,660,866.80); HB 1701, Laws of 2010 (\$8,000,000); HB 246, Laws of 2007 (\$2,057,036.96 –New Funding Source); and SB 3100, Laws of 2011 (\$3,518,949.35-Revised Funding Source Amount).

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17. **MSU** - Approved the request to delete the funding source H.B. 246, Laws of 2007 from **GS 105-345, New Classroom Building with Parking**, and to add available funds to the existing funding sources of SB 3100, Laws of 2011 and EBC Bonds/ university funds to keep the project budget as originally approved by the Board. The project will construct a 150,000-square foot classroom/parking facility on the north side of the YMCA Building. It will include three levels of classroom areas consisting of approximately 90,000 square feet and two levels of parking consisting of approximately 60,000 square feet. The building is to be appropriately outfitted with modern instructional technology, energy-efficient lighting, and energy management control systems. In addition, the project will include site work and hardscape for vehicular and pedestrian circulation. The estimated project budget is \$37,509,471. Funds are available from SB 3100, Laws of 2011 (\$11,676,431.46-Revised Funding Source Amount); and EBC Bonds and University Funds (\$25,833,039.54-Revised Funding Source Amount).
18. **MVSU** - Approved the request to revise the funding source for **GS 106-240, Leflore Hall Bath Renovations**, to include H.B. 1641, Laws of 2008 and H.B. 1722, Laws of 2009 and to increase the project budget from \$1,481,645 to \$1,617,079 for an increase of \$135,434. The project was initiated with Board approval on January 17, 2013 with a budget of \$1,481,645. The professional's latest design development update and estimate of costs requires a budget increase. Upon initiation, the university cited General Support dollars as a funding source for the project by error and is now seeking to clarify its funding sources with the Board to state the correct funding sources. The project will address complete interior demolition and renovation of the existing shower areas for Leflore Hall. The scope of work will involve removal of the existing showers, toilets, and lavatories. The residence hall has not seen a substantial renovation since construction with the exception of a new metal roof that was installed in 2004. Funds are available from HB 1641, Laws of 2008 (\$274,817.04); HB 1722, Laws of 2009 (\$625,182.96); and SB 2957, Laws of 2012 (\$717,079).
19. **UMMC** - Approved the request to revise the funding source for **IHL 209-534, Parking, Roadways, and Infrastructure Renovations**, to include Economic Development Administration (EDA) funds and to increase the project budget from \$11,150,000 to \$13,750,000 for an increase of \$2,600,000. The escalation is required based on the Professional's latest Construction Document, updated, estimate of cost for Contract III. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs related to Road Construction type projects. This project provides for the construction of new Roadway access from Lakeland Drive, on the north, to Woodrow Wilson Frontage Road, on the south, and includes improvements to existing and installation of new infrastructure services pursuant to the established UMMC Master Plan. Funds are available from Interest Income (\$625,000); EBC 2010 funds (\$5,500,000); EBC 2012 funds (\$6,125,000); and Economic Development Administration (EDA) Award #04-01-06658 (\$1,500,000).
20. **ASU** - Approved/ratified the advertising procedures used by the university in order to proceed with **IHL 201-245, Student/Staff Housing**, as such advertising requirements are set out in Miss. Code Ann. Sec. 31-7-13.1 (3). The Board also approved the short-list and the evaluation criteria used to evaluate the proposals for the project. The project was initiated in April 2009 to develop privately financed student and employee housing. The university has determined that pursuing this project using the dual phase design-build process with private financing will provide savings in time and costs over traditional delivery methods. The size and type of project is suitable for design-build.

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21. **DSU** - Approved the request to sell a residential property located at 301 McClain Avenue, Cleveland, MS to Wesley Thomas for \$65,000 with a closing date no later than June 30, 2013. Delta State currently owns ten parcels near the campus on Fourth, Shumate, and McClain streets. Most of these homes are post WWII construction. The university purchased the properties in the 1970s and 1980s. The Mississippi Legislature authorized the sale of eight of these ten parcels during the 2011 session. This property is the first of the eight to be sold. Two of the parcels will be held for future development. H.B. 1167 Laws of 2011 authorizes the Department of Finance and Administration on behalf of the Board and the university to sell the property. DSU received two independent property appraisals. The average of the two appraisals was \$62,500 which is less than the actual sale price of the property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.
22. **MSU** - Approved the request to name the Central Mississippi Research and Extension Center as the Frank T. (Butch) Withers, Jr., Central Mississippi Research and Extension Center, in memory of the former head of the center and in recognition of his long period of dedicated service to Mississippi State University and Mississippi agriculture.
23. **MSU** - Approved the request to delete Buildings #1107, 1108, 1109, 1185, and 1666 from inventory and demolish them. Building #1666 is a greenhouse that had plastic covering. The covering is gone and the structure is old. Buildings #1107, #1108, #1109, and #1185 are old Quonset storage buildings that are more economical to replace than to renovate. These buildings are in very poor condition and no longer serve the mission of the Experiment Station. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

LEGAL

24. **MSU** - Pending approval by the Attorney General, the Board approved the request to hire Stites and Harbison as outside counsel to perform legal services necessary for obtaining patents. The contract with the firm will be for one year. The total amount payable under the contract will not exceed \$100,000.00. The proposed hourly rates for the services to be provided are as follows: attorneys—Richard S. Myers, Jr. \$310; Stephen Weyer \$305; David Nagle \$300; Jennifer Kovalcik \$265; Jeff Haeberlin \$260; Mandy Decker \$237; Terry Wright \$220; Nicolo Davidson \$165; and paralegals \$95.
25. **MSU** - Pending approval by the Attorney General, the Board approved the request to hire the Ware Gasparian law firm as outside counsel to perform services necessary in preparing labor certification documents on behalf of the University for its employees who seek permanent residence status and related immigration matters. The contract would be for one year. The total amount payable under the contract will not exceed \$50,000.00. The proposed fee schedule under the contract is as follows:
Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B	\$1,500
H-1B extension or amendment petitions	\$1,000
TN petition or border/consulate processing	\$1,500
TN extension petition	\$1,000
E-3 petition or consular processing	\$1,500

