

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
MAY 19, 2011



FINAL BOARD BOOK OUTLINE

Academic Affairs Committee Meeting – May 19, 2011, 9:00 A.M.

IHL Board Meeting - May 19, 2011, 9:30 A.M.

Universities Center
3825 Ridgewood Road
Jackson, MS 39211

CALL TO ORDER

PRAYER

Trustee Aubrey Patterson

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April 21, 2011 Regular Board Meeting Minutes

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MISSISSIPPI
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MINUTES FOR:

April 21, 2011 Regular Board Meeting Minutes

**MINUTES OF THE BOARD OF TRUSTEES OF
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April 21, 2011**

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 Jackson Convention Center Complex in Jackson, Mississippi, at approximately 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2011, to each and every member of said Board, said date being at least five days prior to this April 21, 2011 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. 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. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Dr. Jim Futrall, Executive Director of the Mississippi Baptist Convention Board.

INTRODUCTION OF GUESTS

- ▶ President Bettye Neely welcomed the Student Government Association presidents: Mr. Corey Cooper, President at Alcorn State University; Mr. Brandon Rook, President-Elect at Alcorn State University; Ms. Emily Hearn, President at Delta State University; Ms. Jeana Wilkes, President-Elect at Delta State University; Mr. Thomas Sellers, President at Mississippi State University; Mr. Rhett Hobart - President Elect at Mississippi State University; Ms. Virginia Burke, President at the University of Mississippi; Mr. Taylor McGraw, President Elect at the University of Mississippi; Ms. Kasey Mitchell, President at the University of Southern Mississippi; and Mr. Erick Brown, President-Elect at the University of Southern Mississippi.
- ▶ President Neely also welcomed Mr. Johnny Franklin, the Education Policy Advisor in Governor's Office.

APPROVAL OF THE MINUTES

On motion by Trustee Ross, seconded by Trustee Robinson, with Trustee Owens absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on March 17, 2011.

CONSENT AGENDA

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

ACADEMIC AFFAIRS

1. **System** - Approved the following program modification:
 - a. MSU - deletion of the *Bachelor of Science in Foreign Languages* (CIP 16.0101) degree.
2. **System** - Approved the following new academic units:

CENTERS AND INSTITUTES

 - a. DSU - the *Center for Economic Education and Research (CEER)*. The CEER will help DSU meet its goal of improving the quality of life for all constituents by promoting local

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economic development in communities throughout the Mississippi Delta through the production and delivery of economic education and financial literacy programs and research. The CEER will be housed in the DSU Division of Accountancy, Computer Information Systems, and Finance, and will be covered by existing funds within the division.

- b. DSU - the ***Delta Business Institute of Health (DBIH)***. The specific purpose of the DBIH is to promote workplace wellness in the Mississippi Delta. The center will be funded with external grant funds.
 - c. UMMC - the ***UMMC Comprehensive Stroke Center***. The Center will facilitate the identification of collaborative research opportunities to advance clinical research in the cerebrovascular diseases with the goals of improving stroke outcomes and reducing health disparities for Mississippians. The Center is operational with current UMMC faculty and staff and funding is incorporated in existing UMMC budgets.
 - d. UMMC - the ***UMMC Accredited Chest Pain Center***. The Center will advance the state of clinical care for patients with acute coronary events by providing an emphasis on quality and assuring the UMMC will meet national standards in the delivery of care for its patients. The Center is operational with current UMMC faculty and staff and funding is incorporated in existing UMMC budgets.
3. **System** - Approved the following academic unit modifications:
- a. DSU - deletion of the ***Small Business Development Center***.
 - b. UM - rename ***The Gatlin Center for Economic Education*** to ***The Center for Economic Science and Economic Education***. The Gatlin Center was once sponsored and funded by the Gatlin family, but funds now go to the Ole Miss First Scholarship Program. It is now appropriate to dissociate the center from the Gatlin name and add the emphasis on education and research. The proposed name change will require minimal resources (e.g., change of campus signs, stationery, recruiting materials, etc.), which will be covered by existing funds within the Department of Economics.
 - c. UMMC - rename the ***Department of Anatomy*** to the ***Department of Neurobiology and Anatomical Sciences*** to adopt a name that is in line with the names of similar departments at peer institutions and focuses attention on the primary research effort. The proposed name change will require minimal resources (e.g., change of campus signs, stationery, recruiting materials, etc.), which will be covered by existing funds within the Department of Neurobiology and Anatomical Services.
 - d. MSU - combine the ***John C. Stennis Institute of Government*** and ***Mississippi State Community Action Team (MSCAT)*** and name the combined unit the ***John C. Stennis Institute of Government and Community Development***. From a recommendation of the President's Select Committee on Efficiencies and Innovations and in consideration of the retirement of the Director of MSCAT, a request is made to merge the two units. The reorganization and naming will require minimal resources, which will be covered by existing funds.

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4. **System** - Approved the following degrees to be conferred at the following levels in May 2011 provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
Alcorn State University					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	40			
	Bachelor of Science	394			
	Bachelor of Science in Nursing	41			
	Bachelor of Arts	187			
			662		
	<i>Graduate</i>				
	Master of Science in Agriculture	17			
	Master of Science in Biology	4			
	Master of Science in Education	101			
	Master of Science in Biotechnology	3			
	Master of Science in Nursing	33			
	Master of Arts in Teaching	28			
	Master of Science in Computer Science	7			
	Master of Business Administration	18			
	Master of Science in Workforce Education Leadership	14			
	Specialist in Education	27			
			252		
				914	
Delta State University					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	19			
	Bachelor of Fine Arts	12			
	Bachelor of Music	1			
	Bachelor of Music Education	7			
	Bachelor of Science	73			
	Bachelor of Science in Education	10			
	Bachelor of Science in Social Justice and Criminology	11			
	Bachelor of Science in Interdisciplinary Studies	14			
	Bachelor of Social Work	31			
			178		
	<i>College of Business</i>				
	Bachelor of Business Administration	67			
	Bachelor of Commercial Aviation	19			
			86		
	<i>College of Education</i>				
	Bachelor of Arts	10			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Bachelor of Science	34			
		Bachelor of Science in Education	43			
				87		
	<i>School of Nursing</i>					
		Bachelor of Science in Nursing	16			
				16		
	<i>School of Graduate Studies</i>					
		Master of Business Administration	33			
		Master of Commercial Aviation	6			
		Master of Education	81			
		Master of Professional Accountancy	3			
		Master of Science in Community Development	4			
		Master of Social Justice and Criminology	1			
		Master of Science in Sport and Human Performance	3			
		Master of Science in Nursing	30			
		Educational Specialist	16			
				177		
					544	
Jackson State University						
	<i>Undergraduate</i>					
		Bachelor of Arts	66			
		Bachelor of Business Administration	92			
		Bachelor of Music	6			
		Bachelor of Science	410			
		Bachelor of Science Education	30			
		Bachelor of Social Work	48			
				652		
	<i>Graduate</i>					
		Doctor of Education	2			
		Doctor of Philosophy	15			
		Doctor of Public Health	1			
		Specialist in Education	16			
		Master of Arts	20			
		Master of Arts in Teaching	7			
		Master of Business Administration	7			
		Master of Music Education	4			
		Master of Professional Accountancy	7			
		Master of Public Health	12			
		Master of Public Policy and Administration	1			
		Master of Science	30			
		Master of Science in Education	41			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Science in Teaching	2			
		Master of Social Work	30			
				195		
					847	
Mississippi State University						
	<i>College of Agriculture and Life Sciences</i>					
		Bachelor of Landscape Architecture	18			
		Bachelor of Science	162			
		Master of Agribusiness Management	2			
		Master of Landscape Architecture	1			
		Master of Science	31			
		Doctor of Philosophy	8			
				222		
	<i>College of Architecture, Art, and Design</i>					
		Bachelor of Architecture	28			
		Bachelor of Fine Arts	32			
		Bachelor of Science	30			
		Master of Science	1			
				91		
	<i>College of Arts and Sciences</i>					
		Bachelor of Arts	221			
		Bachelor of Science	254			
		Bachelor of Social Work	29			
		Master of Arts	11			
		Master of Public Policy and Administration	29			
		Master of Science	32			
		Doctor of Philosophy	9			
				585		
	<i>College of Business</i>					
		Bachelor of Business Administration	299			
		Master of Business Administration	70			
		Master of Science Information Systems	5			
		Doctor of Philosophy	2			
				376		
	<i>College of Education</i>					
		Bachelor of Science	341			
		Bachelor of Music Education	9			
		Master of Arts in Teaching	3			
		Master of Arts in Teaching Secondary	2			
		Master of Science	69			
		Master of Science in Instructional Technology	3			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Educational Specialist	8			
		Doctor of Philosophy	17			
				452		
	College of Engineering					
		Bachelor of Science	207			
		Master of Engineering	4			
		Master of Science	35			
		Doctor of Philosophy	20			
				266		
	College of Forest Resources					
		Bachelor of Science	33			
		Master of Science	19			
		Doctor of Philosophy	9			
				61		
	College of Veterinary Medicine					
		Master of Science	9			
		Doctor of Philosophy	1			
		Doctor of Veterinary Medicine	72			
				82		
	School of Accountancy					
		Bachelor of Accountancy	72			
		Master of Professional Accountancy	20			
		Master of Taxation	11			
				103		
					2238	
Mississippi University for Women						
	Undergraduate					
		Associate of Science in Nursing	54			
		Bachelor of Arts	36			
		Bachelor of Fine Arts	10			
		Bachelor of Science	186			
		Bachelor of Science in Nursing	104			
				390		
	Graduate					
		Master of Education	6			
		Master of Science	16			
		Master of Arts in Teaching	4			
		Master of Science in Nursing	1			
				27		
					417	

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Institution		Degree to be Conferred	Number	Subtotal	Total	
Mississippi Valley State University						
	<i>College of Arts and Sciences</i>					
		Bachelor of Arts	19			
		Bachelor of Science	39			
		Bachelor of Music	5			
		Bachelor of Secondary Education	7			
				70		
	<i>College of Professional Studies</i>					
		Bachelor of Arts in Mass Communication	26			
		Bachelor of Science	116			
		Bachelor of Social Work	54			
				196		
	<i>College of Education</i>					
		Bachelor of Science in Education	82			
				82		
	<i>College of Graduate Studies</i>					
		Master of Science	49			
		Master of Arts in Teaching	29			
		Master of Social Work	19			
		Master of Business Administration	7			
				104		
					452	
University of Mississippi						
	<i>College of Liberal Arts</i>					
		Bachelor of Arts	506			
		Bachelor of Science	55			
		Bachelor of Fine Arts	19			
		Bachelor of Music	11			
				591		
	<i>School of Engineering</i>					
		Bachelor of Science in Chemical Engineering	13			
		Bachelor of Science in Civil Engineering	27			
		Bachelor of Science in Computer Science	11			
		Bachelor of Science in Electrical Engineering	13			
		Bachelor of Science in Mechanical Engineering	26			
		Bachelor of Science in Geological Engineering	13			
		Bachelor of Engineering	2			
		Bachelor of Science	2			
				107		

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>School of Education</i>				
	Bachelor of Arts in Education	255			
			255		
	<i>School of Pharmacy</i>				
	Bachelor of Science in Pharmaceutical Sciences	6			
	Doctor of Pharmacy	75			
			81		
	<i>School of Business</i>				
	Bachelor of Business Administration	403			
			403		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	68			
			68		
	<i>School of Applied Sciences</i>				
	Bachelor of Science in Criminal Justice	59			
	Bachelor of Science in Exercise Science	58			
	Bachelor of Science	83			
	Bachelor of Social Work	29			
	Bachelor of Science in Family and Consumer Sciences	3			
	Bachelor of Arts in Parks and Recreation Management	8			
	Bachelor of Paralegal Studies	11			
			251		
	<i>School of Journalism and New Media</i>				
	Bachelor of Arts	75			
			75		
	<i>Graduate School</i>				
	Master of Arts	125			
	Master of Criminal Justice	4			
	Master of Science	94			
	Master of Social Work	16			
	Master of Fine Arts	6			
	Master of Accountancy	32			
	Master of Business Administration	35			
	Master of Taxation	8			
	Master of Education	67			
	Master of Music	6			
	Specialist in Education	7			
	Doctor of Education	5			
	Doctor of Philosophy	67			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
				472		
	<i>Law School</i>					
		Juris Doctor	127			
				127		
					2430	
University of Southern Mississippi						
	<i>College of Arts and Letters</i>					
		Bachelor of Arts	197			
		Bachelor of Fine Arts	30			
		Bachelor of Interdisciplinary Studies	53			
		Bachelor of Music	6			
		Bachelor of Music Education	12			
		Bachelor of Science	18			
		Master of Arts	25			
		Master of Art Education	1			
		Master of the Arts in Teaching of Languages	4			
		Master of Fine Arts	9			
		Master of Music	14			
		Master of Music Education	6			
		Master of Science	9			
		Doctor of Musical Arts	4			
		Doctor of Philosophy	18			
				406		
	<i>College of Business</i>					
		Bachelor of Science	21			
		Bachelor of Science in Business Administration	252			
		Master of Business Administration	17			
		Master of Professional Accountancy	1			
				291		
	<i>College of Education and Psychology</i>					
		Bachelor of Arts	8			
		Bachelor of Science	174			
		Master of Arts	5			
		Master of Arts in Teaching	2			
		Master of Education	57			
		Master of Library and Information Science	19			
		Master of Science	7			
		Specialist in Education	11			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Doctor of Education	2			
	Doctor of Philosophy	36			
			321		
College of Health					
	Bachelor of Arts	29			
	Bachelor of Science	112			
	Bachelor of Social Work	27			
	Master of Public Health	28			
	Master of Science	24			
	Master of Social Work	34			
	Doctor of Audiology	8			
	Doctor of Philosophy	3			
			265		
School of Nursing					
	Bachelor of Science in Nursing	119			
	Master of Science in Nursing	1			
			120		
College of Science and Technology					
	Bachelor of Arts	25			
	Bachelor of Science	192			
	Master of Science	67			
	Doctor of Philosophy	25			
			309		
				1712	
System Total					
					9554

BUDGET, FINANCE AND AUDIT

5. **MSU** - Approved the request to extend the closing date of the land sale agreement with Cotton Mill Development Group, LLC (CMDG) for the sale of approximately 8.477 acres of land comprised of two parcels located behind the Cooley Building in Starkville, MS. The purpose of the amendment is to extend the closing date deadline from March 31, 2011 to September 30, 2011 in order to allow CMDG additional time to secure financing. CMDG retains the right to close earlier by providing thirty days written notice to the university. There will be no additional cost to grant the extension. The purchase price remains at \$2,880,000. The Attorney General's Office has reviewed and approved the agreement.
6. **UMMC** - Approved the request to continue a professional services agreement with BKD, LP for tax advisory services for the coordination of the filing of IRS claims to refund Medical Residents' FICA taxes. The purpose of the addendum is to stipulate a contract term not to exceed a five-year period or through August 20, 2015 to allow time for the IRS to provide guidance/response to UMMC's

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filing. The length of the contract will continue until the IRS provides guidance/response to UMMC's filing or for the period August 20, 2010 to no later than August 20, 2015. The total cost remains the same. Payment will be issued on actual hours worked, not to exceed a total of \$425,000. Of this total, \$25,000 is included for administrative and travel costs. UMMC is seeking refunds on a total of eight years. It is anticipated that the total fees *per claim year* will not exceed \$50,000. The contract will initially be funded by general funds; however, the refunds received will ultimately fund the engagement. Refunds anticipated are in excess of \$5,000,000. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

7. **UMMC** - Approved the request to extend the lease agreement for one year – July 1, 2011 to June 30, 2012– with CAG Holdings, LLC for 8,125 square feet of space housing the Batson Community Clinic. The annual cost per square foot is \$13 for a monthly rental cost of \$8,802.08. The total cost for the one-year extension is \$105,624.96. As a result of the extension, the overall cost for the entire contract period is \$1,001,663.11. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **System** - Approved the request to engage the following CPA firms to conduct annual audits for fiscal/calendar years 2011 as required by Board Policy 301.0806 (D)(9) University Foundation/Affiliated Entity Activities, General Requirements of Affiliation Agreements. Unless otherwise indicated, each entity's next financial reporting period ends on June 30, 2011.

UNIVERSITY AFFILIATED ENTITY	CPA FIRM
Alcorn State University Foundation	Silas Simmons, LLP
Delta State University Foundation	Ellis and Hirsberg CPA
Jackson State University Foundation	Banks, Finley, White and Company CPAs
Mississippi E-Center Foundation (JSU)	Banks, Finley, White and Company CPAs
JSU Alumni Association	Bruno and Tervalon, LLP
Mississippi State University Foundation	KPMG, LLP
The Bulldog Foundation	T.E. Lott and Company, P.A.
The Bulldog Club	T.E. Lott and Company, P.A.
MSU Research and Technology Corporation	T.E. Lott and Company, P.A.
MSU Alumni Foundation	KPMG, LLP
MSU Alumni, Inc.	T.E. Lott and Company, P.A.
Mississippi University for Women Foundation	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
Mississippi Valley State University Foundation	J.E. Vance and Company, P.A.
University of Mississippi Foundation	KPMG, LLP
UM Athletic Association	Church Devoe and Associates, PLLC
UM Research Foundation*	Horne, LLP
UM Alumni Association	Chester Redditt, CPA

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University of Southern Mississippi Foundation	KPMG, LLP
USM Athletic Association	Horne, LLP
USM Research Foundation **	Nicholson and Company, PLLC
USM Alumni Association	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC

* UM Research Foundation requested Horne, LLP be approved to conduct audit services for a three year period - 2011 to 2013.

** USM Research Foundation's year-end is December 31, 2011.

REAL ESTATE

9. **UMMC** - Approved the professional team for **IHL 209-537, Parking Garage C**, which includes Signet-Harrell Development, Tim Haahs Engineers/Architects, and Harrell Contracting Group, LLC. The project is defined as the development, finance, construction, and operation of a fee for use 1,000-1,200 stall parking facility in support of the UMMC development plans. The parking garage will be used by faculty, staff, students and other subscribers. The project will be required to be in operation early in the fourth quarter of 2012. The garage will be located on the east side of campus, immediately north of the existing electrical sub-station, on the northwest corner of that site. When complete, the garage will be connected to the Dental School with an elevated pedestrian walkway. This project is privately financed through the dual phase design build financing method with a revenue stream from parking fees from university staff, faculty, students, contractors, vendors, and adjoining medical facilities to cover the lease payments.
10. **MSU** - Approved the request to increase the scope and budget for **IHL 205-255, Arbor Hall**. The scope was increased to help handle the unexpected increase in the demand for campus housing. The budget will increase from \$23,653,017 to \$46,809,592 for an increase of \$23,156,575. As part of this project, the Board also approved the request to demolish and remove from inventory seven existing facilities known collectively as Arbor Acres and six houses along Magruder Street that are within the footprint of the proposed new facility. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The Department of Archives and History has approved removal of the seven existing facilities known as Arbor Acres and the six houses along Magruder Street that are within the footprint of the proposed new facility. (The Board approved removal of two Arbor Acres buildings, #144 and #145, at its March 17, 2010 meeting.) The buildings will be demolished following notification of and approval from the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Funds are available from MSU EBC bond funds.
11. **UM** - Approved the request to increase the scope and budget for **IHL207-345, University Housing**. The budget will increase from \$32 million to \$39,314,500 for an increase of \$7,314,500. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. At the point of project initiation and establishment of the \$32 million project budget, the project was envisioned as a set of three buildings containing 700 beds. As design progressed, it became apparent to the university that opportunities existed to strengthen the financial viability of the project and to provide additional beds that are urgently needed on campus. Therefore, the university requested permission to increase the scope of the project to include the additional 167 beds as well as the cost of the project in order to accommodate the total bed count of 867 beds. Design costs are to be funded from Student Housing R&R reserves. Construction and

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- equipping costs will be funded by a mix of Student Housing R&R reserves, contributions from the university food services partner and UM EBC bond proceeds.
12. **USM** - Approved the request to increase the budget for **IHL 214-014, Hardy Hall Storm Damage Repair, Gulfpark Campus**. The budget will increase from \$6 million to \$8,981,725.15 for an increase of \$2,981,725.15. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The project budget increase is based on project development and the professional's latest drawings and cost estimate that reflect expected project costs. The project seeks to repair damage incurred by Hurricane Katrina in August of 2005. Hardy Hall is a historic and major landmark on campus and the renovation will repair external damage as well as interior office and reception spaces. The project will also restore a small kitchen/bookstore addition to the rear of the building. The project is funded with available insurance funds and obligated FEMA funds totaling \$9,300,033.
13. **ASU** - Approved the request to delete Building #20 (Mechanical Arts) from inventory and demolish it. The building is currently where the Military Science department is housed. The building was constructed in 1959. The mechanical systems are outdated and the building envelope is collapsing. The renovation and/or construction cost exceeds available funding through the university. The building will be demolished pending the receipt of the approval letter from the Mississippi Department of Archives and History and following notification of and approval from the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities.
14. **ASU** - Approved the request to delete Building #62 (Press Box) from inventory and demolish it. The building is currently not being used. The building was constructed in 1981 and has a dreadful rodent and snake infestation which poses a danger to the students, faculty, staff, and visitors. A new stadium has been constructed and is functional. The approval letter has been received from the Mississippi Department of Archives and History. The building will be demolished following notification of and approval from the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities.
15. **MUW** - Approved the request to donate to the City of Columbus, Mississippi two parcels of land and any improvements consisting of 15.721 acres more or less as authorized and directed by the Mississippi Legislature in H.B. 1217, Laws of 2011. MUW has no plan to use the parcel of land in future development and having the City of Columbus use it for a community center would improve the development of that area and assist in enhancing campus safety.

16. **PERSONNEL REPORT**

EMPLOYMENT

Rehired retirees making more than \$20,000 who are NOT on contracts during FY 2011

MSU

(Extension of interim appointment from March 31, 2011 through May 31, 2011)

Lynn Reinschmiedt, *former position:* Associate Dean and Professor; *re-employment position:* Interim Associate Vice President; *re-employment period:* January 1, 2011 through May 31, 2011; *salary of* \$145,000

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CHANGE OF STATUS

MVSU

(Extension of part-time status from March 31, 2011 through September 30, 2011)

Hareshnarayan Khanna, from full-time Vice President for Business and Finance/Chief Financial Officer; salary of \$132,500 per annum, pro rata; E & G funds; to Part-time Vice President for Business and Finance/Chief Financial Officer, salary of \$29,814 per annum, pro rata; E & G funds; effective April 1, 2011 through September 30, 2011

SABBATICALS

DSU

Joe Abide, Associate Professor of Art, College of Arts and Sciences; *from* salary of \$51,575 per nine months; E&G Funds; *to* professional leave without pay; effective August 1, 2011 through December 31, 2011; professional development

TERMINATION

MVSU

Christopher Shults, Assistant Provost for Effectiveness, Assessment, Research and Strategic Planning; resignation effective March 16, 2011

EMERITUS STATUS

MUW

Hal Jenkins, Emeritus Dean of the College of Education and Human Sciences and Professor of Education; College of Education and Human Sciences; effective May 2011

ADMINISTRATION/POLICY

17. **ASU** - Approved the request to bestow two honorary degrees at its May 2011 commencement. Supporting documents are on file at the Board Office.

BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Bob Owens, Chair

On motion by Trustee Owens, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #2 as submitted on the Budget, Finance & Audit Agenda. On motion by Trustee Owens, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Owens, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Owens, seconded by Trustee Blakeslee, all Trustees legally present and participating voted unanimously to approve agenda item #5.

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1. **System** - The Board received the FY 2009 System Audit report as presented by Ms. Eileen McGinn from KPMG, LLP.
2. **UM** - Approved the request to engage Morgan Keegan as the lead underwriter; Butler, Snow, O'Mara, & Cannada, PLLC as bond counsel; and Stephens, Inc. and Edward Jones as underwriting co-managers regarding the issuance of bonds with a maximum debt amount of up to \$38 million. The Board also approved the financial advisor's report. Butler, Snow, O'Mara, Stevens, & Cannada, PLLC will be compensated at \$1.90 per \$1,000 for fixed rate issues or \$2.20 for variable rate issues. Underwriters will be compensated \$7.00 per \$1,000. Based on a fixed rate bond issue of \$38 million, total estimated professional costs will be \$72,200 for Butler, Snow, O'Mara, Stevens, & Cannada, PLLC, and \$266,000 for the underwriters for a total professional compensation including the financial advisor of \$376,200. Based on a variable rate issue, Butler, Snow, O'Mara, Stevens, & Cannada, PLLC's compensation will rise to \$83,600 with a total professional issue cost including the financial advisor of \$387,600. Funds are available from a combination of EBC revenues and auxiliary funds.
3. **System** - Approved the allocation of FY 2012 state appropriations for Education and General Fund funding to the institutions. **(See Exhibit 1.)**
4. **System** - Approved the request to select and contract with AmFed Companies, LLC. to administer claims for the IHL Self-Insured Tort Claims Plan (Tort Plan) and IHL Self-Insured Workers' Compensation Plan (WC Plan) for four years – July 1, 2011 through June 30, 2015. The administrative fee for the term is \$1,465,312 and will be funded from the institutions' self-funded pool. The Attorney General's Office has reviewed and approved the agreement.
5. **System** - Approved the proposed increases in room and board rates at all institutions for FY 2012 only. **(See Exhibit 2.)**
6. **System** - The Board received information regarding potential changes to Board Policy Section 700 Finance and Business. These changes will be submitted to the Board for approval at a subsequent meeting.

LEGAL AGENDA

Presented by Mr. Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Smith, all Trustees legally present and participating voted unanimously to move agenda item #1 to the Executive Session agenda.

1. **UMMC** - Settlement of Tort Claim No. 1641. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

REAL ESTATE

1. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the March 17, 2011 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 3.)**

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LEGAL

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

EXECUTIVE SESSION

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

Discussion of a litigation matter at the University of Mississippi Medical Center and
Discussion of a personnel matter at the Board Office.

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

On motion by Trustee Owens, seconded by Trustee Davidson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted to approve the settlement of the case styled as, *Needham vs. UMMC, et al*, as recommended by counsel.

The Board discussed a personnel matter at the Board Office.

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

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Allocation of FY 2012 state appropriations for Education and General Fund funding to the institutions. |
| Exhibit 2 | Proposed increases in room and board rates at all institutions for FY 2012 only. |
| Exhibit 3 | Real Estate items that were approved by the IHL Board staff subsequent to the March 17, 2011 Board meeting. |
| Exhibit 4 | Report of the payment of legal fees to outside counsel. |

EXHIBIT 1

April 21, 2011

MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING Recommended FY 2012 Appropriations Allocation to Institutions

		Conference Reports		
	<u>FY 2011 Appropriations</u>	<u>FY 2012 Conference Reports</u>	<u>Total Change Compared to FY 2011</u>	<u>% Change</u>
<u>EDUCATION & GENERAL (excludes Avers)</u>				
ASU (1)	\$ 17,751,083	\$ 17,576,296	\$ (174,787)	-0.98%
DSU (1)	21,258,274	21,114,413	(143,861)	-0.68%
JSU (1)	36,514,438	36,212,554	(301,884)	-0.83%
MSU (1)	87,991,548	87,130,940	(860,608)	-0.98%
MUW (1)	13,899,935	13,765,054	(134,881)	-0.97%
MVSU (1)	13,801,254	13,665,693	(135,561)	-0.98%
UM (1)	72,486,296	71,774,132	(712,164)	-0.98%
USM (1)	79,079,009	78,298,084	(780,925)	-0.99%
Subtotal	342,781,837	339,537,166	(3,244,671)	-0.95%
			-	
Space Efficiency (2)		2,000,000	-	N/A
Geospatial Licenses (2)		197,536	-	N/A
Total E&G Excluding Avers	342,781,837	341,734,702	(1,047,135)	-0.3%
			-	
<u>SYSTEM ADMINISTRATION</u>				
Executive Office	7,264,198	7,161,561	(102,637)	-1.41%
Student Financial Aid	31,100,215	31,079,137	(21,078)	-0.07%
<u>ALCORN STATE UNIVERSITY</u>				
Agricultural Units	5,213,674	5,498,389	284,715	5.46%
<u>JACKSON STATE UNIVERSITY</u>				
Urban Research Center	502,407	495,734	(6,673)	-1.33%
<u>MISSISSIPPI STATE UNIVERSITY</u>				
Advanced Vehicular Studies (6)	3,426,291	3,338,190	(88,101)	-2.57%
State Chemical Laboratory	1,709,315	1,623,849	(85,466)	-5.00%
Water Resources Research Institute	120,531	120,531	-	0.00%
Agricultural & Forestry Experiment Station	21,365,833	21,365,833	-	0.00%
Mississippi Cooperative Extension	27,269,914	27,369,914	100,000	0.37%
Forest & Wildlife Research Center	5,392,854	5,392,854	-	0.00%
College of Veterinary Medicine	16,203,711	16,203,711	-	0.00%
Stennis Institute	965,739	917,452	(48,287)	-5.00%
Alcohol Safety Education Program (S. F.)	1,454,761	1,483,856	29,095	2.00%
<u>UNIVERSITY OF MISSISSIPPI</u>				
Center for Manufacturing Excellence	826,132	826,132	-	0.00%

EXHIBIT 1

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Law Research Institute	829,232	809,003	(20,229)	-2.44%
Mineral Resources Institute	423,586	400,824	(22,762)	-5.37%
Research Inst. of Pharmaceutical Sciences	3,208,655	3,127,749	(80,906)	-2.52%
Supercomputer	727,661	691,278	(36,383)	-5.00%
Small Business Center	250,984	238,435	(12,549)	-5.00%
University Medical Center (4)	221,032,977	218,000,932	(3,032,045)	-1.37%
State Court Education Program (S. F.)	1,582,832	1,491,301	(91,531)	-5.78%
UNIVERSITY OF SOUTHERN MISSISSIPPI				
Mississippi Polymer Institute	692,525	668,440	(24,085)	-3.48%
Gulf Coast Research Laboratory	3,255,104	3,190,734	(64,370)	-1.98%
Stennis Center	444,485	438,706	(5,779)	-1.30%
Ayers Program Funding	20,200,000	20,200,000	-	0.00%
Ayers Endowment (3)	5,000,000	5,000,000	-	0.00%
Ayers Summer Program Funding	750,000	750,000	-	0.00%
Ayers Catch-up Funding	-	-	-	N/A
Total State Appropriation Ayers	25,950,000	25,950,000	-	0.00%
Ayers Interest (S.F.) (5)	900,000	900,000	-	N/A
TOTAL AYERS FUNDING:	26,850,000	26,850,000	-	0.00%
Total Including Special Fund Agencies	724,895,453	720,519,247	(4,376,206)	-0.60%
State Appropriation-EXCLUDING S.F. Agencies				
	720,957,860	716,644,090	(4,313,770)	-0.60%
Non-IHL Agency Request-Volunteer Commission	363,913	360,000	(3,913)	-1.08%
TOTAL STATE APPROPRIATION	\$ 721,321,773	\$ 717,004,090	\$ (4,317,683)	-0.60%

FOOTNOTES:

- (1) Allocation includes \$8,125 for each institution for Washington Center Internship. Distribution will be based on student participation.
- (2) Space Efficiency and Geospatial Licenses allocation will be based on program utilization when these become known.
- (3) Senate Bill 3032 provides for the appropriation of the Ayers Endowment from Treasury Fund 3254.
- (4) This presentation includes UMMC funds appropriated and received through the Department of Health of \$5.7 million in FY 2011 and FY 2012.
- (5) This presentation includes Ayers interest funds. Actual receipts may vary.
- (6) HB 1095 transfers appropriated funds from the Center for Advanced Vehicular Systems in FY 2011 to the MS Technology Alliance. The amount shown for CAVS is the original appropriation for FY 2011; however, based on this transfer, FY 2011 appropriations will be \$3,426,291.

EXHIBIT 2

April 21, 2011

Student Average ANNUAL Occupancy Housing Rates

Institution	Average FY 2011 Charge		Proposed Average		
			FY 2012		
			Increase	Charge	Percentage Change
ASU - double	\$ 4,460		\$ 134	\$ 4,594	3.0%
" - single	6,349		191	6,540	3.0%
DSU - double	\$ 3,634		\$ 110	\$ 3,744	3.0%
" - single	5,234		110	5,344	2.1%
JSU - double	\$ 4,110		\$ 165	\$ 4,275	4.0%
" - single	5,407		216	5,623	4.0%
MSU - double	\$ 4,533		\$ 147	\$ 4,680	3.2%
" - single	4,829		157	4,986	3.3%
MUW - double	\$ 3,302		\$ 132	\$ 3,434	4.0%
" - single	5,771		231	6,002	4.0%
MVSU - double	\$ 3,090		\$ 524	\$ 3,614	17.0%
" - single	4,460		961	5,421	21.5%
UM - double	\$ 4,080		\$ 150	\$ 4,230	3.7%
" - single	5,390		195	5,585	3.6%
USM - double	\$ 3,686		\$ 209	\$ 3,895	5.7%
" - single	7,371		419	7,790	5.7%
Annual Average - double	\$ 3,862		\$ 196	\$ 4,058	5.1%
" " - single	\$ 5,495		\$ 249	5,911	4.5%

Note: Although most institutions have a variety of different housing plans to choose from, the occupancy rates shown here are the average of all double and all single occupancy plans available to students.

Average ANNUAL Meal Plan (Board) Rates

Institution	FY 2011 Charge		Proposed Change		
			FY 2012		
			Increase	Charge	Percent Change
ASU	\$ 2,348		\$ 94	\$ 2,442	4.0%
DSU	1,994		61	2,055	3.0%
JSU	2,413		96	2,509	4.0%
MSU	1,986		71	2,057	3.5%
MUW	2,258		56	2,314	2.5%
MVSU	2,447		353	2,800	14.4%
UM	1,941		76	2,017	3.9%
USM	2,574		86	2,660	3.3%
System - Average	\$ 2,245		\$ 112	\$ 2,357	5.0%

EXHIBIT 3

April 21, 2011

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MARCH 17, 2011 BOARD MEETING SUBMISSION DEADLINE

1. JSU – GS 103-255 – Fire Suppression System, Phase I (Stewart Hall)

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

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

Staff Approval Date: March 3, 2011

Project Initiation Date: August 20, 2009

Design Professional: CGM Group

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,360,000

Funding Source(s): SB 2010, L'04 (\$76,260.78); HB 246, L'07 (\$1,218,436.73); HB 1722, L'09 (\$2,650,025.64); HB 1701, L'10 (\$3,415,276.85)

2. MSU – GS 113-115 – Lloyd-Ricks Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of \$225,844.00 and sixty-three (63) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 16, 2011

Change Order Justification: **Change Order #10** is necessary to provide exterior masonry waterproofing to stop moisture from penetrating the bricks and damaging the interior finishes, repair damaged interior plaster and paint, and add masonite cover to 5 bulletin boards.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$877,125.00

Project Initiation Date: June 14, 2006

Design Professional: Belinda Stewart Architects

General Contractor: West Brothers Construction

Contract Award Date: January 6, 2009

Project Budget: \$12,000,000

Funding Source(s): HB 246, L'07 (\$4,997,700.13); SB 3201, L'07 (\$3,611,340.47); SB 2988, L'03 (\$155,996); HUD Grant (\$3,234,963)

3. MSU – GS 113-117 – Wise Center Storm Repairs

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$262,025.00 and forty-eight (48) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 10, 2011

EXHIBIT 3

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Change Order Justification: **Change Order #5** is necessary for remediation to existing structural, electrical, and mechanical conditions that were not expected to be encountered. These conditions include collapsed soffit, deteriorating angle iron, improper location for existing electrical conduit, deteriorating exhaust fans, improper wall construction, improper brick ledge installation, and insufficient concrete slab.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$381,811.00

Project Initiation Date: September 21, 2007

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

General Contractor: Thrash Commercial Contractors, Inc.

Contract Award Date: January 25, 2010

Project Budget: \$6,790,000

Funding Source(s): HB 1634, L'06 (\$1,726,000); HB 1641, L'08 (\$3,000,000); HB 1722, L'09 (\$2,000,000); MSU CVM (\$64,000)

4. MSU – IHL 205-235G – Residence Hall Fire Protection

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Dynamic Fire Protection, LLC, the lower of one (1) bidder, for a total contract amount of \$1,468,521.00.

Staff Approval Date: March 9, 2011

Project Initiation Date: January 21, 2010

Design Professional: LPK Architects, P.A.

General Contractor: Dynamic Fire Protection

Contract Award Date: March 9, 2011

Project Budget: \$29,960,000 (This contract is part of the larger 205-235 project budget)

Funding Source(s): EBC Bonds (\$29,960,000)

5. MUW – GS 104-149 – Poindexter Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$65,565.00.00 and seventy-four (74) additional days to the contract of West Brothers.

Staff Approval Date: March 7, 2011

Change Order Justification: **Change Order #3** is necessary to recover operating costs incurred due to work delays. No work could be completed in the building from September 20, 2010 through December 2, 2010 as a result of locking out the building for mold remediation work required.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$184,077.58

Project Initiation Date: November 20, 2003

Design Professional: Pryor & Morrow

General Contractor: West Brothers

Contract Award Date: July 13, 2010

Project Budget: \$9,579,000

EXHIBIT 3

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Funding Source(s): SB 2010, L'04 (\$6,930,000); HB 246, L'07 (\$714,000); HB 1641, L'08 (\$435,000); HB 1722, L'09 (\$1,500,000)

6. MVSU – GS 106-230 – Stadium Seating Replacement

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Dr. Doug Rouse, Chair of the Real Estate and Facilities Committee, **approving a budget increase** for the Stadium Seating Replacement project. The budget increase was increased from \$4,900,000 to \$6,400,000 for an increase in the amount of \$1,500,000.

Staff Approval Date: March 17, 2011

Project Initiation Date: N/A

Design Professional: JBHM Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: N/A

Project Budget: \$6,400,000

Funding Source(s): HB 1701, Laws of 2010 (\$6,000,000); Bureau of Building Discretionary Funds (\$400,000)

7. MVSU – GS 106-236 – Fine Arts ADA Compliance

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Dr. Doug Rouse, Chair of the Real Estate and Facilities Committee, **approving a change in funding source** for the Fine Arts ADA Compliance project. The funding source will change from \$400,000 of HB 1701, Laws of 2010 funds to \$400,000 of HB 1722, Laws of 2009 funds.

Staff Approval Date: March 17, 2011

Project Initiation Date: N/A

Design Professional: Dale and Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$400,000

Funding Source(s): HB 1722, Laws of 2009

8. UM – GS 107-297 – Waste Water Treatment Plant

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the credit amount of (\$380.00) and four (4) additional days to the contract of Praire Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 21, 2011

Change Order Justification: **Change Order #1** is necessary to modify the installation location for the microstrainer and omit removal of the existing degrit system. The change order also will allow for the removal of existing West Basin weir box and replace with a precast concrete manhole.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of (\$380.00)

Project Initiation Date: June 18, 2008

EXHIBIT 3

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Design Professional: Engineering Solutions, Inc.

General Contractor: Praire Construction, LLC

Contract Award Date: April 30, 2010

Project Budget: \$2,200,000

Funding Source(s): HB 1641, L'08 (\$1,500,000); HB 246, L'07 (\$100,000); Internal R&R (\$600,000)

9. UM – GS 107-302 – Lamar Hall Renovation

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

Staff Approval Date: March 16, 2011

Project Initiation Date: August 20, 2009

Design Professional: Barlow Eddy Jenkins Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,300,000

Funding Source(s): HB 1722, L'09 (\$3,000,000); HB 1701, L'10 (\$2,000,000); Internal R&R (\$2,300,000)

10. UM – GS 107-303 – Roof Replacements

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

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

Staff Approval Date: February 23, 2011

Project Initiation Date: August 20, 2009

Design Professional: Shafer & Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,500,000

Funding Source(s): HB 1722, L'09 (\$974,707.47); SB 2010, L'04 (\$88,000); HB 246, L'07 (\$100,000); Internal R&R (337,292.53)

11. UM – IHL 207-303A – Research Park & Innovation Center – Medicinal Plant Garden

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$5,688.00 and one hundred fifty-eight (158) additional days to the contract of Hooker Construction.

Staff Approval Date: February 21, 2011

Change Order Justification: **Change Order #2** is necessary to add days due to adverse weather and for the cost of materials, and labor to accomplish desired roof warranties.

EXHIBIT 3

April 21, 2011

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of (\$13,545.00)

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons + Howorth & Associates

General Contractor: Hooker Construction

Contract Award Date: December 16, 2009

Project Budget: \$2,500,000

Funding Source(s): Small Business Association Grant Funds, HUD Grant Funds, and NOAA Grant Funds

12. UM –IHL 207-303B – Research Park & Innovation Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$33,981.00 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$76,899.00 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval Date: (#1) February 21, 2011; (#2) March 16, 2011

Change Order Justification: **Change Order #4** is necessary to install 12” collector line, furnish and install changes to the curved walls at the storefront, remove gypsum board ceilings, remove, offset and replace the 8” university water line at the round about area to the newly installed tap at the southwest site and to install four each additional 4” communications conduits to communications manhole. **Change Order #5** is necessary to furnish and install addition of a self adhering flexible flashing over the top of the exterior metal stud wall assembly, provide labor, material equipment, and supervision to undercut the existing unsuitable material at west lot and road between Station 10 to the round-about, and to provide a temporary road to allow traffic flow to and from Hathorn Road.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$104,262.92

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons + Howorth & Associates

General Contractor: Montgomery Martin Contractors, LLC

Contract Award Date: June 22, 2010

Project Budget: \$17,100,000

Funding Source(s): NIST Grant #66NANB6D6134 (\$17,100,000)

13. UM –IHL 207-306 – Center for Manufacturing Excellence

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the credit amount of (\$76,575.08) and seven (7) additional days to the contract of Panola Construction.

Staff Approval Date: February 21, 2011

Change Order Justification: **Change Order #7** is necessary in order to account for a credit to remove solar panel array and associated support systems from construction contract and other miscellaneous project items.

EXHIBIT 3

April 21, 2011

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$370,071.45

Project Initiation Date: November 15, 2007

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction

Contract Award Date: February 18, 2009

Project Budget: \$17,700,000

Funding Source(s): Mississippi Development Authority (\$17,700,000)

14. UM – IHL 207-320 – Mississippi Small Business Development Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$441.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$517.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval Date: (#1) February 18, 2011; (#2) March 10, 2011

Change Order Justification: **Change Order #6** is necessary to add GFCI outlet in toilet room #119. **Change Order #7** is necessary to add four surface mounts through bolts to the two doors in the copy room.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$138,771.10

Project Initiation Date: February 19, 2009

Design Professional: The McCarty Company

General Contractor: Murphy & Sons, Inc.

Contract Award Date: December 16, 2009

Project Budget: \$2,000,000

Funding Source(s): U.S. Congress Grant #SBAHQ-06-I-0032 (\$2,000,000)

15. UM – IHL 207-345 – University Housing

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons + Eley & Associates, design professional.

Staff Approval Date: February 23, 2011

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$32,000,000

Funding Source(s): EBC Bonds (\$32,000,000)

16. UMMC – IHL 209-510 – Guyton Contract III Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$30,771.78 and twenty-eight (28) additional days to the contract of Evan Johnson and Sons.

EXHIBIT 3

April 21, 2011

Staff Approval Date: March 7, 2011

Change Order Justification: **Change Order #2** is necessary in order to address latent conditions of bowed concrete walls and add inwall blocking for casework discovered to have been omitted from previous/original project two years ago.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$44,819.78

Project Initiation Date: June 17, 2008

Design Professional: Simmons Associates + Eley & Associates

General Contractor: Evan Johnson and Sons

Contract Award Date: February 10, 2010

Project Budget: \$16,500,000

Funding Source(s): Interest Income (\$700,000); UMC EBC (\$15,800,000)

17. UMMC –IHL 209-515 – Surgical Stay Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$231,957.00 and twenty (20) additional days to the contract of Evan Johnson and Sons.

Staff Approval Date: February 18, 2011

Change Order Justification: **Change Order #4** is necessary in order to address latent and owner requested conditions associated with routing of chilled water piping to the job site mechanical room area. Also owner requested accent wall color change, additional wall outlets etc additional valves to isolate separate 5 East project and relocation of wall speakers and corridor lights.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$435,853.00

Project Initiation Date: November 21, 2008

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Evan Johnson and Sons

Contract Award Date: August 24, 2009

Project Budget: \$7,735,000

Funding Source(s): Hospital Patient Revenues (\$7,735,000)

18. UMMC –IHL 209-523 – S013 Area Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$6,961.00 and zero (0) additional days to the contract of Evan Johnson and Sons.

Staff Approval Date: March 9, 2011

Change Order Justification: **Change Order #5** is necessary in order to provide for the installation of clear protective covers for emergency stop buttons within the scan and control room areas. The addition of a duplex receptacle and data jack adds additional costs for floor preparation work prior to new tile installation.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$238,488.88

Project Initiation Date: August 20, 2009

Design Professional: Simmons Associates

EXHIBIT 3

April 21, 2011

General Contractor: Evan Johnson and Sons

Contract Award Date: January 11, 2010

Project Budget: \$1,947,239.00

Funding Source(s): Hospital Patient Revenues (\$1,947,239)

19. UMMC – IHL 209-527 – Ophthalmology Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$156,228.00 and fourteen (14) additional days to the contract of Fountain Construction.

Staff Approval Date: March 9, 2011

Change Order Justification: **Change Order #1** is necessary in order to finish changes/updates. The original finishes specified were basic and did not agree with the University Physicians standards of quality recently adopted for off campus clinics being operated by University Physicians.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$156,228.00

Project Initiation Date: August 20, 2009

Design Professional: Dale and Associates

General Contractor: Fountain Construction

Contract Award Date: September 1, 2010

Project Budget: \$5,279,000

Funding Source(s): Interest Income and Restricted funds (\$5,279,000)

20. UMMC – IHL 209-540 – School of Dentistry Restorative Lab

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

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Mark Vaughan, design professional.

