

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



**Final Board Book**  
**April 16, 2009**

**AGENDA**  
**BOARD OF TRUSTEES OF STATE**  
**INSTITUTIONS OF HIGHER LEARNING**  
**JACKSON CONVENTION COMPLEX**  
**105 EAST PASCAGOULA STREET**  
**THEATER LEVEL – MEETING ROOMS 3 & 4**  
**JACKSON, MISSISSIPPI**  
**April 16, 2009**

- A. 8:00 a.m. – Call to Order**
- B. Prayer – Dr. Bettye Neely**
- C. Approval of Minutes**
  - ◆ March 18-19, 2009 Regular Board of Trustees Meeting**
- D. Consent Agenda – Ms. Amy Whitten**
- E. Legislative Update – Dr. Jim Borsig**
- F. Educational Policies & Programs – Dr. Bettye Henderson Neely**
- G. Budget, Finance, & Audit – Mr. Aubrey Patterson**
- H. Real Estate & Facilities – Mr. Scott Ross**
- I. Governance/Legal – Mr. Bob Owens**
- J. Administration/Policy - Dr. Aubrey K. Lucas**
- K. Commissioner’s Report - Dr. Aubrey K. Lucas**
- L. Additional Agenda Items if Necessary**
- M. Reconsideration**
- N. Other Business/Announcements**
- O. Executive Session if Determined Necessary**
- P. Adjournment**

**\*\* Board Meeting will recess at 11:00 a.m. and reconvene (if necessary) at approximately 1:45 p.m.**

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**FINAL**

**MINUTES OF THE BOARD OF  
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**March 18-19, 2009  
Regular Board of Trustees Meeting**

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**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 21, 2008, to each and every member of said Board, said date being at least five days prior to this March 18-19, 2009 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Dr. Bettye Henderson Neely was absent. The meeting was called to order by Ms. Amy Whitten, President, and opened with prayer by Ms. Robin Robinson.

**APPROVAL OF THE MINUTES**

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

**RESOLVED**, That the Minutes of the Board meeting held on February 18-19, 2009, stand approved.

**CONSENT AGENDA**

**AGENDA ITEM #9B WAS MOVED TO THE REGULAR AGENDA.** On motion by Mr. Patterson, seconded by Ms. Robinson, with Dr. Neely absent and not voting, it was

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

**BUDGET, FINANCE AND AUDIT**

1. **MVSU** - Approved the request to enter into a lease agreement with Viking Hospitality Group, LLC. The purpose of the agreement is to lease temporary housing for the institution's executive officer (IEO). The Board previously approved a temporary housing agreement with Stephen and Regina Lavere for the IEO in January, 2009. This lease agreement has been officially terminated as of February 27, 2009. The period of the proposed lease with Viking Hospitality Group is February 2, 2009 to May 31, 2009. Unless written notification of termination is submitted, the lease will continue on a month-to-month basis. The monthly rental is \$2,450 for a total of \$9,800 for the specified lease period. The agreement will be funded via General Funds. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.
  
2. **UMMC** - Approved an amendment to the information management services agreement with Golden Hour Live Data Systems, Inc. The purpose of the amendment is to increase the total contract cost to allow expansion of the helicopter service line in Meridian, MS. The original contract period is September 23, 2008 to September 23, 2011. At the time the original contract was executed, the total cost was below the threshold amount requiring Board approval. The amendment is to be effective March 20, 2009 to September 23, 2011. An additional \$97,500 is being allocated to the contract

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amending the total cost to \$254,700. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.

3. **UMMC** - Approved the request to enter into a two-year purchasing agreement with Instrumentation Laboratory. The purpose of the agreement is to purchase reagents and supplies for blood gas testing. The testing is accomplished using instrumentation already provided by this contractor. The agreement is for the period March 20, 2009 to March 19, 2011. The agreement allows UMMC the option to renew for an additional three years. The purchasing agreement provides for warranty and service for the instrumentation provided and includes a product pricing schedule valid for three years. The total contract cost is estimated not to exceed \$500,294. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.
4. **UMMC** - Approved the request to enter into a service agreement with Lawson Software Americas, Inc. The purpose of the agreement is to provide core project team training for the following Lawson software suites (version 9.0.1): Financial, Procurement, Business Intelligence, and upgrade of the Human Resource Management Suite from version 8.0.3. The licensing and maintenance agreement for the software was approved by the Board in November, 2008. This agreement is for the period April 1, 2009 to March 31, 2010. Costs include \$355,242 for training services and an additional 8% for estimated travel expenses of \$28,420 for a total estimated cost of \$383,662. The agreement will be funded via patient revenue and interest income. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.
5. **UMMC** - Approved the request to enter into a collection service agreement with NCO Financial Systems, Inc. The purpose of the agreement is to provide collection services on delinquent patient accounts in Jackson, MS and Lexington/Holmes County, Mississippi. The agreement is for the period March 23, 2009 to March 22, 2010. Unless prior written notice is submitted, the agreement is self-renewing for additional one-year terms. The collection fee is 13.5% of all monies collected for first placement with the total commission estimated not to exceed \$1 million. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.
6. **UMMC** - Approved the request to enter into a five-year lease agreement with Select Specialty Hospital-Jackson, Inc. The purpose of the agreement is to lease approximately 4,000 square feet of space on the 2<sup>nd</sup> floor of the facility known as Suite 230. The space will be used by the University Heart Diagnostic Clinic to expand its services to include nuclear imaging and the Heart Diagnostic Clinic Management Program. This lease supersedes the agreement the Board approved in November 2008 as both parties have mutually cancelled the previous agreement. The period of the lease is April 1, 2009 to March 31, 2014. Select Specialty is responsible for payment of utilities, maintenance and janitorial services. The rent is \$17.50 per square foot or \$5,833.33 per month. The total cost for the agreement period is \$350,000. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.

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7. **UMMC** - Approved the request to enter into a three-year purchase agreement with Stryker Sales Corporation *doing business as* Stryker Instruments. The purpose of the agreement is to purchase disposable equipment (routers and burrs) at fixed pricing. The contractor is responsible for the repair and warranty of the equipment for the agreement period of April 1, 2009 to March 31, 2012. UMMC agrees to purchase a minimum of 250 disposables in each three-month period at \$73 per disposable. The pricing includes usage of the equipment. The total agreement cost is estimated at \$570,000. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.

**EDUCATIONAL POLICIES AND PROGRAMS**

8. **System Administration (Information item.)** – The Board received the following information about new limited-scope centers and institutes.
- a. **Mississippi State University** will establish the *Entrepreneurship Center*, which will be a limited scope center within the College of Business that will expand entrepreneurship research efforts and support student and faculty-lead startup companies. The center will be funded with existing budgets within the Office of Research and Economic Development and with investment earnings from multiple endowments. Thus, additional state funds will not be needed to operate the center.
  - b. The **University of Southern Mississippi** has established the *Instructional Leadership Center*, which is a limited scope center at the Gulf Coast campus that strengthens research, education, and outreach collaboration among existing P-12 educational units. Through these collaborative efforts, the new center aspires to improve P-12 learning outcomes by using experiential learning to train and nurture P-12 administrators. The center is funded with extramural grants, revenue from registration fees, and existing university budgets, thus additional state funds are not needed to operate the center.
  - c. The **University of Southern Mississippi** will establish the *Center for Policy and Resilience*, which will be a limited scope center at the Gulf Park campus that will facilitate collaboration among faculty, policy makers, community, regional and international leaders, and volunteer organizations on policy and community resilience research initiatives and outreach. The center will be funded with extramural grants, thus additional state funds are not needed to operate the center.
  - d. The **University of Southern Mississippi** will establish the *Center for Logistics, Trade, and Transportation*, which will be a limited scope center at the Gulf Coast campus that will facilitate logistics, trade, and transportation collaborative research and outreach that will support economic development in the region. The center will be funded with extramural grants, thus additional state funds will not be needed to operate the center.
9. **System Administration (Information item.)** – The Board received information concerning the renaming of existing limited-scope centers and institutes.
- a. **Mississippi University for Women** renamed the *Southern Women's Institute*, a limited scope institute, to the *Center for Women's Research and Public Policy*, which is now a limited scope center. The name change better articulates the focus of the unit and will

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improve collaboration, external funding, and recruitment of faculty. The name change requires minimal resources (e.g., change of campus signs, stationary, recruiting materials, etc.). These minimal resources are covered by existing university budgets, thus additional state funds are not needed to support the name change.

- b. The **University of Southern Mississippi** renamed the *Center for Spectator Sports Security Management*, a limited scope center, to the *National Center for Spectator Sports Safety and Security*. The name change better aligns the center’s name with its mission and security solutions terminology. The name change requires minimal resources, which are covered by existing university budgets, thus additional state funds are not needed to support the name change. **(THIS ITEM WAS MOVED TO THE REGULAR AGENDA.)**

10. **System Administration (Information item.)** – The Board received a declaration of intent to offer a degree program by distance learning for the following:

- a. **Delta State University** is offering the *Education Specialist in Elementary Education Program* (CIP 13.1202) online. Offering this existing academic program online will expand elementary education teacher access by providing an alternative program delivery method to traditional classroom instruction. The online program will not require different tuition and fees than the on-campus program.

11. **System Administration (Information item.)** - The 22<sup>nd</sup> Annual Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) program was held on Tuesday, February 26, 2009, in Jackson. Chaired by Lieutenant Governor Phil Bryant, HEADWAE is an annual program of the state legislature that honors faculty and students for academic excellence in Mississippi’s public and private colleges and universities. The program is funded by corporate sponsors. HEADWAE faculty and student honorees for 2009 are as follows:

INSTITUTION	FACULTY HONOREE	STUDENT HONOREE
ASU	Wesley Lloyd Whittaker	Demark Cole
DSU	Corlis Miller Snow	James Andrew Barham
JSU	Paresh Chandra Ray	Opal Charis Brown
MSU	Robert S. Moore	Braxton Tate Coombs
MUW	Bryan Hilliard	Dana Louise Derrick
MVSU	Henrine Stewart	Precious Dominique Person
UM	Gregory A. Schirmer	Graham Boynton Purcell
UMMC	Hamed A. Benghuzzi	Merry Claire Ballard
USM	Charles L. McCormick	Justin Ernest Poelma

**REAL ESTATE AND FACILITIES**

12. **ASU** - Approved the request to increase the budget for **GS 101-249, New Water Treatment Plant**, from \$2,550,000 to \$2,600,000 for an increase in the amount of \$50,000. This increase is required to make repairs and upgrades to process equipment that was installed in the original project. Funds are available from HB 246, Laws of 2007, and the Bureau of Building, Grounds and Real Property Management discretionary funds. Project Professional: N/A. General Contractor: N/A.

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13. **UM** - Approved the request to increase the budget for **GS 107-286, Coulter Hall, 1B**, from \$4,225,000 to \$5,208,000 for an increase in the amount of \$983,000. This increase is required due to the increased estimated cost at the completion of the construction documents. Funds are available from HB 1641, Laws of 2008, investment income earned, and a Forest Lands endowment. Project Professional: Barlow, Eddie, Jenkins Architects. General Contractor: N/A.

14. **PERSONNEL REPORT**

**EMPLOYMENT**

**Alcorn State University**

Hannah-Willis, Carmencita  
Parker, Elvin

**Mississippi State University - Athletics**

Jennifer Hazelwood, Head Volleyball Coach; Athletics; contract period of January 16, 2009 to December 31, 2012; salary of \$75,000 per annum, pro rata; Auxiliary Funds

**University of Mississippi - Athletics**

Terrence T. Price, Assistant Football Coach; Athletics; contract period of January 21, 2009 to December 31, 2010; annual salary of \$220,000; Auxiliary Funds

**University of Southern Mississippi - Athletics**

Patrick H. Washington, Assistant Football Coach; Department of Intercollegiate Athletics; contract period of January 20, 2009 to March 31, 2011; annual salary of \$100,000; Auxiliary Funds

**CHANGE OF STATUS**

**University of Mississippi - Athletics**

Houston D. Nutt, Head Football Coach; Athletics; *from* contract period of January 1, 2008 to December 31, 2011; annual salary of \$1,700,000 (\$200,000 from Auxiliary Funds and \$1,500,000 from private funds); *to* effective January 1, 2009, a one-year extension to December 31, 2012; annual salary of \$2,500,000 (\$200,000 from Auxiliary Funds and \$2,300,000 from private funds)

**University of Mississippi**

Stocks, Morris H.

**SABBATICAL LEAVE**

**Mississippi State University**

Barbier, Mary K.  
Brenner, Devon G.  
Du, Jianxia  
Englelland, Brian T.  
Funderburk, Thomas B.  
Hay, William A.  
Kelly, Gary W.  
Liddell, Jr., Pearson  
Magbanua, Jr., Benjamin S.  
Mitchell, Dennis J.  
Poros, John G.  
Rigsby, Jr., John T.  
Verhoek-Miller, Nancy A.

**Change in Sabbatical Period Approved**

In November, 2008, the Board approved a sabbatical period for Dwayne A. Wise of August 16, 2009 to December 31, 2009. MSU is requesting the sabbatical period be changed as follows:

Dwayne A. Wise, Professor, Biological Sciences; *from* \$77,695 per annum; E&G Funds; *to* \$38,847.50 per annum for sabbatical period; E&G Funds; effective January 1, 2010 to May 15, 2010; professional improvement

**University of Southern Mississippi**

Asper, Vernon  
Otaigbe, Joshua

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Reese, Carl  
Young, Amy

**EMERITA/EMERITUS STATUS**

**Mississippi University for Women**

Alexander, Jessica  
McClintock, Maggie

**PRESENTATION**

Mr. Blakeslee presented the System Efficiencies Report. Highlights of the report are shown below.

- ▶ Amy Whitten charged the Efficiencies Task Force with systemic change. The task force has been working for a couple of months now. Systemic change must come from the Board first.
- ▶ Higher education holds the key to the state's future and is our best opportunity to lift Mississippi.
- ▶ We create the future leaders, entrepreneurs, teachers, nurses, critical thinkers and researchers.
- ▶ Examples of IHL Initiatives include:
  - ▶ Blue Ribbon Committee for the Redesign of Teacher Preparation; Mississippi.edu "Knowledge to get to College" outreach initiative; National Center for Academic Transformation's course redesign initiative; energy efficiency; facilities evaluation and utilization; five-year funding plan; internal audit; property insurance; UMMC medical graduates and outsourcing.
- ▶ Result of the December 2008 Board Meeting:
  - ▶ Approval of focus on the following major goals: board strategic initiative of more graduates of higher quality; five-year funding plan; system efficiency and effectiveness; outreach plan for more postsecondary education; focus on economic development; focus on engagement of business community; and development of work plan.
- ▶ What is our legacy?
  - ▶ Task Force #1: The Board's public agenda for educational attainment.
  - ▶ Task Force #2: The workforce of the future/faculty of the future.
  - ▶ Task Force #3: Board policies and capacity.
  - ▶ Task Force #4: System efficiency, effectiveness, and productivity.
  - ▶ Task Force #5: System relationships with external publics.

Ms. Whitten thanked Mr. Blakeslee for his work on the System Efficiencies initiative. She then asked him to continue leading the initiative. Ms. Whitten noted that the Board needs to take a couple of months to look at the efficiencies and decide on which focus and how to accomplish the goals.

**EDUCATIONAL POLICIES &  
PROGRAMS COMMITTEE REPORT  
Wednesday March 18, 2009**

The Committee was brought to order at approximately 1:45 p.m. by Acting Chair Ms. Robin Robinson. The following items were discussed/voted upon:

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1. On motion by Dr. Davidson, seconded by Mr. Smith, with Dr. Neely absent and not voting, the Committee recommended that the Board approve agenda item #1.
2. On motion by Mr. Smith, seconded by Dr. Davidson, with Dr. Neely absent and not voting, the Committee recommended that the Board approve agenda item #2.
3. On motion by Dr. Davidson, seconded by Mr. Smith, with Dr. Neely absent and not voting, the Committee recommended that the Board approve agenda item #3.
4. On motion by Dr. Davidson, seconded by Mr. Smith, with Dr. Neely absent and not voting, the Committee recommended that the Board approve the request to remove the information item #2b (USM's request to rename the Center for Spectator Sports Security Management) from the Educational Policies & Programs section of the Consent Agenda and add the corrected version as an action item.
5. On motion by Dr. Davidson, seconded by Mr. Smith, with Dr. Neely absent and not voting, the Committee recommended that the Board approve agenda item #2 (MVSU's request for approval of a consulting and curriculum agreement with Education Strategy, LLC) on the regular Budget, Finance & Audit agenda.

