

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 19, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this January 19, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Mrs. Karen L. Cummins was absent. The meeting was called to order by Dr. Doug Rouse, President. Trustee Hal Parker requested a moment of silent prayer in support of Trustee Karen Cummins and her husband, Billy, as she struggles with health issues. Afterwards, Trustee Parker introduced Mr. Marcus Thompson, Chief Administrative Officer of IHL, to open the meeting with prayer.

**ANNOUNCEMENT**

- President Doug Rouse wished Trustee Shane Hooper a happy birthday.

**INTRODUCTION OF GUESTS**

- President Doug Rouse welcomed Dr. Rod Paige, Interim President at Jackson State University, to his first IHL Board meeting. Dr. Paige served as the 7<sup>th</sup> U.S. Secretary of Education.
- President Rouse also welcomed the following Student Government Association Officers: Allie Rose Parker, SGA President at Delta State University; Kendall Bunch, SGA President at Jackson State University; Roxanne Raven, SGA President at Mississippi State University; Quincy Hughes, SGA President at Mississippi University for Women; and Kortney Haymore, SGA President at Mississippi Valley State University.
- President Rouse recognized the following officials from the Mississippi Development Authority: Mr. Glenn McCullough, Jr., Executive Director; Mr. Mike McGreavey, Deputy Director; Ms. Pamela Weaver, Chief Marketing Officer; Ms. Savannah Tirey, Public Relations Specialist; and Ms. Ivey Swan, Events Bureau Specialist. President Rouse also recognized Mr. Dale Smith, Deputy Executive Director of Mississippi Department of Employment Security.

**PRESENTATION**

- The Board received a presentation about the Memorandum of Understanding formalizing and strengthening the partnership between the Mississippi Development Authority and the Mississippi Institutions of Higher Learning.

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**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 17, 2016 and December 16, 2016.

**CONSENT AGENDAS**

On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**FINANCE**

1. **SYSTEM** – Approved the budget escalation requests from Alcorn State University, Jackson State University, and Mississippi Valley State University within the *Ayers* Endowment Diversity Program budget. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2016 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. A budget escalation for JSU and MVSU was approved at the October Board Meeting after actual funding was known. Additional interest has now been allocated to the endowment fund from investments held at the Mississippi State Treasurer’s Office and the institutions have requested to revise their budgets to equal actual sources as shown. All funds budgeted within these programs were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

**Alcorn State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2017</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2017</b>
Salaries, Wages & Fringe Benefits			\$ -
Travel			\$ -
Contractual Services			\$ -
Commodities			\$ -
Capital Outlay:			\$ -
Equipment			\$ -
Library Resources			\$ -
Student Aid	\$ 235,070.00	\$ 25,547.57	\$ 260,617.57
Total	\$ 235,070.00	\$ 25,547.57	\$ 260,617.57

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**Jackson State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2017</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2017</b>
Salaries, Wages & Fringe Benefits	\$ 122,225.00		\$ 122,225.00
Travel			\$ -
Contractual Services			\$ -
Commodities			\$ -
Capital Outlay:			\$ -
Equipment			\$ -
Library Resources			\$ -
Student Aid	\$ 639,148.00	\$ 25,547.57	\$ 664,695.57
Total	\$ 761,373.00	\$ 25,547.57	\$ 786,920.57

**Mississippi Valley State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2017</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2017</b>
Salaries, Wages & Fringe Benefits	\$ 64,833.00		\$ 64,833.00
Travel	\$ 8,000.00		\$ 8,000.00
Contractual Services	\$ 86,037.00	\$ 25,547.57	\$ 111,584.57
Commodities	\$ 25,000.00		\$ 25,000.00
Capital Outlay:	\$ -		\$ -
Equipment	\$ -		\$ -
Library Resources	\$ -		\$ -
Student Aid	\$ 385,375.00		\$ 385,375.00
Total	\$ 569,245.00	\$ 25,547.57	\$ 594,792.57

2. **IHL EXECUTIVE OFFICE** – Approved the request to procure armed security services from Global Sector Services, Inc. for the campus located at 3825 Ridgewood Rd, Jackson, MS 39211. The contract term is for one year starting January 30, 2017, and ending January 29, 2018, with an option of renewal for four additional years, which would be an ending date of January 29, 2022. The cost of regular services on a biweekly schedule is \$3,572 which would equal \$92,872.00 annually. In addition to the regularly scheduled hours of Monday through Friday 7:00 AM to 7:00 PM, IHL has increased the limit to \$95,000 annually in the event of emergency or additional security is needed. The estimated total cost over the five-year period should not exceed \$475,000. The contract will be paid from general funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

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3. **MSU** – Approved the request to enter into a contract with GCA Educational Services, Inc., who will provide athletic venue cleaning services and daily cleaning of athletic facilities for the MSU Campus. The contract will be a one year contract beginning February 1, 2017 and ending on January 31, 2018, with an option to extend for up to 4 additional 1 year periods. The Board granted approval of the five-year term. The beginning base cost is anticipated to be \$899,926.02 per year, with a price adjustment of 2% or a percentage equal to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) during the twelve (12) month period immediately prior to the first day of the then current annual period, never to exceed five percent, for five years for a total estimated base cost of \$4,683,251.15. It should be noted that this amount is based on the base fees per planned event. It is anticipated that additional events will be held at the costs set forth in the agreement. The hourly costs for events outside those listed will be at a rate of \$11.14 for regular time and \$18.75 per hour for overtime. It is also possible that some costs may be revised as additions or reductions are implemented. The Board granted the university the authority to spend up to \$6,000,000 over the term of the agreement. The contract will be paid from athletic funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **MVSU** – Approved the request to escalate the Auxiliary Enterprise Budget for FY 2017. The escalation is requested to provide funds for emergency repairs caused from water pipe leakage in the New Men Residence Hall.

<b>Mississippi Valley State University FY 2017 Auxiliary Enterprises Budget by Major Object</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$1,793,964	\$ -	\$1,793,964
Travel and Subsistence	20,900	-	20,900
Contractual Services	3,854,318	120,000	3,974,318
Commodities	1,845,705	30,000	1,875,705
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	43,766	-	43,766
Mandatory Transfers	985,106	-	985,106
Non-Mandatory Transfers	656,241	-	656,241
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$9,200,000</b>	<b>\$150,000</b>	<b>\$9,350,000</b>



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<b>Mississippi Valley State University FY 2017 Auxiliary Enterprises Budget by Revenue Source</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Student Fees	\$ -	\$ -	\$ -
Governmental Appropriations	-	-	-
Grants and Contracts	-	-	-
Sales and Services	-	-	-
Other	9,200,000	100,000	9,300,000
Increase in Fund Balance	-	50,000	50,000
<b>Total</b>	<b>\$9,200,000</b>	<b>\$150,000</b>	<b>\$9,350,000</b>

5. **MVSU** – Approved the request to escalate the On-Campus Budget for FY 2017. The escalation is requested to provide funds for emergency repairs caused from water pipe leakage in the Student Health Center.

<b>Mississippi Valley State University FY 2017 On-Campus Budget by Major Object</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$ 20,746,211	\$ -	\$20,746,211
Travel and Subsistence	845,991	-	845,991
Contractual Services	8,574,874	120,000	8,694,874
Commodities	1,256,699	30,000	1,286,699
Capital Outlay: Non-Equipment	258,704	-	258,704
Capital Outlay: Equipment	206,624	-	206,624
Mandatory Transfers	116,310	-	116,310
Non-Mandatory Transfers	(526,443)	-	(526,443)
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$31,478,970</b>	<b>\$150,000</b>	<b>\$31,628,970</b>

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<b>Mississippi Valley State University FY 2017 On-Campus Budget by Functional Category</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Instruction	\$10,229,778	\$ -	\$10,229,778
Research	-	-	-
Public Service	90,324	-	90,324
Academic Support	1,758,357	-	1,758,357
Student Services	4,869,148	-	4,869,148
Institutional Support	5,289,620	-	5,289,620
Operation and Maintenance	5,801,751	150,000	5,951,751
Scholarships and Fellowships	3,850,125	-	3,850,125
Mandatory Transfers	116,310	-	116,310
Non-Mandatory Transfers	(526,443)	-	(526,443)
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$31,478,970</b>	<b>\$150,000</b>	<b>\$31,628,970</b>

<b>Mississippi Valley State University FY 2017 On-Campus Budget by Revenue Source</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Student Fees	\$13,623,600	\$ -	\$13,623,600
Governmental Appropriations	14,198,138	-	14,198,138
Grants and Contracts	6,000	-	6,000
Sales and Services	395,000	-	395,000
Other	2,285,584	100,000	2,385,584
Increase in Fund Balance	970,648	50,000	1,020,648
<b>Total</b>	<b>\$31,478,970</b>	<b>\$150,000</b>	<b>\$31,628,970</b>

6. **UMMC** – Contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into a master agreement with Abbott Molecular Inc. (Abbott) to purchase reagents and consumables for use in the Molecular department of the Clinical Laboratory. The reagents and consumables are used in HIV genotype testing, which are used to determine susceptibility to various HIV drugs and to aid clinicians in the proper course of treatment for patients. The agreement will allow UMMC to bring HIV genotype testing in-house instead of sending the tests to a reference laboratory. The contract is for a period of five (5) years, beginning February 2, 2017, and ending January 4, 2022. The total estimated cost of the agreement over five (5) years is \$1,538,622.01. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. Beginning in Year 2, prices may increase up to four percent (4%) or the percentage increase based upon the Consumer Price Index for Medical Care, whichever is less. UMMC also has factored in a fifteen percent (15%)

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annual increase in patient volume for Years 2-5. The contract will be funded by hospital patient revenues. This agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration.

7. **UMMC** – Approved the request to enter into a five-year preventive maintenance and basic services agreement with Bayer Healthcare, LLC (Bayer). This agreement will include preventive maintenance such as verification and recalibration per factory specifications on certain Bayer brand radiology equipment, along with software updates, certified part replacements, complete inspection, safety testing, and onsite service by a Bayer certified field engineer. This will allow full warranty coverage on all items listed for the term of the agreement. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay in advance for maintenance services. Payments will be made once annually, except for services outside the normal business hours, which will be paid within thirty (30) days of receipt of invoice for such services. This agreement is for a term of five (5) years beginning January 20, 2017 and ending January 19, 2022. The cost of this agreement is \$456,795. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **UMMC** – Approved the request to enter into a reagent rental agreement with Beckman Coulter, Inc. that will allow for the upgrade of equipment used in UMMC's Pathology Department. Under the agreement, UMMC will receive upgraded flow cytometry equipment, the cost of which will be factored into the cost of the reagents that UMMC is committing to purchase. UMMC utilizes this equipment for a variety of clinical applications, such as solid organ transplant cross-matching and monitoring of HIV therapy. The term of this contract is thirty-four (34) months beginning on or about February 15, 2017 and ending December 31, 2019. The total estimated cost of this agreement is \$1,918,152.50. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
9. **UMMC** – Approved the request to amend its Customer Agreement with CareFusion Solutions, LLC. The proposed amendment extends the term of the Customer Agreement for Software Management Services (SMS) for an additional year. The agreement is for maintenance and management of the software that runs the 3,637 "smart" IV pumps in UMMC's hospitals, in addition to any new pumps purchased during the contract term. The software supports the smart pump technology that allows a drug library to be loaded into each patient's pump, which provides hard and soft stops to nursing based on drug dosage and infusion rates/times. The term for the agreement began September 1, 2016, and will continue through August 31, 2021, under the amended five (5) year term. The total cost of the SMS Customer Agreement for the five (5) year term is approximately \$888,063.98. CareFusion's pricing is based upon the number of licensed beds at UMMC, which is currently 720. CareFusion has offered UMMC a ten percent (10%) discount for the multi-year agreement. Beginning in year two (2), CareFusion may increase prices by no more than five percent (5%). If UMMC increases its licensed beds by more than 10% during the term of the agreement, CareFusion will charge a pro-rated fee for the overage. For this contingency, UMMC has calculated an additional ten percent (10%) in potential overage licensed beds during the course of the agreement. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenues.

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The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

10. **UMMC** – Approved the request to enter into an amendment to the current pricing agreement with Edwards Lifesciences, LLC (Edwards). This amendment will allow UMMC to receive a rebate on the transcatheter aortic valve systems currently being purchased. Edwards will maintain a readily available inventory of transcatheter aortic replacement valves on site for use by UMMC's cardiovascular surgeons and interventional cardiologists on appropriate patients as the need arises. The term of this amendment will be for thirty-three (33) months beginning February 2, 2017 and ending November 30, 2019. The total term of the agreement is five (5) years, beginning December 1, 2014 and ending November 30, 2019. There is no additional cost for this amendment as it is a rebate which is based on the number of systems purchased. The total estimated cost approved will remain \$6,987,500. The amendment will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
11. **UMMC** – Approved Amendment 11 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to revise or update the pricing that was reflected in Amendment ten (10), due to UMMC having gone live with one or more interfaces between the time amendment ten (10) was prepared for UMMC and the time it was executed. The term of amendment 11 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is \$20,182.00. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
12. **UMMC** – Approved Amendment 12 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to add the Carequality Exchange functionality to the currently licensed Care Everywhere program property. The Carequality Exchange will allow UMMC to exchange patient data with other entities who also participate in the Carequality Exchange program. Carequality is a national, public-private initiative to unite interoperability vendors under a single Rules of the Road governance structure. The term of amendment 12 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment as the subscription fee is waived. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
13. **UMMC** – Approved Amendment 13 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to increase the volume of ambulatory license visits. Under the amendment, the number of Epic licenses will increase to 800,000 annual ambulatory visits. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of amendment 13 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is

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- \$690,735.00. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
14. **UMMC** – Approved Amendment 14 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to increase the volume of annual inpatient days back to the amount from amendment seven (7) thereby voiding Provision 1 “Volume Adjustment” to Amendment 8. Under the amendment, the number of Epic licenses will increase to 260,000 annual inpatient visits. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of amendment 14 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment as the cost was accounted for under Amendment 7. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
  15. **UMMC** – Approved a Service Request with Epic Systems Corporation to aid in the implementation of the licensed outgoing address verification query interface. The purpose of the request is to allow UMMC to utilize Epic to assist in the implementation of the outgoing address verification query interface. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of the service request will begin on or about February 1, 2017, and continue through implementation. Estimated implementation time is approximately six (6) months. The estimated cost of the request is \$2,400. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
  16. **UMMC** – Approved the request to enter into a new license agreement with Intelligent Medical Objects, Inc. (IMO) for IMO® Problem IT Terminology, IMO® Procedure IT Surgical Scheduling and IMO® Procedure IT Surgical History software. The license for the Problem IT and Procedure IT Surgical Scheduling software is already integrated into UMMC's Electronic Medical Records System, Epic. UMMC is electing to add the IMO® Procedure IT Surgical History software. The purpose of this agreement is to allow UMMC to continue to utilize the software provided by IMO which is embedded in Epic and add the Procedure IT Surgical History software. This software provides clinical terminology that works with Epic in the clinical documentation workflow. The term of this agreement will be for one (1) year beginning February 1, 2017. The agreement will automatically renew for successive one (1) year periods. The total term of the agreement shall not exceed five (5) years. The total estimated cost of this agreement is \$441,208.37. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
  17. **UMMC** – Contingent upon the receipt of a P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with NxStage Medical, Inc. for the rental of equipment and the purchase of associated dialysis supplies, to be used by patients on hemodialysis (HEMO) home therapy. The agreement also includes a provision for loaner equipment and supplies for patient and staff education purposes. The term of the contract will be approximately three (3) years beginning upon date of last signature, which is estimated to be on or about February 10, 2017, and ending February 28,

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2020. The total estimated cost of this agreement is \$1,293,155.60. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration. A copy of the agreement is on file in the Board Office.
18. **UMMC** – Contingent upon the receipt of a P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with One Lambda, Inc. to purchase reagents and consumables used in the HLA department of UMMC's Clinical Laboratory for use in transplant testing. These reagents and consumables will be used together with One Lambda's Human leukocyte antigen (HLA) Fusion analysis software that UMMC owns. As the only HLA laboratory in the state of Mississippi, the UMMC HLA laboratory provides all of the tissue typing and antibody screening services for the UMMC Transplant Center and the Mississippi Organ Recovery Agency. The HLA laboratory also performs HLA typing for the Bone Marrow Transplant Program and for various disease associations, including ankylosing spondylitis, celiac disease, and abacavir hypersensitivity (for HIV treatment). The contract term is four (4) years, eleven (11) months – February 1, 2017 through December 31, 2021. The total estimated cost of the agreement over four (4) years and eleven (11) months is \$10,237,748.20, as broken down below. This includes an annual quantity commitment totaling \$985,766.12, as well as additional projected purchases. Beginning in Year 2, prices may increase annually up to three percent (3%). UMMC also has factored in a twenty percent (20%) annual increase in patient volume for Year 2 and a twenty-five percent (25%) increase in Years 3-5. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration. A copy of the agreement is on file in the Board Office.
19. **UMMC** – Approved the request to enter into a Structural Heart Products Purchase Agreement with St. Jude Medical S. C., Inc. for the purchase of structural heart products used in the pediatric and adult cardiac catheterization laboratories. The agreement allows for purchases at a locked-in rate. The structural heart products are used to correct congenital heart anomalies in pediatric and adult patients. In layman's terms, the structural heart product, or occluder, is used to fix a hole in a patient's heart, a common congenital anomaly. The term of the agreement is two (2) years, from approximately February 2, 2017, through February 1, 2019. The total estimated cost of the agreement over two (2) years is \$1,388,000.00, which is dependent upon patient volume. In its request, UMMC has considered its historical purchases and potential patient volume growth. The agreement will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
20. **USM** – Approved the request for a First Amendment to License Agreement between the University and New Cingular Wireless PCS, LLC (Licensee). Licensee is requesting an amendment of the original License Agreement between the parties in order that Licensee may add additional antennas and equipment to USM's Pulley Hall. Upon installation of the additional equipment, Licensee will increase the fees paid by Licensee to USM by \$800 per month. All other terms and conditions of the original License Agreement shall remain the same. The original License Agreement was for a term of five years with four five-year renewal options. The license agreement is currently in the third of four 5-year renewal terms. USM will receive approximately \$800 per month or \$9,600

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annually in additional license fees for each year of the term of the existing License Agreement plus renewals, if any. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

**REAL ESTATE**

21. **UM** – Approved the request to rename **IHL 207-416, Conner Hall – School of Accountancy Expansion**, as “Holman Conner –Schools of Accountancy and Business Administration Expansion” and to modify the scope of the project to include Holman Hall – School of Business Administration. The Board also approved the appointment of JH&H Architects, P.A. as the design professional. The School of Accountancy resides in Conner Hall which was built in 1961. Conner Hall is a 4-story, 64,546 gross square foot concrete frame building with a masonry veneer. Connected to Conner Hall is Holman Hall that serves the School of Business Administration. Holman Hall, built in 1998, is a 4-story, 61,386 gross square foot concrete frame building with a masonry veneer. Both facilities need to be expanded to meet the goals of today's academic demands. The design professional will assist the University in determining the project scope, site, and budget. The University will return to the Board at a future meeting to define the scope further and increase the project budget to reflect a more accurate project cost estimate. The proposed project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
22. **UM** – Approved the appointment of Barlow Eddy Jenkins, P.A. as the design professional for **IHL 207-417, Farley Hall – School of Journalism Expansion**. The School of Journalism resides in Farley Hall which was built in 1929. Farley Hall is a 3-story, 50,991 gross square foot concrete frame building with a masonry veneer. The design professional will assist the University in determining the project scope, site, and budget. The University will return to the Board at a future meeting to define the scope further and increase the project budget to reflect a more accurate project cost estimate. The proposed project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
23. **UM** – Approved the initiation of **IHL 207-430, New Student Housing Service Building**, and the appointment of Weir Boerner Allin Architecture, P.A. as the design professional. The existing Housing Maintenance Building was constructed in 1989 and consists of a 7,000 GSF, 1-story metal building that has met its useful lifespan. The Housing Department has added significant housing inventory since 1989 and today's demands on the university dictate the need for this project. The current building's condition and size requires that an additional or new Housing Service Building be constructed to facilitate the Department's maintenance and service of the University's housing inventory. If removal of the existing Housing Maintenance Building is required, the University will submit this request for review/approval at a future Board meeting. The proposed project budget is \$2 million. Funds are available from Student Housing Revenues and Reserves (\$2,000,000).
24. **UM** – Approved the initiation of **IHL 207-431, Crosby Hall Bathroom Renovations**, and the appointment of the design professional using the Request for Qualifications (RFQ) process. Crosby Hall is a 10-story concrete frame and masonry building constructed in 1971. Crosby Hall houses 700 residents. There are three (3) communal bathrooms per floor. This project will renovate all of the bathrooms within the facility. Phasing of the project may be required. The design professional will assist the University in determining the project scope and budget. The University will return to the Board at a future meeting to seek approval of the design professional. The university will also define the scope further and increase the project budget to reflect a more

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accurate cost estimate once these items have been determined by the design professional. The proposed project budget is \$3 million. Funds are available from Student Housing Revenues and Reserves (\$3,000,000).

25. **MSU** – Pending approval of funding of the Mississippi State University Educational Building Corporation financing, the Board approved the request to increase the project budget for **GS 105-355, Engineering and Science Complex (Engineering Building)**, from \$30 million to \$34 million, for an increase of \$4 million. The Board approved the request to modify the funding source to include the addition of MSU EBC bond funds and MSU Internal Reserve Funds to the project to allow for the budget increase. The Board also approved the request to modify the scope of the project to include the addition of 3,600 square feet of wet Chemistry lab space to the project. The project is currently in the design phase. This is the first budget escalation request made for this project by the University. The budget increase will fund the expanded scope of the project. The project will consist of approximately 54,000 square feet of new construction that will house classrooms, offices, teaching labs, research labs, chemistry labs, support space, and high bay areas. This building is the first building for the proposed Engineering and Science Complex. Funds are available from SB 2906, Laws of 2015 (\$13,000,000); SB 2844, Laws of 2015 (\$1,000,000); MSU Foundation Funds (\$12,000,000); MSU Internal Reserve Funds (\$4,000,000); and EBC Funds (\$4,000,000) (pending Board approval).
26. **MSU** – Approved the request to delete from inventory and demolish the Music Building D (Building # 0048). Music Building D (Building #0048) is currently in the footprint of the proposed location of the new Engineering and Science Complex. The removal of the building will allow for the construction of the new Engineering and Science Complex. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
27. **MSU** – Approved the request to delete from inventory and demolish the Sheely House. The Sheely House is located on the MSU campus and has fallen into a state of disrepair and not economically feasible to restore. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
28. **USM** – Approved the request to purchase the property located at 503 North 36th Avenue in the amount of \$97,500 from Marshall Easley. The property, which is a single-family dwelling, borders University property and the university already owns Lots 1, 2, 3, 4, and 5. USM intends to demolish the existing structures on the property and grass the lot to be used for future expansion and/or parking. The University has obtained two independent property appraisals. The first appraisal was in the amount of \$117,000. The second appraisal was in the amount of \$78,000. The average of the two appraisals was \$97,500 which is the average of the property's two appraised values. The closing shall be held at a location mutually agreeable to the parties on or before February 17, 2017 or upon such earlier or later date and time per agreement by the parties. The sale price will be \$97,500. The Attorney General's Office has reviewed and approved this item.

**LEGAL**

29. **MSU** – Approved the request to enter into a contract with the law firm of MENDELSON DUNLEAVY, P.C., located at 1500 John F. Kennedy Boulevard, Suite 312, Philadelphia, PA 19102, to perform services necessary in the practice area of intellectual property and specifically concerning the filing and prosecution of patent applications. The firm will provide legal



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representation at an hourly rate, ranging from \$195 to \$325 for attorneys and \$100 per hour for paralegals. The term of the proposed contract will be for one year, and total expenditures will not exceed \$75,000. MSU has used the Attorney General's Office for patent applications for a number of years. The Attorney General's Office has contracted with this firm to provide services under three separate contracts, with three different effective dates. These contracts were between the firm and the Office of the Attorney General on behalf of Mississippi State University for the prosecution of three foreign patent applications. Due to recent legislation, the Attorney General's Office notified MSU that the contract relationship with this firm must now be between the firm and Mississippi State. MSU requested one contract to replace the three previous contracts, with a retroactive effective date of May 1, 2016, to avoid any lapse in contract terms. The retroactive start date for the contract is needed in order for MSU to pay for work already performed for MSU's benefit by the firm that was authorized by the AG's office but that was not performed pursuant to a contract between MSU and the firm. A proposed contract has been approved by the Office of the Attorney General.

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Smith, seconded by Trustee Hooper, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #4.

1. **DSU** – Approved for final reading the proposed tuition rate increase from \$6,298 in FY 2017 to \$6,613 effective for fiscal year 2018. This is a 5% increase. In compliance with Board Policy 702.04 Approval Process Subsection C Consideration of Request, the Board had thirty-days to review the requested increase prior to final approval.
2. **UM** – Approved the request to initiate the bond process for the University of Mississippi Educational Building Corporation (UMEBC) to borrow funds not to exceed \$19 million to finance an addition and renovations to the Oxford-University Stadium. The addition portion of the project will include a two-story, roughly 45,000 square foot performance/operations center. It will house equipment and laundry rooms, players' locker room, training room, pro/alumni locker room, player lounge, team meeting room, coaches' locker room, weight training/plyometrics. The addition will also include an outdoor plaza. The Board received the financial report from the financial advisor, First Southwest. The loan term will not exceed 15 years. Taxable and tax-exempt options will both be considered. The Board also approved Butler, Snow as the bond counsel. Bond counsel will be compensated at \$1.90 per \$1,000 incurred by the Educational Building Corporation up to \$25 million. After \$25 million, the rate decreases to \$1.15 per \$1,000 above \$25 million.

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3. **UMMC** – Approved the request to enter into a lease agreement with 300 Renaissance, LLC to lease space for UMMC’s Center for Telehealth. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to make prepayments on a monthly basis. The commencement date of the lease is expected to be the earlier of September 1, 2017 or the first date upon which UMMC conducts business in the leased space. The term of the lease, which will begin upon commencement date, is five (5) years with the option to renew the lease for one successive five (5) year term. The Board approved a ten (10) year term. The cost of the lease over the ten (10) year term is estimated to be \$4,177,048.87. The cost per square feet will be \$28.50 for first twenty-four (24) months, \$29.00 for months twenty-five (25) through the thirty-six (36) and \$29.50 for months thirty-seven (37) through sixty (60). If UMMC elects the optional five (5) year renewal, the cost of the rent per square feet will be determined based upon the market value at that time. For purposes of requesting spend approval for a ten (10) year term, UMMC has estimated an increase of \$.50 per square feet each year of the renewal. UMMC will also pay its pro rata share of any increase in operating expenses above the base year operating expense cost. The exact base year operating expense cost will not be known to UMMC until after the first year of the lease; therefore, in order to request appropriate spend authority, UMMC has estimated that the base year operating expense will be \$3.00 per square feet and beginning in year two (2) UMMC has added an additional 1.5% compounded annually to cover increased operating expenses. In addition to the above payments, as the building is located in a proposed or existing Colony Park Public Improvement District (PID) that provides for certain improvements and services, such as, enhanced patrols, landscaping, upgraded lighting, sidewalks, etc., UMMC will pay its pro rata share of PID costs not to exceed \$.50 per square feet annually. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The current agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **UMMC** – Approved the request to amend the current agreement with McCann Erickson USA, Inc. d/b/a MRM/McCann for the provision of marketing and advertising services. In accordance with the Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay in advance to McCann, any payments which are customarily paid in advance for marketing services, such as reservation for space in various marketing venues (billboards, magazines, etc.). The purpose of this amendment is to allow UMMC to extend the term of the agreement, to allow McCann to perform services pursuant to statements of work and to increase spend approval. The cost being requested for the amendment will not require an increase to the marketing budget. The contract will be for a term of approximately two (2) years, eleven (11) months, January 22, 2016 – December 31, 2018. The cost of the contract will not exceed \$7,000,000 for the term of the agreement. The charges include: 1) Media Costs – All media costs that are incurred as a result of services performed by a third party, will be passed through to UMMC at gross. From this, 15% commission for media placement and oversight will be included as payment to McCann, as is industry standard. However, there will be no other agency markup on the cost of media. 2) Production costs will be passed-through from McCann to UMMC with no markup. 3) Out-of-pocket Expenses - All out-of-pocket expenses will be passed through from McCann to UMMC with no mark up. 4) Agency Fees - Agency fees will be paid to McCann for professional services performed by the firm as documented in McCann’s proposal. The agreement will be funded by self-generated funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

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**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

A motion was made by Trustee Perry, seconded by Trustee McNair, to grant permission for an extension to the end of June 2017 of any affiliation agreements between the state universities and their affiliated foundations or alumni associations that will expire prior to June 1, 2017 to allow more time for possible improvements to Board Policy 301.0806 University Foundation/Affiliated Entity Activities, which may impact the required provisions for new affiliation agreements, and to table agenda item #1 until the February meeting. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Cummins and Smith absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to move agenda items #2 and #4 to the Executive Session Agenda.

1. **SYSTEM** – Request for approval of proposed modifications to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading. **(THIS ITEM WAS TABLED UNTIL THE FEBRUARY MEETING.)**
2. **SYSTEM** – Settlement of IHL Self-Insured Tort Claim No. 65-3186-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **UM** – Request to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36489. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
4. **UMMC** – Request to approve the settlement of Tort Claim No. 3030. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

1. **SYSTEM** – The Board received an update on possible changes to the standards required by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) which is the regional body for the accreditation of degree-granting higher education institutions in the Southern states.

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**REAL ESTATE**

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 17, 2016 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

**LEGAL**

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

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3. **SYSTEM** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, approved IHL’s emergency request to contract with attorney Dick Cowart to assist the IHL Board with UMMC related strategic planning, to advise the Board on healthcare law related matters, and legislation related matters. The hourly rate will be \$525 with a maximum amount payable under the contract of \$10,000.

**ADMINISTRATION/POLICY**

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **ASU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 7, 2016, Commissioner Glenn F. Boyce granted retroactive approval of the Lease Agreement between the Alcorn State University Extension Program and CDAH, LLC for building space located at 199 St. Catherine Street, Natchez, MS for use by the ASU Farmers Market. The term of the lease is one year—January 1, 2016 through December 31, 2017 with four quarterly lease payments in the amount of \$2,700 payable in advance on the 1<sup>st</sup> of January, April, July, and October, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 11, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement Amendment between Mississippi State University and Houndstooth Commercial Properties, LLC for 2,400 square feet of building space to be used for administrative/consultation work by the 21(d) OSHA Consultation employees of MSU Industrial Health and Safety a/k/a Center for Safety and Health. The current agreement is being extended for a new one-year term from February 1, 2017 through January 31, 2018, at a cost of \$2,900 per month payable in advance. Funds are available from the 21(d) On-Site OSHA Consultation Program. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - c. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 22, 2016, Commissioner Glenn F. Boyce approved Addendum #2 to a lease agreement between Mississippi State University and Charles Cameron Dean, Jr. for the lease of approximately

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100 acres of land for research purposes, including a covered shop located on the property. The original agreement began January 2015 at a cost of \$25,057 annually and was previously extended for one year. Addendum #2 extends the existing lease for a one-year period from January 1, 2017 through December 31, 2107 at the same cost. There are no changes to the original agreement. The contract will be funded by general funds. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- d. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University College of Engineering and Hewlett Wood Products, Inc. for approximately 6,250 square feet of space in a building located at 511 MLK Drive, Starkville, MS at a cost of \$30,000 per year, payable in monthly installments of \$2,500 each in advance or by the 5<sup>th</sup> of each month. The term of the lease is for one year effective upon the date of execution. It may be renewed upon written agreement of the parties. The space is to be used for the Barksdale College of Engineering student activities including competition teams, outreach coordinator, and storage. The contract will be funded through external funded gifts to BCoE (Hearin Foundation Grant and Chevron Gift). The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved Addendum #1 to a lease agreement between Mississippi State University and the State of Mississippi, Military Department for approximately 842 square feet of office space located in the MSU High Performance Computing Building for use by the Mississippi National Guard. This is a two-year extension of an existing lease agreement that began January 30, 2014 and will expire on January 31, 2017. Addendum #1 extends the contract through January 31, 2019, at a cost of \$1 per year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- f. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 29, 2016, Commissioner Glenn F. Boyce approved the renewal of a Lease Agreement between Mississippi State University Agriculture and Applied Science and the Delta Lambda House

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Corporation of Delta Gamma Fraternity, Inc. and the MSU Chapter of Delta Gamma Sorority for a Lot #2 of Sorority Hill Subdivision at a cost of \$1. The term of the lease is fifty years effective December 1, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- g. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 29, 2016, Commissioner Glenn F. Boyce approved the Ground Lease Agreement between Mississippi State University Agriculture and Applied Science and the Epsilon Chi Zeta House Corporation for and on behalf of the Lambda Chi Alpha Fraternity for Lot #9 of Fraternity Hill Subdivision at a cost of \$1. The term of the lease is fifty years effective December 1, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- h. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On December 12, 2016, Commissioner Glenn F. Boyce approved the Part-Time Space Occupancy Lease agreement between the University of Mississippi Medical Center and the Tishomingo Health Services, Inc. d/b/a/ North Mississippi Medical Center – Iuka for periodic use of approximately 2, 759 square feet of office and clinic space in the North Mississippi Medical Center in Iuka, MS. The Agreement is for a term of one year effective upon execution of the agreement and automatically renewable for up to four consecutive one-year terms, at a cost of \$200 a month rent, calculated based on two scheduled occupancy periods in each calendar month, as set out specifically in Exhibit B to the Agreement and payable at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Southern Mississippi and Bac Yeast, Inc. for approximately 765 square feet of office and laboratory space at USM’s Accelerator at a cost of \$16,200 annually. There is also a “transition period” rental amount of \$1,500 to be paid one time on the first day of the “transition period.” The lease is for an initial term of one year effective January 2017 with the option to renew for up to four consecutive one-year terms. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- j. **SYSTEM** – On December 1, 2016, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning July 1, 2016 and ending September 30, 2016. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.
- k. **SYSTEM** – In accordance with Board Policy 401.0103 Salaries and Compensation, each institution is required to submit an annual report of the additional compensation paid to selected employees. Additional compensation includes any institutional pay outside of an employee’s regular contract rate. This could include additional pay for items such as teaching overloads, performing additional duties, athletic camp service, etc. On January 3, 2017, Commissioner Glenn F. Boyce approved the submitted report for Fiscal Year 2016. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of the report will be maintained in the IHL Department of Finance and Administration for review.
- l. **SYSTEM** - In accordance with Board Policy 702.03 Approval of Tuition, Fees, and Other Student Charges, each institution is required to submit a report of their annual participation/optional fees to the Board through guidelines established by the Commissioner’s Office. Participation/Optional Fees are defined in Board Policy 702.02 Definitions as assessments for “supplies, activities, or services made available to students or as fines for misconduct, violation of institutional policy, or violation of contractual agreements”. The fees became effective July 1, 2016 and remain in effect throughout the 2016-17 fiscal year. On January 3, 2017, Commissioner Glenn F. Boyce approved the 2017 Participation and Optional Fees Report. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration for review.
- m. **SYSTEM** – In accordance with Board Policy 703.04 Institutional Scholarships, Tuition Waivers and Fellowships Subsection F Policy Guidelines, each institution is required to submit an annual summary of actual expended E&G Scholarships, Fellowships and Tuition Waivers for the past fiscal year. Included in this presentation would be a summary of the actual E&G student aid expenditures by financial aid category as well as the number of category award recipients. On January 3, 2017, Commissioner Glenn F. Boyce reviewed and approved the FY 2016 presentation. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration for review.
- 5. **SYSTEM** - As a part of the continuous strengthening of the partnership between the Mississippi Institutions of Higher Learning (IHL) and the Mississippi Development Authority (MDA), the parties have agreed to enter into a Memorandum of Understanding (MOU) that outlines and formalizes our commitment to each other and the State of Mississippi. The MOU affirms that the partners will intentionally leverage the capabilities of Mississippi’s institutions of higher education for economic development outcomes in order to build a vibrant economy that supports business growth and expansion. The joint efforts of the university system and the business community, as defined in the MOU, will improve the economic climate of the state and create greater employment opportunities for our graduates. On behalf of and as a commitment of their respective organizations, the agreement has been signed by Glenn McCullough, Jr., Executive Director of the

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Mississippi Development Authority and Dr. Glenn Boyce, Commissioner of Higher Education. A copy of the MOU is included in the bound *January 19, 2017 Board Working File*.

**ANNOUNCEMENTS**

- Commissioner Glenn Boyce updated the Board on the budget cuts received by the Mississippi Public Universities System. President Rouse thanked Kim Gallaspy, Director of Governmental Relations, for the weekly legislative reports she provides to the Board.
- President Rouse announced the next scheduled Board meeting will be February 16, 2017 at the Board Office.
- President Rouse invited the university presidents to report on current activities on their campuses.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, January 18, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 2:00 p.m. The following items were discussed.

1. Presentation - The Committee received the 2016 Year-End Report presented by Dr. J. Michael Henderson, Chief Medical Officer at the University of Mississippi Medical Center.
2. Executive Session

On motion by Trustee Rouse, seconded by Trustee McNair, with Trustees Cummins and Hooper absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee Rouse, with Trustees Cummins and Hooper absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of strategic business plans for a public hospital.

During Executive Session, the Committee discussed strategic business plans for a public hospital. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to open session.

3. Adjourn - On motion by Trustee Perry, seconded by Trustee Starr, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to adjourn.



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The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering (by phone), Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Ms. Karen Cummins was absent.

**EXECUTIVE SESSION**

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

Discussion of three state university litigation matters,  
Discussion of two state university personnel matters, and  
Discussion of strategic plans of a public hospital by its governing board.

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

On motion by Trustee Dye, seconded by Trustee McNair, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to deny Dr. Sally Paulson's request for the Board to review Delta State University's denial of tenure and promotion to Dr. Paulson.

On motion by Trustee Smith, seconded by Trustee Dye, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the termination of Dr. Vivian Fuller, Associate Vice Provost for Student Affairs at Jackson State University.

On motion by Trustee Dye, seconded by Trustee Parker, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Self-Insured Tort Claim No. 65-3186-1, styled as *U.S. Department of Justice vs. JSU, et al.*, as recommended by counsel.

On motion by Trustee Perry, seconded by Trustee Duff, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36489, styled as *Joshua Sherman vs. UM, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Starr, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3030, styled as *Willie Brown vs. UMMC, et al.*, as recommended by counsel.

The Board discussed strategic plans of a public hospital by its governing board. **No action was taken.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 19, 2017**

**On motion by Trustee Dye, seconded by Trustee Smith, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

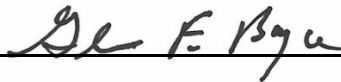
**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 19, 2017**

**EXHIBITS**

- Exhibit 1      Real Estate items that were approved by the IHL Board staff subsequent to the November 17, 2016 Board meeting.
- Exhibit 2      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

January 19, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 17, 2016 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **DELTA STATE UNIVERSITY**

### **1. DSU- GS 102-237 – Caylor White Walters Phase IV Auditorium**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$2,322.00 and twenty (20) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #4 includes the following items: installation of brick to infill pilasters at the south ramp; provide square steel caps in infill holes at the removed pickets on the north stairs; and twenty (20) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$64,676.64.

Project Initiation Date: August 19, 2010

Design Professional: Architecture South, P.A.

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$1,261,847.63

### **2. DSU- GS 102-260 – Zeigel Hall Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Architecture South, P.A.

Approval Status & Date: APPROVED, October 24, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 24, 2016

Project Initiation Date: October 16, 2014

Design Professional: Architecture South, P.A.

# EXHIBIT 1

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General Contractor: TBD

Total Project Budget: \$6,292,500.00

3. **DSU – GS 102-262 – Young Mauldin Cafeteria Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Design Development Documents**

Board staff approved the Design Development Documents as submitted by Burris/Wagnon Architects.

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: October 16, 2014

Design Professional: Burris/Wagnon Architects

General Contractor: TBD

Total Project Budget: \$9,180,791.00

## MISSISSIPPI STATE UNIVERSITY

4. **MSU– GS 105-345 – MSU Classroom Building with Parking**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$11,745.00 and twenty-two (22) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 10, 2016

Change Order Description: Change Order #7 includes the following items: audio/visual modifications; bollard modifications prior to installation; storm sewer modifications at the underground fiber optic line intersection; and twenty-two (22) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional weather related days for work as indicated herein.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$673,117.60.

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

Phased Project Budget: \$36,232,589.00

Total Project Budget: \$41,314,339.00

## UNIVERSITY OF MISSISSIPPI

5. **UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by JBHM Architects, P.A.