Staff Approval Date: March 17, 2011

Project Initiation Date: February 17, 2011

Design Professional: Mark Vaughan

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,280,000

Funding Source(s): Patient Revenue and Tuition Fees (\$1,280,000)

21. USM – GS 108-264 – Energy Reduction Retrofits

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

Staff Approval Date: March 11, 2011

Project Initiation Date: January 21, 2010

EXHIBIT 3

April 21, 2011

Design Professional: Watkins & O'Gywnn

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,000,000

Funding Source(s): HB 1722, L'09 (\$2,000,000)

EXHIBIT 4

April 21, 2011

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 2/1/11, 3/1/11 and 3/1/11) from the funds of Mississippi State University. (These statements, in the amounts of \$6.51, \$5.54 and \$30.66, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 42.71

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 11/11/10, 12/13/10 and 1/12/11) from the funds of the University of Mississippi. (These statements, in the amounts of \$9,502.00, \$2,146.50 and \$8,482.83, respectively, represent services and expenses in connection with the Purchase of Property from Whirlpool Corporation.)

TOTAL DUE.....\$ 20,131.33

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 1/28/11, 2/24/11, 2/24/11 and 2/24/11) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Representation of the Medical School and Facility Practice Plans - \$86.00, *Jackson HMA LLC vs. UMMC* - \$7,484.28, UMMC - North Clinic - \$3,693.26 and UMMC - North Clinic - \$8,279.53, respectively.)

TOTAL DUE.....\$ 19,543.07

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 1/31/11, 1/31/11, 2/28/11, 2/28/11, 2/28/11 and 2/28/11) from the funds of the University of Mississippi Medical Center. These statements represent services and expenses in connection with the cases styled *Kermode* (Federal Case) - \$21,344.33, UMMC - General Advice - \$2,640.00, UMMC - General - \$1,020.00, *Jaralah* - \$1,053.50, *Steiner* - \$2,256.18 and *Zeigler* - \$1,967.00, respectively.)

TOTAL DUE.....\$ 30,281.01

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 2/16/11) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$472.50; "Fiber Ringdown Pressure/Force Sensors" - \$575.00; "Steele - Solid Heat Carrier Pyrolysis Reactor" - \$2,187.50 and "Weed - Pelvic Floor Strength Assessment Device" - \$220.00.)

TOTAL DUE.....\$ 3,455.00

CONSENT AGENDAS

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1. SYSTEM – APPROVAL OF ACADEMIC UNIT MODIFICATIONS

Board Policy 502: New Academic Programs and Units states: “*Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.*”

In accordance with Board policy, approval is requested for the following academic unit modifications:

REORGANIZE

- a. *Mississippi State University* requests permission to combine the *Life Science & Biotechnology Institute (LSBI)* and the *Institute for Digital Biology (IDB)* and name the combined unit the *Institute for Genomics, Biocomputing & Biotechnology*. The proposed reorganization provides a single and more easily describable entity that better enables academic and scientific growth, more opportunities for students, and extramural funding. There is no cost associated with the requested change.
- b. *Mississippi State University* requests permission to combine the *Electron Microscope Center* and the *Institute for Neurocognitive Science and Technology* and name the combined unit the *Institute for Imaging & Analytical Technologies*. The proposed reorganization allows MSU to combine major research instrumentation investments under one organization and significantly grow capabilities in research, facilitate teaching in STEM areas, and efficiently provide high-technology services to the greater MSU community. There is no cost associated with the requested change; a cost savings will be realized with have a single director for both organizations.

Staff Recommendation: Board staff recommends approval of Items a and b.

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2. SYSTEM – APPROVAL OF DEGREES TO BE CONFERRED IN MAY 2011

Board Policy 510: Awarding of Degrees states that “*Degrees granted by institutions under the governance of the Board are awarded by and with the consent of the Board and are countersigned by the President of the Board. Recommendations for the awarding of degrees to students by the various institutions must be made no later than the Board meeting prior to the commencement at which such awards will be made.*”

In accordance with Board policy, UMMC requests permission to award degrees at the following levels on May 27, 2011, provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total
University of Mississippi Medical Center				
	<i>Undergraduate</i>			
	Bachelor of Science in Nursing	101		
	Bachelor of Science in Clinical Laboratory Sciences	27		
	Bachelor of Science in Cytotechnology	6		
	Bachelor of Science in Dental Hygiene	21		
	Bachelor of Science in Health Informatics and Information Management	10		
	Bachelor of Science in Health Sciences	27		
	Bachelor of Science in Radiologic Sciences	21		
			213	
	<i>Graduate/Professional</i>			
	Master of Occupational Therapy	34		
	Master of Science in Nursing	35		
	Master of Science	19		
	Doctor of Physical Therapy	47		
	Doctor of Medicine	120		
	Doctor of Dental Medicine	35		
	Doctor of Philosophy	23		
			313	
				526

Staff Recommendation: Board staff recommends approval of this item.

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1. MSU – REQUEST FOR APPROVAL TO ESCALATE MISSISSIPPI ALCOHOL SAFETY EDUCATION PROGRAM BUDGET

Mississippi State University requests approval to escalate the Mississippi Alcohol Safety Education Program (MASEP) budget. The budget escalation is requested due to the increased number of class offering locations (from 40 to 46) and to accommodate additional participants.

Major Object Budget Category	Original FY 2010-11 Budget	Revision/ Escalation	Revised FY 2010-11 Budget
Salaries, Wages, & Fringe Benefits	\$ 1,087,964	\$ 164,000	\$ 1,251,964
Travel & Subsistence	89,000		89,000
Contractual Services	81,708		81,708
Commodities	66,000		66,000
Capital Outlay:			-
Other Than Equipment	-		-
Equipment	11,450		11,450
Total Capital Outlay	11,450	-	11,450
Subsidies, Loans, & Grants	118,639	223,000	341,639
Total	\$ 1,454,761	\$ 387,000	\$ 1,841,761

Funding Source for Budget Escalation: The escalation will be funded through participate fees.

Staff Recommendation: Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff recommends approval of this item.

2. UMMC – REQUEST FOR APROVAL OF CONTRACTUAL SERVICES AGREEMENTS

Items 1.a. and 1.b. are both collection services agreements. Due to the volume of accounts, it was determined necessary to engage two vendors to effectively and efficiently manage the accounts. In addition, it was reasoned that by dividing the accounts between two vendors, one company would be in place in the event something unforeseen happened with the other.

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- a. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a collection agreement with **The CBE Group, Inc.**

Contractor's Legal Name: The CBE Group, Inc. (CBE)

History of Contract: New

Specific type of contract: Collection Agreement

Purpose: The purpose of the agreement is to establish a contingency fee engagement for the collection of accounts receivable primary bad debt for UMMC. CBE's services will be used in relation to those patient accounts that are at least one hundred twenty (120) days from discharge and have been deemed bad debt.

Scope of Work: UMMC's responsibility is to transition applicable accounts to CBE on a weekly basis and CBE will perform the following:

- Review all accounts to identify potential third party payment sources, including governmental, commercial and private payers, and follow up with billing and collection processes as identified,
- Follow all applicable processes to notify the patient of their payment responsibility,
- Provide weekly set up for electronic receipt of transaction accounts,
- Send automated notes and account updates back to UMMC's patient accounting system no later than on a weekly basis,
- Provide reporting to include, but not limited to, summary and detail data for placements, payments, adjustments, payment source, aging, cash collection as a percent of charge, productivity of collectors based on accounts per collector, accounts worked per day, calls per day, and cash collections by individual collector,
- Record all collection calls (both inbound and outbound) and make available to UMMC to review as deemed necessary,
- Skip-trace and update accounts with bad contact information and return such information to UMMC,
- Complete a monthly scorecard provided by UMMC,
- Perform all calls/contacts made to patients in a professional manner as to comply with the work standards consistent with that of UMMC, and
- Request to return accounts to UMMC for secondary placement after six (6) months of primary placement with CBE.

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Term of contract: The agreement length is four years – June 1, 2011 through May 31, 2013, which includes an initial term of two (2) years with an option to extend the agreement an additional two (2) one (1) year terms for a maximum contract life of four (4) years. The total cost of the contract is based on exercising the renewal options and is for the maximum four-year period.

Termination Options: Either party may terminate the agreement for convenience, with or without cause, by giving sixty (60) days prior written notice. The agreement may also be terminated for misrepresentation or breach.

Contract Amount: The estimated cost for the maximum life of the four (4) year contract is \$5,068,800.

With an estimated *annual* placement of \$144 million and a 5.5% collection rate, UMMC will pay CBE as follows:

Type of Service	Commission Contingency Percentage	Estimated Distribution of Accounts	Estimated Annual Commission	Estimated Commission for Four-Year Period
First Placement	16%	85.6%	\$ 1,085,040	\$ 4,340,160
Legal	35%	2.5%	69,300	277,200
Insurance Payment	12%	11.9%	112,860	451,440
Total		100.0%	\$ 1,267,200	\$ 5,068,800

Definitions related to types of services offered by CBE:

First Placement Accounts – Accounts that are considered by UMMC to be in default but have never been listed with another collection agency. It can also include any account that is partially or completely paid by the patient's insurance company identified by the collection agency and forwarded to the UMMC for processing.

Legal Collection Accounts – Collection accounts requiring legal action in order to stimulate the collection process.

Insurance Payment Accounts – First Placement Accounts that are placed with the collection agency and that have been partially or fully paid by the patient's insurance carrier and identified and/or processed by the UMMC.

Funding Source for Contract: The agreement will be funded by hospital patient revenue generated through the bad debt collection efforts of CBE.

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Contractor Selection Process: The selection process was initiated through UMMC's Request for Proposals (RFP) number 1132 on August 4, 2010. All pertinent guidelines from the Contracting and Compliance Departments were complied with in the RFP process.

UMMC used specific evaluation forms throughout the selection process to identify those companies that would best serve UMMC's needs. In order to arrive at a short list of vendors, scoring parameters were used that included the following:

- Contingency based fee rates,
- Available technology,
- Value added services,
- Personnel experience,
- Prior experience with academic medical centers of like size and complexity,
- Completeness of proposal,
- References, and
- Financial and administrative stability.

A total of twelve (12) vendors submitted proposals. Based on the above-mentioned scoring parameters, four (4) companies were chosen as finalists. The names of the four finalists along with the proposed range of commission percentages follow.

1. CBE Group, Inc.	17% to 27.5%
2. Hollis Cobb Assoc. Inc.	17.5% to 33.3%
3. NCO Revenue Cycle Solutions	12.75% to 21%
4. Smith, Rouchon and Assoc., Inc.	25% to 36%

An onsite presentation was given by each of the 4 companies. In addition UMMC's Evaluation Committee considered additional factors in relation to the capabilities of each company in making their final selection. The additional factors considered were:

- The capacity to handle UMMC's volume,
- The ability to serve UMMC in line with its values and beliefs,
- Presentation and strategic planning, and
- The ability to deliver value added services and flexibility to meet UMMC's needs and requirements.

CBE Group, Inc. was scored by the selection committee in the top two of the final four considered and was selected as one of the two companies to serve UMMC's collection needs for primarily bad debt accounts. In this instance, the lowest bidder was not selected as the company did not present the level of service and expertise in the medical primary placement of bad debt desired by UMMC for its patient

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accounts receivable. CBE was scored higher as a result of demonstrating a patient-focused customer-service driven approach to its collection services of bad debt. Regarding the low-bidder, NCO, there was a concern by the selection committee related to the relevance of UMMC accounts in its overall portfolio. As a result of UMMC's historical dealings with NCO, the organization was deemed overly large and unresponsive to complaint related issues.

Upon final selection, CBE's rates were finalized at:

- 16% on First Placement Accounts
- 35% on Legal Collection Accounts
- 12% on Insurance Payment Accounts Generated by Client

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- b. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a collection agreement with **Hollis Cobb Associates, Inc.**

Contractor's Legal Name: Hollis Cobb Associates, Inc. (Hollis Cobb)

History of Contract: New

Specific type of contract: Collection Agreement

Purpose: The purpose of the agreement is to establish a contingency fee engagement for the collection of accounts receivable primary bad debt for UMMC. Hollis Cobb's services will service patient accounts that are at least one hundred twenty (120) days from discharge and have been deemed bad debt.

Scope of Work: It is UMMC's responsibility to transition applicable accounts to the Hollis Cobb on a weekly basis and Hollis Cobb is to perform the following:

- Review all accounts to identify potential third party payment sources and follow up with billing and collection processes if any are identified. This includes the potential of billing all governmental, commercial and private payers.
- Follow all applicable processes to notify the patient of their payment responsibility,

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- Provide set up for electronic receipt of transaction accounts on a weekly basis,
- Send automated notes and account updates back to UMMC's patient accounting system no later than on a weekly basis,
- Provide reporting to include, but not limited to, summary and detail data for placements, payments, adjustments, payment source, aging, cash collection as a percent of charge, productivity of collectors based on accounts per collector, accounts worked per day, calls per day, and cash collections by individual collector,
- Record all collection calls (both inbound and outbound) and make available to UMMC to review as deemed necessary,
- Skip-trace and update accounts with bad contact information and return such information to UMMC,
- Complete a monthly scorecard provided by UMMC,
- All calls/contacts made to patients will be performed in a professional manner as to comply with the work standards consistent with that of UMMC, and
- Request to return accounts to UMMC for secondary placement after six (6) months of primary placement with Hollis Cobb.

Term of contract: The agreement length is four years – June 1, 2011 through May 31, 2013, which includes an initial term of two (2) years with an option to extend the agreement an additional two (2) one (1) years terms for a maximum contract life of four (4) years. The total cost of the contract is based on exercising the renewal options and is for the maximum four-year period.

Termination Options: Either party may terminate the agreement for convenience, with or without cause, by giving thirty (30) days prior written notice. The agreement may also be terminated for misrepresentation or breach.

Contract Amount: The estimated cost for the maximum life of the four (4) year contract is \$5,068,800.

With an estimated annual placement of \$144 million and a 5.5% collection rate, UMMC will pay Hollis Cobb as follows:

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Type of Service	Commission Contingency Percentage	Estimated Distribution of Accounts	Estimated Annual Commission	Estimated Commission for Four-Year Period
First Placement Accts	16%	65.1%	\$ 825,264	\$ 3,301,056
Pre-Legal First Placement	16%	10.0%	126,720	506,880
Legal Collection Accts	35%	2.5%	69,300	277,200
Insurance Payment Accts Generated by Vendor	16%	10.5%	133,056	532,224
Insurance Payment Accts Generated by Client	12%	11.9%	112,860	451,440
Total		100.0%	\$ 1,267,200	\$ 5,068,800

Definitions related to types of services offered by Hollis Cobb:

First Placement Accounts – Accounts that are considered by UMMC to be in default but have never been listed with another collection agency.

Pre-Legal First Placement Accounts – First Placement Accounts that do not yet require legal action but it is *anticipated* that legal action will be necessary. UMMC has deemed that the patient has the ability to satisfy the balance (via financial counseling process) but has chosen not to do so.

Legal Collection Accounts – Collection accounts requiring legal action in order to stimulate the collection process.

Insurance Payment Accounts – First Placement Accounts that are placed with the collection agency and that have been partially or fully paid by the patient's insurance carrier and identified and/or processed by the UMMC. (also known as *Insurance Payment Accounts Generated by Client*)

Insurance Payment Accounts Generated by Vendor – First Placement Accounts that are placed with the collection agency and that have been partially or completely paid by the patient's insurance company identified by the collection agency and forwarded back to UMMC for processing.

Funding Source for Contract: The agreement will be funded by hospital patient revenue generated through the bad debt collection efforts of Hollis Cobb.

Contractor Selection Process: The selection process was initiated through UMMC Request for Proposals (RFP) number 1132 on August 4, 2010. All pertinent

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guidelines from the Contracting and Compliance Departments were complied with in the RFP process.

UMMC used specific evaluation forms throughout the selection process to identify those companies that would best serve UMMC's needs. In order to arrive at a short list of vendors, scoring parameters were used that included the following:

- Contingency based fee rates,
- Available technology,
- Value added services,
- Personnel experience,
- Prior experience with academic medical centers of like size and complexity,
- Completeness of proposal,
- References, and
- Financial and administrative stability.

A total of twelve (12) vendors submitted proposals. Based on the above-mentioned scoring parameters, four (4) companies were chosen as finalists. The names of the four finalists along with the proposed range of commission percentages follow.

1. CBE Group, Inc.	17% to 27.5%
2. Hollis Cobb Assoc., Inc.	17.5% to 33.3%
3. NCO Revenue Cycle Solutions	12.75% to 21%
4. Smith, Rouchon and Assoc., Inc	25% to 36%

An onsite presentation was given by each of the 4 companies, and, UMMC's Evaluation Committee considered additional factors in relation to the capabilities of each company in making their final selection. The additional factors considered were:

- The capacity to handle UMMC's volume,
- The ability to serve UMMC in line with its values and beliefs,
- Presentation and strategic planning, and
- The ability to deliver value added services and flexibility to meet UMMC's needs and requirements.

Hollis Cobb Associates, Inc. was scored by the selection committee in the top two of the final four considered and was selected as one of the two companies to serve UMMC's collection needs for primarily bad debt accounts. In this instance, the lowest bidder was not selected as it did not present the level of service and expertise in the medical primary placement of bad debt desired by UMMC for its patient accounts receivable. Hollis Cobb was scored higher as a result of

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demonstrating a patient- focused customer-service driven approach to its collection services of bad debt. Regarding the low-bidder, NCO, there was a concern by the selection committee related to the relevance of UMMC accounts in its overall portfolio. As a result of UMMC's historical dealings with the low-bidder, the organization was deemed overly large and unresponsive to complaint related issues.

Upon final selection, Hollis Cobb's rates were finalized at:

- 16% on First Placement Accounts
- 16% on Pre-Legal First Placement Accounts
- 35% on Legal Collection Accounts
- 16% on Insurance Payment Accounts Generated by Vendor
- 12% on Insurance Payment Accounts Generated by Client

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of an amendment to its consulting services agreement with **Huron Consulting Services, LLC.** to extend the end date and change the scope of work.

Contractor's Legal Name: Huron Consulting Services, LLC.

History of Contract: The Board approved the original agreement in October 2009 for a twenty-two (22) month period, November 1, 2009 through August 31, 2011, at a cost of \$7,802,079. Under the terms of this agreement, UMMC has been provided with consulting services/assistance related to the comprehensive implementation of the Lawson Enterprise Resource Planning set of suites (software), which include Human Resources, Payroll, Finance, Grants Management and Supply Chain. Through the implementation services, Huron has assisted UMMC in creating a work plan, assessing current business processes, designing new business processes, and building reports, interfaces and conversions.

Specific type of contract: Amendment to an existing consulting services agreement.

Purpose: The purpose of the amendment is to extend the end date and change Huron's Scope of Work (SOW). The scope of work is being impacted as a result of the following factors:

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- Management's decision to postpone the original go-live date from April 30, 2011 to June 30, 2011 so that the go-live date coincides with a quarter-end,
- Post-live support is being extended from a one-month period to a three-month period,
- Management's decision to delay the implementation of the Lawson Budget and Planning application, and
- The potential need for *additional* support services, i.e. reserve for contingency services required in the event issues arrive during the integration testing period prior to the go-live date.

Scope of Work: Under the amended SOW, Huron will provide the following:

- A change to the go-live date from April 30, 2011 to June 30, 2011, for all suites except the Lawson Budget and Planning (LBP) suite, requiring an extension of the support services of the Huron Managing Director, Project Manager and Technical Lead. This change will allow UMMC to go live at quarter's end, which will provide for a smoother transition for the operating systems. ("Go-Live Push Back Support")
- An extension of the originally agreed upon stabilization period of post-live support from one (1) month to three (3) months requiring an extension of the support services of the Finance Suite team, Grants Suite team, Supply Chain Suite team, HRPR Suite team and Tech team. ("Post Go-Live Support")
- An extension of the support services of the Budget and Planning suite team due to the necessary delay in the implementation of the Budget and Planning application in order to efficiently utilize the applications functionality. ("Lawson Budget & Planning (LPB)")
- A one (1) month extension of the support services of the Huron consultants and team members assigned to the Lawson implementation go-live project should problems arise during integration testing that delay the scheduled go-live. ("Contingency Plan")

Term of contract: The original contract period Amendment will extend the contract for five (5) months, or for the period August 31, 2011 through January 31, 2012.

Termination Options: Either party may terminate this agreement for convenience with 30 days prior written notice. UMMC will be responsible for payment of all expenses and fees incurred prior to termination should it opt to end this Agreement for convenience. In addition, either party may terminate this agreement for material breach should the breaching party be unable to cure the breach within 15 days notice.

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Contract Amount: The total cost for the five (5) month extension will not exceed \$1,419,823.62. As a result of the extension, the overall cost for the entire contract period is estimated to be \$9,221,902.62. See table below for breakdown of the additional costs associated with the amendment:

Support Description	Cost
Go-Live Push Back Support	\$ 217,424.00
Post Go-Live Support	578,843.00
Lawson Budget & Planning	119,070.00
Contingency Plan	504,486.62
Total Additional Costs	\$1,419,823.62

Breakdown of cumulative costs:

Description	Original Cost	Additional Cost as per the Amendment	Adjusted Total Cost
Consulting including travel	\$ 7,446,589.00	\$1,419,823.62	\$9,221,902.62
Software installation	20,750.00		
Security Tools	60,000.00		
End User Training	274,740.00		
Total	\$7,802,079.00	\$1,419,823.62	\$9,221,902.62

Funding Source for Contract: The increase in the cost of the agreement will be funded with UMMC General Funds.

Contractor Selection Process: N/A as this is an amendment to current consulting services agreement with Huron.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- d. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Maintenance Payment Plan Agreement with **Lawson Software Americas, Inc.** for software maintenance and support.

Contractor's Legal Name: **Lawson Software Americas, Inc. (Lawson)**

History of Contract: UMMC originally purchased the Lawson Human Resources and Payroll System in 2002 from Siemens Medical Solutions. Subsequently, in

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2006, UMMC purchased another Lawson software module. In November 2008, the IHL Board approved UMMC's purchase of the Lawson Enterprise Resource Planning (ERP) software suites to be used in the areas of financials, procurement, and business intelligence under an existing 2006 Master Agreement for a total cost of \$2,505,800. Of this total, software costs were \$1,580,800 and maintenance fees were \$925,000, with a 4% annual increase allowed for maintenance. The approved contract period was December 1, 2008 to November 30, 2011.

Specific type of contract: This is a software maintenance and support agreement.

Purpose: The purpose of the agreement is to provide maintenance and support for the Lawson ERP software suite that is currently used by UMMC for its core business functions such as Human Resources, Payroll, Finance, Grants Management and Supply Chain.

Scope of Work: Lawson will provide UMMC with maintenance and support in its use of the ERP software suite in the areas of financials, procurement, and business intelligence. Lawson support includes, but is not limited to, assistance in application problem solving, provision of program patches, and assistance in the resolution of system problems.

Term of contract: The contract length is three (3) years and one-month – June 1, 2011 through June 30, 2014.

Termination Options: UMMC has the right to terminate this contract without incurring damages, costs or expenses should funds not be made available through the applicable appropriations to continue the maintenance and support agreement.

Contract Amount: UMMC will pay a total of \$1,648,021.63 for three (3) years of maintenance and support from Lawson. Specifically, UMMC will pay the following for each year:

- Year 1 - \$544,605.88
- Year 2 - \$538,251.56
- Year 3 - \$565,164.19

Funding Source for Contract: The contract will be funded with UMMC General Funds.

Contractor Selection Process: UMMC chose Lawson in order to make use of a current sole source manufacturer and vendor of software for UMMC's business systems for maintenance and support.