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E-3 extension petition	\$1,000
O-1 petition	\$4,000
O-1 extension or amendment petition	\$1,500
Change of status or extension of status of dependents (I-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6,000
J-1 waiver (Conrad)	\$6,000

Permanent Residence Process with Labor Certification: Faculty

\$2,000	"Special Handling" labor certification (must be paid by University*) \$2500 if position must be re-advertised
\$1,000	Additional fee if audited
\$2,500	Immigrant petition
\$1,500	Adjustment of status and related applications (I-765, I-131, etc.) by employee
\$750	Adjustment of status and related applications each spouse or child

**U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fee*

Permanent Residence Process with Labor Certification: Non-Faculty

\$3,000-\$4,000	Labor certification (must be paid by University*). Exact fee depends on difficulty of case.
\$1,500	Additional fee if audited
\$2,500	Additional fee if subject to supervised recruitment
\$2,500	Immigrant petition
\$1,500	Adjustment of status and related applications (I-765, I-131, etc.) by employee
\$750	Adjustment of status and related applications each spouse or child

**U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

Permanent Residence Process: Outstanding Professors and Researchers

\$5,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$750	Adjustment of status and related applications each spouse or child

Since labor certification is not required, employees may pay all fees

Permanent Residence Process: National Interest Waiver

\$5,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee

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\$750	Adjustment of status and related applications each spouse or child
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Since labor certification is not required, employees may pay all fees

Employee's legal fees in all cases may be paid in monthly installments, to be arranged with attorney.

26. **UM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Evans Petree, PC to advise and represent the University with respect to construction matters, including but not limited to construction and design professional contracts, public procurement, potential bid protests, and other matters related to design, construction, and project management and related disputes. The firm of Evans Petree is based in Memphis, Tennessee and specializes in construction law. Joseph T. Getz will be the primary attorney performing work for the University. Mr. Getz, a partner with the firm, is a graduate of the University of Mississippi and a member of the Mississippi Bar. The term of the proposed contract will be for one year, for a maximum amount payable of \$25,000 during the contract term. The proposed fees per hour are as indicated: Partners \$265-\$295; Associates \$175-\$225; Paralegals \$95-\$110; Clerks \$50; and Research and copy charges at cost.
27. **UM** - Pending approval by the Attorney General, the Board approved the request to hire Ware/Gasparian, Attorneys at Law, as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of \$20,000 during the contract term. The proposed hourly rates are as indicated: Partners \$250; Associates \$150; and Paralegals \$100. The proposed flat fees to be charged are as follows:

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B	\$1,500
H-1B extension or amendment petitions	\$1,000
TN petition or border/consulate processing	\$1,500
TN extension petition	\$1,000
E-3 petition or consular processing	\$1,500
E-3 extension petition	\$1,000
O-1 petition	\$4,000
O-1 extension or amendment petition	\$1,500
Change of status or extension of status of dependents (I-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6,000
J-1 waiver (Conrad)	\$6,000

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Permanent Residence Process with Labor Certification: Faculty

\$2,000	"Special Handling" labor certification (must be paid by University*) \$2500 if position must be re-advertised
\$1,000	Additional fee if audited
\$2,500	Immigrant petition
\$1,500	Adjustment of status and related applications (I-765, I-131, etc.) by employee
\$750	Adjustment of status and related applications each spouse or child

**U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fee*

Permanent Residence Process with Labor Certification: Non-Faculty

\$3,000	Labor certification (must be paid by University*).
\$1,500	Additional fee if audited
\$2,500	Additional fee if subject to supervised recruitment
\$2,500	Immigrant petition
\$1,500	Adjustment of status and related applications (I-765, I-131, etc.) by employee
\$750	Adjustment of status and related applications each spouse or child

**U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

Permanent Residence Process: Outstanding Professors and Researchers

\$7,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$750	Adjustment of status and related applications each spouse or child

Since labor certification is not required, employees may pay all fees

Permanent Residence Process: National Interest Waiver

\$7,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$750	Adjustment of status and related applications each spouse or child

Since labor certification is not required, employees may pay all fees

Employee's legal fees in all cases may be paid in monthly installments, to be arranged with attorney.

28. **USM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Bryan Nelson P.A., as outside counsel to perform services as necessary and render legal advice in the practice areas of higher education law; employment law including EEOC, ERISA and employee benefits litigation; interpretation and enforcement of construction contracts; drafting and review of complex contracts; interpretation of contractual language, negotiation, and possible litigation relating to insurance issues; litigation of contract disputes and other matters not covered by the Mississippi Tort Claims Act; and disability law. The request includes the use of any and all attorneys employed by the firm, at the discretion of the firm, whose expertise and experience is

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required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged by attorneys will be \$165.00 and \$65.00 per hour for the time expended by paralegals. Disbursements will include any long distance telephone charges, delivery charges, photocopy and drawing costs, computer search charges, filing fees, travel expenses, and the like incurred in connection with this engagement. The approval will be for a period of time beginning on March 22, 2013, and expiring on March 21, 2014. The maximum amount budgeted for payment under this agreement would be \$50,000.

29. **USM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Butler, Snow, O'Mara, Stevens & Canada, PLLC, as outside counsel to assist the University by providing all legal advice and services to the University relating to the issuance of bonds for the design and construction of Century Park South, a residential dormitory complex and other related buildings to be situated on the Hattiesburg campus. The request includes the use of any and all attorneys employed by the firm, including Troy Johnston, who, at the discretion of the firm, whose expertise and experience may be required to assist in the representation of the University in this matter. Butler Snow will charge fees based upon the sum of \$1.13 per thousand on an anticipated bond issue which will not exceed \$55,000,000.00 and relating to the design and construction of the Century Park South residential complex. Total fees will not exceed \$62,000.00 and all expenses relating to the employment will be capped at \$3,500.00. All legal fees and expenses will be paid from bond proceeds. This request is subject to the approval of the Attorney General.