Approval Status & Date: APPROVED, November 10, 2016

**Approval Request #2: Advertise**

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Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$30,098,646.00

Total Project Budget: \$32,000,000.00

## 6. **UM – IHL 207-376.2R – STEM Building – Site Utilities Relocation REBID**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, November 3, 2016

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 3, 2016

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$6,689,260.00

Total Project Budget: \$8,700,000.00

## 7. **UM– IHL 207-383 – Gillom Sports Center Renovation**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$84,712.49 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #3 includes the following items: add audio/visual, conduit, and cabling for instant replay; bore underground electrical conduit from the northeast manhole around the east side of the building to the telephone room; demolish the exhaust fans; add exhaust fans in the restrooms; and install plywood at the back side of the parapet.

Change Order Justification: This change was due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$93,761.20.

Project Initiation Date: June 19, 2014

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: Zellner Construction Services, LLC

Total Project Budget: \$13,800,000.00

## 8. **UM – IHL 207-385R.1 – Manning – Practice Fields Enlargement REBID**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$89,518.48 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, November 21, 2016

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Change Order Description: Change Order #4 includes the following items: add a drain inlet between the entry drive & electrical boxes adjacent to the practice field; remove unsuitable material on practice field #1 and replace with engineered fill; realign the fencing & add a double gate at the transformer & add a main gate at the cooling tower in the southeast area of the practice field; increase the width of the protective netting behind the tower on the west end of the practice field; install a water flow meter on the irrigation system; install a subsurface drain line at the base of the retaining wall along Manning Way; provide padding for the field light poles; and install ground rods at the observation towers.

Change Order Justification: These changes are due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$267,720.96.

Project Initiation Date: June 19, 2014

Design Professional: Holcombe Norton Partners, Inc.

General Contractor: Sports Turf Company, Inc.

Phased Project Budget: \$4,782,530.00

Total Project Budget: \$5,351,030.00

## 9. UM– IHL 207-389 – Vaught-Hemingway Stadium North End Zone

### Approval Request #1: Change Order #9

Board staff approved Change Order #9 in the amount of \$371,770.90 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, October 26, 2016

Change Order Description: Change Order #9 includes the following items: added piles at the grid; revised the flagpole type; deleted the scoreboard camera platform; changes made to the generator pad; additional audio/visual scope; foundation changes at the scoreboard; added a new storm box; south end zone water remediation; added trench drains at the west side of the concourse; a dry sprinkler pendant at the south end zone freezers; vomitory close-off; scoreboard roof change; added gravel at the west side; change to the swivel TV brackets; power for additional audio/visual and internet technology; added wind screens at the chain link fence areas; vomitory paint at the north end zone; change to the scoreboard flashing; controls allowance reconciliation; south end zone closure panel; added exit lights; painting of upper inside of scoreboard; repair to east side sewer line; added two (2) TV swivel brackets; and a light fixture credit.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$2,004,604.44.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Total Project Budget: \$30,593,713.00

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10. **UM – IHL 207-411R – Oxford-University Stadium (Swayze Field) Addition & Renovation - REBID**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$70,471.41 and nine (9) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #1 includes the following items: removal of a section of an existing trench drain & temporarily connect to an existing storm drain; revision of new electrical construction to match the existing underground electrical construction; relocation of a 4” sewer line; repair of an existing water line leak; increased the area of an equipment pad to accommodate future new chiller & maintenance area requirements; added a 3” strainer and isolation valves to the existing chiller; bore chill water lines under existing electrical & communication ductbanks; added safety fencing around unoccupied equipment outside the construction fence; and nine (9) days to the contract.

Change Order Justification: These changes are due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$70,471.41.

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Upchurch Plumbing, Inc.

Total Project Budget: \$5,000,000.00

11. **UM – IHL 207-423 – Jackson Avenue Center Phase III – Swing Space**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer & Associates Architects.

Approval Status & Date: APPROVED, November 3, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 3, 2016

Project Initiation Date: January 16, 2014

Design Professional: Shafer & Associates Architects

General Contractor: TBD

Total Project Budget: \$3,800,000.00

12. **UM – IHL 207-425 – Crosby Hall Boiler Replacement**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, November 3, 2016

**Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, November 3, 2016



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Project Initiation Date: September 15, 2016  
Design Professional: Corbett Legge & Associates, PLLC  
General Contractor: TBD  
Total Project Budget: \$1,100,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 13. UMMC– GS 109-210 (GC-001) – School of Medicine

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$63,719.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, November 3, 2016

Change Order Description: Change Order #7 includes the following items: installation of steel relief angles at the elevated floor levels in the atrium lobby at thin-stone panel locations; provide fire rated partition enclosure at a certain location at the men's/women's toilets; increase the wall thickness at two (2) floor locations; provide & install additional support steel for the brick at the limestone offset on the east and west sides of the north entry; add gypsum board pilaster on a door on floors 1-4; add steel supports to the ground floor curtain wall windows on certain column lines at window types; revise the ceiling height of a corridor and associated gypsum board furrings; change the specified fire extinguishers & cabinets to UMMC standard; add 2hour fire rated horizontal shaft wall enclosures at a floor mechanical shaft; revise the ceiling height of a corridor and associated gypsum board furrings; substitute fiberglass backer board for cementitious backer board at the terrazzo base locations; reroute the existing gas line on the east side of the building as required; and relocate the gas meter.

Change Order Justification: These changes were due to errors & omissions in the plans & specifications; latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of \$201,603.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

### 14. UMMC– IHL 209-544 – Translational Research Center

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$105,435.57 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, October 19, 2016

Change Order Description: Change Order #2 includes the following items: added brick ledge; added communication stations; additional Vivarium door guards; additional steel to raise the cooling tower; added cooled chiller controls; rework of the boiler room equipment pads & plumbing fixtures; rebar modifications; deleted boiler day tank and

# EXHIBIT 1

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added an additional fuel pump; curb changes to the rooftop; wall framing for the electrical panels at the rates shafts; and added an access door to the MIND center lobby chase.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of \$1,282,193.43

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

## 15. UMMC – IHL 209-553 – Interventional Radiology Renovation

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by JBHM Architects, P.A.

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: August 20, 2015

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Total Project Budget: \$7,759,186.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

## 16. USM– GS 108-261 – School of Nursing

### **NOTE: This is a Bureau of Building project**

### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$30,499.70 and zero (0) additional days to the contract of Hanco Corporation.

Approval Status & Date: APPROVED, November 16, 2016

Change Order Description: Change Order #9 includes the following items: power for chemical treatment & boiler control boards; flooring & terrazzo changes; added power connections in three (3) fire dampers and a water control device; addition of six (6) 208v circuits for UPS back-ups; added polymer jointing sand top to the brick pavers in the plaza; added exterior handrails, added exterior handrails to stairs north of the building ; flip the storefront double doors already installed leading to a terrace to allow egress from the terrace due to electronic locks that were added to these doors.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$37,877.87.

Project Initiation Date: September 17, 2009

Design Professional: Studio South Architects, PLL and Eley Guild Hardy Architects, P.A.

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General Contractor: Hanco Corporation

Total Project Budget: \$30,000,000.00

## 17. USM – Gulf Coast - GS 114-022 – Business and Health Building

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$156,694.76 and thirty-four (34) additional days to the contract of J.W. Puckett & Company, Inc.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #1 includes the following items: add doors & framing for the new bathroom/access controls; add a new toilet to include finishes, painting, drywall, accessories, HVAC, plumbing and sprinkler; revise the fire alarm system to allow the system to be monitored & controlled at USM's Hattiesburg campus; remove a tree, miscellaneous landscape changes to include sod, topsoil & irrigation; sewer & pipe size change; sewer line repairs; removal of a power pole; and thirty-four (34) days to the contract.

Change Order Justification: These changes are due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$156,694.76.

Project Initiation Date: March 19, 2015

Design Professional: McCarty Architects Professional Association

General Contractor: J.W. Puckett & Company, Inc.

Total Project Budget: \$7,000,000.00

## 18. USM– IHL 208-332 – Pride Field Turf and Fencing

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,154,360.68 to the apparent low bidder, Pride Field Turf and Fencing.

Approval Status & Date: APPROVED, November 4, 2016

Project Initiation Date: March 19, 2015

Design Professional: Neel-Schaffer, Inc.

General Contractor: Pride Field Turf and Fencing

Total Project Budget: \$1,315,000.00

## 19. USM– IHL 208-334 – Cochran Center Theatre

**Approval Request #1: Design Development Documents**

Board staff approved the Design Development Documents as submitted by Albert & Associates Architects.

Approval Status & Date: APPROVED, October 20, 2016

Project Initiation Date: November 19, 2015

Design Professional: Albert & Associates Architects

General Contractor: TBD

Total Project Budget: \$2,400,000.00

# EXHIBIT 1

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20. **USM – IHL 210-243 – Marine Education Center**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$29,610.00 and six (6) additional days to the contract of Starks Contracting Co., Inc.

Approval Status & Date: APPROVED, November 22, 2016

Change Order Description: Change Order #2 includes the following items: erosion control; additional steel columns and weld plates; increased the slab thickness of a building; parking lot revisions; and six (6) days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$23,454.75.

Project Initiation Date: August 21, 2008

Design Professional: Lake Flato

General Contractor: Starks Contracting Co., Inc.

Total Project Budget: \$16,115,660.00

## EDUCATION AND RESEARCH CENTER

21. **ERC – GS 111-052 – Structural and Subsurface Repair**

**NOTE: This is a Bureau of Building project**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on January 12, 2017 to approve the budget increase from \$3,563,570.87 to \$4,178,570.87, an increase of \$615,000.

Approval Status & Date: APPROVED, January 12, 2017

Project Initiation Date: November 21, 2013

Design Professional: JBHM Architects

General Contractor: Gregory Construction Services

Total Project Budget: \$4,178,570.87

22. **ERC– GS 111-053 – Primary Electrical Replacement**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,461,000.00 to the apparent low bidder, Moses Electric, Inc.

Approval Status & Date: APPROVED, December 16, 2016

Project Initiation Date: September 17, 2015

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Moses Electric, Inc.

Total Project Budget: \$2,000,000.00

# EXHIBIT 2

January 19, 2017

## 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 Brunini, PLLC (statement dated 11/22/16) from the funds of Mississippi State University. (This statement, in the amount of \$400.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 400.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/20/16 and 12/1/16) from the funds of Mississippi State University. (These statements, in the amounts of \$417.68 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 2,917.68**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/6/16 and 12/7/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,512.00 and \$11,306.81, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 12,818.81**

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 11/17/16) from the funds of the University of Mississippi. (This statement, in the amount of \$196.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 196.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 11/4/16) from the funds of the University of Mississippi. (This statement, in the amount of \$1,485.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,485.00**

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Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/26/16, 7/1/16, 7/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 9/1/16, 10/1/16, 10/1/16, 10/1/16, 11/1/16, 11/1/16, 11/1/16 and 11/1/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,405.92, \$24.59, \$14.47, \$4,350.00, \$4,000.00, \$23.23, \$12.28, \$4,000.00, \$19.69, \$3,000.00, \$50.25, \$3,000.00, \$407.12, \$18.82, \$6,000.00, \$54.22, \$30.59, \$3,960.00 and \$24.83, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 32,396.01**

Payment of legal fees for professional services rendered by Baker|Donelson (statement dated 9/13/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,824.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,824.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/2/16, 9/13/16, 9/14/16, 9/14/16, 9/16/16, 9/26/16, 10/4/16, 10/10/16, 10/10/16, 10/11/16, 10/11/16, 10/11/16, 10/11/16, 10/12/16, 10/24/16, 11/9/16, 11/14/16, 11/14/16, 11/14/16, 11/14/16 and 11/21/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$13,001.10, \$294.00, \$1,470.00, \$7,717.50, \$6,419.00, \$1,485.00, \$9,803.09, \$882.00, \$1,764.00, \$563.50, \$32,989.64, \$808.50, \$6,433.50, \$1,225.00, \$5,586.00, \$808.50, \$1,127.00, \$2,107.00, \$6.42, \$9,906.00 and \$4,385.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 108,782.25**

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 8/31/16 and 9/30/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$33,777.80 and \$17,529.10, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 51,306.90**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 10/11/16, 10/18/16, 10/18/16, 10/24/16, 11/2/16, 11/7/16, 11/7/16, 11/18/16 and 11/18/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$8,085.00, \$14,600.40, \$20,094.75, \$11,498.58, \$24,044.00, \$8,937.95, \$11,170.50, \$7,057.15 and \$6,847.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 112,335.83**

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Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 9/21/16, 9/21/16, 9/21/16, 9/21/16, 9/21/16, 10/5/16, 10/5/16, 10/5/16, 10/5/16, 10/5/16 and 10/5/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,290.00, \$750.00, \$1,929.00, \$313.50, \$540.00, \$561.00, \$328.50, \$858.00, \$825.00, \$696.00 and \$588.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,679.00**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 12/5/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,060.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,060.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/12/16, 10/21/16 and 11/7/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$3,816.00, \$1,756.10 and \$1,019.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 6,591.60**

Payment of legal fees for professional services rendered by Dornan Law (statement dated 11/2/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$6,555.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 6,555.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 11/4/16 and 12/6/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$462.00 and \$49.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 511.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16 and 12/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,500.00, \$2,500.00, \$1,500.00, \$2,000.00, \$28.23, \$446.36, \$2,500.00, \$28.23, \$43.75, \$28.23, \$412.40, \$12.50, \$1,500.00, \$2,500.00, \$24.83 and \$20.16, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 15,044.69**

# EXHIBIT 2

January 19, 2017

## 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 (statements dated 10/26/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine and Method of Making” - \$8,106.00; “Live Attenuated Edwardsiella ictaluri Vaccine” - \$1,037.50; “Silicon Carbide and Related Wide-Bandgap Transistors on Semi-Insulating Epitaxy for High-Speed, High-Power Applications” - \$987.50 and “Silicon Carbide and Related Wide-Bandgap Transistors or Semi-Insulating Epitaxy for High-Speed, High-Power Applications” - \$47.50.)

**TOTAL DUE.....\$ 10,178.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/25/16 and 11/16/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Extruder Device” - \$367.50 and “Extruder Device” - \$236.00, respectively.)

**TOTAL DUE.....\$ 603.50**

Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 10/20/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Blue Stain System” - \$832.50.)

**TOTAL DUE.....\$ 832.50**

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 10/15/16, 10/15/16, 10/15/16, 11/4/16 and 12/6/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Methods for Detecting Transient Acoustic Signals” - \$35.00; “Systems and Methods for Preparing Solid Lipid Nanoparticles” - \$1,187.58; “Systems and Methods for Preparing Solid Lipid Nanoparticles” - \$35.70; “Methods for Detecting Transient Acoustic Signals” - \$309.40 and “Methods for Detecting Transient Acoustic Signals” - \$1,210.86, respectively.)

**TOTAL DUE.....\$ 2,778.54**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/21/16) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$8,844.00.)

**TOTAL DUE.....\$ 8,844.00**



# EXHIBIT 2

January 19, 2017

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 10/16/16, 10/16/16, 10/17/16, 10/21/16, 10/26/16, 11/1/16, 11/7/16, 11/17/16, 11/28/16, 11/28/16, 11/28/16 and 11/30/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions containing Delta-9-THC-Amino Acid Esters” - \$4,142.51; “Compositions containing Delta-9-THC-Amino Acid Esters” - \$364.78; “Highly Selective Sigma Receptor Radioligands” - \$4,827.40; “Natural Insect Repellants and Deterrents” - \$2,516.05; “Potent Immunostimulants from Microalgae” - \$789.45; “Manzamines for Treatment of Drug Resistant Infection” - \$3,990.00; “Highly Selective Sigma Receptor Ligands” - \$553.40; “Potent Immunostimulants from Microalgae” - \$1,093.41; “Highly Selective Sigma Receptor Radioligands” - \$1,080.05; “Highly Selective Sigma Receptor Radioligands” - \$9,266.29; “Highly Selective Sigma Receptor Radioligands” - \$12,343.16 and “Compositions containing Delta-9-THC Amino Acid Esters” - \$1,193.44, respectively.)

**TOTAL DUE.....\$ 42,159.94**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/25/16, 10/25/16, 10/25/16, 10/25/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 11/16/16, 11/16/16 and 11/16/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - \$1,442.76; “Stabilized Formulation of Triamcinolone Acetonide” - \$279.75; “Gas Separating Membranes” - \$2,940.50; “Longitudinal Gait Velocity Monitoring of Older Population” - \$2,288.00; “Highly Purified Amphotericin-B” - \$792.00; “Highly Purified Amphotericin-B” - \$1,496.00; “Highly Purified Amphotericin-B” - \$859.00; “Highly Purified Amphotericin-B” - \$784.00; “Highly Purified Amphotericin-B” - \$748.00; “Particle Feeder” - \$1,150.00; “Delivery of Medicaments to the Nail” - \$575.00; “Gas Separating Membranes” - \$537.00 and “Longitudinal Gait Velocity Monitoring of Older Population using Ultrasonic Technology” - \$1,006.50, respectively.)

**TOTAL DUE.....\$ 14,898.51**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/14/16, 9/14/16, 9/14/16, 10/25/16, 10/25/16, 10/25/16, 11/16/16, 11/16/16, 11/16/16, 11/16/16 and 11/16/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$28.50, \$38.00, \$442.00, \$332.50, \$2,063.50, \$290.00, \$38.00, \$1,876.92, \$954.50, \$185.50 and \$1,132.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 7,381.92**

# EXHIBIT 2

January 19, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/3/16 and 10/26/16) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Trademark Application for the Centennial Anniversary” - \$336.00 and “Urban-Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$47.50, respectively.)

**TOTAL DUE.....\$ 383.50**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
February 16, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this February 16, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Dr. Doug Rouse, President, and opened with prayer by Trustee Tom Duff.

**INTRODUCTION OF GUESTS**

- President Rouse introduced Tyler McMurray, Student Government Association President-Elect at Mississippi State University.
- Following the passing of Trustee Karen Cummins, Governor Phil Bryant appointed former state Supreme Court Justice Ann H. Lamar to the IHL Board on February 8, 2107. President Rouse welcomed Justice Lamar to her first Board meeting.

**2017 DIVERSITY AWARDS OF EXCELLENCE  
IN OBSERVANCE OF BLACK HISTORY MONTH**

President Doug Rouse noted that each year the Board observes Black History Month by celebrating the achievements and accomplishments of one individual from each state institution of higher learning who has contributed significantly to the positive advancement of diversity on his/her campus and in the community.

Trustee Shane Hooper, Chair of the Diversity Committee, thanked the members of the committee, Trustee Alfred McNair and Trustee C.D. Smith, for their time and effort. Trustee Hooper gave special thanks to the photographer Mr. Jay Ferchaud from the University of Mississippi Medical Center. Trustee Hooper recognized the Chief Diversity Officers from each institution.

Trustee Hooper congratulated all of the nominees and presented them with a Certificate of Recognition for their outstanding vision, dedication, as well as serving as role models and strong advocates for the advancement of diversity at their respective universities and in the surrounding communities. The nominees were as follows:

Dr. Steve Adzanu	Alcorn State University
Dr. George Beals	Delta State University
Dr. Hyun Chong Kim	Jackson State University
Dr. Robert Damm	Mississippi State University

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Mr. Harvin Hudson	Mississippi State University, Division of Agriculture, Forestry and Veterinary Medicine
Ms. Kimone Simmons	Mississippi University for Women
Dr. Willa Johnson	University of Mississippi
Dr. Hamed Benghuzzi	University of Mississippi Medical Center
Dr. Mohamed Elasri	University of Southern Mississippi

Trustee Hooper recognized Dr. Cassie Sade Turnipseed, Assistant Professor of History in the Department of Social Sciences at Mississippi Valley State University, as the 2017 Diversity Educator of the Year. Mrs. Karen Cummins, who served on the Board of Trustees from 2012 until her recent death, was recognized posthumously as the special community honoree. Dr. Turnipseed and Trustee Cummins' husband, Billy, were each presented with a resolution and plaque commemorating these awards. A copy of the resolutions is included in the *February 16, 2017 Board Working File*.

On motion by Trustee Hooper, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve renaming the Excellence in Diversity Community Service Award to the Karen Cummins Community Service Award in memory of Trustee Karen Cummins. The way Mrs. Cummins lived her life each day epitomized what this award is all about, so it is only right that this award will bear her name. Each year, as they bestow the award, the Diversity Committee will seek to recognize someone with Trustee Cummins' courage, grace and sense of inclusion and community.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on January 19, 2017.

**CONSENT AGENDAS**

By the request of Trustee Perry, agenda item #16 on the Real Estate Consent Agenda was moved to the Real Estate Regular Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas as amended.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved the following new academic program: **MSU** - Master of Science in Cyber Security and Operations degree (CIP 11.1003).

**FINANCE**

2. **MUW** – Approved the request to engage the CPA firm of Grantham, Poole, Randall, Reitano, Arrington & Cunningham to conduct its annual audit for the Mississippi University for Women

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Foundation for the year ending June 30, 2017 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).

3. **MVSU** – Approved the request to engage the CPA firm of Fred T. Neely & Company, PLLC to conduct its annual audit for the Mississippi Valley State University Foundation for the years ending June 30, 2016 and 2015 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).
4. **MVSU** – Approved a resolution authorizing the filing of an application to the Mississippi Department of Transportation for a grant to assist in providing transportation services. Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, Mississippi Valley State University provides public transportation services in eight (8) Delta counties: Carroll, Grenada, Holmes, Humphreys, Leflore, Sunflower, Tallahatchie and Washington. The mass transit system serves as a vital means of transportation for students to attend the university.
5. **UMMC** – Approved the amendment to the current service order with Mediquant, Incorporated that provides data storage and access management services. This amendment will allow UMMC to move back to the Active Tier for the Invision PA and Signature legacy systems. By switching back to the Tier 1 active status UMMC will be able to edit and post payments for the Invision PA and Signature systems which it was unable to do in the Tier 2 static phase. The term of this amendment will be for three (3) months beginning March 1, 2017 and be coterminous with the service order ending May 31, 2017. The total estimated cost of the amendment is \$12,825.60 and for the service order will be \$762,243.07. A breakdown of the costs is included in the bound *February 16, 2016 Board Working File*. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment for monthly access services. The contract will be funded by patient care revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
6. **UMMC** – Approved the request to enter into a second service order with Mediquant, Incorporated for the conversion of the Cerner/Siemens system, RAS/RASI system, and the Aspyra Lab applications into Mediquant’s DataArk applications for final AR drawdown and Release of Information from UMMC’s Grenada location, as well as for the conversion of the CoPath system used by anatomical pathology at the main campus. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment for monthly access services. The purpose of this service order is to allow for the conversion, storage and access services to the legacy clinical and hospital financial data at UMMC’s Grenada facility, now that Epic is in place, and the anatomical pathology system at the main campus. The term of service order will be for thirty-nine (39) months beginning on March 1, 2017 and ending May 31, 2020. The total estimated cost of this service order is \$752,465.00. A breakdown of the costs is included in the bound *February 16, 2016 Board Working File*. The contract will be funded by patient care revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

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7. **UMMC** – Approved the request to enter into service order three (3) with Mediquant, Incorporated to provide data storage and access management services through its DataArk application. This agreement will allow for data storage and access services for legacy clinical and financial data at its main campus as well as add the OpenArk application. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment for monthly access services. The purpose of this service order is to allow UMMC to continue its data storage and access to its legacy clinical and hospital financial data for main campus. In addition, this service order is adding the OpenArk application which will provide on-demand same day access to data. This service order three (3) will allow continued access to the applications established in the previous service order one (1) by establishing a new three (3) year term at better pricing as well as adding a new application. The term of service order will be for thirty-nine (39) months beginning on March 1, 2017 and ending May 31, 2020. The total estimated cost of the agreement is \$364,752.00. A breakdown of the costs is included in the bound *February 16, 2016 Board Working File*. The contract will be funded by patient care revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
8. **UMMC** – Approved the request to enter into a library subscription agreement with Wiley Subscription Services, Inc. for science, technology, medical, and business journals on the Wiley Online Library platform. This agreement will allow authorized users to access, search, browse, view and print articles directly from each journal on the Wiley online platform. Authorized users include all students, faculty, staff, and researchers at UMMC, in addition to those authorized by the library for on-site access. These research-oriented journals are used for educational and research purposes. The term of the contract is January 1, 2017, through December 31, 2018. As Wiley Subscription Services, Inc. will not offer a contract on any other than a calendar-year basis, the Board granted retroactive approval of this agreement. The total contract amount has an estimated expenditure of \$893,882.28. A breakdown of the costs is included in the bound *February 16, 2016 Board Working File*. This agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
9. **UMMC** – Approved the request to amend its Hospital Discharge Agreement with Infusion Partners, LLC. Under the agreement, Infusion Partners provides home infusion pharmacy services and infusion nursing support to UMMC’s patients, specifically UMMC’s indigent care patients who have been discharged from UMMC. The amendment will extend the expiration of the one (1) year term for an additional year and add outpatient chemotherapy infusion services. The existing Hospital Discharge Agreement is for a term of one (1) year, which was estimated to cost less than \$250,000. The amendment will cause the total contract cost to exceed \$250,000. The amended contract term is two (2) years, beginning July 1, 2016, and ending June 30, 2018. The total estimated cost over the two (2) year term is \$1,200,000.00. Fees for each treatment shall be based on the services performed by Infusion Partners on each patient. Originally, UMMC calculated a total cost of \$245,000 for a one (1) year term. With the addition of the outpatient chemotherapy infusion, UMMC estimates the need for up to \$955,000.00 for the remainder of the initial term and the amended additional year. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

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10. **USM** – Approved the terms and conditions of the purchase of a Resin Transfer Molding (RTM)/ Vacuum Assisted Resin Transfer Molding (VaRTM) workstation. The purpose of the contract is for our School of Polymers and High Performance Materials to obtain a turnkey Integrated RTM/VaRTM workstation with injection, press, and software integration. RTM and VaRTM are process technologies for manufacturing composite parts. “Resin” is another term for “Polymer.” This state of the art technology provides USM a new capability to support the U.S. Army and other military and civilian research programs requiring “lightweight and high-strength materials.” The term of the contract will be from the date of purchase order issuance until the system is in place, tested, accepted, and training is conducted. The estimated completion time is 32-36 weeks. The cost of the contract is \$515,000.00. Payment terms are as follows: 70% upon delivery, and 30% after installation and final acceptance. The funding for this purchase will come from the externally funded Army Research Laboratory Ballistics Polymers grant. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
11. **USM** – Approved the terms and conditions of the purchase of an X-Ray Scattering System from Xenocs. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to make a 30% advance payment. The system will support research required in an Army Research Labs grant. The instrument will be used to expand the polymer characterization capabilities of the School of Polymers and High Performance Materials for current research and future education. The term of the contract will be from the date of the purchase order issuance until the system is in place, tested, accepted, and training is conducted. The estimated delivery time is four (4) months from the purchase order date. The total purchase price is \$616,594. Payment terms are as follows: 30% advance upon order, then 50% upon factory final testing reports and shipment proof (Airway Bill), and finally, 20% upon on-site installation, acceptance test, and operation training. This price is contingent upon the exchange rate from the Euro to the U.S. Dollar. If the rate changes during the three-month price validity period by more than +2 percent from the quoted basis rate of .93 Euro to the U.S. Dollar, then the price will be adjusted accordingly. The funding for this purchase will come from the externally funded Army Research Laboratory Ballistics Polymers grant. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

**REAL ESTATE**

12. **MSU** – Approved the purchase from Ergon Properties Inc. approximately six acres of land located between Russell Street and Highway 12 in Starkville, MS for \$3,000,000. The university sold the property to Ergon in 2005 for \$2,400,000. After several failed attempts at developing the property, Ergon has agreed to resale the property to MSU for \$3,000,000. Ergon has made significant improvements to the property since their purchase including the demolition of several old buildings, the relocation of major power lines, and significant dirt work. The university received two independent appraisals for the property. The first appraisal was in the amount of \$7,550,000. The second appraisal was in the amount of \$7,950,000. The average of the two appraisals for the property is \$7,750,000. The purchase price is \$3,000,000 which is below the average of the two appraised values. The transaction will be treated as a bargain sale with Ergon intending to claim a charitable deduction for the difference in the purchase price and the Fair Market Value. The property shall be purchased 10 days following approval of the IHL Board but no later than April

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- 1, 2017. A Phase I Environmental Site Assessment has been conducted on the property. Based on site inspection, current and past land use history, adjacent property inspections and record review, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office reviewed and approved this item prior to the Board's approval of this item.
13. **MSU** – Approved the exterior design of the **IHL 205-280, Starkville Oktibbeha Consolidated District Partnership Middle School** project. This facility is a joint effort between Mississippi State University, Mississippi State University Foundation, and the Starkville Oktibbeha Consolidated School District. The facility will be located on Mississippi State University property that is referred to as the Longest property. Once the rendering is approved, the Starkville Oktibbeha Consolidate School District, under separate contract with the professional, will move forward with the final bid documents and advertise the project for construction. The proposed project budget for the design fees only is \$200,000. Funds are available from MSU Foundation Funds (\$200,000). Renderings of the building are included in the bound *February 16, 2017 Board Working File*.
14. **UM** – Approved the exterior design of the Delta Delta Delta Sorority House. This project is fully funded by the Delta Delta Delta Sorority but the addition is being constructed on leased land from the university. No state or university funds are being expended on this project. A rendering of the building is included in the bound *February 16, 2017 Board Working File*.
15. **UMMC** – Contingent upon the approval by the Governor Phil Bryant, the Board approved the request to grant a ten (10) foot wide utility right-of-way easement to Entergy Mississippi, Inc. along the north side of Lakeland Drive in order to bore a new feed under UMMC property to one of their existing poles. The new feed will provide redundant power to UMMC buildings located on the north side of Lakeland Drive. Grantee shall have the full and continuing right to clear and keep clear vegetation within or growing into said right-of-way and the further right to remove or modify from time to time trees, limbs, and/or vegetation outside the said right of way which Grantee considers a hazard to any of its electric power or communications facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry. Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electrical Safety Code. Notwithstanding anything contained herein to the contrary, (1) in the event the easement needs to be relocated, Entergy shall relocate the easement 90 days after request by UMMC at the cost of Entergy; and (2) Grantor shall have the right to fully use and enjoy the surface of the easement area, except for purposes herein granted, provided that such use and enjoyment shall not, in the reasonable judgment of Grantee, hinder, conflict or interfere with the exercise of Grantee's rights hereunder relating to the underground facilities. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office reviewed and approved this item prior to the Board's approval of this item and contingent upon the approval by the Governor. The Mississippi Secretary of State, as required by Miss. Code Ann. §29-1-1(3) has reviewed this easement.



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16. **UMMC** – Request to Sole Source the HVAC Controls portion of the **IHL 209-553, Interventional Radiology Renovation** project as an extension of the existing Johnson Controls system in the Cardiovascular Building. The project budget exceeds \$3M so the university used the Request for Qualification method for the selection of the design professional which is JBHM. Funds are provided within the construction project budget. This project will involve renovations and relocation of the Interventional Radiology Department to the basement of the Cardiovascular Building. The project is currently scheduled to consist of two single-pane rooms, one bi-plane room, two computed tomography (CT) machines, and one peripherally inserted central catheter (PICC) along with associated holding bays, office space and support space. The approximate area is 13,250 square feet. It is in the best interest of UMMC to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system. The estimated value of the existing Johnson Controls EMCS is approximately \$657,000. The probable cost of the project EMCS modifications is \$160,000 for a 24.3% modification. According to IHL and the Bureau of Building EMCS procurement protocol for existing systems, the EMCS can and should be procured by single source procurement since the portion of the work related to the new renovation is less than 25% of the existing system as long as approval is obtained prior to bidding. The proposed project budget is \$7,759,186. Funds are available from UMMC SSA – Building Improvement Funds (\$7,759,186). **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**

**LEGAL**

17. **MSU** – Approved the request to modify a contract with Jones Walker, L.L.P. to perform services necessary in assisting and advising the University on legal issues concerning review of strategic financing options, tax exempt bond arbitrage, and rebate compliance and the use of bond financed building and other matters relating to bond issues. This contract was renewed by Modification #1, extending the term of the contract for one (1) year or through February 17, 2017. Proposed Modification #2 will extend the term for one (1) year, or through February 17, 2018. The firm provides legal representation on an hourly rate of \$165.00 for Special Counsel, \$225.00 for Partner, and \$60.00 for paralegals. The total amount payable during the extension period shall not exceed \$50,000.00. All other provisions of the Contractual Agreement for Legal Services dated February 18, 2015, shall remain in effect. This modification was approved by the Office of Attorney General before the Board’s approval of this item.
18. **MSU** – Approved the request to modify a contract with Ware | Immigration, to provide to provide services necessary in preparing labor certification documents on behalf of MSU for its employees who seek permanent residence status and related immigration matters. This Modification #4 will extend the term of the contract for one (1) year or through March 20, 2018. The fee schedule, as outlined below, remains unchanged from the original contract. The total amount payable during the extension period shall not exceed \$50,000.00. All other provisions of the Agreement for Legal Services dated March 21, 2013 shall remain in effect.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes	
H-1B petition	\$1500.00
H-1B extension or amendment petitions	\$1000.00

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TN petition or border/consulate processing \$1500.00  
TN extension petition \$1000.00

E-3 petition or consular processing \$1500.00  
E-3 extension petition \$1000.00

O-1 petition \$4000.00  
O-1 extension or amendment petition \$1500.00

Change of status or extension of status for dependents (I-539) no additional charge.

J-1 waiver (IGA or hardship) \$6000.00  
J-1 waiver (Conrad) \$6000.00

Permanent Residents Process with Labor Certification: Faculty

\$2000.00 “Special Handling” labor certification (must be paid by University\*)  
\$2500 if position must be re-advertised  
\$1000.00 Additional fee if audited  
\$2500.00 Immigrant petition  
\$1500.00 Adjustment of status and related applications (I-765, I-131, etc.) by employee  
\$750.00 Adjustment of status and related applications each spouse or child  
*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees.*

Permanent Residence Process with Labor Certification: Non-Faculty

\$3000-\$4000 Labor certification (must be paid by University). Exact fee depends on difficulty of case.  
\$1500.00 Additional fee if audited  
\$2500.00 Additional fee if subject to supervised recruitment  
\$2500.00 Immigrant petition  
\$1500.00 Adjustment of status and related applications (I-765, I-131, etc.) by employee  
\$750.00 Adjustment of status and related applications each spouse or child  
*\*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees.*

Permanent Residence Process: Outstanding Professors and Researchers

\$5000.00 Immigrant petition  
\$1500.00 Adjustment of status and related applications by employee  
\$750.00 Adjustment of status and related applications each spouse or child  
*Since labor certification is not required, employees may pay all fees.*

Permanent Residence Process: National Interest Waiver

\$5000.00 Immigrant petition  
\$1500.00 Adjustment of status and related applications by employee  
\$750.00 Adjustment of status and related applications each spouse or child  
*Since labor certification is not required, employees may pay all fees.*

Employee’s legal fees in all cases may be paid in monthly installments, to be arranged with attorney. This Modification was approved by the Office of the Attorney General prior to the Board’s approval of this item.

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**PERSONNEL REPORT**

19. **EMPLOYMENT**

**Jackson State University**

Marvel Turner, Interim Vice President for Business and Finance – Chief Financial Officer; salary \$185,000 per annum, pro rata; E&G Funds; effective February 2, 2017

20. **CHANGE OF STATUS**

**Jackson State University**

- Dana Brown, *from* Interim Vice President for Business and Finance; salary \$142,449.50 per annum, pro rata; E&G Funds; *to* Associate Vice President for Business and Finance; salary \$108,949.50 per annum, pro rata; E&G Funds; effective December 31, 2016
- Tammiko Harrison, *from* Executive Director of Budget; salary \$95,599.35 per annum, pro rata, E&G Funds; *to* Comptroller & Executive Director of Budget and Financial Analysis; salary \$115,599.35 per annum, pro rata; E&G Funds; effective February 2, 2017
- Thomas Hudson, *from* EEO/Chief Diversity Officer; salary \$97,594.20 per annum, pro rata; E&G Funds; *to* Chief Operating Officer & EEO Chief Diversity Officer; salary \$160,000 per annum, pro rata; E&G Funds; effective January 1, 2017

**Mississippi State University**

- Judith L. Bonner; *from* Provost and Executive Vice President for Academic Affairs; salary of \$400,000 per annum, pro rata; E&G Funds; *to* Professor *with tenure* of Food Science, Nutrition and Health Promotion and Provost and Executive Vice President for Academic Affairs; no salary change; effective January 1, 2017
- Allison W. Pearson; *from* Professor and Endowed Professor of Management and Information Systems and Interim Associate Vice President for Academic Affairs; salary of \$220,000 per annum, pro rata; E&G Funds; *to* Professor of Management and Information Systems and Associate Vice President for Academic Affairs; no salary change; effective January 1, 2017

**Mississippi Valley State University**

- Kathie Stromile Golden; *from* Associate Vice President for Academic Affairs; salary of \$106,050 per annum, pro rata; E&G Funds; *to* Director of International Programs and Assistant to the Office of the President; salary of \$102,467 per annum, pro rata; E&G Funds and other funds; effective February 1, 2017
- Elizabeth Evans; *from* Assistant Professor of Social Sciences; salary of \$51,581 per annum, pro rata; E&G Funds; *to* Associate Vice President for Academic Affairs; salary of \$105,000 per annum, pro rata; E&G Funds; effective February 1, 2017

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**University of Southern Mississippi**

- Michael D. Forster; *from* Dean and Professor of Social Work, College of Health; salary of \$165,801.60 per annum (12-month), pro rata; E&G Funds; *to* Professor of Social Work; School of Social Work; salary of \$124,662.86 per annum (9 month), pro rata; E&G Funds; effective January 1, 2017
- Trenton E. Gould; *from* Professor of Kinesiology and Associate Dean, College of Health; salary of \$107,156 per annum, pro rata; E&G Funds; *to* Professor of Kinesiology and Dean, College of Health; salary of \$155,000 per annum, pro rata; E&G Funds; effective January 1, 2017

21. **SABBATICAL**

**University of Mississippi**

- Mr. Alan Arrivee; Associate Professor of Theatre Arts; *from* salary of \$62,751 per annum, pro rata; E&G Funds; *to* salary of \$31,376 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Allen S. Clark; Associate Professor of Modern Languages; *from* salary of \$64,663 per annum, pro rata; E&G Funds; *to* salary of \$32,332 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Bradley L. Cook; Associate Professor of Classics; *from* salary of \$66,883 per annum, pro rata; E&G Funds; *to* salary of \$33,442 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.
- Dr. Lucien M. Cremaldi; Professor of Physics and Astronomy; *from* salary of \$146,310 per annum, pro rata; E&G Funds; *to* salary of \$73,155 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Charles Clay Dibrell; Professor of Management; *from* salary of \$184,693 per annum, pro rata; E&G Funds; *to* salary of \$92,347 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Joshua First; Croft Associate Professor of History and International Studies; *from* salary of \$71,301 per annum, pro rata; E&G Funds; *to* salary of \$35,651 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Mr. Tommy G. Franklin; Associate Professor of Fiction Writing; *from* salary of \$89,916 per annum, pro rata; E&G Funds; *to* salary of \$44,958 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.
- Ms. Kristy L. Gilliland; Professor of Law; *from* salary of \$190,265 per annum, pro rata; E&G Funds; *to* salary of \$71,349 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. John J. Green; Professor of Sociology; *from* salary of \$116,210 per annum, pro rata; E&G Funds; *to* salary of \$43,579 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Gang Guo; Croft Associate Professor of Political Science; *from* salary of \$73,284 per annum, pro rata; E&G Funds; *to* salary of \$36,642 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

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- Dr. Vivian Ibrahim; Croft Associate Professor of History and International Studies; *from* salary of \$75,196 per annum, pro rata; E&G Funds; *to* salary of \$37,598 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018 and August 17, 2018 (or beginning of contract date) to December 31, 2018; professional development.
- Dr. Ellen Lackey; Professor of Mechanical Engineering; *from* salary of \$123,032 per annum, pro rata; E&G Funds; *to* salary of \$61,516 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.
- Dr. Christopher J. Leary; Associate Professor of Biology; *from* salary of \$72,660 per annum, pro rata; E&G Funds; *to* salary of \$36,330 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Theresa Levitt; Professor of History; *from* salary of \$90,731 per annum, pro rata; E&G Funds; *to* salary of \$45,366 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.
- Dr. Sarah Jean Liljegren; Associate Professor of Biology; *from* salary of \$76,873 per annum, pro rata; E&G Funds; *to* salary of \$38,437 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Neil A. Manson; Associate Professor of Philosophy; *from* salary of \$69,402 per annum, pro rata; E&G Funds; *to* salary of \$34,701 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Mr. Chris Offutt; Associate Professor of English; *from* salary of \$85,258 per annum, pro rata; E&G Funds; *to* salary of \$42,629 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.
- Dr. Igor Ostrovskii; Professor of Physics and Astronomy; *from* salary of \$88,050 per annum, pro rata; E&G Funds; *to* salary of \$44,025 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Mrs. E. Farish Percy; Professor of Law; *from* salary of \$144,778 per annum, pro rata; E&G Funds; *to* salary of \$72,389 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Arunachalam M. Rajendran; Professor of Mechanical Engineering; *from* salary of \$227,795 per annum, pro rata; E&G Funds; *to* salary of \$85,423 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Charles K. Ross; Professor of History; *from* salary of \$130,127 per annum, pro rata; E&G Funds; *to* salary of \$48,798 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Mrs. Lisa Shaw Roy; Professor of Law; *from* salary of \$140,150 per annum, pro rata; E&G Funds; *to* salary of \$70,075 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Bradley E. Schultz; Professor of Journalism; *from* salary of \$89,900 per annum, pro rata; E&G Funds; *to* salary of \$44,950 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Jodi Skipper; Assistant Professor of Anthropology; *from* salary of \$62,765 per annum, pro rata; E&G Funds; *to* salary of \$31,383 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

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- Dr. Kenneth J. Sufka; Professor of Psychology; *from* \$120,485 per annum, pro rata; E&G Funds; *to* \$60,243 per annum, pro rata; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Cristiane Q. Surbeck; Associate Professor of Civil Engineering; *from* \$103,113 per annum, pro rata; E&G Funds; *to* \$51,557 per annum, pro rata; E&G Funds; effective January 22, 2018, to May 12, 2018; professional development.
- Dr. Mary Thurkill, Associate Professor of Religion; *from* \$69,272 per annum, pro rata; E&G Funds; *to* \$34,636 per annum, pro rata; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development.
- Dr. Douglas William Vorhies, Professor of Marketing; *from* \$182,984 per annum, pro rata; E&G Funds; *to* \$91,492 per annum, pro rata; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.
- Dr. Karl Wang, Associate Professor of Accountancy Instruction; *from* \$153,109 per annum, pro rata; E&G Funds; *to* \$76,555 per annum, pro rata; E&G Funds; effective January 22, 2018, to May 12, 2018; professional development.
- Dr. Judson D. Watson III, Professor of English; *from* \$114,456 per annum, pro rata; E&G Funds; *to* \$57,228 per annum, pro rata; E&G Funds; effective August 17, 2017, to May 12, 2018; professional development.
- Dr. Jordan K. Zjawiony, Professor of Pharmacognosy; *from* \$159,346 per annum, pro rata; E&G Funds; *to* \$59,755 per annum, pro rata; E&G Funds; effective January 22, 2018, to May 12, 2018; professional development.