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Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- e. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an Equipment Lease Agreement with **Modular Devices, Inc.**

Contractor's Legal Name: Modular Devices, Inc.

History of Contract: While this is a new agreement, the Board previously approved a contract between UMMC and Modular Devices, Inc. in June 2010 for the period July 14, 2010 through July 13, 2011 for a total cost of \$396,000.

Specific type of contract: Equipment Lease Agreement.

Purpose: The purpose of the agreement is to lease a mobile cardiac catheterization lab for eighteen (18) months in order to provide current services without interruption during the relocation and renovation of the Heart Center.

Scope of Work: This agreement provides for the lease of a mobile cardiac catheterization lab for interventional and diagnostic procedures. Modular Devices, Inc. is responsible for costs related to repairs (reasonable wear and tear excepted) including maintenance, operation and replacement parts required to maintain the equipment in good condition.

Term of contract: The term of the lease is for eighteen (18) months – July 1, 2011 through December 31, 2012.

Termination Options: The agreement will remain in full force for the term of the lease unless UMMC gives the contractor at least sixty (60) days advance written notice of its intent to terminate the agreement. Modular Devices, Inc. agrees that if the Mississippi State Department of Health does not renew the letter of understanding granting permission to UMMC to use the lab, UMMC can terminate this agreement effective as of the date stated on the letter of understanding.

Contract Amount: The monthly cost to lease the equipment is \$33,000. The total cost for the life of the agreement is \$594,000.

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Funding Source for Contract: This contract will be funded by hospital patient revenue.

Contractor Selection Process: Modular Devices, Inc. is designated as a sole source provider as it is the only company that offers a mobile laboratory catheterization system possessing the required criteria compatible with UMMC's existing technology and supplies.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

3. UMMC – REQUEST FOR APPROVAL TO ESCALATE OPERATING BUDGET

The University of Mississippi Medical Center requests approval to escalate its FY 2011 operating budget. The increase in expenditures is requested to cover the cost of salaries, supplies, and other mission support in the University Hospital and Clinics. A portion of the increase in the salary category is a result of adding doctors and nurses positions to increase the cardiology operation, with the majority of the additional salary dollars for market adjustments to increase nursing salaries. The commodities category is being increased to provide supplies to the additional staff for cardiology. The additional travel dollars are required in order to send existing staff to trainings related to the implementation of the electronic medical records system.

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Major Object Budget Category	Original FY 2010-11 Budget	Revision/ Escalation	Revised FY 2010-11 Budget
Salaries, Wages, & Fringe Benefits	\$ 550,979,857	\$ 29,175,122	\$ 580,154,979
Travel & Subsistence	1,064,191	492,970	1,557,161
Contractual Services	225,249,403	-	225,249,403
Commodities	154,694,664	6,093,735	160,788,399
Capital Outlay:			-
Other Than Equipment	26,974,158	(1,154,817)	25,819,341
Equipment	85,842,603	326,685	86,169,288
Total Capital Outlay	112,816,761	(828,132)	111,988,629
Subsidies, Loans, & Grants	6,700,299	1,078,514	7,778,813
Programs Sponsored by Outside Agencies	147,550,000	-	147,550,000
Total	\$ 1,199,055,175	\$ 36,012,209	\$ 1,235,067,384

Funding Source for Budget Escalation: The escalation is funded from patient revenues.

Staff Recommendation: Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff recommends approval of this item.

4. SYSTEM – OFFICE OF STATE STUDENT FINANCIAL AID – REQUEST FOR APPROVAL OF THE RULES AND REGULATIONS AND CONTRACT AND NOTE FOR THE FAMILY PROTECTION SPECIALIST SOCIAL WORKER LOAN/SCHOLARSHIP PROGRAM

The Office of State Student Financial Aid requests approval of the Rules and Regulations and Contract and Note for the Family Protection Specialist Social Worker Loan/Scholarship Program (SWOR), effective for the 2011-2012 award year.

The Family Protection Specialist Social Worker Loan/Scholarship Program (SWOR) was created by the Mississippi Legislature in 2007 to help place licensed social workers and licensed master social workers as Family Protection Specialists within the Mississippi Department of Human Services. The authorizing statute (Miss. Code of 1972, 37-143-14) requires the IHL Board to promulgate Rules and Regulations for administration of the program. The statute also limits funding for the program to not exceed \$320,000 per year and stipulates that funding preference will be given to renewal students.

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Exhibits attached:

- Exhibit 1 – Family Protection Specialist Social Worker Loan/Scholarship (SWOR) Rules and Regulations
- Exhibit 2 – Family Protection Specialist Social Worker Loan/Scholarship (SWOR) Contract and Note

Staff Recommendation: The staff, after review and approval of the above information by the Office of the Attorney General, recommends approval.

Exhibit 1

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
FAMILY PROTECTION SPECIALIST SOCIAL WORKER LOAN/SCHOLARSHIP
PROGRAM
RULES AND REGULATIONS

These Rules and Regulations are subject to change by the Board of Trustees of State Institutions of Higher Learning (hereinafter referred to as the "Board"). The number of awards and recipients are dependent upon availability of funds and selection shall be based on a first-come, first-served basis of all eligible applicants; however, priority consideration shall be given to persons previously receiving awards under the Family Protection Specialist Social Worker Loan/Scholarship Program.

I. ELIGIBILITY

- A. Must be currently employed full-time as a family protection worker for the Mississippi Department of Human Services and must remain employed full-time while participating in the loan/scholarship program. Employment verification will be required by the Department of Human Services.
- B. Must be fully admitted as a regular student and enrolled at least part-time at a four-year public institution of higher learning in the state of Mississippi in a program of study accredited by the Council on Social Work Education and leading to a bachelor's or master's degree in social work, necessary to become a licensed social worker or licensed master social worker. Undergraduate students must be classified as a junior or senior.
- C. Upon degree completion and the appropriate licensure, recipient must become employed as a Family Protection Specialist or higher for the Mississippi Department of Human Services for a period of no less than three (3) consecutive years.
- D. New applicants must have a 2.0 or higher cumulative college grade point average, measured on a 4.0 scale. Recipients must maintain a 2.0 or higher cumulative college grade point average each semester, measure on a 4.0 scale, to continue to receive funds. The grade point average may be reported electronically from the institution attended; however, the applicant/recipient may still be required to provide paper transcript(s).
- E. Must maintain satisfactory academic progress toward completion of the program of study leading to a degree necessary to become a licensed social worker or licensed master social worker within the period allowed.

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- F. Dependent upon the availability of funds, selection shall be based on a first-come, first-served basis of all eligible applicants; however, priority consideration shall be given to persons previously receiving awards.
- G. Must not presently or previously have defaulted on an educational loan.
- H. Must enter into a Contract and Note with the Board pursuant to these Rules and Regulations and all applicable State Laws.

II. REQUIREMENTS FOR LOAN/SCHOLARSHIP APPLICANT

- A. Applicant must complete the online application for student financial aid, available at www.mississippi.edu.
- B. Applicant must also submit the following documents:
 - 1. Employment verification as a full-time Family Protection Worker with the Mississippi Department of Human Services
 - 2. Letter of recommendation from the applicant's supervisor at the Mississippi Department of Human Services
 - 3. Grade report or transcripts showing cumulative college GPA of 2.0.
 - 4. **One** executed and notarized copy of the Rules and Regulations.
 - 5. **One** executed and notarized copy of the Contract.
 - 6. Any other documents requested for determination of eligibility

III. AMOUNT AND LENGTH OF LOAN/SCHOLARSHIP

- A. The annual amount of the award for full-time students at a public university shall equal the total cost for tuition and required fees at the university in which the student is enrolled. The annual amount of the award for part-time students shall be pro-rated based upon enrollment status.
- B. Students enrolling on a full-time basis may receive a maximum of two (2) annual awards, or four (4) semesters. Students enrolling on a part-time basis may receive no more than the maximum of two (2) annual awards of a full-time student, but pro-rated over the number of semesters required for degree completion.
- C. Funds shall be made payable to the institution and sent directly to the school and applied toward tuition and required fees.

IV. RECIPIENTS IN SCHOOL

- A. The recipient must maintain good standing at the educational institution in which he/she is enrolled at all times.
- B. The recipient must document continued full-time employment with the Mississippi Department of Human Services.
- C. Should a recipient fail to maintain a cumulative 2.0 minimum grade point average (GPA) per semester, he/she is suspended from participation in the program and his/her awards are stopped until such time

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he/she submits an official transcript sent directly by the educational institution evidencing a cumulative 2.0 GPA per semester. In lieu of an official transcript the college/university may report the grade point average via an electronic grade file.

- D. Persons, who withdraw from school or fail to complete an appropriate program of study, unless granted an exception for cause, shall immediately become liable to the Board for the sum of all outstanding awards.
- E. Recipients must at all time keep the Mississippi Office of Student Financial Aid and its authorized agents informed of any change of address and phone number. Recipient will furnish a correct, complete home address and telephone number, and will immediately inform this office of any change of address and phone number.

V. SERVICE OBLIGATION

- A. It is the responsibility of the loan/scholarship recipient to complete field placement with the Mississippi Department of Human Services and to seek and secure employment as a Family Protection Specialist or higher with the Mississippi Department of Human Services. The Board assumes no obligation to perform that function. The recipient will furnish to the Board proof of licensure and documentation of employment at the time of graduation, unless granted a deferment or exception for cause. A recipient's loans will be converted to an interest-free scholarship if he/she works full-time as a Family Protection Specialist or higher with the Mississippi Department of Human Services for a minimum of three (3) consecutive calendar years.
- B. Loan/Scholarship recipients may either have their loan/scholarship discharged by service or by repayment:
 - 1. The loan/scholarship recipient who renders service as a full-time Family Protection Specialist or higher with the Mississippi Department of Human Services for at least three (3) full calendar years immediately after obtaining a bachelor's and/or master's degree and any other credentials necessary for licensure as a social worker or master social worker, may have his/her loan converted to an interest-free scholarship. The loan to scholarship service obligation shall be discharged on the basis of three (3) consecutive calendar years of employment for the loan/scholarship received. Service shall never be less than three (3) years, regardless of the amount received or the length of study provided under this scholarship/loan.
 - 2. Any recipient who fails to complete his/her required service obligation OR who fails to meet the requirements defined in Sections IV. C. and VI. A, OR who is unable to successfully take and pass the licensure exam necessary to become a licensed social worker or licensed master social worker within one (1) calendar year from the date of graduation shall immediately become liable to the Board for the sum of all loan/scholarship awards made to the recipient, plus interest accruing at the current Federal Stafford Loan rate at the time the person discontinues his/her contractual obligation, except in the case of a deferral or approved exception for cause. After the period of such deferral of exception for cause, such person shall begin or resume required service or shall become liable to the Board. If a claim for payment under this subsection is placed with a collection agency or an attorney, the obligator shall be liable for an additional amount equal to a reasonable collection and/or attorney fee.
- C. Special circumstances regarding a recipient's failure to acquire employment or complete the required service obligation should be addressed in writing to the Mississippi Office of Student Financial Aid, 3825 Ridgewood Road, Jackson, MS 39211.
- D. The service obligation will not be deferred for the recipient who has completed all requirements for an

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undergraduate degree in social work but wishes to pursue additional undergraduate study or first master's degree, nor will the service obligation be deferred for the recipient who has completed all requirements for a master's degree in social work but wishes to pursue additional graduate study.

VI. LOAN OBLIGATION

- A. A recipient may repay his/her loan (principal and interest thereon) in sixty (60) or less equal consecutive monthly installments, should he/she withdraw from school, fail to complete the approved program of study, fail to obtain the required licensure, or fail to render service as a full-time Family Protection Specialist or higher with the Mississippi Department of Human Services for three (3) consecutive calendar years.
- B. The rate of interest charged a loan recipient shall be equal to the current Federal Stafford Loan rate at the time of the occurrence of the event on the sum of all awards made to the recipient. Repayment commences one (1) month after the occurrence of one of the events outlined in the preceding paragraph (VI. A.).
- C. If the recipient fails to repay his/her loan (principal and interest thereon) in sixty (60) or less equal consecutive monthly installments, all principal and interest outstanding, together with the costs of collection, shall become immediately due and payable and demand shall be made by mailing the same to the obligor at the last address furnished by said obligor. Should payment of the sum due not be made in full within thirty (30) days, from the date demand was made, the Contract and Note shall be placed with a collection agency or attorney for collection, at which point the obligor shall become liable for reasonable collection and attorneys' fees and court costs in addition to the other sums due and owing.

VII. MILITARY SERVICE

In terms of military service the following definitions shall apply:

REQUIRED military service is that service which is required of an individual in the service of the Armed Forces of the United States; it does not include a military service obligation incurred to repay a grant, stipend or scholarship granted the individual prior to, during, or after the award of the Family Protection Specialist Social Worker Loan/Scholarship.

OBLIGATED or **VOLUNTARY** military service is that service which is performed by the individual in repayment of a debt owed the United States government as a result of military scholarships, ROTC scholarships, etc. received by the individual. Service is **VOLUNTARY** if the individual is not obligated to incur a period of military service, but chooses to incur the service obligation.

- A. Loans/Scholarships shall be eligible for deferment of the accrual of interest and the repayment of principal during the time of required military service:
 - 1. The recipient must apply in writing to the Board for a leave of absence, stating beginning and ending dates of such required military service.
 - 2. The recipient must supply the Board with a copy of military orders.
 - 3. Deferment of the obligation to repay due to military service must be requested and approved by the Board on a year-to-year basis (annually).
 - 4. Immediately upon completion of **REQUIRED** military service, the recipient must elect among the options for repayment or service, defined in section V, and notify the Board of such election.

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5. If a recipient continues military service for any reason beyond the **REQUIRED** time, then that person shall be declared ineligible for deferment and the remaining unpaid principal and interest due and payable shall become due and payable on demand to the Board in equal consecutive monthly installments as determined by the Board with interest calculated at the current Federal Stafford Loan rate at the time of the occurrence of the event.
- B. If a recipient obligates himself/herself to **VOLUNTARY** military service prior to, during, or after the award of the Family Protection Specialist Social Worker Loan/Scholarship, then that person shall be declared ineligible for deferment and the full amount of the loan/scholarship award and interest shall become due and payable on demand to the Board in equal consecutive monthly installments, as determined by the Board, with interest calculated at the current Federal Stafford Loan rate at the time the occurrence of the event.

VIII. DEATH/TOTAL AND PERMANENT DISABILITY/BANKRUPTCY

A. Death

1. If an individual recipient dies and that recipient has elected to repay by service as specified in Section V, or by loan as specified in Section VI, then the recipient's obligation is canceled.
2. The Board shall require a copy of the death certificate or other proof of death that is acceptable under applicable state law. If a death certificate or other acceptable proof of death is not available, the recipient's obligation on the loan is canceled only upon a determination by the Board on the basis of other evidence that the Board finds conclusive.
3. The Board may not attempt to collect on the loan from the deceased recipient's estate.

B. Total and Permanent Disability

1. If the Board determines that an individual recipient is totally and permanently disabled, the recipient's obligation to make any further payments of principal and interest on the loan is canceled. A recipient is not considered totally and permanently disabled on the basis of a condition that existed before he/she applied for the loan/scholarship, unless the recipient's condition has substantially deteriorated since he/she submitted the loan/scholarship application, so as to render the recipient totally and permanently disabled.
2. After being notified by the recipient or the recipient's representative that the recipient claims to be totally and permanently disabled, the Board shall promptly request that the recipient or the recipient's representative obtain a certification from a physician who is a doctor of medicine or osteopathy and legally authorized to practice, on a form provided or approved by the Board and other necessary documents as requested, that the recipient is totally and permanently disabled. The Board shall continue collection until it receives a letter from a physician stating that the certification has been requested and that additional time is needed to determine if the recipient is totally and permanently disabled. After receiving the physician's certification or letter and other necessary documents as requested and the student is found to be totally and permanently disabled, the Board may not attempt to collect from the recipient.
3. If the Board determines that a loan owed by a recipient who claims to be totally and permanently disabled is not eligible for cancellation for that reason, or if the Board has not received the physician's certification and other requested documents, as described in paragraph [B](2) of this section, within 60 days of the receipt of the documents described in paragraph [B](2) of this section,

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the Board shall resume collection and shall be deemed to have exercised forbearance of payment of both principal and interest from the date the Board received the documents described in paragraph [B](2) of this section until such a determination of ineligibility is made by the Board.

C. Bankruptcy

Loans made pursuant to the Family Protection Specialist Social Worker Loan/Scholarship Program are non-dischargeable in bankruptcy.

IX. WARRANTY

The acceptance of a Family Protection Specialist Loan/Scholarship shall be deemed equivalent to an appointment by each recipient of the Secretary of State of the State of Mississippi by each recipient to be his/her designated agent for service of process, upon whom may be served all lawful processes and summons in any action or proceeding against him/her in the event he/she removes himself/herself from this State and the processes of its courts, growing out of any breach of Contract and Note by the recipient for failure to fulfill his/her Contract and Note with the Board or to repay the Family Protection Specialist Loan/Scholarship, including interest pursuant to the law and Contract and Note, and, said acceptance of the loan rights and privileges shall be a signification of the applicant's agreement that any such process or summons against him/her which is so served upon the Secretary of State, shall be of the same legal force and validity as if served on him/her personally. The venue of all causes of action against such nonresidents shall be Hinds County, Mississippi.

X. I HAVE READ AND I UNDERSTAND ALL OF THE ABOVE AND I HEREBY AGREE TO ABIDE BY ALL OF THE RULES AND REGULATIONS FOR THE FAMILY PROTECTION SPECIALIST SOCIAL WORKER LOAN/SCHOLARSHIP PROGRAM AS SET FORTH BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING.

Loan/Scholarship Recipient

Date

These Rules and Regulations of the Family Protection Specialist Social Worker Loan/Scholarship Program Must Be Notarized.
--

STATE OF MISSISSIPPI
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named _____ (Loan Recipient), who after being first by me duly sworn states on his/her oath(s) that he/she is the person he/she represents himself/herself to be; that he/she has read, understood, and will abide by the above and foregoing laws, rules and regulations pertaining to the aforesaid loan/scholarship program, and that repayment and/or conversion to loan/scholarship will be accomplished in the manner set out herein and in the Contract or Note entered into by him/her of even date.

Loan/Scholarship Recipient
Date

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 20____.

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My Commission Expires:

Signature of Notary Public

(Seal)

Return all pages to:
Mississippi Office of Student Financial Aid
3825 Ridgewood Road
Jackson, MS 39211-6453
Questions: (601) 432-6997 or (800)-327-2980 (toll free in Mississippi)

Exhibit 2

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
FAMILY PROTECTION SPECIALIST SOCIAL WORKER LOAN/SCHOLARSHIP
PROGRAM
CONTRACT AND NOTE WITH STUDENT

This Contract and Note entered into by and between the Board of Trustees of State Institutions of Higher Learning (hereinafter referred to as the "Board"), and <*First Name Middle Initial Last Name SSN*> (hereinafter referred to as the "loan/scholarship recipient"), on this date <*Date*> **WITNESSETH:**

For and in consideration of the mutual promises and covenants made by and between the parties to this agreement, as set forth herein; in consideration of the sums paid on behalf of and for the benefit of the loan/scholarship recipient; in further consideration of the promise and obligation to repay said sums, with interest; the payment by the Board of the sum of up to the total cost of tuition and required fees assessed by a State Institution of Higher Learning, dependent upon the availability of funds, the receipt by the loan/scholarship recipient of the same sum, and other good and valuable consideration, the receipt and sufficiency of which is all hereby acknowledged, the Board and loan/scholarship recipient bind themselves to the following promises, covenants, terms and conditions as follows, to wit;

I. PARTIES AGREE AND CONTRACT THAT:

- A. This Contract and Note is executed by and between the parties under the authority of and pursuant to all applicable State Laws and the Rules and Regulations promulgated thereunder for the purpose of assisting the loan/scholarship recipient to obtain licensure as a social worker or master social worker for the purpose of working as a Family Protection Specialist or higher with the Mississippi Department of Human Services.
- B. The extension of and provision of funds under this Contract and Note are conditioned upon the availability of sufficient funds. Should funds not be available and not be advanced to the loan/scholarship recipient, then this Contract and Note shall be void and of no force and effect. The non-availability of funds in this or any other contract period shall not void other Contract and/or Notes entered into by and between the parties hereto, under which funds were provided, nor shall it negate or

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void the necessity for performance with the terms and conditions of other Contracts or Notes entered into by and between the parties.

- C. Payments made by the Board pursuant to this Contract and Note shall be made, payable to the institution and, shall be delivered directly to the educational institution to be applied to the benefit of the loan/scholarship recipient, to the tuition and required fees for the school year.

II. THE BOARD AGREES:

- A. To furnish to the benefit of the loan/scholarship recipient in the manner aforesaid, subject to the availability of funds and, to the performance by the loan/scholarship recipient of the terms and conditions set out herein, and, in the Rules and Regulations governing this instrument, the sum of an annual amount not to exceed the total cost for tuition and required fees at the four-year public Mississippi institution of higher learning in which the student is enrolled, during that school year for a full-time student, or the pro-rated amount for part-time students. Payment shall be suspended should a recipient fail to maintain a 2.0 cumulative grade point average for the subsequent period of enrollment (i.e. semester or trimester).
- B. To allow repayment of said loan/scholarship over time, in accordance with the terms and conditions of this Contract and Note and the Rules and Regulations governing the same.
- C. To allow, in accordance with the terms and conditions of this Contract and Note and Rules and Regulations, the amounts due hereunder to be converted to a scholarship which need not be repaid by the recipient as long as the scholarship requirements are performed and met by the recipient.

III. THE LOAN/SCHOLARSHIP RECIPIENT AGREES AS FOLLOWS:

- A. To enroll as a student in a program of study accredited by the Council on Social Work Education and leading to licensure as a social worker or master social worker at one (1) four-year public Mississippi institution of higher learning and to diligently pursue the course of study and requirements for such licensure.
- B. To furnish the Board proof that the student is currently employed full-time as a Family Protection Worker with the Mississippi Department of Human Services.
- C. To furnish the Board in writing a current residence address and telephone number, and, until the sums due and owing are repaid in full, or until the recipient fulfills a loan/scholarship service obligation incurred hereunder, to immediately notify the Board in writing of any change of residence address or telephone number, and furnish in writing such new residence address and telephone number.

IV. SERVICE OBLIGATIONS:

- A. A loan/scholarship recipient agrees to actually render service as a full-time Family Protection Specialist or higher with the Mississippi Department of Human Services for at least three (3) full calendar years immediately after obtaining a bachelor's and/or master's degree and any other credentials necessary for licensure as a social worker or master social worker. The loan to scholarship service obligation shall be discharged on the basis of three (3) consecutive calendar years of employment for the loan/scholarship received. Service shall never be less than three (3) years, regardless of the amount received or the length of study provided under this scholarship/loan.