30. **PERSONNEL REPORT**

SABBATICALS

Mississippi State University

*(All on nine-month contract except where denoted *for twelve-month contract)*

- Stephen C. Brain, Assistant Professor, History, *from* salary of \$57,834 per annum, pro rata; E&G Funds; *to* salary of \$28,917 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- Frank C. Campbell, Associate Professor, Art, *from* salary of \$51,301 per annum, pro rata; E&G Funds; *to* salary of \$25,651 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Bruce R. Ebanks, Professor, Mathematics and Statistics, *from* salary of \$102,975 per annum, pro rata; E&G Funds; *to* salary of \$51,488 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Dana L. Franz, Associate Professor, Curriculum, Instruction, and Special Education, *from* salary of \$62,911 per annum, pro rata; E&G Funds; *to* salary of \$31,456 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Benjamin D. Harvey, Associate Professor, Art, *from* salary of \$53,105 per annum, pro rata; E&G Funds; *to* salary of \$26,553 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Michael P. Kardos, Assistant Professor, English, *from* salary of \$50,000 per annum, pro rata; E&G Funds; *to* salary of \$25,000 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

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- Brenda L. Kirkland, Associate Professor, Geosciences, *from* salary of \$63,537 per annum, pro rata; E&G Funds; *to* salary of \$31,769 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- * Shien Lu, Associate Professor, Biochemistry, Molecular Biology, Entomology and Plant Pathology, *from* salary of \$80,925 per annum, pro rata; E&G Funds; *to* salary of \$30,347 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Wenchao Ma, Professor, Physics and Astronomy, *from* salary of \$88,282 per annum, pro rata; E&G Funds; *to* salary of \$44,141 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- John E. Mylroie, Professor, Geosciences, *from* salary of \$96,141 per annum, pro rata; E&G Funds; *to* salary of \$48,071 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Chuanxi Qian, Professor, Mathematics and Statistics, *from* salary of \$73,276 per annum, pro rata; E&G Funds; *to* salary of \$36,638 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Nicole E. Rader, Associate Professor, Sociology, *from* salary of \$68,107 per annum, pro rata; E&G Funds; *to* salary of \$34,054 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Janet E. Rafferty, Professor, Anthropology and Middle Eastern Cultures, *from* salary of \$81,993 per annum, pro rata; E&G Funds; *to* salary of \$40,997 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Masoud Rais-Rohani, Professor, Aerospace Engineering, *from* salary of \$103,732 per annum, pro rata; E&G Funds; *to* salary of \$51,866 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- Barbara A. Spencer, Professor, Management and Information Systems, *from* salary of \$126,365 per annum, pro rata; E&G Funds; *to* salary of \$63,183 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- John E. Swan II, Professor, Computer Science and Engineering, *from* salary of \$108,132 per annum, pro rata; E&G Funds; *to* salary of \$54,066 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Chuji Wang, Associate Professor, Physics and Astronomy, *from* salary of \$69,920 per annum, pro rata; E&G Funds; *to* salary of \$34,960 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- John E. Wyatt, Associate Professor, Instructional Systems and Workforce Development, *from* salary of \$60,584 per annum, pro rata; E&G Funds; *to* salary of \$30,292 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Li Zhang, Associate Professor, Civil and Environmental Engineering, *from* salary of \$85,450 per annum, pro rata; E&G Funds; *to* salary of \$21,363 for sabbatical period; E&G Funds; effective January 01, 2014 to May 15, 2014 and August 16, 2014 to December 31, 2014; professional development

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MSU - Correction of sabbatical dates and salary (approved at the March 2012 Board Meeting)

Original:

Deborah K. Eakin, Associate Professor, Psychology, from salary of \$66,895 per annum, pro rata; E&G Funds; to salary of \$33,447.50 for sabbatical period; E&G Funds; *from* effective January 1, 2013 to May 15, 2013; professional development

Corrected:

Deborah K. Eakin, Associate Professor, Psychology, *from* salary of \$67,898 per annum, pro rata; E&G Funds; *to* salary of \$33,949 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

EMERITUS STATUS

University of Mississippi

Guthrie Abbott, Professor Emeritus of Law; effective January 22, 2013 (rehired retiree)

University of Mississippi Medical Center

Marcy Petrini, Professor Emeritus of Medicine, effective July 1, 2013

ADMINISTRATION/POLICY

31. **DSU** - Approved the request to bestow one honorary degree at its May 2013 commencement ceremony. Supporting documents are on file at the Board Office.
32. **MSU** - Approved the request to bestow two honorary degrees at its May 2013 commencement ceremony. Supporting documents are on file at the Board Office.

ACADEMIC AFFAIRS

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Dye, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** - Approved the proposed amendments to the Board Policies for first reading as follows:
 - a. Amend Policy 602 Freshman Admission Requirements for University System Institutions, Subsection E General Transfer Admission for Students Who Were Not Eligible for Regular Admission as shown below.
 - E. General Transfer Admission for Students Who Were Not Eligible for Regular Admission
Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher education other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA on a 4.0 scale, as calculated by the admitting IHL institution) in the following 30 transferable semester credit hours to be eligible to transfer to an IHL institution:

6 semester hours	English Composition
3 semester hours	College Algebra, Quantitative Reasoning, or higher level mathematics
6 semester hours	Natural Science
9 semester hours	Humanities and Fine Arts
6 semester hours	Social or Behavioral Sciences

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All other transfer admissions students are subject to the requirements outlined in Policy 602 Freshman Admission Requirements for University System Institutions (sections A and B). Admitting institutions may establish additional admission requirements.