Committee members attending the meeting were: Ms. Robin Robinson (Acting Chair), Dr. Stacy Davidson, Mr. Alan Perry and Mr. C.D. Smith. Dr. Bettye Neely was absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Scott Ross, Dr. Doug Rouse and Ms. Amy Whitten.

**EDUCATIONAL POLICIES & PROGRAMS AGENDA**

Presented by Ms. Robin Robinson, Acting Chair

Thursday, March 19, 2009

On motion by Ms. Robinson, seconded by Dr. Davidson, with Mr. Blakeslee, Dr. Neely, Mr. Ross and Mr. Smith absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda items #1 - #3 as submitted on the following Educational Policies & Programs Agenda.

1. **System Administration** - Approved the following new academic units
  - a. **Mississippi University for Women** requests permission to establish the *School of Professional Studies*, which will be a new school at the university. The proposed new school will have administrative oversight over the College of Business and Legal Studies and the Culinary Arts Institute. The new unit will facilitate a cost-saving effort, whereby the dean of the proposed new unit will be the administrative head of the College of Business and Legal Studies (currently headed by a dean) and the Culinary Arts Institute (currently headed by a director), which will result in a net loss of one dean/director level administrative position. Thus, additional state funds will not be needed to establish this new academic unit.
  - b. The **University of Southern Mississippi** requests permission to establish the *Department of Marketing and Fashion Merchandising*, which will be a new academic department within the College of Business. The proposed new department is part of a proposed reorganization within the College of Business aimed to 1) correct a current enrollment imbalance, 2) give faculty in current larger departments more autonomy in proposed smaller departments, and

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- 3) better facilitate research, teaching, and outreach collaboration within departments. The creation of the proposed new department will be funded by reallocating existing funds and utilizing current faculty within the College of Business, thus additional state funds will not be needed to establish this new academic department.
- c. The **University of Southern Mississippi** requests permission to establish the *Department of Finance, Real Estate, and Business Law*, which will be a new academic department within the College of Business. The proposed new department is part of a proposed reorganization within the College of Business aimed to 1) correct a current enrollment imbalance within the current structure, 2) give faculty in current larger departments more autonomy in proposed smaller departments, and 3) better facilitate research, teaching, and outreach collaboration within departments. The creation of the proposed new department will be funded by reallocating existing funds and utilizing current faculty within the College of Business, thus additional state funds will not be needed to establish this new academic department.
- d. The **University of Southern Mississippi** requests permission to establish the *Department of Educational Studies and Research*, which will be a new academic department within the College of Education and Psychology. The proposed new department is part of a proposed reorganization within the College of Education and Psychology aimed to split the Department of Educational Leadership and Research into two departments. This is a logical division to place students seeking full-time careers as higher education faculty in the proposed new department. The creation of the proposed new department will be funded by reallocating existing funds and utilizing current faculty within the College of Education and Psychology, thus additional state funds will not be needed to establish this new academic department.
2. **System Administration** - Approved the following modifications to existing academic units.
- a. **Mississippi University for Women** requests permission to consolidate (for administrative reporting only) the *College of Business and Business Law* and the *Culinary Arts Institute* into the proposed new *School of Professional Studies*. The current units will maintain their names for the purposes of marketing and accreditation; however, both units will report to a single dean. The proposed consolidation is a cost-saving modification that will eliminate one dean/director, thus facilitating reallocation of resources currently in administration.
- b. The **University of Southern Mississippi** requests permission to reorganize the *School of Accountancy and Information Systems* by removing Information Systems faculty and associated resources from the existing unit and placing them in the proposed *Department of Business Economics and Decision Sciences*, and by removing Legal Studies faculty and associated resources from the existing unit and placing them in the proposed new *Department of Finance, Real Estate, and Business Law*.. The proposed reorganization will isolate the School of Accountancy into a separate unit, which is necessary since accounting is reviewed separately by its main accrediting body. The proposed reorganization will be funded by reallocating existing funds within the College of Business, thus additional state funds will not be needed to support the reorganization.
- c. The **University of Southern Mississippi** requests permission to reorganize the *Department of Economics, Finance, and International Business* by removing Finance faculty and associated resources from the existing unit and placing them in the proposed *Department of Finance, Real Estate, and Legal Studies*, and by removing International Business faculty and

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- associated resources from the existing unit and placing them in the proposed *Department of Management and International Business*. In addition, Decision Sciences faculty and associated resources will be added to the existing unit. The proposed reorganization will correct an enrollment imbalance within the current departments of the College of Business. The proposed reorganization will be funded by reallocating existing funds within the College of Business, thus additional state funds will not be needed to support the reorganization.
- d. The **University of Southern Mississippi** requests permission to reorganize the *Department of Management and Marketing* by removing Marketing and Fashion Merchandising faculty and associated resources from the existing unit and placing them in the proposed new *Department of Marketing and Fashion Merchandising*. In addition, International Business faculty and associated resources will be added to the existing unit. The proposed reorganization will facilitate greater faculty autonomy within their respective departments. The proposed reorganization will be funded by reallocating existing funds within the College of Business, thus additional state funds will not be needed to support the reorganization.
- e. The **University of Southern Mississippi** requests permission to reorganize the *Department of Educational Leadership and Research* by removing Educational Research faculty and associated resources from the existing unit and placing them in the proposed new *Department of Educational Studies and Research*. The proposed reorganization will isolate students seeking careers as counselors and those seeking careers as higher education faculty into two separate departments. The proposed reorganization will be funded by reallocating existing funds within the College of Education and Psychology, thus additional state funds will not be needed to support the reorganization.
- f. The **University of Southern Mississippi** requests permission to rename the *School of Accountancy and Information Systems* to the *School of Accountancy* as a part of proposed reorganization within the College of Business, whereby Information Systems and Legal Studies faculty and associated resources will be removed from the existing unit. The proposed name change will require minimal resources (e.g., change of campus signs, stationary, recruiting materials, etc.). These minimal resources will be covered by existing College of Business budgets, thus additional state funds will not be needed to support the renaming.
- g. The **University of Southern Mississippi** requests permission to rename the *Department of Economics, Finance, and International Business* to the *Department of Business Economics and Decision Sciences* as a part of proposed reorganization within the College of Business, whereby Finance and International Business faculty and associated resources will be removed from the existing unit, and Decision Sciences faculty and associated resources will be added to the existing unit. The proposed name change will require minimal resources, which will be covered by existing College of Business budgets, thus additional state funds will not be needed to support the renaming.
- h. The **University of Southern Mississippi** requests permission to rename the *Department of Management and Marketing* to the *Department of Management and International Business* as a part of proposed reorganization within the College of Business, whereby Marketing faculty and associated resources will be removed from the existing unit, and International Business faculty and associated resources will be added to the existing unit. The proposed name change will require minimal resources, which will be covered by existing College of Business budgets, thus additional state funds will not be needed to support the renaming.

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- i. The **University of Southern Mississippi** requests permission to rename the *Department of Tourism Management* to the *Department of Casino, Hospitality, and Tourism Management* to better align the unit name with its scope and mission. The proposed name change will require minimal resources. These minimal resources will be covered by existing College of Business budgets, thus additional state funds will not be needed to support the renaming.
  - j. The **University of Southern Mississippi** requests permission to rename the *Department of Educational Leadership and Research* to the *Department of Educational Leadership and School Counseling* as a part of proposed reorganization within the College of Education and Psychology, whereby the current department will be split into two separate departments. The proposed name change will require minimal resources, which will be covered by existing College of Education and Psychology budgets, thus additional state funds will not be needed to support the renaming.
  - k. The **University of Southern Mississippi** requests permission to rename the *Office of Graduate Studies* to the *Graduate School* to reflect the university's commitment to research and graduate education, and align the name with that of peer institutions. The proposed name change will require minimal resources, which will be covered by existing university budgets, thus additional state funds will not be needed to support the renaming.
  - l. The **University of Southern Mississippi** requests permission to rename the *Department of Administration of Justice* to the *School of Criminal Justice* to return the unit name to the more traditional criminal justice designation, which more accurately reflects the degree offerings and research focus within the unit. The proposed name change will require minimal resources, which will be covered by existing College of Science and Technology budgets, thus additional state funds will not be needed to support the renaming.
3. **System Administration** - Approved the following modification to an existing academic program.
- a. The **University of Mississippi** requests permission to rename the *Bachelor of Arts in Liberal Arts* to the *Bachelor of Arts in Liberal Studies* to alleviate current student confusion between the current name and College of Liberal Arts, in which the degree is housed. The proposed name change will require minimal resources (e.g., change of campus signs, stationary, recruiting materials, etc.). These minimal resources will be covered by existing College of Liberal Arts budgets, thus additional state funds will not be needed to support the renaming.

**BUDGET, FINANCE & AUDIT  
COMMITTEE REPORT  
Wednesday, March 18, 2009**

The Committee was brought to order at approximately 2:17 p.m. by Chairman Aubrey Patterson. The following items were discussed/voted upon:

1. On motion by Mr. Blakeslee, seconded by Mr. Owens, with Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #1.
2. On motion by Mr. Blakeslee, seconded by Mr. Owens, with Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #2.
3. On motion by Mr. Blakeslee, seconded by Mr. Owens, with Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #3.

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4. On motion by Mr. Owens, seconded by Mr. Blakeslee, with Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #4.
5. **Other Business -**
  - a. Dr. Linda McFall, IHL Deputy Commissioner for Finance & Administration, gave a brief presentation concerning the budget reduction for the State financial aid program. The MTAG budget was reduced by \$22,000. This shortfall will be taken from the financial aid operating budget.
  - b. Dr. Jim Borsig, IHL Assistant Commissioner for Governmental Relations, gave a brief update on the American Recovery and Reinvestment Act (ARRA) also called the stimulus package. Highlights are as follows:
    - i. Governor's Office Advice - Avoid recurring expenses to the extent possible; no additional recurring expenses. Answers/instructions will change until (maybe after) the federal guidance is provided in writing.
    - ii. Stimulus Working Groups: Governor's Office; State Auditor; Mississippi Education; and IHL.
    - iii. Written guidance (SFSF) may not be available for another 2-3 weeks.
    - iv. Short Form of Assurances for the State Fiscal Stabilization Fund will be submitted around April 1, 2009; the federal government intends to review all 50 states within two weeks, then release 67% of the State Fiscal Stabilization Funds (67% of +/- \$395M or \$264 M).
    - v. ARRA requires unprecedented accountability and transparency, including on-line posting of certain contract information on recovery.gov (also a possibility of a Mississippi government website). Some ARRA reporting requirements are weekly. The Office of Inspector General will be visiting all agencies receiving ARRA funds.

Committee members attending the meeting were: Mr. Aubrey Patterson (Chair), Mr. Ed Blakeslee, Mr. Bob Owens and Mr. Alan Perry. Ms. Christy Pickering was absent. Other Board members attending the meeting were: Dr. Stacy Davidson, Ms. Robin Robinson, Mr. Scott Ross, Dr. Doug Rouse, Mr. C.D. Smith and Ms. Amy Whitten.

**BUDGET, FINANCE & AUDIT AGENDA**

Presented by Mr. Aubrey Patterson, Chair  
Thursday, March 19, 2009

On motion by Mr. Patterson, seconded by Ms. Pickering, with Mr. Blakeslee, Dr. Neely and Mr. Ross absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda items #1 - #4 as submitted on the Budget, Finance & Audit Agenda.

1. **MSU** - Approved a resolution authorizing the Mississippi State University Educational Building Corporation to issue up to a maximum aggregate principal amount of \$48,000,000 of Revenue Bonds, Series 2009A (New Residence Hall Construction Project) at fixed rates for 30 years and a refunding of a portion of the Series 1998 Revenue Bonds. According to the financial advisor, First Southwest Company, recent market activity has indicated an expected interest rate of 5.4 percent

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for the issue. Watkins Ludlum Winter & Stennis, P.A. will serve as bond counsel. Morgan Keegan & Company, Inc. will serve as lead underwriter. Fees and expenses for professional services and issuance costs are anticipated to be \$133,150.

In April 2008, the Board approved the construction of a 350 bed, 122,000 sq. ft. residential hall on the MSU campus for a total project cost of \$29,960,000. The residential fee is expected to be \$2,600 per bed per semester. At that time, the financial advisor concluded that the university had a sufficient revenue stream to cover the cost of the issue. The bond issue will also cover the cost of the demolition of an abandoned residence hall, the furnishing and equipping of the new residence hall, the capitalized interest during the construction period, and the construction of educational space within the residence hall.

In addition to the construction of the residence hall project, the EBC's financial advisor, First Southwest Company, has also recommended the refunding of a portion of the EBC's outstanding Revenue Bonds, Series 1998, to achieve debt service savings. The financial advisor recommends refunding \$15,410,000 of the outstanding principle balance of \$23,640,000 from the Series 1998 bonds. The financial advisor estimates that the university will achieve an average annual savings of between \$43,000 and \$69,000 per year as a result of the refunding.

On recommendation of the financial advisor, the Board approved MSU's request to proceed with the proposed refunding of Series 1998 bonds only if the following conditions are met at the time of pricing:

1. Refund a portion of the callable maturities in the sum of \$15,410,000,
2. Achieve a minimum of 3.0% present value savings of the refunded bonds and
3. Achieve a minimum of \$41,000 of debt service savings annually.

The Board also approved the request to delegate the decision to move forward with the refunding of the Series 1998 portion of the bond issue on the condition that they receive approval by the Chairman of the Budget Finance & Audit Committee at the time of pricing.

4. **MVSU** - Pending review of changes recommended by the Attorney General's Office, the Board approved the request to enter into a consulting and curriculum agreement with Education Strategy, LLC. The purpose of the agreement is to assist the university in establishing a different delivery method for an existing curriculum. Specifically, Education Strategy will assist MVSU in establishing an online, blended and accelerated undergraduate program in Organizational Management. Implementation and set-up of the program is estimated to take three to four months. Education Strategy's fee is \$470,000. The agreement will be funded via tuition revenue collected from students enrolled in the Organizational Management program. A copy of the agreement is included in the *March 18-19, 2009 Board Working File*.
5. **UM** - Approved the request to revise the Intercollegiate Athletics budget as shown below. The escalation is necessary to offset Cotton Bowl expenses and provide funds for salary adjustments.

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Object of Expenditure	Current Budget 2008-2009	Budget Revision	Revised Budget 2008-2009
Salaries, Wages & Fringe Benefits	\$ 14,006,594	\$ 272,500	\$ 14,279,094
Travel & Subsistence	3,296,243	27,500	3,323,743
Contractual Services	13,103,973	15,000	13,118,973
Commodities	2,206,300	35,000	2,241,300
Capital Outlay			
Other than Equipment	-	-	-
Equipment	410,175	-	410,175
Subsidies, Loans & Grants (Transfers)	5,147,500	-	5,147,500
<b>TOTAL</b>	<b>\$ 38,170,785</b>	<b>\$ 350,000</b>	<b>\$ 38,520,785</b>

6. **UMMC** - Approved the request to enter into a one-year temporary management and/or staffing services agreement with NearTerm Corporation. The positions are required to continue UMMC's revenue transformation efforts. The Board approved a one-year agreement for related positions in May, 2008. The current agreement period is May 24, 2009 to May 23, 2010. The total cost for the contract period is \$1,470,000 and is inclusive of all fees and expenses. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *March 18-19, 2009 Board Working File*.