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- B. Any recipient who fails to complete his/her required service obligation shall immediately become liable to the Board for the sum of all loan/scholarship awards made to the recipient, plus interest accruing at the current Federal Stafford Loan rate at the time the person discontinues his/her contractual obligation, except in the case of a deferral or approved exception for cause. After the period of such deferral of exception for cause, such person shall begin or resume required service or shall become liable to the Board. If a claim for payment under this subsection is placed with a collection agency or an attorney, the obligator shall be liable for an additional amount equal to a reasonable collection and/or attorney fee.
- V. **REPAYMENT:** Any person failing to complete his/her required service obligation shall immediately become liable to the Board for the sum of all loan/scholarship awards made to that person, plus interest accruing at the current Federal Stafford Loan rate at the time the person discontinues his/her service. The loan/scholarship recipient promises and agrees to pay the loaned funds, with interest, in accordance with the provisions set out in this Contract and Note. Repayment shall commence as follows:
- A. **Number of Payments; Principal and Interest to be Repaid.** The recipient shall repay and agrees to repay all amounts loaned under this or any other similar or like Contract and/or Note made pursuant to this program, in and not to exceed sixty (60) equal consecutive monthly payments, beginning as set out in Section V., and terminating upon the complete and total repayment of all sums, both principal and interest, which are due and owing under the terms and conditions of this Contract and Note, and any other sums heretofore loaned or advanced to recipient under this or any other similar or like Contract and/or Note made pursuant to this program.
- B. **Beginning and Ending of Repayment Period.** Repayment shall begin one (1) month after the recipient withdraws from school, fails to complete an appropriate program of study, fails to obtain required licensure, or fails to render service as a full-time Family Protection Specialist or higher with the Mississippi Department of Human Services.
- C. **Repayment of Principal Amount.** The amount of principal which shall be repaid according to the terms and conditions of this Contract and Note, and which has been advanced pursuant to the terms of this Contract and Note, is the sum of up to a maximum of two (2) annual awards for full-time recipients or the amount corresponding to two (2) annual full-time awards for part-time recipients.
- D. **Interest Rate.** The rate of interest charged upon the principal amount loaned upon this Contract and Note by the Board to the loan/scholarship recipient shall be fixed by reference to the Federal Stafford Loan Program thirty (30) days subsequent to the occurrence which is defined in Section V. The rate of interest to be paid by the recipient upon the principal sums loaned or advanced pursuant to this Contract and Note shall be calculated according to the provisions of the Federal Stafford Loan Program and shall be applied to the unpaid balance on the 30th day following the occurrence referred to in Section V. The rate of interest charged a loan/scholarship recipient shall be at the current Federal Stafford Loan rate at the time of the occurrence of the event referenced in Section V. above.
- E. **Acceleration of Debt.** Should the Board terminate this Contract and Note or, should the following conditions occur:
1. Failure of the loan/scholarship recipient to abide by all terms and conditions;
 2. Failure of the loan/scholarship recipient to abide by and comply with the statutes, Rules and Regulations governing this Contract and Note;
 3. Loan/scholarship recipient does not continue in status as a full-time or part-time student; or
 4. Should any payment due and owing by the recipient be received more than thirty days past the date upon which said payment was due and owing; then, the Board may, at its option, declare the entire sum immediately due and owing by the loan/scholarship recipient under this or any

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other similar or like Contract and/or Note entered into by the recipient pursuant to this loan/scholarship program, and, may demand the immediate payment of the same by the loan/scholarship recipient under this instrument. Failure of the Board to exercise its option to accelerate shall not constitute a waiver of its future right to exercise the option to accelerate.

- F. **Application of Partial Payments.** Should partial payments be made before default, or should sums be received or recovered after default, the sums shall first be applied to costs of collection, court costs and attorneys' fees, then to interest, and the remaining sums shall be applied to principal.
- G. **Waiver of Presentment, etc.** Loan/scholarship recipient hereby waives presentment, dishonor, notice of dishonor, protest and protest of dishonor.
- H. **Costs and Attorneys' Fees.** Should this Contract and Note be in default in payment or any of its provisions, then the same shall be placed with a collection agency and/or an attorney for collection. Loan/scholarship recipient hereby agrees to pay any reasonable collection and attorneys' fees, costs of collection, suit costs and costs of court which are incurred in the collection of the sums due and owing under the terms of this Contract and Note.
- I. **When Repayment may be Deferred.** The conditions of repayment shall be deferred in accordance with the terms and conditions of the Service Option provisions of this Contract and Note, and/or the Military Service provisions of this Contract and Note.
- VI. **REQUIRED MILITARY SERVICE.** The requirements of Repayment under Section V of this Contract and Note and the requirements of Service under Section IV of this Contract and Note shall be eligible for deferment during any such period of time that the recipient shall be required to serve by United States law (required service being further defined in the Rules and Regulations of the Board governing this document), in the Armed Forces of the United States, provided that notice of such required service is given to the Board and the period of required service is approved by the Board in accordance with its Rules and Regulations. Immediately upon the termination of such required military service in the Armed Forces of the United States, such indebtedness and the interest which has accumulated thereon shall be due and payable in accordance with the terms and conditions and in a manner provided for by this Contract and Note.
- VII. **RULES AND REGULATIONS OF BOARD INCORPORATED HEREIN.** The loan/scholarship recipient agrees that the Rules and Regulations which are, have been, or may be in the future duly promulgated by the Board governing this loan/scholarship program are incorporated herein by reference as if fully recopied in words and figures herein. The loan/scholarship recipient agrees to abide by such Rules and Regulations.
- VIII. **SEVERABILITY.** The provisions of this instrument are severable. Should a court of competent jurisdiction invalidate any portion or portions thereof, the other portions not so invalidated shall remain in full force and effect.
- IX. **CONSTRUED UNDER THE LAWS OF MISSISSIPPI.** This instrument is to be construed under the laws of the State of Mississippi in effect at the time reference is made thereto in aid of such construction. Should the laws governing the Board or the statutory enactment allowing the provision of this loan/scholarship be repealed or so modified as to remove the power of the Board to enter into such Contracts and Notes, then the last such statutory enactment before such repeal or modification shall control.

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CONTACT

PROVIDE THE ADDRESS OF YOUR PARENTS.

PARENT(S) NAME(S): _____
Relationship (Ex: Mother, Father, etc.)

Street Address City State Zip Code Telephone #

REFERENCES

PROVIDE TWO ADULT REFERENCES WITH DIFFERENT ADDRESSES. DO NOT LIST SPOUSE OR OTHER STUDENTS.

NAME: _____
Relationship (Ex: Friend, Colleague, etc.)

Street Address City State Zip Code Telephone #

NAME: _____
Relationship (Ex: Friend, Colleague, etc.)

Street Address City State Zip Code Telephone #

STATE OF MISSISSIPPI
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named _____ (loan scholarship recipient), who after being first by me duly sworn states on his/her oath(s) that he/she represents himself/herself to be; that he/she has read, understood, and will abide by the above and foregoing laws, rules and regulations pertaining to the aforesaid loan/scholarship program, and that repayment and/or conversion to loan or scholarship will be accomplished in the manner set out herein and in the Contract or Note entered into by him/her of even date.

IN WITNESS THEREOF, we have affixed our signatures this the _____ day of _____, 200__.

Signature of Loan/Scholarship Recipient SS# Date

Signature of NOTARY PUBLIC Date

Date my commission expires _____

Executed By: _____
Director, Mississippi Student Financial Aid Date
Board of Trustees of State Institutions of Higher Learning

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Return all pages to:

Mississippi Office of Student Financial Aid
3825 Ridgewood Road, Jackson, MS 39211-6453

Questions: (601) 432-6997 or (800)-327-2980 (toll free in Mississippi)

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Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

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If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

Board Policy §905(B), Real Estate Management

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

Board Policy §917, Naming Buildings and Facilities

Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.

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APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

IHL PROJECTS

1. UM – IHL 207-348 – Johnson Commons West Renovation

Project Request: The University of Mississippi requests approval to initiate a project, Johnson Commons West Renovation, and to appoint a design professional through the “Request for Qualification” method.

Proposed Design Professional: N/A

Purpose: The University of Mississippi plans to completely renovate the Johnson Commons. Johnson Commons was originally constructed in 1929 and the west wing was added in 1964. The west wing of this facility is used for food services. It houses the main dining location, main cooking kitchens, cold storage, bakery, catering offices, food service administrative offices, "The JC" dining outlet and a "Java City" dining location.

Even though the university experienced unprecedented growth over the last 15 years, its growth rate greatly accelerated in academic year 2011. Fall semester enrollments exceeded the prior fall by greater than 7%, spring enrollments exceeded the prior spring by almost 8%, and the freshmen class increased by 20%. In addition, applications for the coming fall are at a double digit increase over this year. This rapid growth has placed tremendous pressure on the university's infrastructure and services, including food services. Rapid expansion and modernization of cooking and serving capacity is needed in order to accommodate current and expected student populations and to alleviate situations at the noon hour where students must now resort to take-out or sitting on the floor to eat at some of the university's busiest dining locations. Johnson Commons West is one of the university's two largest dining facilities and it is in dire need of modernization and expansion. This project will modernize the cooking, serving and storage areas on the upper floor and will convert back-room space on the lower floor into a new dining location that is accessible from the Quad. The University of Mississippi is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: May 19, 2011

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Date of Original Construction: 1929

Date of Last Renovation: 2010

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$11,000,000.00
Architectural and Engineering Fees:	973,813.60
Miscellaneous Project Costs:	1,163,700.00
Contingency:	<u>1,362,486.40</u>

Total Project Budget	\$14,500,000.00
-----------------------------	------------------------

Proposed Funding Source(s): Auxiliary R&R (\$9,900,000); Assistance from food service partner (\$4,600,000)

Staff Recommendation: Board staff recommends approval of this item.

2. UM – IHL 207-349 – Howry Hall Renovation

Project Request: The University of Mississippi requests approval to initiate a project, Howry Hall Renovation, and to appoint Dale Partners as design professional.

Proposed Design Professional: Dale Partners

Purpose: The University of Mississippi plans to completely renovate Howry Hall. This renovation includes architectural, mechanical, electrical, interior, and exterior work. Howry Hall was originally constructed in 1929 as a men's dormitory. Because of its restrictive floor-to-floor heights and difficulty complying with modern codes, this building lends itself more to academic and administrative space rather than its original use as a dormitory. The University of Mississippi is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: May 19, 2011

Date of Original Construction: N/A

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Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,500,000.00
Architectural and Engineering Fees:	117,307.20
Miscellaneous Project Costs:	283,350.00
Contingency:	<u>95,031.80</u>
Total Project Budget	\$ 1,995,689.00

Proposed Funding Source(s): Internal R&R (\$1,995,689)

Staff Recommendation: Board staff recommends approval of this item.

3. UM – IHL 207-350 – Falkner Hall Renovation

Project Request: The University of Mississippi requests approval to initiate a project, Falkner Hall Renovation, and to appoint Dale Partners as design professional.

Proposed Design Professional: Dale Partners

Purpose: The University of Mississippi plans to completely renovate Falkner Hall. This renovation includes architectural, mechanical, electrical, interior, and exterior work with the addition of an elevator. Falkner Hall was originally constructed in 1920 as a men's dormitory. Because of its restrictive floor-to-floor heights and difficulty complying with modern codes, this building lends itself more to academic and administrative space rather than its original use as a dormitory. The University of Mississippi is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: May 19, 2011

Date of Original Construction: N/A

Date of Last Renovation: N/A

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Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,600,000.00
Architectural and Engineering Fees:	124,562.39
Miscellaneous Project Costs:	171,200.00
Contingency:	<u>94,788.61</u>

Total Project Budget **\$ 1,990,551.00**

Proposed Funding Source(s): Internal R&R (\$1,990,551)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE/FUNDING SOURCE(S)

BUREAU OF BUILDING PROJECTS

4. MUW – GS 104-154 – Drainage and Street Repair Phase II

Project Request: Mississippi University for Women requests approval to increase budget for the Drainage and Street Repair Phase II project. The budget will increase from \$1,600,000 to \$1,642,680.95 for an increase in the amount of \$42,680.95.

Project Phase: Construction Phase

Design Professional: Neel-Shaffer, Inc

General Contractor: Gregory Construction

Purpose/Justification: The project is currently in the construction phase. This is the third budget escalation request made for this project by the university. The project was initiated with the Board on October 20, 2005 with the first budget increase occurring in April 2007 in the amount of \$198,500 for revisions to the project and to restore previous transfer of funds out of the budget. The second increase was in May 2010 in the amount of \$901,420 in order to approve contract documents and advertise for receipt of bids. The current budget escalation is requested in order to cover Change Order #2 for additional costs related to the rerouting of the steam tunnel and the redesigning of the drainage system around the newly landscaped plaza. Mississippi University for Women is acting in accordance with Board Policy

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§904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: October 20, 2005

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,402,201.47	\$ 1,434,848.00	\$ 32,646.53
Architectural and Engineering Fees	\$ 130,829.17	\$ 140,863.59	\$ 10,034.42
Miscellaneous Project Costs	\$ 800.00	\$ 800.00	\$ 0.00
Contingency	\$ 66,169.36	\$ 66,169.36	\$ 0.00
Total Project Budget	\$ 1,600,000.00	\$ 1,642,680.95	\$ 42,680.95

Funding Source(s): SB 2988, L'03 (\$406,507); HB 1634, L'06 (\$255,034); SB 3197, L'02 (\$37,039); HB 1701, L'10 (\$944,100.95)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

5. USM-Gulf Park – IHL 214-015 – Lloyd Hall Storm Damage Repair

Project Request: The University of Southern Mississippi requests approval to increase budget for the Lloyd Hall Storm Damage Repair project. The budget will increase from \$1,700,000 to \$2,208,922.94 for an increase in the amount of \$508,922.94.

Project Phase: Design Phase

Design Professional: Allred Architectural Group

General Contractor: N/A

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Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The project was initiated with the Board on August 21, 2008 with a budget of \$1,700,000. The project seeks to repair damage incurred by Hurricane Katrina in August 2005. Lloyd Hall is a historic and major landmark on the Gulf Park campus. The renovation will repair external damage as well as reconfigure and restore interior classroom spaces. The current budget escalation is requested based on project development and the design professional's latest drawings and cost estimate that reflect the expected project costs. The University of Southern Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: August 21, 2008

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,500,000.00	\$ 1,955,790.83	\$ 455,790.83
Architectural and Engineering Fees	\$ 123,800.00	\$ 163,828.48	\$ 40,028.48
Miscellaneous Project Costs	\$ 1,200.00	\$ 1,600.00	\$ 400.00
Contingency	\$ 75,000.00	\$ 87,703.63	\$ 12,703.63
Total Project Budget	\$ 1,700,000.00	\$ 2,208,922.94	\$ 508,922.94

Funding Source(s): Insurance funds and obligated FEMA funds (\$2,208,922.94)

Staff Recommendation: Board staff recommends approval of this item.

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APPROVAL OF OTHER REAL ESTATE REQUESTS

6. DSU- Granting of Right-Of-Way Easement to Newer New Hope Missionary Baptist Church

Project Request: Delta State University requests approval for the granting of a perpetual easement and right-of-way to Newer New Hope Missionary Baptist Church in order for the church to construct an access road to a proposed church site.

Purpose: Delta State University requests Board approval for to grant an easement in the NW ¼ of the SW ¼ of S21, T23N, R5W, Bolivar County, Second Judicial District, Mississippi. The access easement will extend across the north end of property the university owns north of Cleveland, MS that is currently being leased to Bayou Pipeline. Delta State University requests permission to grant a perpetual easement and right-of-way for the purpose of ingress and egress over and across the following described land situated in the Second Judicial District of Bolivar County, Mississippi, to-wit:

Part of the Northwest Quarter of the Southwest Quarter of Section 21, Township 23 North, Range 5 West, Bolivar County, Mississippi, being more particularly described by metes and bounds as follows: Commencing at a brass monument marking the corner common to Sections 16, 17, 20 and 21, thence run South along the Section line between Sections 20 and 21 for 2,680.37 feet to the Northwest corner of the Southwest Quarter of said Section 21, thence run North 89°07'16" East along the North line of the Southwest Quarter of said Section 21 and along the center of a drainage canal for 570.75 feet to the POINT OF BEGINNING of the easement herein being described; thence continue North 89°07'16" East along the North line of the Southwest Quarter of said Section 21 and along the center of a drainage canal for 415.62 feet to a point on the west right-of-way line of Mississippi Highway No. 161; thence run South 7°58'52" East along the west right-of-way line of Mississippi Highway No. 161 for 60.46 feet; thence run South 89°07'16" West for 421.48 feet; thence run North 2°25'25" West for 60.02 feet to the point of beginning and containing 0.5765 acres of land more or less.

The easement and right-of-way will provide Newer New Hope Missionary Baptist Church, located to the west of university property, access to a proposed church site. In November 2009, the Board approved a 99 year lease of 8.4 acres of land to Bayou Pipeline. A portion of this land will contain the easement and right of way in order to allow for the construction of the access road to the proposed church site. A clause in

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the lease agreement between Delta State University and Bayou Pipeline for the 8.4 acres of land allows the university to grant an easement on the property so therefore Bayou Pipeline does not oppose Delta State University granting the easement to the church for access to the proposed church site. Delta State University is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

7. MSU – Approval of Sale of Land to Southern Ionics, Inc.

Project Request: Mississippi State University requests approval to sell approximately 572.48 acres of land from the Prairie Research Station of the Mississippi Agricultural and Forestry Experiment Station to Southern Ionics, Inc for \$772,500.

Purpose: Mississippi State University is seeking to sell land to Southern Ionics, Inc. for \$772,500. Mississippi State University received two independent property appraisals as required by Board Policy §905(A), Real Estate Management. The average of the two appraisals is \$772,500 which is equal to the sale price of the property. The proposed contract for the sale of the land will be contingent on the results of drilling tests to be conducted on the property by Southern Ionics at the company's expense to verify the property's suitability for its intended use as the site of a zirconium processing facility. As part of the proposed sales agreement, and in addition to the cost of the land, Southern Ionics will replace buildings located on the property to be sold with new buildings to be erected on the portion of the research station to be retained by MSU. The Prairie Research Unit is used primarily for livestock and forage research. The remaining acreage will be sufficient for projected research and extension/outreach needs and Southern Ionics will maintain a buffer zone around the proposed processing facility.

The purchaser (Southern Ionics, Inc.) shall have the right to close upon providing 60 days notice to the Seller at any time before May 31, 2013. The property to be sold is approximately 572.48 acres of land located about 13 miles north of West Point, Mississippi at 10223 Highway 382, Prairie, Mississippi. The property is located in part of Sections 3, 10, and 11, Township 15 South, Range 6 East in Monroe County, Mississippi.

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A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The sale price of property shall not be below the average of the two appraisals.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

8. MSU – Approval of Purchase of Property in Oktibbeha County

Project Request: Mississippi State University requests approval to purchase a building that is roughly 10,750 square feet and that is located on 2 acres of land in Oktibbeha County from Bill Montgomery for \$375,000.

Purpose: Mississippi State University is seeking to purchase a building that is roughly 10,750 square feet located on two acres of land in Oktibbeha County for \$375,000. The land is being purchased so that MSU can relocate its property control and receiving department. Mississippi State University will pay for the attorneys' fees, deeds, surveys, a Phase I environmental report, and half of the cost of the appraisals. The closing date shall be on or before May 31, 2011.

The property currently is 2.0 acres of land located in the NW ¼ of Section 26, Township 19 North, Range 14 East of Oktibbeha County, Mississippi, and located within Block 96-B of the City of Starkville, Mississippi. The property commences with the intersection of the East right of way of Old West Point Road with the North right of way of Pat Station Road and runs in an easterly direction along the North right of way of Pat Station Road a distance of 318.5 feet and use as the Point of Beginning. Thence the property runs South 85 degrees East along the North right of way of Pat Station Road a distance of 461.0 feet; thence run North 0 degrees 11 minutes West a distance of 214.0 feet; thence run North 83 degrees 31 minutes West a distance of 358.0 feet; thence run South 25 degrees 40 minutes West a distance of 237.5 feet to the Point of Beginning.

Mississippi State University received two independent property appraisals. The average of the two appraisals is \$375,000 which is the purchase price of the property. Also, a Phase I Environmental Site Assessment (ESA) has been conducted on the property. No adverse environmental impacts to the subject property were apparent as a result of past and present possessions of title.

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A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The university is also acting in accordance with Board Policy §905(B), Real Estate Management, that requires a Phase I or more detailed environmental report be completed by a qualified personnel and submitted to the Board's Real Estate and Facilities Office.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

9. MSU – Naming of New Stoneville Office Building the “Verner G. Hurt Research and Extension Building”

Project Request: Mississippi State University requests approval to name the new Stoneville Office building the “Verner G. Hurt Research and Extension Building.”

Purpose: Mississippi State University requests approval to name planned the new office building at the Delta Research and Extension Center (IHL# 213-139) as the Verner G. Hurt Research and Extension Building. Dr. Verner G. Hurt earned his B.S. and M.S. degrees from MSU and a Ph.D. from Oklahoma State University. He began his career at MSU in 1956, serving as assistant professor, associate professor, professor, Assistant Department Head and Department Head of Agricultural Economics, and Director of the Mississippi Agricultural and Forestry Experiment Station. He served MSU and the State of Mississippi for a total of 40 years and was recognized in the state, region and nation as a leader in agricultural research. He retired from MSU in 1996 and continues to reside in Starkville. He also retired from the U.S. Army Reserve with the rank of colonel. He was awarded Director Emeritus status by the Board of Trustees in 1997. Mississippi State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility.

Staff Recommendation: Board staff recommends approval of this item.

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10. UM-Approval of New Lease for Chi House Foundation, LLC

Project Request: The University of Mississippi requests approval of a thirty (30) year lease with the Chi House Foundation, LLC for Lot 211 at the University of Mississippi.

Purpose: Chi House Foundation of Kappa Kappa Gamma Sorority holds an existing lease on Lot 211 on the Oxford campus of the University of Mississippi. The current lease is scheduled to expire in 2012.

The sorority wishes to begin a major renovation of the house this summer. The renovation will be financed by the sorority with a loan from the Bank of Oxford for \$750,000 for five years at a rate not to exceed 6%.

In order to secure the loan from the Bank of Oxford, Board approval is needed for the University to enter into a new lease agreement and for the house corporation to execute a deed of trust of leasehold interest in favor of the Bank of Oxford. The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the land lease is on file with the Office of Real Estate and Facilities.

Terms of Lease: The Chi House Foundation is requesting a lease of thirty (30) years for Lot 211 that will commence on June 1, 2011 and continue through April 30, 2041. The Chi House Foundation, LLC will pay the University of Mississippi the sum of \$50 in cash in hand and \$50 a year due on or before July 1st of each year during the term of this lease.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

11. UM-Approval of Lease to UMAA Foundation for Improvements to the Buildings on the Premises at the Palmer Salloum Tennis Complex

Project Request: The University of Mississippi requests that the Board of Trustees grant approval to the university to lease approximately 0.32 acres in Section 20, Township 8 South, Range 3 West, in Lafayette County, Mississippi, to the UMAA Foundation, Inc. for a term not to exceed three years, with title to the subject property reverting to the University of Mississippi with all improvements thereon at the end of the term. The university also requests that the Board grant authority to the Chancellor to execute the appropriate lease agreement.

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Purpose: The University of Mississippi holds title to approximately 0.32 acres in Section 20, Township 8 South, Range 3 West, in Lafayette County, Mississippi. The University would like to lease this property to the UMAA Foundation for a term not to exceed three years. The UMAA Foundation plans to use its funds to construct an addition and other improvements to the buildings on the premises at the Palmer Salloum Tennis Complex, including but not limited to dressing rooms, team rooms, offices, and grand stand and viewing spaces, at a cost of approximately \$2,300,000. Upon completion, the UMAA Foundation and the University of Mississippi will terminate the lease, and the UMAA Foundation will transfer its rights in the lease and any improvements to the university. The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the ground lease is on file with the Office of Real Estate and Facilities.