**22. OTHER ACTION**

**University of Mississippi**

*(Correction to sabbatical dates approved February 2016)*

From: Dr. Clifford Ochs, Professor of Biology; *from* \$87,391 per annum, pro rata; E&G Funds; *to* \$43,696 per annum, pro rata; E&G Funds; effective January 23, 2017, to May 13, 2017; professional development.

To: Dr. Clifford Ochs, Professor of Biology; *from* \$87,391 per annum, pro rata; E&G Funds; *to* \$43,696 per annum, pro rata; E&G Funds; effective August 17, 2017, to December 31, 2017; professional development.

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda.

1. **UMMC** – Approved the request to enter into a Vizient Member Participation Agreement with Medical Action Industries, Inc. and its wholly owned subsidiary AVID Medical, Inc. for the purchase of customized surgical procedure trays (CPT) for adult and pediatric surgeries. As a result of this commitment, AVID will continuously produce custom packaging of the trays and ensure an uninterrupted supply of surgical trays needed for patient care through constant stocking

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of the required CPTs. Under the agreement, UMMC commits to purchase 90% of this type of product from AVID. The Agreement spans from approximately March 1, 2017, to January 31, 2019. However, should AVID's agreement with Vizient be extended, the Agreement shall renew for a total term not to exceed five (5) years, or approximately March 1, 2017, through February 28, 2022. The Board approved the term for the entire potential five (5) years. The total estimated cost over the extended term is \$26,217,864.72. UMMC has calculated a ten percent (10%) volume growth in the number of custom surgical trays used each year, as well as a ten percent (10%) pricing increase to allow for price changes when products within the trays are adjusted as requested by UMMC. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

Trustee Hooper recused himself from voting on agenda item #1 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Parker, seconded by Trustee McNair, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda. On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **UMMC** – Approved the request to Sole Source the HVAC Controls portion of the **IHL 209-551, Main Pharmacy Renovation** project as an extension of the existing Johnson Controls system in the main pharmacy located in the basement of the East Wing. The project budget exceeds \$3 million so the university used the Request for Qualifications method for the selection of the design professional which is McCarty Co. Funds are provided within the construction project budget. The project will involve the renovation and expansion of the current hospital pharmacy to meet all the State Board of Pharmacy and the United States Pharmacopeia 797 standards to allow the pharmacy to compound intervenes and sterile products. The pharmacy is located in the basement of the main hospital and must stay active during construction. UMMC also is including the expansion and relocation of a portion of the pharmacy administration area which includes offices, conference space and open work areas. The approximate total project area is 10,000 square feet. It is in the best interest of UMMC to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system. The estimated value of the existing Johnson Controls EMCS is approximately \$565,000. The probable cost of the project EMCS modifications is \$145,000 for a 26% modification. According to IHL and the Bureau of Building EMCS procurement protocol for existing systems, the EMCS can be procured by single source procurement since the portion of the work related to the new renovation is greater than 25% but less than 50% of the existing system as long as approval is obtained prior to bidding. The estimated project budget is \$3,848,518. Funds are available from UMMC SSA – Building Improvement Funds (\$3,848,518).
2. **UMMC** – Approved the request to Sole Source the HVAC Controls portion of the **IHL 209-553, Interventional Radiology Renovation** project as an extension of the existing Johnson Controls system in the Cardiovascular Building. The project budget exceeds \$3 million so the university

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used the Request for Qualification method for the selection of the design professional which is JBHM. Funds are provided within the construction project budget. This project will involve renovations and relocation of the Interventional Radiology Department to the basement of the Cardiovascular Building. The project is currently scheduled to consist of two single-pane rooms, one bi-plane room, two computed tomography (CT) machines, and one peripherally inserted central catheter (PICC) along with associated holding bays, office space and support space. The approximate area is 13,250 square feet. It is in the best interest of UMMC to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system. The estimated value of the existing Johnson Controls EMCS is approximately \$657,000. The probable cost of the project EMCS modifications is \$160,000 for a 24.3% modification. According to IHL and the Bureau of Building EMCS procurement protocol for existing systems, the EMCS can and should be procured by single source procurement since the portion of the work related to the new renovation is less than 25% of the existing system as long as approval is obtained prior to bidding. The proposed project budget is \$7,759,186. Funds are available from UMMC SSA – Building Improvement Funds (\$7,759,186). **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

1. **SYSTEM** – Election of Vice President of the Board of Trustees for the Term Beginning May 8, 2017. President Rouse opened the floor for nominations for the office of Vice President of the Board. Trustee Ford Dye nominated Trustee Shane Hooper. There being no further nominations, the nominations were closed. On motion by Trustee Dye, seconded by Trustee McNair, all Trustees legally present and participating voted in the affirmative, therefore, it was

**RESOLVED**, that Trustee Shane Hooper was elected as Vice President of the Board for a ten-month term, beginning May 8, 2017.

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**ACADEMIC AFFAIRS**

1. **SYSTEM** – The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 21, 2017 at the Jackson Marriott, where Dr. Rod Paige, former Secretary of Education and current Interim President of Jackson State University was the guest speaker. System honorees for 2017 are listed below.



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INSTITUTION	STUDENT HONOREE	FACULTY HONOREE
ASU	Jeremy Alexander Martin	Voletta Ann Williams
DSU	Allie Rose Parker	Sherly Lyn Stump
JSU	William Kayitare	Deidre L. Wheaton
MSU	Roxanne Leslie Raven	Rodney Pearson
MUW	Gabriella Regina Yray	Tammie Lynn Mann McCoy
MVSU	Jamal Rishun Stevenson	Oko O. Elechi
UM	Austin Jared Powell	John Michael Czarnetzky
UMMC	Benjamin Wesley Carroll	David Ronald Norris
USM	Kimberly Brooke Boisseau	Jiu Ding

2. **SYSTEM** – 2017 Improving Teacher Quality Awards. Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an “Improving Teacher Quality” competitive grant program. The institutions below were awarded Title II federal grant funds for March 30, 2017 through April 30, 2018.

INSTITUTION	DISCIPLINE	AMOUNT
Delta State University	Content Area Literacy	\$97,300.00
Mississippi State University	Writing	\$97,300.00
Mississippi State University	Mathematics and Technology	\$97,300.00
Mississippi State University (M)	Literacy Integration	\$97,300.00
Mississippi University for Women	Mathematics	\$97,300.00
Mississippi Valley State University	Reading	\$97,300.00
University of Mississippi	Content Area Literacy	\$97,300.00
University of Southern Mississippi	Language Arts	\$96,823.00
University of Southern Mississippi	Mathematics	\$97,300.00
William Carey University	Teacher Leadership	\$97,139.00
MS Council for Economics Education	Economics and Mathematics	\$97,300.00
<b>Total Awarded</b>		<b>\$1,070,300.00</b>

3. **SYSTEM** – 2017 Annual Performance Reports for Mississippi Teacher Preparation Programs

TEACHER EDUCATION PROGRAM	ASU	DSU	JSU	MSU	MUW	MVSU	UM	USM
NCATE/CAEP Accreditation Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Next CAEP Accreditation Visit	Fall 2021	Fall 2020	Fall 2021	Spring 2021	Fall 2019	Fall 2020	Spring 2021	Spring 2019
Program Completers 2015-16	12	72	19	231	24	10	237	251
<b>Total Program Completers 2015-2016:</b>								<b>856</b>

**REAL ESTATE**

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the January 19, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

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**LEGAL**

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

**ADMINISTRATION/POLICY**

6. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On January 20, 2017, Commissioner Glenn F. Boyce approved the request to renew the lease agreement between MSU and the USDA Agricultural Research Service for 30.7 acres in Pearl River County, MS to be used for government agricultural research purposes. The term of the agreement is October 1, 2016 through September 30, 2017. This is year 4 of a 10-year lease terminating in September 2023. This is a revenue generating contract. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On January 30, 2017, Commissioner Glenn F. Boyce approved the request to renew a lease agreement with the USDA, Animal and Plant Health Inspection Service/Plant Protection Quarantine/Center for Plant Health Science and Technology (APHIS/PPQ) for four offices and cubicles or equivalent space in the Coastal Research Extension Center for use by the USDA APHIS/PPQ in exchange for \$25,000 rent annually, 100% salary for one maintenance staff, and on-site entomological support staff. This is a revenue generating contract with a term of 36 months beginning March 1, 2016 and expiring February 29, 2020 with an option to renew. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - c. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. On January 30, 2017, Commissioner Glenn F. Boyce approved the request to enter into a rental agreement with LeEllen Phares for rental of her private residence by the MSU Department of Recreational Sports Outdoor Adventures Program. The Commissioner also approved the prepayment of the rental fee at a cost of \$1,884 for a period of four nights, March 13, 2017 through March 17, 2017. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- d. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 7, 2017, Commissioner Glenn F. Boyce approved the request to amend the ground lease with the Chi House Corporation of Delta Delta Delta sorority. The amendment will change the property description based on a new survey and to accommodate an addition onto the existing sorority house. No other provisions of the original agreement will change. The IHL Assistant Commissioner of Real Estate and Facilities has reviewed and approved the revised property description.
- e. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On January 9, 2017, Commissioner Glenn F. Boyce approved the request to amend the lease agreement with the Humphreys County Board of Supervisors for 9,735 square feet of space in Belzoni, MS for the purpose of operating an urgent care clinic, health education sessions, and to establish an in-door walking trail. The initial term of the lease was for four years and was to begin on January 1, 2017, but delays in construction now require an amendment to the commencement date to the day upon which UMMC’s personnel first utilizes the space for carrying out normal start-up functions of the clinic. This date shall be confirmed in writing within thirty days after the actual commencement date. This lease is at no cost to UMMC. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- f. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 3, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Pitney Bowes, Inc. for the rental of a postage meter at the Children’s of Mississippi Gulf Coast Clinic. The term of the lease is 60 months beginning February 1, 2017 at a cost as set out in Exhibit A of the lease agreement. The total estimated cost is \$9,583.36. This agreement will be funded by patient revenues. The proposed agreement is made available through the Mississippi Department of Finance and Administration for use by state agencies and governmental authorities. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- g. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 3, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Pitney Bowes, Inc. for the rental of a postage meter at the UMMC Center for Holmes County. The term of the lease is 60 months beginning February 1, 2017 at a cost as set out in Exhibit A of the lease agreement. The total estimated cost is \$37,701.56. This agreement will be funded

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by patient revenues. The proposed agreement is made available through the Mississippi Department of Finance and Administration for use by state agencies and governmental authorities. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- h. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 3, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Pitney Bowes, Inc. for the rental of a postage meter at the Children’s of Mississippi Tupelo Clinic. The term of the lease is 60 months beginning February 1, 2017 at a cost as set out in Exhibit A of the lease agreement. The total estimated cost is \$15,418.42. This agreement will be funded by patient revenues. The proposed agreement is made available through the Mississippi Department of Finance and Administration for use by state agencies and governmental authorities. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On January 20, 2017, Commissioner Glenn F. Boyce approved the request to amend the lease agreement with Reactive Surfaces, Ltd., to increase the approximate square footage of laboratory and equipment space being leased to Reactive Surfaces, Ltd. at USM’s Accelerator to 1,707 square feet, an increase of approximately 942 square feet, for the same annual rent in the amount of \$17,580. No other provisions of the original agreement will change. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- j. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On January 20, 2017, Commissioner Glenn F. Boyce approved the request to renew an existing Outside Research Agreement between the University and Aqua Green, LLC. for the continuation of a research project to develop methods and procedures for the production of live eastern oyster eyed-larvae in an artificial contained environment. The term of this third renewal period will be for six months beginning February 1, 2017 and expiring July 31, 2017, at a total cost of \$992,004 to be paid in monthly installments of \$165,335. This rate remains unchanged from the original agreement and first and second renewals. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
February 16, 2017**

**ANNOUNCEMENTS**

- President Rouse noted the Campus Listening Sessions for the Jackson State University Presidential Search Committee were held Wednesday, February 15, 2017 at the Jackson State University Student Center. The majority of the trustees were able to attend. Trustee C.D. Smith, Chair of the Board Search Committee, who reported the discussions centered on the qualities and qualifications stakeholders believe the next institutional executive officer should possess. The sessions were well attended and provided good, honest input from the constituency groups. Commissioner Boyce commended Dr. Rod Paige, Interim President of Jackson State University, and the students who participated.
- President Rouse made the following announcements:
  - The next Board meeting will be March 16, 2017 at the IHL Board Office.
  - The Finance Committee will meet immediately following the Board meeting today.
  - The Health Affairs Committee will meet following the finance meeting.

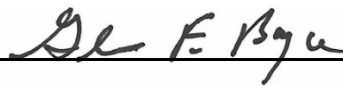
**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Parker, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
February 16, 2017**

**EXHIBITS**

- Exhibit 1      Real Estate items that were approved by the IHL Board staff subsequent to the January 19, 2017 Board meeting.
- Exhibit 2      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

February 16, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JANUARY 19, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **ALCORN STATE UNIVERSITY**

### **1. ASU– GS 101-294 – Utility Infrastructure**

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$42,022.60 and zero (0) additional days to the contract of Metro Mechanical, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, December 14, 2016

Change Order Description: Change Order #1 includes the following items: replace the existing leaking shutoff valves in the northeast corner of the first floor mechanical room; replace portions of a leaking water main in the first floor corridor of the Math and Science Building; provide new couplings, piping & insulation in the area at the leaking coupling; demolish & replace the existing gypsum board ceilings in areas; finish & paint the new gypsum board to match the existing ceiling; replace a portion of the leaking water main at the road on the east end of the Fine Arts Building; remove & replace portions of the sidewalk and drive; provide temporary disconnect & power connection to the chiller & pumps; provide a new water line & connection to the existing Fine Arts Building; replace a portion of an existing water main and branch service line serving the Student Union Building; sawcut and remove the existing asphalt paving; provide credit on a portion of the controls allowance not used; replace two (2) power poles, two (2) new disconnects at the new gas rectifiers and provide new anodes in the conventional bed at each new gas rectifier; replace an existing condensate drain pan inside AHU-3 and AHU-6 in the Math and Science Building with new stainless steel pans and the new pans to be located inside the unit cabinet under the coils.

Change Order Justification: These changes were due to latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$42,022.60.

# EXHIBIT 1

February 16, 2017

Project Initiation Date: March 21, 2013  
Design Professional: Atherton Consulting Engineers, Inc.  
General Contractor: Metro Mechanical, Inc.  
Phased Project Budget: \$2,645,702.43  
Total Project Budget: \$3,846,615.33

## 2. ASU – IHL 201-252 – Morris-Boykin Renovation

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Durrell Design Group, LLC.

Approval Status & Date: APPROVED, December 8, 2016

Project Initiation Date: August 8, 2016

Design Professional: Durrell Design Group, LLC

General Contractor: TBD

Total Project Budget: \$1,777,500.00

## DELTA STATE UNIVERSITY

## 3. DSU- GS 102-260 – Zeigel Hall Renovation

**NOTE: This is a Bureau of Building project**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$5,185,499.00 to the apparent low bidder, Roy Collins Construction Company, Inc.

Approval Status & Date: APPROVED, November 4, 2016

Project Initiation Date: October 16, 2014

Design Professional: Architecture South

General Contractor: Roy Collins Construction Company, Inc.

Total Project Budget: \$6,292,500.00

## JACKSON STATE UNIVERSITY

## 4. JSU– GS 103-268 – Capitol Centre Improvements

**NOTE: This is a Bureau of Building project**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$123,810.00 to the apparent low bidder, Hermetic Rush Services, Inc.

Approval Status & Date: APPROVED, January 12, 2017

Project Initiation Date: November 17, 2011

Design Professional: Engineering Resource Group, Inc.

General Contractor: Hermetic Rush Services, Inc.

Phased Project Budget: \$205,433.58

Total Project Budget: \$3,565,842.00



# EXHIBIT 1

February 16, 2017

## 5. JSU – GS 103-277 – Library Envelope Repairs Phase II

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$28,580.00 and thirty (30) additional days to the contract of Mid State Construction Company, Inc.

Approval Status & Date: APPROVED, December 21, 2016

Change Order Description: Change Order #2 includes the following items: replace additional stone cornice & coping units; and thirty (30) days to the contract.

Change Order Justification: These changes are due to the existing pieces of stone that were cracked after they had been cleaned that needed to be replaced; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$36,648.80.

Project Initiation Date: February 20, 2014

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

General Contractor: Mid State Construction Company, Inc.

Phased Project Budget: \$1,550,000.00

Total Project Budget: \$4,550,003.00

## 6. JSU- GS #103-281 – Alexander Center Renovation Phase III

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$22,250.00 and zero (0) additional days to the contract of Sullivan Enterprises, Inc.

Approval Status & Date: APPROVED, November 22, 2016

Change Order Description: Change Order #1 includes the following item: add the cost difference between the controls allowance and the actual bid amount.

Change Order Justification: This change was due to the actual bid amount for the controls coming in above the allowance amount in the specifications and the difference must be added into the project.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$22,250.00.

Project Initiation Date: February 18, 2016

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$2,018,827.06

## MISSISSIPPI STATE UNIVERSITY

## 7. MSU– GS 113-114 – ADS & Poultry Complex

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, December 16, 2016

# EXHIBIT 1

February 16, 2017

## **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2016

Project Initiation Date: April 16, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$16,500,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 8. **MUW- GS 104-184 – Fant Library Renovation, PH III**

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$1,980.07 and zero (0) additional days to the contract of Anchor Construction, LLC.

Approval Status & Date: APPROVED, December 1, 2016

Change Order Description: Change Order #2 includes the following items: change the size of the 2<sup>nd</sup> storey door; install LED task lighting and related controls for six (6) work stations.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$25,517.42.

Project Initiation Date: January 22, 2015

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

General Contractor: Anchor Construction, LLC

Phased Project Budget: \$1,641,252.58

Total Project Budget: \$8,249,000.00

## MISSISSIPPI VALLEY STATE UNIVERSITY

### 9. **MVSU- GS 106-253 – College Hall I Renovation**

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Pryor & Morrow Architects and Engineers.

Approval Status & Date: APPROVED, December 16, 2016

#### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2016

Project Initiation Date: May 15, 2014

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: TBD

Phased Project Budget: \$4,750,000.00

# EXHIBIT 1

February 16, 2017

Total Project Budget: \$7,250,000.00

## **10. MVSU– GS 106-257 – Edna Horton Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Design Development Documents**

Board staff approved the Design Development Documents as submitted by Shafer & Associates Architects.

Approval Status & Date: APPROVED, November 22, 2016

Project Initiation Date: June 16, 2016

Design Professional: Shafer & Associates Architects

General Contractor: TBD

Total Project Budget: \$8,700,000.00

## UNIVERSITY OF MISSISSIPPI

## **11. UM– GS 107-308 – Union Addition & Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the credit amount of \$248,160.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, December 16, 2016

Change Order Description: Change Order #4 includes the following item: an allowance credit for mechanical controls.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$38,801.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects – Jackson, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,781,426.00

Total Project Budget: \$58,900,000.00

## **12. UM– GS 107-308.2 – Union Addition & Renovation – C101 Qdoba Buildout**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Eley Guild Hardy Architects

Approval Status & Date: APPROVED, December 8, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 8, 2016

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Phased Project Budget: \$118,073.04

# EXHIBIT 1

February 16, 2017

Total Project Budget: \$58,900,000.00

## **13. UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by JBHM Architects, P.A.

Approval Status & Date: APPROVED, December 21, 2016

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 21, 2016

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$29,169,248.15

Total Project Budget: \$32,000,000.00

## **14. UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

### **DEMO**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$35,962.06 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, December 8, 2016

Change Order Description: Change Order #4 includes the following items: add powering & controlling of eight (8) pole lights on the south and west sides of the Whirlpool Plant.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$93,761.20.

Project Initiation Date: June 19, 2014

Design Professional: JBHM Architects, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$1,314,733.90

Total Project Budget: \$32,000,000.00

## **15. UM – IHL 207-376.2R – STEM Building – Site Utilities Relocation REBID**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$5,200,000.00 to the apparent low bidder, Eubank Construction Company, Inc.

Approval Status & Date: APPROVED, December 21, 2016

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: Eubank Construction Company, Inc.

Phased Project Budget: \$6,689,259.40

Total Project Budget: \$8,700,000.00

# EXHIBIT 1

February 16, 2017

## **16. UM– IHL 207-389 – Vaught-Hemingway Stadium North End Zone**

### **Approval Request #1: Change Order #10**

Board staff approved Change Order #10 in the amount of \$598,411.84 and thirty-one (31) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, December 1, 2016

Change Order Description: Change Order #10 includes the following items: grading changes; contaminated soil had to be excavated, placed in lined containers & transported to a contaminated waste facility; removal of old concrete slabs & footings found beneath the existing paving; added signage at the north & south endzone restrooms; repair of the burner assembly on a boiler; rewiring & reprogramming the modsync panel; repairing the damaged burner tile; installing additional sensors; replace a broken sewer line; added guardrail between the old and new bowl; connect the fire alarm system for the north endzone to the fire alarm system in the west pressbox; relocate a portion of the sanitary sewer line; replace damaged curbing; replace high limit on a boiler and pop-off valves for each boiler; and thirty-one (31) days to the contract.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$2,603,016.28.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Total Project Budget: \$30,593,713.00

## **17. UM– IHL 207-392 – North Parking Structure**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$95,936.61 and zero (0) additional days to the contract of B.L. Harbert International.

Approval Status & Date: APPROVED, January 12, 2017

Change Order Description: Change Order #3 includes the following items: add water lines for added fire hydrants at the north & east side of the structure; manholes raised to grade, re-sealed & the holes repaired; and additional handicap ramps.

Change Order Justification: This change was due to errors & omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$406,995.61.

Project Initiation Date: September 26, 2014

Design Professional: Eley Guild Hardy Architects, P.A.

General Contractor: B.L. Harbert International, LLC.

Phased Project Budget: \$33,750,000.00

Total Project Budget: \$34,550,000.00

# EXHIBIT 1

February 16, 2017

## **18. UM– IHL 207-398 – John W. White Facilities Management Building West Wing Addition**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$101,526.71 and forty-eight (48) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, December 14, 2016

Change Order Description: Change Order #3 includes the following items: additional earthwork related to the sewer installation; additional steel for re-support of the existing roof trusses; add ice & water shield over the existing roof areas to receive the new roof framing; additional millwork to a work room; replace rotten plywood; remove & replace all existing standing seam metal roofing which is not included in the current project, complete with gutters, downspouts, flashings & accessories to match the new standing seam metal roofing; additional wood grain corner guard; and forty-eight (48) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$144,540.71.

Project Initiation Date: January 22, 2015

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$2,394,739.00

## **UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

## **19. UMMC– GS 109-210 (GC-001) – School of Medicine**

**NOTE: This is a Bureau of Building project**

### **Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$294,703.00 and sixty-four (64) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, January 12, 2017

Change Order Description: Change Order #8 includes the following items: paint the galvanized steel lintel angels at all window lintels except those with limestone soffits; A/V infrastructure changes i.e. cutting & patching, new blocking, cabling, etc; add galvanized steel steps & platforms in a lecture hall; add plenum closure walls, brake metal & additional expansion joint material at the juncture of the first floor connector to the existing LRC; add automatic door operators to four (4) pairs of aluminum entry doors at the ground floor; revise the stud wall framing at the elevator doors at each floor; install owner-supplied speakers & cabling in lecture halls; install below grade waterproofing at the northeast exterior wall of the LRC where the new sidewalk abuts the building; install two (2) additional elevator pit ladders; change the power voltage to an exhaust fan from 120 to 480 volts; revise a simulation and adjacent debrief rooms into the operating room simulation; and sixty-four (64) days to the contract.

# EXHIBIT 1

February 16, 2017

Change Order Justification: These changes were due to errors & omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$93,100.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

## **20. UMMC– IHL 209-544 – Translational Research Center**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$125,171.38 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, December 14, 2016

Change Order Description: Change Order #3 includes the following items: add twenty-eight (28) monitoring points in the Energy Management Control System; provide a taller door opening; modifications of the mechanical systems and related controls; grooves were cut in the existing concrete lab to install the unit doors, and stainless steel closure angles were placed around the units; fireproofing added to the south entrance canopy; a physical barrier was placed to protect the elevator personnel working within the elevator shaft; to incorporate data drops at specific wireless access points; video of four (4) existing conduits prepared to receive cabling that would be part of the primary electrical infrastructure of the campus; piling casings used at the drilled piers for the stair foundation on the south side of the building; add two (2) dampers to the supply duct; add drainage piping for cup sinks at the 3<sup>rd</sup> floor fume hoods; and add ice maker connections in a 4th floor laboratory.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; and a user/owner requested modification.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$1,157,022.05

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

## **21. UMMC – IHL 209-552 – School of Medicine Infrastructure-Contract 2**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$97,890.00 and zero (0) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, December 8, 2016

Change Order Description: Change Order #4 includes the following items: site lighting repairs at building C & D; demolition of an existing light pole; asphalt & curb patch

# EXHIBIT 1

February 16, 2017

repair on Alumni Drive; revised curb at the Ronal McDonald entrance; and additional undercut and select backfill of unsuitable soils.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; and latent job site conditions.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$447,451.75.

Project Initiation Date: March 19, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$2,087,108.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### **22. USM- GS 108-279 – Lucas Administration Envelope Repairs**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$232,500.00 to the apparent low bidder, Finlo Construction Company, Inc.

Approval Status & Date: APPROVED, January 3, 2017

Project Initiation Date: March 21, 2013

Design Professional: Albert & Associates Architects

General Contractor: Finlo Construction Company, Inc.

Total Project Budget: \$3,300,000.00

### **23. USM- IHL 208-334 – Cochran Center Theatre**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Albert & Associates Architects.

Approval Status & Date: APPROVED, December 16, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2016

Project Initiation Date: November 19, 2015

Design Professional: Albert & Associates Architects

General Contractor: TBD

Total Project Budget: \$2,400,000.00

### **24. USM – IHL 210-245 – Toxicology Building Replacement**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$14,648.00 and twenty-two (22) additional days to the contract of Dan Hensarling, Inc.

Approval Status & Date: APPROVED, December 16, 2016



# EXHIBIT 1

February 16, 2017

Change Order Description: Change Order #2 includes the following items: add 1” insulation board at 4” veneer only; change the fire alarm system; and twenty-two (22) days to the contract.

Change Order Justification: These changes are due to owner/requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$7,907.00.

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group

General Contractor: Dan Hensarling, Inc.

Total Project Budget: \$4,900,000.00

# EXHIBIT 2

February 16, 2017

## 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 Brunini, PLLC (statement dated 12/22/16) from the funds of Mississippi State University. (This statement, in the amount of \$1,250.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,250.00**

Payment of legal fees for professional services rendered by Perry & Winfield (statement dated 1/11/17) from the funds of Mississippi State University. (This statement, in the amount of \$3,979.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 3,979.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/1/16 and 1/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00 and \$2,000.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 4,500.00**

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 12/13/16) from the funds of the University of Mississippi. (This statement, in the amount of \$38.99, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 38.99**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 1/6/17) from the funds of the University of Mississippi. (This statement, in the amount of \$2,085.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,085.00**

Payment of legal fees for professional services rendered by Baker|Donelson (statement dated 12/8/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$54,786.38, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 54,786.38**

# EXHIBIT 2

February 16, 2017

Payment of legal fees for professional services rendered by Bradley|Arant (statements dated 12/8/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$416.50 and \$147.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 563.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/11/16, 11/14/16, 11/14/16, 12/7/16, 12/7/16, 12/9/16, 12/12/16 and 12/12/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,433.50, \$2,866.50, \$8,207.50, \$122.50, \$220.50, \$23,330.50, \$759.50 and \$28,254.26, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 70,194.76**

Payment of legal fees for professional services rendered by Watkins & Eager (statement dated 10/28/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$3,877.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,877.50**

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16 and 11/14/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$508.50, \$2,071.50, \$1,566.00, \$1,254.00, \$1,112.50 and \$14,276.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 20,788.50**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 12/9/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$864.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 864.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 1/1/2017) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$20.20, \$10.90, \$2,893.92, \$396.56, \$44.11 and \$1,595.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,960.69**

# EXHIBIT 2

February 16, 2017

## 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 (statements dated 11/9/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Weed –Pelvic Floor Strength Assessment Device” - \$268.50; “Continuation –Occidiofungin Patent Application” - \$47.50 and “Live Attenuated Catfish Vaccine and Method of Making” - \$28.50.)

**TOTAL DUE.....\$ 344.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/11/16, 9/14/16, 9/14/16, 10/25/16, 10/25/16, 10/25/16, 10/25/16, 11/16/16, 11/16/16, 11/16/16 and 11/16/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$291.50, \$28.50, \$38.00, \$104.00, \$2,462.50, \$105.00, \$2,528.00, \$2,372.00, \$26.50, \$2,592.00 and \$38.00, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 10,586.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/7/16, 12/9/16 and 1/9/17) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Trademark Application for the Centennial Anniversary” - \$96.00; “Photocurable Thiol-Ene Gas Permeability Membranes” - \$400.00 and “Trademark Application for the Centennial Anniversary” - \$3,096.00, respectively.)

**TOTAL DUE.....\$ 3,592.00**

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this March 16, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker (by phone), Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr (by phone). The meeting was called to order by Dr. Doug Rouse, President. Trustee Shane Hooper introduced Reverend David A. Elliott, II from St. Andrew's Episcopal Cathedral in Jackson, MS to give the prayer.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed Brock Banks, the Associated Student Body President at the University of Mississippi Medical Center.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Pickering, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 16, 2017.

**CONSENT AGENDAS**

On the request of Trustee Perry, agenda items #1 and #8 on the Finance Consent Agenda were moved to the Finance Regular Agenda; agenda item #16 on the Real Estate Consent Agenda was moved to the Real Estate Regular Agenda. On motion by Trustee Pickering, seconded by Trustee Hooper, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas, as amended.

**FINANCE**

1. **MSU** – Request to enter into an agreement with Frontier Strategies, LLC, for the purpose of continuing a multi-phase program of research, development and implementation of a social marketing campaign designed to improve nutrition among Supplemental Nutrition Assistance Program (SNAP) recipients in the State of Mississippi. This contract will allow Frontier Strategies, to produce and launch a new brand in Mississippi to promote healthy eating, shopping and cooking habits for SNAP recipients—as well as new, healthy traditions for the next generation to carry forward—by highlighting affordability, accessibility and benefits for the short and long term. The agreement will become effective on the date it is executed by whichever party executes the agreement last and shall continue until September 30, 2017, at which time the agreement will automatically expire. The requested amount is \$1,750,000 based upon the Scope of Work. The

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contract will be funded by a subgrant between the Mississippi Department of Human Services (MDHS) and MSU. The funding source for the subgrant is the United States Department of Agriculture (USDA). The contract will not be signed until funding has been approved by USDA and MDHS. The agreement was reviewed and approved by the Attorney General’s Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

2. **MSU** – Approved the request to engage CPA firms to conduct annual audits for fiscal year 2017 for the entities listed below, as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).

University Affiliated Entity	CPA Firm
Mississippi State University Foundation	KPMG, LLP
MSU Bulldog Club	T.E. Lott & Co.
Mississippi State University Research & Technology Corporation	T.E. Lott & Co.
Mississippi State University Alumni Association	T.E. Lott & Co.

3. **MSU** – Approved the request to waive the requirement of Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9) for an annual audit of the MSU Assure Research & Development Corporation for fiscal year ending June 30, 2017.
4. **MUW** – Approved the request to escalate the Auxiliary Enterprises Budget for FY 2017 in the amount of \$271,317 to cover projected expenses related to the university’s intercollegiate athletics program. MUW’s return to intercollegiate athletics began with the hiring of an Athletic Director at the end of FY 2016. MUW budgeted \$250,000 for FY 2017 athletics in the general fund. To date, MUW has hired an assistant athletic director and four coaches. Athletic expenses through January 31, 2017 were \$141,502. With current staffing, MUW will incur additional payroll costs of \$179,622 through June 30, 2017. With current encumbrances of \$4,366 and other estimated expenses, MUW will increase the athletics budget by \$271,317 for a total of \$521,317. Funding for the increase will come from the auxiliary bookstore fund balance. On July 1, 2016, the bookstore had a fund balance of \$521,884 and the total auxiliary fund balance was \$2,051,757.

<b>Mississippi University for Women FY 2017 Auxiliary Enterprises Budget by Major Object</b>			
Category	Original FY 2017 Operating Budget	Revision/ Escalation	Revised FY 2017 Operating Budget
Salaries, Wages, and Fringe Benefits	\$607,532	\$ -	\$607,532
Travel and Subsistence	25,106	-	25,106
Contractual Services	3,172,013	-	3,172,013
Commodities	189,526	-	189,526
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	156,100	-	156,100
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	938,415	271,317	1,209,732
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$5,088,692</b>	<b>\$271,317</b>	<b>\$5,360,009</b>

5. **UM** – Approved the request to enter into a contract with Parker Executive Search for assistance with filling four executive positions: Vice Chancellor for Development; Provost / Executive Vice Chancellor; Vice Chancellor for Research and Sponsored Programs; and Chief Information Officer. The contract will commence upon signing by the University, and continue until successful

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completion of the Scope of Work as outlined in the contract. The contract cost includes \$290,000 for professional services, plus direct expenses (capped at 10% or \$29,000), plus actual costs for advertising, background investigations, interviews, and committee and candidate travel expenses. The estimated total is \$379,000. The funding source for this contract will be educational and general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

6. **UM** – Approved the request to enter into a contract with Team Waste Gulf Coast, LLC to provide services for collection and disposal of waste materials in a timely manner when deemed necessary. The contract is for one year, renewable annually not to exceed sixty (60) months in total. The amount of this contract with Team Waste Gulf Coast, LLC will be approximately \$220,000 per year. If renewed each year up to the total possible contract term of five years, the contract amount will be approximately \$1,100,000. The funding will be provided within the budgets of University of Mississippi Landscape Services, Athletics, Student Housing and as needed/requested by other departmental budgets within the University. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **UM** – Approved the request to engage CPA firms to conduct annual audits for fiscal year 2017 for the entities listed below, as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).

University Affiliated Entity	CPA Firm
The University of Mississippi Foundation	KPMG, LLP
The University of Mississippi Alumni Association	Grantham, Poole, Randall, Reitano, Arrington & Cunningham, PLLC
The University of Mississippi Athletic Association	Grantham, Poole, Randall, Reitano, Arrington & Cunningham, PLLC
<sup>1</sup> The University of Mississippi Research Foundation	BKD, LLP

<sup>1</sup>*The University of Mississippi Research Foundation request includes the approval to engage BKD, LLP to perform annual audit services for a three-year period, 2017 through 2019.*

8. **UMMC** – Request to enter into a Laboratory Services Agreement with Ascend Clinical, LLC (Ascend) to provide clinical laboratory testing for End Stage Renal Disease (ESRD) patients, as well as environmental laboratory testing (water, dialysate), in order to provide UMMC's dialysis clinics with professional laboratory results. The ESRD and environmental laboratory testing cannot be performed by UMMC's Clinical Laboratory. The term of the agreement is two (2) years, beginning April 1, 2017, and ending March 31, 2019. The cost of the two (2) year agreement is approximately \$550,000. Actual costs vary based upon patient volume, patient payor mix, and types of testing required for patients. The agreement was reviewed and approved by the Attorney General's Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**
9. **UMMC** – Approved the request to enter into an agreement with Boston Scientific Corporation for the initial purchase of equipment and commodities related to the WATCHMAN Left Atrial Occlusion Device and to purchase additional products or services or to remove products or services under the Agreement without requiring submission for Board approval, so long as there is adequate funding remaining. The device is used in cardiac procedures to reduce the risk of thromboembolism from the left atrial appendage in patients who are at increased risk for stroke and systemic embolism. The term of the agreement is twenty-five (25) months, May 1, 2017

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through May 31, 2019. The total estimated cost over the twenty-five (25) month term is \$2,200,000. The actual contract cost will vary upon the number of procedures performed. UMMC will make an initial purchase totaling \$250,000 and, as procedures are performed, will order the appropriate products to maintain inventory equal to the initial order. Pricing is firm throughout the term of the Agreement. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

10. **UMMC** – Approved the request to enter into an agreement with MBA Medical, Inc. for the purchase of custom perfusion tubing packs and oxygenators for adult and pediatric cardiac surgeries, and for the maintenance/management of UMMC's adult custom perfusion tubing pack inventory. This agreement will ensure UMMC an uninterrupted supply of packs needed for cardiac surgeries at UMMC. The term of the agreement is for three (3) years beginning on or about April 5, 2017 through April 4, 2020. The total estimated cost over the three (3) year term is \$1,154,768.63. Product pricing will remain fixed for the three (3) year term, however the amount of product purchased will vary based on patient volume. A 20% volume increase in the amount of product purchased is included in the annual cost to account for anticipated increases in patient volume. Estimated annual costs are as follows: Year 1 – \$316,672.10; Year 2 – \$380,660.32; and Year 3 - \$457,436.21. The contract will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
11. **UMMC** – Pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration, the Board approved the request to enter into a Master Agreement and Product Agreement with Therakos, Inc. (Therakos) for the purchase of a CELLEX Photopheresis System and associated commodities, as well as trade in of UMMC's existing UVAR XTS Photopheresis System. Photopheresis, also known as Extracorporeal Photopheresis (ECP), is an immune modulation therapy that was approved by the FDA for the palliative treatment of the skin manifestations of Cutaneous T-Cell Leukemia (CTCL). The CELLEX System will allow UMMC to expand its established adult photopheresis program with the treatment of pediatric patients. The Master Lease is for a period of five (5) years, beginning on the date of final execution of the contract, which UMMC estimates to be April 5, 2017, and ending approximately April 4, 2022. This Product Agreement is for a period of one (1) year, beginning on the date of final execution of the contract, which UMMC estimates to be April 5, 2017, and ending approximately April 4, 2018. There is no direct cost associated with the Master Agreement. The total estimated cost of the Product Agreement over one (1) year is \$500,000, including the purchase of the CELLEX Photopheresis System and the associated commodities. The CELLEX Photopheresis System costs \$89,000, but after trade-in of UMMC's existing UVAR XTS System of \$5,000, UMMC's cost of the CELLEX System is \$84,000. UMMC has calculated the potential cost of the associated commodities, which include kits and solutions, to be up to \$416,000. A breakdown of the total estimates costs of the Product Agreement is included in the bound *March 16, 2017 Board Working File*. This agreement will be funded by hospital patient revenue. The agreement has been reviewed by the Attorney General's Office and approval is pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration.