**GOVERNANCE/LEGAL AGENDA**

Presented by Mr. Bob Owens, Chair  
Thursday, March 19, 2009

On motion by Mr. Patterson, seconded by Mr. Owens, with Mr. Blakeslee, Dr. Neely and Mr. Ross absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Governance/Legal Agenda. On motion by Ms. Pickering, seconded by Mr. Perry, with Mr. Blakeslee, Dr. Neely and Mr. Ross absent and not voting, the Board approved moving agenda items #2 and #3 to the list of items to be taken up in Executive Session. **AGENDA ITEMS #2 AND #3 WERE TAKEN UP IN EXECUTIVE SESSION LATER IN THE MEETING.**

1. **UM** – Approved the request to enter into an interlocal agreement with the City of Oxford that will allow the City to contribute to the university \$200,000 per year for fifteen years from money collected from the City's tourism tax to help fund the renovation of the University of Mississippi baseball stadium. A copy of the agreement is included in the *March 18-19, 2009 Board Working File*.

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2. **UMMC** - Settlement of Tort Claim No. 1481. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**
3. **UMMC** - Settlement of Tort Claim No. 1472. **(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 1.)**
5. **JSU (Information item.)** - The Board received the other race recruitment initiatives of the university. A copy of the initiatives is included in the bound *March 18-19, 2009 Board Working File*.
6. **MVSU (Information item.)** - The Board received the other race recruitment activities, strategies and initiatives for 2008-2009. A copy of the initiatives is included in the bound *March 18-19, 2009 Board Working File*.

Mr. Owens noted that diversity has been one of the Board's goals. The Board has a strong diversity policy. Ms. Whitten congratulated Alcorn State University again for being the first university to obtain the 10% other race stipulation as required in the *Ayers* settlement.

**REAL ESTATE & FACILITIES  
COMMITTEE REPORT  
Wednesday, March 18, 2009**

The Committee was brought to order at approximately 2:50 p.m. by Chairman Scott Ross. The following items were discussed/voted upon:

1. On motion by Dr. Davidson, seconded by Dr. Rouse, and unanimously passed by those present, the Committee recommended that the Board approve agenda items #1 - #10.
2. On motion by Dr. Rouse, seconded by Dr. Davidson, and unanimously passed by those present, the Committee recommended that the Board approve agenda item #11.

Committee members attending the meeting were: Mr. Scott Ross (Chair), Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Doug Rouse and Mr. C.D. Smith. Other Board members attending the meeting were: Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Robin Robinson and Ms. Amy Whitten.

**REAL ESTATE & FACILITIES AGENDA  
Presented by Mr. Scott Ross, Chair  
Thursday, March 19, 2009**

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

**RESOLVED**, That the Board hereby approved agenda items #1 - #11 as submitted on the following Real Estate & Facilities Agenda.

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1. **ASU** - Approved the initiation of **IHL 201-243, Campus Security**, and the appointment of The Power Source as the project professionals for the Campus Security project. The project will include security cameras, emergency blue lights, and a card access system. Funds are available in the amount of \$250,000 from IHL Discretionary Funds, HB 246, Laws of 2007.
2. **JSU** - Approved the appointment of Foil & Wyatt Architects as project professionals for **IHL 203-148, Bioengineering Training/Research**. The project was publicly advertised for the receipt of proposals for architectural services. The Board approved the initiation of this project in May of 2008. The total project budget is \$1,913,000. Funds are available from a United States Department of Energy grant.
3. **JSU** - Approved the appointment of Foil & Wyatt Architects as project professionals for **IHL 203-150, Transportation/Mobility Center**. The project was publicly advertised for the receipt of proposals for architectural services. The Board approved the initiation of this project in November of 2008. The total project budget is \$5,000,000. Funds are available from a United States Department of Transportation grant.
4. **MVSU** - Approved the initiation of **GS 106-214, Land Drainage Infrastructure - Phase II**, and the appointment of W. L. Burle Engineers as project professionals. This project will provide for improvements to the campus drainage system. The total project budget is \$950,000. Funds are available from SB 3197, Laws of 2003.
5. **MVSU** - Approved the initiation of **IHL 206-025, Pre-Planning President's House**, and the appointment of Shafer & Associates as the project design professionals. The project construction budget will be determined by the project professional. Funds are available \$60,000 for the design fees from self-generated sources.
6. **UM** - Approved the initiation of **IHL 207-321, North (2nd) Residential College**, and the request to use the Construction Management – Advisor method of project delivery. The residential college's design professional was approved by the Board in March, 2007. The university will seek approval of the project budget at a later date once the Construction Manager has established the construction costs. The university will utilize the Construction Management method to reduce construction time by twelve (12) months and to allow for occupancy by August, 2010. Traditional bidding would place the delivery date at August, 2011. The Construction Manager will be selected through a Request for Qualifications and the interview process. The Construction Manager will not perform any portion of the construction work on this project. The building will be 3 stories and provide 320 beds. Funding sources for this project are provided by private donations, EBC bond proceeds, and self-generated funds. Project Professional: Cooke Douglass Farr Lemons Ltd and Eley Associates, a joint venture.
7. **UMMC** - Approved the initiation of **IHL 209-519, Exterior Graphics Phase I-2009**, for new exterior signage and the appointment of The K Group as project professionals. The signage will provide enhancement and improvement of vehicular overhead and ground mounted signage. The total project budget is \$317,000. Funds are available from interest income.

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8. **UMMC** - Approved the initiation of **IHL 209-520, School of Health Related Professions, Lab Renovations**, to renovate and convert room SH236 into a modern Radiology Digital Viewing Lab and the appointment of Cooke Douglass Farr Lemons, Ltd. as project professionals. The total project budget is \$255,134. Funds are available from student tuition and fees.
9. **UMMC** - Approved the initiation of **IHL 209-521, Pediatric Intensive Care Unit Renovations**, at Batson Children's Hospital and the appointment of The McCarty Group as project professionals. The renovations will include private patient rooms, updated associated support spaces, the latest patient care technology, and services to accommodate this special care area. The total project budget is \$3,122,978. Funds are available from hospital patient revenue.
10. **USM** - Approved the initiation of **IHL 208-289, Commons Building Demolition**, on the Hattiesburg campus and the appointment of Allred Architectural Group as project professionals. This demolition is in accordance with the master plan approved by the Board in 2008. The approval letters from the Department of Archives and History and the Department of Environmental Quality are on file with the Office of Real Estate and Facilities. The project budget is estimated to be \$500,000. Funds are available from 2008 surplus reserves.
11. **USM** - Approved the short list of development teams for **IHL 208-286, Parking Structure**, on the Hattiesburg campus. Each team consists of experienced and qualified design professionals including an engineering or architectural firm registered in Mississippi, a contractor properly licensed and domiciled in Mississippi, a development/finance professional, and a technical consultant professional. The Request for Qualifications was publicly advertised and submittals from eight teams were received. The submittals were reviewed by a 10-person selection panel, which evaluated the qualifications, interviewed six teams and selected the following teams as the short list to proceed to phase two of the dual-phase design-build process.
  - a. **Team A**

**Developer:** Eagle Parking, LLC is composed of two parent companies, L&A Contracting Company and Finlo Construction company, Inc., both of Hattiesburg, MS. Eagle Parking, LLC has teamed with Stephens Financial, Inc. for project financing.

**Design Professional:** Albert & Associates Architects of Hattiesburg, MS. This design professional is an architectural firm registered in the State of Mississippi, with experience in the design of numerous award-winning projects throughout the State.

**Technical Consultant:** LEAP Associates International, Inc. of Tampa, FL. This consultant has been involved in the design of many parking structures around the country.

**Construction Contractor:** Finlo Construction company, Inc. of Hattiesburg, MS. This contractor is licensed and domiciled in the State of Mississippi and has constructed major projects, including all the parking structures built in Hattiesburg, MS.
  - b. **Team B**

**Developer:** Signet-Harrell Development. This developer has experience in developing and financing 17 parking structures worth nearly \$100 million.

**Design Professional:** Eley Guild Hardy Architects. This design professional is an architectural firm registered in the State of Mississippi, with experience in the design of numerous large projects throughout the state including numerous parking structures.

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**Technical Consultant:** Tim Haas Engineers/Architects. This parking consultant has been involved in the design of nearly 800 parking structures including 30 for higher education as well as 23 public-private ventures.

**Construction Contractor:** Harrell Contracting Group, LLC. This contractor is licensed and domiciled in the State of Mississippi and has constructed major projects throughout the State including several parking structures.

c. **Team C**

**Developer:** TMV Development, LLC. This developer has experience in developing and financing numerous projects in Mississippi and Louisiana.

**Design Professional:** Landry and Lewis Architects, P.A. This design professional is an architectural firm registered in the State of Mississippi, with experience in the design of numerous projects throughout the State including parking structures.

**Technical Consultant:** Walker Parking Consultants. This parking consultant has been involved in the design of hundreds of parking structures throughout the United States.

**Construction Contractor:** W. G. Yates and Sons Construction Company. This contractor is licensed and domiciled in the State of Mississippi and has constructed many major projects throughout the southeast including numerous parking structures.

12. **System Administration (Information item.)** - The Board received the Real Estate & Facilities items that were approved by the Board staff subsequent to the February 18-19, 2009 Board meeting in accordance with Board Policy 904 Board Approval. Mr. Harry Sims, IHL Assistant Commissioner for Real Estate & Facilities, noted a corrected amount to an item on the report. (See **Exhibit 2.**)

**COMMISSIONER AND CHANCELLOR  
SEARCH COMMITTEE REPORTS**

Thursday, March 19, 2009

Highlights from the update presented by President Amy Whitten are as follows:

- ▶ Ed Blakeslee, chair of the Board Search Committee for the next Commissioner, has asked me to give the search update on both searches since they follow similar progressions. Both searches have been moving right along since we met last month.
- ▶ Both Search Advisory Committees have been named. The Search Advisory Committees are made of key constituency groups who are charged with reviewing all the recommendations and nominations and forwarding no less than 5 names to the Board Search Committee for interviews. In addition, a sub-set of the Search Advisory Committees will join the Board for the interview process.
- ▶ The Chair of the Search Advisory Committee for Chancellor at the University of Mississippi is Dr. Alice Clark. Dr. Clark is Vice Chancellor for Research and Sponsored Programs. The Search Advisory Committee is comprised of 22 other individuals, including students, faculty, staff, community representatives, and alumni and foundation representatives, among others.
- ▶ The Chair of the Search Advisory Committee for Commissioner is Chancellor Robert Khayat. The Search Advisory Committee is comprised of our 7 other institutional executive officers; Dr. Jones from UMMC; Dr. Mixon from MSU-Ag; Dr. Joachim from USM-Gulf Coast; some members of the

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IHL Executive Cabinet, and two staff members. You can visit the website for the full list of both of the Search Advisory Committees.

- ▶ As you know, we have also selected an executive search firm—Parker Executive Search, based in Atlanta, Georgia. The search consultant team, led by president Dan Parker, will conduct orientations for both search advisory committees next week. During the orientations, Dan will discuss the role of the Search Advisory Committee; how the Search Advisory Committee will review resumes and applications via the firm’s confidential web site; and will review the final position descriptions incorporating the listening session feedback. These meetings are open to the media and we expect to have final confirmation of these times with committee members tomorrow, followed by official meeting notices. However, tentatively until confirmed by the meeting notices, the Chancellor Search Advisory Committee orientation will be held next Thursday, March 26<sup>th</sup>, on the Ole Miss campus; followed by the Commissioner Search Advisory Committee orientation on Friday, March 27<sup>th</sup>, here at the Executive Office.
- ▶ The search consultant is now in the process of recruiting individuals for both positions. There is a direct link from both search websites to the search consultant’s contact information. If you have or if you know of anyone who would like to nominate an individual, please feel free to email Dan Parker.

**ADMINISTRATION/POLICY AGENDA**

Presented by Dr. Aubrey Lucas, Interim Commissioner

On motion by Mr. Patterson, seconded by Dr. Rouse, with Dr. Neely absent and not voting, it was

**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the following Administration/Policy Agenda. Agenda item #2 was approved as amended on a separate motion by Dr. Rouse, seconded by Ms. Robinson, with Dr. Neely absent and not voting.

1. **System Administration** – Approved Alcorn State University’s proposed mission and vision statements shown below.

**Mission Statement**

Alcorn State University, a Historically Black College and University, is a comprehensive land-grant institution that celebrates a rich heritage with a diverse student and faculty population. The University emphasizes intellectual development and lifelong learning through the integration of diverse pedagogies, applied and basic research, cultural and professional programs, public service and outreach, while providing access to globally competitive academic and research programs. Alcorn strives to prepare graduates to be well-rounded future leaders of high character and to be successful in the global marketplace of the 21<sup>st</sup> century.

**Vision Statement**

Alcorn State University will become a premier comprehensive land-grant university. It will develop diverse students into globally-competitive leaders and apply scientific research, through collaborative partnerships, which benefits the surrounding communities, states, nation and world.

2. **System Administration** – Approved the requests as shown below:
  - a. To bestow one honorary degree at Delta State University at its May 2009 Spring Commencement,

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- b. To bestow two honorary degrees at Jackson State University at its May 2009 Spring Commencement,
- c. To bestow one honorary degree at Mississippi State University at its May 2009 Spring Commencement and
- d. To bestow one honorary degree at the University of Southern Mississippi at its May 2009 Spring Commencement.
- e. This item was amended to include the award of an honorary degree at Alcorn State University at its May 2009 Spring Commencement.

Supporting documents for all honorary degrees are on file at the Board Office.

3. **System Administration (Information item.)** - In compliance with Board policy, the following items have been approved by the Interim Commissioner on behalf of the Board:
- a. **ASU** - Budget revisions of the *Ayers* Program(s); no increase in the total *Ayers* budget but rather a reallocation among funds.
  - b. **MVSU** - Budget revision of the *Ayers* Program(s); no increase in the total *Ayers* budget rather a reallocation among funds.

### **COMMISSIONER'S REPORT**

Presented by Dr. Aubrey Lucas, Interim Commissioner

The highlights from the Commissioner's Report as presented by Ms. Annie Mitchell, IHL Director of Media Relations, Communications, and Marketing, were as follows:

- ▶ Thank you, madam President. It is a pleasure to present the March Commissioner's report.
- ▶ At the April Board meeting, we will have an opportunity to "showcase" our universities before an estimated 2000 Mississippi business leaders who will be attending the annual meeting of the Mississippi Economic Council (MEC) on Thursday, April 16<sup>th</sup> at the Jackson Convention Complex. To take advantage of this opportunity our Board meeting on Thursday, April 16<sup>th</sup> will be held in the Jackson Convention Complex beginning at 8:00 a.m. At 10:00 a.m., all eight Institutional Executive Officers will be featured at the MEC meeting in a program which will allow them to speak about their universities. At the 11:30 a.m. luncheon, all Board members will be introduced. Senator Thad Cochran and Stuart Varney, the well known economist and reporter, will be the speakers at the luncheon. Our colleague Robert Khayat will be honored for his distinguished service as Chancellor of the University of Mississippi. You can find more about the MEC meeting at [www.msmecc.com](http://www.msmecc.com). The Board meeting will resume after the luncheon if necessary.
- ▶ I appreciate your giving the Board an update on the searches for Commissioner and Chancellor. We continue to receive feedback from our legislative partners and the general public regarding the desired qualities for these individuals, and I am confident we are on the right track.
- ▶ I am pleased to introduce some new faces on the Board staff!
  - ▶ First, allow me to introduce a new member of Dr. Phil Pepper's team—Mr. Edward Stuart! Ed is our new information systems analyst. Ed comes to IHL from BearingPoint, where he provided technical consulting services to a variety of clients, including county, government, military, and the federal government. Ed received both his B.S. and M.B.A. degrees from the University of Southern Mississippi, although to his great disappointment he did not go there when I was President! Ed, we welcome you.