Terms of Lease: The university is requesting to lease the land stated above to the UMAA Foundation for a term of three (3) years that will commence on June 1, 2011 and continue through the earlier of July 1, 2014 or the date which is thirty (30) days subsequent to the completion of construction of the Facilities (as defined in Article III of the ground lease), unless sooner terminated under the terms of Article XVI of the ground lease. The UMAA Foundation will pay the University of Mississippi the sum of \$1 in cash in hand and \$1 a year due on or before July 1st of each year during the term of this lease.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

12. UM-Approval of Lease to UMAA Foundation for Improvements to the Buildings on the Premises at the University Golf Course

Project Request: The University of Mississippi requests that the Board of Trustees grant approval to the university to lease approximately 1.74 acres in Section 17, Township 8 South, Range 3 West, in Lafayette County, Mississippi, to the UMAA Foundation, Inc. for a term not to exceed three years, with title to the subject property reverting to the University of Mississippi with all improvements thereon at the end of the term. The university also requests that the Board grant authority to the Chancellor to execute the appropriate lease agreement.

Purpose: The University of Mississippi holds title to approximately 1.74 acres in Section 17, Township 8 South, Range 3 West, in Lafayette County, Mississippi. The University would like to lease this property to the UMAA Foundation for a term not

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to exceed three years. The UMAA Foundation plans to use its funds to construct a golf hitting and instruction facility on the premises at the University Golf Course at a cost of approximately \$800,000. Upon completion, the UMAA Foundation and the University of Mississippi will terminate the lease, and the UMAA Foundation will transfer its rights in the lease and any improvements to the university. The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the ground lease is on file with the Office of Real Estate and Facilities.

Terms of Lease: The university is requesting to lease the land stated above to the UMAA Foundation for a term of three (3) years that will commence on June 1, 2011 and continue through the earlier of July 1, 2014 or the date which is thirty (30) days subsequent to the completion of construction of the Facilities (as defined in Article III of the ground lease), unless sooner terminated under the terms of Article XVI of the ground lease. The UMAA Foundation will pay the University of Mississippi the sum of \$1 in cash in hand and \$1 a year due on or before July 1st of each year during the term of this lease.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

13. UM –Naming of the New Golf Center and Approval of the Exterior Design

Project Request: The University of Mississippi requests permission to name the new Golf Center the "Clay and Elinor Herrington Golf Center" and requests approval of the exterior design. (*See Rendering of Building on Page 16*)

Purpose: The University of Mississippi requests approval to name a new 3,600 square foot indoor-outdoor practice facility with hitting and video bays that will enable collegiate golfers to continue practicing regardless of weather conditions. The university also request permission to formally name this building the "Clay and Elinor Herrington Golf Center" after the Herringtons who have supported Ole Miss Athletics since 1985 with a majority of their generosity benefiting athletic scholarships. Elinor's father and grandfather attended the University of Mississippi. Clay's passion for golf was late-blooming but while he was in his 40's he helped establish and develop golf courses in the Olive Branch, MS area. The family currently owns and operates the Plantation and Cherokee Valley golf clubs. The University of Mississippi is seeking to The University of Mississippi is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or

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facility. The University of Mississippi is also seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Staff Recommendation: Board staff recommends approval of this item.



14. UM – Approval of Exterior Design of the Palmer-Salloum Tennis Facility

Project Request: The University of Mississippi requests approval of the exterior design of the Palmer-Salloum Tennis Facility. (*See Rendering of Building on Page 17*)

Purpose: The University of Mississippi requests approval of the exterior design of the tennis facility. The current project includes the renovation of the existing 2,509 SF Tennis Center built in 1991 as well as a 1,400 SF addition on each side of the existing building. The existing building will be completely renovated and will provide facilities for coach's offices, coach's and visiting team dressing and public toilets. The additions will provide dressing rooms and locker rooms for the university teams. The exterior design of the additions will utilize the same materials of brick and pre-cast concrete as the existing building. In addition to the interior work the existing bleachers will get a new press box and the new additions will have a spectator deck on each.

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The University of Mississippi is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Staff Recommendation: Board staff recommends approval of this item.



15. UMMC – IHL 209-526 – Cafeteria/Kitchen Renovations – Sole Source

Project Request: The University of Mississippi Medical Center requests approval to sole source the mechanical HVAC controls for the Cafeteria/Kitchen Renovations project. The university will sole source to Johnson Controls System.

Project Phase: Design Phase

Design Professional: McCarty Company's Design Group, P.A.

Purpose: The current renovation project provides for the demolition and rebuild of the basement kitchen area and certain equipment upgrades and demolition, rebuild, and expansion of the existing cafeteria and food services area on the first floor. The existing Johnson Controls System serves the surrounding hospital, patient care, and hospital support operations, as well as the current kitchen and cafeteria areas to be

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renovated. This request is for approval to single source the controls system in order for the system to operate seamlessly and without compromise.

Project Budget: \$7,750,000 (\$110,000 estimated HVAC control systems)

Funding Source(s): Hospital Patient Revenues

Staff Recommendation: Board staff recommends approval of this item.

16. USM – Approval of Property Transfer, Lake Thoreau

Project Request: The University of Southern Mississippi requests approval to accept the transfer of the 134.65 acre property known as Lake Thoreau from the University of Southern Mississippi Foundation. The Lake Thoreau property is being transferred from the USM Foundation to the university at no cost.

Purpose: In 1999, the estate of Mason Leon Eubanks, by and through Joseph Shelton, IV, Executor, donated the 134.65 acre property known as Lake Thoreau to the University of Southern Mississippi Foundation. The Lake Thoreau property was donated with the stipulation that it be maintained as a refuge park. The University of Southern Mississippi Biological Science Department is currently using the property for scientific research.

The property currently exists as forested property with gravel roadways and approximate 5-acre lake improvements. The property is situated in the County of Lamar, and the County of Forrest, State of Mississippi, and more particularly described as follows: A parcel of land located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, all in Township 4 North, Range 14 West, Forrest County, Mississippi. Also a parcel of landed located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, all in Township 4 North, Range 14 West, Lamar County, Mississippi.

A Phase I and II Environmental Site Assessment (ESA) has been conducted on the property. No detrimental environmental impacts to the subject property were apparent based on the site history, reconnaissance, interviews, and chemical analysis of soil and groundwater samples. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Southern Mississippi acting in accordance with Board Policy §905(B),

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Real Estate Management, that requires a Phase I or more detailed environmental report be completed by a qualified personnel and submitted to the Board's Real Estate and Facilities Office.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

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1. DSU - APPROVAL TO HIRE MARY ANN CONNELL OF MAYO MALLETTE AS OUTSIDE COUNSEL

Delta State University requests Board approval to hire Mary Ann Connell of the Mayo Mallette firm as outside counsel to assist the University in a review by the U.S. Department of Labor related to the University's affirmative action plan. The hourly rate to be charged will be \$165.00. The contract will be a one year agreement, terminable by either party with thirty (30) days advance written notice. The legal services will be paid from University general funds. The maximum amount budgeted for payment will be \$25,000.00. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. UMMC - APPROVAL TO RENEW CONTRACT WITH STITES & HARBISON, PLLC AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests permission to employ Richard Myers, Mandy Decker, Terry L. Wright, and Stephen Weyer of Stites & Harbison, PLLC as outside counsel for intellectual property matters. This is a renewal of a contract previously approved by the Board on June 20, 2007. The purpose of the contract is to obtain counsel for intellectual property work as the legal expertise is not available in-house. The hourly rate for the attorneys will range from \$237.00 to \$310.00, up to a do not exceed amount of \$100,000.00. The contract will be from July 1, 2011 until June 30, 2012 and will be paid from general funds. Either party may terminate the contract on thirty (30) days advance written notice. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. UMMC - APPROVAL TO RENEW CONTRACT WITH BARRY J. WALKER OF WALKER & UNGO AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests permission to renew its contract with Barry J. Walker of Walker & Ungo Immigration Law Firm in Tupelo as outside counsel to provide services as needed in preparing labor certification applications on behalf of the University for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of \$50,000 during the contract term. Either party

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may terminate with thirty (30) days advance written notice. The University will use departmental funds for payment of the contract. The fees to be charged will be as follows:

PERM

Initial fee:	\$2500
I-140	\$2000
I-485	\$2000
Family members	\$500 per family member

EB-1 (Outstanding professor/researcher, extraordinary ability) and Special handling Labor Certification

Initial fee:	\$2000
On approval of I-140	
Or special handling:	\$2000
I-485	\$2000
Family members	\$500 per family member

The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. UMMC - APPROVAL TO RENEW CONTRACT WITH DAVID WARE AND ASSOCIATES AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests permission to renew its current contract with David Ware and Associates as outside counsel to provide services as needed in preparing labor certification applications on behalf of the University for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of \$50,000 during the contract term. Either party may terminate with thirty (30) days advance written notice. The University will use departmental funds for payment of the contract. The fees to be charged will be as follows:

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\$2000 – special handling labor certification, no readvertisement required

\$2500 – special handling labor certification, readvertisement required

\$3000 – non teaching labor certification

Advertising for special handling will be about \$500; for regular about \$1000

EB1 is \$4500 for the petition plus \$475 filing fee. Adjustment of status is \$1500 for the principal and \$750 for each dependent. Exclusive of filing and fees and medical which for one adult would be approximately \$1485 plus \$150.

The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

MSU (includes tenure)

Sharon L. Oswald, Dean, College of Business, and Professor, Management and Information Systems; salary of \$250,000 per annum, pro rata; E&G Funds; hired with tenure; effective July 16, 2011 to June 30, 2012

Rehired retirees making more than \$20,000 who ARE on contracts during Fiscal Year 2012

MUW

Linda Cox; *former position:* Director of BSN; *re-employment position:* Emerita Professor of Nursing; *re-employment date:* July 1, 2011; salary of \$34,999

Rehired retirees making more than \$20,000 who are NOT on contracts during Fiscal Year 2012

JSU

Leslie B. McLemore, *former position:* Interim President; *re-employment position:* Director of Hamer Institute; *re-employment date:* July 1, 2011; salary of \$40,000

MSU

Lynda Tuck, *former position:* Coordinator of Special Projects; *re-employment position:* Northern Gulf Institute Contract Officer; *re-employment period:* March 9, 2011 through June 30, 2011; *salary of* \$27,466

Harvin Hudson, *former position:* County Extension Director IV; *re-employment position:* County Extension Director; *re-employment period:* March 16, 2011 through June 30, 2011; *salary of* \$31,355

Liston Taylor, *former position:* County Extension Director IV; *re-employment position:* Agricultural Extension Agent; *re-employment period:* March 16, 2011 through June 30, 2011; *salary of* \$31,355

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Sidney Fondren, *former position:* Manager; *re-employment position:* Business Coordinator; *re-employment period:* February 24, 2011 through June 30, 2011; *salary of* \$28,373

Mary White, *former position:* Teacher Pontotoc County; *re-employment position:* Special Projects Service Deliverer; *re-employment period:* March 15, 2011 through June 30, 2011; *salary of* \$26,000

2. Change of Status

MSU

William B. Mikel, *from* Professor and Head and Interim Head, Food Science Nutrition and Health Promotion, salary of \$147,324 per annum, pro rata; E&G Funds; *to* Associate Vice President, Executive Director and Professor, International Programs, salary of \$180,000 per annum, pro rata; E&G Funds; effective May 20, 2011

Julia E. Hodges, *from* Professor, Computer Science and Engineering, salary of \$125,350.00 per annum, pro rata; E&G Funds; *to* Associate Vice President for Administrative Services/Professor, Computer Science and Engineering, salary of \$175,000 per annum, pro rata; E&G Funds; effective May 20, 2011

Peter L. Ryan, *from* Interim Associate Provost for Academic Affairs/Professor, Animal and Dairy Science, salary of \$145,000 per annum, pro rata; E&G Funds; *to* Associate Provost for Academic Affairs/Professor, Animal and Dairy Science, salary of \$175,000 per annum, pro rata; E&G Funds; effective May 20, 2011

MUW

Marty Hatton, *from* Interim Associate Vice President for Academic Affairs, salary of \$75,000 per annum, pro rata; E&G Funds; *to* Associate Vice President for Academic Affairs, salary of \$95,000 per annum, pro rata; E&G Funds; effective July 1, 2011

USM

Gordon Cannon; *from* Professor, Department of Chemistry and Biochemistry, salary of \$95,319 (nine-month contract), *to* Associate Vice President for Research and Professor, Department of Chemistry and Biochemistry, salary of \$145,000 per annum, pro rata (twelve-month contract); effective May 16, 2011

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3. Sabbaticals

JSU

Zachariah Gaye, Associate Professor, Department of Educational Leadership; *from* salary of \$51,660 per nine-month contract period; E&G Funds; *to*, salary of \$25,830 for sabbatical period; E&G Funds; *effective* August 11, 2011 through May 12, 2015; professional development

4. Tenure and Promotions (where noted) effective 2011-2012

All are nine-month contracts except where noted. All twelve-month contracts are effective July 1, 2011 and the nine-month contract effective date is noted for each institution.

ASU - nine (9) month contracts effective August 16, 2011

Hazel Bell, Assistant Professor, University Library (*twelve-month contract*)

Gwendolyn Boyd, Associate Professor, School of Agriculture

Noland Boyd, Associate Professor, School of Arts & Sciences

Meg Brown, Assistant Professor, School of Nursing (*twelve-month contract*)

Sherlynn Byrd, Associate Professor promoted to Professor, School of Arts & Sciences

Magid Dagher, Professor, School of Agriculture

Jerry Domatob, Associate Professor promoted to Professor, School of Arts & Sciences

Jan Duncan, Associate Professor, School of Education and Psychology (*twelve-month contract*)

Bobbie Fells, Assistant Professor, University Library (*twelve-month contract*)

Mary Harris, Assistant Professor, University Library (*twelve-month contract*)

Vitalis Idheanado, Associate Professor, School of Arts & Sciences

Yolanda Jones, Assistant Professor promoted to Associate Professor, School of Arts & Sciences

Adiyta Krishna, Associate Professor promoted to Professor, School of Arts & Sciences

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Clarence Love, Assistant Professor, University Library (*twelve-month contract*)

Anne Marie-Obilade, Assistant Professor promoted to Associate Professor, School of Arts & Sciences

Barbara Martin, Associate Professor, School of Education & Psychology

Keith McGee, Assistant Professor promoted to Associate Professor, School of Arts & Sciences

Martha Piva, Assistant Professor promoted to Associate Professor, School of Arts & Sciences

Blanche Sanders, Assistant Professor, University Library (*twelve-month contract*)

Eva Smith, Assistant Professor, University Library (*twelve-month contract*)

Danielle Terrell, Assistant Professor, University Library (*twelve-month contract*)

Tapan Tiwari, Associate Professor, School of Arts & Sciences

Sandra Wilson-Hull, Associate Professor, School of Education & Psychology

Helen Wyatt, Associate Professor, School of Education & Psychology (*twelve-month contract*)

Dylinda Younger, Assistant Professor, School of Education & Psychology

DSU – nine (9) month contracts effective August 15, 2011

Eric Blackwell, promotion to the rank of Associate Professor of Biology, Division of Biological and Physical Sciences

Larry Bradford, promotion to the rank of Associate Professor of Music, Department of Music

Katherine Davis, promotion to the rank of Associate Professor of Family and Consumer Sciences, Division of Family and Consumer Sciences

Ellen Green, promotion to the rank of Associate Professor of Biology, Division of Biological and Physical Sciences

Rebecca Hochradel, promotion to the rank of Associate Professor of Marketing, Division of Management, Marketing and Business Administration

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Gokhan Karahan, Associate Professor of Economics, Division of Accountancy,
Computer Information Systems and Finance

Mary Jones, promotion to the rank of Associate Professor of Health, Physical Education
and Recreation, Division of Health, Physical Education and Recreation

Tanya McKinney, promotion to the rank of Associate Professor of Biology, Division of
Biological and Physical Sciences

Paulette Meikle, promotion to the rank of Associate Professor of Community
Development and Sociology, Division of Social Sciences

Robyn Moore, promotion to the rank of Associate Professor of Art, Department of Art

Patricia Roberts, Assistant Professor of Journalism, Division of Languages and Literature

Kumiko Shimizu, promotion to the rank of Associate Professor of Music, Department of
Music

Betty Sylvest, Associate Professor of Nursing, School of Nursing

JSU – nine (9) month contracts effective August 11, 2011

Ali Abu-El Humos, Assistant Professor, Department of Computer Science, College of
Science, Engineering, and Technology

William Brown, Assistant Professor, Department of Elementary and Early Childhood
Education, College of Education and Human Development

Helen Chukwuma, Associate Professor promoted to Professor with Tenure, Department
of English and Modern Foreign Languages, College of Liberal Arts

Hari Cohly, Assistant Professor promoted to Associate Professor with Tenure,
Department of Biology, College of Science, Engineering, and Technology

Alphonso Crump, Assistant Professor promoted to Associate Professor with Tenure,
Department of History and Philosophy, College of Liberal Arts

Bobbie Daniels, Assistant Professor promoted to Associate Professor with Tenure,
Department of Accounting, College of Business

Tarek El-Bawab, Associate Professor, Department of Civil and Environmental
Engineering, College of Science, Engineering, and Technology

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Abdelnasser Eldek, Associate Professor, Department of Computer Engineering, College of Science, Engineering, and Technology

Regina Fults-McMurtery, Assistant Professor promoted to Associate Professor with Tenure, Department of School, Community and Rehabilitation Counseling, College of Education and Human Development

Rumei Gao, Associate Professor, Department of Chemistry and Biochemistry, College of Science, Engineering, and Technology

Tracy Harris, Assistant Professor promoted to Associate Professor with Tenure, Department of Elementary and Early Childhood Education, College of Education and Human Development

Md. Alamgir Hossain, Assistant Professor promoted to Associate Professor with Tenure, Department of Chemistry and Biochemistry, College of Science, Engineering, and Technology

Lin Li, Assistant Professor promoted to Associate Professor with Tenure, Department of Civil and Environmental Engineering, College of Science, Engineering, and Technology

Natarajan Meghanathan, Assistant Professor promoted to Associate Professor with Tenure, Department of Computer Science, College of Science, Engineering, and Technology

Gordon Skelton, Associate Professor promoted to Professor with Tenure, Department of Civil and Environmental Engineering, College of Science, Engineering, and Technology

Rashell Smith-Spears, Assistant Professor promoted to Associate Professor with Tenure, Department of English and Modern Foreign Languages, College of Liberal Arts

Dwayne Sutton, Assistant Professor promoted to Associate Professor with Tenure, Department of Biology, College of Science, Engineering, and Technology

Celestin Wafo Soh, Associate Professor, Department of Mathematics, College of Science, Engineering, and Technology

Eunkyung Yoon, Assistant Professor promoted to Associate Professor with Tenure, School of Social Work, College of Public Service

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Wei Zheng, Assistant Professor promoted to Associate Professor with Tenure,
Department of Civil and Environmental Engineering, College of Science, Engineering,
and Technology

MSU - *nine(9)-month contracts effective August 16, 2011*

Sherif Abdelwahed, Assistant Professor promoted to Associate Professor with Tenure,
Department of Electrical and Computer Engineering

Thomas P. Anderson, Assistant Professor promoted to Associate Professor with Tenure,
Department of English

Jassen Scott Callender, Assistant Professor promoted to Associate Professor with Tenure,
School of Architecture

P. Grady Dixon, Assistant Professor promoted to Associate Professor with Tenure,
Department of Geosciences

Jamie Lee Dyer, Assistant Professor promoted to Associate Professor with Tenure,
Department of Geosciences

Deborah K. Eakin, Assistant Professor promoted to Associate Professor with Tenure,
Department of Psychology

Philip Edward French, Assistant Professor promoted to Associate Professor with Tenure,
Department of Political Science and Public Administration

William Todd French, Assistant Professor promoted to Associate Professor with Tenure,
Swalm School of Chemical Engineering

Robert K. Grala, Assistant Professor promoted to Associate Professor with Tenure,
Department of Forestry (*twelve-month contract*)

Kimberly Renee Hall, Assistant Professor promoted to Associate Professor with Tenure,
Department of Counseling and Educational Psychology

Shirley Ann James Hanshaw, Assistant Professor promoted to Associate Professor with
Tenure, Department of English

Peggy F. Hopper, Assistant Professor promoted to Associate Professor with Tenure,
Department of Curriculum, Instruction and Special Education

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Bryan A. Jones, Assistant Professor promoted to Associate Professor with Tenure,
Department of Electrical and Computer Engineering

Robert McMillen, Assistant Professor promoted to Associate Professor with Tenure,
Department of Psychology

Fred R. Musser, Assistant Professor promoted to Associate Professor with Tenure,
Department of Biochemistry, Molecular Biology, Entomology and Plant Pathology
(*twelve- month contract*)

Sharon L. Oswald, Dean, College of Business, and Professor, Management and
Information Systems; salary of \$250,000 per annum, pro rata; E&G Funds; *hired with
tenure*; effective July 16, 2011 to June 30, 2012 (*twelve-month contract*)

Michael Patilla, Assistant Professor promoted to Associate Professor with Tenure,
Department of Music

Nicole E. Rader, Assistant Professor promoted to Associate Professor with Tenure,
Department of Sociology

Rebecca Robichaux, Assistant Professor promoted to Associate Professor with Tenure,
Department of Curriculum, Instruction and Special Education

Kenneth Roskelley, Assistant Professor promoted to Associate Professor with Tenure,
Department of Finance and Economics

Timothy J. Schauwecker, Assistant Professor promoted to Associate Professor with
Tenure, Department of Landscape Architecture (*twelve-month contract*)

Michael W. Seymour, Assistant Professor promoted to Associate Professor with Tenure,
Department of Landscape Architecture

Kevin J. Shanahan, Assistant Professor promoted to Associate Professor with Tenure,
Department of Marketing, Quantitative Analysis and Business Law

Sheldon Q. Shi, Assistant Professor promoted to Associate Professor with Tenure,
Department of Forest Products (*twelve-month contract*)

Jack Dryer Smith, Assistant Professor promoted to Associate Professor with Tenure,
Department of Pathobiology and Population Medicine (*twelve-month contract*)

Glenn D. Smith, Jr., Assistant Professor promoted to Associate Professor with Tenure,
Department of Communication

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Rani Warsi Sullivan, Assistant Professor promoted to Associate Professor with Tenure, Department of Aerospace Engineering

Cyprianna Ellen Swiderski, Assistant Professor promoted to Associate Professor with Tenure, Department of Clinical Sciences (*twelve-month contract*)

Nicole Leigh Thompson, Assistant Professor promoted to Associate Professor with Tenure, Department of Curriculum, Instruction and Special Education

Keisha Bishop Walters, Assistant Professor promoted to Associate Professor with Tenure, Swalm School of Chemical Engineering

Carrick C. Williams, Assistant Professor promoted to Associate Professor with Tenure, Department of Psychology

Kevin D. Williams, Assistant Professor promoted to Associate Professor with Tenure, Department of Communication

Haimeng Zhang, Associate Professor, Department of Mathematics and Statistics

Li Zhang, Assistant Professor promoted to Associate Professor with Tenure, Department of Civil and Environmental Engineering