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12. **UMMC** – Approved the request to waive the requirement of Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9) for an annual audit of the UMMC Research Development Foundation for fiscal year ending June 30, 2017.
13. **JSU** – **Exhibit 1** represents the approval of Mississippi Information Technology Services (MS-ITS) Board for the provision of a hosted Learning Management System for Jackson State University. The Attorney General’s staff assigned to the MS-ITS reviews such agreements prior to execution. The Software License and Application Service Provider Agreement for Infrastructure’s Canvas learning management system, related services and deliverables is between Instructure, Inc. and MS-ITS on behalf of JSU. **(See Exhibit 1.)**
14. **USM** – **Exhibit 2** represents the approval of Mississippi Information Technology Services (MS-ITS) Board for the provision of a hosted Learning Management System for the University of Southern Mississippi. The Attorney General’s staff assigned to the MS-ITS reviews such agreements prior to execution. The Software License and Application Service Provider Agreement for Infrastructure’s Canvas learning management system, related services and deliverables is between Instructure, Inc. and MS-ITS on behalf of USM. **(See Exhibit 2.)**

**REAL ESTATE**

15. **ASU** – Approved the initiation of **IHL 201-254, Student Housing**, to construct a new student housing complex that will add approximately 500 additional beds to the Lorman campus. The project budget and exact scope of the project will be further defined after the design professional is selected. ASU will return to the Board of Trustees to seek approval of the exact scope of the project and to increase the project budget to reflect more accurate cost estimates. The proposed project budget is \$200,000. Funds are available from University Auxiliary Service Funds (\$200,000).
16. **UMMC** – Request to initiate **IHL 209-558, Mississippi Integrated Public Safety Communications Center**, and to appoint Gensler Architecture, Design and Planning, P.C. as the design professional. This project will build a facility that will support the expansion of Mississippi MED-COM and the integration of an additional public safety communications center. The facility will house the educational, clinical and research divisions that will allow the Mississippi Center for Emergency Services (MCES) to improve and expand its telemedicine capabilities. Administrative offices for MCES will also be housed in the facility. This project will allow for the colocation of the UMMC transport teams to support education and research into the expanded use of broadband technology in delivering mobile care. The proposed project budget is \$9,699,114. Funds are available from Broadband Technology Opportunity Program (BTOP) (\$9,699,114). **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**
17. **UM** – Approved the request to modify the funding source of **GS 107-308, Student Union Addition and Renovation**, to include \$482,981 of additional funds from SB 3100, Laws of 2011, and to include funds in the amount of \$2,088,425 from SB 2913, Laws of 2013, as a new funding source to the project. The project budget will not increase from \$58,900,000 which was previously approved by the Board in April of 2015. The project is currently in the Construction phase. The changes in funding sources reflect an increase in funding from the State of Mississippi due to residual funds for completed Bureau of Building projects to be transferred into this project. The project will reconfigure the existing Student Union with an addition to increase available space

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and will include significant renovation. Funds are available from SB 3100, Laws of 2011 (\$10,482,981); SB 2913, Laws of 2013 (\$2,088,425); Internal R&R Funds (\$35,635,394); Auxiliary Vendor Payments (\$1,500,000); Private Gifts (\$551,200); and Student Capital Improvement Fee (\$8,642,000).

18. **UM** – Approved the request to increase the budget for **IHL 207-4285, East Campus Electrical Modifications**, from \$1,300,000 to \$1,900,000, for an increase of \$600,000. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The increased project budget will allow for routing the underground service in a manner that differs from the originally planned route. This is required to accommodate future building sites identified by the UM Master Plan. The scope of this project includes the removal of overhead electrical poles and lines from the corner by old ticket office and all the way to the south, past the corner of the Vaught Hemingway Stadium. Funds are available from Internal R&R (\$1,900,000).

19. **MSU** – Contingent upon the submission to the Attorney General’s Office of a final executed agreement, the Board approved the request to advertise and award the sale to the highest and best bid for timber sales 17-03PT from the John W. Starr Memorial Forest. The Attorney General’s Office has reviewed and approved this item contingent upon submission of a final executed agreement. The legal property description and timber sale process is listed below.

**Timber Sale No. 17-03PT, Talking Warrior Unit, John W. Starr Memorial Forest -**

The sale area is approximately 133 acres in size and is located in a portion of the W ½ and a portion of the E ½ of the NE ¼ of Section 6; and a portion of the N ½ of the NW ¼ of the SE ¼ of Section 6; all located in Township 17 North, Range 14 East in Oktibbeha County, Mississippi. This sale contains an estimated volume of 343,732 board feet of pine sawtimber, and 363 cords of pine chip-n-saw, 201 cords of pine pulpwood, 4,978 board feet of hardwood sawtimber, and 50 cords of hardwood pulpwood. All trees must be cut and removed by April 30, 2019.

**Timber Sale Process:** The timber sale process on the John W. Starr Memorial Forest, and other Mississippi State University owned lands, begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by various means but mostly by directions taken from the Forest Management Plan. Other specific site characteristics may also dictate the need for the sale of timber. After the stand has been identified, the process of tree marking and sale identification begins. Once that is completed, the sale is computed and a bid prospectus is prepared and approved by the Dean of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. A request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. If/when the Board of Trustees approve that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. Once the bids have been received in the Director of Purchasing office, a recommendation is made by the department to the President of the university to either accept or reject the bids. This recommendation has the approval of the Deal of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. If/when the President of the university concurs with the department’s recommendation to accept the bid, a contract is executed between the university and the highest and best bidder for that sale. This process continues obtaining the Director of Purchasing’s signature on the contract and then contacting the high bidder to set the closing. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount.

20. **MS** – Approved the request to enter into a ground lease with the Starkville Oktibbeha Consolidated School District (SOCSD) whereby SOCSD will lease 32.23 acres, more or less, from MSU for constructing a model rural education school to serve sixth- and seventh-grade students of Oktibbeha County. Pursuant to Miss. Code Ann. § 37-7-104.3, a partnership between MSU and SOCSD for such purpose has been encouraged by the Mississippi Legislature as part of the

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Legislature's consolidation of the Starkville and Oktibbeha County school districts. In addition, a lease of property to SOCSO for the purpose of furthering the partnership was authorized by the Legislature during the 2016 regular session subject to Board approval. MSU and SOCSO are collaborating to construct, operate and maintain a Partnership School on the MSU campus that will serve as a model rural education school and research facility to improve rural education in the Starkville-Oktibbeha County community and the State of Mississippi. SOCSO will lease property on the MSU campus to construct and operate the Partnership School. Once constructed, the Partnership School will be used jointly by SOCSO and MSU for the dual purpose of educating sixth and seventh-grade students in the SOCSO school district and providing unique educational and research experiences for MSU faculty and students. Construction will be funded by a combination of SOCSO funds, state bond funding authorized by the Mississippi Legislature, and private funding raised by the MSU Foundation. In addition to collaborating with SOCSO regarding operation of the sixth- and seventh-grade school, MSU will have exclusive use of certain spaces in the Partnership School for faculty office space and other educational and research purposes. MSU also will have the right to use other portions of the facility for night and weekend courses and workshops. The Ground Lease grants a construction term for up to 3 years. Upon completion of construction, the initial term of the Ground Lease will be 30 years. Upon expiration of the initial term, the Ground Lease will renew for an additional 30 years unless the parties mutually agree to not exercise the renewal term or either party notifies the other party within 2 years of expiration of the initial term that it does not wish to exercise the renewal term. SOCSO will pay MSU \$1 per year for the lease. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

## **PERSONNEL REPORT**

### **21. SABBATICAL**

#### **Mississippi State University**

- Stamatis Agiovlasis, Associate Professor, Kinesiology, *from* salary of \$72,580.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$36,290.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Theodore B. Atkinson III, Associate Professor and Director, English; *from* salary of \$68,494.00 per annum, pro rata (nine-month contract); E&G and Designated Funds; *to* salary of \$34,247 for sabbatical period; E&G and Designated Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Ioana Banicescu, Professor, Computer Science and Engineering; *from* salary of \$118,592.56 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$59,296.28 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Mary Kathryn Barbier, Associate Professor, History; *from* salary of \$71,502.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$35,751.00 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.

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- Stanley P. Brown, Professor and Head, Kinesiology; *from* salary of \$139,053.00 per annum, pro rata; E&G Funds; *to* salary of \$52,145.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Amy Crumpton, Associate Professor, Interior Design; *from* salary of \$64,769.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$32,384.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Hai Dinh Dang, Professor, Mathematics and Statistics; *from* salary of \$96,363.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$48,181.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Jacqueline S. Edwards-Henry, Professor, Music, *from* salary of \$75,041.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$37,520.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Charles Taze Fulford III, Associate Professor, Landscape Architecture; *from* salary of \$70,594.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$35,297.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Hans C. Herrmann, Associate Professor, School of Architecture; *from* salary of \$75,030.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$37,515.00 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- William Anthony Hay, Associate Professor, History; *from* salary of \$83,724.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$41,862.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Shirley Ann James Hanshaw, Associate Professor, English; *from* salary of \$63,064.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$31,532.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Carlen Henington, Professor, Counseling, Educational Psychology, and Foundations; *from* salary of \$79,084.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$39,542.00 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Shelley Renee Keith, Associate Professor, Sociology; *from* salary of \$75,003.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$37,501.50 for sabbatical period; E&G Funds; effective August 16, 2017 to May 15, 2018; professional improvement. 9 month.
- James Bernard Kelley, Associate Professor, Arts and Sciences, Meridian Campus; *from* salary of \$57,229.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$28,614.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Seong-Gon Kim, Professor and Director, Physics and Astronomy; *from* salary of \$115,120.00 per annum, pro rata (nine-month contract); E&G and Designated Funds; *to* salary of \$57,560.00 for sabbatical period; E&G and Designated Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Peter Crozier Messer, Associate Professor, History; *from* salary of \$70,577.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$35,289.00 for sabbatical period; E&G Funds; effective August 16, 2017 to May 15, 2018; professional improvement.

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- Thomas William Miller, Jr., Professor, Finance and Economics; *from* salary of \$197,258.00 per annum, pro rata (nine-month contract); E&G and Designated Funds; *to* salary of \$98,629.00 for sabbatical period; E&G and Designated Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Robert Jarrod Moss, Associate Professor, Psychology; *from* salary of \$73,157.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$36,578.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Judith Ridner, Associate Professor, History; *from* salary of \$70,020.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$35,010.00 for sabbatical period; E&G Funds; effective August 16, 2017 to May 15, 2018; professional improvement.
- Donald Shaffer, Associate Professor, English/African American Studies, *from* salary of \$65,976.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$32,988.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Brian Shoup, Associate Professor, Political Science and Public Administration; *from* salary of \$72,026.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$36,013.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- James William Sobaskie, Associate Professor, Music, January 1, 2018 to May 15, 2018, salary of \$55,426.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$27,713.00 for sabbatical period; E&G Funds; effective professional improvement.
- Marian Swindell, Associate Professor, Arts and Sciences/Social Work, Meridian Campus; *from* salary of \$77,087.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$38,543.50 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.
- Kevin Donald Williams, Associate Professor, Communication; *from* salary of \$68,947.00 per annum, pro rata (nine-month contract); E&G and Designated Funds; *to* salary of \$34,473.50 for sabbatical period; E&G and Designated Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Joseph Witt, Assistant Professor, Philosophy and Religion; *from* salary of \$54,971.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$27,485.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Carlton Chenault Young, Associate Professor, Division of Business, Meridian Campus; *from* salary of \$110,147.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$55,073.50 for sabbatical period; E&G Funds; effective August 16, 2017 to December 31, 2017; professional improvement.
- Dongmao Zhang, Associate Professor, Chemistry; *from* salary of salary of \$82,616.00 per annum, pro rata (nine-month contract); E&G Funds; *to* \$41,308.00 for sabbatical period; E&G Funds; effective August 16, 2017 to May 15, 2018; professional improvement.

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**Mississippi University for Women**

- Julia Mortyakova, Associate Professor of Music and Chair of the Department of Music, College of Arts & Sciences; from salary of \$64,500 per annum, pro rata (ten and a half months); E&G Funds; to salary of \$32,250 for sabbatical period; E&G Funds; effective August 1, 2017 to December 20, 2017; professional development.

**University of Southern Mississippi**

- Shahid Karim; Associate Professor of Biological Sciences; from salary of \$65,095.00 per annum, pro rata (nine-month contract), E&G funds, to salary of \$28,926.66 per annum for sabbatical period, E&G funds; effective August 16, 2017 to December 31, 2017; professional development.

**22. OTHER ACTION**

**Mississippi State University**

*(Correction to salary and date for Sabbatical approved March 2016)*

FROM: John William Bickle, Jr.; Professor and Head, Philosophy and Religion; *from* salary of \$138,000 per annum, pro rata; E&G Funds; *to* salary of \$51,750 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.

TO: John William Bickle, Jr., Professor and Head, Philosophy and Religion; *from* salary of \$139,842.00 per annum, pro rata; E&G Funds; *to* salary of \$52,441.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.

**ADMINISTRATION/POLICY**

23. **ASU** – Approved the request to bestow one honorary degree at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.
24. **DSU** – Approved the request to bestow two honorary degrees at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.
25. **JSU** – Approved the request to bestow two honorary degrees at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.
26. **MSU** – Approved the request to bestow two honorary degrees at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.
27. **MVSU** – Approved the request to bestow one honorary degree at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.
28. **USM** – Approved the request to bestow one honorary degree at its May 2017 commencement ceremony. Supporting documents are on file at the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3. A motion was made by Trustee Pickering, and seconded by Trustee McNair to approve agenda item #4. *This motion was withdrawn.* On motion by Trustee Hooper, seconded by Trustee Duff, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to table agenda item #4 until the next meeting. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #5.

1. **MSU** – Approved the request to enter into an agreement with Frontier Strategies, LLC, for the purpose of continuing a multi-phase program of research, development and implementation of a social marketing campaign designed to improve nutrition among Supplemental Nutrition Assistance Program (SNAP) recipients in the State of Mississippi. This contract will allow Frontier Strategies, to produce and launch a new brand in Mississippi to promote healthy eating, shopping and cooking habits for SNAP recipients—as well as new, healthy traditions for the next generation to carry forward—by highlighting affordability, accessibility and benefits for the short and long term. The agreement will become effective on the date it is executed by whichever party executes the agreement last and shall continue until September 30, 2017, at which time the agreement will automatically expire. The requested amount is \$1,750,000 based upon the Scope of Work. The contract will be funded by a subgrant between the Mississippi Department of Human Services (MDHS) and MSU. The funding source for the subgrant is the United States Department of Agriculture (USDA). The contract will not be signed until funding has been approved by USDA and MDHS. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**
2. **UMMC** – Approved the request to enter into a Laboratory Services Agreement with Ascend Clinical, LLC (Ascend) to provide clinical laboratory testing for End Stage Renal Disease (ESRD) patients, as well as environmental laboratory testing (water, dialysate), in order to provide UMMC’s dialysis clinics with professional laboratory results. The ESRD and environmental laboratory testing cannot be performed by UMMC’s Clinical Laboratory. The term of the agreement is two (2) years, beginning April 1, 2017, and ending March 31, 2019. The cost of the two (2) year agreement is approximately \$550,000. Actual costs vary based upon patient volume, patient payor mix, and types of testing required for patients. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**

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3. **SYSTEM** – Approved for first reading the proposed new Board Policy Section 713 Institutional Financial Sustainability. **(See Exhibit 3.)**
4. **SYSTEM** – Request for approval to purchase cyber liability and incident response insurance coverage with Beazley. Cyber liability insurance will cover various cyber-related losses, including third party liability, first party liability, costs related to investigation and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber event. Purchase of the insurance also includes expert assistance from the insurers breach response team. The purchased policy will be primary to other insurance so that it will protect the IHL Self-Insured Tort Plan in the instances where coverages overlap. The recommended quote includes the ability to “buy-up” our limits during the term at a pre-negotiated price. The contract is a one-year insurance policy beginning March 31, 2017, and terminating April 1, 2018. The premium is approximately \$316,495 for the one-year policy. If IHL elects to expand its aggregate limits, then the additional premium will bring the total to \$376,448. The IHL Self-Insured Tort Plan will pay the premium and allocate an appropriate premium share to each policy participant. The share for each participant other than UMMC will be built into the annual assessment of the Tort Plan. The Tort Plan will invoice UMMC for its share. This agreement has been reviewed and approved by the Office of the Associate Commissioner for Legal Affairs, Risk Management and Special Projects Officer. **(THIS ITEM WAS TABLED UNTIL THE APRIL MEETING.)**
5. **MSU** – Approved the initiation of the bond process through the Mississippi State University Educational Building Corporation (MSUEBC) to borrow funds not to exceed \$32 million in fixed rate bonds to assist in financing the addition and renovation to Dudy Noble Field-Polk DeMent Stadium. The total project funding is \$55 million dollars which includes \$30 million from long-term fixed rate bonds issued by the MSUEBC and \$25 million from the MSU Foundation/Athletics/Bulldog Club. The Board approved the financial advisor’s report provided by First Southwest and approved Jones Walker, LLP for bond counsel and Morgan Stanley & Company, LLC and Raymond James & Associates, Inc. as underwriters. The Bond counsel will be compensated at \$1.15 per \$1,000. The project will upgrade and bring up to code the existing baseball facility to allow for more attendance and seating capacity. The expansion and renovation will include restrooms, concessions, dressing rooms and other amenities associated with the game day experience. Long-term bonds will be issued with maturities up to 30 years. MSU is expecting to issue up to a maximum of \$32,000,000 par value in fixed rate bonds. Proceeds from the bond issue will support the project fund (\$30 million), capitalized interest, cost of issuance and the underwriter’s discount. Based on the Financial Advisor’s report dated January 10, 2017, the proposed debt amortization will have an average annual debt payment of \$2,132,232 at an expected true interest cost of 5.05 percent. Taxable and tax-exempt options will both be considered. Various Athletic revenues, including annual seat donations, capital gift agreements, philanthropic Athletic gifts, and other internally generated Athletic revenues. At a subsequent meeting, the university will request Board approval of a bond resolution and the form of bond documents.



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**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

On motion by Trustee McNair, seconded by Trustee Perry, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda.

1. **UMMC** – Approved the initiation of **IHL 209-558, Mississippi Integrated Public Safety Communications Center**, and the appointment of Gensler Architecture, Design and Planning, P.C. as the design professional. This project will build a facility that will support the expansion of Mississippi MED-COM and the integration of an additional public safety communications center. The facility will house the educational, clinical and research divisions that will allow the Mississippi Center for Emergency Services (MCES) to improve and expand its telemedicine capabilities. Administrative offices for MCES will also be housed in the facility. This project will allow for the colocation of the UMMC transport teams to support education and research into the expanded use of broadband technology in delivering mobile care. The proposed project budget is \$9,699,114. Funds are available from Broadband Technology Opportunity Program (BTOP) (\$9,699,114). **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA.)**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Report on existing programs now offered online:
  - a. **ASU** – Bachelor of Science Degree in Business Administration and
  - b. **UM** – Master of Arts Degree in Teaching.

**REAL ESTATE**

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the February 16, 2017 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 4.)**

**LEGAL**

3. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 5.)**

**ADMINISTRATION/POLICY**

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to

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approve certain prepayment/waivers on behalf of the Board. On February 10, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Bernardo Caraballo Perez for a 4-bedroom, 1-bath residential property located at #100 Pole Ojea, Cabo Rojo, Puerto Rico, for the purpose of housing students, staff and faculty and storing research equipment used to conduct fisheries research funded by the Puerto Rico Department of Natural and Environmental Resources. The lease term is five years –March 1, 2017 through February 28, 2020, at a cost of \$600 per month (\$7,200 per year) to be prepaid annually on March 1<sup>st</sup> of each year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- b. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. On February 23, 2017, Commissioner Glenn F. Boyce approved the request to amend the rental agreement with the City of Jackson for the purpose of renting Thalia Mara Hall in which to hold the March 17, 2017 UMMC Match Day Ceremony. The rental period is for one day at a total cost of \$700 to be prepaid in two installments as set out in the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- c. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 28, 2017, Commissioner Glenn F. Boyce approved the request to enter into a Part-Time Space Occupancy License Agreement with Jackson Healthcare for Women, P.A. for approximately 184 square feet of exclusive and shared space located at 291 East Layfair Drive, Jackson, MS. The space is specifically defined in Exhibit A to the agreement. The cost of the agreement is \$120 per occupancy period (week) or \$5,760 annually (based on 48 occupancy periods per year). The term of the agreement is one year effective January 1, 2017. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **SYSTEM** – On March 2, 2017, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning October 1, 2016 and ending December 31, 2016. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

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**ANNOUNCEMENTS**

- Commissioner Boyce reported on the Jackson State University Presidential Search. The first-round interviews are tentatively scheduled for April 19 and after the board meeting on April 19, 2017.
- President Rouse invited the university presidents to report on current activities on their campuses.
- President Rouse received a thank you note to the Board from Mr. Billy Cummins expressing his appreciation for naming the diversity award after former Trustee Karen Cummins.
- President Rouse noted that House Bill 926 which creates the Health Care Collaboration Act was sent to Governor Phil Bryant this morning.
- Trustee McNair recognized Dr. Rodney Bennett, President of the University of Southern Mississippi, for assisting William Carey College in Hattiesburg in the aftermath of the tornado that destroyed facilities on their campus.

**FINANCE COMMITTEE REPORT**

Wednesday, February 16, 2017

The meeting was called to order by Chairman Christy Pickering at approximately 10:00 a.m. The following items were discussed.

1. The Committee discussed the proposed new policy 713 Institutional Financial Sustainability. **No action was taken.**
2. The Committee discussed the scope of the external audit to be conducted next year. **No action was taken.**
3. By consensus, the Committee adjourned at 10:45 a.m.

The following Committee members attended the meeting: Christy Pickering (Chair), Dr. Ford Dye, Mr. Tom Duff, Mr. Shane Hooper, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, February 16, 2017

The meeting was called to order by Chairman Ford Dye at approximately 10:50 a.m. The following items were discussed.

1. First Executive Session  
On motion by Trustee McNair, seconded by Trustee Pickering, with Trustees Hooper, Morgan, and Perry absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee McNair, with Trustees Hooper, Morgan, and Perry absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of strategic business plans for a public hospital.

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During Executive Session, the Committee discussed strategic business plans for a public hospital.  
**No action was taken.**

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to open session.

2. The Committee received a financial update from Bruce Fairbanks, Chief Financial Officer at the University of Mississippi Medical Center.
3. Second Executive Session

On motion by Trustee Dye, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of strategic business plans for a public hospital.

During Executive Session, the Committee discussed strategic business plans for a public hospital.  
**No action was taken.**

On motion by Trustee Pickering, seconded by Trustee Morgan, all Trustees legally present and participating voted unanimously to return to open session.

4. The Committee received an information security update from Randy Arvay, Chief Information Security Officer at the University of Mississippi Medical Center.
5. Adjourn - On motion by Trustee McNair, seconded by Trustee Perry, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to adjourn.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, March 15, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the effects of the budget cuts on the University of Mississippi Medical Center.
2. Executive Session

On motion by Trustee McNair, with Trustees Duff, Parker, Pickering, and Starr absent and not voting and Trustees Hooper and Smith participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Perry, with Trustees Duff, Parker, Pickering, and Starr absent and not voting and Trustees Hooper and Smith participating by

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phone, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of budgetary item which might affect the termination of employees at a public hospital and discussion of strategic business plans for a public hospital.

During Executive Session, the Committee discussed a budgetary item for a public hospital. **No action was taken.**

During Executive Session, the Committee discussed strategic business plans for a public hospital. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Perry, with Trustees Duff, Parker, Pickering, and Starr absent and not voting and Trustees Hooper and Smith participating by phone, all Trustees legally present and participating voted unanimously to return to open session.

3. Adjourn - On motion by Trustee Rouse, seconded by Trustee McNair, with Trustees Duff, Parker, Pickering, and Starr absent and not voting and Trustees Hooper and Smith participating by phone, all Trustees legally present and participating voted unanimously to adjourn.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Shane Hooper, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Alan Perry, Dr. Doug Rouse, and Mr. C.D. Smith. Mr. Tom Duff, Mr. Hal Parker, Ms. Christy Pickering, and Dr. Walt Starr were absent.

**EXECUTIVE SESSION**

On motion by Trustee Hooper, seconded by Trustee Duff, with Trustee Parker absent and not voting and Trustee Starr participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Dye, with Trustee Hooper absent and not voting and Trustees Parker and Starr participating by phone, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of two state university personnel matters.

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

The Board discussed two state university personnel matters. **No action was taken.**

**On motion by Trustee McNair, seconded by Trustee Dye, with Trustees Parker and Starr participating by phone, all Trustees legally present and participating voted unanimously to return to Open Session.**

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**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Pickering, seconded by Trustee McNair, with Trustees Parker and Starr participating by phone, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- Exhibit 1      Approval of the MS-ITS Board of the for the provision of a hosted Learning Management System for Jackson State University
- Exhibit 2      Approval of the MS-ITS Board of the for the provision of a hosted Learning Management System for the University of Southern Mississippi.
- Exhibit 3      Proposed new Board Policy Section 713 – Institutional Financial Sustainability for first reading.
- Exhibit 4      Real Estate items that were approved by the IHL Board staff subsequent to the February 16, 2017 Board meeting.
- Exhibit 5      Report of the payment of legal fees to outside counsel.

**EXHIBIT 1**  
**March 16, 2017**

**ITS CONTRACT ACCEPTANCE**  
**Project 43246**  
**For Connection**

**TO:**

Emily Bishop Jackson State University
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**RETURN TO:**

Jamekia Hilliard Dept. of Information Technology Services 3771 Eastwood Drive Jackson, MS 39211 Phone: 601-432-8219 Fax: 601-713-6380
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**DATE SENT:** 1/09/2017

**RETURN BY:** 1/16/2017

**INSTRUCTIONS:**

Please review the attached contract forwarded to you by the ITS staff. If any material changes are needed to this contract, please mark all changes needed on the document and return to ITS for changes. You will be sent a revised copy to review before you sign this Contract Acceptance form. Otherwise, please select one of the options below and return this form to the address above.

Please initial the appropriate line to indicate the contract has been reviewed & is accepted by your agency/institution and that all reviews by your agency attorney and management are complete:

without changes

with the following corrections to format or syntax: (attach additional pages if needed)

Page Number	Correction Needed:

Please list all names/titles, if any, who will sign this contract on behalf of your agency:

None; we accept the signature of the ITS Executive Director on our behalf

Please add a signature line for the following person(s) from our agency:

Name	Title

**CONTRACT DELIVERY (SELECT ONE):**

Send contracts to vendor via overnight delivery and bill our agency/institution.

Send contracts to vendor via regular United States Postal Service mail.

**AUTHORIZED SIGNATURE / DATE**

**AGENCY / INSTITUTION**

My signature above indicates that my agency/institution is a full party to the above-referenced contract, with or without the signature of the agency executive on the body of the contract. My agency executive understands and agrees that: (1) by virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the Executive Director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software and services, and, as contracting agent, must be a party to any amendments, change orders, or termination actions for the life of this contract; (2) ITS as contracting agent is not responsible or liable for the performance or non-performance of any of agency's contractual obligations, financial or otherwise, for this contract; and (3) my agency/institution is responsible for day-to-day management of the project and contract and all business decisions pertaining thereto and must initiate any actions regarding payments, changes in scope, early termination, and invocation of any penalties defined herein, providing appropriate notification to ITS when required.



# EXHIBIT 1

## March 16, 2017

**PROJECT NUMBER 43246**  
**SOFTWARE LICENSE AND APPLICATION SERVICE PROVIDER AGREEMENT**  
**BETWEEN**  
**INSTRUCTURE INC.**  
**AND**  
**MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES**  
**AS CONTRACTING AGENT FOR THE**  
**JACKSON STATE UNIVERSITY**

This Software License and Application Service Provider Agreement (hereinafter referred to as "Agreement") is entered into by and between, Instructure Inc., a Delaware corporation having its principal place of business at 6330 South 3000 East, Suite 700, Salt Lake City, Utah 84121 (hereinafter referred to as "Licensor"), and Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for the Jackson State University, located at 1400 John R. Lynch Street, Jackson, Mississippi 39217 (hereinafter referred to as "Licensee" and/or "JSU"). ITS and JSU are sometimes collectively referred to herein as "State."

**WHEREAS**, ITS on behalf of the Mississippi Community College Board (MCCB), pursuant to Request for Proposals ("RFP") No. 3692 requested proposals for the services of a contractor to host and maintain an Application Service Provider ("ASP") solution for a Learning Management System (LMS); and

**WHEREAS**, Licensor was the successful proposer in an open, fair and competitive procurement process to provide the software and services described herein; and

**WHEREAS**, RFP No. 3692 contained a provision stating that the State reserved the right to re-use the proposal for future projects; and

**WHEREAS**, the State has deemed it to be in the State's best interest to use the above referenced proposal as the basis for JSU's request for the acquisition of a Learning Management System, and Licensor has agreed to provide such system to JSU;

**NOW THEREFORE**, in consideration of the mutual understandings, promises and agreements set forth, the parties hereto agree as follows:

### **ARTICLE 1 DEFINITIONS**

**1.1** "Active User" means JSU employees, and secondary education faculty and students actively participating on the system in any given month of operation, who shall be bound to the terms and conditions of this Agreement. Licensor does not impose a limit on the number of Active Users accessing or registering to use the system.

**1.2** "Available Date" means the date upon which Licensor notifies JSU that the Software may be accessed on the Licensor's ASP server and JSU may begin acceptance testing.

**1.3** "Content" means any content provided by or through Active Users for use with the Software.

# EXHIBIT 1

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1.4 "Documentation" means the published user and technical manuals and documentation that Licensor makes generally available for the Software; the help files included within the Software, and any files containing presentation materials or manuals or other related materials to train and educate Licensee and the Active Users on the use of the Software.

1.5 "Enhancements" means the corrections, updates, upgrades or new versions of the Software or Documentation that Licensor may provide to Licensee under this Agreement.

1.6 "Licensee" means Jackson State University, its employees, secondary education faculty and students and any third party consultants or outsourcers engaged by JSU who have a need to know and who shall be bound by the terms and conditions of this Agreement.

1.7 "Licensor" means Instructure Inc., and its successors and assigns.

1.8 "Products" means the Software, Documentation, Corrections, Enhancements and any copy of the Software, Documentation, Corrections, or Enhancements provided by the Licensor.

1.9 "Services" means any on-line user access, customizations, interface development, consulting, education, ASP installation, system administration, training, maintenance, support, and Help Desk services provided by Licensor to Licensee.

1.10 "Software" means the machine-readable object code version of the computer programs whether embedded on disc, tape or other media used for the management of the web-based Learning Management System (LMS) and Supported Interfaces (and any Documentation and help files within the Software), including any Enhancements provided pursuant to the maintenance and support terms identified herein.

1.11 "Software Error" means a reproducible defect or combination thereof in the Software that results in a failure of the Software when used in accordance with the Documentation. Software Errors do not include those errors caused by (a) Licensee's negligence, (b) any unauthorized modification or alteration Licensee makes to the Software, (c) data that does not conform to Licensor's specified data format, (d) operator error, or (e) use not conforming to the Licensor's supported technical environment specified in the Documentation.

1.12 "Supported Interfaces" means application-based interfaces (API), network protocols, data formats, database schemas, and file formats used in the Software as described in the Documentation.

## ARTICLE 2 PERIOD OF PERFORMANCE

2.1 Unless this Agreement is extended by mutual agreement or terminated as prescribed elsewhere herein, this Agreement shall begin on the date it is signed by all parties and shall continue in effect until the Licensor completes all tasks required herein pursuant to the project work plan, including services during the five (5) year hosting term. The web-based Learning Management System (LMS), as customized for the State of Mississippi, must be implemented; fully functional; accepted by JSU, and all tasks (excluding hosting) required herein, including but not limited to development of required interfaces and training, completed on or before June 30, 2017, unless a change in this date is mutually agreed to in writing by the State and the Licensor. At the end of the five (5) year initial ASP services term, the ASP services may, upon the written

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agreement of the parties, be renewed under the same terms and conditions for an additional term. One hundred and eighty (180) days prior to the expiration of the initial hosting term or any renewal hosting term of this Agreement, Licensor shall notify JSU and ITS of the impending expiration and JSU shall have sixty (60) days in which to notify Licensor of its intention to either renew or cancel the ASP services.

2.2 This Agreement will become a binding obligation on the State only upon the issuance of a valid purchase order by JSU following contract execution and the issuance by ITS of the CP-1 Acquisition Approval Document.

## ARTICLE 3 SCOPE OF SERVICES

3.1 The Licensor agrees to provide to JSU an ASP based Learning Management System (LMS) and Services and associated deliverables required to provide, host and maintain a web based application for JSU as described in this Agreement. While the scope of work for this project is defined by the contract documents set forth herein in the article titled "Entire Agreement", a summary of such work is outlined in Article 3.5 below.

3.2 The Licensor acknowledges that JSU intends to be actively involved in the day-to-day progress of the project. The Licensor agrees to (a) obtain JSU's approval of all tasks and the time schedule for completion of said tasks prior to commencing performance, if not already contained in the approved project work plan; (b) make available to the State project team members all project work papers and work-in-progress for review; (c) ensure that the Licensor Project Manager works closely together with the State Project Manager, (d) provide JSU access to the host website; (e) meet with JSU on a regular basis at a mutually agreeable time, and as otherwise requested by JSU, to discuss the status of the project, and (f) if required by JSU, submit written project status reports.

3.3 The parties understand and agree that the project shall be structured with interim deliverables as set forth in the agreed upon project work plan so as to allow JSU an opportunity to accept or reject the deliverables, including but not limited to, specifications, requirement definitions, process designs, data analyses, web layouts, screen layouts, and report layouts. The actual customizations shall not begin until after JSU has communicated its conceptual approval of the results the Licensor plans to provide. JSU shall have ten (10) business days to review interim materials, which review period can only be reduced by mutual agreement of the Licensor and JSU.

3.4 It is understood by the parties that the project work plan must be in place within fifteen (15) business days of execution of this Agreement and prior to any other work being performed. Once this mutually agreed upon project work plan, which will identify specific time frames and deliverable target dates for this project, has been developed, it will be incorporated into and made a part of this Agreement. The dates in the project work plan will define the agreed upon period of performance. The parties acknowledge that the project work plan will evolve and change from time to time upon the mutual written agreement of both parties. The parties agree that the deliverables and schedule set forth in the latest version of the project work plan will take precedence over any prior plans.

3.5 Licensor shall be responsible for the following:

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- A. Ensuring that all deliverables are complete and accepted by JSU pursuant to the mutually agreed upon project work plan;
- B. Ensuring that the host site complies with PriorityOne of the World Wide Web Consortium's (W3C's) Web Accessibility Initiative and guidelines in Section 508 of the Rehabilitation Act that are not covered in W3C Priority;
- C. Ensuring that the site, if separately paid for, is accessible through JSU's published universal resource locator ("URL") rather than through Licensor's site address;
- D. Reviewing with JSU the Content a minimum of once a quarter to ensure that the Content remains timely and accurate and reaching an agreement with JSU as to reasonable timelines for implementing Content updates delivered to the Licensor that will be posted on the site;
- E. Tracking date sensitive items to ensure timely updates;
- F. All Content provided by the Licensee and collected by the Software shall remain the sole and exclusive property of the Licensee. Upon the termination or expiration of this Agreement, Licensor shall provide such Content in its possession to the Licensee pursuant to a mutually agreed upon release schedule;
- G. Working with JSU to achieve access rates that meet JSU's needs;
- H. Providing security for the host site that is agreeable to JSU with Licensor responsible for all necessary equipment and software related to security;
- I. Maintaining the accessibility of the site twenty-four (24) hours a day, seven (7) days a week at an uptime rate of 99% or greater, subject to the limitations set forth in this Agreement, including but not limited to, those in Article 4.4;
- J. Completing daily backups of the site;
- K. Notifying JSU at least three (3) business days prior to any anticipated service interruption, with said notice containing a general description of the reason for the service interruption;
- L. Proposing and adhering to a disaster recovery plan and providing access to such plan to the State, all at Licensor's expense;
- M. Participating with JSU in disaster recovery planning and testing based on a mutually agreed upon schedule;
- N. Maintaining the confidentiality of the data entered;
- O. Upon request, providing JSU access to all of the technical information concerning operation of the site, including but not limited to, server specifications, Internet connection information, personnel requirements and software implementations;
- P. Identifying any commercially available software, by vendor and version number, integrated into the Products and describing the particular functionality of any software that is proprietary to the Licensor;
- Q. Maintaining the host site, with the cost for such support, maintenance, and hosting for years following the initial five (5) year period not increasing annually beyond five percent (5%) or the percent increase in the consumer price index for all Urban Consumers, US City Average (C.P.I.-U) for the preceding year, whichever is less;
- R. Providing 24x7x365 support of the web site, including sub-domain support;
- S. Providing redundant internet connections;
- T. Providing Dual T1 or greater connectivity;
- U. Providing FTP and remote configuration access;
- V. Providing SSL secure server support;
- W. Upon request, providing monthly reports containing access reports and system performance data to JSU;

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- X. Maintaining sufficient bandwidth and server capacity to meet JSU and Active Users' demand as it may fluctuate and increase during the term of this Agreement, and
- Y. Upon termination or expiration of this Agreement, Licensor shall export courses from Canvas and place them in a secure storage location to be provided by JSU. Courses shall be exported in the Canvas Common Cartridge format. The export process would be completed within eight (8) weeks of notification of termination without charge to JSU. Also, during the term of this Agreement and for three (3) months after expiration or termination, JSU may export its content by using the export feature within the Software.

3.6 In the event Licensor creates any revisions to or upgrades of the system, Licensor shall provide Licensee release notes of such revision or upgrade, and shall, upon request of Licensee, furnish such revision or upgrade to Licensee free of charge as part of the ASP fees.

## ARTICLE 4 SCOPE OF LICENSE AND HOSTING SERVICES

4.1 Subject to the terms and conditions of this Agreement, Licensor hereby grants to Licensee a non-exclusive and non-transferable license to access the Software over the Internet and to use it for Licensee's business operations and use it on the Licensor's host server for the initial term of the Agreement and any subsequent renewal hosting terms in accordance with, and subject to, the terms and conditions set forth in this Agreement. Licensee and Active Users are granted access to the Software with an annual availability percentage of 99.9% over a trailing 365 day period (excluding scheduled outages, force majeure, and outages that result from any JSU or User technology issue). If JSU has been using the Software for less than 365 days, the preceding 365 days will be used and any days prior to JSU's use of the Software will be deemed to have had 100% availability. Any unavailability occurring prior to a successful credit claim cannot be used for any future claims.

4.2 Licensor will provide Licensee storage space on and access to Licensor's Software via the Internet and provide Internet access to the Software to the Active Users through Licensor's site ("ASP Services").

4.3 In connection with the ASP Services, Licensor will provide and maintain all Software and hardware, including, but not limited to, the server hardware and software, telecommunications hardware and software, security hardware and software and other software that is reasonably necessary to operate and maintain the Software.

4.4 JSU is eligible for a service credit if the annual availability percentage drops below 99.9% for the preceding 365 days from the date of a service credit claim. Maximum amount of the credit/refund is 1/12 of the annual subscription fee for a twelve (12) month period. For example, if a customer pays \$12,000 for its annual subscription fee and the availability falls below 99.9% in a certain month, the maximum amount of credit a customer shall receive is \$1,000.

To qualify for a service credit, JSU must send an email to Licensor at [sla-request@instructure.com](mailto:sla-request@instructure.com) within the month JSU becomes eligible for the credit or 30 days after. JSU must also include the following information: (i) Licensor name and contact information, (ii) date and beginning/end time of the outage, (iii) a brief description and characteristics of the outage and (iv) the end user location and internet service provider used to access the Software. This credit is calculated by taking the number of hours that the Software was unavailable below the warranty, and multiplying it by 3% of 1/12 the annual subscription fee.