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- ▶ I would also like to introduce to you Ms. Marsha Watson. Marsha came on board Monday as the program manager for Mississippi's federally-funded College Access Challenge Grant program. Her position is paid entirely through federal grant dollars. Marsha comes to IHL from the Education Services Foundation, where she provided college access counseling and program oversight as the manager of ESF's Delta Division. Marsha has dedicated the last 10 years of her career to ensuring that Mississippi students have access to education beyond high school. Marsha received her B.A. from Simmons College in Boston and her Master of Arts in Southern Studies from the University of Mississippi. Marsha, we welcome you to IHL.
- ▶ Finally, in institutional good news:
  - ▶ Dr. Garish Panicker, director of the Center for Conservation Research at Alcorn State University, presented a research paper on the performance of muscadine and soil changes during organic production at the 73<sup>rd</sup> annual meeting of the Mississippi Academy of Sciences. A true example of collaborative System work, the paper was co-authored by MSU's Dr. Juan Silva and Dr. Frank Matta.
  - ▶ Delta State University's Delta Music Institute recently held a ribbon cutting ceremony to open its state-of-the-art facility! Dr. Davidson, I know you attended this great occasion. The focus of the Delta Music Institute is to provide students across a number of disciplines with a broad and thorough education in the technological, business, and creative areas of the music industry. What a great contribution to music and to the Delta.
  - ▶ Researches with JSU's Jackson Heart Study recently announced the start of the third heart study exam. More than 5,300 participants are involved in this study, the largest single study of heart disease in African Americans in the country.
  - ▶ Mississippi State's Mitchell Memorial Library is being honored with the Mississippi Historical Society's 2009 Award of Merit for its work in acquiring the Ulysses S. Grant Presidential Collection. The collection relocated to MSU's Starkville campus in December through an agreement with the private U.S. Grant Association.
  - ▶ Mississippi University for Women students recently took top honors at the Mississippi Collegiate Art Competition in Jackson by receiving awards in 6 of 9 categories. We are proud of our MUW students.
  - ▶ Mississippi Valley State University will hold its annual Honors Convocation on Wednesday, March 25<sup>th</sup> at 10:00 a.m. in the H.G. Carpenter Auditorium. The university's new provost, Dr. Joseph Stevenson, will be the keynote speaker. Since we're on the subject of Dr. Stevenson, he and MVSU Mathematics and Computer Information Science Chair Dr. Constance Bland were recently recognized in New Orleans by the Thurgood Marshall College Fund. Dr. Stevenson was recognized for Outstanding Leadership in Higher Education and Dr. Bland was recognized for Outstanding Faculty Research. We wish them both congratulations!
  - ▶ Sam Watson, a graduate mathematics student at the University of Mississippi, already had a Goldwater Scholarship and membership in Phi Beta Kappa and Phi Kappa Phi. Now, the Oxford native has been awarded a Gates Cambridge Scholarship to study at the University of Cambridge. The first recipient from Ole Miss, Watson says he hopes to use what he learns to improve math education in public schools.
  - ▶ I'm also pleased to announce that the on-site visiting review committee from SACS, which is comprised of university faculty and staff, including a university president, recently

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completed its visit to the University of Mississippi in late February. The oral report was highly complimentary of the university, and because of the outstanding work of Ole Miss' faculty and staff, combined with the strength of academic, student life, and administrative support systems and programs, Ole Miss has been assured of reaffirmation for 10 years. Congratulations, Chancellor Khayat!

- ▶ Finally—last but not least—President Martha Saunders recently announced that the University of Southern Mississippi has received a \$6 million gift from an anonymous donor. The donation is the largest single cash gift in the university's history. \$5 million of it will be used for student scholarships, and \$1 million will be applied to further the university's strategic initiatives.
- ▶ And that, Madame President, brings me to the end of my report.

**EXECUTIVE SESSION  
Thursday, March 19, 2009**

On motion by Mr. Perry, with Dr. Neely 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 Mr. Patterson, seconded by Mr. Owens, with Dr. Neely absent and not voting, the Board **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office,  
Discussion of two litigation matters at the University of Mississippi Medical Center and  
Discussion of an investigation by a public body.

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

The Board discussed a personnel matter at the Board Office. **No action was taken.**

On motion by Mr. Owens, seconded by Dr. Davidson, with Dr. Neely absent and not voting, the Board voted to approve the settlement of Tort Claim No. 1481 styled as *Brown v. UMMC*

On motion by Mr. Owens, seconded by Dr. Rouse, with Dr. Neely absent and not voting, the Board voted to approve the settlement of Tort Claim No. 1472 styled as *Bush v. UMMC*.

**On motion by Mr. Perry, seconded by Mr. Patterson, with Dr. Neely and Ms. Whitten absent and not voting, the Board voted to return to Open Session.**

**EXECUTIVE SESSION  
Wednesday, March 18, 2009**

On motion by Dr. Davidson, with Dr. Neely and Ms. Pickering 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 Mr.

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Blakeslee, seconded by Mr. Perry, with Dr. Neely and Ms. Pickering absent and not voting, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a security issue at the Board Office.

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

The Board discussed a security issue at the Board Office. **No action was taken.**

**On motion by Ms. Whitten, seconded by Mr. Patterson, with Dr. Neely and Ms. Pickering 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 Dr. Rouse, seconded by Ms. Robinson, with Dr. Neely and Ms. Whitten absent and not voting, the Board members voted to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Interim Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- Exhibit 1                      Report of the payment of legal fees to outside counsel.
- Exhibit 2                      Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the February 18-19, 2009 Board meeting.

# EXHIBIT I

March 18-19, 2009

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

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 1/8/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

**TOTAL DUE ..... \$4,099.75**

Payment of legal fees for professional services rendered by Phelps Dunbar (Statements dated 12/31/08 and 1/27/09) from the funds of Mississippi State University. (These statements, in the amounts of \$1,837.50 and \$350.00, represent services and expenses in connection with the *Wade* case.)

**TOTAL DUE ..... \$2,187.50**

Payment of legal fees for professional services rendered by David Ware & Associates (Statement dated 1/30/09) from the funds of Mississippi State University. (This statement represents services and expenses in connection with labor certification - Akram.)

**TOTAL DUE ..... \$2,500.00**

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 10/27/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Cache Mapping Technology Matter" - \$10,879.00 and "Negotiations with Triton BioPharma AG" - \$690.00.)

**TOTAL DUE ..... \$11,569.00**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 12/31/08) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "High Power Density, Full Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications" - \$640.50; "Termite Control Methods and Apparatus" - \$2,760.00; "Methods of Preparation of Live Attenuated Bacterial Vaccines by Alteration of DNA Adenine Methylase (DAM) Activity in Those Bacteria" - \$2,286.00; "DNA Molecule Encoding a 33KD Cysteine Proteinase and its Use in Transforming Plants to Provide Insect Resistance" - \$1.00; and "Heliothis Virens-Specific and Helicoverpa Zea-Specific Monoclonal Antibodies and Insect Identification Method" - \$1,340.00.)

**TOTAL DUE ..... \$7,027.50**

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 12/19/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: "Gastric Electrical Stimulation Device and Method for Treating

Gastroparesis” - \$297.00; “Thermally-Targeted Delivery of Medicaments” - \$474.80; “Thermally-Targeted Delivery of Medicaments Including Docorubicin – AU” - \$116.00; “Thermally-Targeted Delivery of Medicaments Including Docorubicin – CA” - \$580.26; “Thermally-Targeted Delivery of Medicaments Including Docorubicin – EP” - \$174.06; and “Thermally-Targeted Delivery of Medicaments Including Docorubicin – JP” - \$175.00.)

**TOTAL DUE ..... \$1,817.12**

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 10/21/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cembranoids/Chemopreventive” - \$780.00; “Medicaments to Nail & Perionychiu” - \$193.70; “Compositions Comprising Highly Purified Amphotericin B – MX” - \$2,521.38; “Compositions Comprising Highly Purified Amphotericin B – U.S.” - \$294.54; “Novel Cyclopentenedione Anti-fungal Compounds and Methods for Their Use. – AU” - \$279.34; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - \$155.00; “Acoustic Instruments for Use in Aquaculture” - \$1,861.50; “Methods for Detecting Vibration and Sounds Signatures of Human Footsteps” - \$155.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$298.00; “Compositions for the Treatment of Methicillin Resistant Staphylococcus” - \$298.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CP” - \$2,236.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – EP” - \$575.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” – \$765.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – WO” - \$2,227.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – US” - \$2,630.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – MX” - \$1,013.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CN” - \$615.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CA” - \$615.50 and “Compositions Comprising Highly Purified Amphotericin B – CA” - \$992.00.)

**TOTAL DUE ..... \$18,506.46**

Payment of legal fees for professional services rendered by Hunton & Williams (Statements dated 10/6/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Synthesis of Epothilones and Related Analogs - CA” - \$75.00; “Synthesis of Epothilones and Related Analogs – JP” - \$3,000.31; “Stable Suppository Formulations Affecting Bioavailability of 9-THC – KR” - \$802.00; “New Manzine Alkaloids with Potent Activity Against Infectious Diseases” - \$75.00; “New Manzine Alkaloids with Potent Activity Against Infectious Diseases - JP” - \$1,292.53; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – AU” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – BR” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CA” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CN” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CZ” - \$306.20; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – HK” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – HU” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – MX” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – NO” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – PL” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – RU” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – SG” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – ZA” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – AT” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – BE” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – DK” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – FI” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – FR” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – DE” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – GB” -

\$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – GR” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – IE” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – IT” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – NL” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – PT” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – ES” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – SE” - \$75.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CH” - \$75.00; “Dihydroartemisinin and Dihydroartemisitene dimmers as Anti-Cancer and Anti-Infective Agents – AU” - \$75.00; “Dihydroartemisinin and Dihydroartemisitene Dimmers as Anti-Cancer and Anti-Infective Agents – CA” - \$75.00; “Dihydroartemisinin and Dihydroartemisitene Dimmers as Anti-Cancer and Anti-Infective Agents – EPO” - \$359.16; “Controlling Toxicity of Aminoquinoline Compounds – CA” - \$75.00 and “Controlling Toxicity of Aminoquinoline Compounds – CA” - \$75.00.)

**TOTAL DUE ..... \$8,235.20**

Payment of legal fees for professional services rendered by Hunton & Williams (Statements dated 11/6/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “General” - \$32.25; “Synthesis of Epothilones and Related Analogs – CA” - \$322.00; “Method of Preparing Delta-9-Tetrahydrocannabinol – EPO” - \$595.00; “Method of Preparing Delta-9-Tetrahydrocannabinol – CA” - \$632.39; “New Manzine Alkaloids with Potent Activity Against Infectious Diseases” - \$478.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – AU” - \$244.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – BR” - \$168.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CA” - \$344.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CN” - \$648.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CZ” - \$1,203.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – HK” - \$143.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – HU” - \$992.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – MX” - \$692.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - \$579.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – PL” - \$586.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – RU” - \$378.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – SG” - \$350.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – ZA” - \$51.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – AT” - \$826.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – BE” - \$304.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – DK” - \$521.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – FI” - \$558.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – FR” - \$355.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – DE” - \$591.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – GB” - \$325.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – GR” - \$256.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – IE” - \$378.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – IT” - \$403.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – NL” - \$664.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – PT” - \$350.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – ES” - \$308.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – SE” - \$392.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CH” - \$337.00; “Dihydroartemisinin and Dihydroartemisitene Dimmers as Anti-Cancer and Anti-Infective Agents – AU” - \$244.00; “Dihydroartemisinin and Dihydroartemisitene Dimmers as Anti-Cancer and Anti-Infective Agents – CA” - \$987.17; “Dihydroartemisinin and Dihydroartemisitene Dimmers as Anti-Cancer and Anti-Infective Agents – MX” - \$37.50; “Potent Immunostimulatory Extracts from Microalgae” - \$2,125.00; “Potent Immunostimulants from Microalgae” - \$1,745.00; “Controlling Toxicity of Aminoquinoline Compounds – CA” - \$278.00; “Controlling Toxicity of Aminoquinoline Compounds – EPO” - \$664.00; “Method for Derivatization of Hydroxy Metabolites” - \$595.00; and “Opposition of EP” - \$26,775.00.)

**TOTAL DUE ..... \$48,456.31**

# EXHIBIT 2<sup>28</sup>

March 18-19, 2009

## **Real Estate & Facilities items that were approved by the Board staff subsequent to the February 18-19, 2009 Board meeting in accordance with Board Policy 904 Board Approval.**

### **Delta State University**

GS 102-213, Delta Music Institute (Interior Finishes): The Board staff approved Change Order #1 in the amount of \$2,600. This change order is necessary to paint and refinish the Office of Information Technology, Room 101, which was not renovated as part of the original project. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$84,536.52. Funds are available from SB 2010, Laws of 2004. **Project Professional: Foil Wyatt Architects. General Contractor: Superior Contracting, LLC.**

GS 102-225, Water Tower Repairs: The Board staff approved the Schematic Design documents as submitted by W. L. Burle Engineers, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$100,000. Funds are available from IHL Discretionary Funds: HB 246, Laws of 2007, as previously approved by the Board. **Project Professional: W. L. Burle Engineers, P.A. General Contractor: N/A.**

IHL 202-134, Nursing Addition: The Board staff approved an award of a contract to Southern Commercial of Holly Springs, Inc., the lower of seven (7) bidders, in the base bid amount of \$267,500. The total project budget is \$388,462. Funds are available from Health Resources Service Administration Grant #U1FRH07411. **Project Professional: Shafer and Associates, PLLC. General Contractor: Southern Commercial of Holly Springs, Inc.**

### **Jackson State University**

GS 103-179, School of Engineering: The Board staff approved Change Order #12 in the amount of \$181,399.45 with an additional 172 days added to the contract of Evan Johnson and Sons, Construction, Inc. This change order is necessary for the addition of exit lights as required by the Fire Marshall and to relocate outlets at the security desk. It also provides for a revision to the corridor flooring and the addition of overhead costs by the contractor. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$20,500,000. Funds are available from SB 1675, Laws of 1999. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Evan Johnson and Sons Construction, Inc.**

GS 103-231, E-City Center Project: The Board staff approved Change Order #1 in the amount of \$2,817.12. This change order is necessary to solve right-of-way issues with the city of Jackson, the addition of fencing to the project and delays due to adverse weather conditions. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$806,000. Funds are available from SB 2010, Laws of 2004. **Project Professional: Wayne F. Timmer, Architect, P.A. General Contractor: Wilkinson Construction, Inc.**

GS 103-234, ADA Compliance Phase II-B (BP.1): The Board staff approved the Schematic Design documents as provided by Wayne T. Timmer, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$4,532,985.50. Funds are available from SB 3197, Laws of 2002, and HB 246, Laws of 2007. **Project Professional: Wayne F. Timmer Architect, P.A.**  
**General Contractor: N/A**

GS 103-234, ADA Compliance Phase II-B (BP.2): The Board staff approved the Schematic Design documents as provided by Wayne T. Timmer, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$2,398,125. Funds are available from SB 3197, Laws of 2002, and HB 246, Laws of 2007. **Project Professional: Wayne F. Timmer Architect, P.A.**  
**General Contractor: N/A.**

IHL 203-151, Council of Federated Organizations Building (COFO): The Board staff approved the Design Development documents as submitted by LAD Engineering Technologies, Inc., project professionals. The total project budget is \$380,000. Funds are available from the Small Business Administration. **Project Professional: LAD Engineering Technologies, Inc.** **General Contractor: N/A.**

#### Mississippi State University

Building 1665, Crystal Springs, MS: The Board staff approved the request to remove Building 1665, Plastic Greenhouse at Crystal Springs, MS from the Mississippi Agricultural & Forestry Experiment Station (#422) inventory. The building is no longer required by the university, has collapsed from snow, and is beyond practical repair. Letters of approval have been received from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality and will be on file in the Office of Real Estate and Facilities. **Project Professional: N/A. General Contractor: N/A.**

GS 105-310, Harned Hall Renovation: The Board staff approved the Contract Documents as submitted by Eley and Associates Architects, project professionals. The Board staff approved the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are available from SB 2010, Laws of 2004, and HB 246, Laws of 2007. **Project Professional: Eley and Associates. General Contractor: N/A**

GS 113-121, Building 1532 (R&R Stoneville, MS): The Board staff approved the Design Development documents as submitted by Robert Lewis Architects, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$1,100,000. Funds are available from HB 1634, Laws of 2006, MSU-MAFES funds and MSU-Ed funds. **Project Professional: Robert Lewis Architects. General Contractor: N/A.**