MUW - nine (9) month contracts effective August 12, 2011

David Carter, Assistant Professor of Theatre; College of Arts and Sciences

Kerry Randall Foxworth, Associate Professor of Health and Kinesiology; College of Education and Human Sciences

Gail Gunter, Assistant Professor of Library Services; Library

Bryan Hilliard, Associate Professor of Philosophy; College of Arts and Sciences

Jeanne Holland, Associate Professor of Education; College of Education and Human Sciences

Tammie McCoy, Associate Professor of Nursing; College of Nursing and Speech-Language Pathology

Carmen Osburn, Assistant Professor of Music Therapy; College of Arts and Sciences

Van Roberts, Assistant Professor of Communications; College of Arts and Sciences

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Michael Smith, Assistant Professor of English; College of Arts and Sciences

MVSU – nine (9) month contracts effective August 15, 2011

Matthewos Eshete, Assistant Professor promoted to Associate Professor with Tenure,
Department of Natural Sciences and Environmental Health

Udai Kudikyala, Assistant Professor approved for tenure, Department of Mathematics,
Computer and Information Sciences

Emmanuel Amadi, Assistant Professor promoted to Associate Professor, Department of
Criminal Justice

Ronald Minks, Assistant Professor promoted to Associate Professor with Tenure,
Department of Fine Arts

Robie Greene, Assistant Professor approved for tenure, Department of Education

Lee Redmond, Assistant Professor approved for tenure, Department of Mathematics,
Computer and Information Sciences

Timothy Holston. Assistant Professor approved for tenure, Department of Mathematics,
Computer and Information Sciences

Darrell James, Assistant Professor approved for tenure, Department of Mathematics,
Computer and Information Sciences

Wayne Robinson, Assistant Professor approved for tenure, Department of Education

Sandra Course, Assistant Professor approved for tenure, Department of Mathematics,
Computer and Information Sciences

UM – nine(9)-month contracts effective August 18, 2011

Martha Ann Bass, Assistant Professor, Department of Health and Exercise Science,
School of Applied Sciences (also promotion)

Mark N. Bing, Assistant Professor, Department of Management, School of Business
Administration (also promotion)

Martyn Richard Bone, Associate Professor, Department of English, College of Liberal
Arts

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Nichelle Catrice Boyd, Assistant Professor, Department of Curriculum and Instruction, School of Education (also promotion)

Fontaine Buel Campbell, Assistant Professor, Department of Social Work, School of Applied Sciences (also promotion)

Yunhee Chang, Assistant Professor, Department of Nutrition and Hospitality Management, School of Applied Sciences (also promotion)

Robert E. Cummings, Director and Assistant Professor, Center for Writing and Rhetoric, College of Liberal Arts (also promotion) (*twelve-month contract*)

Xin Dang, Assistant Professor, Department of Mathematics, College of Liberal Arts (also promotion)

Leigh Anne Duck, Associate Professor, Department of English, College of Liberal Arts

Joseph Rhea Gladden, Assistant Professor, Department of Physics and Astronomy, College of Liberal Arts (also promotion)

Lennette J. Ivy, Interim Chair and Assistant Professor, Department of Communication Sciences and Disorders, School of Applied Sciences (also promotion) (*twelve-month contract*)

Colin R. Jackson, Assistant Professor, Department of Biology, College of Liberal Arts (also promotion)

Mika B. Jekabsons, Assistant Professor, Department of Biology, College of Liberal Arts (also promotion)

Marvin King, Assistant Professor, Department of Political Science, College of Liberal Arts (also promotion)

Marc H. Lerner, Assistant Professor, Department of History, College of Liberal Arts (also promotion)

Matthew L. Long, Assistant Professor, Department of Art, College of Liberal Arts (also promotion)

Soumyajit Majumdar, Assistant Professor, Department of Pharmaceuticals and Research Assistant Professor, Research Institute of Pharmaceutical Sciences, School of Pharmacy (also promotion) (*twelve-month contract*)

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Susan S. McClelland, Assistant Professor, Department of Leadership and Counselor Education, School of Education (also promotion)

Joel Mobley, Assistant Professor, Department of Physics and Astronomy, College of Liberal Arts (also promotion)

Sathyanarayana Murthy, Assistant Professor, Department of Pharmaceutics and Research Assistant Professor, Research Institute of Pharmaceutical Sciences, School of Pharmacy (also promotion) (*twelve-month contract*)

Molly Pasco-Pranger, Assistant Professor, Department of Classics, College of Liberal Arts (also promotion)

Kevin B. Stoltz, Assistant Professor, Department of Leadership and Counselor Education, School of Education (also promotion)

Durant B. Thompson, Assistant Professor, Department of Art, College of Liberal Arts (also promotion)

Christina Althea Torbert, Head of Serials and Assistant Professor, General Library (also promotion) (*twelve-month contract*)

Debora Rae Wenger, Assistant Professor, Journalism, Meek School of Journalism and New Media (also promotion)

Brooke C. White, Assistant Professor, Department of Art, College of Liberal Arts (also promotion)

Thea Williams-Black, Assistant Professor, Elementary Education, School of Education (also promotion)

Lori A. Wolff, Associate Professor, Department of Leadership and Counselor Education, School of Education (also promotion)

Yi Yang, Assistant Professor, Department of Pharmacy Administration and Research Assistant Professor, Research Institute of Pharmaceutical Sciences, School of Pharmacy (also promotion) (*twelve-month contract*)

Yongping Zhu, Assistant Professor, Department of Modern Languages, College of Liberal Arts (also promotion)

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USM - nine (9) month contracts effective August 22, 2011

Mac Alford, Associate Professor, Biological Sciences, College of Science & Technology

Mary Anderson, Associate Professor, School of Accountancy, College of Business

Charkarra Anderson-Lewis, Associate Professor, Community Health Sciences, College of Health

R. Daniel Beard, Associate Professor, School of Music, College of Arts & Letters

Cheryllynn Becker, Associate Professor, Management and International Business, College of Business

Jonathan Beedle, Associate Professor, Technology Education, College of Education & Psychology

David Daves, Associate Professor, Curriculum, Instruction and Special Education, College of Education & Psychology (*twelve-month contract*)

Kevin Dillon, Associate Professor, Coastal Sciences, College of Science & Technology

Brad Dufrene, Associate Professor, Psychology, College of Education & Psychology

Michael Dugan, Professor, School of Accountancy, College of Business

David Echevarria, Associate Professor, Psychology, College of Education & Psychology

Dana Fennell, Associate Professor, Anthropology and Sociology, College of Arts & Letters

Hollie Filce, Associate Professor, Curriculum, Instruction and Special Education, College of Education & Psychology

Elizabeth Flynn, Professor, Marketing and Fashion Merchandising, College of Business (*twelve-month contract*)

Richard Fulford, Associate Professor, Coastal Sciences, College of Science & Technology

Michael Gibson, Associate Professor, Political Science, College of Arts & Letters

Andrew Haley, Associate Professor, History, College of Arts & Letters

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Lilian Hill, Associate Professor, Educational Studies and Research, College of Education & Psychology

Luis Iglesias, Associate Professor, English, College of Arts & Letters

Sherita Johnson, Associate Professor, English, College of Arts & Letters

Nicolle Jordan, Associate Professor, English, College of Arts & Letters

Kevin Kuehn, Associate Professor, Biological Sciences, College of Science & Technology

Francis Laatsch, Professor, Finance, Real Estate and Business Law, College of Business
(*twelve-month contract*)

Kim LeDuff, Associate Professor, School of Mass Communication and Journalism,
College of Arts & Letters

David Lee, Associate Professor, Educational Leadership & School Counseling, College
of Education & Psychology

Hsiaopei Lee, Associate Professor, School of Music, College of Arts & Letters

Marcos Machado, Associate Professor, School of Music, College of Arts & Letters

Michael Madson, Associate Professor, Psychology, College of Education & Psychology

Rose McNeese, Associate Professor, Educational Leadership & School Counseling,
College of Education & Psychology

Robert Pauly, Associate Professor, Political Science, College of Arts & Letters

Sharon Rouse, Associate Professor, Technology Education, College of Education &
Psychology

Joseph St. Marie, Associate Professor, Political Science, College of Arts & Letters

Edward Sayer, Associate Professor, Political Science, College of Arts & Letters

Marek Steedman, Associate Professor, Political Science, College of Arts & Letters

Eric Tribunella, Associate Professor, English, College of Arts & Letters (*twelve-month
contract*)

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Jennifer Vonk, Associate Professor, Psychology, College of Education & Psychology

Jeff Wiggins, Associate Professor, School of Polymers and High Performance Materials,
College of Science & Technology

Kimberly Woolly, Associate Professor, School of Music, College of Arts & Letters

Sumanth Yenduri, Associate Professor, School of Computing, College of Science &
Technology

Zhaoxian Zhou, Associate Professor, School of Computing, College of Science &
Technology

UMMC – all are twelve (12)-month contracts effective July 1, 2011

School of Medicine

Omar A. Abdul-Rahman, Associate Professor with Tenure, Department of Pediatrics

Abhay Bhatt, Associate Professor with Tenure, Department of Pediatrics

Razvan F. Buciuc, Associate Professor promoted to Professor with Tenure, Department
of Radiology

Vincent Herrin, Associate Professor with Tenure, Department of Medicine

Michelle Horn, Assistant Professor promoted to Associate Professor with Tenure,
Department of Medicine

James E. Keeton, Professor with Tenure, Department of Pediatrics

Kenneth Wayne Liechty, Associate Professor with Tenure, Department of Surgery

Mary E. Marquart, Associate Professor with Tenure, Department of Microbiology

Shannon D. Pittman, Associate Professor with Tenure, Department of Family Medicine

J. Mark Reed, Professor with Tenure, Department of Otolaryngology

Julie A. Schumacher, Associate Professor with Tenure, Department of Psychiatry

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Mario Sims, Assistant Professor promoted to Associate Professor with Tenure,
Department of Medicine

John Spurzem, Professor with Tenure, Department of Medicine

Retroactive approval requested as Dr. Roman was hired with tenure as follows:

Richard J. Roman, Professor and Chairman with Tenure, Department of Pharmacology
and Toxicology, effective October 1, 2009.

School of Nursing

Kimberly W. Hoover, Dean and Professor with Tenure

Jan Cooper, Assistant Professor promoted to Associate Professor with Tenure

School of Dentistry

James R. Lott, Assistant Professor with Tenure, Department of Care Planning and
Restorative Sciences

Jason A. Griggs, Professor with Tenure, Department of Biomedical Materials Science

School of Health Related Professions

Joy Kuebler, Assistant Professor promoted to Associate Professor with Tenure,
Department Physical Therapy

5. Emeritus Status

JSU

Jackson State University requests that the status of Dean Emerita be granted to Dr.
Gwendolyn Spencer Prater. The request is made in recognition of Dr. Prater's
achievements and contributions to the University as Founding Dean of the College of
Public Service and Founding Dean of the School of Social Work.

Jackson State University requests that the status of Professor Emeritus be granted to Dr.
Hiroyasu Tachikawa. The request is made in recognition of Dr. Tachikawa's outstanding

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contributions to the University in teaching, research and service. He retired as Professor of Chemistry in December 2010.

REGULAR AGENDAS

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STATE – 2011 APPROVAL OF ACCREDITATION OF MISSISSIPPI NURSING DEGREE PROGRAMS

Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, Board approval is requested for the accreditation of Mississippi Nursing Degree Programs as indicated below.

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

Staff Recommendation: Board staff recommends approval of this item.

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1. JSU – REQUEST FOR WAIVER

Agenda Item Request: Jackson State University requests a waiver of the annual audit requirement applicable to the IHL approved affiliation agreement with the **Jackson State University National Alumni Association (JSUNAA)** for the fiscal year ending June 30, 2011.

Justification: As per requirements stipulated in Board Policy 301.0806 D.9., copies of the June 30, 2010 audited financial statements of the JSUNAA from an independent Certified Public Accounting (CPA) firm have been submitted to the IHL Board Executive Office. The request for the waiver is based on the net assets of the JSUNAA being equal to \$203,201 at June 30, 2010. That figure is expected to remain substantially the same at June 30, 2011. Furthermore, the anticipated cost to contract a CPA firm to perform the financial audit is equal to \$5,000, which represents more than half of the entities estimated yearly net operating surplus for 2011.

In order to save funds, the JSUNAA requests that the IHL Board waive the requirement of an annual audit by the CPA firm for fiscal year 2011. An audit will be initiated if circumstances change and the JSUNAA receives additional funds that materially impact the financial statements.

Staff Recommendation: Based on Board Policy 301.0806 D.9., University Foundation/Affiliated Entity Agreements, Board approval is required to waive the requirement of an annual audit by a CPA firm on a showing of adequate grounds. The request and required supporting documentation has been reviewed and approved by Board staff. Board staff recommends approval of this item.

2. SYSTEM – SALARY GUIDELINES FOR FY 2012

It is recommended to the Board that general salary increases *not* be given for FY 2012. Any FY 2012 salary increases should be based on one or more of the following: 1) meritorious performance, 2) market or equity adjustments, and 3) faculty promotions. Salary increase decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses). These salary guidelines will apply to all university employees regardless of funding source or types of increases awarded.

Staff Recommendation: Based on Board Policy 401.0103 Salaries and Compensation, the Commissioner after consultation with the Institutional Executive Officers, shall annually develop guidelines for the award of salary increases which shall be approved by the Board. Board staff recommends approval of this item.

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3. SYSTEM – REQUEST FOR APPROVAL OF FACILITIES (SPACE)
EFFICIENCIES RELATED CONTRACTS

- a. Agenda Item Request:** The Mississippi Institutions of Higher Learning (IHL) requests approval to enter into a software licensing and support agreement with **Ad Astra, Information Systems, Inc.**

Contractor's Legal Name: Ad Astra Information Systems, Inc.

History of Contract: New

Specific type of contract: License and service agreement

Purpose: The purpose of the agreement is to provide room scheduling software and services to improve the performance of university course scheduling. As a result of implementing the software across the IHL, the System can access, analyze and benchmark data based on consistent data. The software allows analyses to determine if existing space will support anticipated enrollment growth changes and provide data to determine if class space is being used optimally by the institution. In addition, the software will provide information regarding students' course needs. The business intelligence can be used to refine both the available seats for a course and the times of course offerings.

Scope of Work: The scope of work includes implementation services and licensed use of the Ad Astra Schedule and Platinum Analytics software. Services include training and support at all of the institutions and a required upgrade at USM to ensure all institutions are utilizing the same version of software. The scope of work includes the Strategic Scheduling Check-Up, which results in a written report identifying capacity and efficiency issues and performance assessments.

Term of contract: The contract length is one-year – July 1, 2011 through June 30, 2012. The agreement will be automatically renewed for successive one-year terms unless terminated by either party by written notice by providing at least ninety (90) days written notice prior to the expiration of the initial term or any renewal term.

Termination Options: IHL may terminate the initial term or any renewal term for cause immediately upon written notice to Ad Astra provided the default is not or cannot be remedied within thirty (30) days after notice to Ad Astra.

Contract Amount: The total cost for the entire contract period is \$785,100. These costs will be billed to the institutions. Funding from the Legislature was received for this initial project. Annual support fees will be assessed directly to the institutions effective one-year after this contract ends or July 1, 2012.

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Funding Source for Contract: Funds earmarked for this objective will be appropriated to the institutions in FY 2012 and the campuses will subsequently be billed for the costs.

Contractor Selection Process: Three of institutions, MSU UM, and USM have already purchased and implemented Ad Astra.

Staff Recommendation: Mississippi Information Technology Services (ITS) has issued a letter of intent recommending approval of the item to its Board, who are scheduled to meet May 26, 2011. Contingent upon receiving the IHL's Board approval, the contract will not be executed until official receipt of ITS approval. Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval prior to execution of all contracts greater than \$250,000 is required. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- b. **Agenda Item Request:** The Mississippi Institutions of Higher Learning (IHL) requests approval to enter into a professional services agreement with **Sightlines, LLC**.

Contractor's Legal Name: **Sightlines, LLC.**

History of Contract: New

Specific type of contract: Professional Services Agreement

Purpose: The purpose of the agreement is to provide analytical processes, databases, and comparative metrics for facilities, environmental and student housing data. The Sightlines processes and software will provide measurement, benchmarking, and analytics identifying organizational strengths and weaknesses, and forecasting implications of changes to resource allocation, project deferral, or the physical asset profile. As a result of implementing these processes throughout the IHL system and creation of a web-interface to the IHL System Office, consistent performance data can be accessed allowing in-depth comparisons and the creation of reports, charts, tables and presentations. The data can also be correlated with other institutional data elements such as enrollment.

Scope of Work: Sightlines is to provide the following scope of work requirements:

- compile four years of operational and capital performance metrics (FY 2007 through FY 2010),
- validate and identify trends and opportunities based on the historical data compiled,
- provide an annual update of all data elements beginning with FY 2011,

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- complete a five-year database of information for each university,
- quantify, verify and qualify facilities data to verify the accuracy and consistency of information,
- conduct a qualification meeting and a preliminary presentation at each university,
- conduct two system-level presentations,
- provide monthly updates as to progress to the IHL System Office,
- provide membership to Sightlines website, and
- create a web interface to allow the IHL Executive Office to consolidate data, charts, and deliverables.

Term of contract: The contract length is three-years – July 1, 2011 through June 30, 2014.

Termination Options: Either party may terminate the agreement in whole or in part for cause upon ninety (90) days written notice if the other party fails to comply with any material term or condition of this agreement and fails to correct such deficiency within a thirty (30) day period after such written notice from the party seeking to terminate.

Contract Amount: The total cost for the entire contract period is \$1,204,430. These costs will be billed to the institutions.

Funding Source for Contract: Funds earmarked for this objective will be appropriated to the institutions in FY 2012 and the campuses will subsequently be billed for the costs.

Contractor Selection Process: Since one IHL institution is contracted with Sightlines for this service and since services are exempt from the RFP process, the contract was chosen to ensure consistent comparability of data analyses.

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval prior to execution of all contracts greater than \$250,000 is required. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

4. SYSTEM – REQUEST FOR APPROVAL TO RENEW PROPERTY INSURANCE

Agenda Item Request: The Mississippi Institutions of Higher Learning's Executive Office (IHL) requests approval to renew its property insurance coverage with **Affiliated FM Insurance Company**.

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Contractor's Legal Name: Affiliated FM Insurance Company

History of Contract: In February 2009 the Board approved a system-wide approach to insuring the system's buildings as a system efficiency with three goals (1) to insure system properties in the most cost effective method; (2) to tailor insurance coverage to meet the specific needs of the system's universities and entities; and (3) to accomplish this over a four year period due to the budgetary issues. Willis of North Carolina, Inc. was approved as the Broker.

In May 2009, the Board approved the purchase of property insurance with Affiliated FM Insurance Company. The expiring premium is \$3,601,585. The coverage was written with a cost effective premium while significantly increasing coverage and adding coverage specific to the uniqueness of a university. Six campuses' buildings were 100% appropriately covered and the three remaining campuses exceeded the first year goal of 25% coverage. In the next year, seven campuses' buildings were 100% appropriately covered and the remaining two campuses exceeded the 50% coverage goal.

This renewal year, seven campuses' buildings are 100% appropriately covered and the remaining two campuses exceeded the 75% building coverage goal. The expiring total insured values are \$5.8B and the initial renewed total insured value will be \$6.9B.

Specific type of contract: This is a renewal of insurance coverage.

Purpose: The purpose of the contract is to insure system properties in the most cost effective method and to tailor insurance coverage to meet the specific needs of the system's universities.

Scope of Work: The universities pay a premium in exchange for the insurance coverage provided by the policy.

Term of contract: The length of the contract is one-year - May 31, 2011 to May 31, 2012.

Termination Options: Insurance policies have standard cancellation language allowing the policy to be cancelled at any time at the request of the insured or by the company by providing five (5) days' written notice of cancellation.

Contract Amount: The initial premium is \$4,440,374. The renewal will have a reduction in the rate per \$100 value of 5% to 6%. The property insurance premium as of this date may increase or decrease through the term of the policy as universities add or

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delete coverage. A schedule reflecting distribution of the premium on a per institution basis is being submitted under separate cover.

Funding Source for Contract: The contract is funded by billing the universities for their respective share of the premium.

Contractor Selection Process: IHL's approved Broker, Willis of North Carolina, Inc. developed insurance policy requirement specifications to ensure a competitive selection process. These specifications were released to the insurance market. All markets other than the incumbent company declined to quote.

Following are responses from the insurance markets targeted for consideration.

- AIG/Chartis declined to quote because Mississippi Code Annotated §83-21-23 does not permit the use of a non-admitted market when there is a company licensed by the Mississippi Department of Insurance that will write the coverage.
- Travelers declined to quote because they could not improve on the terms provided in 2009 (it was not competitive).
- Chubb declined to bid because they could not provide competitive pricing and terms.
- Zurich declined to bid because they could not provide competitive pricing and terms.

Board staff recommends approval of this item.

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Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

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If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

IHL PROJECTS

1. MSU – IHL 205-260 – Expansion and Renovation of Davis Wade Stadium

Project Request: Mississippi State University requests approval to initiate a project, Expansion and Renovation of Davis Wade Stadium, and to appoint LPK Architects as design professional.

Proposed Design Professional: LPK Architects

Purpose: Mississippi State University requests that a project be initiated for the addition to and renovation of Davis Wade Stadium, IHL# 205-260. This project has already been preplanned through the Bulldog Club. The project was begun under the control of the Bulldog Club and LPK Architects was hired by the Bulldog Club as the design professional. Preplanning documents have been completed by LPK Architects. Mississippi State University requests that LPK Architects be approved as the professional for the project. This will not only keep the project on schedule but will utilize the professional fees that have already been expended. The project will be funded by the university through EBC Bonds.

This project is needed to accommodate the overwhelming desires of the fan base and to allow more attendance and seating capacity for the game day experience. The project will consist of an addition to the north end zone of Davis Wade Stadium as well as improvements to the West Concourse of the existing stadium and entry ways. The addition to the north end zone will accommodate bowl seating for approximately 7,000 additional spectators, a lower level "bunker club" with bunker suites, and upper

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level box seating. The addition will also house a new concourse with fan amenities and additional food service support for the stadium complex. Structural provisions to allow for a future upper deck will also be included. Improvements to the West Concourse will consist of the addition to the architectural facade, new service and maintenance level, new vertical circulation, and renovated restroom and concession facilities. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: May 19, 2011

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<u><i>Estimated</i></u>
Construction Cost:	\$69,000,000.00
Architectural and Engineering Fees:	4,251,516.00
Miscellaneous Project Costs:	3,298,484.00
Contingency:	<u>3,450,000.00</u>
Total Project Budget	\$80,000,000.00

Proposed Funding Source(s): MSU EBC Bonds (\$80,000,000 – Pending Approval from IHL)

Staff Recommendation: Board staff recommends approval of this item.