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4.5 Licensor shall provide the Licensee with its standard managed firewall service, which shall enable secure delivery of Licensor's application services using fully redundant hardware-based firewalls. Licensor's managed firewall service will be available twenty-four (24) hours a day, seven (7) days a week.

4.6 The use of the Software by Active Users will be governed solely by the terms and conditions of this Agreement and, to the extent they do not violate Mississippi law, the Terms of Use document on Licensor's website. The parties agree that in the event of a conflict between the terms and conditions of this Agreement and the Terms of Use document on Licensor's website, this Agreement shall prevail.

4.7 Licensor acknowledges that the Content is and shall remain the sole and exclusive property of Licensee. JSU grants Licensor the right to use the Content solely for the purpose of performing under this Agreement. Further, Licensor acknowledges that the Content may contain valuable trade secrets of Licensee and Licensor agrees to maintain the confidentiality of the Content and shall not make the Content publicly available except as may be necessary in performing the ASP Services.

4.8 Licensee acknowledges that the Software Products shall remain the exclusive property of Licensor. Licensee agrees that except as noted herein, it will not otherwise copy, translate, modify, adapt, decompile, disassemble or reverse engineer any of the Software without the prior written consent of Licensor.

## ARTICLE 5 DELIVERY; RISK OF LOSS, AND ACCEPTANCE

5.1 Licensor shall deliver, install, and make available the Software and Documentation to the Licensor's hosting environment, except as otherwise specified, and pursuant to the delivery schedule mutually agreed to by the parties.

5.2 Licensor shall assume and bear the entire risk of loss and damage to the Products from any cause whatsoever while in transit and at all times throughout Licensor's possession thereof.

5.3 JSU shall have thirty (30) calendar days after the Available Date to evaluate and conduct the final acceptance testing of the Software to confirm that it performs without any defects and performs in accordance with the requirements of this Agreement. JSU shall immediately thereafter notify Licensor of any defects in the Software, which must be corrected. Thereafter, Licensor shall have ten (10) business days in which to either repair or replace the defective Software unless both parties agree to extend this period, all at Licensor's expense. In the event Licensor is unable to repair or replace the Software within this ten (10) day period, JSU may terminate this Agreement pursuant to the Termination Article herein.

## ARTICLE 6 CONSIDERATION AND METHOD OF PAYMENT

6.1 The total compensation to be paid to the Licensor by JSU for all development, maintenance and ASP services, customizations, products, travel, performances and expenses under this Agreement shall not exceed the specified sum of \$891,416.00, and shall be payable as set forth in the Payment Schedule attached hereto as Exhibit A.

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**6.2** Licensor shall submit invoices with the appropriate documentation to JSU annually for ASP services and monthly for any month in which other Services are rendered. Licensor shall submit invoices and supporting documentation to JSU electronically during the term of this Agreement using the processes and procedures identified by the State. JSU agrees to make payment in accordance with Mississippi law on "Timely Payments for Purchases by Public Bodies", Section 31-7-301, et seq. of the 1972 Mississippi Code Annotated, as amended, which generally provides for payment of undisputed amounts by JSU within forty-five (45) days of receipt of the invoice. Licensor understands and agrees that JSU is exempt from the payment of taxes. All payments shall be in United States currency. Payments by state agencies using Mississippi's Accountability System for Government Information and Collaboration (MAGIC) shall be made and remittance information provided electronically as directed by the State. The payments by these agencies shall be deposited into the bank account of the Licensor's choice. No payment, including final payment, shall be construed as acceptance of defective products or incomplete work, and the Contractor shall remain responsible and liable for full performance in strict compliance with the contract documents specified in the article herein titled "Entire Agreement."

**6.3** Acceptance by the Licensor of the last payment due from JSU under this Agreement shall operate as a release of all claims for money against the State by the Licensor and any subcontractors or other persons supplying labor or materials used in the performance of the work under this Agreement.

## ARTICLE 7 WARRANTY

**7.1** Licensor represents and warrants that it has the right to license the Products provided under this Agreement.

**7.2** Licensor represents and warrants that the Products provided by Licensor shall meet or exceed the minimum specifications set forth in RFP No. 3692 and Licensor's Proposal, as accepted by the State, in response thereto.

**7.3** During the term of this Agreement, the Licensor represents and warrants that all deliverables shall be free from any defect, deficiency, faultiness, imperfection, inadequacy, incompleteness or other condition (collectively referred to herein as "Defect") which would render any such deliverable inoperable in any way or which would prevent full performance in accordance with this Agreement. This warranty includes, without limitation, correction of errors, design deficiencies, performance deficiencies, and incorrect or defective Documentation, including those found during acceptance testing, implementation, and the warranty period. Acceptance testing shall not in any way relieve the Licensor of its responsibilities to correct any Defect during the warranty period. The Licensor shall repair any Defect at no cost to the State within ten (10) business days of receiving notice of the Defect from the State, unless JSU consents in writing to a longer period of repair time. In the event Licensor is unable to repair or replace the Software within the mutually agreed upon time frame after receipt of notice of the Defect, JSU shall be entitled to a full refund of fees paid and shall have the right to terminate this Agreement in whole or in part as provided for in the Termination Article herein. Licensee's rights hereunder are in addition to any other rights Licensee may have.

**7.4** During the term of this Agreement, the Licensor represents and warrants that its Services hereunder shall be performed by competent personnel and shall be of professional quality consistent with generally accepted industry standards for the performance of such Services and

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shall comply in all respects with the requirements of this Agreement. For any breach of this warranty, Licensor shall perform the Services again, at no cost to the State, or if Licensor is unable to perform the Services as warranted, Licensor shall reimburse the State the fees paid to Licensor for the unsatisfactory Services.

7.5 Licensor represents and warrants that neither the Software, nor Enhancements shall contain a disabling code, lockup program or device. Licensor further agrees that it will not, under any circumstances including enforcement of a valid contract right, (a) install or trigger a lockup program or device, or (b) take any step which would in any manner interfere with Licensee's licensed use of the Software, or Enhancements and/or which would restrict Licensee from accessing its data files or in any way interfere with the transaction of Licensee's business. For any breach of this warranty, Licensor at its expense shall use commercially reasonable means to, within ten (10) business days after receipt of notification of the breach, deliver Products to Licensee that are free of such disabling code, lockup program or device.

7.6 Licensor represents and warrants that neither the Software, nor Enhancements delivered to Licensee contain a computer virus. For purposes of this provision, a computer virus shall be defined as code intentionally inserted in the Software or Enhancements that will damage or destroy Licensee's applications or data. For any breach of this warranty, Licensor at its expense shall use commercially reasonable means to, within five (5) business days after receipt of notification of the breach, deliver Products to Licensee that are free of any virus, and shall be responsible for repairing, at Licensor's expense, any and all damage done by the virus to Licensee's site.

7.7 The Licensor represents and warrants that, upon completion of the project, the Licensor, and all subcontractors, if any, shall convey to JSU copies of all interim reports, cost records, data collection forms, and any working papers that support the final acceptance.

7.8 Licensor represents and warrants that it has obtained all necessary rights to permit use of the graphics on the site and that the Licensor shall provide JSU with evidentiary proof of graphic licenses and releases. Further, the Licensor represents and warrants that all Licensor-supplied graphics and content contains no scandalous or libelous material.

7.9 The Licensor represents and warrants that the deliverables provided to JSU under this Agreement, and their use by Active Users, will not infringe or constitute an infringement of any copyright, patent, trademark, servicemark, trade secret or other proprietary right of any person or entity. Licensee agrees that it will promptly notify Licensor in writing of any such claim or action of which it has knowledge, and that it will cooperate fully in the defense and investigation of the claim by supplying Licensor all relevant information currently available and in its possession, all at Licensor's expense. Licensor shall, to the extent authorized by Mississippi law, have sole control over the defense or settlement of any such claim or action. Licensor, at its own expense, shall defend or settle any and all infringement actions filed against Licensor or the State which involve the deliverables or other items provided under this Agreement and shall pay all settlements, as well as all costs, attorney fees, damages and judgment finally awarded against the State. If, in any such suit arising from such claim, the continued use of the items for the purpose intended is enjoined or threatened to be enjoined by any court of competent jurisdiction, Licensor shall, at its expense: (a) procure for the State the right to continue using such items, or (b) modify or replace them with non-infringing items with equivalent functionality, or, to the extent



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(a) or (b) cannot be done despite Licensor's commercially reasonable efforts, (c) refund to the State the fees previously paid by the State for the infringing Products. Said refund shall be paid within ten (10) business days of notice to the State to discontinue said use. In addition to the foregoing, the Licensor shall indemnify the State in accordance with the provisions of Article 18 herein.

**7.10** Licensor represents and warrants that the host site provided by the Licensor shall be reasonably expandable and scalable so JSU can add and support additional business functions and users over time. It is understood and agreed that any standard revisions, enhancements, improvements, and upgrades to the licensed Software and host site equipment during the term of this Agreement, including operating system, database management system, and other software, shall be provided by Licensor to JSU at no additional cost to JSU.

**7.11** Licensor represents and warrants that it presently has and will continue to maintain, at its own expense, throughout the term of this Agreement, valid licenses for all software, trademarks, service marks, patents and copyrighted material and any other proprietary information of a third party that it will deploy in support of all products Licensor uses in the performance of this Agreement.

**7.12** If applicable under the given circumstances, Licensor represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq. of the Mississippi Code Annotated (Supp2008), and will register and participate in the status verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Licensor agrees to maintain records of such compliance and, upon request of the State and approval of the Social Security Administration or Department of Homeland Security where required, to provide a copy of each such verification to the State. Licensor further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Licensor understands and agrees that any breach of these warranties may subject Licensor to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Licensor by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Licensor would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit.

**7.13** Licensor represents and warrants that the system provided pursuant to this Agreement will pass both internal security audits and independent security audits. For any breach of the preceding warranty at any time during which the system is covered by warranty and/or software support, Licensor shall, at its own expense and at no cost to Licensee, remediate any defect, anomaly or security vulnerability in the system by repairing and/or replacing any and all components of the system necessary in order for the system to be secure.

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7.14 Licensor represents and warrants that no official or employee of Licensee or of ITS, and no other public official of the State of Mississippi who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of the project shall, prior to the completion of said project, voluntarily acquire any personal interest, direct or indirect, in this Agreement. The Licensor warrants that it has removed any material conflict of interest prior to the signing of this Agreement, and that it shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its responsibilities under this Agreement. The Licensor also warrants that in the performance of this Agreement no person having any such known interests shall be employed.

7.15 The Licensor represents and warrants that no elected or appointed officer or other employee of the State of Mississippi, nor any member of or delegate to Congress has or shall benefit financially or materially from this Agreement. No individual employed by the State of Mississippi shall be admitted to any share or part of the Agreement or to any benefit that may arise therefrom. The State of Mississippi may, by written notice to the Licensor, terminate the right of the Licensor to proceed under this Agreement if it is found, after notice and hearing by the ITS Executive Director or his/her designee, that gratuities in the form of entertainment, gifts, jobs, or otherwise were offered or given by the Licensor to any officer or employee of the State of Mississippi with a view toward securing this Agreement or securing favorable treatment with respect to the award, or amending or making of any determinations with respect to the performing of such contract, provided that the existence of the facts upon which the ITS Executive Director makes such findings shall be in issue and may be reviewed in any competent court. In the event this Agreement is terminated under this article, the State of Mississippi shall be entitled to pursue the same remedies against the Licensor as it would pursue in the event of a breach of contract by the Licensor, including punitive damages, in addition to any other damages to which it may be entitled at law or in equity.

7.16 FERPA Compliance Warranty: Licensor represents and warrants that it will comply with all applicable provisions of the Family Educational Rights and Privacy Act, as amended ("FERPA"), and other laws with respect to its activities under this Agreement, including without limitation, Licensor's obligations under FERPA as a "school official" and FERPA's "legitimate educational interests" limitation on use or disclosure of education records. Licensor will implement reasonable and typical administrative, technical, and physical safeguards to secure its facilities and systems from unauthorized access, and to secure the Licensee confidential information and data. Licensor agrees: to abide by FERPA's limitations on re-disclosure of personally identifiable information in education records; to not use or disclose education records created or received from, by, or on behalf of Licensee or its students for any purpose other than the purpose for which such disclosure is made; and to not use or disclose such education records except as permitted by this Agreement, as required by law, or as authorized by Licensee in writing.

## ARTICLE 8 EMPLOYMENT STATUS

8.1 Licensor shall, during the entire term of this Agreement, be construed to be an independent contractor. Nothing in this Agreement is intended to nor shall be construed to create an employer-employee relationship, or a joint venture relationship.

8.2 Licensor represents that it is qualified to perform the duties to be performed under this Agreement and that it has, or will secure, if needed, at its own expense, applicable personnel who shall be qualified to perform the duties required under this Agreement. Such personnel shall not

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be deemed in any way, directly or indirectly, expressly or by implication, to be employees of Licensee.

**8.3** Any person assigned by Licensor to perform the Services hereunder shall be the employee of Licensor, who shall have the sole right to hire and discharge its employee. Licensee may, however, direct Licensor to replace any of its employees under this Agreement.

**8.4** Licensor shall pay when due, all salaries and wages of its employees and it accepts exclusive responsibility for the payment of federal income tax, state income tax, social security, unemployment compensation and any other withholdings that may be required. Neither Licensor nor employees of Licensor are entitled to state retirement or leave benefits.

## **ARTICLE 9 BEHAVIOR OF EMPLOYEES/SUBCONTRACTORS**

Licensor will be responsible for the behavior of all its employees and subcontractors while on the premises of any Licensee location. Any employee or subcontractor acting in a manner determined by the administration of that location to be detrimental, abusive or offensive to any of the staff and/or students will be asked to leave the premises and may be suspended from further work on the premises. All Licensor employees and subcontractors who will be working at such locations shall be covered by Licensor's comprehensive general liability insurance policy.

## **ARTICLE 10 MODIFICATION OR RENEGOTIATION**

This Agreement may be modified only by written agreement signed by the parties hereto, and any attempt at oral modification shall be void and of no effect. The parties agree to renegotiate the Agreement if federal and/or state revisions of any applicable laws or regulations make changes in this Agreement necessary.

## **ARTICLE 11 AUTHORITY, ASSIGNMENT AND SUBCONTRACTS**

**11.1** In matters of proposals, negotiations, contracts, and resolution of issues and/or disputes, the parties agree that Licensor represents all contractors, third parties, and/or subcontractors Licensor has assembled for this project. The Licensee is required to negotiate only with Licensor, as Licensor's commitments are binding on all proposed contractors, third parties, and subcontractors.

**11.2** Neither party may assign or otherwise transfer this Agreement or its obligations hereunder without the prior written consent of the other party, which consent shall not be unreasonably withheld. Any attempted assignment or transfer of its obligations without such consent shall be null and void. This Agreement shall be binding upon the parties' respective successors and assigns.

**11.3** Licensor must obtain the written approval of JSU before subcontracting any portion of this Agreement. No such approval by JSU of any subcontract shall be deemed in any way to provide for the incurrence of any obligation of JSU in addition to the total fixed price agreed upon in this Agreement. All subcontracts shall incorporate the terms of this Agreement and shall be subject to the terms and conditions of this Agreement and to any conditions of approval that JSU may deem necessary.

**11.4** Licensor represents and warrants that any subcontract agreement Licensor enters into shall contain a provision advising the subcontractor that the subcontractor shall have no lien and

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no legal right to assert control over any funds held by the Licensee, and that the subcontractor acknowledges that no privity of contract exists between the Licensee and the subcontractor and that the Licensor is solely liable for any and all payments which may be due to the subcontractor pursuant to its subcontract agreement with the Licensor. The Licensor shall indemnify and hold harmless the State from and against any and all claims, demands, liabilities, suits, actions, damages, losses, costs and expenses of every kind and nature whatsoever arising as a result of Licensor's failure to pay any and all amounts due by Licensor to any subcontractor, third party licensor, materialman, laborer or the like.

**11.5** All subcontractors shall be bound by any negotiation, arbitration, appeal, adjudication or settlement of any dispute between the Licensor and the Licensee, where such dispute affects the subcontract.

## **ARTICLE 12 AVAILABILITY OF FUNDS**

It is expressly understood and agreed that the obligation of JSU to proceed under this Agreement is conditioned upon the appropriation of funds by the Mississippi State Legislature and the receipt of state and/or federal funds for the performances required under this Agreement. If the funds anticipated for the fulfillment of this Agreement are not forthcoming, or are insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds, or if there is a discontinuance or material alteration of the program under which funds were available to JSU for the payments or performance due under this Agreement, JSU shall have the right to immediately terminate this Agreement, in whole or in part, without damage, penalty, cost or expense to JSU of any kind whatsoever, except for payment for work completed by Licensor and accepted by JSU prior to termination. The effective date of termination shall be as specified in the notice of termination. JSU shall have the sole right to determine whether funds are available for the payments or performances due under this Agreement.

## **ARTICLE 13 TERMINATION**

**13.1** Notwithstanding any other provision of this Agreement to the contrary, this Agreement may be terminated, in whole or in part, as follows: (a) upon the mutual, written agreement of the parties; (b) If either party fails to comply with the terms of this Agreement, the non-defaulting party may terminate the Agreement upon the giving of thirty (30) calendar days written notice unless the breach is cured within said thirty (30) day period; (c) JSU may terminate the Agreement in whole or in part without the assessment of any penalties upon ten (10) calendar days written notice to Licensor if Licensor becomes the subject of bankruptcy, reorganization, liquidation or receivership proceedings, whether voluntary or involuntary, or (d) JSU may terminate this Agreement in whole or in part without the assessment of any penalties after giving thirty (30) calendar days written notice specifying the effective date thereof to Licensor in the event: (i) Licensor sells its company to another company without the prior written approval of JSU; or (ii) there are excessive instabilities in the Software, which are defined as complete inaccessibility of Software occurring for a consecutive twenty-four (24) hour period for more than two (2) separate times every calendar month or if the uptime annual availability percentage (calculated on a trailing 365 day period) drops below 95%. The provisions of this Article 13 do not limit either party's right to pursue any other remedy available at law or in equity.

**13.2** In the event JSU terminates this Agreement, Licensor shall receive just and equitable compensation for Services rendered by Licensor and accepted by JSU prior to the termination.

# EXHIBIT 1

March 16, 2017

Further, upon termination of this Agreement, Licensor shall refund any and all applicable unexpended prorated annual ASP fees previously paid by Licensee.

## **ARTICLE 14 GOVERNING LAW**

This Agreement shall be construed and governed in accordance with the laws of the State of Mississippi and venue for the resolution of any dispute shall be Jackson, Hinds County, Mississippi. Licensor expressly agrees that under no circumstances shall the State be obligated to pay an attorney's fee, prejudgment interest or the cost of legal action to Licensor. Further, nothing in this Agreement shall affect any statutory rights the parties may have that cannot be waived or limited by contract.

## **ARTICLE 15 WAIVER**

Failure of either party hereto to insist upon strict compliance with any of the terms, covenants and conditions hereof shall not be deemed a waiver or relinquishment of any similar right or power hereunder at any subsequent time or of any other provision hereof, nor shall it be construed to be a modification of the terms of this Agreement. A waiver by either party, to be effective, must be in writing, must set out the specifics of what is being waived, and must be signed by an authorized representative of that party.

## **ARTICLE 16 SEVERABILITY**

If any term or provision of this Agreement is prohibited by the laws of the State of Mississippi or declared invalid or void by a court of competent jurisdiction, the remainder of this Agreement shall be valid and enforceable to the fullest extent permitted by law provided that the State's purpose for entering into this Agreement can be fully achieved by the remaining portions of the Agreement that have not been severed.

## **ARTICLE 17 CAPTIONS**

The captions or headings in this Agreement are for convenience only, and in no way define, limit or describe the scope or intent of any provision or Article in this Agreement.

## **ARTICLE 18 HOLD HARMLESS**

To the fullest extent allowed by law, Licensor shall indemnify, defend, save and hold harmless, protect and exonerate Licensee, ITS and the State, its Board Members, officers, employees, agents and representatives from and against any and all claims, demands, liabilities, suits, actions, damages, losses, costs and expenses of every kind and nature whatsoever, including without limitation, court costs, investigative fees and expenses, attorney fees and claims for damages arising out of or caused by the intentional, willful misconduct or gross negligence of Licensor and/or its partners, principals, agents, employees or subcontractors in the performance of or failure to perform this Agreement.

## **ARTICLE 19 THIRD PARTY ACTION NOTIFICATION**

Licensor shall notify JSU in writing within five (5) business days of Licensor filing bankruptcy, reorganization, liquidation or receivership proceedings or within five (5) business days of its receipt of notification of any action or suit being filed or any claim being made against Licensor or JSU by any entity that may result in litigation related in any way to this Agreement and/or which may affect the Licensor's performance under this Agreement. Failure of the Licensor to provide such written notice to JSU shall be considered a material breach of this Agreement and JSU may,

# EXHIBIT 1

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at its sole discretion, pursue its rights as set forth in the Termination Article herein and any other rights and remedies it may have at law or in equity.

## **ARTICLE 20 AUTHORITY TO CONTRACT**

Licensor warrants that it is a validly organized business with valid authority to enter into this Agreement; that entry into and performance under this Agreement is not restricted or prohibited by any loan, security, financing, contractual or other agreement of any kind, and notwithstanding any other provision of this Agreement to the contrary, that there are no existing legal proceedings, or prospective legal proceedings, either voluntary or otherwise, which may adversely affect its ability to perform its obligations under this Agreement.

## **ARTICLE 21 NOTICE**

Any notice required or permitted to be given under this Agreement shall be in writing and personally delivered or sent by electronic means provided that the original of such notice is sent by certified United States mail, postage prepaid, return receipt requested, or overnight courier with signed receipt, to the party to whom the notice should be given at their business address listed herein. ITS' address for notice is: Craig P. Orgeron, Ph.D., Executive Director, Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Jackson State University's address for notice is: Ms. Emily Bishop, Director of Academic IT, Jackson State University, 1400 John R. Lynch Street, Jackson, Mississippi 39217. The Licensor's address for notice is: Ms. Estelita Young, Senior Enterprise Director, Instructure Inc., 6330 South 3000 East, Suite 700, Salt Lake City, Utah 84121. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

## **ARTICLE 22 RECORD RETENTION AND ACCESS TO RECORDS**

Licensor shall establish and maintain financial records, supporting documents, statistical records and such other records as may be necessary to reflect its performance of the provisions of this Agreement. The Licensee, ITS, any state or federal agency authorized to audit Licensee, and/or any of their duly authorized representatives, shall have unimpeded, prompt access to this Agreement and to any of the Licensor's proposals, books, documents, papers and/or records that are pertinent to this Agreement to make audits, copies, examinations, excerpts and transcriptions at the State's or Licensor's office as applicable where such records are kept during normal business hours. All records relating to this Agreement shall be retained by the Licensor for three (3) years from the date of receipt of final payment under this Agreement. However, if any litigation or other legal action, by or for the state or federal government has begun that is not completed at the end of the three (3) year period, or if an audit finding, litigation or other legal action has not been resolved at the end of the three (3) year period, the records shall be retained until resolution.

## **ARTICLE 23 INSURANCE**

Licensor represents that it will maintain workers' compensation insurance as prescribed by law which shall inure to the benefit of Licensor's personnel, as well as comprehensive general liability and employee fidelity bond insurance. Licensor will, upon request, furnish JSU with a certificate of conformity providing the aforesaid coverage.

## **ARTICLE 24 DISPUTES**

Any dispute concerning a question of fact under this Agreement which is not disposed of by agreement of the Licensor and Licensee, shall be decided by the Executive Director of ITS or

# EXHIBIT 1

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his/her designee. This decision shall be reduced to writing and a copy thereof mailed or furnished to the parties. Disagreement with such decision by either party shall not constitute a breach under the terms of this Agreement. Such disagreeing party shall be entitled to seek such other rights and remedies it may have at law or in equity.

## ARTICLE 25 COMPLIANCE WITH LAWS

25.1 Licensor shall comply with, and all activities under this Agreement shall be subject to, all Licensee policies and procedures which Licensor has received copies of, and all applicable federal, state, and local laws, regulations, policies and procedures as now existing and as may be amended or modified. Specifically, but not limited to, Licensor shall not discriminate against any employee nor shall any party be subject to discrimination in the performance of this Agreement because of race, creed, color, sex, age, national origin or disability. Further, if applicable, Licensor shall comply with the provisions of the Davis-Bacon Act including, but not limited to, the wages, recordkeeping, reporting and notice requirements set forth therein.

25.2 Licensor represents and warrants that it will comply with the state's data breach notification laws codified at Section 75-24-29 of the Mississippi Code Annotated (Supp. 2012). Further, to the extent applicable, Licensor represents and warrants that it will comply with the applicable provisions of the HIPAA Privacy Rule and Security Regulations (45 CFR Parts 160, 162 and 164) ("Privacy Rule" and "Security Regulations", individually; or "Privacy and Security Regulations", collectively); and the provisions of the Health Information Technology for Economic and Clinical Health Act, Title XIII of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (the "HITECH Act").

## ARTICLE 26 CONFLICT OF INTEREST

Licensor shall notify JSU of any potential conflict of interest resulting from the provision of services to other customers. If such conflict cannot be resolved to JSU's satisfaction, JSU reserves the right to terminate this Agreement.

## ARTICLE 27 SOVEREIGN IMMUNITY

By entering into this Agreement with Licensor, the State of Mississippi does in no way waive its sovereign immunities or defenses as provided by law.

## ARTICLE 28 CONFIDENTIAL INFORMATION

28.1 Licensor shall treat all Licensee data and information to which it has access by its performance under this Agreement as confidential and shall not disclose such data or information to a third party without specific written consent of Licensee. In the event that Licensor receives notice that a third party requests divulgence of confidential or otherwise protected information and/or has served upon it a validly issued judicial order requiring divulgence of such information, Licensor shall promptly inform Licensee and thereafter respond in conformity with such court order to the extent mandated by state and/or federal laws, rules and regulations. This Article shall survive the termination or completion of this Agreement and shall continue in full force and effect and shall be binding upon the Licensor and its agents, employees, successors, assigns, subcontractors or any party or entity claiming an interest in this Agreement on behalf of, or under the rights of the Licensor following any termination or completion of this Agreement.

28.2 With the exception of any attached exhibits which are labeled as "confidential", the parties understand and agree that this Agreement, including any amendments and/or change orders

# EXHIBIT 1

March 16, 2017

thereto, does not constitute confidential information, and may be reproduced and distributed by the State without notification to Licensor. ITS will provide third party notice to Licensor of any requests received by ITS for any such confidential exhibits so as to allow Licensor the opportunity to protect the information by court order as outlined in ITS Public Records Procedures.

**28.3** Confidential information excludes information that: (i) is or becomes generally known to the public without breach of any obligation owed to Discloser, (ii) was known to the Recipient prior to its disclosure by the Discloser without breach of any obligation owed to the Discloser, (iii) is received from a third party without breach of any obligation owed to Discloser, or (iv) was independently developed by the Recipient without use or access to the confidential information. The Recipient may disclose confidential information to the extent required by law or court order, but will provide Discloser with advance notice to seek a protective order.

**28.4** The parties understand and agree that effective July 1, 2015, pursuant to §25-61-9(7) of the Mississippi Code of 1972, as amended, the contract provisions specifying the commodities purchased or the services provided; the price to be paid; and the term of this Agreement shall not be deemed confidential information.

## **ARTICLE 29 EFFECT OF SIGNATURE**

Each person signing this Agreement represents that he or she has read the Agreement in its entirety, understands its terms, is duly authorized to execute this Agreement on behalf of the parties and agrees to be bound by the terms contained herein. Accordingly, this Agreement shall not be construed or interpreted in favor of or against the State or the Licensor on the basis of draftsmanship or preparation hereof.

## **ARTICLE 30 OWNERSHIP OF DOCUMENTS AND WORK PRODUCTS**

All Content collected by the Software shall be the property of Licensee. Licensor may use the Content only in the performance of this Agreement, unless otherwise agreed upon between the parties. Licensee acknowledges that the Products shall remain the exclusive property of Licensor and are excluded from this Article.

## **ARTICLE 31 NON-SOLICITATION OF EMPLOYEES**

Licensor agrees not to employ or to solicit for employment, directly or indirectly, any of JSU's employees until at least one (1) year after the expiration/termination of this Agreement unless mutually agreed to the contrary in writing by JSU and the Licensor and provided that such an agreement between these two entities is not a violation of the laws of the State of Mississippi or the federal government.

## **ARTICLE 32 ENTIRE AGREEMENT**

**32.1** This contract constitutes the entire agreement of the parties with respect to the subject matter contained herein and supersedes and replaces any and all prior negotiations, understandings and agreements, written or oral, between the parties relating thereto, including all terms of any "shrink-wrap", "click-wrap" or "browse-wrap" license of the Software. The RFP No. 3692, and Licensor's Proposal, as accepted by the State, in response thereto are hereby incorporated into and made a part of this Agreement.

**32.2** The contract made by and between the parties hereto shall consist of, and precedence is hereby established by the order of the following:



# EXHIBIT 1

March 16, 2017

- A. This Agreement signed by the parties hereto;
- B. Any exhibits attached to this Agreement;
- C. RFP No. 3692 and written addenda, and
- D. Licensor's Proposal, as accepted by the State, in response to RFP No.3692.

**32.3** The intent of the above listed documents is to include all items necessary for the proper execution and completion of the services by the Licensor. The documents are complementary, and what is required by one shall be binding as if required by all. A higher order document shall supersede a lower order document to the extent necessary to resolve any conflict or inconsistency arising under the various provisions thereof; provided, however, that in the event an issue is addressed in one of the above mentioned documents but is not addressed in another of such documents, no conflict or inconsistency shall be deemed to occur by reason thereof. The documents listed above are shown in descending order of priority, that is, the highest document begins with the first listed document ("A. This Agreement") and the lowest document is listed last ("D. Licensor's Proposal").

## **ARTICLE 33 STATE PROPERTY**

Licensor shall be responsible for the proper custody of any Licensee-owned property furnished for Licensor's use in connection with Services performed pursuant to this Agreement. Licensor shall reimburse the Licensee for any loss or damage, normal wear and tear excepted.

## **ARTICLE 34 SURVIVAL**

Articles 7, 14, 18, 22, 27, 28, 30, 31, and all other articles which, by their express terms so survive or which should so reasonably survive, shall survive any termination or expiration of this Agreement.

## **ARTICLE 35 DEBARMENT AND SUSPENSION CERTIFICATION**

Licensor certifies that neither it nor its principals: (a) are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency; (b) have, within a three (3) year period preceding this Agreement, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; (c) are presently indicted of or otherwise criminally or civilly charged by a governmental entity with the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property, and (d) have, within a three (3) year period preceding this Agreement, had one or more public transaction (federal, state or local) terminated for cause or default.

## **ARTICLE 36 SPECIAL TERMS AND CONDITIONS**

It is understood and agreed by the parties to this Agreement that there are no special terms and conditions except as specifically provided in this Agreement.

# EXHIBIT 1

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## ARTICLE 37 STATUTORY AUTHORITY

By virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the executive director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software and services. The parties understand and agree that ITS as contracting agent is not responsible or liable for the performance or non-performance of any of the Licensee's or Licensor's contractual obligations, financial or otherwise, contained within this Agreement. The parties further acknowledge that ITS is not responsible for ensuring compliance with any guidelines, conditions, or requirements mandated by Licensee's funding source.

## ARTICLE 38 COMPLIANCE WITH ENTERPRISE SECURITY POLICY

Licensor and Licensee understand and agree that all products and services provided by Licensor under this Agreement must be and remain in compliance with the State of Mississippi's Enterprise Security Policy. The parties understand and agree that the State's Enterprise Security Policy is based on industry-standard best practices, policy, and guidelines at the time of contract execution. The State reserves the right to introduce a new policy during the term of this Agreement and require the Licensor to comply with same in the event the industry introduces more secure, robust solutions or practices that facilitate a more secure posture for the State of Mississippi.

## ARTICLE 39 SOFTWARE SUPPORT AND MAINTENANCE

As part of the Software support and maintenance services, Licensor will maintain the Products in an operable condition according to the specifications contained in the technical manuals and as outlined in RFP No. 3692 and the Licensor's Proposal in response thereto. Licensor shall provide Licensee with Enhancements to the Software as they are made generally available from time to time. Notwithstanding any other provisions of this Agreement, Licensor shall provide support only with respect to the then-current generally available version of the Software. Licensor shall provide Premium support for the Service as set forth in the attached Exhibit B.

## ARTICLE 40 FORCE MAJEURE

Each party shall be excused from performance for any period and to the extent that it is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond the reasonable control and without the fault or negligence of such party and/or its subcontractors. Such acts shall include without limitation acts of God, strikes, lockouts, riots, acts of war or terrorism, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "Force Majeure Events"). When such a cause arises, the Licensor shall notify the Licensee immediately in writing of the cause of its inability to perform; how it affects its performance, and the anticipated duration of the inability to perform. Delays in delivery or in meeting completion dates due to Force Majeure Events shall automatically extend such dates for a period equal to the duration of the delay caused by such events, unless the State determines it to be in its best interest to terminate this Agreement.

## ARTICLE 41 LICENSEE RESPONSIBILITIES

JSU (a) is responsible for JSU Content and Active User activity in its account in the Service; (b) will use reasonable efforts to keep its passwords secure and confidential, and notify Licensor of any known unauthorized access; and (c) may use the Services only in accordance with applicable law and this Agreement.

## ARTICLE 42 LICENSEE RESTRICTIONS

# EXHIBIT 1

March 16, 2017

Licensee may not, and will take reasonable steps to see that each Active User does not:

- (a) sell, resell, rent or lease the Service;
- (b) use the Services, for non-Licensee educational purposes, to store or transmit infringing, unsolicited marketing emails, libelous, obscene, deceptive, defamatory, pornographic, racist, sexual, hateful, or otherwise objectionable, unlawful or tortious material, or any other material in violation of a third-party right;
- (c) use the Services to harm or impersonate any person, or for any commercial purpose;
- (d) interfere with or disrupt the integrity or performance of the Service; or
- (e) attempt to gain unauthorized access to the Service or their related systems or networks.

## ARTICLE 43 THIRD PARTY LINKS/SERVICE DISCLAIMER

The Service may contain links to third party web sites (including without limitation, links provided by instructors) or access third-party services (including without limitation, turnitin.com and Google docs). Such sites and services are not under the control of Licensor, and Licensor is not responsible for the content or any link on such sites or for the temporary or permanent unavailability of such third party sites or services.

## ARTICLE 44 PUBLICITY

JSU agrees to act as a reference account that will, upon Licensor's reasonable request, provide Service-related comments to the press, potential investors, and current or prospective customers and participate in Service-related case studies. JSU agrees to issue joint press releases with Licensor regarding the Service, as mutually agreed upon by Licensor and JSU. JSU agrees to allow Licensor to use its name, logo and non-competitive use details in both text and pictures in its various marketing communications and materials, in accordance with JSU's trademark guidelines and policies.

## ARTICLE 45 LIABILITY

Unless jointly agreed otherwise in writing, Licensor's liability shall not exceed the total amount paid by Licensee to Licensor under this Agreement, including any amounts paid pursuant to amendments and change orders. In no event will Licensor be liable to Licensee for special, indirect, consequential or incidental damages including lost profits, lost savings or lost revenues of any kind unless Licensor was advised of the possibility of such loss or damage or unless such loss or damage could have been reasonably foreseen. Excluded from this or any liability limitation are claims related to fraud, bad faith, infringement issues, bodily injury, death, physical damage to tangible personal property and real property, and the intentional and willful misconduct or gross negligent acts of Licensor. The language contained herein tending to limit the liability of the Licensor will apply to Licensee to the extent it is permitted and not prohibited by the laws or constitution of Mississippi. Further, the parties understand and agree that the Licensor is precluded from relying on any contractual damages limitation language within this Agreement where the Licensor acts fraudulently or in bad faith.

## ARTICLE 46 TRANSPARENCY

In accordance with the Mississippi Accountability and Transparency Act of 2008, §27-104-151, et seq., of the Mississippi Code of 1972, as Amended, the American Accountability and Transparency Act of 2009 (P.L. 111-5), where applicable, and §31-7-13 of the Mississippi Code of 1972, as amended, where applicable, a fully executed copy of this Agreement and any subsequent amendments and change orders shall be posted to the State of Mississippi's accountability website at: <https://www.transparency.mississippi.gov>. Prior to ITS posting the

# EXHIBIT 1

## March 16, 2017

Agreement and any subsequent amendments and change orders to the website, any attached exhibits which contain trade secrets or other proprietary information and are labeled as "confidential" will be redacted by ITS. Notwithstanding the preceding, however, it is understood and agreed that pursuant to §25-61-9(7) of the Mississippi Code of 1972, as amended, the contract provisions specifying the commodities purchased or the services provided; the price to be paid; and the term of this Agreement shall not be deemed a trade secret or confidential commercial or financial information and shall thus not be redacted.

For the faithful performance of the terms of this Agreement, the parties hereto have caused this Agreement to be executed by their undersigned authorized representatives.

**State of Mississippi, Department of  
Information Technology Services, on  
behalf of Jackson State University**

**Instructure Inc.**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT 1**  
**March 16, 2017**

**EXHIBIT A**

Item	Metric	Quantity	Price	Extended Cost
<b>Annual Canvas Cloud Software License</b>				
Year 1 (2/1/2017-1/31/2018)	FTE	8,500	\$13.00	\$110,500.00
Year 2 (2/1/2018-1/31/2019)	FTE	8,500	\$13.65	\$116,025.00
Year 3 (2/1/2019-1/31/2020)	FTE	8,500	\$14.33	\$121,805.00
Year 4 (2/1/2020-1/31/2021)	FTE	8,500	\$15.05	\$127,925.00
Year 5 (2/1/2021-1/31/2022)	FTE	8,500	\$15.80	\$134,300.00
<b>Software License Subtotal:</b>				<b>\$610,555.00</b>
<b>Annual 24x7</b>				
Year 1 (2/1/2017-1/31/2018)	20% of subscription fee			\$22,100.00
Year 2 (2/1/2018-1/31/2019)	20% of subscription fee			\$23,205.00
Year 3 (2/1/2019-1/31/2020)	20% of subscription fee			\$24,361.00
Year 4 (2/1/2020-1/31/2021)	20% of subscription fee			\$25,585.00
Year 5 (2/1/2021-1/31/2022)	20% of subscription fee			\$26,860.00
<b>Hosting &amp; Support Subtotal:</b>				<b>\$122,111.00</b>
<b>Tier 1 Support</b>				
Year 1 (2/1/2017-1/31/2018)		8,500	\$3.50	\$29,750.00
Year 2 (2/1/2018-1/31/2019)		8,500	\$3.50	\$29,750.00
Year 3 (2/1/2019-1/31/2020)		8,500	\$3.50	\$29,750.00
Year 4 (2/1/2020-1/31/2021)		8,500	\$3.50	\$29,750.00
Year 5 (2/1/2021-1/31/2022)		8,500	\$3.50	\$29,750.00
<b>Tier 1 Support Subtotal:</b>				<b>\$148,750.00</b>
<b>Total:</b>				<b>\$881,416.00</b>

**EXHIBIT 1**  
**March 16, 2017**

Item	Metric	Quantity	Price	Extended Cost
<b>Canvas Cloud Software License</b>				
Implementation		1	\$9,500.00	\$9,500.00
Tier 1 Support Setup		1	\$500.00	\$500.00
<b>Total:</b>				<b>\$10,000.00</b>
<b>Other:</b>				
Warranty			\$0.00	included
Maintenance			\$0.00	included
Training - online			\$0.00	included
Hosting and Technical Support			\$0.00	included
<b>Total 5 Year Lifecycle Cost:</b>				<b>\$891,416.00</b>

**EXHIBIT 1**  
**March 16, 2017**

**EXHIBIT B**  
**SUPPORT PACKAGES**

The Basic Support Package is included in the Canvas Cloud subscription fee. Advanced and Premium support packages are offered at additional cost. Table 1 describes and provides the pricing for Instructure's support packages. Note that Support Services may change, but the Support Services will not materially degrade during the term of the Agreement.

	<b>BASIC</b>	<b>PREMIUM</b>	<b>PREMIUM + Tier 1</b>
<b>Tier 1 Support</b>	Institution provides Tier 1 help desk for all users	Institution provides Tier 1 help desk for all users	Canvas provides Tier 1 help desk for all users.
<b>Phone Support for LMS Admins</b>	Admins can call Canvas Support from 6:00 a.m. – 6:00 p.m. local M- F. Admins can escalate Canvas Support tickets in Zendesk.	Admins can call Canvas Support 24/7/365. Admins can escalate Canvas Support tickets in Zendesk.	Admin can call Canvas Support 24/7/365. Tier 1 Support by Instructure's Support te4am provides first-line help desk support to address and resolve end user issues such as logging into Canvas, questions about Canvas features and functions, and resolving of the operational problems. All users can contact Instructure's Tier 1 Support staff 24/7 through online ticket submission, chat, e-mail, or phone. The institution's LMS administrator(s) have access to all end-user submitted tickets and monthly usage reports. Instructure's Tier 1 Support can be made accessible through the institution's own branded support portal. Customers are not charged on a per-ticket or per-incident basis. There are also no charges for overages.