- b. Amend Policy 604 Applicants Without a High School Diploma as shown below.
~~604 APPLICANTS WITHOUT A HIGH SCHOOL DIPLOMA~~
APPLICANTS WITHOUT A DIPLOMA FROM A REGIONALLY ACCREDITED HIGH SCHOOL; HOME SCHOOL STUDENTS
~~Applicants who have not graduated from a regionally accredited high school and were not home-schooled must submit qualifying scores on the General Education Development Test (GED) and any transcripts reflecting academic performance in high school. Home-schooled students must present portfolios summarizing his or her home-school education. Submission of scores on the ACT or SAT is strongly encouraged. Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.~~
1. Applicants who have completed high school from a school that does not hold regional accreditation must submit the following:
a. Transcripts reflecting academic performance
b. ACT or SAT scores
Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.
2. Home-schooled applicants must submit the following:
a. Home-school transcripts or portfolio summarizing home school education
b. ACT or SAT scores
Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.
3. Applicants who have not completed high school must submit the following:
a. Qualifying scores on the General Education Development Test (GED)
b. Any transcripts reflecting academic performance in high school
Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.
- c. Move the current Policy 609 Transfer of the Associate of Arts Degree from A Mississippi Community/Junior College to Section 500 Academic Affairs and renumber it to Policy 520 as shown below.
~~609~~
520 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE
- A. General Policy
IHL institutions will accept all transferable courses with a grade of "C" or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree. Upon adoption, this policy supersedes the Articulation Agreement for determining the transferability of the 30-hour IHL core curriculum.

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- 1) Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (*Board Policy Section 512 "Core Curriculum"*) with a grade of "C" or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
 - 2) All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the major, pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.
- B. Transferable Courses
When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.
- d. Add a new Policy 609 Transfer Admission for Students who have Earned an Associate Degree.
609 TRANSFER ADMISSION FOR STUDENTS WHO HAVE EARNED AN ASSOCIATE DEGREE
- A. Any student who has earned an Associate of Arts degree from a regionally accredited institution and sufficient GPA as calculated by the admitting institution is eligible for admission to an IHL institution.
 - B. Any student who has earned other Associate level degrees from a regionally accredited institution in a transferable area (as defined by the admitting institution) and sufficient GPA as calculated by the admitting institution may be eligible for admission to an IHL institution.

FINANCE AGENDA

Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Perry, seconded by Trustee Patterson, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Finance Agenda. On motion by Trustee Perry, seconded by Trustee Patterson, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **MSU** - Approved a Resolution for the MSU Educational Building Corporation (E BC) to issue up to a maximum aggregate principal amount of \$75 million of long-term bonds for the purpose of refunding prior debt and payment of issuance costs and the related bond documents including the lease, ground lease, preliminary offering statement, trust indenture, continuing disclosure agreement, official form of proposal, escrow agreement, the bond purchase agreement in substantially final form, and the permission to execute these documents. The Board also approved the Bond Counsel - Jones, Walker, Waechter, Poitevent, Carrere and Denegre, LLP (at a fee of \$1.15 per \$1,000 of par bonds estimated at \$72,910). First Southwest is the financial advisor. The Underwriters are Morgan Stanley & Company LLC with Raymond James & Associates, Inc. Hancock Bank will serve as the trustee and escrow agent. Long-term bonds will be issued with maturities up to 30 years. Currently

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the refunding is scheduled to refund the principal of bonds with maturities ranging from 2015 to 2035. MSU will issue up to a maximum of \$75 million par value in fixed rate bonds. Based on the Financial Advisor's report dated February 7, 2013, the proposed refunding will reduce the net present value of long-term bonds by \$6,841,772, or 10.41% of the \$72,245,000 proposed for refunding. EBC revenue from continuing operation of the existing projects. The Attorney General's Office has reviewed and approved the bond documents.

2. **UMMC** - Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with the University of Mississippi Medical Center Research Development Foundation (MCRDF) for the fiscal year ending June 30, 2013. As per requirements stipulated in Board Policy 301.0806 University Foundation/Affiliated Entities Activities Subsection D.9., copies of the MCRDF's June 30, 2010 audited financial statement from an independent Certified Public Accounting (CPA) firm, as well as an unaudited financial statement at 6-30-2012 and an interim statement at 12-31-2012 were sent to the Board under separate cover. The request for the waiver for fiscal year 2013 is based on the assets of the MCRDF being less than \$30,000 at 12-31-2012. There has not been any material fiscal activity in the MCRDF in several years and it is anticipated that there will not be any significant activity through the end of the fiscal year. Therefore, it is estimated that the 2013 financial statements will be materially the same as the previous years. The \$3,500 estimated cost of contracting for a full financial audit is felt to be too prohibitive and not a cost-benefit to the entity.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS

1. **SYSTEM** - The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 26, 2013, at the Jackson Marriott, where Lt. Governor Tate Reeves served as chair. System honorees for 2013 are listed below.

INSTITUTION	FACULTY HONOREE	STUDENT HONOREE
ASU	Sidney Taylor Hawkins	Lawrence E. Warren
DSU	Debbie Frances Finney Allen	Alanna Catherine Ferguson
JSU	Glake Alton Hill	Lisa Marie Wren
MSU	James Andrew Dunne	Shelby Camille Balus
MUW	Brian Bartholemew Anderson	George Stoner
MVSU	Kathryn Lee Green	Jeana Dave' McGee
UM	John Howard O'Haver	Kimbrelly Nicole Dandridge
UMMC	LaDonna Kaye Northington	Demetrice Rosha McDuffey
USM	Amal K. Mitra	John Caleb Grenn

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2. **SYSTEM** - Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an “Improving Teacher Quality” competitive grant program. The IHL institutions below were awarded Title II federal grant funds for the period beginning March 15, 2013 through April 30, 2014.