IHL 213-136, Building 1533 (R&R Stoneville, MS): The Board staff approved Change Order #3 in the amount of \$1,902. The change order is necessary to replace the air handling units from mini split systems to chilled/hot water units. The change order also allows for the change to the roof pitch on a portion of the building to avoid existing HVAC components. The total project budget is \$1,445,000. Funds are available through MAFES sales. **Project Professional: Mills & Mills Architects. General Contractor: Jackson Construction of Grenada, Inc.**

**University of Mississippi**

Removal of Building #22, Oxford, MS: The Board staff approved the request to remove Faculty House #22 Northgate Square, University, Mississippi from inventory. The house was severely damaged by fire on April 27, 2008 and beyond practical repair. Approval letters have been received from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality and will be kept on file in the Office of Real Estate and Facilities. **Project Professional: N/A. General Contractor: New South of Mississippi, LLC.**

IHL 207-279, Old Chemistry Interiors: The Board staff approved the Construction Documents as provided by McCarty Company, project professionals. The Board staff also approved the request to advertise for receipt of bids. The total project budget is \$4,500,000. Funds are available from private donations, the School of Engineering, and self-generated R&R funds. **Project Professional: McCarty Company. General Contractor: Panola Construction Company, Inc.**

IHL 207-279, Old Chemistry Interiors: The Board staff approved an award of a contract to Panola Construction Company, Inc., the lowest of seven (7) bidders, in the base bid amount of \$1,745,700 plus \$1,457,300 (add alternates #1-4) and \$6,500 (add alternate #5) for a total of \$3,209,500. The total project budget is \$4,500,000. Funds are available from private donations, the School of Engineering, and self-generated R&R funds. **Project Professional: McCarty Company. General Contractor: Panola Construction Company, Inc.**

IHL 207-306, Center for Manufacturing Excellence: The Board staff approved an award of a contract to Panola Construction Company, Inc., the lowest of six (6) bidders, in the amount of \$10,967,000. The total project budget is \$17,700,000. Funds are available from the Mississippi Development Authority. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Panola Construction Company, Inc.**

IHL 207-315, Law School-Central Mechanical Plant: The Board staff approved Change Order #1 in the amount of \$71,720. This change order includes additional costs of \$35,860 per chiller to change the two chillers to variable speed drives for energy efficiency. The total project budget is \$4,600,000. Funds are available from private donations and EBC bond proceeds. **Project Professional: Cooke Douglas Farr Lemons, Ltd. General Contractor: Hooker Construction, Inc.**

**University of Mississippi Medical Center**

GS 109-193, Chiller #2 and Tower #2 Replacements: The Board staff approved Change Order #4 in the amount of \$11,155. This change order is necessary to provide for the addition of a cooling tower equalizer piping to prevent overflows. This latent problem did not appear until after the towers were in operation. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$2,580,000. Funds are available from SB 2010, Laws of 2004, and UMMC interest income. **Project Professional: Cooke Douglas Farr Lemons, Ltd. General Contractor: Fountain Construction Company, Inc.**

GS 109-199, Teaching Facility: The Board staff approved an award of a contract to Guaranteed Roofing Company, Inc., the lower of eight (8) bidders, in the base bid amount of \$172,906. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$200,000. The funding source is self-generated sources with reimbursement, upon completion, from IHL Discretionary Funds: HB 246, Laws of 2007. **Project Professional: Simmons Associates. General Contractor: Guaranteed Roofing Company, Inc.**

IHL 209-435C, Guyton Building Expansion: The Board staff approved Change Order #10 in the amount of \$82,245 with an additional seventy-seven (77) days to the contract of Flintco, Inc. This change order is necessary to provide for various lighting and security packages/fixtures, power connections for work stations and fire alarm requirements. Funds are available from SB 3197, Laws of 2002, Federal funds (HRSA-HCOF#C76HF00116) and interest income. **Project Professional: Simmons Associates/Eley Associates, Joint Venture. General Contractor: Flintco, Inc.**

IHL 209-500, Health Related Professionals Drainage Revisions 2007: The Board staff approved Change Order #1 in the amount of \$8,226 with an additional fourteen (14) days to the contract of Southern Rock, LLC. This change order is necessary to provide for the relocation of an existing 12" fire line to avoid a conflict with the new storm sewer piping. The total project budget is \$570,700. Funds are available from interest income, student tuition and patient fees. **Project Professional: Dale/Morris Architects. General Contractor: Southern Rock, LLC.**

IHL 209-504, Cath Lab S027 and Pavilion Cath Lab Renovations (Contract 1): The Board staff approved Change Order #5 in the amount of \$9,781.20 with an additional six (6) days to the contract of Flagstar Construction Company, Inc. This change order provides for additional floor patching required for the installation of seamless flooring. It also provides for the extension of the temporary construction tunnel and to seal it against dust, the addition of HEGIS number signs and to change rubber bases in various corridors. The total project budget is \$470,172. Funds are available from hospital patient revenues. **Project Professional: Barlow Eddy Jenkins. General Contractor: Flagstar Construction Company, Inc.**

IHL 209-510, Guyton Contract III Renovations: The Board staff approved the Contract Documents as submitted by Simmons Associates/Eley Associates, a joint venture as project professionals. The total project budget is \$16,500,000. Funds are available from the Medical Center Education Building Corporation and interest income. **Project Professional: Simmons Associates/Eley Associates. General Contractor: N/A.**

IHL 209-514, Hospital Generator 2008: The Board staff approved the Contract Documents as submitted by Watkins & O'Gwynn Electrical Engineers, design professionals. The Board staff also approved the request to advertise for the receipt of bids. The total project budget is \$475,000. Funds are available from hospital patient revenues. **Project Professional: Watkins & O'Gwynn Electrical Engineers. General Contractor: N/A.**

IHL 209-515, Surgical Short Stay Renovations: The Board staff approved the Schematic Design documents as provided by Cooke Douglass Farr Lemons, LTD, project professionals. The total project budget is \$7,735,000. Funds are available from hospital patient revenues. **Project Professional: Cooke Douglas Farr Lemons, Ltd. General Contractor: N/A.**

IHL 209-516, Emergency Room Fast Track Renovations: The Board staff approved the Design Development documents as submitted by The McCarty Group, design professionals. The total project budget is \$2,000,000. Funds are available from hospital patient revenues. **Project Professional: The McCarty Group. General Contractor: N/A.**

IHL 209-516, Emergency Room Fast Track Renovations: The Board staff approved the Contract Documents as submitted by The McCarty Group, design professionals. The total project budget is \$2,000,000. Funds are available from hospital patient revenues. **Project Professional: The McCarty Group. General Contractor: N/A.**

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**A. BUDGET, FINANCE, AND AUDIT**

**1. MVSU – Resolution for Grant Application**

Mississippi Valley State University requests approval of a resolution authorizing the filing of an application to the Mississippi Department of Transportation for a grant to assist in providing transportation services.

Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, Mississippi Valley State University provides public transportation services in four Delta counties. The mass transit system serves as a vital means of transportation for students to attend the university. The resolution is shown below.

**AUTHORIZING RESOLUTION**

**The Board of Trustees of State Institutions of Higher Learning, herein after referred to as the BOARD, is aware of the provisions of 49 U.S.C. 5311 of the Federal Transit Act and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU). The Board hereby duly authorizes Dr. Donna Oliver, acting as the President on behalf of the Applicant to file an application with the Mississippi Department of Transportation for a Section 5311 Rural General Public Program grant to assist in providing transportation services. The BOARD also does hereby certify that the Applicant is eligible to apply for this grant and is not aware of any reasons or conditions that prohibit the Applicant organization nor any of its staff, officers or directors from receiving, administering or disbursing federal funds. If this application is approved, (1) the Board resolves that the Applicant will provide the required local match; (2) the Board agrees to comply with the Federal Transit Administration’s and The Mississippi Department of Transportation’s requirements as contained in the award agreement; (3) the Applicant will carry out the project as described in the approved application. By this resolution the Board officially authorizes Mississippi Valley State University to execute a contract agreement with the Mississippi Department of Transportation.**

Approved and adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
(Chairman/President)

\_\_\_\_\_  
(Attest)

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Typed Name)

**STAFF RECOMMENDATION: The resolution has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.**

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**2. MVSU – Coca-Cola Enterprise, Inc. Sponsorship Agreement**

Mississippi Valley State University (MVSU) requests approval to enter into a seven-year sponsorship agreement with Coca-Cola Enterprises, Inc. The purpose of the agreement is to provide the contractor exclusive rights to offer beverages for sale throughout the campus. The agreement also provides for marketing and merchandising privileges. The term of the agreement is April 17, 2009 to April 16, 2016.

Annual sponsorship fees are as follows: Year 1:\$85,000; Years 2–5: \$27,500 each; and Years 6-7: \$40,000 each, with the total fees for the agreement period equal to \$275,000. MVSU will also receive a commission of 30% per sale on vending machine sales, complimentary products, marketing funds and other revenue rebates totaling \$254,800. Total revenues expected over the seven-year agreement equal \$529,800.

**STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.**

**3. UMMC – APPROVAL OF CONTRACTS**

**A. Avaya, Inc. - Maintenance and Support Agreement**

The University of Mississippi Medical Center (UMMC) requests approval to enter into a two-year agreement with Avaya, Inc. The purpose of the agreement is to provide hardware maintenance and support for UMMC’s campus-wide PBX phone system. The agreement is for the period July 1, 2009 to June 30, 2011.

The total cost for the agreement period is \$364,780. The agreement will be funded via patient revenue.

**This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.**

**B. B. E. Smith Interim Leadership, Inc. - Management Services Agreement**

The University of Mississippi Medical Center requests approval to amend an existing agreement with B. E. Smith Interim Leadership, Inc. The purpose is to extend the agreement for an additional twelve-month period in order to continue funding the Interim Director of Infection Control position until the position can be filled. The original contract was executed October 13, 2008. At that time, the total cost of \$212,000 was below the threshold requiring Board approval. The amendment is for the period July 1, 2009 to June 30, 2010.

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An additional \$276,000 is being allocated to the contract for the amendment period, increasing the total contract amount to \$488,000. The agreement will be funded via patient revenue.

**STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

**C. Medcore, Inc. – Collection Services Agreement**

The University of Mississippi Medical Center requests approval to enter into an agreement with Medcore, Inc. The purpose is to provide collection services for delinquent patient accounts. The agreement is for the period April 20, 2009 to March 31, 2011.

The collection fee is 14% of total collections and 40% of legal accounts, not to exceed \$2 million for the agreement period. The agreement will be funded via patient revenue.

**STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

**D. Medical Receivables Specialists Inc. (MRS) – Collection Services Agreement**

The University of Mississippi Medical Center requests approval to enter into an agreement with Medical Receivables Specialists, Inc. (MRS). The purpose of the agreement is to provide insurance follow-up activities related to small balance receivables. The Board approved a contract in June 2008 with MRS for \$1,200,000 projected to cover the period July 1, 2008 to June 30, 2009. As a result of expanding the services MRS will provide, an additional agreement is being initiated for the period April 20, 2009 to June 30, 2009.

The collection fee is 4% of total payments collected for insurance follow-up. The fee is based on the continuation of the placement of accounts with an average account balance of \$800. The total fees for the agreement period will not exceed \$800,000. The agreement will be funded via patient revenue.

**STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

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**B. EDUCATIONAL POLICIES AND PROCEDURES**

**1. SYSTEM ADMINISTRATION – APPROVAL OF DEGREES TO BE CONFERRED IN MAY 2009**

Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi request permission to award degrees at the following levels in May 2009, provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
<b>Alcorn State University</b>					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	35			
	Bachelor of Science	431			
	Bachelor of Science in Nursing	57			
	Bachelor of Arts	66			
			589		
	<i>Graduate</i>				
	Master of Science in Agriculture	1			
	Master of Science in Biology	8			
	Master of Science in Education	89			
	Master of Science in Nursing	21			
	Master of Arts in Teaching	20			
	Master of Science in Computer Science	2			
	Master of Business Administration	13			
	Master of Science in Workforce Education Leadership	23			
			177		
				766	
<b>Delta State University</b>					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	22			
	Bachelor of Fine Arts	16			
	Bachelor of Music	2			
	Bachelor of Music Education	1			
	Bachelor of Science	55			
	Bachelor of Science in Education	12			
	Bachelor of Science in Social Justice and Criminology	13			
	Bachelor of Science in Interdisciplinary Studies	10			
	Bachelor of Social Work	27			
			158		
	<i>College of Business</i>				
	Bachelor of Business Administration	78			
	Bachelor of Commercial Aviation	15			
			93		
	<i>College of Education</i>				
	Bachelor of Arts	13			
	Bachelor of Science	50			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science in Education	24			
			87		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	40			
			40		
	<i>School of Graduate Studies</i>				
	Master of Business Administration	26			
	Master of Commercial Aviation	5			
	Master of Education	59			
	Master of Professional Accountancy	3			
	Master of Science in Community Development	3			
	Master of Science in Nursing	33			
	Educational Specialist	2			
	Doctor of Education	1			
			132		
				<b>510</b>	
<b>Jackson State University</b>					
	<i>Undergraduate</i>				
	Bachelor of Arts	97			
	Bachelor of Business Administration	225			
	Bachelor of Music	4			
	Bachelor of Music Education	5			
	Bachelor of Science	465			
	Bachelor of Science Education	45			
	Bachelor of Social Work	40			
			881		
	<i>Graduate</i>				
	Doctor of Education	1			
	Doctor of Philosophy	22			
	Specialist in Education	14			
	Master of Arts	33			
	Master of Arts in Teaching	10			
	Master of Business Administration	12			
	Master of Music Education	4			
	Master of Professional Accountancy	3			
	Master of Public Health	22			
	Master of Public Policy and Administration	6			
	Master of Science	27			
	Master of Science in Education	57			
	Master of Science in Teaching	3			
	Master of Social Work	18			
			232		
				<b>1113</b>	
<b>Mississippi State University</b>					
	<i>College of Agriculture and Life Sciences</i>				
	Bachelor of Landscape Architecture	12			
	Bachelor of Science	143			
	Master of Agribusiness Management	2			
	Master of Science	19			
	Doctor of Philosophy	1			
			177		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	<b><i>College of Architecture, Art, and Design</i></b>			
	Bachelor of Architecture	42		
	Bachelor of Fine Arts	20		
	Bachelor of Science	22		
	Master of Science	7		
			91	
	<b><i>College of Arts and Sciences</i></b>			
	Bachelor of Arts	202		
	Bachelor of Science	228		
	Bachelor of Social Work	23		
	Master of Arts	19		
	Master of Public Policy and Administration	13		
	Master of Science	38		
	Doctor of Philosophy	7		
			530	
	<b><i>College of Business</i></b>			
	Bachelor of Business Administration	277		
	Bachelor of Science	1		
	Master of Arts	1		
	Master of Business Administration	56		
	Master of Science Information Systems	5		
	Doctor of Philosophy	4		
			344	
	<b><i>College of Education</i></b>			
	Bachelor of Science	370		
	Bachelor of Music Education	6		
	Master of Arts in Teaching	1		
	Master of Arts in Teaching Secondary	6		
	Master of Science	70		
	Master of Science Instructional Technology	7		
	Educational Specialist	18		
	Doctor of Education	2		
	Doctor of Philosophy	26		
			506	
	<b><i>College of Engineering</i></b>			
	Bachelor of Science	208		
	Master of Science	33		
	Doctor of Philosophy	11		
			252	
	<b><i>College of Forest Resources</i></b>			
	Bachelor of Science	30		
	Master of Science	10		
			40	
	<b><i>College of Veterinary Medicine</i></b>			
	Master of Science	3		
	Doctor of Veterinary Medicine	66		
			69	
	<b><i>School of Accountancy</i></b>			
	Bachelor of Accountancy	33		
	Master of Professional Accountancy	10		
	Master of Taxation	1		
			44	
				<b>2053</b>