# EXHIBIT 1

March 16, 2017

	BASIC	PREMIUM	PREMIUM + Tier 1
<b>Web Form/Email support – SLAS (80% within Time Show)</b>	Two business days response time	Eight hours response time	One for webform / email tickets; 60 seconds for phone calls; 120 seconds for live chat
<b>Number of Admins</b>	One *	Three*	Three*
<b>Online Canvas Help Center</b>	24/7/365	24/7/365	24/7/365
<b>Canvas Community Access</b>	24/7/365	24/7/365	24/7/365
<b>Cost</b>	Included	20% of annual subscription fee or \$2,500 minimum	\$3.50 per FTE or Enrollment (or a minimum of \$2,500) \$500 one time setup fee

\*More available at \$500 / license / year



# Memorandum

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**To:** Craig P. Orgeron, Ph.D.

**Date:** February 9, 2017

**Re:** Recommendation for the RFP No. 3692-43097 for the acquisition of Canvas Learning Management System for **UNIVERSITY OF SOUTHERN MISSISSIPPI (USM)** Office Of Online Learning

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## **I. BACKGROUND**

The University of Southern Mississippi (USM) has been a Blackboard client for the last six years. For the last few years, Blackboard has continued to add tools to their Learning Management System (LMS) while also increasing their fees.

USM has been searching for alternative solutions to reduce their cost for an LMS. In August 2012, ITS on behalf of the Mississippi Community College Board released RFP No. 3692 seeking a vendor to provide a hosted Learning Management System. In December 2012, the award was made to Instructure, Inc. ITS solicitations contain language that the State reserves the right to evaluate the awarded proposal along with resulting contractual terms, for possible use in future projects.

After extensive research including ease of use, available tools, third party integration, retention factors, and price, USM would like to migrate from Blackboard's LMS to Instructure's LMS Canvas. USM is requesting to enter into a contract with Instructure, Inc. for a period of five years.

USM has prepared the attached Business Case for this project.

## **II. RECOMMENDATION**

The staffs of ITS and USM jointly recommend the selection of Instructure Inc. to provide the Canvas Learning Management System at a total 5-year lifecycle cost of \$1,440,047.41.

## **III. SOURCE OF FUNDS**

The University will fund this project.

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Jamekia Hilliard, Technology Consultant

Attachment: Business Case for IT Projects

# EXHIBIT 2

## March 16, 2017

### BUSINESS CASE FOR IT PROJECTS

#### PROJECT IDENTIFICATION

<b>Agency/Division</b>	The University of Southern Mississippi/ Office of Online Learning
<b>Project Manager</b>	Tom Hutchinson
<b>Project Number and Name</b>	43097 - Canvas Learning Management System

#### BACKGROUND / CURRENT SITUATION / BUSINESS NEED FOR THE PROJECT

The University of Southern Mississippi (USM) has used the Blackboard Learning Management System (LMS) for six years. The current agreement with Blackboard will expire on September 30, 2017.

Due to increased pricing and additional fees in recent years, the University began researching other available LMS products and determined that the best option would be to migrate to the Instructure Canvas LMS. Decision factors included ease of use, available tools, third party integration with existing University software, retention factors, and price. The pricing for Canvas is an all-in-one solution; whereas, Blackboard tools are at an additional cost. The additional features include the ability to make global changes, analytics, adequate storage, and integrated voice tools.

Another key factor was retention and ease of transition for students. Mississippi Community Colleges have standardized by using the Canvas LMS and Southern Mississippi has a large number of transfer students. A majority of these students transfer from state community colleges. In addition to transfer students, many Mississippi high school students use Canvas for college credit courses and take courses offered by Mississippi State University's Research and Curriculum Unit. The use of Canvas should improve retention by removing the learning curve associated with becoming acclimated to a new learning management system.

#### PROPOSED SOLUTION

The University is requesting ITS approval to utilize the ITS RFP No. 3692 awarded contract with Instructure for Canvas LMS at a total cost of \$1,440,047.41 for five years.

The University has worked closely with the Canvas consulting team to determine the best solution and would like to purchase the standard Canvas package with the addition of Tier 1 support and course migration - based on 6,000 courses. This package will provide the additional tools needed to meet the expectations of the University administration for the growth and support of online learning. Additionally, the tools within Canvas will eliminate the need for manual customization and improve efficiency for the infrastructure support team, the students, and faculty.

#### PROJECT GOALS OR OBJECTIVES

The overarching goal is to eliminate manual processes, improve efficiencies, decrease cost, increase access to necessary tools for the improvement of student retention, and provide a stable

# **EXHIBIT 2**

**March 16, 2017**

foundation for the full implementation of existing applications and additional third party tools in the future. This proposed solution would provide a more effective use of delivered functionality from the vendor, and eliminate numerous manual, customized processes requiring many hours of staff time.

## **CRITICAL SUCCESS FACTORS**

Migration to a new learning management system will be challenging; however, the University will rely on the expertise of Instructure for the transition from Blackboard to Canvas, as well as the USM iTech Department for integration with other existing applications.

It is critical to the success of the project that the Canvas migration and implementation be completed with minimal impact on the students, faculty, and staff. Even though the current Agreement with Blackboard expires on September 30, 2017, the University anticipates the continued use of Blackboard until the Canvas implementation is complete.

## **RISKS**

Risks include the inability to fully implement and integrate Starfish, software recently purchased by the University to be used for communication between students and faculty, advisors and administration, and tracking retention data on a regular basis. A secondary risk would be an eventual negative outcome if the project is not fully implemented by September 30, 2017, as this would result in an additional payment to Blackboard.

## **DEPENDENCIES**

The University must continue to use and operate the Blackboard LMS until the Canvas LMS implementation is complete.

## **COLLABORATION**

The University will utilize the contract awarded from RFP No. 3692 issued on behalf of the Mississippi Community College Board for the acquisition of a LMS for use throughout the Mississippi Community and Junior College system. The goal of this acquisition was to find the best provider to ensure that current, long-term, and strategic goals could be accomplished, and that total expenditures would decrease.

## **IMPACT IF NO ACTION TAKEN**

In the event this request is not approved, efficiency and growth of online teaching and learning will be limited through the continuation of manual processes and manual customization of the existing product. The University expects that costs associated with the current LMS will continue to increase over the next five years. Additionally, the full implementation and integration of Starfish will not be possible, thereby creating additional manual processes and inefficiencies.

## **TECHNICAL ENVIRONMENT AND HOSTING**

The University will utilize cloud-based hosting, which is in place and maintained by Instructure.

# EXHIBIT 2

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### FUNDING

The University funds will pay for this project.

### PROJECT COST / RESOURCE ESTIMATE SUMMARY

Description	Amount
One-time fee for Standard Implementation, Tier 1 Support Setup, Course Migration (6000 Courses)	\$18,500.75
Canvas Cloud Subscription, 24x7 Support, Tier 1 Support for Five Years	\$1,421,546.66
<b>Total</b>	<b>\$1,440,047.41</b>

The total cost of the current request is \$1,440,047.41 for five years.

### COST BENEFIT ANALYSIS / RETURN ON INVESTMENT

#### Cost Savings:

The University has spent \$3,122,793.69 with Blackboard in the past six years. Compared to the proposed cost of \$1,440,047.41 for Canvas LMS for five years, The University anticipates a cost savings of approximately \$1,672,746.28.

#### Additional Benefits:

- Decrease staff time necessary to perform manual customization
- Increased ability to track student retention while maintaining current customizations
- Easier transition for students using Canvas LMS in Mississippi high schools and community colleges

### ALTERNATIVES TO THE PROPOSED SOLUTION

Other Options Considered	Reasons for Rejecting Alternative Solution
Option 1: Continue the contract with Blackboard	<ul style="list-style-type: none"> <li>• Cost – Instructure Cost is approximately half the price of the Blackboard LMS</li> <li>• Student Transition – Mississippi Community Colleges currently use the Canvas LMS</li> <li>• Additional features – Analytics, integrated voice tools, ease of use, third party integration</li> </ul>

# EXHIBIT 2

## March 16, 2017 INCLUSION OR EXCLUSION OF CERTAIN CONTRACTUAL PROVISIONS FOR

43097 University of Southern Mississippi Canvas

<b>TO BE COMPLETED BY CUSTOMER AGENCY:</b> Name (for Contract Notice): <u>Paige Strickland</u> Title: <u>Director, Technology Finance &amp; Administration</u> Telephone Number: <u>601-266-4007</u> E-Mail: <u>paige.strickland@usm.edu</u>
Please read the following statements, select one in each category, sign and date the form. Please note that not every provision is relevant to every contract. Discuss any questions with your staff attorney and/or your ITS Technology Consultant.
Return the completed form to Jamekia Hilliard ITS/ISS, 3771 Eastwood Drive, Jackson, MS 39211 Phone: 601-432-8219, Fax: 601-713-6380, E-mail: <u>Jamekia.Hilliard@its.ms.gov</u>
<b>Liquidated Damages:</b>
<input type="checkbox"/> I do want to include a "Liquidated Damages" provision in our contract. The amount requested is \$ _____ per day.
<input checked="" type="checkbox"/> I do <u>not</u> want to include a "Liquidated Damages" provision in our contract.
<b>Performance Bond or Irrevocable Letter of Credit:</b>
<input type="checkbox"/> I do want to require the vendor to post a "Performance Bond/Irrevocable Letter of Credit." The amount of the Performance Bond/Irrevocable Letter of Credit should be \$ _____. Circle whether you want a performance bond or an irrevocable letter of credit.
<input checked="" type="checkbox"/> I do <u>not</u> want to require the vendor to post a "Performance Bond/Irrevocable Letter of Credit."
<b>Hold Back:</b>
<input type="checkbox"/> I do want to include a "Hold Back" provision in our contract. The amount of the retainage requested is _____% of each deliverable/milestone.
<input checked="" type="checkbox"/> I do <u>not</u> want to include a "Hold Back" provision in our contract.
<b>Personnel Assignment Guarantee:</b>
<input type="checkbox"/> I do want to include a "Personnel Assignment Guarantee" provision in our contract.
<input checked="" type="checkbox"/> I do <u>not</u> want to include a "Personnel Assignment Guarantee" provision in our contract.
<b>Source Code Protection:</b>
<input type="checkbox"/> I do want to include a "Source Code Protection" provision in our contract.
<input checked="" type="checkbox"/> I do <u>not</u> want to include a "Source Code Protection" provision in our contract.
<b>Change Order Rate and Procedure:</b>
<input type="checkbox"/> I do want to include a "Change Order Rate & Procedure" provision in our contract.
<input checked="" type="checkbox"/> I do <u>not</u> want to include a "Change Order Rate & Procedure" provision in our contract.
<b>American Recovery &amp; Reinvestment Act (ARRA) Funds</b>
<input type="checkbox"/> YES: This project is funded in whole or in part by ARRA funds.
<input checked="" type="checkbox"/> NO: This project does NOT include ARRA funds.
<b>Davis-Bacon Act</b>
<input type="checkbox"/> YES: This project involves the construction, alteration, or repair of public buildings and federal funds are being used.
<input checked="" type="checkbox"/> NO: This project does NOT involve the construction, alteration, or repair of public buildings and federal funds are NOT being used.
<b>Source of Funds/Special Terms</b>
<input type="checkbox"/> YES: This project uses funds from a federal program or other source requiring special compliance terms, conditions or warranties. Please specify the source and attach a copy of any required compliance terms.
<input checked="" type="checkbox"/> NO: This project does NOT use funds from a federal program or other source requiring special compliance terms, conditions or warranties.

**NOTE: ITS is NOT responsible for ensuring compliance with any guidelines, conditions, or requirements for any funding source.**

Authorized Signature for Customer Agency: 

Printed Name: Steve Ballew

Title: Director of Procurement & Contract Services Date: 19 January 2017

# EXHIBIT 2

## EXHIBIT A-1

March 16, 2017

Item	Metric	Quantity	Price	Extended Cost
<b>Annual Canvas Cloud Software License</b>				
Year 1 (4/1/2017-3/31/2018)	FTE	13,283	\$13.50	\$179,321
Year 2 (4/1/2018-3/31/2019)	FTE	13,283	\$14.17	\$188,220
Year 3 (4/1/2019-3/31/2020)	FTE	13,283	\$14.89	\$197,784
Year 4 (4/1/2020-3/31/2021)	FTE	13,283	\$15.63	\$207,613
Year 5 (4/1/2021-3/31/2022)	FTE	13,283	\$16.41	\$217,974
<b>Software License Subtotal:</b>				\$990,912
<b>Annual 24x7</b>				
Year 1 (4/1/2017-3/31/2018)	20% of subscription fee	1	\$35,864	\$35,864
Year 2 (4/1/2018-3/31/2019)	20% of subscription fee	1	\$37,644	\$37,644
Year 3 (4/1/2019-3/31/2020)	20% of subscription fee	1	\$39,557	\$39,557
Year 4 (4/1/2020-3/31/2021)	20% of subscription fee	1	\$41,523	\$41,523
Year 5 (4/1/2021-3/31/2022)	20% of subscription fee	1	\$43,595	\$43,595
<b>Hosting &amp; Support Subtotal:</b>				\$198,183
<b>Tier 1 Support</b>				
Year 1 (4/1/2017-3/31/2018)		13,283	\$3.50	\$46,491
Year 2 (4/1/2018-3/31/2019)		13,283	\$3.50	\$46,491
Year 3 (4/1/2019-3/31/2020)		13,283	\$3.50	\$46,491
Year 4 (4/1/2020-3/31/2021)		13,283	\$3.50	\$46,491
Year 5 (4/1/2021-3/31/2022)		13,283	\$3.50	\$46,491
<b>Tier 1 Support Subtotal:</b>				\$232,455
<b>Total</b>				\$1,421,550
<b>Canvas Cloud Software License</b>				
Implementation		1	12,000	\$12,000
Tier 1 Support Setup		1	500	\$500
Course Migration		1	6,000	\$6,000
<b>Total</b>				\$18,500
<b>Other:</b>				
Warranty			\$0.00	included
Maintenance			\$0.00	included
Training - online			\$0.00	included
Hosting and Technical Support			\$0.00	included
<b>Total 5 Year Lifecycle Cost:</b>				\$1,440,050

# EXHIBIT 3

March 16, 2017

## SYSTEM – REQUEST APPROVAL FOR FIRST READING OF PROPOSED NEW BOARD POLICY SECTION 713 – INSTITUTIONAL FINANCIAL SUSTAINABILITY

### 713.01 – STATEMENT OF PURPOSE FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY

The mission of the Board of Trustees includes the fiscal management of the institutions of higher learning in Mississippi in order to see that the mission of the IHL System is accomplished. The Board of Trustees finds that this includes providing financial guidance and oversight so that the core functions of instruction, public service, and research can be accomplished in a financially sustainable manner for the long term benefit of Mississippi. Furthermore, while the Board has authority to manage institutional resources across institutions, the Board finds that it is in the best interest for each institution to operate within the resources available at the institution per Board Policy 301.0801(B). While many new opportunities to serve students, citizens, and patients arise from time to time, the Board wishes to ensure that each institution engages these opportunities from positions of financial sustainability. Therefore, the Board outlines in this section general guidelines for financial policy to be carried out by the Commissioner in coordination with Institutional Executive Officers to ensure that sustainable institutions continue to serve the state of Mississippi.

### 713.02 – ANNUAL BUDGET PLANNING

The Board of Trustees approves the Annual Operating Budget for each institution annually along with related escalations. Prior to the Board approving the Annual Operating Budget, the Institutional Executive Officer shall review the financial condition of the institution based on the most recent version of the Institutions of Higher Learning Financial Ratios. Upon review of an institution's financial condition, the Commissioner of Higher Education shall arrange a meeting with Institutional Executive Officers to obtain a basis to recommend approval of an institution's budget to the Board of Trustees in accordance with financially sustainable objectives. The Commissioner of Higher Education may recommend financial targets that take into account the size, mission, and current financial condition of the institution. These recommendations should be appropriate to the current financial capacity of the institution. Management of the institution for financial sustainability, including possible recommendations by the Commissioner of Higher Education, shall be a component of the Institutional Executive Officer's evaluation by the Commissioner and Board of Trustees as set out in Board Policy 301.0802.

# EXHIBIT 3

March 16, 2017

## 713.03 – MINIMUM CRITERIA FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY

The minimum criteria for institutional financial sustainability shall cover the following areas: adequate financial reserves, adequate liquidity, and adequate coverage of annual debt payments. These ratios shall be prepared using annually audited accounting statements prepared under Governmental Accounting Standards Board guidelines and calculated in the manner prescribed in the most recent version of the Institutions of Higher Learning Financial Ratios. During Annual Budget Planning, the Commissioner of Higher Education may recommend target ratios to Institutional Executive Officers that address the current financial condition of institutions.

## 713.04 – MAJOR PROJECTS AND ENCUMBRANCES AND INSTITUTIONAL FINANCIAL SUSTAINABILITY

Because the Board of Trustees must maintain financially sustainable institutions, the Board may elect to postpone consideration of projects or activities that involve major commitments of expenditures or debt burden when an institution fails to meet the minimum criteria for institutional sustainability.



# EXHIBIT 4

March 16, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY 16, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

### **ALCORN STATE UNIVERSITY**

1. **ASU– IHL 201-252 – Morris-Boykin Renovation**

**Approval Request #1: Design Development Documents**

Board staff approved the Design Development Documents as submitted by Durrell Design Group.

Approval Status & Date: APPROVED, February 7, 2017

Project Initiation Date: August 8, 2016

Design Professional: Durrell Design Group

General Contractor: TBD

Total Project Budget: \$1,777,500.35

### **JACKSON STATE UNIVERSITY**

2. **JSU– GS 103-277 – Library Envelope Repairs Phase II**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$9,216.00 and fifty-five (55) additional days to the contract of Mid State Construction Company, Inc.

Approval Status & Date: APPROVED, February 13, 2017

Change Order Description: Change Order #3 includes the following items: to repair fascia and gutters at Jones-Sampson Hall; install sod and dirt at the east side of the site; install a new shelf angle at the bottom of the west stair; and fifty-five (55) days to the contract.

Change Order Justification: These changes are due to requirements or recommendations; latent job site conditions and user/owner requested modifications; and additional days for work as indicated herein.

# EXHIBIT 4

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Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$45,864.80.

Project Initiation Date: February 20, 2014

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

General Contractor: Mid State Construction Company, Inc.

Phased Project Budget: \$1, 550,000.00

Total Project Budget: \$4,550,000.00

### 3. **JSU – GS 103-278 – School of Engineering Phase II**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$43,651.74 and one hundred eighty-five (185) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, February 13, 2017

Change Order Description: Change Order #8 includes the following items: add electrical connections at Room 11; relocation of two previously installed desks at reception 226; add electrical connections of the Thread Power System at Room 108; eliminate light shelves located at the roller window shades, deduct for manufacturer's restocking fee; construct an access ramp; eliminate the existing floor mock-up in the JSU School of Engineering; install a bronze building plaque; and one hundred eighty-five (185) days to the contract.

Change Order Justification: These changes are due to requirements or recommendations; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$167,586.18.

Project Initiation Date: February 21, 2013

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$8,600,000.00

### 4. **JSU- GS #103-281 – Alexander Center Renovation-Phase II (Elevator**

**Improvement)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on January 27, 2017 to approve the initiation and appointment of the design professional for the Alexander Center Renovation-Phase II (Elevator Improvement) project.

Approval Status & Date: APPROVED, January 27, 2017

Project Initiation Date: February 18, 2016

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$1,650,000.00

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## MISSISSIPPI STATE UNIVERSITY

5. **MSU– GS 105-355 – Engineering & Science Complex (Engineering Building)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on February 6, 2017 to approve the appointment of the design professional for the Engineering & Science Complex (Engineering Building) project.

Approval Status & Date: APPROVED, February 6, 2017

**Approval Request #2: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Eley Guild Hardy Architects.

Approval Status & Date: APPROVED, February 7, 2017

Project Initiation Date: June 18, 2015

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$34,000,000.00

6. **MSU– IHL 205-278 – MSU nSPARC Data Center**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$28,501.03 and ten (10) additional days to the contract of Burks-Mordecai Builders, Inc.

Approval Status & Date: APPROVED, February 7, 2017

Change Order Description: Change Order #1 includes the following items: to increase the contract amount of \$28,501.03; changes to the access road and laydown yard locations; and ten (10) days to the contract.

Change Order Justification: This change is due to the user/owner concerns allowing construction access to the site through the existing parking lot and causing damage; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$28,501.03.

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: Burks-Mordecai Builders, Inc.

Total Project Budget: \$4,650,000.00

7. **MSU – Property Donation & Naming of a Building as the “Mitchell Building”**

**(No Board Action Required):** MSU alumnus Bill Mitchell and his wife, Ann Mitchell donated a building to the MSU Research and Technology Corporation, an affiliated entity, located at 521 34<sup>th</sup> street in Gulfport, Mississippi. The gift fully covers the cost of acquisition and MSU RTC will own and manage the building. MSU will also name this building the “Mitchell Building” in honor of Bill Mitchell and his wife, Ann Mitchell. MSU plans to utilize the building as a hub for its unmanned aircraft systems research and development activities already underway in the region. The building will boost the

# EXHIBIT 4

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university's overall research infrastructure, and further enhance its leadership of the FAA's Center of Excellence for Unmanned Aircraft Systems and the capacity and capabilities of the MSU-led alliance for System Safety of UAS through research excellence.

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 8. MUW- GS 104-187 – Turner Hall (Demonstration School) Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Design Development Documents**

Board staff approved the Design Development Documents as submitted by Pryor & Morrow Architects.

Approval Status & Date: APPROVED, February 10, 2017

Project Initiation Date: June 18, 2015

Design Professional: Pryor & Morrow Architects

General Contractor: TBD

Total Project Budget: \$7,542,915.00

## UNIVERSITY OF MISSISSIPPI

### 9. UM- GS 107-308 – Union Addition & Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$396,835.00 and thirty-eight (38) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 2, 2017

Change Order Description: Change Order #5 includes the following items: change dock lifts for dock levelers; revisions to feed service rough-ins; revisions to temporary storm lines; adding battery lowering to all five (5) elevators; soil nail wall claim; modifications of the temporary sanitary sewer routing; revisions to the permanent sanitary sewer routing; and thirty-eight (38) days to the contract.

Change Order Justification: This change was due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$435,636.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects – Jackson, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,781,426.00

Total Project Budget: \$58,900,000.00

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## **10. UM– IHL 207-354 – Honors College Renovation and Addition**

### **Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$163,551.07 and one hundred twenty-two (122) additional days to the contract of Hooker Construction, Inc.

Approval Status & Date: APPROVED, February 2, 2017

Change Order Description: Change Order #6 includes the following items: installation of access controls (push buttons) for American Disability Act operators at all new restroom (12 locations); drywall finishing, prime & paint at expansion basement classroom layout revisions; sprinkler revision; relocation of data & power receptacles; additional light fixtures; ductwork revisions; reconfigure walls same area; surveying for landscape beds at the courtyard; install storm drainage at the landscape beds; data & power receptacles at nine (9) rooms for audio/visual equipment at the podiums & TVs; add four (4) access doors for ceilings to provide access for valves; door, frame, hardware & access controls for a new door as an additional egress door as a result of expansion of the basement classroom layout revisions; add 208v receptacles at the first floor data room for telecom equipment; add a control transformer & switch for chilled water pump #2; relocate the circuit for the water heater from the janitor's closet to the mezzanine mechanical room; relocate the water heater, pan & piping from the janitor's closet to the mezzanine mechanical room; add a 601 circuit for the server to the basement data room; add two (2) receptacles for the vending machines at the basement; add temporary chilled & heating water to the HVAC unit on the existing 2<sup>nd</sup> floor; reroute the existing gas line in the existing building to make room for the new electrical panels; install a trench drain at the service drive to divert water from entering at the Kappa Delta House; installation of drywall window pockets throughout the buildings; tear-off and reroof at the existing building; install new fascia & soffit at the roof of the existing building; and one hundred twenty-two (122) days to the contract.

Change Order Justification: These changes are due to errors & omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$694,707.20.

Project Initiation Date: June 20, 2013

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: Hooker construction, Inc.

Total Project Budget: \$6,900,000.00

## **11. UM– IHL 207-385R.1 – Manning – Practice Fields Enlargement REBID**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$147,878.87 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, January 26, 2017

Change Order Description: Change Order #5 includes the following items: to clean up and replace the existing synthetic infill system.

Change Order Justification: This change was due to silt and water contaminating the turf from the off-site.

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## **Approval Request #2: Change Order #6**

Board staff approved Change Order #6 in the amount of \$5,610.00 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, February 2, 2017

Change Order Description: Change Order #6 includes the following item: removal of asphalt extension of concrete at the entrance to the practice fields.

Change Order Justification: This change was due to the asphalt needing to be replaced with concrete.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$421,209.83.

Project Initiation Date: June 19, 2014

Design Professional: Holcombe Norton Partners, Inc.

General Contractor: Sports Turf Company, Inc.

Phased Project Budget: \$4,782,530.00

Total Project Budget: \$5, 351.030.00

## **12. UM– IHL 207-398 – John W. White Facilities Management Building West Wing Addition**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$6,950.29 and ten (10) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, January 27, 2017

Change Order Description: Change Order #4 includes the following items: delete the door casing on all doors; add six (6) 2X2 lights; add a quartz top at the reception desk; add J hooks for the alternate data routing; modify the storage B02a; modify the east wall of B27; deduct for credit of unused controls allowance and ten (10) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$151,491.00.

Project Initiation Date: January 22, 2015

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$2,394,739.00

## **13. UM– IHL 207-401 – Wastewater Treatment Facility Expansion**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$3,228.94 and zero (0) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, February 2, 2017

Change Order Description: Change Order #4 includes the following item: add conduit for the temporary fiber optic cable from the telecom equipment to the communication backboard in the lab building, and install the ground wire from the communication backboard to the electrical panel.

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Change Order Justification: This change was due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$66,477.93.

Project Initiation Date: February 18, 2015

Design Professional: Engineering Solutions, Inc.

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$9,900,000.00

## **14. UM– IHL 207-411.1 – O-U Stadium (Swayze Field) Addition & Renovation – PH II**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, LTD.

Approval Status & Date: APPROVED, January 26, 2017

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, January 26, 2017

Project Initiation Date: November 19, 2015

Design Professional: Cooke Douglass Farr Lemons, LTD.

General Contractor: TBD

Phased Project Budget: \$17,216,333.04

Total Project Budget: \$18,975,750.00

## **15. UM – IHL 207-421 – Jackson Avenue Center Safe Room**

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Shafer & Associates.

Approval Status & Date: APPROVED, February 7, 2017

### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Shafer & Associates.

Approval Status & Date: APPROVED, February 7, 2017

Project Initiation Date: August 18, 2016

Design Professional: Shafer & Associates

General Contractor: TBD

Total Project Budget: \$1,100,000.00

## **16. UM– IHL 207-425 – Crosby Hall Boiler Replacement**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$766,260.00 to the apparent low bidder, Tri-Star Mechanical Contractors, Inc.

Approval Status & Date: APPROVED, January 18, 2017

Project Initiation Date: September 15, 2016

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: Tri Star Mechanical Contractors, Inc.

# EXHIBIT 4

March 16, 2017

Total Project Budget: \$1,100,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### **17. UMMC– GS 109-210 (GC-001) – School of Medicine**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$520,179.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 16, 2017

Change Order Description: Change Order #9 includes the following items: revisions to the 1<sup>st</sup> floor area; make revisions to the project building plaque; reconfigure the pile cap at the west plaza steps; delete the wood wall panels in a corridor to allow installation of the UMMC legacy wall; add a terrazzo cornice to the legacy wall; delete the wood wall panels in the vestibules of two (2) lecture halls; add gypsum board ceiling furr downs for two (2) projection screens in a dry lab; revise the electrical circuit for an exhaust fan from 120v to 480v; provide an overhead metal stud support for storefront “A” at the north entry vestibule; provide labor and materials for the new 2<sup>nd</sup> floor area multimedia services suite.

Change Order Justification: These changes were due to errors & omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$613,279.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

### **18. UMMC– IHL 209-539 – Lexington Hospital Renovations**

**Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the credit amount of \$53,017.00 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, January 26, 2017

Change Order Description: Change Order #8 includes the following items: reconciliation of hardware, signage and technology allowances.

Change Order Justification: These changes are due to user/owner requested modifications.

Total Project Change Orders and Amount: Eight (8) change orders for a total credit amount of \$210,495.95

Project Initiation Date: November 17, 2011

Design Professional: The McCarty Company

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$4, 479,107.00



# EXHIBIT 4

March 16, 2017

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### **19. USM– IHL 208-335 – Ross Boulevard Parking Project**

#### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Neel-Shaffer.

Approval Status & Date: APPROVED, January 26, 2017

#### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Neel-Shaffer.

Approval Status & Date: APPROVED, January 26, 2017

#### **Approval Request #3: Contract Documents**

Board staff approved Contract Documents as submitted by Neel-Shaffer

Approval Status & Date: APPROVED, February 2, 2017

#### **Approval Request #4: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 2, 2017

Project Initiation Date: May 19, 2016

Design Professional: Neel-Shaffer

General Contractor: TBD

Total Project Budget: \$1,350,000.00

### **20. USM – IHL 210-243 – Marine Education Center**

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$76,720.00 and forty-six (46) additional days to the contract of Starks Construction Co., Inc.

Approval Status & Date: APPROVED, January 26, 2017

Change Order Description: Change Order #3 includes the following items: revision of the exterior doors to include additional break metal transom panels & flashing; upgrades to the security cameras and code blue rough-ins; additional conduit and fiber; and forty-six (46) days to the contract.

Change Order Justification: These changes are due to maintaining the design intent of the details i.e. ensuring the windows and openings course out with the siding and maintain the design intent; owner requested enhanced security and safety; extra conduit & fiber to support the above security camera and code blue phone rough-ins.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$100,174.75.

Project Initiation Date: August 21, 2008

Design Professional: Lake Flato

General Contractor: Starks Construction Co., Inc.

Total Project Budget: \$16,115,660.00

# EXHIBIT 4

March 16, 2017

## EDUCATIONAL RESEARCH CENTER

### **21. ERC– GS 111-052 – Structural & Subsurface Repair**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$326,709.00 and seventy-five (75) additional days to the contract of Gregory Construction Services.

Approval Status & Date: APPROVED, February 10, 2017

Change Order Description: Change Order #3 includes the following items: installation of four (4) pole lights and twelve (12) up lights in the planting wells; repair beams in the crawl space; repair an exterior beam at the southeast corner of the building; install plant material, equipment & piping; repairs to the north parking lot; and seventy-five (75) days to the contract.

Change Order Justification: These changes are due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$500,983.50.

Project Initiation Date: August 21, 2008

Design Professional: JBHM

General Contractor: Gregory Construction Services

Total Project Budget: \$4,178,570.78

# EXHIBIT 5

March 16, 2017

## 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 Brunini, PLLC (statement dated 1/25/17) from the funds of Mississippi State University. (This statement, in the amount of \$100.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 100.00**

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 11/15/16) from the funds of Mississippi State University. (This statement, in the amount of \$90.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 90.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/11/17 and 2/7/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,240.00 and \$3,360.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,600.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/14/16, 12/12/16, 12/12/16, 12/12/16, 12/12/16, 12/30/16, 1/5/17, 1/9/17, 1/12/17, 1/12/17, 1/12/17, 1/13/17, 1/13/17, 1/18/17, 1/20/17 and 2/6/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$710.50, \$196.00, \$3,993.50, \$634.50, \$1,568.00, \$6,174.00, \$1,543.50, \$612.50, \$859.42, \$2,229.50, \$1,078.00, \$4,876.59, \$1,984.50, \$21,927.50, \$7,016.90 and \$1,078.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 56,482.91**

Payment of legal fees for professional services rendered by Hogan Lovells (statements dated 10/28/16, 11/30/16 and 12/22/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$47,108.40, \$28,444.61 and \$30,262.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 105,815.51**

# EXHIBIT 5

March 16, 2017

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 1/23/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$180.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 180.00**

Payment of legal fees for professional services rendered by John T. Kitchens d/b/a Whitfield Law Group (statements dated 12/6/16, 12/6/16, 12/6/16, 12/6/16, 12/6/16, 12/6/16, 12/6/16, 12/20/16, 1/2/17, 1/2/17, 1/2/17, 1/2/17, 1/2/17, 1/2/17, 1/2/17, 1/2/17 and 1/2/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,539.50, \$709.50, \$1,155.00, \$1,141.50, \$429.00, \$310.50, \$1,353.00, \$1,842.50, \$7,587.75, \$7,489.50, \$478.50, \$811.50, \$6,057.80, \$1,113.00, \$789.00 and \$1,830.00, respectively, represent services and expenses in connection with general legal/litigation advice.)

**TOTAL DUE.....\$ 38,637.5**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 1/6/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$561.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 561.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 2/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$28.51, \$70.46, \$1,500.00 and \$12.40, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 1,611.37**

## **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 (statements dated 12/9/16, 12/9/16, 12/9/16, 12/12/16, 12/19/16, 1/18/17, 1/18/17, 1/18/17 and 1/18/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Continuation Occidiofungin Patent Application" - \$1,328.50; "Engineering the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species" - \$144.00; "Recombinant Fimbrial Protein of Aeromonas-hydrophila as Vaccine in Catfish" - \$1,200.00; "Listeria and Salmonella Assay Methods and Kits" - \$768.00; "Vibrio Assay Methods and Kits" - \$720.00; "Listeria and Salmonella Assay Methods and Kits" - \$1,080.00; "Engineering the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species" - \$72.00; "Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish" - \$352.50 and "Detection of Antigenic Variants" - \$6,554.50, respectively.)

**TOTAL DUE.....\$ 12,219.50**

# EXHIBIT 5

March 16, 2017

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 8/10/16, 8/10/16 and 2/2/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$130.00; “Occidiofungin, A Unique Antifungal Glycopeptide Produced By a Strain of Burkholderia Contaminans” - \$535.00 and “Occidiofungin, A Unique Antifungal Glycopeptide Produced By a Strain of Burkholderia Contaminans” - \$97.50, respectively.)

**TOTAL DUE.....\$ 762.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/13/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Extruder Device” - \$480.00; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$1,998.50 and “Methods of Synthesizing Graphene from a Lignin Source” - \$1,824.00.)

**TOTAL DUE.....\$ 4,302.50**

Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 12/16/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Blue Stain System” - \$321.25.)

**TOTAL DUE.....\$ 321.25**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16, 12/30/16 and 12/31/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cannabidiol Prodrugs with Improved Bioavailability” - \$892.50; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$595.00; “Economic Process for MRSA Activities of Pure Cannabinoids” - \$595.00; “Economic Process for MRSA Activities of Pure Cannabinoids” - \$595.00; “Compositions Containing Delta-9-THC-Amino Acid Esters” - \$2,219.40; “Method of Treatment from Pneumocystis Pneumonia” - \$595.00; “Synergistic Analgesic Effects of Cannabidiol and Morphine” - \$595.00; “Highly Selective Sigma Receptor Ligands” - \$476.00; “Highly Selective Sigma Receptor Ligands” - \$476.00; “Highly Selective Sigma Receptor Ligands” - \$476.00; “Highly Selective Sigma Receptor Ligands” - \$476.00; “Highly Selective Sigma Receptor Ligands” - \$476.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,090.00 and “Compositions Containing Delta-9-THC Amino Acid Esters” - \$3,859.16, respectively.)

**TOTAL DUE.....\$ 13,416.06**

# EXHIBIT 5

March 16, 2017

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/13/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - \$480.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$160.00 and “Longitudinal Gait Velocity Monitoring of Older Population” - \$38.00.)

**TOTAL DUE.....\$ 678.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/26/16, 10/25/16, 12/15/16, 12/15/16, 1/24/17 and 1/24/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$972.00, \$700.00, \$416.50, \$311.50, \$38.00 and \$185.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 2,623.50**

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

**April 7, 2017**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met in a special called teleconference meeting held at the Board Office in Jackson, Mississippi, at 11:30 a.m., and pursuant to notice in writing, to each and every member of said Committee. The following Committee members participated by phone: Mr. Tom Duff, Mr. Shane Hooper, Mrs. Ann H. Lamar, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Dr. Ford Dye, Dr. Alfred E. McNair, Jr., and Dr. J. Walt Starr were absent. The meeting was called to order by Dr. Douglas Rouse, President.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter at one of the public universities.**

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Dye, McNair, and Starr absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustees Smith, seconded by Trustee Hooper, with Trustees Dye, McNair, and Starr absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at one of the public universities.

**During Executive Session, the following matter was discussed:**

The Committee discussed personnel issues concerning the search for the next president of Jackson State University. **No action was taken.**

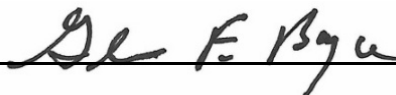
**On motion by Trustee Perry, seconded by Trustee Pickering, with Trustees Dye, McNair, Morgan, and Starr absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

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

**April 19, 2017**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 8:00 a.m., and pursuant to notice in writing, to each and every member of said Committee. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Mr. C.D. Smith, Chair of the Board Search Committee.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Dye, with Trustees Duff, McNair, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Duff, McNair, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a state university personnel matter.

**The Committee recessed for lunch at 11:50 a.m.**

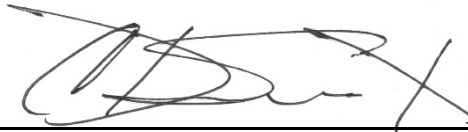
**The Committee reconvened the meeting at 1:40 p.m.**

**During Executive Session, the Committee discussed a personnel matter at Jackson State University. No action was taken.**

**On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Committee, on motion by Trustee Pickering, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning



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

**April 20, 2017**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 12:45 p.m., and pursuant to notice in writing, to each and every member of said Committee. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Mr. C.D. Smith, Chair of the Board Search Committee.

**EXECUTIVE SESSION**

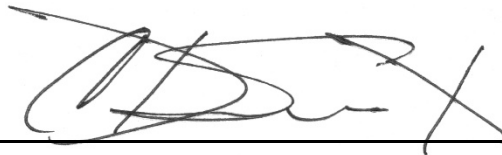
On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Dye, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a state university personnel matter.

**During Executive Session, the Committee discussed a personnel matter at Jackson State University. No action was taken.**

**On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Committee, on motion by Trustee Perry, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 20, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this April 20, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Ms. Christine Pickering was absent. The meeting was called to order by Dr. Doug Rouse, President, and opened with prayer by Trustee Christy Pickering.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed the Student Government Association officers: Patrick Herbert, incoming SGA President at Alcorn State University; Allie Rose Parker, outgoing SGA President at Delta State University; Ashley Griffin, incoming SGA President at Delta State University; Alexis Moore, incoming SGA President at Jackson State University; Tyler McMurray, incoming SGA President at Mississippi State University; Dion Kevin, incoming SGA President at The University of Mississippi; Brock Banks, outgoing SGA President at the University of Mississippi Medical Center; William Thomas, incoming SGA President at the University of Mississippi Medical Center; Caroline Bradley, outgoing SGA President at the University of Southern Mississippi; and Cameron Clouds, incoming SGA President at the University of Southern Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Pickering, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on March 16, 2017 and April 7, 2017.

**CONSENT AGENDA**

On the request of Trustee Perry, agenda item #3 on the Academic Affairs Consent Agenda was moved to the Academic Affairs Regular Agenda for consideration. On motion by Trustee Pickering, seconded by Trustee Star, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda, as amended.

**ACADEMIC AFFAIRS**

1. **ASU** – Approved a new academic program - Master of Liberal Arts degree. Per a study conducted by Mississippi Employment Development Security (2010), projected that there will be a 6.8% percent employment growth in the State of Mississippi from 2012-2020. Prospective learners will be aspiring and current teachers, community college instructors, administrators, law enforcement administrators, analysts, and consultants. A local survey administered during the 2015-16

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

**April 20, 2017**

academic year revealed that 93% of the 125 respondents expressed interest the Master of Liberal Arts degree.

2. **SYSTEM** – Approved the following new academic units:

**Divisions**

- a. **UM** – Division of Diversity and Community Engagement. The new unit will support the efforts and activities of the recently hired Vice Chancellor for Diversity and Community Engagement. The division will assist in educating and inspiring a diverse student body committed to life-long learning and global responsibility; and will coordinate meaningful engagement between communities and the faculty, staff, and students. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.