INSTITUTION	DISCIPLINE	AMOUNT
Delta State University	Literacy Integration	\$89,852
Jackson State University	Mathematics	\$90,000
Mississippi State University	English	\$90,000
Mississippi State University	Literacy and Technology Integration	\$90,000
Mississippi State University – Meridian	Literacy Integration	\$89,144
Mississippi University for Women	Language Arts	\$90,000
Mississippi Valley State University	Reading	\$90,000
University of Mississippi	Reading	\$90,000
University of Southern Mississippi	Language Arts	\$89,995
University of Southern Mississippi	Mathematics	\$90,000
Total Awarded to IHL Institutions		\$898,991

3. **SYSTEM** - The 2012 Annual Performance Report for the Mississippi Teacher Preparation Programs is shown below.

	ASU	DSU	JSU	MSU	MUW	MVSU	UM	USM
NCATE Accreditation Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Next NCATE Accreditation Visit	Fall 2014	Fall 2014	Fall 2015	Sp 2015	Fall 2019	Fall 2013	Sp 2015	Sp 2019
State Process and Performance Review	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Standards Met								
80% Teacher Affirmation Rate Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
80% Principal Affirmation Rate Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tradition Preparation Program Completers	29	91	54	304	64	17	325	274
Alternate Route Program Completers	28	16	40	29	9	22	26	8
Teach MS Institute Online Program Completers	N/A	N/A	N/A	N/A	N/A	N/A	105	N/A
Teach for America (Delta Region) Program Completers	N/A	193	N/A	N/A	N/A	N/A	N/A	N/A
Total Traditional Preparation Program Completers 2010-2011:							1158	
Total Alternate Route Program Completers 2010-2011:							476	
Total for All Preparation Programs at MS Institutions of Higher Learning:							1634	

Source: MS Department of Education

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4. **SYSTEM** - Report on existing programs now offered online:
 - a. DSU is offering the Educational Specialist's Degree in Education Administration and Supervision.
 - b. MSU is offering the Bachelor of Science Degree in Teacher Technology Education/Business Technology.
 - c. MSU is offering the Master of Arts in Teaching-Middle Level.

REAL ESTATE

5. **SYSTEM** - The Board received the Real Estate items that were approved by the Board staff subsequent to the February 21, 2013 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

LEGAL

6. **SYSTEM** - The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 2.)

ADMINISTRATION/POLICY

7. **SYSTEM** - The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.
 - a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On February 25, 2013, the Commissioner approved the request for MSU on behalf of its Coastal Research and Extension Center to enter into a revenue producing lease agreement with USDA's Animal and Plant Health Inspection Service/Plant Protection and Quarantine Center for Plant Health Science and Technology (APHIS). This agreement is for the lease of space in the MSU Coastal Research and Extension Center in Biloxi, MS, that includes four (4) single offices and four (4) cubicles or the equivalent thereof; available meeting and/or laboratory space as needed; and, outdoor storage space. The lease term will run for a twelve (12) month period beginning March 1, 2013 and ending February 28, 2014. The lease term may be extended for additional twelve (12) month period(s) upon notice by the Lessee prior to the end of the then current lease year. In return for the lease of the designated space, MSU will receive an annual rent payment of \$25,000; salary for the employment of a maintenance worker; and, on-site specified support as requested. The Executive Office legal staff have reviewed and approved the contract documents.
 - b. **UMMC** - In accordance with Board Policy 301.0702 Duties of the Commissioner "The Commissioner is authorized to conduct the day to day administrative affairs of the Board. . ." On February 11, 2013, the Commissioner approved the request to enter into a multi-year lease agreement with WLBT, LLC (WLBT). This agreement will allow UMMC to locate antenna and radio transmitting equipment on WLBT's broadcast transmission tower in Raymond, MS. By using WLBT's broadcast tower, UMMC will have access to an unobstructed transmission path for communication with its medical helicopters. UMMC has leased space on the tower since 2002. The most recent lease term expired on August 14, 2012. Since the expiration, UMMC has continued to use the space without a written agreement. The proposed lease term would commence upon execution of the agreement by both parties. The initial lease term will run for a three (3) year period and may be extended

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for up to three (3) additional years upon written request by UMMC at least thirty (30) days prior to the then current lease term. Approval is granted for the maximum lease term of six (6) years. UMMC will pay monthly rent in the amount of \$625.03 for the initial three-year term of the lease for a total cost of \$22,501.08. In the event UMMC exercises its option to extend the lease agreement beyond the initial period, it is anticipated that the monthly rent amount will increase by 3% annually for the remainder of the lease term for a total cost of \$23,878.35. The total estimated cost for a six (6) year lease term is \$46,379.43. WLBT, as Lessor, will provide tower space and electricity for the transmitting equipment. The Executive Office legal staff have reviewed and approved the contract documents.

- c. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On March 5, 2013, the Commissioner approved the request for UMMC on behalf of Children's Healthcare of Mississippi (a UMMC entity) to enter into a lease agreement with Memorial Hospital at Gulfport. (As background, this is a continuation of an agreement University Physicians had in place to serve the needs of children's healthcare in this area of the state.) The agreement is for the lease of approximately 2,340 square feet of medically equipped and furnished clinical space on the 3rd floor of Gulfport Memorial Physician Clinics. The area will be used by UMMC pediatric physicians who subspecialize in the fields of pediatric orthopedics, hematology and oncology for the provision of specialty care to patients in this area of the State. UMMC physicians will be on-site two (2) days per month for patient consultation and supervision. The lease term will run for a five (5) year period, March 1, 2013 through February 28, 2018. For the twice monthly use of the premises and salaries for the part-time services of clerical and clinical personnel, UMMC will pay \$1,085.45 each month. The total cost for the lease term is \$65,187. Memorial, as Lessor, will provide utilities, and, maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.
- d. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On February 4, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with General Electric Company d/b/a GE Aviation-Ellisville (GE). This agreement is for the lease of approximately 372 square feet of space in USM's Accelerator Building. The proposed lease space is to be used as temporary office space for GE support personnel during the construction of a new GE facility in Ellisville, MS. The lease term will run for an initial four month period and will be extended for up to three additional four-month periods unless written notice of termination is given by either party at least sixty days prior to the end of the then current lease term. In return for the lease of the designated space, USM will receive monthly rent in the amount of \$620. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.
- e. **USM** - In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, the Board delegates to the Commissioner the power to approve university traffic rules and regulations on its behalf. On March 5, 2013, the Commissioner approved the Traffic and

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Parking Regulations 2013-14 for the University of Southern Mississippi. The Attorney General's Office has reviewed and approved the regulations.