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Institution	Degree to be Conferred	Number	Subtotal	Total	
<b>Mississippi University for Women</b>					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	34			
	Bachelor of Arts	39			
	Bachelor of Fine Arts	13			
	Bachelor of Science	162			
	Bachelor of Science in Nursing	68			
	Bachelor of Music	1			
			317		
	<i>Graduate</i>				
	Master of Education	2			
	Master of Science	13			
	Master of Teaching	2			
			17		
				<b>334</b>	
<b>Mississippi Valley State University</b>					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	25			
	Bachelor of Science	32			
	Bachelor of Music	2			
	Bachelor of Secondary Education	4			
			63		
	<i>College of Professional Studies</i>				
	Bachelor of Arts in Mass Communication	15			
	Bachelor of Science	61			
	Bachelor of Social Work	32			
			108		
	<i>College of Education</i>				
	Bachelor of Science in Education	81			
			81		
	<i>College of Graduate Studies</i>				
	Master of Science	11			
	Master of Arts in Teaching	13			
	Master of Social Work	16			
	Master of Business Administration	4			
			44		
				<b>296</b>	
<b>University of Mississippi</b>					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	457			
	Bachelor of Science	41			
	Bachelor of Fine Arts	15			
	Bachelor of Music	8			
			521		
	<i>School of Engineering</i>				
	Bachelor of Science in Chemical Engineering	8			
	Bachelor of Science in Civil Engineering	23			
	Bachelor of Science in Computer Science	6			
	Bachelor of Science in Electrical Engineering	5			
	Bachelor of Science in Mechanical Engineering	13			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science in Geological Engineering	6			
	Bachelor of Engineering	3			
			64		
	<b>School of Education</b>				
	Bachelor of Arts in Education	243			
			243		
	<b>School of Pharmacy</b>				
	Bachelor of Science in Pharmaceutical Sciences	82			
	Doctor of Pharmacy	61			
			143		
	<b>School of Business</b>				
	Bachelor of Business Administration	369			
			369		
	<b>School of Accountancy</b>				
	Bachelor of Accountancy	81			
			81		
	<b>School of Applied Sciences</b>				
	Bachelor of Arts	20			
	Bachelor of Science in Criminal Justice	47			
	Bachelor of Science in Exercise Science	54			
	Bachelor of Science	21			
	Bachelor of Social Work	22			
	Bachelor of Science in Family and Consumer Sciences	62			
	Bachelor of Arts in Parks and Recreation Management	8			
	Bachelor of Paralegal Studies	6			
			240		
	<b>Graduate School</b>				
	Master of Arts	69			
	Master of Criminal Justice	1			
	Master of Science	42			
	Master of Fine Arts	8			
	Master of Accountancy	28			
	Master of Business Administration	36			
	Master of Taxation	4			
	Master of Education	55			
	Master of Music	11			
	Specialist in Education	7			
	Doctor of Arts	2			
	Doctor of Education	1			
	Doctor of Philosophy	46			
			310		
	<b>Law School</b>				
	Juris Doctor	129			
			129		
				<b>2100</b>	
<b>University of Mississippi Medical Center</b>					
	<b>Undergraduate</b>				
	Bachelor of Science in Nursing	117			
	Bachelor of Science in Clinical Laboratory Sciences	13			
	Bachelor of Science in Cytotechnology	8			
	Bachelor of Science in Dental Hygiene	21			
	Bachelor of Science in Health Informatics and	7			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Information Management				
	Bachelor of Science in Health Sciences	9			
			175		
	<b>Graduate/Professional</b>				
	Master of Occupational Therapy	33			
	Master of Science in Nursing	28			
	Master of Science	12			
	Doctor of Physical Therapy	47			
	Doctor of Medicine	94			
	Doctor of Dental Medicine	28			
	Doctor of Philosophy	16			
			258		
				433	
<b>University of Southern Mississippi</b>					
	<b>College of Arts and Letters</b>				
	Bachelor of Arts	225			
	Bachelor of Fine Arts	29			
	Bachelor of Music	9			
	Bachelor of Music Education	7			
	Bachelor of Science	21			
	Master of Arts	24			
	Master of Art Education	2			
	Master of the Arts in the Teaching of Languages	5			
	Master of Fine Arts	4			
	Master of Music	9			
	Master of Music Education	2			
	Master of Science	14			
	Doctor of Musical Arts	6			
	Doctor of Philosophy	18			
			375		
	<b>College of Business</b>				
	Bachelor of Arts	1			
	Bachelor of Science	11			
	Bachelor of Science in Business Administration	287			
	Master of Business Administration	21			
	Master of Professional Accountancy	4			
			324		
	<b>College of Education and Psychology</b>				
	Bachelor of Arts	8			
	Bachelor of Science	217			
	Master of Arts	6			
	Master of Arts in Teaching	1			
	Master of Education	36			
	Master of Library and Information Science	29			
	Master of Science	4			
	Specialist in Education	17			
	Specialist in Library and Information Science	1			
	Doctor of Education	3			
	Doctor of Philosophy	23			
			345		
	<b>College of Health</b>				
	Bachelor of Arts	24			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science	137			
	Bachelor of Social Work	15			
	Bachelor of Science in Nursing	77			
	Master of Public Health	26			
	Master of Science	31			
	Master of Science in Nursing	4			
	Master of Social Work	38			
	Doctor of Audiology	3			
	Doctor of Philosophy	6			
			361		
	<i>College of Science and Technology</i>				
	Bachelor of Arts	40			
	Bachelor of Science	207			
	Master of Arts	4			
	Master of Science	45			
	Doctor of Philosophy	24			
			320		
				<b>1725</b>	
<b>System Total</b>					
					<b>9330</b>

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**2. SYSTEM ADMINISTRATION – 2009 IMPROVING TEACHER QUALITY AWARDS (INFORMATION ITEM)**

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 following institutions were awarded Title II federal grant funds for the period beginning March 11, 2009 through April 30, 2010.

<b>INSTITUTION</b>	<b>DISCIPLINE</b>	<b>AMOUNT</b>
Alcorn State University	Biology and Technology	\$92,630.00
Delta State University	Algebra & Geometry	\$84,993.00
Delta State University	Reading	\$84,613.00
Jackson State University	Mathematics	\$84,631.00
Mississippi State University	Physical Science	\$84,986.00
Mississippi University for Women	Mathematics and Technology	\$85,000.00
Mississippi Valley State University	Reading	\$85,000.00
Tougaloo College	Mathematics	\$85,000.00
University of Mississippi	Reading	\$84,923.00
University of Southern Mississippi	Mathematics	\$98,619.00
University of Southern Mississippi	Leadership and Literacy	\$84,892.00
	Total Awarded	\$955,287.00

**STAFF RECOMMENDATION: Board staff recommends this item be received as information.**

C. **REAL ESTATE AND FACILITIES**

**APPROVAL OF BUDGET INCREASES/CHANGE OF SCOPES**

1. **USM - GS 108-258, Paving Repairs**

**Project Professional: Andrews-Ford Engineering Services**

The University of Southern Mississippi requests approval to increase the budget from \$650,000 to \$725,000 for an increase in the amount of \$75,000. This increase is required to make paving repairs to additional areas on the Hattiesburg campus. Funds are available from HB 246, Laws of 2007.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

D. **PERSONNEL**

**APPROVAL OF PERSONNEL ACTION REQUESTS**

1. **Employment of Personnel**

**MVSU**

Dr. Johnny D. Jones, Vice President for Student Affairs/Enrollment Management and Diversity; salary of \$120,000 per annum; E&G Funds; effective July 1, 2009 to June 30, 2010

2. **Tenure**

**UMMC**

Lucio Miele, Director, University of Mississippi Medical Center Cancer Institute and Professor, Departments of Medicine and Pharmacology/Toxicology, School of Medicine; Tenured; effective May 29, 2009 to June 30, 2009

3. **Termination**

**ASU**

Earnest T. Jones, Head Football Coach; last approved contract period of January 2, 2008 to December 31, 2011; termination effective January 28, 2009

C. **REAL ESTATE AND FACILITIES**

**APPROVAL OF BUDGET INCREASES/CHANGE OF SCOPES**

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**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

D. **PERSONNEL**

**APPROVAL OF PERSONNEL ACTION REQUESTS**

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**1. SYSTEM ADMINISTRATION – APPROVAL OF CONTINUED ACCREDITATION OF NURSING DEGREE PROGRAMS FOR 2008-2009**

Pursuant to Miss. Code Ann. §37-129-1, the Board of Trustees is asked to approve continued accreditation of Mississippi Nursing Degree Programs, 2008-2009, based on submission and evaluation of annual reports and other information documenting compliance with the 2007 state nursing accreditation standards:

SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Alcorn State University	ADN BSN MSN	Full Accreditation with Recommendations
Coahoma Community College	ADN	Accreditation with a Statement of Warning
Copiah-Lincoln Community College	ADN	Full Accreditation with Recommendation
Delta State University	BSN MSN	Full Accreditation
East Central Community College	ADN	Full Accreditation with Recommendation
Hinds Community College	ADN	Full Accreditation
Holmes Community College	ADN	Full Accreditation
Itawamba Community College	ADN	Full Accreditation with Recommendation
Jones County Junior College	ADN	Full Accreditation with Recommendation
Meridian Community College	ADN	Full Accreditation with Recommendation
Mississippi College	ADN	Full Accreditation
Mississippi Delta Community College	ADN	Full Accreditation
Mississippi Gulf Coast Community College	ADN	Full Accreditation
Mississippi University for Women	ADN BSN MSN	Full Accreditation
Northeast Mississippi Community College	ADN	Full Accreditation
Northwest Mississippi Community College	ADN	Full Accreditation with Recommendation
Pearl River Community College	ADN	Full Accreditation with Recommendation
Southwest Mississippi Community College	ADN	Full Accreditation
University of Mississippi Medical Center	BSN MSN	Full Accreditation
University of Southern Mississippi	BSN MSN	Full Accreditation with Recommendation
William Carey University	BSN MSN	Full Accreditation with Recommendation

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**1. UM – APPROVAL OF RESOLUTION AUTHORIZING ISSUANCE OF BONDS**

**First Southwest Company-Financial Advisor  
Butler, Snow, O'Mara, Stevens, Cannada, PLLC-Bond Counsel  
Morgan Keegan- Lead Underwriter**

The University of Mississippi requests approval of a resolution authorizing the University of Mississippi Educational Building Corporation (UMEBC) to issue up to a maximum aggregate principal amount of \$51.0 million of Revenue Bonds, Series 2009 for a School of Law Construction Project (\$25.7 million) and a refunding of UMEBC Series 2000A variable rate demand obligations (\$25.3 million).

In April 2005, the Board approved the project initiation for construction of a new School of Law building on the university's Oxford campus. In March 2008, the Board approved financing a portion of the project via UMEBC. The total cost of construction is not expected to exceed \$50.0 million. Of this amount, the university is requesting approval to issue bonds for \$25.7 million to finance the project. The remaining financing will be provided by the university foundation (\$14,600,000), Bureau of Building (\$10,000,000), and a federal grant (\$2,500,000).

In November 2008, the Board approved a request to refinance the UMEBC Series 2000A variable rate demand obligations as a fixed rate issue. The Series 2000A variable rate demand obligations are insured by MBIA; however, in the late spring 2008, MBIA was downgraded by credit rating agencies causing higher interest rates for the university. The 2000A Series originally totaling \$34.7 million was utilized for the south end zone expansion of Vaught-Hemingway Stadium, the Gertrude Castellow Ford Center for the Performing Arts, the Johnny M. Williams Electrical Generation Facility, and student housing renovations. Outstanding coupons total \$25.3 million for the Series 2000A variable rate demand obligations.

**STAFF RECOMMENDATION: The Attorney General's Office has reviewed and approved the resolution. Board staff recommends approval of this item.**

**2. UMMC - PARKWAY JOINT VENTURE, LLC– LEASE AGREEMENT**

The University of Mississippi Medical Center requests approval to enter into a 60-month agreement with Parkway Joint Venture, LLC. The purpose of the agreement is to lease 2,765 square feet of professional office space in the UBS Building for the eICU Operations Center. The lease is for the period September 1, 2009 to August 31, 2014.

The average cost per square foot for the agreement period is \$18.91. The fee includes a component for operational expenses. The total amount of the agreement is \$432,788,

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which includes \$167,006 for renovation of the space. The renovations include a separate HVAC system and emergency generator required for 24/7 uninterrupted operations. The agreement will be funded via patient revenue.

**STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

3. **SYSTEM ADMINISTRATION – PRESENTATION OF FY 2008 IHL SYSTEM AUDIT (INFORMATION ITEM)**

A report will be presented by Mr. Randy Eure from the CPA firm of Carr, Riggs and Ingram, LLC regarding the Fiscal Year Ending June 30, 2008 University System Audit report. A copy of the audit report is being submitted under separate cover.

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**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

**1. ASU - IHL 201-245, Employee Housing**

Alcorn State University requests permission to initiate a project to develop privately financed student and employee housing units on campus. This project will require the university to lease property to a developer for the purpose of constructing residence halls and employee housing.

**2. UM - IHL 207-320, The Mississippi Small Business Development Center**

The University of Mississippi requests permission to appoint The McCarty Group of Tupelo, Mississippi as project professionals. The project initiation was approved by the Board in February 2009. The total project budget is \$2,000,000. Funds are available from a United States Congress Grant #SBAHQ-06-I-0032.

**Project Professionals: The McCarty Group**

**3. UM - IHL 207-322, Identification Center Renovation**

The University of Mississippi requests permission to initiate a project to renovate the campus Identification Center. The university also requests approval to appoint the university Facilities Planning Department as project professionals. The total project budget is \$250,000. Funds are available from ID Center revenues and related auxiliary operations.

**Project Professionals: The University of Mississippi Facilities Planning Department**

**4. UMMC - GS 109-200, Original Hospital Structural Repairs**

The University of Mississippi Medical Center requests permission to initiate a project for repairs to the original hospital structure. The university also requests approval to appoint Dale/Morris Architects as project professionals. The project will make necessary repairs discovered in concrete sun screens, structural deflection in a brick ledge and shear cracks in original hospital brickwork. The total project budget is \$170,000. Funds are available from HB 246, Laws of 2007.

**Project Professional: Dale/Morris Architects**

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**5. UMMC - IHL 209-522, Campus Master Plan**

The University of Mississippi Medical Center requests permission to initiate a project for the campus master plan and to appoint Cooke Douglass Farr Lemons, Ltd. and Eley Associates in association with Sasaki Associates, Inc. and Kurt Salmon Associates (a joint venture) as project professionals. These services are estimated to begin April 20, 2009. Total project cost shall not exceed \$1,000,000. Funds are available from the UMMC operational budget.

**Project Professional: Cooke Douglass Farr Lemons, Ltd. and Eley & Associates in association with Sasaki Associates, Inc. and Kurt Salmon Associates (joint venture)**

**STAFF RECOMMENDATION: Board staff recommends approval of Items 1-5.**

**APPROVAL OF BUDGET INCREASE/CHANGE OF SCOPE**

**6. UMMC - IHL 209-514, Hospital Generator 2008**

The University of Mississippi Medical Center requests approval to increase the budget from \$475,000 to \$1,178,323 for an increase in the amount of \$703,323. This increase is required due to the lowest bid received exceeding original estimates. Although the actual cost impact exceeds expectations, the ranges of bid figures indicate the low bid is an accurate reflection of the actual cost for the work specified. Funds are available from hospital patient revenue.

**Project Professional: Watkins & O'Gwynn Electrical Engineers**  
**General Contractor: Fountain Construction Company**

**STAFF RECOMMENDATION: Board staff recommends approval of Item 6.**

**APPROVAL OF OTHER REAL ESTATE AND FACILITIES REQUESTS**

**7. ASU - IHL 201-241, Campus Housing - Phase I**

Due to the current financial climate, Alcorn State University requests permission to convert the current privatized development project to the Educational Building Corporation financing method. Initiation of this project was approved by the Board in March, 2008. The university also requests permission for Dale and Associates to continue as project professionals and to use the Construction Management - Advisor method of project delivery for construction of the student housing. The university will seek approval of the project budget at a later date once the Construction Manager has established construction costs. The university will utilize the Construction Management method to reduce construction time by twelve (12) months and allow for occupancy by August, 2010. The Construction Manager will be selected through a Request for

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Qualifications and the interview process. The Construction Manager will not perform any portion of the construction work on this project.