**Centers and Institutes**

- b. **UM** – Center for Clinical and Translational Science. The University of Mississippi School of Pharmacy (UMSOP) in collaboration with the University of Mississippi Medical Center (UMMC) plans for implementation of a Center for Clinical and Translational Science. With a presence on the UM main campus in Oxford and at UMMC in Jackson, UMSOP is uniquely positioned to facilitate translational research through its extensive network of pharmaceutical researchers and clinical pharmacists. The addition of the Center for Clinical and Translation Science (CCTS) will create the infrastructure, not currently available in Mississippi, to transition drug discoveries to clinical trials, then to practice and community settings. In addition, the CCTS will bridge research on the UM campus in Oxford and the UMMC campus in Jackson and will assist in the commercialization of new discoveries. This new Center will enable UMSOP to develop a progressive infrastructure and additional core competencies in Oxford and Jackson to support the expansion of clinical and translational research at both sites. In the first two years of the development of the CCTS we will build upon existing programs and clinical/community expertise utilizing existing faculty and researchers within the School of Pharmacy and UMMC. This effort will be provided as in-kind support due to the overlap of effort with existing duties. Subsequent years will see the addition of 6 Research Scientists and 8 support staff in the areas of regulatory affairs, business development, and financial/administrative support. It is anticipated that beginning in year three, new research and staff positions will be externally funded through federal grants and contracts such as NIH and CDC, state support as available, pharmaceutical industry research agreements, and other support generated through federal, state, and private fundraising endeavors.

3. **SYSTEM** – Request approval of academic unit modifications as follows:

**Reorganization**

- a. **UM** – Reorganize two separate divisions: Center for Inclusion and Cross Cultural Engagement and McLean Institute for Public Service and Community Engagement and William Winter Institute for Racial Reconciliation to the Division of Diversity and Community Engagement. The proposed unit will support academic partners interested in effective outreach, recruitment and retention strategies for faculty from under-represented groups; develop and coordinate programs to increase student awareness of local, regional, national and global contexts that shape their world; support initiatives and services that enhance and increase access and affordability to under-represented students; and, work

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

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with campus partners to monitor and/or alter the campus culture to ensure that diverse students feel supported and welcomed. The unit will support and help develop strong collaborations with the Oxford-Lafayette community. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.

- b. **UMMC** – Reorganize the Department of Dental Hygiene by moving the department from the UMMC School of Health Related Professions to the UMMC School of Dentistry. The dental hygiene program (DH) has been a part of the UMMC School of Health Related Professions (SHRP) since its inception in 1970. The School of Dentistry’s (SOD) doctor of dental medical (DMD) program began in 1975. Since 1995, the DH program has utilized clinical and pre-clinic laboratory space in the SOD facility while maintaining a fully independent program. Both programs have experienced prolonged success in graduation rates and successful passage of licensure board examinations as independent programs; however, patient care has been separate. DH programs at the Academic Health Science Center in the SOC will maximize education opportunities for DH and DMD students and will provide optimum patient care. They will provide opportunities for both academic programs to work together to improve the oral health of citizens throughout the state and will raise the level of education for both the DMD and DH students. The budget for the dental hygiene program will remain within UMMC; therefore, this reorganization anticipates minimal financial impact.

**Rename**

- c. **DSU** – Rename the College of Business the College of Business and Aviation. The College of Business Administrative Leadership Team (COBALT) proposes an expanded name for the College that more accurately reflects the range of preparation available to candidates enrolled in the varied programs within the College. The cost of implementation will be minimal to cover signage.
- d. **JSU** – Rename the W.E.B. DuBois Honors College to the W.E.B. DuBois and Maria Luisa Alvarez Harvey Honors College. JSU submits this request to honor Dr. Harvey’s legacy, the 50 years of academic contributions to the University, and the infinite vision, devotion and determination used to build JSU’s honors program. Through Dr. Harvey’s efforts more than 2600 students have been enrolled in the W.E.B. DuBois Honors College since its inception. There is tremendous faculty, staff, and student support for this proposed change. The cost of the renaming will be minimal (signage, stationary) and will be covered with current resources.
- e. **UMMC** – Rename the MIND Research Center the Gertrude C. Ford MIND Research Center. The Gertrude C. Ford Foundation provided the MIND Center at UMMC with an unrestricted monetary gift of \$10,000,000.00 to support its research efforts. In recognition of their gift, it is proposed that the MIND Research Center’s name will be changed to the Gertrude C. Ford MIND Research Center. The cost of implementation will be minimal to cover signage.
- f. **UMMC** – Rename the UMMC School of Population Health the John D. Bower School of Population Health at UMMC. The request is being made to honor John D. Bower, MD, a noted nephrologist and UMMC professor emeritus of medicine with a distinguished record of patient care advocacy in Mississippi. The naming of the School is in recognition of the

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pioneering efforts and accomplishments of Dr. Bower as an early pioneer of population health management in clinical practice. The cost of implementation will be \$500.00 for printing and branding changes.

**Delete**

- g. **MUW** – Delete the College of Education and Human Sciences. The departments within the College of Education and Human Sciences will remain intact but will be relocated to other colleges. The Department of Education and the Department of Psychology and Family Studies will move to the College of Arts and Sciences. The Department of Health and Kinesiology will move to the College of Nursing and Speech-Language Pathology. The General Studies programs will move from the Department of Health and Kinesiology to the Department of Business in the College of Business and Professional Studies. This will not affect the mission of the institution or the role of the academic programs in fulfilling the mission of the institution.
- h. **UMMC** – Delete the Department of Dental Hygiene (DH). The School of Health Related Professions (SHRP) at UMMC is requesting the deletion of the Department of Dental Hygiene. The decision to relocate the department to the School of Dentistry was based on the need to promote collaboration between the Dental Hygiene and the School of Dentistry.

**(THIS ITEM WAS MOVED TO THE REGULAR ACADEMIC AFFAIRS AGENDA FOR CONSIDERATION.)**

4. **SYSTEM** – Approval of the following academic program modifications:

**Rename**

- a. **ASU** – Rename the Bachelor of Science in Nutrition and Dietetics (CIP 19.0706) degree the Bachelor of Science in Food, Nutrition, and Community Health Sciences (CIP 19.0706) degree. The proposed name change will clarify the program’s mission and is based on the national trends, job descriptions, and future educational needs. Additionally, the name change is anticipated to increase student interest and research opportunities and collaborations with other institutions and community partners. Minimal costs will come from existing resources to cover signage.
- b. **MSU** – Rename the Master of Science in School Administration (CIP 13.0408) degree the Master of Science in Educational Leadership (CIP 13.0401) degree. The proposed name change will clarify the program’s mission and draw increased enrollment from prospective students who are interested in the value-added outcomes of a leadership (vs. an administration) degree that could impact long-term career advancement. Additionally, the broader umbrella of educational leadership will help faculty and students explore the possibility of collaborative research, teaching, and service ventures focused on special subpopulations and topics such as women’s leadership in education, rural educational leadership, educational leadership across the P-20 education pipeline, diversity leadership in education, and innovative educational leadership. Minimal costs will come from existing resources to cover signage.
- c. **MUW** – Rename the Master of Science in Health Education (CIP 13.1307) degree the Master of Public Health (CIP 51.2207) degree. The proposed name change more accurately reflects the curriculum as well as the program’s purposes. The modified title also provides students the opportunity to pursue a degree with a title easily recognized by potential employers. The MPH degree is the gold standard for those seeking to work in the

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Public Health field. Since the program's curriculum will remain focused on Public Health Education, the Department of Health and Kinesiology currently has the appropriate number of credentialed faculty and available resources to support the proposed MPH program. Minimal costs will come from existing resources to cover signage.

- d. **USM** – Rename the Bachelor of Science/Bachelor of Arts in Tourism (CIP 52.0999) degree the Bachelor of Science/Bachelor of Arts in Hospitality and Tourism Management (HTM) (CIP 52.0999) degree. The name change has the potential to strengthen the identity of the program in the College of Business and among peer institutions. It highlights HTM faculty's specialized discipline, enabling a network of cohorts beyond the department, the college, and the university. We anticipate budget savings on hiring adjunct faculty teaching courses that was previously required in the Tourism BSBA degree program. Minimal costs will come from existing resources to cover signage.
- e. **USM** – Rename the Master of Education in School Counseling and Guidance Services (CIP 13.1101) degree the Master of Education in School Counseling (CIP 13.1101) degree. The current School Counseling and Guidance Program at USM is a 36-hour program which does not meet the hourly requirements and course offerings of the other School Counseling programs offered in Mississippi with whom graduates compete for jobs and with whom we compete with for students. It is expected that the changes will allow USM to be more competitive in attracting high quality students. As the program moves to accreditation, additional faculty resources will be needed but the increase in enrollment will justify the additional resources. As this is a graduate program, it is expected that faculty and students will engage in scholarly activities that produce research. It is expected that there will be increased revenue to the institution as the program has doubled its enrollment this past year. Minimal costs will come from existing resources to cover signage.
- f. **USM** – Rename the Doctor of Musical Arts in Performance and Pedagogy (CIP 50.0903) degree the Doctor of Musical Arts in Performance (CIP 50.0903) degree. The name change is being requested because of the national accreditation visit last year. NASM made us aware that we had misnamed our current program as Performance and Pedagogy. Our degree fit the guidelines for Performance degrees. Minimal costs will come from existing resources to cover signage.

**Suspend**

- g. **MUW** – Suspend the Bachelor of Fine Arts (BFA) in Art Education (CIP 13.1302) degree. The Art Education program has faced difficult challenges in recent years. Stricter teacher education admission requirements and the revised Praxis exams have negatively impacted enrollment and completion rates. Faculty recruitment efforts have not achieved their intended goals. Faculty of the Department of Art and Design admit that the IHL program standard of 18 graduates in three years cannot be met in the near future. The department unanimously recommends suspending admission to the BFA in Art Education program until all currently-enrolled students have completed their programs. The program will then be deleted.

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- h. **MUW** – Suspend the Bachelor of Art/Bachelor of Science in Social Sciences (CIP 45.0101) degree. The Social Sciences program originally provided for an interdisciplinary degree for MUW students, as well as a program that was closely tied to teacher licensure in Social Studies. Since the inception of the program, MUW has significantly reduced or eliminated courses that supported the program, especially in geography, anthropology, and sociology. Also, other paths to interdisciplinary programs have been added, including Interdisciplinary Studies, Women’s Studies, and General Studies. The IHL program standard of 18 graduates in three years cannot be met in the near future, and we choose to focus recruitment efforts in more favorable directions. After departmental discussions with the Dean, the faculty unanimously recommend suspending admission to the Social Sciences degrees until all currently-enrolled students have completed their programs. The program will then be deleted.
- i. **USM** – Suspend the Bachelor of Science in Hotel, Restaurant, and Tourism Management (CIP 54.0904) degree. The current degree plan is designed to develop students’ skill set in the areas of hotel, restaurant, and tourism, and doesn’t cover all aspects of hospitality and tourism fields. The education they receive from the B.S. degree only provides the capability for careers in specific industry segments at entry-level positions. By providing additional leadership and analytical skills, which can apply to the hospitality and tourism industry, graduates with a degree in Hospitality and Tourism Management will be more competitive with skill-sets required to pursue a management career in the industry.
- j. **USM** – Suspend the Bachelor of Science in Instructional Technology (CIP 13.1303) degree. Due to declining enrollment, the Department of Curriculum, Instruction, and Special Education seeks approval to suspend admission to the Instructional Technology (Business Technology Education) B.S. effective Spring 2017. Once students currently enrolled in the program have completed their program, the plan is to delete the degree. Deletion of the program will not affect the institution’s role or mission.
- k. **USM** – Suspend the Bachelor of Arts in Religion (CIP 38.0201) degree. In the last several years, the number of Religion majors has dropped to less than half of historical levels, which is not enough to sustain the program. Changes to the Bachelor of Arts in Philosophy degree to offer the option of an informal concentration in religion under the philosophy major. If in the future there is evidence of a resurgence of interest in religious studies, the program can be reactivated.

**Delete**

- 1. **USM** – Delete the Bachelor of Arts in American Studies (CIP 05.0102) degree. The program has seen declining enrollments for the past 8 years. There have only been two students in the program in the past two years. For this reason, we are asking that the program be deleted.
5. **SYSTEM** – Approved the following degrees to be conferred in Spring 2017 provided each candidate has met all requirements for the degree.

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Institution	Degree to be Conferred	Number	Subtotal	Total	
<b>Alcorn State University</b>					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	8			
	Bachelor of Science	241			
	Bachelor of Music	5			
	Bachelor of Science in Nursing	17			
	Bachelor of Arts	115			
	Bachelor of Arts in Music	2			
	Bachelor of Social Work	14			
			<b>402</b>		
	<i>Graduate</i>				
	Educational Specialist	4			
	Master of Science in Applied Science	32			
	Master of Arts in Teaching	2			
	Master of Business Administration	13			
	Master of Science in Agriculture	15			
	Master of Science in Biology	3			
	Master of Science in Biotechnology	2			
	Master of Science in Computer and Information Science	9			
	Master of Science in Elementary Education	4			
	Master of Science in Secondary Education	29			
	Master of Science in Nursing	17			
	Master of Science in Workforce Education Leadership	22			
			<b>152</b>		
				<b>554</b>	
<b>Delta State University</b>					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	21			
	Bachelor of Fine Arts	7			
	Bachelor of Music	1			
	Bachelor of Music Education	3			
	Bachelor of Science	48			
	Bachelor of Science in Education	3			
	Bachelor of Science in Social Justice and Criminology	3			
	Bachelor of Science in Interdisciplinary Studies	1			
	Bachelor of Social Work	31			
			<b>118</b>		
	<i>College of Business</i>				
	Bachelor of Business Administration	52			
	Bachelor of Commercial Aviation	9			
			<b>61</b>		



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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	<i>College of Education</i>				
	Bachelor of Arts	11			
	Bachelor of Science	45			
	Bachelor of Science in Education	24			
			<b>80</b>		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	23			
			<b>23</b>		
	<i>School of Graduate Studies</i>				
	Master of Business Administration	16			
	Master of Commercial Aviation	2			
	Master of Education	14			
	Master of Arts in Teaching	4			
	Master of Arts in Liberal Studies	1			
	Master of Professional Accountancy	3			
	Master of Science in Social Justice and Criminology	2			
	Master of Science in Sport and Human Performance	11			
	Master of Science in Nursing	6			
	Education Specialist	29			
	Doctor of Education	6			
	Doctor of Nursing Practice	3			
			<b>97</b>		
				<b>379</b>	
<b>Jackson State University</b>					
	<i>Undergraduate</i>				
	Bachelor of Arts	57			
	Bachelor of Business Administration	86			
	Bachelor of Music	1			
	Bachelor of Music Education	4			
	Bachelor of Science	469			
	Bachelor of Science Education	13			
	Bachelor of Social Work	53			
			<b>683</b>		
	<i>Graduate</i>				
	Doctor of Education	3			
	Doctor of Philosophy	32			
	Doctor of Public Health	4			
	Specialist in Education	16			
	Master of Arts	13			
	Master of Arts in Teaching	10			
	Master of Business Administration	7			
	Master of Music Education	1			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Professional Accountancy	4			
	Master of Public Health	10			
	Master of Public Policy and Administration	9			
	Master of Science	68			
	Master of Science in Education	39			
	Master of Social Work	71			
			<b>287</b>		
				<b>970</b>	
<b>Mississippi State University</b>					
	<i>College of Agriculture and Life Sciences</i>				
	Bachelor of Landscape Architecture	6			
	Bachelor of Science	284			
	Master of Agribusiness Management	3			
	Master of Landscape Architecture	2			
	Master of Science	27			
	Doctor of Philosophy	7			
			<b>329</b>		
	<i>College of Architecture, Art, and Design</i>				
	Bachelor of Architecture	27			
	Bachelor of Fine Arts	32			
	Bachelor of Science	22			
			<b>81</b>		
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	303			
	Bachelor of Science	417			
	Bachelor of Social Work	28			
	Bachelor of Applied Technology	2			
	Master of Arts	23			
	Master of Public Policy and Administration	7			
	Master of Science	24			
	Doctor of Philosophy	11			
			<b>815</b>		
	<i>College of Business</i>				
	Bachelor of Business Administration	303			
	Master of Business Administration	42			
	Master of Science Information Systems	5			
	Master of Arts	1			
	Doctor of Philosophy	2			
			<b>353</b>		
	<i>College of Education</i>				
	Bachelor of Science	410			
	Bachelor of Music Education	6			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Arts in Teaching	9			
	Master of Arts in Teaching Middle	7			
	Master of Arts in Teaching Secondary	7			
	Master of Arts in Teaching Special	1			
	Master of Science	52			
	Master of Science Instructional Technology	33			
	Educational Specialist	9			
	Doctor of Education	1			
	Doctor of Philosophy	28			
			<b>533</b>		
	<b><i>College of Engineering</i></b>				
	Bachelor of Science	339			
	Master of Science	40			
	Master of Engineering	2			
	Doctor of Philosophy	11			
			<b>392</b>		
	<b><i>College of Forest Resources</i></b>				
	Bachelor of Science	61			
	Master of Science	9			
	Doctor of Philosophy	4			
			<b>74</b>		
	<b><i>College of Veterinary Medicine</i></b>				
	Bachelor of Science	18			
	Master of Science	3			
	Doctor of Philosophy	5			
	Doctor of Veterinary Medicine	81			
			<b>107</b>		
	<b><i>School of Accountancy</i></b>				
	Bachelor of Accountancy	104			
	Master of Professional Accountancy	22			
	Master of Taxation	4			
			<b>130</b>		
				<b>2814</b>	
<b>Mississippi University for Women</b>					
	<b><i>Undergraduate</i></b>				
	Associate of Science in Nursing	45			
	Bachelor of Art	27			
	Bachelor of Fine Art	9			
	Bachelor of Applied Science	13			
	Bachelor of Music	3			
	Bachelor of Science	172			
	Bachelor of Science in Nursing	79			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
			<b>348</b>		
	<i>Graduate</i>				
	Master of Art	1			
	Master of Business Administration	3			
	Master of Education	6			
	Master of Fine Art	3			
	Master of Science	25			
	Doctor of Nursing Practice	6			
			<b>44</b>		
				<b>392</b>	
<b>Mississippi Valley State University</b>					
	<i>Undergraduate</i>				
	Bachelor of Arts	26			
	Bachelor of Arts in Mass Communication	15			
	Bachelor of Music	7			
	Bachelor of Secondary Education	4			
	Bachelor of Science	205			
	Bachelor of Social Work	44			
	<i>Graduate</i>		<b>301</b>		
	Master of Science	22			
	Master of Arts	3			
	Master of Arts in Teaching	7			
	Master of Social Work	32			
	Master of Business Administration	22			
			<b>86</b>		
				<b>387</b>	
<b>University of Mississippi</b>					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	485			
	Bachelor of Science	76			
	Bachelor of Fine Arts	12			
	Bachelor of Music	20			
			<b>593</b>		
	<i>School of Engineering</i>				
	Bachelor of Science in Chemical Engineering	37			
	Bachelor of Science in Civil Engineering	17			
	Bachelor of Science in Computer Science	30			
	Bachelor of Science in Electrical Engineering	20			
	Bachelor of Science in Mechanical Engineering	60			
	Bachelor of Science in Geological Engineering	15			
	Bachelor of Engineering	6			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science in Geology	8			
			<b>193</b>		
	<b><i>School of Education</i></b>				
	Bachelor of Arts in Education	250			
			<b>250</b>		
	<b><i>School of Pharmacy</i></b>				
	Doctor of Pharmacy	118			
			<b>118</b>		
	<b><i>School of Business</i></b>				
	Bachelor of Business Administration	487			
			<b>487</b>		
	<b><i>School of Accountancy</i></b>				
	Bachelor of Accountancy	107			
			<b>107</b>		
	<b><i>School of Applied Sciences</i></b>				
	Bachelor of Science in Criminal Justice	98			
	Bachelor of Science in Exercise Science	87			
	Bachelor of Science	167			
	Bachelor of Social Work	32			
	Bachelor of Arts in Parks and Recreation Administration	3			
	Bachelor of Paralegal Studies	8			
			<b>395</b>		
	<b><i>School of Journalism and New Media</i></b>				
	Bachelor of Arts in Journalism	76			
	Bachelor of Science (IMC)	142			
			<b>218</b>		
	<b><i>General Studies</i></b>				
	Bachelor of General Studies	146			
			<b>146</b>		
	<b><i>Graduate School</i></b>				
	Master of Arts	124			
	Master of Criminal Justice	18			
	Master of Science	80			
	Master of Science in Exercise Science	5			
	Master of Fine Arts	8			
	Master of Accountancy	33			
	Master of Business Administration	35			
	Master of Taxation	15			
	Master of Education	38			
	Master of Music	6			
	Specialist in Education	2			
	Doctor of Education	3			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Doctor of Philosophy	58			
			<b>423</b>		
	<i>Law School</i>				
	Juris Doctor	97			
	Master of Laws	3			
			<b>100</b>		
				<b>3030</b>	
<b>University of Mississippi Medical Center</b>					
	<i>Undergraduate</i>				
	Bachelor of Science in Nursing	143			
	Bachelor of Science in Dental Hygiene	20			
	Bachelor of Science in Health Informatics and Information Management	5			
	Bachelor of Science in Health Sciences	21			
	Bachelor of Science in Medical Laboratory Science	19			
	Bachelor of Science in Radiologic Sciences	42			
			<b>250</b>		
	<i>Graduate/Professional</i>				
	Master of Science	57			
	Master of Occupational Therapy	33			
	Master of Science in Nuclear Medicine Technology	5			
	Master of Science in Magnetic Resonance Imaging	5			
	Master of Science in Nursing	113			
	Master of Health Science	10			
	Master of Occupational Therapy	33			
	Master of Health Informatics and Information Mgmt.	1			
	Doctor of Medicine	136			
	Doctor of Dental Medicine	36			
	Doctor of Philosophy	27			
	Doctor of Nursing Practice	10			
	Doctor of Physical Therapy	51			
	Doctor of Health Administration	10			
			<b>494</b>		
				<b>744</b>	
<b>University of Southern Mississippi</b>					
	<i>College of Arts and Letters</i>				
	Bachelor of Arts	193			
	Bachelor of Fine Arts	19			
	Bachelor of Interdisciplinary Studies	12			
	Bachelor of Liberal Studies	41			
	Bachelor of Music	16			
	Bachelor of Music Education	18			
	Bachelor of Science	36			
	Master of Arts	12			
	Master of the Arts in Teaching of Language	10			
	Master of Fine Arts	8			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Music	19			
	Master of Science	3			
	Doctor of Musical Arts	7			
	Doctor of Philosophy	10			
			<b>406</b>		
	<b><i>College of Business</i></b>				
	Bachelor of Science	22			
	Bachelor of Science in Business Administration	220			
	Master of Business Administration	26			
	Master of Professional Accountancy	12			
	Master of Science	11			
			<b>298</b>		
	<b><i>College of Education and Psychology</i></b>				
	Bachelor of Arts	16			
	Bachelor of Science	210			
	Master of Arts	9			
	Master of Arts in Teaching	2			
	Master of Education	20			
	Master of Library and Information Science	16			
	Master of Science	10			
	Specialist in Education	5			
	Doctor of Philosophy	19			
			<b>307</b>		
	<b><i>College of Health</i></b>				
	Bachelor of Arts	30			
	Bachelor of Science	126			
	Bachelor of Social Work	41			
	Master of Public Health	25			
	Master of Science	26			
	Master of Social Work	62			
	Doctor of Audiology	8			
	Doctor of Philosophy	1			
			<b>319</b>		
	<b><i>College of Nursing</i></b>				
	Bachelor of Science in Nursing	108			
	Master of Science in Nursing	44			
	Doctor of Nursing Practice	3			
	Doctor of Philosophy	3			
			<b>158</b>		
	<b><i>College of Science and Technology</i></b>				
	Bachelor of Arts	31			
	Bachelor of Science	261			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Science	32			
	Doctor of Philosophy	35			
			359		
				1847	
<b>System Total</b>					
					<b>*10867</b>

\*The System total for Spring 2017 represents an increase of 182 graduates from Spring 2016. Spring 2017=10685

**FINANCE**

6. **IHL EXECUTIVE OFFICE** – Approved the request to enter an agreement with Leon Consulting, LLC d/b/a LK Marketing Services for the program management, marketing and system services for Mississippi’s Complete 2 Compete initiative. The purpose of the agreement is to provide direct marketing, customer service, interactive website design and development, data systems and data analysis services. The term of the agreement is for two (2) years with an option to renew for an additional one (1) year -- beginning April 21, 2017, and ending April 20, 2020-- at the discretion of IHL upon written notice to contractor at least (60) days prior to the contract anniversary date. At the time of the renew, proposal prices and scope may be revised as needed for changes in project. The total number of years permitted shall not exceed three (3). The total estimated cost of the agreement is \$1,334,182 for the full three years, which includes the additional year renewal. Funds are available from the Mississippi Department of Human Services MOA for Complete 2 Compete. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
7. **IHL EXECUTIVE OFFICE** – Approved the request to amend an agreement with Matthews, Cutrer and Lindsay, P.A. for accounting analytical services to assist Jackson State University in reviewing its current financial condition and to provide cost saving proposals for the fiscal year ending June 30, 2017. The term of the agreement began October 3, 2016, and ends June 30, 2017. This second amendment will become effective upon signature. The amended amount is \$115,000 bringing the total contract amount to \$363,500. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
8. **MSU** – Approved the First Amendment to Lease Agreement with Medical Development Properties, LLC (MDP) at the Imaging Center for Excellence facility in Starkville, MS. The First Amendment will make the following substantive changes to the original Lease Agreement with MDP:
  - a. The amount of lease space is reduced from 12,791 square feet to 5,760 square feet. This reduction in space, which results in a significant cost saving to MSU, was precipitated by a reduced need for space by one of the MSU research units utilizing the facility and additional space being available in an alternative facility at a reduced cost.
  - b. Under the original Lease Agreement, MSU is responsible for reimbursing MDP for MSU’s proportional share of amounts paid by MDP for tax and utility costs that exceed the amount paid by MDP for taxes and utilities in Year 1 of the Lease Agreement. Due to a significant increase in tax and utility costs at the facility after Year 1 of the lease term, MSU’s reimbursement obligation has been significant. Under the First Amendment, a new



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baseline for taxes and utilities is established based on the average of tax and utility costs over the previous 5-years (2011-2016). MSU will only be responsible for reimbursing MDP for tax and utility costs that exceed the newly established baseline amounts. This change will significantly decrease MSU’s annual reimbursement payments as tax and utility costs have normalized over the past five years of the lease.

- c. The rental rate for MSU’s reduced lease space will increase by \$2.50 per square foot.
- d. The term of the lease is extended an additional year, with the new lease term ending on May 31, 2022.

These changes will result in significant cost savings for MSU. The term of the contract is June 1, 2017 through May 31, 2022. The estimated total contract amount over the five (5) year term is \$936,000, plus excess tax and utility, if any. MSU will pay MDP \$187,200 annually for the lease of the space in addition to any excess tax and utility costs. On average, MSU has paid over \$5.00/square foot annually for tax and utility overages. At MSU’s request, the Lessor worked with MSU to reduce this burden by a) adjusting the baseline calculation for tax and utility costs to the previous five-year average of such costs, and b) increasing the base rent by \$2.50/square foot. This re-negotiated amount will result in annual savings to MSU of over \$2/square foot, in addition to the savings realized by decreasing the amount of space being leased. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

- 9. **MSU** – Approved the request to enter into a new contract with TeamDynamix Solutions, LLC (TDX) to provide Information Technology Service Management (ITSM) software, services, and maintenance. This new software system is needed as the current ITSM system, Service Desk Express, will reach the end of its life on June 30, 2017. Replacing the current ITSM software system will enable MSU to utilize up-to-date software architectures and efficiencies while also implementing software that incorporates IT Infrastructure Library best practices. The term of the contract is for five (5) years beginning on or about July 1, 2017 ending June 30, 2022. The contract amount is \$332,765. Funds are available from MSU general funds specified for such use. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
- 10. **UM** – Approved the request to escalate its On-Campus Budget for FY 2017. The escalation is requested to revise major objects, functional categories, and revenue sources for state appropriation budget cuts, scholarship expenses, and fringe benefit estimates.

<b>University of Mississippi FY 2017 On-Campus Budget by Major Object</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$215,384,880	\$622,412	\$216,007,292
Travel and Subsistence	2,248,841	-	2,248,841
Contractual Services	102,959,550	3,720,000	106,679,550
Commodities	6,558,124	(1,297,602)	5,260,522
Capital Outlay: Non-Equipment	4,695,477	-	4,695,477
Capital Outlay: Equipment	3,135,129	(1,100,000)	2,035,129
Mandatory Transfers	1,160,907	-	1,160,907

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Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Non-Mandatory Transfers	7,481,010	(566,704)	6,914,306
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

University of Mississippi FY 2017 On-Campus Budget by Functional Category			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Instruction	\$150,726,932	\$(1,623,676)	\$149,103,256
Research	8,003,893	(17,304)	7,986,589
Public Service	879,094	(25,566)	853,528
Academic Support	33,300,815	(364,469)	32,936,346
Student Services	13,531,020	(105,636)	13,425,384
Institutional Support	25,472,350	1,088,295	26,560,645
Operation and Maintenance	34,747,279	(394,608)	34,352,671
Scholarships and Fellowships	73,173,478	3,387,774	76,561,252
Mandatory Transfers	1,160,907	-	1,160,907
Non-Mandatory Transfers	2,628,150	(566,704)	2,061,446
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

University of Mississippi FY 2017 On-Campus Budget by Revenue Source			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Student Fees	\$250,328,292	\$5,448,912	\$255,777,204
Governmental Appropriations	82,929,826	(4,070,806)	78,859,020
Grants and Contracts	1,250,000	-	1,250,000
Sales and Services	1,208,095	-	1,208,095
Other	5,407,705	-	5,407,705
Increase in Fund Balance	2,500,000	-	2,500,000
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

11. **UM** – Approved the request to escalate its Auxiliary Enterprises Budget for FY 2017. The escalation is requested to align spending authority with actual revenues generated. Most expenditures will be used to cover debt services related to the transfer of ownership of the Pavillion at Ole Miss from the Ole Miss Athletic Foundation to UM Athletics and to fund capital reserves. Additional expenditures will cover costs associated with other, non-athletic auxiliary operations. The revenue source will be self-generated funds.

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<b>University of Mississippi FY 2017 Auxiliary Enterprises Budget by Major Object</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$43,172,845	\$(79,143)	\$43,093,702
Travel and Subsistence	8,999,008	(131,075)	8,867,933
Contractual Services	45,913,427	(944,714)	44,968,713
Commodities	15,892,013	184,851	16,076,864
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	2,618,975	(106,900)	2,512,075
Mandatory Transfers	15,682,635	3,950,000	19,632,635
Non-Mandatory Transfers	11,483,565	2,229,000	13,712,565
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$143,762,468</b>	<b>\$5,102,019</b>	<b>\$148,864,487</b>

12. **UMMC** – Pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration PPRB, the Board approved the request to enter into an agreement with Phadia US, Inc. for the purchase of testing equipment, accessories, consumables and service. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment for the annual service fee for years 3 through 5. The purpose of the agreement is to purchase a Phadia® 250 Immunoassay analyzer, along with its associated accessories, consumables, and service. The Phadia® 250 is an automated immunoassay system for allergy and autoimmune testing that will allow higher sample throughput, decreased hands-on time, decreased calibration costs, and allow UMMC to test for Celiac Disease and other disease markers that are currently sent to outside reference laboratories. UMMC has previously contracted with Phadia for the use of the Phadia® 100. However, this model does not support UMMC’s current workload volume and is not designed to allow Celiac testing on the platform. The term of the agreement is for five (5) years- May 4, 2017 through May 3, 2022. The total estimated cost for the five (5) year term is \$664,000 including the purchase of the Phadia® 250 Immunoassay analyzer, freight for the equipment, the associated accessories and consumables, and service plan. The Phadia® 250 analyzer costs \$101,000. The service plan for Years 3-5, plus any needed repair parts and price increase, total approximately \$32,680.63. UMMC has calculated the potential cost of the accessories and consumables to be up to \$523,775, including a 15% annual volume increase and 5% potential annual price increase. The agreement will be funded by patient revenues. The agreement has been reviewed by the Attorney General’s Office and approval is pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration.
13. **UMMC** – Approved the amendment to the current Lease with Soul City Hospitality, LLC for the space known as Store #4 at the Farmer’s Market. The purpose of this amendment is to adjust the rent rate paid to UMMC based on the value of the improvements made to the property by Soul City. This will be a triple-net lease. The improvements initiated by the Soul City were necessary to make the building rentable by UMMC. The term of the agreement remains ten (10) years, February 1, 2017 through January 31, 2027. Beginning May 1, 2017, the monthly rental rate to be paid to UMMC will be reduced from \$3,000 to \$488.31 thereby reducing the total revenue

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generated from leasing the space over the ten (10) year term from \$360,000 to \$66,132.27. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

14. **UMMC** – Approved the request to enter into a service contract for Elevator/Escalator Maintenance (Vertical Transportation) with Kone, Inc. on all its campuses. The purpose will be to ensure safe and efficient operation of vertical transportation on campus and provide consistent routine and preventative maintenance on these assets. The contract term will be for two (2) years beginning from the effective date of the agreement, which is contemplated to be May 1, 2017. The University shall have the option to renew the agreement, at its sole discretion, for up to three (3) additional one (1) year terms by written notice from USM to Contractor, with the first option exercisable on or before sixty (60) days from the end of the initial term and subsequent options exercisable on or before sixty (60) days from the end of any extended one year term, not to exceed three (3) renewals beyond the initial term. The initial two years' fixed maintenance cost will be \$26,995.00 monthly. In the event that renewals are exercised, the costs are estimated to be as follows if the maximum increase is submitted (4 percent per year): First one year renewal term - \$28,074.80 monthly; Second one year renewal term - \$29,197.80 monthly; and Third one year renewal term - \$30,365.70 monthly. The total estimated contract amount if all renewals are executed would be \$1,699,539.55. Payment will be issued based upon receipt of an approved invoice for actual services rendered. General funds shall cover the cost of this service. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE**

15. **ASU** – Approved the initiation of **GS 101-310, New Faculty and Staff Housing**, and the appointment of Architecture South, P.A., as the design professional. The project provides for the planning and construction of approximately 50 units of new faculty and staff housing and related facilities and parking. The initial concept is for housing to consist of approximately 14 townhome structures to be located on undeveloped campus property toward the entry of campus. Consideration will be given to various types of construction; however, the goal of the project will be for an efficient, cost-effective, low maintenance, long-term solution to house faculty and staff on the Lorman campus. The estimated project budget is \$10 million. Funds are available from HB 1729, Laws of 2016 (\$10,000,000).
16. **MSU** – Approved the initiation of **IHL 205-288, New Sound System for Davis Wade Stadium**, and the appointment of Cooke Douglass Farr Lemons Architects, as the design professional. The project will design and contract for a new sound system located in Davis Wade Stadium on the MSU campus. The distance from one end of the stadium to the other causes a delay in the reception of the sound and an echo. The delayed sound is not in sync with the image shown on the video board and therefore needs to be upgraded. The design professional will evaluate the current sound system and determine if any of the current sound system can be reused. The proposed project budget is \$2 million. Funds are available from University Athletic Funds (\$2,000,000).
17. **UM** – Approved the initiation of **IHL 207-433, UM Master Plan – Utilities**. This is an extension of the Master Plan and dovetails with it, but will be carried out by a different design firm with different areas of expertise. All utilities and plant buildings will be considered, where they should be placed, where they are deficient, and how improvements should be made. The results of the plan will form a road map for long-term growth. The planning firm will not be permitted to submit

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for any of the design work that results from the planning effort. The University began its Master Plan in 2009 using the services of Sasaki, Inc. Recently, a comprehensive 5-year update of the original plan was completed. The estimated project budget is \$850,000. Funds are available from Internal R&R (\$850,000).

18. **UM** – Approved the initiation of **IHL 207-434, Chucky Mullins Drive Roundabout**, and the appointment of Bucharth Horn, Inc., as the design professional. The project will include the construction of a roundabout at the intersection of Hathorn Road, Hill Drive, and Chucky Mullins Drive. All four roads leading to the intersection will be cut back 200 feet from the center of the current intersection, all hardscape will be removed, new elevations will be sculpted, and the roundabout will be constructed in this 400' circle. Also, 100 additional feet on each approach will be milled and paved to ease all transition points to existing surfaces. The estimated project budget is \$2.5 million. Funds are available from Internal R&R (\$2,000,085) and MDOT [Federal Aid Project No. STP-0036-00(017) LPA/106379-801000] (\$499,915).
19. **USM** – Approved the appointment of Unabridged Architecture, PLLC + Eskew, Dumez, Ripple, APC, a Joint Venture as the design professionals for **IHL 214-023, Gulf Park Student Resource Center**. The scope of the project will consist of pre-planning for a new Student Resource Center for the USM Gulf Park Campus. The University will return to the Board at a later date to define the scope of the project and raise the budget to reflect more accurate project costs. The estimated project budget is \$300,000. Funds are available from SB 2924, Laws of 2016 (\$300,000) – Budget Contingency Fund.
20. **USM** – Approved the request to modify the funding source for **GS 108-279, Lucas Administration Building Terra Cotta Repairs**, to include the addition of SB 2906, Laws of 2015, in the amount of \$978,155.08. The project budget will not increase. The University is replacing \$837,249.54 of institutional funds and \$140,905.54 of university designated funds in the project with state bond funds. The project is currently in the construction phase. Legislative bond funds from SB 2906, Laws of 2015, are being transferred into the project so the institutional funds that were originally provided into the project can be returned to the university. The project consists of terra cotta repairs, roof repairs, brick repairs and the replacement of HVAC equipment in the Lucas Administration Building. Funds are available from [New Funding Source]-SB 2906, Laws of 2015 (\$978,155.08); SB 3100, Laws of 2011 (\$1,570,788.65); HB 1701, Laws of 2010 (\$38,375.72); HB 1722, Laws of 2009 (\$465,763.85); HB 1641, Laws of 2008 (\$66,267.99); IHL 2007 R&R (\$21,554.25); and University Designated Funds (\$159,094.46).
21. **ASU** – Approved the request to delete from inventory and demolish Mable Henry Lott Apartment Buildings B & C. Buildings B & C, which were constructed in 1961, have been vacant for many years and are now considered to be in a state of disrepair. Removal of these two structures will allow the university to further develop this zone of the campus and make the area aesthetically pleasing to students and campus visitors. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
22. **UMMC** – Approved the request to obtain a temporary construction easement from Resolute Burgers, LLC (Back Yard Burgers) so the contractor on the North State Street crosswalk upgrade project can access the construction area. Resolute Burgers, LLC leases the site from UMMC. This is a six (6) foot wide temporary construction easement situated in the Southwest 1/4 of Section 26, Township 6 North, Range 1 East, City of Jackson, Hinds County, Mississippi. A detailed property description is included in the bound *April 20, 2017 Board Working File*. Grantee shall have the

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full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in the Easement Area and the further right to remove or modify from time to time trees and/or limbs which Grantee considers a hazard to any of Grantee's facilities (to the extent extending into the Easement Area). As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the Easement Area that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Grantee shall pay Grantor for physical damages to Grantor's buildings, other structures and improvements located inside or outside of the Easement Area and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated. Grantor retains the right to use for Grantor's own purposes the Easement Area, but will use reasonable efforts not to interfere with Grantee's use of said Easement Area and other rights granted. The parties acknowledge that Grantor does not own fee simple title to the Easement Property, and Grantor makes no representations or warranties with respect to the Easement Property. This Easement may be executed in multiple parts where there are multiple owners, each of which such multiple parts shall be binding on the party or parties so executing. Notwithstanding anything to the contrary contained in the easement agreement, (i) EMI does hereby agree to reimburse Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities and/or Grantee's activities in the Easement Area; (ii) UMMC does hereby agree to reimburse Grantor for any damage or injury resulting from the negligence of UMMC (or its contractors and agents) relating to the construction or use of Grantee's facilities and/or otherwise related to any activities in the Easement Area. (iii) Grantee shall not damage or modify any improvements outside of the Easement Area; (iv) Grantee shall, prior to the expiration or termination of this Easement, restore all improvements inside of the Easement Area to good, usable condition; and (v) Grantee shall not, at any time, block or impede access to Grantor's property to and/or from North State Street and Grantee shall not interfere with businesses located near the Easement Area except in cases of construction necessity which activities will only take place during non-business hours and only upon 48 hours' notice to Grantor. This Easement shall automatically terminate when the construction is completed or no later than on December 31, 2018, but Grantee's obligations hereunder shall survive such termination. This Easement may be assigned so long as said use is for the purposes set forth in easement agreement, in which event the assignee shall, with Grantee, be jointly-and-severally responsible for the obligations of Grantee hereunder. The easement will automatically terminate when construction is completed or no later than December 31, 2018. The easement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

23. **UMMC** – Approved the request to obtain a permanent easement from Resolute Burgers, LLC (Back Yard Burgers) so the contractor on the North State Street crosswalk upgrade project can install a traffic signal pole. Resolute Burgers, LLC leases the site from UMMC. This is a permanent easement for the location, improvements, repair, construction, reconstruction, operation, inspection, patrol, replacement, removal and maintenance of a traffic signal, traffic signal arms, supporting infrastructure, controller and a power service panels, pedestrian signal poles, and other equipment, structures, material, and appurtenances over, across, under or on an eight (8) foot wide tract of land located in the southeast corner of the land leased by Grantor in the City of Jackson, County of Hinds, State of Mississippi and described as follows, to wit (the "Easement Area"). The permanent easement is situated in the Southwest 1/4 of Section 26, Township 6 North, Range 1 East, City of Jackson, Hinds County, Mississippi. A detailed property

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description is included in the bound *April 20, 2017 Board Working File*. Grantee shall have the full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in the Easement Area and the further right to remove or modify from time to time trees and/or limbs which Grantee considers a hazard to any of Grantee's facilities (to the extent extending into the Easement Area). As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the Easement Area that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Grantee shall pay Grantor for physical damages to Grantor's buildings, other structures and improvements located inside or outside of the Easement Area and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated. Grantor retains the right to use for Grantor's own purposes the Easement Area, but will use reasonable efforts not to interfere with Grantee's use of said Easement Area and other rights granted. The parties acknowledge that Grantor does not own fee simple title to the Easement Property, and Grantor makes no representations or warranties with respect to the Easement Property. This Easement may be executed in multiple parts where there are multiple owners, each of which such multiple parts shall be binding on the party or parties so executing. Notwithstanding anything to the contrary contained in the easement agreement, (i) Grantee does agree to reimburse Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities and/or Grantee's activities in the Easement Area; (ii) Grantee shall not damage or modify any improvements outside of the Easement Area; (iii) Grantee shall, no later than December 31, 2018, restore all improvements inside of the Easement Area to good, usable condition; and (iv) Grantee shall not, at any time, block or impede access to Grantor's property to and/or from North State Street, except in cases of construction necessity which activities will only take place during non-business hours and only upon 48 hours' notice to Grantor, and Grantee shall not interfere with businesses located near the Easement Area. This Easement may be assigned so long as said use is for the purposes set forth in easement agreement, in which event the assignee shall, with Grantee, be jointly-and-severally responsible for the obligations of Grantee hereunder. The Lease with Resolute Burgers, LLC is scheduled to terminate May 15, 2022. Following the end of the lease, the easement will merge with UMMC's title. The easement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

24. **USM** – Approved the request to delete from inventory and demolish Building #853, a residential house located at 217 N35th Avenue, Hattiesburg, MS. The house is no longer in use and is in disrepair. The vacant lot where the house will be demolished will be used by the university for parking and/or future expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

**LEGAL**

25. **MSU** – Approved the request to modify a contract with Brown & Langston, formerly Julie W. Brown, to provide legal services necessary in assisting the University with real estate matters. This Modification #5 will extend the term of the contract for one (1) year or through May 16, 2018. The hourly rate under the contract shall remain \$165 per hour with the total amount payable during the extension period not to exceed \$10,000. All other provisions of the Agreement for Legal

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Services dated May 17, 2012, shall remain in effect. The Modification has been reviewed and approved by the Office of the Attorney General.