- f. **USM** – At the February 13, 2013 Emergency Board meeting, the Board delegated to the Commissioner the authority to approve any purchase, contract or other legal document on behalf of the Board necessary to assist USM in dealing with any issues related to the recent tornado damage at the university that may arise in between meetings of the Board, and to require that any such Commissioner approvals must be reported to the Board at its next meeting. This authority extends until April 2013. In accordance with the above authority, the Commissioner approved the following items.
- i. On March 4, 2013, the Commissioner approved the request to contract with Allred and Associates as the project professional for the Frank E. Marsh Fine Arts Building and the Mannoni Performing Arts Building to repair damage due to the February 10, 2013 tornado. Allred and Associates were employed some time ago to assist with a survey of roofs on campus buildings. That same firm assisted with some renovations in the Mannoni Performing Arts Building which were completed just before the tornado on February 10; therefore, their previous experiences with these facilities will be valuable in the restoration of the Frank E. Marsh Fine Arts Building and the Mannoni Performing Arts Building.
 - ii. On March 4, 2013, the Commissioner approved the request to contract with Larry Albert as the project professional in the restoration of The Ogletree House, Southern Hall, and Kennard-Washington Hall, which are being restored due to tornado damage on February 10, 2013. Larry Albert is recognized as a very knowledgeable architect in restoration of historic buildings.
 - iii. On February 10, 2013 a significant quantity of “tornado-weather generated” hazardous debris (i.e., glass) was deposited on the USM artificial “playing” surface located in M.M. Roberts Football Stadium. Based on significant safety and security concerns, two artificial surface firms were consulted and upon inspection concluded that the “playing” surface was unsafe for further use. As a result, the “playing” surface was condemned and barriers erected to ensure no unauthorized entrance to the field. Upon further inspection, it was also determined that the field sub-surface was inadequate relative to water drainage considerations and needed replacement in conjunction with the “playing” surface. Over the past few years, the old sub-surface drainage system has significantly eroded and no longer adequately drains rain water. As a result, the university would like to replace both the sub-surface and the artificial “playing” surface at M.M. Roberts Stadium. Consulting firms have advised that both the “playing” surface and sub-surface components mutually support each other in providing safe field conditions for athletic competition. The university would like to accomplish both projects simultaneously to ensure they are completed correctly and efficiently in restoring the football field back to where the safety of the student-athletes is adequately met. Current estimates have the project lasting approximately twelve weeks focused on a July 15th completion date to provide sufficient time to determine if everything is ready and in good working order. Currently USM is not only losing training time on the field, the University is also losing its recreational and club sports programming on the field as well. On March 6, 2013, the Commissioner

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- approved the request to employ a civil engineer to advise about the necessary treatment of the surface under the turf on the football field including drainage.
- iv. On February 25, 2013, the Commissioner approved the request to delete from inventory and demolish the Jazz Lab building, the Leech House, and a residential property. All three properties were destroyed in the February 10, 2013 tornado and are beyond repair. The Jazz Lab building is located on the campus. The Leech House is a residential property located at 301 Chevy Chase Drive, Hattiesburg, MS and housed the offices for the USM Symphony Orchestra. The other residential property located at 307 Chevy Chase Drive, Hattiesburg, MS housed the offices for the Rape Crisis Center. Approvals from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality will be obtained prior to demolition.

SPECIAL PRESENTATION

A special presentation was made to Dr. and Mrs. John Hilpert in recognition of their years of service at Delta State University. The Board presented a certificate noting Dr. Hilpert's new status as President Emeritus, along with a commemorative plate featuring photographs taken during his presidency. The items were presented as a small token of deep gratitude for his service, his dedication and the incredible difference he has made to Delta State and its students.

EXECUTIVE SESSION

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

Discussion of two personnel matters at the public universities and one prospective IHL litigation matter.

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

The Board discussed two personnel matters at the public universities and one one prospective IHL litigation matter.

On motion by Trustee Hooper, seconded by Trustee Blakeslee, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve a supplemental salary increase of \$10,000 from the Alcorn State University Foundation, Inc. to be effective April 1, 2013 through the remainder of his employment at the university.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

The Board then discussed teacher preparation program entrance requirements at public universities and related proposed legislation. On motion by Trustee Blakeslee, seconded by Trustee Cummins, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve a resolution explaining its position regarding increasing teacher preparation program entrance requirements at public universities in Mississippi. **(See Exhibit 3.)** As part of the motion, the Board voted to spread upon the minutes, the resolution, the March 5, 2013 letter from Commissioner Hank Bounds to Governor Phil Bryant, and the following statement:

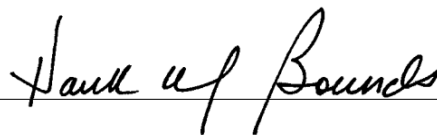
“While the Board of Trustees shares Governor Phil Bryant’s aspirations to increase the quality of classroom teachers in Mississippi, the Board has a different view of the most appropriate way to reach that goal, for all the reasons set forth in the letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the University Presidents and Deans of the Colleges of Education of all public universities in Mississippi.” **(See Exhibit 4.)**

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Blakeslee, with Trustees Dye, Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

EXHIBITS

- | | |
|-----------|--|
| Exhibit 1 | Real Estate items that were approved by the IHL Board staff subsequent to the February 21, 2013 Board meeting. |
| Exhibit 2 | Report of the payment of legal fees to outside counsel. |
| Exhibit 3 | Board resolution explaining its position regarding increasing teacher preparation program entrance requirements at public universities in Mississippi. |
| Exhibit 4 | Letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the University Presidents and Deans of the Colleges of Education of all public universities in Mississippi |

EXHIBIT 1

March 21, 2013

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY 21, 2013 BOARD MEETING SUBMISSION DEADLINE

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

Change Order Approval Note: No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.