**Project Professionals: Dale and Associates**

**8. DSU – IHL 202-133, New Residence Hall/Apartment Complex**

Delta State University requests approval of the short list of development teams for the new residence hall/apartment complex project on the Delta State campus which was initiated and approved by the Board in October of 2008. Each team consists of an experienced and qualified architectural firm registered in Mississippi, a contractor properly licensed and domiciled in Mississippi, and a development/finance professional. The Request for Proposals was publicly advertised and submittals from three teams were received. The proposals are being reviewed by an 11-person selection committee of university officials, Delta State Foundation members, IHL staff, and LPK Architects.

**Team I**

**Developer:** Allen & O'Hara Development Co., LLC. This developer has a 45-year history of student housing development and management. They are located in Memphis, TN. Allen & O'Hara has teamed with Morgan Keegan & Company for project financing.

**Design Professional:** HADP Architecture, Inc. of Atlanta, GA. Founded 50 years ago, HADP has built a reputation as one of the southeast's premier architecture firms with a broad portfolio of successful educational and student housing facilities.

**Construction Contractor:** Naylor Construction Services Group of Ridgeland, MS. Naylor is a full service general contractor offering comprehensive general contractor and construction management services. Naylor has vast project experience throughout the mid-south region and has earned a reputation of excellence within the multi-family and student housing industries.

**Team II**

**Developer:** Ambling University Development Group of Valdosta, GA. Ambling is one of the nation's leading developers, builders and managers of university communities. Ambling has teamed with RBC Capital Markets for project financing.

**Design Professional:** Dale and Associates Architects P.A. of Jackson and Biloxi, MS. Dale and Associates Architects are one of the largest full-service architectural firms in the state of Mississippi. They have provided architectural services to numerous colleges and universities.

**Construction Contractors:** Yates Construction (Residence Hall Contractor) of Jackson, MS. Yates was founded in 1963 and has been providing construction services in

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Mississippi since then. HM Williams Construction Inc (Faculty/Staff Housing Contractor) of Tupelo and Jackson, MS. HM Williams provides general construction, and construction management and design-build services.

**Team III**

**Developer:** Signet-Harrell Development of Jacksonville, FL and Jackson, MS. Signet, a full service real estate development and project financing firm, has more than 16 years of experience in the industry for colleges and universities with over \$3.2 billion in successfully led construction and development projects. Signet Development will lead their financing activities and work with local financing consultant Kipling Jones.

**Design Professional:** G. Niles Bolton, AIA Architect, headquartered in Atlanta, GA. Niles Bolton has more than 50,000 student beds in its portfolio. Niles Bolton will receive local design and administration support from Burriss/Wagnon, an award-winning Jackson, Mississippi architectural firm with project experience at Delta State University as well as other education facilities throughout the state.

**Construction Contractor:** Harrell Contracting Group LLC of Jackson, MS will provide preconstruction and construction services. Harrell brings the expertise gained from dozens of projects at universities and colleges throughout Mississippi. Repeat customers have made up more than 75% of their annual sales for the past 10 years.

**9. MSU – Extension of Offer to Purchase Property**

Mississippi State University requests approval to extend the offer from Cotton Mill Market Place, LLC to purchase the property commonly known as the Cooley Property and Russell Street Property from MSU. The university proposes to extend the offer from March 31, 2009 to May 30, 2009. The Board approved the sale of this property in October of 2008.

**STAFF RECOMMENDATION: Board staff recommends approval of Items 7-9.**

**10. SYSTEM ADMINISTRATION: Real Estate and Facilities Items Approved Subsequent to the March 18-19, 2009 Board Meeting (Information Items)**

**Alcorn State University**

GS 101-255, Fine Arts Renovation: The Board staff approved Change Order #7 in the amount of \$24,536.40. This change order is necessary for the addition of electrical and acoustical work. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$7,565,543.63. Funds are available from the *Ayers* Fund.

**Project Professional: Dale and Associates**

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**General Contractor: Flagstar Construction Company**

IHL 201-244, Campus Watershed Project: On behalf of the Board of Trustees of State Institutions of Higher Learning and per Board policy §904 (B), Mr. Scott Ross, Chair of the Real Estate and Facilities Committee, approved the initiation of the Campus Watershed Project and the appointment of Williford Gearheart & Knight, Inc. as project professionals. Mr. Ross also approved the Construction Documents, authorized the advertisement for the receipt of bids and awarded the construction contract. This project will address erosion issues at several locations on the Lorman Campus. The total project budget is \$665,000. Funds are available from a United States Department of Agriculture grant, PA#68-4423-8-1787.

**Project Professional: Williford Gearheart & Knight, Inc.**

**Delta State University**

GS 102-196, Addition and Renovation to Athletic Facilities: The Board staff approved Change Order #4 for the addition of six (6) calendar days to the contract of Jackson Construction Company of Grenada, Inc. This change order is necessary due to unavoidable delays caused by inclement weather. Approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$555,565. Funds are available from SB 2010, Laws of 2004.

**Project Professional: Singleton Architects, P.A.**

**General Contractor: Jackson Construction Company of Grenada, Inc.**

GS 102-220, Cafeteria Infrastructure Renovation: The Board staff approved the Schematic Design documents as submitted by Atherton Consulting Engineers, project professional. Approval was requested by the Bureau of Building, Grounds and Real Property Management. The total project budget is \$300,000. Funds are available from HB 246, Laws of 2007.

**Project Professional: Atherton Consulting Engineers**

IHL 202-136, Demolition of Residence Halls: The Board staff is in receipt of necessary completed forms from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality to proceed with the demolition of residence halls on campus. The project initiation and appointment of professional was approved by the Board in January of 2009. The total project budget is \$600,000. Funds are available from student housing revenue.

**Project Professional: Luke Peterson and Kaye Architects, P.A.**

**Jackson State University**

GS 103-179, School of Engineering: The Board staff approved Change Order #13 in the amount of \$4,606. This change order is necessary for additional electrical receptacles and additional signage as required by the State Fire Marshall. Approval was requested

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from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$22,408,321.08. Funds are available from SB 1675, Laws of 1999.

**Project Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.**  
**General Contractor: Evan Johnson and Sons Construction, Inc.**

GS 103-219, Johnson/Dansby Replacement: The Board staff approved the award of a contract to Harrell Contracting Group, LLC, the lower of seven (7) bidders, in the amount of \$7,008,000 for the above referenced project. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$13,773,590.88. Funds are available from SB 2010, Laws of 2004, HB 246, Laws of 2007, and HB 1641, Laws of 2006.

**Project Professional: Vernell Barnes Architect/Foil Wyatt Architects - A Joint Venture**  
**General Contractor: Harrell Contracting Group, LLC**

**Mississippi State University**

Removal of Building 1546, Quonset Weed Control, Stoneville, MS: On behalf of the Board of Trustees of State Institutions of Higher Learning and per Board policy §904 (B), Mr. Scott Ross, Chair of the Real Estate and Facilities Committee, approved the demolition of Building 1546, Quonset Weed Control located at Stoneville, Mississippi and removal from the Mississippi Agricultural & Forestry Experiment Station inventory. Approval letters have been received from the Mississippi Department of Archives and History and the Department of Environmental Quality and will be kept on file in the Office of Real Estate and Facilities.

**Project Professional: MSU Facilities Department**

GS 105-323, Roof Replacements, Phase I: On behalf of the Board of Trustees of State Institutions of Higher Learning and per Board policy §904 (B), Mr. Scott Ross, Chair of the Real Estate and Facilities Committee, approved the request for an increase in budget from \$950,000 to \$990,000 for an increase in the amount of \$40,000. This increase is required to cover additional work and days for Change Order #3. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$990,000. Funds are available from HB 1634, Laws of 2006, and SB 2010, Laws of 2004.

**Project Professional: Shafer and Associates, PLLC**  
**General Contractor: E. Cornell Malone Corporation**

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GS 105-323, Roof Replacements, Phase I: The Board staff approved Change Order #3 in the amount of \$130,008 with an additional eighty five (85) days to the contract of E. Cornell Malone Corporation. This change order is necessary to repair a rotted deck, soffits and existing masonry. The masonry will be cleaned, waterproofed and repainted. The windows will be resealed, prepped and painted. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$990,000. Funds are available from HB 1634, Laws of 2006, and SB 2010, Laws of 2004.

**Project Professional: Shafer and Associates, PLLC**

**General Contractor: E. Cornell Malone Corporation**

IHL 205-235A, New Residence Hall: The Board staff approved an award of a contract to Brislin, Inc., the lower of four (4) bidders, in the base bid amount of \$2,315,700. This is the first phase of a six phase project. The total project budget is \$29,960,000. Funds are available from MSU Educational Building Corporation revenue bonds.

**Project Professional: Luke Peterson and Kaye Architects, P.A.**

**General Contractor: Brislin, Inc.**

**Mississippi University for Women**

GS 104-163, Fire Suppression, Phase I: The Board staff approved the Design Development documents as submitted by Atherton Consulting Engineers. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$500,000. Funds are available from HB 246, Laws of 2007.

**Project Professional: Atherton Consulting Engineers**

GS 104-165, Kincannon Hall - Air Handlers: The Board staff concurred with the Bureau of Building, Grounds and Real Property Management for a budget revision from \$330,000 to \$315,000, a reduction of \$15,000. Funds are available from SB 2988, Laws of 2003, and SB 1634, Laws of 2006.

**Project Professional: Atherton Consulting Engineers**

GS 104-165, Kincannon Hall - Air Handlers: The Board staff approved the Design Development documents as submitted by Atherton Consulting Engineers, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$315,000. Funds are available from SB 2988, Laws of 2003, and SB 1634, Laws of 2006.

**Project Professional: Atherton Consulting Engineers**

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**University of Mississippi**

Removal of Old Service Station, Oxford, MS: The Board staff approved the request to remove an old service station, located at the Physical Plant, 700 Hathorn Road, from university inventory. The service station is not useable and a useable service station is now located in another building on the campus. Approval letters from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality have been received and will be kept on file in the Office of Real Estate and Facilities.

**General Contractor: Ricky Hopkins Construction**

GS 107-298, Coulter Hall 1B: The Board staff approved the Schematic Design and Design Development documents as submitted by Barlow Eddy Jenkins, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$5,208,000. Funds are available from HB 1641, Laws of 2008, and self-generated sources.

**Project Professional: Barlow Eddy Jenkins, P.A.**

**General Contractor: D. Carroll Construction, LLC**

GS 107-298, Coulter Hall 1B: The Board staff approved the Contract Documents as submitted by Barlow Eddy Jenkins, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$5,208,000. Funds are available from HB 1641, Laws of 2008, and self-generated sources.

**Project Professional: Barlow Eddy Jenkins, P.A.**

**General Contractor: D. Carroll Construction, LLC**

GS 107-297, Waste Water Treatment Plant: The Board staff approved the Schematic Design documents as submitted by Engineering Solutions, Inc., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$1,500,000. Funds are available from HB 1641, Laws of 2008.

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

**University of Mississippi Medical Center**

GS 109-199, Re-Roof 764 Lakeland Drive: The Board staff approved Change Order #1 in the amount of \$8,890. This change order is necessary to provide for the removal of the existing roof level screen around the existing HVAC and to replace the existing parapet gypsum board backing material with codex plywood. The roofing manufacturer will not warrant a system installed on gypsum board backing. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is

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\$200,000. The funding source is self-generated sources with reimbursement, upon completion, from the IHL Discretionary Funds HB 246, Laws of 2007.

**Project Professional: Simmons Associates**

**General Contractor: Guaranteed Roofing Company, Inc.**

IHL 209-495, South Pediatric Renovations II: The Board staff approved Change Order #9 in the amount of \$24,894 with an additional twenty one (21) days to the contract of Wilkinson Construction Company. This change order is necessary to provide an upgrade of quality wallpaper for wall protection and finishes to match current renovated areas. The total project budget is \$2,771,750. Funds are available from self-generated sources and donations.

**Project Professional: Dean and Dean Architects**

**General Contractor: Wilkinson Construction Company**

IHL 209-500, Health Related Professionals Drainage Revisions 2007: The Board staff approved Change Order #2 in the amount of \$23,033 with an additional ten (10) days to the contract of Southern Rock, LLC. This change order is necessary to reroute a storm sewer line to the north side of Alumni Drive rather than the south side as originally planned. The rerouting will avoid disruption to utilities already in place and avoid extreme costs. The total project budget is \$570,700. Funds are available from interest income, student tuition and patient fees.

**Project Professional: Dale/Morris Architects, PLLC**

**General Contractor: Southern Rock, LLC**

IHL 209-503, School of Dentistry D202 and D105 Renovations: The Board staff approved the Design Development documents as submitted by Mark S. Vaughan Architects, project professionals. The total project budget is \$820,553. Funds are available from tuition and student fees.

**Project Professional: Mark S. Vaughan Architects**

IHL 209-503, School of Dentistry D202 and D105 Renovations: The Board staff approved the Contract Documents as submitted by Mark S. Vaughan Architects, project professionals. The total project budget is \$820,553. Funds are available from tuition and student fees.

**Project Professional: Mark S. Vaughan Architects**

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IHL 209-506, Emergency Fuel Center: The Board staff approved Change Order #2 in the amount of \$15,710.62 with an additional forty (40) days to the contract of Wilkinson Construction. This change order is necessary to resolve latent conditions and the coordination of electrical documents and equipment requirements. Additional expense is required to change from single hose dispensing to dual hose pumps for efficiency. The total project budget is \$325,000. Funds are available from interest income.

**Project Professional: Eldridge & Associates, P.A.**

**General Contractor: Wilkinson Construction**

IHL 209-509, Operating Room Endovascular Suite Renovations: The Board staff approved Change Order #1 in the amount of \$50,023 with an additional eleven (11) days to the contract of Sunbelt General Contractors. This change order is necessary to provide for various requested adjustments and revisions to latent conditions for future development in this area. The total project budget is \$641,000. Funds are available from hospital patient revenue.

**Project Professional: Simmons Associates, AIA**

**General Contractor: Sunbelt General Contractor**

IHL 209-512, Elevator Upgrades: The Board staff approved the Schematic Design documents as submitted by Simmons Architects, AIA, project professionals. The total project budget is \$590,710. Funds are available from interest income.

**Project Professional: Simmons Architects, AIA**

IHL 209-513, Miscellaneous Boiler and Chiller Revisions 2009: The Board staff approved the Design Development documents as submitted by Eldridge Associates, project professionals. The total project budget is \$3,385,000. Funds are available from service area fees and hospital patient revenue.

**Project Professional: Eldridge & Associates, P.A.**

IHL 209-513, Miscellaneous Boiler and Chiller Revisions 2009: The Board staff approved the Contract Documents as submitted by Eldridge Associates, project professionals. The Board staff also approved the request to advertise for the receipt of bids. The total project budget is \$3,385,000. Funds are available from service area fees and hospital patient revenue.

**Project Professional: Eldridge & Associates, P.A.**

IHL 209-515, Surgical Short Stay Renovations: The Board staff approved the Design Development documents as submitted by Cooke Douglass Farr Lemons, Ltd., project professionals. The total project budget is \$7,735,000. Funds are available from hospital patient revenues.

**Project Professional: Cooke Douglass Farr Lemons, Ltd.**

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IHL 209-518, 5 East Renovations: The Board staff approved the Schematic Design documents as submitted by Dale/Morris Architects, project professionals. The total project budget is \$3,395,515. Funds are available from Indirect Cost Recoveries and tuition.

**Project Professional: Dale/Morris Architects, PLLC**

IHL 209-519, Exterior Graphics Phase I-2009: The Board staff approved the Schematic Design documents as submitted by The K Group, project professionals. The total project budget is \$317,000. Funds are available from interest income.

**Project Professional: The K Group**

**University of Southern Mississippi**

GS 108-235, College Hall Renovation: The Board staff approved the Design Development documents as submitted by Dale and Associates, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$6,252,302.68. Funds are available from SB 3197, Laws of 2002, and SB 2988, Laws of 2003.

**Project Professional: Dale and Associates Architects**

GS 108-252, Fraternity House Fire Protection: The Board staff approved the Contract Documents as submitted by Eldridge and Associates, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$1,350,000. Funds are available from HB 1641, Laws of 2008.