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1. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of tort claim number 1523.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of tort claim number 1409.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. SYSTEM - APPROVAL SETTLE IHL SELF-INSURED WORKERS' COMPENSATION CLAIM

The IHL Self-Insured Workers' Compensation Program is seeking Board approval for settlement of claim number 2064688 at Mississippi State University.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. SYSTEM - APPROVAL SETTLE IHL SELF-INSURED WORKERS' COMPENSATION CLAIM

The IHL Self-Insured Workers' Compensation Program is seeking Board approval for settlement of claim number 928807 at The University of Mississippi Medical Center.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

5. SYSTEM - APPROVAL FOR FIRST READING OF PROPOSED CHANGES TO BOARD POLICY 201.0608 INSTITUTIONAL EXECUTIVE OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH PROCESS

Board approval for first reading is sought of the following proposed changes to Board Policy 201.0608 Institutional Executive Officer/Commissioner of Higher Education Search Process:

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**201.0608 INSTITUTIONAL EXECUTIVE
OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH
PROCESS**

A. General Policy

The Board shall appoint the Commissioner and the Institutional Executive Officers (IEOs). The Board shall make interim appointments to executive officer and/or commissioner positions as necessary and with such consultation as the Board considers appropriate.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006)

B. Board Search Committee

The President of the Board shall appoint a committee of Board members to manage the search for a Commissioner or an IEO. However, any Board member who wants to serve on the committee may serve. The President of the Board shall appoint a member of the committee as chairperson. The Commissioner, in consultation with the Board Search Committee, will make a recommendation to the Board with regard to a search consultant to assist with the search for an IEO. The Board may interview and will select the search consultant, if the Board determines that one is needed. The Board Search Committee may select a search consultant to assist with the search for a new Commissioner. As part of the initiation of the IEO search process, the Commissioner and Board Search Committee may consider the input of constituents regarding desired characteristics of a new IEO. The Board may also consider input from constituents regarding the desired characteristics of a new Commissioner.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

C. Advertisement Schedule

If a search consultant is used, ~~The~~ search consultant shall develop the position advertisement and a general schedule for the search in consultation with the Commissioner and with the approval of the Board Search Committee.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

D. Campus Search Advisory Committee

In a search for an IEO, the Commissioner shall prepare a list of the proposed membership of a Campus Search Advisory Committee. ~~shall appoint a Campus Search Advisory Committee,~~ as well as a chair, or co-chairs, of such committee. The Campus Search Advisory Committee shall be representative

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of the various constituent groups of the university, including administrators, faculty, staff, students, alumni, foundation representatives, and members of the community. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner's recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner's recommendations, the Commissioner may proceed with appointing the membership and chair (or co-chairs) of the Campus Search Advisory Committee. In a search for a Commissioner, the Board may seek advice from appropriate individuals or groups, including any search consultant hired by the Board.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

E. Recruitment

Recruitment of candidates may occur up to the point of selection, but candidates will be advised to submit their materials by a specified date to insure optimum consideration for the position. At any point in the search process the Board may add additional candidates to the pool being considered without starting the entire process over. The decision regarding whether to have any such additional candidates reviewed by the Campus Search Advisory Committee is in the discretion of the Board. Additional interviews may be conducted as desired by the Board.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

F. Candidate Screening

~~The Campus Search Advisory Committee, working with the consultant if one is used, shall narrow the field of applicants to no less than five candidates for an IEO position. Those names shall then be submitted unranked to the Commissioner.~~ members shall vote individually by secret ballot for a minimum of five candidates that he/she recommends as a good candidate for the position. The search consultant, if one is used, is to then accumulate the secret ballots and count them. If no consultant is used, the Commissioner shall accumulate the ballots and count them. The results of the vote count, indicating the number of favorable votes received by each candidate, are to then be reported to the Board Search Committee members . If no consultant is used, the Search Advisory Committee shall work with the Commissioner to

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~~narrow the list of candidates. The Commissioner shall then forward those IEO candidates' names to the Board Search Committee. The Board Search Committee shall then meet and discuss which candidates to interview. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be interviewed, the Board Search Committee shall proceed with planning first round candidate interviews. The search consultant shall then be informed of the candidates to be interviewed. The consultant shall next be informed that he/she may advise the non-selected candidates that they will not be interviewed as part of the initial process, if such notification is deemed prudent by the Board and the search consultant at that point in time. The consultant should, if directed by the Board, remind those candidates that were not invited back for initial interviews that the Board can always add more names to be considered at a later date. The Campus Search Advisory Committee may then be told who will be initially interviewed by the Board Search Committee.~~

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

G. Interview Search Advisory Committee

The Campus Search Advisory Committee shall then select a representative group of members, called the Interview Search Advisory Committee, to participate with the Board of Trustees in the remainder of the search process, except when the Board of Trustees excuses the Interview Search Advisory Committee members from votes to go into executive session. The Interview Search Advisory Committee shall be comprised of administrators, faculty, students, staff and outside representatives. These representatives shall be diverse in race and gender.

(BT Minutes, 1/2008)

H. Additional Screening

~~The Board Search Committee, in consultation with the Commissioner and the search consultant (if one is used), shall then decide, as a result of in-depth discussions, whom to possibly interview from the names sent forward by the Search Advisory Committee.~~

(BT Minutes, 1/2008)

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- H. ~~I.~~ First Interviews
The Board Search Committee and the Commissioner, with input from the Interview Search Advisory Committee, will conduct the first round of interviews. All Board members will be invited to attend. The number of candidates to be invited for a second round of interviews may be reduced by the Board Search Committee after in-depth conversations. The consultant, if one is used, or the Commissioner if no consultant is used, will conduct a background check on those candidates participating in the first round of interviews.

(BT Minutes, 1/2008)

- I. ~~J.~~ Reference Contacts
Under the direction of the Commissioner and/or the consultant, reference contacts will be made on each candidate who is participating in the second round of interviews.

(BT Minutes, 1/2008)

- ~~K.~~ ~~Background Checks~~
~~The consultant, if one is used, or the Commissioner if no consultant is used, will conduct a background check on those candidates participating in the second round of interviews.~~

(BT Minutes, 1/2008)

- J. ~~L.~~ Second Interviews
Before the second round of interviews, the results of the reference contacts and background checks shall be made known to the Board ~~Search Committee~~ and the Interview Search Advisory Committee. The Board Search Committee shall then meet to discuss who and how many to interview during the second round of interviews. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview for second round interviews. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed for a second interview, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be further interviewed, the Board Search Committee shall proceed with planning the second round interviews by the full Board. After the interviews, the Board Search Committee, in

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~~consultation with the Commissioner, shall decide its top two or three candidates following in-depth conversations. The Board may conduct as many additional interviews as it deems necessary in conducting the search process.~~

(BT Minutes, 1/2008)

- K. ~~M.~~ Preferred Candidate
After all of the above has been completed, the Board of Trustees will meet to hear from the Board Search Committee regarding an assessment of each candidate. The Commissioner's assessment will be sought. The Board of Trustees will then select and announce their Preferred Candidate.

(BT Minutes, 1/2008)

- L. ~~N.~~ Campus Interview
The Preferred Candidate will be scheduled for a full day on-campus for interviews with a wide array of constituents. Each group will have the opportunity to provide feedback on the Preferred Candidate to the Board of Trustees.

(BT Minutes, 1/2008)

- M. ~~O.~~ Decision
The Board of Trustees will meet after the last on-campus interview session to review the feedback and conduct further discussion. The Board of Trustees will then vote to name the Preferred Candidate as the institution's new Institutional Executive Officer or vote to continue the search.

(BT Minutes, 1/2008)

In a search for a Commissioner, the Board Search Committee may request appropriate individuals or groups to submit unranked recommendations of candidates to be considered for initial interviews. The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews. The Board Search Committee may also invite ~~two~~ additional individuals to attend and observe the initial interviews conducted by such committee to fill the position of Commissioner. The Board Search Committee

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will next develop an interview schedule for the candidates selected for final interviews for the position of Commissioner. The Board shall then meet and conduct final interviews and select the Commissioner.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008)

STAFF RECOMMENDATION: Board staff recommends approval of this item.

INFORMATION AGENDAS

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
APRIL 21, 2011 BOARD MEETING SUBMISSION DEADLINE**

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

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

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

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1. JSU – GS 103-255 – Fire Suppression System Phase I (Alexander Hall)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Construction Documents** as submitted by The CGM Group, Inc., design professional.

Staff Approval Date: April 19, 2011

Project Initiation Date: August 20, 2009

Design Professional: The CGM Group, Inc.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,360,000

Funding Source(s): SB 2010, L'04 (\$76,260.78); HB 246, L'07 (\$1,218,436.73); HB 1722, L'09 (\$2,650,025.64); HB 1701, L'10 (\$3,415,276.85)

2. MSU – GS 105-310 – Harned Hall Renovation – Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$107,770.58 and seventy-seven (77) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 11, 2011

Change Order Justification: **Change Order #6** is necessary to re-paint existing doors between building and annex, add vacuum pump cabinets to lab casework, add additional reverse osmosis water to lab casework, add power/data outlets for electronic directory, add vestibule doors at front entrance, add concrete sidewalk, replace existing drain for cage wash, and add 4" limestone sub-base below concrete pavement and lower existing manhole.

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Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$1,161,197.22

Project Initiation Date: May 1, 2007

Design Professional: Eley Associates/Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: April 7, 2009

Project Budget: \$17,000,000

Funding Source(s): SB 2010, L'04 (\$5,000,000); HB 246, L'07 (\$12,000,000)

3. MUW – GS 104-149 – Poindexter Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$47,873.00 and fourteen (14) additional days to the contract of West Brothers.

Staff Approval Date: April 5, 2011

Change Order Justification: **Change Order #4** is necessary to add supports at basement beneath stairs, to replace existing piers with post supports, and to add repairs and helicals at two missing piers.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$231,950.58

Project Initiation Date: November 20, 2003

Design Professional: Pryor & Morrow

General Contractor: West Brothers

Contract Award Date: July 13, 2010

Project Budget: \$9,579,000

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Funding Source(s): SB 2010, L'04 (\$6,930,000); HB 246, L'07 (\$714,000); HB 1641, L'08 (\$435,000); HB 1722, L'09 (\$1,500,000)

4. MUW – GS 104-154 – Drainage and Street Repair Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$79,999.00 and thirty-two (32) additional days to the contract of Gregory Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$68,829.00 and forty-two (42) additional days to the contract of Gregory Construction.

Staff Approval Date: (#1) April 12, 2011; (#2) April, 20, 2011

Change Order Justification: **Change Order #1** is necessary to 1) move utilities away from top of steam tunnel in the area, cut off the top steam tunnel placing pipe & pouring concrete around pipe to cover top of steam tunnel, 2) lower water line at intersection of Serenade Dr. & 5th Street to be below proposed drainage pipe, 3) lower gas line at intersection of Serenade Dr. & 5th Street to be below proposed drainage pipe (Atmos Gas), 4) remove and replace drop inlet and add additional piece, 5) all other drainage redesign for unexpected subsurface conditions. **Change Order #2** is necessary to revise the design of the storm drain to go around the active steam tunnel that was thought to be abandoned. On-site, this was not the case. Therefore, the drainage had to be rerouted as showing in the drawings for PCO#9. The revised route crosses a high voltage electric line duct bank that needs to have access available to it. It was agreed by the using agency, the Bureau of Building, the professional, and the contractor that this was the best option for the given situation.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$148,828.00

Project Initiation Date: October 20, 2005

Design Professional: Neel-Schaffer Inc.

General Contractor: Gregory Construction

Contract Award Date: September 9, 2010

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Project Budget: \$1,600,000

Funding Source(s): SB 2988, L'03 (\$400,507); HB 1634, L'06 (\$255,034); SB 3197, L'02 (\$37,039); HB 1701, L'10 (\$901,420)

5. MVSU – GS 106-230 – Stadium Seating Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Evan Johnson & Sons, LLC, the lower of seven (7) bidders, for a total contract amount of \$7,159,000. Approval is requested from the Bureau of Building, Grounds, and Real Property. The Bureau of Building, Grounds, and Real Property has recommended the award of contract at \$5,542,400.

Staff Approval Date: April 14, 2011

Project Initiation Date: N/A

Design Professional: JBHM Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: April 14, 2011

Project Budget: \$6,400,000

Funding Source(s): HB 1701, Laws of 2010 (\$6,000,000); Bureau of Building Discretionary Funds (\$400,000)

6. UM – GS 107-303 – Roof Replacements

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Lathan Company, Inc, the lower of seven (7) bidders, for a total contract amount of \$911,148. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 26, 2011

Project Initiation Date: August 20, 2009

Design Professional: Shafer & Associates

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General Contractor: The Lathan Company, Inc.

Contract Award Date: April 26, 2011

Project Budget: \$1,500,000

Funding Source(s): HB 1722, L'09 (\$974,707.47); SB 2010, L'04 (\$88,000); HB 246, L'07 (\$100,000); Internal R&R (\$337,292.53)

7. UM – IHL 207-303A – Research Park & Innovation Center-Medicinal Plant Garden

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$77,876.53 and zero (0) additional days to the contract of Hooker Construction.

Staff Approval Date: April 26, 2011

Change Order Justification: **Change Order #3** is necessary to install the electrical system needed for the Greenhouse, install 4 acutherm type diffusers with wall mounted thermostats, replace two existing faucets with Delta 592 single handle, and to prevent damage to the road, gate, and canopy during the constructing of the Horticulture Building which is on the same site.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of (\$91,421.53)

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons + Howorth & Associates

General Contractor: Hooker Construction

Contract Award Date: December 16, 2009

Project Budget: \$2,500,000

Funding Source(s): Federal Grant Funds [SBA, HUD, and NOAA] (\$2,500,000)

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8. UM – IHL 207-306 – Center for Manufacturing Excellence

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$40,107.68 and eight (8) additional days to the contract of Panola Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$0.00 and sixty (60) additional days to the contract of Panola Construction.

Staff Approval Date: April 6, 2011

Change Order Justification: **Change Order #8** is necessary to correct ambiguities in specifications and errors and omissions by the architect. **Change Order #9** is necessary to adjust the calendar due to excessive inclement weather delays in the project.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$410,179.13

Project Initiation Date: November 15, 2007

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction

Contract Award Date: February 18, 2009

Project Budget: \$17,700,000

Funding Source(s): MDA (\$17,700,000)

9. UM – IHL 207-306A – Carrier Hall Addition and Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of \$31,249.00 and ninety-six (96) additional days to the contract of Panola Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$10,056.02 and sixteen (16) additional days to the contract of Panola Construction.

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Staff Approval Date: April 6, 2011

Change Order Justification: **Change Order #10** is necessary to add additional sprinkler head at closet inside Office 1189, provide locking cores per specifications and university direction, add a stud header above new door 118, repair of door 205 after previous access control hardware was removed by the university, add university provided bike rack and associated concrete slab, add guardrails to new south entrance sidewalk, add break metal trim to cap walls against curtain wall system, and add hollow metal frame and wood laminate door to opening for break room. **Change Order #11** is necessary to address circuits and lighting, wiring, and relocate sanitary line as incorporated in Change Order #2, and add new light fixtures.

Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of \$263,922.49

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction

Contract Award Date: December 16, 2009

Project Budget: \$4,500,000

Funding Source(s): MDA (\$4,500,000)

10. UMMC – IHL 209-505 – Pediatric Emergency Room Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$248,355.26 and two hundred thirty-eight (238) additional days to the contract of Evan Johnson and Sons.

Staff Approval Date: March 30, 2011

Change Order Justification: **Change Order #3** is necessary to provide for corrections to various latent conditions, Department of Health (regulatory agency) change requirements and minor owner requested revisions.

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Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$404,799.26

Project Initiation Date: November 16, 2007

Design Professional: Dale/Morris Architects

General Contractor: Evan Johnson and Sons

Contract Award Date: February 15, 2010

Project Budget: \$5,633,275

Funding Source(s): Hospital Patient Revenues

11. UMMC – IHL 209-510 – Guyton Contract III Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$33,896.60 and fifteen (15) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval Date: April 26, 2011

Change Order Justification: **Change Order #3** is necessary to provide for resolution of miscellaneous plumbing, lab gas/air services, prewired lab table services and incorrect cove light fixtures which were not included or were incorrectly specified in contract documents. Also to use ground radar system to identify existing underground utilities at cooling tower area where new screen fencing will be installed.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$78,716.38

Project Initiation Date: June 17, 2008

Design Professional: Simmons Associates/Eley Associates, A Joint Venture

General Contractor: Evan Johnson and Sons Construction, Inc.

Contract Award Date: February 10, 2010

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Project Budget: \$16,500,000

Funding Source(s): Interest Income (\$700,000); MC EBC bond funds (\$15,800,000)

12. UMMC – IHL 209-515 – Surgical Short Stay Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$93,568.00 and sixty-nine (69) additional days to the contract of Evan Johnson and Sons.

Staff Approval Date: March 30, 2011

Change Order Justification: **Change Order #5** is necessary to provide for latent and owner requested issues to be resolved. Latent conditions inside walls were exposed during demolition and impact to doorways and existing kiosk requires solutions. Computerized equipment purchased by DIS differed from that originally included in project design, requiring modifications to mounting locations, power and data cabling. User realized the need for additional data and electrical service at Nursing Stations and also preferred to change to digital hospital clock system extension in lieu of using battery operated, wall hung clocks.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$529,421.00

Project Initiation Date: November 21, 2008

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Evan Johnson and Sons

Contract Award Date: August 24, 2009

Project Budget: \$7,735,000

Funding Source(s): Hospital Patient Revenues

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13. UMMC – IHL 209-526 – Cafeteria/Kitchen Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by McCarty Company Design Group, P.A., design professional.

Staff Approval Date: April 22, 2011

Project Initiation Date: August 20, 2009

Design Professional: McCarty Company Design Group, P.A.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,750,000

Funding Source(s): Hospital Patient Revenue (\$7,750,000)

14. UMMC – IHL 209-527 – Ophthalmology Renovations -764 Lakeland

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$145,986.00 and twenty-eight (28) additional days to the contract of Fountain Construction.

Staff Approval Date: April 12, 2011

Change Order Justification: **Change Order #2** is necessary to include above ceiling demolition of plumbing lines that will be required by separate project 209-538 into this current project. Rather than subject the new clinic operations being constructed by this project to damages, delays, interruptions etc. via future separate project 209-538 construction, this change order will allow for the above ceiling/below floor work required for future project to be accomplished and finished prior to the new clinic space being put into operation. Although an additional 28 days is required, the future project 209-538 work will be accomplished sooner and with less “after hours/overtime” work required due to scheduling around the clinic’s daily operations.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$302,214.00

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Project Initiation Date: August 20, 2009

Design Professional: Dale and Associates

General Contractor: Fountain Construction

Contract Award Date: September 1, 2010

Project Budget: \$5,279,000

Funding Source(s): Interest Income and Restricted Funds

15. UMMC – IHL 209-538 – 4th (and 2nd) Floor Renovations – 764 Lakeland Building

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Dale Associates Architects, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Dale Associates Architects, design professional.

Staff Approval Date: April 11, 2011

Project Initiation Date: October 21, 2010

Design Professional: Dale Associates Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$5,915,536.00

Funding Source(s): Restricted Funds (\$5,915,536)

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16. USM – GS 108-260 – Residence Hall Sprinkler Systems

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Hanco Corporation, the lower of five (5) bidders, for a total contract amount of \$1,284,000. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 20, 2011

Project Initiation Date: June 18, 2009

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Hanco Corporation

Contract Award Date: April 20, 2011

Project Budget: \$2,000,000

Funding Source(s): HB 1722, Laws of 2009 (\$2,000,000)

17. ERC – GS 111-044 – Mechanical Modifications Program

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1 for a credit** in the amount of \$9,700 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$36,586.14 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Staff Approval Date: (#1) January 31, 2011; (#2) March 25, 2011

Change Order Justification: **Change Order #1** is necessary to adjust for a credit due to substitution of aquatherm pipe, valves, and fittings for use on the heating water system in lieu of copper as specified. **Change Order #2** is necessary to furnish and install two supply and two return dampers on each floor (36 total) and to modify piping supplying chilled water to the IHL and ETV buildings.

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$26,886.14

Project Initiation Date: N/A

Design Professional: Atherton Engineers

General Contractor: Upchurch Plumbing, Inc.

Contract Award Date: November 12, 2010

Project Budget: \$3,500,000

Funding Source(s): HB 246, L'07 (\$2,500,000); HB 1641, L'08 (\$500,000); HB 1722, L'09 (\$500,000)

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by David Ware & Associates (statement dated 4/1/11) from the funds of Mississippi State University. (This statement, in the amount of \$15.61, represents services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 15.61

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 3/14/11) from the funds of the University of Mississippi. (This statement, in the amount of \$126.40, represents services and expenses in connection with the Purchase of Property from Whirlpool Corporation.)

TOTAL DUE.....\$ 126.40

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 3/16/11) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Representation of the Medical School and Facility Practice Plans - \$516.00, *Jackson HMA LLC* vs. *UMMC* - \$23,123.09 and *UMMC* - North Clinic - General Advice - \$5,142.80.)

TOTAL DUE.....\$ 28,781.89

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 3/17/11) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Light Scattering, etc." - \$152.50; "Enhanced Wood Preservative Composition" - \$68.00; "Steele-Solid Heat Carrier Pyrolysis Reactor" - \$720.00 and "Weed-Pelvic Floor Strength Assessment Device" - \$45.00.)

TOTAL DUE.....\$ 985.50

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Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 3/17/11, 3/23/11, 3/23/11, 3/23/11, 3/23/11 and 3/23/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Emerging Models for Wireless Communications Systems Over Multipath Fading Channels" - \$42.50; "Complexes and Compounds for Light Emitting Applications" - \$1,110.00; "Complexes and Compounds for Light Emitting Applications" - \$270.00; "Complexes and Compounds for Light Emitting Applications" - \$132.50; "Device for Demonstrating Components of a Vector" - \$497.50 and "High-Speed Data Compression Based on Set-Associative Mapping Techniques" - \$430.00, respectively.)

TOTAL DUE.....\$ 2,482.50

Payment of legal fees for professional services rendered by HersHKovitz & Associates (statements dated 1/27/11, 2/23/11, 2/23/11, 2/23/11, 2/28/11 and 3/11/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Canada: Potent Immunostimulatory Component in Microalgae Extract" - \$538.05; "Europe: 8-Aminoquinolines" - \$1,062.26; "Europe: 8-Aminoquinolines" - \$1,026.80; "Australia: 8-Aminoquinolines" - \$1,128.00; "Potent Immunostimulatory Component in Microalgae Extract" - \$1,457.50 and "Design and Synthesis of Optimized Ligands for PPAR" - \$692.50, respectively.)

TOTAL DUE.....\$ 5,905.11

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/24/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Delivery of Medicaments to the Nail" - \$1,258.51; "Delivery of Medicaments to the Nail" - \$1,442.00; "Highly Purified Amphotericin-B" - \$185.00; "In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative" - \$465.00; "Australia: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$5,386.65; "Canada: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$64.00; "Europe: High Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$96.00; "India: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$64.00; "Japan: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$64.00; "Republic of Korea: High-Speed Data Compressions Based on Set-Associative Cache Mapping Techniques" - \$32.00; "US: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$576.00; "Vietnam: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$64.00; "Method of Detecting Vibration and Sound Signatures of Human Footsteps" - \$187.50 and "Method of Detecting Vibration and Sound Signatures of Human Footsteps" - \$310.00.)

TOTAL DUE.....\$ 10,194.66

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1. **SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

The following item has been approved by the Commissioner on behalf of the Board and is available for inspection in the Board Office.

- a. **SYSTEM** – Approved the Quarterly Employment Reports for the period beginning January 1, 2011 and ending March 31, 2011 as required by Board Policy 401.0102 Delegation of Authority and 801.09 Outside Employment.