1. MSU – GS 105-343 – Lee Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$93,157.20 and zero (0) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #2** is necessary to install dowels in the new concrete work associated with the plumbing work to reduce the possibility of cracking in the new tile flooring, to install new floor joists against the existing joists that had been shortened, to relocate the existing fire pump feeder around the footprint of the new elevator shaft at the basement level, to correct a conflict between the existing siren and the new skylight & relocate the siren to a new location, provide a new feeder & temporary feeder to the existing electrical panel located in the third floor mechanical room on the auditorium balcony, to install new carpet underlayment over the existing wood floors to remain to prevent the curling edges of the existing wood flooring from telescoping through the new carpet and to construct a wood environmentally controlled storage box to house the existing mural for the remainder of the contract as the mural could not be rolled onto a cylinder because it was fully pasted onto a board.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$171,388.80.

Project Initiation Date: June 16, 2011

Design Professional: Dale and Associates Architects, P.A.

General Contractor: West Brothers Construction, Inc.

Project Budget: \$20,700,000.00

Funding Source(s): HB 1641, L'08 (\$2,463,146.89); HB 1722, L'09 (\$4,660,866.80); HB 1701, L'10 (\$8,000,000.00); SB 3100, L'11 (\$5,575,986.31)

2. MSU – GS 105-345 GC02 – Classroom Building with Parking

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board

EXHIBIT 1

March 21, 2013

staff approved **Design Development Documents** as submitted by Belinda Stewart Architects, P.S. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.S.

General Contractor: TBA

Project Budget: \$37,509,471.00

Funding Source(s): SB 3100, L'11 (\$9,712,400.00); HB 246, L'07 (\$2,300,000.00); EBC Bonds and University Funds (\$25,497,071.00)

3. **MSU– GS 113-130 – Necropsy Renovation**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$48,296.98 and zero (0) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #7** is necessary to furnish and install a 12' high chain link fence with privacy slats to include fence, concrete footing and curb along the fence line.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$ 612,860.30

Project Initiation Date: October 21, 2010

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: T. L. Wallace Construction, Inc.

Project Budget: \$12,697,791.22

Funding Source(s): HB 1701, L'10 (\$12,697,791.22)

4. **MSU – IHL 205-260 – Expansion and Renovation to Davis Wade Stadium**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$148,426.55 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: February 13, 2013

Change Order Justification: **Change Order #1** is necessary to change the specified electrical manhole to a 9'x9'x8' manhole and to delete two 48"x48"x36" in grade junction boxes north of TMH -5, to replace the sanitary sewer lift station with a gravity fed sewer to an off-site location and to rework the fiber optic size and routing.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$ 148,426.55.

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$80,000,000.00

Funding Source(s): EBC Bonds/Commercial Paper (\$80,000,000.00)

EXHIBIT 1

March 21, 2013

5. **MSU – IHL 205-267 – Sawyer Tennis Courts (Fresh Food Company Dining Facility)**

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by JH&H Architects, design professional.

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

Staff Approval Date: February 1, 2013

Project Initiation Date: September 11, 2012

Design Professional: JH&H Architects

General Contractor: TBA

Project Budget: \$12,500,000.00

Funding Source(s): EBC Bonds (\$12,500,000.00)

6. **MUW– GS 104-178 – Fant Library Renovation Phase One**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$29,561.51 and ten (10) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 12, 2013

Change Order Justification: **Change Order #3** is necessary to provide all material, labor, supervision, general conditions, overhead, and profit to revise the site drainage to drain to the SW of the site rather than the NW corner.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$ 89,932.73.

Project Initiation Date: October 20, 2011

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: West Brothers Construction

Project Budget: \$6,800,000.00

Funding Source(s): SB 3100, L'11 (\$5,952,000); HB 1701, L'10 (\$848,000)

7. **UM– GS 107-302 – Lamar Hall Renovation**

Staff Approval #1 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$79,286.98 and zero (0) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval #2 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the **credit amount** of \$30,196.00 and zero (0) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval Date: February 12, 2013

Change Order Justification: **Change Order #5** is necessary for addition and changes for digital signage, and for changing storage areas to future offices, replacement of manual flush valves for battery operated flush valves, to include credit for electrical circuits, revisions to the deli area, additional rise in the ramp due to the actual site grades being different from what was indicated on the survey, relocation of the fire sprinkler risers from the existing elevator shafts as drawn to stairwells to accommodate plan changes in future phases. **Change Order #6** is necessary for changes to the original

EXHIBIT 1

March 21, 2013

design layout due to future layout of Phase 2B, replacement of the existing sewer piping beneath the existing slab that was broken, cost-saving measure to eliminate laminate panels at the elevator wall & solid surface tops at the mezzanine beams, credit for omission of decorative resin panels at the writing center & elevator shaft and cost to locate the buried manhole as indicated on the site plan.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$446,140.70.

Project Initiation Date: August 20, 2009

Design Professional: Barlow Eddy Jenkins Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$7,800,000.00

Funding Source(s): HB 1722, L'09 (\$3,170,846.50); HB 1701, L'10 (\$2,000,000.00); Internal R&R (\$2,629,153.50)

8. UM– IHL 207-345 – University Housing – Package A

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$18,444.00 and zero (0) additional days to the contract of D. Carroll Construction.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #11** is necessary to furnish and install new iron hand rails on concrete staircases with new rise and run configuration.

Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of \$144,062.61.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: D. Carroll Construction

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

9. UM – IHL 207-346 – Stockard Hall & Martin Hall Brick Veneer Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$58,409.00 and twenty-nine (29) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: February 15, 2013

Change Order Justification: **Change Order #1** is necessary to fill voids in the 8" cmu block at each side of the 560 window openings, a stop work order was issued for three days to allow for student move-in, to change the mortar mix from a standard mix to a white sand mix and the addition of four days due to weather delays.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$58,409.00.