**Project Professional: Eldridge and Associates, P.A.**

GS 108-255, Textbook Services Center Renovation: The Board staff approved the Contract Documents as submitted by Landry and Lewis Architects, P.A., project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$1,500,000. Funds are available from HB 1641, Laws of 2008.

**Project Professional: Landry and Lewis Architects, P.A.**

IHL 210-234, Aquaculture Visitor's Center Phase III: The Board staff approved Change Order #1 in the amount of \$17,601 with an additional thirty eight (38) days to the contract of Dan Ensarling, Inc. This change order is necessary due to required changes in electrical receptacles for equipment needs. The total project budget is \$1,800,000. Funds are available in the amount of \$1,800,000 from the National Oceanic and Atmospheric Administration grant (GR02439).

**Project Professional: Allred Architectural Group, P.A.**

**General Contractor: Dan Ensarling, Inc.**

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**1. UMMC – APPROVAL TO SETTLE A WORKER’S COMPENSATION CLAIM**

The University of Mississippi Medical Center seeks approval to settle the Mississippi Worker’s Compensation claim of Clara Robertson, file no. 877990.

**2. UM – APPROVAL TO SETTLE CASE**

The University of Mississippi seeks approval to settle a case styled as *Speth v. UM, et al.*, Cause No. 3:08CV133-M-A.

**3. SYSTEM ADMINISTRATION – APPROVAL TO REQUEST AN ATTORNEY GENERAL’S OPINION**

Permission is requested to seek an official Attorney General’s opinion regarding whether IHL is covered under its February 17, 2005 expansion of tort claims coverage for libel, slander and/or defamation claims, as per the below letter requesting such an official opinion.

April 16, 2009

Honorable Jim Hood  
Attorney General  
Post Office Box 220  
Jackson, MS 39205

Re: Request for Official Opinion

Dear General Hood:

As Interim Commissioner of Higher Education, appointed pursuant to Miss. Code Ann. §37-101-7 (1972), and in accordance with Miss. Code Ann. §7-5-25 (1972), I request your official opinion on the following:

On February 17, 2005, the Board of Trustees of State Institutions of Higher Learning (IHL Board), pursuant to Miss. Code Ann. §11-46-17 (1972), as amended, approved and adopted the following language as an expansion of self-insurance coverage for claims that fall outside the provisions of the Mississippi Tort Claims Act, Chapter 46 of Title 11 of the Mississippi Code, including, but not limited to, liabilities arising from Sections 1983 through 1987 of Title 42 of the United States Code, liabilities arising from actions brought in foreign jurisdictions and liabilities arising from any Mississippi state court claims not covered specifically by the Mississippi Tort Claims Act:

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In addition to the coverage authorized under the Mississippi Tort Claims Act (MCTA) as set out in Miss. Code Annotated Section 11-46-1, et seq., the Board of Trustees of State Institutions of Higher Learning (IHL), through its IHL and IHL/UMMC Tort Claims Plans, hereby elects to provide coverage for liabilities outside and in addition to the provisions of the MTCA, including, but not limited to, liabilities arising from Sections 1983 through 1987 of Title 42 of the United States Code, liabilities arising from claims brought in foreign jurisdictions, and liabilities arising from any Mississippi state court claims not covered specifically by the MTCA. In any of these claims or causes of action for damages against IHL, including any IHL university, department, trustee, employee, volunteer and/or facility, brought as a federal cause of action, brought in a foreign jurisdiction, or brought as a Mississippi state court claim not covered specifically by the MTCA, the liability shall not exceed the sum of four million dollars (\$4,000,000.00) for all claims arising out of a single occurrence for all damages. The statutory caps on damages/liability for all tort claims specifically covered by Miss. Code Ann. 11-46-1, et seq., are not waived by IHL and shall not exceed the amounts set out in Miss. Code Ann. 11-46-15.

This expansion of liability coverage by IHL through its IHL and IHL/UMMC Tort Claims Plans does not include coverage for any liabilities arising from malicious acts performed outside the course and scope of employment. Additionally, the expansion of coverage does not include any liabilities arising from criminal acts.

Nothing in this expansion of coverage should be construed to waive Eleventh Amendment or Sovereign Immunities on behalf of IHL or its universities. Furthermore, nothing in this expansion of coverage should be construed to waive any rights or defenses of IHL or the State of Mississippi granted pursuant to the MTCA, as set out in Miss. Code Ann. 11-46-1, et seq.

This expansion of coverage was intended to include claims against IHL trustees and employees for libel, slander and/or defamation that are not otherwise covered under the Tort Claims Act (the State has not waived sovereign immunity or consented to suit) but nevertheless arise in the course and scope of employment, including providing coverage for costs of defense and/or the payment of settlements on behalf of or judgments against IHL employees. The IHL intended to provide this protection to its trustees and employees because of the risks associated with scholarly publications and teaching curricula, exposing IHL employees to potential claims for negligent defamation, or an unintentional oral or written false statement. Additionally, this language replaced an insurance policy that covered these exposures.

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Does the above-stated expansion of coverage adopted by the IHL Board on February 17, 2005 legally permit coverage for liabilities arising from conduct of trustees and/or employees that constitutes libel, slander and/or defamation?

Your opinion on this matter is greatly appreciated.

Sincerely,

Aubrey K. Lucas  
Interim Commissioner of Higher Education

cc: Ms. Amy Whitten

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**4. SYSTEM ADMINISTRATION – REPORT OF PAYMENTS TO OUTSIDE COUNSEL (INFORMATION ITEMS)**

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

Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 2/27/09) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the *Wade* case.)

**TOTAL DUE.....\$ 350.33**

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDermott (Statements dated 2/3/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the *Beason, Thornton, Flowers, Knight, Kermode, Seid* and *Rhoden* cases in the amounts of \$6,907.20, \$375.00, \$2,874.00, \$4,583.97, \$6,647.31, \$3,667.19 and \$345.00.)

**TOTAL DUE.....\$ 25,399.67**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 1/15/09, 1/15/09 and 2/17/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with “General Advice – North Clinic” - \$2,343.50; “General Representation of the Medical School and Facility Practice Plans” - \$2,678.50; and “General Advice – North Clinic” - \$4,937.80.)

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**TOTAL DUE.....\$ 9,959.80**

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 2/13/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

**TOTAL DUE.....\$ 17,250.06**

Payment of legal fees for professional services rendered by David Ware & Associates (Statements dated 2/17/09 and 2/20/09) from the funds of Mississippi State University. (These statements, in the amounts of \$166.72 and \$503.30, respectively, represent services and expenses in connection with labor certification.)

**TOTAL DUE.....\$ \$670.02**

Payment of legal fees for professional services rendered by Lawrence Bernstein (Statement dated 10/4/08) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the WUMS radio station.)

**TOTAL DUE.....\$ 150.00**

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

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 1/26/09, 1/26/09, 1/26/09, 1/26/09, 1/26/09, 1/26/09, 1/26/09, 1/26/09, 2/18/09, 2/18/09, 2/18/09 and 2/18/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$3,761.61; “General” - \$67.50; “Noscapine as a Neuroprotectant” - \$3,869.50; “Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$279.00; “Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$310.00; “Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$341.00; “Thermally Targeted Delivery of Medicaments Including Doxorubicin – EPO” - \$147.56; “Thermally Targeted Delivery of Medicaments Including Doxorubicin – JP” - \$3,224.11; “Cell Culture Model for Demyelination/Remyelination” - \$583.76; “Thermally Targeted Delivery of Medicaments Including Doxorubicin – CA” - \$632.56; “Thermally Targeted Delivery of Medicaments Including Doxorubicin – EP” - \$603.95; and “Saliva-Based Protein Profiling” - \$127.64.)

**TOTAL DUE.....\$ 13,948.19**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statement dated 4/16/08) from the funds of the University of Mississippi Medical





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“Salvinorin A Legands to Opioid Receptors” - \$1,054.00; “Highly Purified Amphotericin B – EP” - \$12,738.23; “Highly Purified Amphotericin B – FR” - \$401.17; “Highly Purified Amphotericin B – IE” - \$1,627.72; “Highly Purified Amphotericin B – DE” - \$498.37; “Compositions Comprising Highly Purified Amphotericin B – CA” - \$217.70; “Compositions Comprising Highly Purified Amphotericin B – AU” - \$293.00; “Compositions Comprising Highly Purified Amphotericin B – MX” - \$161.14; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CN” - \$64.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CP” - \$5,385.84; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – EP” - \$1,956.98; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – JP” - \$288.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – MX” - \$5,828.53; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – US” - \$656.42; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – VN” - \$1,184.01; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – WO” - \$607; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – AU” - \$987.14; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CA” - \$441.50, “Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust Noise” - \$688.50; “Novel Cyclopentenedione Antifungal Compounds and Methods for Their Use – CA” - \$134.06; “Saururus Cernuus Compounds that Inhibit Cellular Responses t Hypoxia – DV” - \$2,543.84; “Saururus Cernuus Compounds that Inhibit Cellular Responses t Hypoxia – US” - \$105.50; “Acoustic Instruments for Use in Aquaculture” - \$667.76; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – CP” - \$1,984.14; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – EP” - \$575.00; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – WO” - \$165.00; “Particle Feeder” - \$40.64; “Stabilized Formulation of Triamcinolone Acetonide – US” - \$1,377.80; “Stabilized Formulation of Triamcinolone Acetonide – WO” - \$291.50; “Method and Device for Reducing Engine Noise – CA” - \$250.50; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – CA” - \$575.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – IN” - \$619.14; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – KR” - \$1,089.64; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – ZA” - \$2,570.78; “Stabilized Formulation of Triamcinolone Acetonide – WO” - \$155.98; “Stabilized Formulation of Triamcinolone Acetonide – US” - \$1,354.16; “Stabilized Formulation of Triamcinolone Acetonide – MX” - \$858.14; “Stabilized Formulation of Triamcinolone Acetonide – EP” - \$699.00; “Stabilized Formulation of Triamcinolone Acetonide – CN” – \$859.98; “Stabilized Formulation of Triamcinolone Acetonide – CA” - \$656.10; “Stabilized Formulation of Triamcinolone Acetonide – AU” - \$749.00; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – EP” - \$9,160.06; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – CP” - \$170.02; “Method of Detecting Vibration and Sound Signatures of Human Footsteps – CA” - \$356.70; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – AU” - \$1,970.39; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – KR” - \$6,228.20; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – EP” - \$10,253.84; “High Speed Data

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Compression Based on Set Associative Cache Mapping Techniques – CP” - \$189.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – CN” - \$310.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – MX” - \$96.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – DV” - \$295.34; “Novel Cyclopentenedione Antifungal Compounds and Methods for Their Use – CA” - \$246.38; “Compositions Comprising Highly Purified Amphotericin B – US” - \$2,717.00; “Compositions Comprising Highly Purified Amphotericin B – CA” - \$196.96; “Cembranoids/Chemopreventive” - \$2,201.00; “Novel Antigiardial Agents and Methods of Use Thereof” - \$1,242.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – WO” - \$382.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – ZA” - \$231.10; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques – IN” - \$54.00; and “Stabilized Formulation of Triamcinolone Acetonide – IN” - \$602.00.)

**TOTAL DUE.....\$ 106,101.33**

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**1. JSU – AWARD OF HONORARY DEGREE**

The university requests approval to bestow an honorary degree on one candidate at its May 2009 Spring Commencement. Supporting documents are on file at the Board Office.

**2. SYSTEM ADMINISTRATION – 2009 SPRING COMMENCEMENT SCHEDULES (INFORMATION ITEM)**

**Alcorn State University**

Time & Date: 8:30 a.m., Saturday, May 9, 2009

Location: Jack Spinks Stadium/Dwight Fisher Field

Speaker: Dr. Charlie H. Bridges

M.D., Urologist, 1975 Alumnus

**Delta State University**

Time & Date: 10:00 a.m., Saturday, May 9, 2009

Location: Walter Sillers Coliseum

Speaker: Mr. Aubrey Patterson

Board of Trustees, Mississippi Institutions of Higher Learning

**Jackson State University**

**Graduate Commencement Ceremony**

Time & Date: 6:00 p.m., Friday, May 8, 2009

Location: Lee E. Williams Athletics and Assembly Center

Speaker: Dr. Johnny Dupree

Mayor of Hattiesburg, Mississippi

**Undergraduate Commencement Ceremony**

Time & Date: 8:00 a.m., Saturday, May 9, 2009

Location: Mississippi Veterans Memorial Stadium

Speaker: Mr. Randall Pinkston

CBS News Correspondent, New York

**Mississippi State University**

**Meridian Campus:**

Time & Date: 11:00 a.m., Friday, May 1, 2009

Location: The Riley Center for Education & Performing Arts

Speaker: Mr. Joel Clements

Chairman of the Board, President & CEO

Waynesboro-based First State Bank

**Main Campus:**

Time & Date: 9:00 a.m., Saturday, May 2, 2009

Location: Humphrey Coliseum, Starkville Campus

Speaker: The Honorable William Winter

Former Governor of the State of Mississippi

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Time & Date: 2:00 p.m., Saturday, May 2, 2009  
Location: Humphrey Coliseum, Starkville Campus  
Speaker: The Honorable William Winter  
Former Governor of the State of Mississippi

**Mississippi University for Women**

Time & Date: 10:00 a.m., Saturday, May 9, 2009  
College of Arts and Science  
College of Education and Human Sciences  
Location: Rent Auditorium of Whitfield Hall  
Speaker: Mrs. Mary Peavy  
President of Peavy Electronics

Time & Date: 1:30 p.m., Saturday, May 9, 2009  
College of Business and Legal Studies  
College of Nursing and Speech-Language Pathology  
Culinary Arts Institutes  
Location: Rent Auditorium of Whitfield Hall  
Speaker: Mrs. Mary Peavy  
President of Peavy Electronics

**Mississippi Valley State University**

Time & Date: 10:00 a.m., Saturday, May 9, 2009  
Location: Robert W. Harrison HPER Complex  
Speaker: The Honorable Percy W. Watson  
Chairman, Ways and Means Committee  
House of Representatives  
Mississippi State Legislature

**The University of Mississippi**

Time & Date: 9:00 a.m., Saturday, May 9, 2009  
Location: The Grove  
Speaker: Mr. Bob Schieffer  
Anchor, CBS News

**The University of Mississippi Medical Center**

Time & Date: 10:00 a.m., Friday, May 22, 2009  
Location: Mississippi Coliseum  
Speaker: N/A

**The University of Southern Mississippi**

Time & Date: 10:00 a.m., Friday, May 8, 2009  
College of Business  
College of Education and Psychology  
College of Science and Technology  
Location: Bernard Reed Green Coliseum/Hattiesburg, MS  
Speaker: Mr. William R. Phalen  
CEO & Chairman of Cities  
West Publishing, Inc.

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Time & Date: 3:00 p.m., Friday, May 8, 2009  
College of Arts and Letters  
College of Health  
Location: Bernard Reed Green Coliseum/Hattiesburg, MS  
Speaker: Mr. William R. Phalen  
CEO & Chairman of Cities

Time & Date: 10:00 a.m., Saturday, May 9, 2009  
Location: Mississippi Coast Coliseum/Biloxi  
Speaker: Major General Paul F. Capasso  
Director, Command, Control, Communities and  
Computer Systems  
U. S. Africa Command, Stuttgart, Germany

**3. SYSTEM ADMINISTRATION – APPROVAL OF ITEMS CONSIDERED  
SUBSEQUENT TO THE MARCH 18-19, 2009 BOARD MEETING  
(INFORMATION ITEMS)**

In compliance with Board Policy 701.06 Budget Escalations and Revisions, the following item has been approved by the Interim Commissioner on behalf of the Board and is available for inspection in the Board Office.

- a. UM** – Budget revisions of its On Campus budget, Off Campus budget, Center for Manufacturing Excellence budget, Mississippi Center for Supercomputing Research budget, Mississippi Law Research Institute budget, Mississippi Mineral Resources Institute budget, Research Institute for Pharmaceutical Sciences budget, Small Business Development Center budget, Teacher Corps budget, and Athletic Department budget; no increase in the total budget, rather a reallocation among individual expense categories.
- b. UM** – Budget revisions to the annual operating budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. UM requested approval for budget revisions to its State Court Education Program.