Project Initiation Date: February 17, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

EXHIBIT 1

March 21, 2013

Project Budget: \$8,000,000.00

Funding Source(s): Auxilliary R&R (\$8,000,000.00)

10. UM– IHL 207-353 – Coulter Hall Addition and Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by BEJ-CDFL A Professional Association.

Staff Approval Date: February 8, 2013

Project Initiation Date: February 16, 2012

Design Professional: BEJ-CDFL A Professional Association

General Contractor: TBA

Project Budget: \$15,000,000.00

Funding Source(s): Internal R&R (\$15,000,000.00)

11. UM– IHL 207-363 – Library Cooling Tower Replacement

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by CGM Group, Inc.

Staff Approval Date: February 8, 2013

Project Initiation Date: October 18, 2012

Design Professional: CGM Group, Inc.

General Contractor: TBA

Project Budget: \$1,500,000.00

Funding Source(s): Internal R&R (\$1,500,000.00)

EXHIBIT 2

March 21, 2013

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Lawrence Bernstein (statements dated 1/3/13 and 2/1/13) from the funds of the University of Mississippi. (These statements, in the amounts of \$812.50 and \$162.50, respectively, represent services and expenses in connection with WUMS (FM) - University of Mississippi Campus Radio Station.)

TOTAL DUE.....\$ 975.00

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 2/12/13) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,141.50, represents services and expenses in connection with general advice.)

TOTAL DUE.....\$ 4,141.50

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 1/24/13) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Pelvic Floor Strength Assessment Device" - \$442.50; "Water Repellant Solids - Non Provisional Application" - \$42.50; "Solid Heat Carrier Pyrolysis Reactor" - \$832.50; "Enhanced Wood Preservative Composition" - \$2,622.50 and "Indian Patent Application No. 1657/DELNP/2006" - \$68.00.)

TOTAL DUE.....\$ 4,008.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 1/3/13) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Cache Mapping Technology Matter" - \$1,641.00.)

TOTAL DUE.....\$ 1,641.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 9/20/12, 10/5/12, 12/10/12, 12/11/12, 12/11/12 and 12/11/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Preparation of Pre-Coated RP-Rotors and Universal Chromatography" - \$4,405.00; "Preparation of Pre-Coated RP-Rotors and Universal Chromatography" - \$281.50; "Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$4,669.50; "Method

RESOLUTION

Establishing

Position on Teacher Education Program Entrance Requirements

WHEREAS, the Board of Trustees of State Institutions of Higher Learning (IHL), believes all children in Mississippi should have the opportunity to receive a quality education and attain the bright future such an education provides; and

WHEREAS, the Board of Trustees understands the immeasurable impact dedicated, talented and qualified teachers have on the lives of students; and

WHEREAS, the Board of Trustees recognizes the responsibility that the public universities share in educating and training students to be effective teachers; and

WHEREAS, the Board of Trustees recognizes the work of state leaders, including the Governor, Lieutenant Governor and Legislators, to improve the quality of education in Mississippi; and

THEREFORE, BE IT RESOLVED, while the Board of Trustees shares Governor Phil Bryant's aspirations to increase the quality of classroom teachers in Mississippi, the Board has a different view of the most appropriate way to reach that goal, for all the reasons set forth in the letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the Institutional Executive Officers and Deans of the Colleges of Education of all public universities in Mississippi; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Board of Trustees.

DONE, this the 21st day of March, 2013



Bob Owens

*Bob Owens, President
Mississippi Board of Trustees of State Institutions of Higher Learning*

EXHIBIT 4



STATE OF MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING

Hank M. Bounds
Commissioner of Higher Education

March 5, 2013

The Honorable Phil Bryant
Governor of the State of Mississippi
P.O. Box 1018
Jackson, MS 39215

Dear Governor Bryant:

The IHL Board and I share your desire to raise standards and uphold rigor for teacher education candidates. This national focus and interest is supported by teacher education's new accrediting body, the Council for the Accreditation of Educator Preparation, who has recently released a new set of standards that include an emphasis of increased entrance requirements for teacher education candidates.

Although I support raising standards to put the best quality teachers in our classrooms, House Bill 890 or Senate Bill 2658 as currently worded will have unintended consequences.

- A. Without first addressing starting compensation, House Bill 890/Senate Bill 2658 will exacerbate the difficulties in recruiting high achieving students into the teaching profession.
- B. The Southern Association of Colleges and Schools Commission on College (SACSCOC) has a core requirement that the institutional governing board is the policy making body for institutions of higher learning (Core Requirement 2.2 Governing Board). The legislature setting university admission requirements compromises continuing accreditation of each institution.
- C. Approximately 40% of the teachers certified each year in the state of Mississippi complete alternative route certification. Any attempts to raise the quality of teachers should include all pathways to certification including alternate route certification (minimum GPA and ACT are not required for alternate route pathways). House Bill 890 does not include admission requirements for alternative route certification.

EXHIBIT 4

Governor Bryant

March 3, 2013

Page 2 of 2

Given the issues raised above, and in support of the intent of the bill to raise standards, I recommend modifying the language in the bill to raise licensure requirements rather than teacher education admission requirements and allow for an alternative measure for increasing standards. To that end, I recommend the language in the bill be amended as indicated below.

“(b) No teacher candidate shall be licensed to teach in Mississippi that did not meet the following criteria, including alternate route.

3.0 GPA on pre-major coursework and 21 ACT/SAT equivalent or

3.0 GPA on pre-major coursework and score at the national median score in Reading, Writing, and Mathematics on the Praxis I examination”

Without first addressing starting teacher compensation, the unintended consequence of this law will be a worsened teacher shortage. However, it will offer an additional pathway for community college and other students who work hard during their first two years of college.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Hank M. Bounds". The signature is written in a cursive, flowing style.

Hank M. Bounds

Commissioner of Higher Education