26. **MSU** – Pending approval by the Attorney General’s Office, the Board approved the request to enter into a legal services contract with Gian Franco Borio, of Via Finlandia 20, 50126 – Florence, Italy, to provide services necessary in registration with the Italian Ministry of Education to allow the University to conduct educational programs throughout Italy. The cost for services provided will be \$8,992.00, to be billed in three stages, as specifically set out in the contract for legal services, in addition to reimbursable expenses not to exceed \$8,500.00. The total amount payable under the contract shall not exceed \$17,492.00. The term of this contract shall be one (1) year upon approval by the Board.
27. **MSU** – Approved the request to modify a contract with Mendelsohn Dunleavy, P.C., to perform legal services necessary in the practice area of intellectual property and specifically concerning the filing and prosecution of patent applications. Modification #1 will extend the term of the contract for one (1) year from the current termination date of April 30, 2017, until April 30, 2018. The firm will continue to provide legal representation at hourly rates ranging from \$195 to \$325 for attorneys and \$100 per hour for paralegals with a maximum amount payable under this extension period of \$75,000.00. All other provisions of the Contractual Agreement for Legal Services effective May 1, 2016, shall remain in effect. This Modification has been reviewed and approved by the Office of Attorney General.

**PERSONNEL REPORT**

28. **EMPLOYMENT**

**Alcorn State University**

*(Rehired retirees making more than \$20,000 who are on contract during FY 2017)*

- Dr. Josephine Posey; former position: Vice President for Academic Affairs; re-employment position: ASU History Research Associate; re-employment period: July 1, 2016 to June 30, 2017; Title III Funds; salary of \$62,500 per annum, pro rata;
- Jimmy Smith; former position: Registrar; re-employment position: Banner Consultant; re-employment period: April 1, 2017 to September 30, 2017; Title III Funds; salary of \$30,000 per annum, pro rata

**Mississippi State University**

- Eric Moyan, Associate Professor and Head, Educational Leadership, salary of \$125,000 per annum, pro rata, E&G Funds; 12 month, **hired with tenure**, effective July 1, 2017

29. **TENURE**

**Mississippi State University**

*[Tenure and Promotions (where noted) – For nine-month contracts, effective August 16, 2017 and for twelve-month contracts, effective July 1, 2017]*

- Derek Anderson, Assistant Professor promoted to Associate Professor with Tenure, Department of Electrical and Computer Engineering



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- Joanne Beriswill, Assistant Professor promoted to Associate Professor with Tenure, Department of Instructional Systems & Workforce Development
- Cindy Bethel, Associate Professor granted Tenure, Department of Computer Science & Engineering
- Marion Evans, Professor granted Tenure, Department of Food Science Nutrition and Health Promotion (12-month contract)
- Nicholas Fitzkee, Assistant Professor promoted to Associate Professor with Tenure, Department of Chemistry
- Alison Greene, Assistant Professor promoted to Associate Professor with Tenure, Department of History
- Wendy Herd, Assistant Professor promoted to Associate Professor with Tenure, Department of English
- Federico G. Hoffman, Assistant Professor promoted to Associate Professor with Tenure, Department of Biochemistry, Molecular Biology, Entomology & Plant Pathology
- Chuo Li, Assistant Professor promoted to Associate Professor with Tenure, Department of Landscape Architecture
- Dominic Lippillo, Assistant Professor promoted to Associate Professor with Tenure, Department of Art
- Florencia Meyer, Assistant Professor promoted to Associate Professor with Tenure, Department of Biochemistry, Molecular Biology and Plant Pathology
- Timothy Morgan, Associate Professor promoted to Professor with Tenure, Department of Pathobiology and Population Medicine (12-month contract)
- Julia Osman, Associate Professor granted Tenure, Department of History
- William Riehm, Assistant Professor promoted to Associate Professor with Tenure, Department of Interior Design
- Mohammad Sepehrifar, Assistant Professor promoted to Associate professor with Tenure, Department of Math & Statistics
- Andrea Spain, Assistant Professor promoted to Associate Professor with Tenure, Department of English
- William P. Spurlin, Assistant Professor promoted to Associate Professor with Tenure, Meridian Campus Division of Business
- Tonya Stone, Assistant Professor promoted to Associate Professor with Tenure, Department of Mechanical Engineering
- Angelle Tanner, Assistant Professor promoted to Associate Professor with Tenure, Department of Physics & Astronomy
- Justin Thornton, Assistant Professor promoted to Associate Professor with Tenure, Department of Biological Sciences
- Bradley Trinkle, Assistant Professor promoted to Associate Professor with Tenure, School of Accountancy
- Penny Wallin, Assistant Professor promoted to Associate Professor with Tenure, Meridian Campus Division of Education
- Byron J. Williams, Assistant Professor promoted to Associate Professor with Tenure, Department of Computer Science & Engineering

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- Joseph Witt, Assistant Professor promoted to Associate Professor with Tenure, Department of Philosophy & Religion
- Jonathan Woody, Assistant Professor promoted to Associate Professor with Tenure, Department of Math & Statistics
- Molly Zuckerman, Associate Professor granted Tenure, Department of Anthropology & Middle Eastern Cultures

**Mississippi Valley State University**

- Dr. Jinglong Ye, *promotion* to Associate Professor, Department of Mathematics, Computer, and Information Science; nine-month contract; effective August 14, 2017

30. **EMERITA/EMERITUS STATUS**

**Delta State University**

- Ms. Patsy Burchfield, Assistant Emeritus to the Provost, Office of Academic Affairs; effective May 6, 2017
- Ms. Marcia Lishman, Coordinator Emeritus of Computer Services and Transcript Clerk Emeritus, Office of the Registrar; effective May 6, 2017
- Mr. Ronald Koehler, Chair Emeritus for Department of Art and Professor Emeritus of Art, Department of Art; effective May 6, 2017
- Dr. Dorothy Louise Seals, Associate Professor Emeritus of Nursing, Robert E. Smith School of Nursing; effective May 6, 2017

**Jackson State University**

- Dr. Maria Luisa Alvarez Harvey, Professor Emerita of English and Modern Foreign Languages; effective May 1, 2017

**ACADEMIC AFFAIRS**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **STATE** – Approved for first reading the proposed revisions to the Mississippi Nursing Degree Programs Accreditation Standards as follows:

**STANDARD IV: CURRICULUM**

The curriculum prepares students to achieve the expected outcomes of the nursing program, facilitates nursing practice that reflects the needs of the community of interest and is consistent with safe practice and contemporary healthcare environments.

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1. National Standards
  - a. ACEN  
Standard 4: Curriculum
  - b. CCNE  
Standard II: Program Quality: Institutional Commitment and Resources  
Standard III: Program Quality: Curriculum and Teaching-Learning Practices
  
1. State Specific Requirements
  - a. Undergraduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 10 to 1 for clinical laboratory courses that require direct supervision.
    3. No more than 15 to 1 for those courses that do not require direct supervision (i.e. precepted experiences).
  - b. Graduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 15 to 1 in graduate clinical courses.
    3. No more than 2 to 1 for advanced practice clinical courses that require direct supervision.
    4. No more than 6 to 1 for advanced practice clinical courses that do not require direct supervision (i.e. precepted experiences).
  - c. Undergraduate Simulation Clinical Hours:
    1. 25% or less of traditional clinical hours substituted with simulation clinical hours in each individual clinical course does not require approval.
    2. 26% up to 50% of traditional clinical hours substituted with simulation clinical hours in each individual clinical course requires approval.
    3. No more than 50% of traditional clinical hours can be substituted with simulation clinical hours in each individual clinical course.
  
2. **SYSTEM** – Approved the academic unit modifications as follows:  
**Reorganization**
  - a. **UM** – Reorganize two separate divisions: Center for Inclusion and Cross Cultural Engagement and McLean Institute for Public Service and Community Engagement and William Winter Institute for Racial Reconciliation to the Division of Diversity and Community Engagement. The proposed unit will support academic partners interested in effective outreach, recruitment and retention strategies for faculty from under-represented groups; develop and coordinate programs to increase student awareness of local, regional, national and global contexts that shape their world; support initiatives and services that enhance and increase access and affordability to under-represented students; and, work with campus partners to monitor and/or alter the campus culture to ensure that diverse students feel supported and welcomed. The unit will support and help develop strong collaborations with the Oxford-Lafayette community. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.
  - b. **UMMC** – Reorganize the Department of Dental Hygiene by moving the department from the UMMC School of Health Related Professions to the UMMC School of Dentistry. The dental hygiene program (DH) has been a part of the UMMC School of Health Related Professions (SHRP) since its inception in 1970. The School of Dentistry’s (SOD) doctor of dental medical (DMD) program began in 1975. Since 1995, the DH program has utilized clinical and pre-clinic laboratory space in the SOD facility while maintaining a fully independent program. Both programs have experienced prolonged success in graduation

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rates and successful passage of licensure board examinations as independent programs; however, patient care has been separate. DH programs at the Academic Health Science Center in the SOC will maximize education opportunities for DH and DMD students and will provide optimum patient care. They will provide opportunities for both academic programs to work together to improve the oral health of citizens throughout the state and will raise the level of education for both the DMD and DH students. The budget for the dental hygiene program will remain within UMMC; therefore, this reorganization anticipates minimal financial impact.

**Rename**

- c. **DSU** – Rename the College of Business the College of Business and Aviation. The College of Business Administrative Leadership Team (COBALT) proposes an expanded name for the College that more accurately reflects the range of preparation available to candidates enrolled in the varied programs within the College. The cost of implementation will be minimal to cover signage.
- d. **JSU** – Rename the W.E.B. DuBois Honors College to the W.E.B. DuBois and Maria Luisa Alvarez Harvey Honors College. JSU submits this request to honor Dr. Harvey’s legacy, the 50 years of academic contributions to the University, and the infinite vision, devotion and determination used to build JSU’s honors program. Through Dr. Harvey’s efforts more than 2600 students have been enrolled in the W.E.B. DuBois Honors College since its inception. There is tremendous faculty, staff, and student support for this proposed change. The cost of the renaming will be minimal (signage, stationary) and will be covered with current resources.
- e. **UMMC** – Rename the MIND Research Center the Gertrude C. Ford MIND Research Center. The Gertrude C. Ford Foundation provided the MIND Center at UMMC with an unrestricted monetary gift of \$10,000,000.00 to support its research efforts. In recognition of their gift, it is proposed that the MIND Research Center’s name will be changed to the Gertrude C. Ford MIND Research Center. The cost of implementation will be minimal to cover signage.
- f. **UMMC** – Rename the UMMC School of Population Health the John D. Bower School of Population Health at UMMC. The request is being made to honor John D. Bower, MD, a noted nephrologist and UMMC professor emeritus of medicine with a distinguished record of patient care advocacy in Mississippi. The naming of the School is in recognition of the pioneering efforts and accomplishments of Dr. Bower as an early pioneer of population health management in clinical practice. The cost of implementation will be \$500.00 for printing and branding changes.

**Delete**

- g. **MUW** – Delete the College of Education and Human Sciences. The departments within the College of Education and Human Sciences will remain intact but will be relocated to other colleges. The Department of Education and the Department of Psychology and Family Studies will move to the College of Arts and Sciences. The Department of Health and Kinesiology will move to the College of Nursing and Speech-Language Pathology. The General Studies programs will move from the Department of Health and Kinesiology to the Department of Business in the College of Business and Professional Studies. This

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will not affect the mission of the institution or the role of the academic programs in fulfilling the mission of the institution.

- h. **UMMC** – Delete the Department of Dental Hygiene (DH). The School of Health Related Professions (SHRP) at UMMC is requesting the deletion of the Department of Dental Hygiene. The decision to relocate the department to the School of Dentistry was based on the need to promote collaboration between the Dental Hygiene and the School of Dentistry. **(THIS ITEM WAS MOVED FROM THE ACADEMIC AFFAIRS CONSENT AGENDA.)**

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Regular Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Pickering, seconded by Trustee Star, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by Trustee Pickering, seconded by Trustee Star, all Trustees legally present and participating voted unanimously to approve agenda item #6. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #7. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #8.

1. **SYSTEM** - Approved for final reading the proposed new Board Policy Section 713 Institutional Financial Sustainability. **(See Exhibit 1.)**
2. **SYSTEM** – Approved the overview of the FY 2018 appropriations from the Legislature and the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center. **(See Composite Exhibit 2.)**
3. **SYSTEM** – Approved for final reading of the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2018. **(See Composite Exhibit 3.)** The Board approval the final reading of the proposed increases in room and board rates for Alcorn State University and Mississippi Valley State University. **(See Exhibit 4.)** The Board waived the requirement of Board Policy 702.04 (C) Consideration of Requests, for a 30-day review of the requested increases in tuition, room and board rates before a final vote is taken at a subsequent meeting.
4. **SYSTEM** – Approved the request that any FY 2018 salary increases should be based on one or more of the following: 1) meritorious performance, 2) market or equity adjustments, and 3) faculty/staff 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).

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These salary guidelines will apply to all university employees regardless of funding source or types of increases awarded.

5. **MSU** – Approved the bond resolution authorizing the issuance of bonds, through the Mississippi State University Building Corporation (MSUEBC), not to exceed \$32 million. The loan term will not exceed 30 years. Funds will be used to help finance the Addition and Renovation to Dudy Noble Field-Polk DeMent Stadium. Total project funding is \$55 million (\$30 million from MSUEBC and \$25 million from MSU Foundation/Athletics/Bulldog Club). The following professionals have been approved: First Southwest, financial advisor; Jones Walker, LLP, bond counsel; and Morgan Stanley & Company, LLC and Raymond James & Associates, Inc, underwriters. Bond counsel will be compensated at \$1.15 per \$1,000. MSU is expecting to issue up to a maximum of \$32,000,000 par value in fixed rate bonds. Proceeds from the bond issue will support the project fund (\$30 million), capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated January 10, 2017, the proposed debt amortization will have an average annual debt payment of \$2,132,232 at an expected true interest cost of 5.05 percent. Taxable and tax-exempt options will both be considered. Funds are available from various Athletic revenues, including annual seat donations, capital gift agreements, philanthropic Athletic gifts, and other internally generated Athletic revenues. The bond resolution and form of bond documents have been reviewed and approved by the Attorney General's office prior to the Board's approval of this item.
6. **MUW** – Approved the amendment of an existing professional services agreement with Sodexo Management, Inc. (Sodexo) to provide dining and catering management services for its food service operations and to manage and operate vending operations for MUW's students, faculty, staff, and guests. This is a five (5) year contract beginning June 1, 2017 through May 31, 2022. The contract is subject to renewal for an additional five (5) year term upon mutual agreement of the parties and subject to IHL Board approval. This revenue contract is projected to provide a total of \$527,265 over the five (5) year life of the agreement. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **UMMC** – Approved the request to enter into an agreement with Stryker Craniomaxillofacial, a division of Stryker Sales Corporation, for the purchase of maxillofacial implants, instrumentation and supplies used in adult and pediatric surgical procedures. This agreement will allow UMMC to purchase and consign maxillofacial (midface and mandible) implants, instrumentation, and supplies used in trauma and elective surgical procedures for adult and pediatric patients. The consignment option under the Agreement will allow for the maxillofacial implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by using Stryker and no more than one (1) additional vendor to provide the maxillofacial Fixation products (Purchase Commitment). The term of the agreement is for three (3) years beginning on or about May 1, 2017 through April 30, 2020. The estimated total contract amount over the three (3) year term is \$4,320,070.55, based upon historical spend on maxillofacial implants, instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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8. **UMMC** – Approved the request to enter into an agreement with Zimmer Biomet CMF & Thoracic, LLC for the purchase of craniomaxillofacial implants, instrumentation and supplies used in adult and pediatric surgical procedures. The agreement will allow UMMC to purchase and consign craniomaxillofacial implants, instrumentation, and supplies used in trauma and elective surgical procedures for adult and pediatric patients. The consignment option under the Agreement will allow for the craniomaxillofacial implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by submitting a quarterly written statement confirming Zimmer Biomet as one of two vendors to provide maxillofacial devices and as one of two vendors to provide neuro devices (Dual Vendor Award). The term of the agreement is for three (3) years beginning on or about May 1, 2017 and ending April 30, 2020. The estimated total contract amount over the three (3) year term is \$7,200,117.55, based upon historical spend on craniomaxillofacial implants, instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

By consensus, agenda items #1 and #2 were moved to the Executive Session Agenda for consideration. On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #3.

1. **UMMC** – Settlement of Tort Claim No. 1903. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
2. **UMMC** – Settlement of Tort Claim No. 3081. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
3. **SYSTEM** – Approved for first reading of the modifications to Board Policy 301.01 Officers of the Board. **(See Exhibit 5.)**

**ADMINISTRATION/POLICY**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee McNair, seconded by Trustee Smith, all Trustees legally present and participating voted unanimously to approve agenda item #1. On motion by Trustee McNair, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **UMMC** – Approved the revised patent and invention policies and procedures. A copy of this document is included in the bound *April 20, 2017 Board Working File*.
2. **SYSTEM** – Approved the re-appointment of Dr. Al Rankins, President of Alcorn State University, to the Postsecondary Educational Financial Assistance Board as the institutional

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representative for the IHL Board of Trustees to serve a four-year term beginning July 2, 2017 and ending June 30, 2021.

**INFORMATION AGENDA**  
Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Master Agreement between UMMC and Abbott Molecular, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.
2. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Chronic Outpatient Therapy Agreement between UMMC and NxStage Medical, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.
3. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Sales Agreement between UMMC and One Lambda, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.

**REAL ESTATE**

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the March 16, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 6.)

**LEGAL**

5. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 7.)

**ADMINISTRATION/POLICY**

6. **SYSTEM** – 2017 Spring Commencement Schedules  
Alcorn State University

Time/Date: 8:30 a.m., Saturday, May 6, 2017  
Location: Davey L. Whitney Health and Physical Education Complex  
Speaker: Mr. Alton “Jay” Harris, ESPN *SportsCenter* Anchor



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**Delta State University**

Time/Date: 10:00 a.m. and 2:00 p.m., Saturday, May 6, 2017  
Location: Bologna Performing Arts Center  
Speaker: Mrs. Ann Lamar, Mississippi Board of Trustees of State Institutions of Higher Learning and former state Supreme Court Justice

**Jackson State University**

*Graduate Commencement Exercises*

Time/Date: 6:00 p.m., Friday, April 28, 2017  
Location: Lee E. Williams Athletics and Assembly Center  
Speaker: Mr. Mike Espy, Secretary Mike Espy, Attorney Shareholder in Morgan & Morgan PA, and Principal of Mike Espy PLLC, and AE Agritrade, Inc.

*Undergraduate Commencement Exercises*

Time/Date: 8:00 a.m., Saturday, April 29, 2017  
Location: Mississippi Veterans Memorial Stadium  
Speaker: Mr. DeMarco Morgan, CBS News Correspondent

**Mississippi State University**

*Meridian Campus*

Time/Date: 11:00 a.m., Friday, May 5, 2017  
Location: Riley Center  
Speaker: Dr. Andrea Mayfield, Executive Director, Mississippi Community College Board

*Starkville Campus*

*Bagley College of Engineering; College of Veterinary Medicine; College of Agriculture and Life Sciences; College of Forest Resources; College of Education*

Time/Date: 7:00 p.m., Friday, May 5, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. LouAnn Woodward, Vice Chancellor for Health Affairs, University of Mississippi Medical Center

*College of Arts and Sciences; College of Business; College of Architecture, Art and Design*

Time/Date: 10:00 a.m., Saturday, May 6, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. LouAnn Woodward, Vice Chancellor for Health Affairs, University of Mississippi Medical Center

**Mississippi University for Women**

Time/Date: 10:00 a.m., Saturday, May 13, 2017  
Location: Rent Auditorium, Whitfield Hall  
Speaker: The Honorable Tate Reeves, Lieutenant Governor, State of Mississippi

Time/Date: 2:00 p.m., Saturday, May 13, 2017  
Location: Rent Auditorium, Whitfield Hall  
Speaker: The Honorable Sally Doty, Mississippi State Senate

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**Mississippi Valley State University**

Time/Date: 8:00 a.m. and 11:00 a.m., Saturday, May 6, 2017  
Location: R. W. Harrison Health, Physical Education, and Recreation (HPER) Complex  
Speaker: Dr. Claude G. Perkins, President, Virginia Union University

**The University of Mississippi**

Time/Date: 9:00 a.m., Saturday, May 13, 2017  
Location: The Grove  
Speaker: Mr. Jon Meacham, Pulitzer Prize-Winning Author and Renowned Presidential Historian

**The University of Mississippi Medical Center**

Time/Date: 10:00 a.m., Friday, May 26, 2017  
Location: Mississippi Coliseum  
Speaker: No Speaker

**The University of Southern Mississippi**

Time/Date: 9:00 a.m. and 3:00 p.m., Friday, May 12, 2017  
Location: Reed Green Coliseum, Hattiesburg, MS  
Speaker: Mr. James S. Franks, Senior Research Scientist, Gulf Coast Research Laboratory

Time/Date: 10:00 a.m., Saturday, May 13, 2017  
Location: Mississippi Coast Coliseum, Biloxi, MS  
Speaker: Mr. James S. Franks, Senior Research Scientist, Gulf Coast Research Laboratory

7. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
- a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On March 8, 2017, Commissioner Glenn F. Boyce approved the lease agreement with the East Mississippi Center for Educational Development for approximately 552 square feet of combined office space at MSU – Meridian College Park Campus. The initial term of the lease was for one year—July 1, 2016 through June 30, 2017—with an option to renew annually for up to five years with a 4% per annum increase payable on July 1 of each subsequent year. The term of the current renewal period is one year beginning July 1, 2017 at the 4% increased annual rate of \$7,117 to be prepaid on July 1. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 4, 2017, Commissioner Glenn F. Boyce approved the second amendment to the lease agreement with the Gamma Upsilon House Corporation and Gamma Upsilon Chapter of Sigma Chi Fraternity in order to amend the property description. All other provisions of the existing lease agreement and its first amendment remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- c. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 24, 2017, Commissioner Glenn F. Boyce approved the lease addendum to the lease agreement between the University of Mississippi/Board of Trustees of State Institutions of Higher Learning and the Mississippi Alpha Phi House Corporation of Alpha Phi International Fraternity, Inc. The addendum modifies the property description. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On March 8, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Camellia Pharmacy Services, LLC d/b/a Infusion Plus to lease a Computerized Ambulatory Drug Delivery IV pump(s) and to prepay same in accordance with the lease terms. The term of the contract is three years beginning on the commencement date of the first treatment period, which is anticipated to begin March 5, 2017, and will expire on June 31, 2020, at a total cost of \$5,041.08. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On March 8, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Taylor Holdings, Inc. for the lease of approximately 2,475

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square feet of temporary clinic space located at 313 Court Avenue, Louisville, Winston County, MS for use by the UMMC Department of Dermatology and to prepay same in accordance with the lease terms. The initial term for the lease is for one year beginning March 1, 2017 at a cost of \$2,500 per month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- f. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 24, 2017, Commissioner Glenn F. Boyce approved the lease agreement with the Mississippi Fair Commission for the lease of the Mississippi Coliseum in which to hold UMMC’s 2017 commencement ceremony. The term of the lease is for three days from May 24, 2017 through May 26, 2017 at a cost of \$7,500 for the facility, including ancillary table/chair costs. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- g. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On March 24, 2017, Commissioner Glenn F. Boyce approved the lease agreement with INSLAW Properties, LLC for approximately 550 square feet of office space at a cost of \$700 per month to be prepaid on or before the 15<sup>th</sup> day of each month. The term of the lease is one year beginning April 1, 2017 with the option for two consecutive one-year extension periods. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- h. **USM** – In with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 8, 2017, Commissioner Glenn F. Boyce approved the lease agreement with BioSoil Enhancers, Inc. for approximately 456 square feet of laboratory and office space within USM’s Innovation and Commercialization Accelerator building. The rent to be paid to USM is \$11,400 annually to be paid in quarterly installments and the initial term of the lease is for one year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **SYSTEM** – On March 2, 2017, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which list all hires and all separations for the period beginning October 1, 2016 and ending December 31, 2016. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive

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Office financial staff has reviewed and approved the institutions' FY17 Q2 submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

**ANNOUNCEMENTS**

- President Rouse announced the next Board meeting will be held May 18, 2017 at the IHL Board Office.
- President Doug Rouse passed the gavel to President-Elect C.D. Smith. Trustee Smith will begin his term as president on May 8, 2017. Trustee Smith presented a plaque to President Rouse in appreciation for his service as Board President.

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, April 19, 2017

The meeting was called to order by Chairman Ford Dye at approximately 12:00 p.m. in the Board Room of the Norman C. Nelson Student Union at the University of Mississippi Medical Center. The following items were discussed.

1. Communication – The Committee discussed how information is communicated to the trustees by the University of Mississippi Medical Center.
2. Future Wellness Presentation – In the near future, UMMC will provide a presentation on the status of the wellness centers.
3. Epic Community Connect - UMMC reported on upcoming contacts related to the Epic software which handles the electronic health records system.
4. CMAR – The Committee discussed a request to enter into an agreement with Brasfield & Gorrie, L.L.C. for the provision of construction manager at risk (CMAR) services for the Children's of Mississippi Expansion Project. **No action was taken.**

**5. Executive Session**

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

Discussion of two prospective leases of real property, a prospective litigation matter; and strategic plans of a public hospital.

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

The Committee discussed a prospective litigation matter. **No action was taken.**

The Committee discussed a prospective lease of real property. **No action was taken.**

The Committee discussed strategic plans of a public hospital. **No action was taken.**

The Committee discussed a prospective lease of real property. **No action was taken.**

**On motion by Trustee Pickering, seconded by Trustee Smith, with Trustee Morgan absent and not voting, all Committee Members legally present and participating voted unanimously to return to Open Session.**

6. Adjournment – On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred McNair, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Mr. Chip Morgan was absent.

**EXECUTIVE SESSION**

On motion by Trustee McNair, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Smith, seconded by Trustee Star, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a two prospective litigation matters at a state university.

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

On motion by Trustee McNair, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1903 styled as *Sherun Hill vs. UMMC, et al.*, as recommended by counsel.

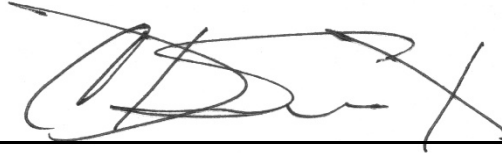
On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating deliberated over and then voted unanimously to approve the settlement of Tort Claim No. 3081 styled as *Leah N. Ledford vs. UMMC, et al.*, as recommended by counsel.

**On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 20, 2017**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Smith, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 20, 2017**

**EXHIBITS**

- Exhibit 1 Proposed amendments to Board Policy 713 Institutional Financial Sustainability for final reading.
- Composite Exhibit 2 FY 2018 appropriations and final appropriation allocation.
- Composite Exhibit 3 Final approval of the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2018.
- Exhibit 4 Proposed increases to the Room and Board rates for Alcorn State University and Mississippi Valley State University for final approval.
- Exhibit 5 Proposed amendments to Board Policy 301.01 Officers of the Board for first reading.
- Exhibit 6 Real Estate items that were approved by the IHL Board staff subsequent to the March 16, 2017 Board meeting.
- Exhibit 7 Report of the payment of legal fees to outside counsel.



# EXHIBIT 1

April 20, 2017

## SYSTEM – REQUEST APPROVAL FOR FINAL READING OF PROPOSED NEW BOARD POLICY SECTION 713 – INSTITUTIONAL FINANCIAL SUSTAINABILITY

### 713.01 – STATEMENT OF PURPOSE FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY

The mission of the Board of Trustees includes the fiscal management of the institutions of higher learning in Mississippi in order to see that the mission of the IHL System is accomplished. The Board of Trustees finds that this includes providing financial guidance and oversight so that the core functions of instruction, public service, and research can be accomplished in a financially sustainable manner for the long term benefit of Mississippi. Furthermore, while the Board has authority to manage institutional resources across institutions, the Board finds that it is in the best interest for each institution to operate within the resources available at the institution per Board Policy 301.0801(B). While many new opportunities to serve students, citizens, and patients arise from time to time, the Board wishes to ensure that each institution engages these opportunities from positions of financial sustainability. Therefore, the Board outlines in this section general guidelines for financial policy to be carried out by the Commissioner in coordination with Institutional Executive Officers to ensure that sustainable institutions continue to serve the state of Mississippi.

### 713.02 – ANNUAL BUDGET PLANNING

The Board of Trustees approves the Annual Operating Budget for each institution annually along with related escalations. Prior to the Board approving the Annual Operating Budget, the Institutional Executive Officer shall review the financial condition of the institution based on the most recent version of the Institutions of Higher Learning Financial Ratios. Upon review of an institution's financial condition, the Commissioner of Higher Education shall arrange a meeting with Institutional Executive Officers to obtain a basis to recommend approval of an institution's budget to the Board of Trustees in accordance with financially sustainable objectives. The Commissioner of Higher Education may recommend financial targets that take into account the size, mission, and current financial condition of the institution. These recommendations should be appropriate to the current financial capacity of the institution. Management of the institution for financial sustainability, including possible recommendations by the Commissioner of Higher Education, shall be a component of the Institutional Executive Officer's evaluation by the Commissioner and Board of Trustees as set out in Board Policy 301.0802.

# EXHIBIT 1

April 20, 2017

## 713.03 – MINIMUM CRITERIA FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY

The minimum criteria for institutional financial sustainability shall cover the following areas: adequate financial reserves, adequate liquidity, and adequate coverage of annual debt payments. These ratios shall be prepared using annually audited accounting statements prepared under Governmental Accounting Standards Board guidelines and calculated in the manner prescribed in the most recent version of the Institutions of Higher Learning Financial Ratios. During Annual Budget Planning, the Commissioner of Higher Education may recommend target ratios to Institutional Executive Officers that address the current financial condition of institutions.

## 713.04 – MAJOR PROJECTS AND ENCUMBRANCES AND INSTITUTIONAL FINANCIAL SUSTAINABILITY

Because the Board of Trustees must maintain financially sustainable institutions, the Board may elect to postpone consideration of projects or activities that involve major commitments of expenditures or debt burden when an institution fails to meet the minimum criteria for institutional sustainability.

# COMPOSITE EXHIBIT 2



## FY 2018 Education & General (Campus Funds)

<b>Institution</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>Difference</b>	<b>Percent</b>
Alcorn State University	\$20,560,479	\$18,486,046	(\$2,074,433)	-10.09%
Delta State University	\$22,059,891	\$19,904,002	(2,155,889)	-9.77%
Jackson State University	\$39,624,655	\$35,692,729	(3,931,926)	-9.92%
Mississippi State University	\$96,299,366	\$86,997,453	(9,301,913)	-9.66%
Mississippi University for Women	\$16,539,577	\$14,870,323	(1,669,254)	-10.09%
Mississippi Valley State University	\$14,198,138	\$12,749,433	(1,448,705)	-10.20%
University of Mississippi	\$85,327,731	\$76,956,978	(8,370,753)	-9.81%
University of Southern Mississippi	\$81,365,387	\$73,408,511	(7,956,876)	-9.78%
<b>Subtotal</b>	<b>\$375,975,224</b>	<b>\$339,065,475</b>	<b>(\$36,909,749)</b>	<b>-9.82%</b>

# COMPOSITE EXHIBIT 2



## FY 2018 Separately Budgeted Units

	<b>FY 2017</b>	<b>FY2018</b>	<b>Change</b>	<b>Percent</b>
Student Financial Aid	\$38,752,077	\$37,661,346	(\$1,090,731)	-2.81%
University of Mississippi Medical Center	180,777,700	157,860,985	(22,916,715)	-12.68%

# COMPOSITE EXHIBIT 2



## FY 2018 Agricultural Programs

<b>Program</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>Change</b>	<b>Percent</b>
ASU Agricultural	\$6,682,990	\$6,190,694	(\$492,296)	-7.37%
Agricultural & Forestry Experiment Station	24,445,782	22,568,946	(1,876,836)	-7.68%
Mississippi Cooperative Extension	31,567,507	29,198,086	(2,369,421)	-7.51%
Forest & Wildlife Research Center	6,486,314	5,608,385	(877,929)	-13.54%
College of Veterinary Medicine	18,776,769	17,216,407	(1,560,362)	-8.31%
Agricultural Total	\$87,959,362	\$80,782,518	(\$7,176,844)	-8.16%

# COMPOSITE EXHIBIT 2



## FY 2018 Subsidiary Programs

Inst.	Subsidiary	FY 2017	FY 2018	Change	Percent
Board	Executive Office	\$6,911,873	\$6,693,640	(\$218,233)	-3.16%
JSU	Urban Research Center	473,100	448,580	(24,520)	-5.18%
MSU	Advanced Vehicular Studies	4,764,455	4,426,458	(337,997)	-7.09%
MSU	State Chemical Laboratory	2,137,932	1,601,638	(536,294)	-25.08%
MSU	Water Resources Research Institute	382,118	357,031	(25,087)	-6.57%
MSU	Stennis Institute	834,586	750,929	(83,657)	-10.02%
UM	Law Research Institute	836,238	778,882	(57,356)	-6.86%
UM	Mineral Resources Institute	366,033	336,795	(29,238)	-7.99%
UM	Research Inst. of Pharmaceutical Sciences	3,271,893	3,058,808	(213,085)	-6.51%
UM	Supercomputer	680,430	631,560	(48,870)	-7.18%
UM	Small Business Center	270,696	245,641	(25,055)	-9.26%
UM	Center for Manufacturing Excellence	2,689,905	2,567,961	(121,944)	-4.53%
UM	State Court Education Program	1141065	1,574,512	433,447	37.99%
USM	Mississippi Polymer Institute	637,113	587,625	(49,488)	-7.77%
USM	Gulf Coast Research Laboratory	8,526,028	7,720,791	(805,237)	-9.44%
USM	Stennis Center	333,306	311,564	(21,742)	-6.52%
External (Non-IHL)	Volunteer Commission	750,000	662,657	(87,343)	-11.65%
	<b>Total</b>	<b>\$35,006,771</b>	<b>\$32,755,072</b>	<b>\$ (2,251,699)</b>	<b>-6.43%</b>

# COMPOSITE EXHIBIT 2



## FY 2018 Capital Expense Funds

Budget	FY 2017	FY 2018	Change	Percent
ASU	\$484,443	\$ -	(\$484,443)	-100%
DSU	458,006	-	(458,006)	-100%
JSU	1,800,000	-	(1,800,000)	-100%
MSU	2,594,557	-	(2,594,557)	-100%
MUW	375,879	-	(375,879)	-100%
MVSU	382,974	-	(382,974)	-100%
UM	3,159,302	-	(3,159,302)	-100%
USM	1744839	-	(1,744,839)	-100%
Total	\$11,000,000	\$ -	(\$11,000,000)	-100%

# COMPOSITE EXHIBIT 3



## FY 2018 Resident Tuition Revised Request

Institution	Approved	Revision Requested	
	FY 2018	FY 2018	Change
ASU	\$6,710	\$6,878	\$168
DSU	6,613	6,739	126
JSU	7,427	7,501	74
MSU	7,960	8,208	248
MUW	6,263	6,514	251
MVSU	6,228	6,402	174
UM	7,950	8,190	240
USM	7,853	8,108	255
<b>SYSTEM AVERAGE</b>	<b>\$7,126</b>	<b>\$7,318</b>	<b>\$192</b>
UMMC	\$7,950	\$8,268	\$318



# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Tuition Revised Request

Institution	Approved	Revision Requested	
	FY 2018	FY 2018	Change
ASU	\$6,710	\$6,878	\$168
DSU	6,613	6,739	126
JSU	18,194	18,194	-
MSU	21,580	22,248	668
MUW	17,361	18,055	694
MVSU	6,228	6,402	174
UM	23,334	23,454	120
USM	9,854	10,108	254
<b>SYSTEM AVERAGE</b>	<b>\$13,734</b>	<b>\$14,010</b>	<b>\$276</b>
UMMC	\$23,334	\$24,246	\$912

# COMPOSITE EXHIBIT 3



## FY 2018 Resident Professional Schools Tuition Revised Request

	Approved FY 2018	Revision Requested FY 2018	Change
<b>MSU</b>			
Veterinary Medicine	\$ 26,099	\$ 26,099	\$ -
<b>UM</b>			
School of Law (JD)	\$ 15,642	\$ 15,882	\$ 240
Masters of Laws Program Air & Space Law	\$ 21,866	\$ 22,110	\$ 244
MBA	\$ 13,254	\$ 13,500	\$ 246
School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3	\$ 12,634	\$ 12,870	\$ 236
School of Pharmacy: P1 & P2	\$ 23,411	\$ 23,652	\$ 241
School of Pharmacy: P3 & P4	\$ 25,278	\$ 25,518	\$ 240
Accountancy Graduate Programs <sup>(2)</sup>	\$ 7,950	\$ 8,694	\$ 744
<b>USM</b>			
Certified Reg. Nurse Anesthesia <sup>(3)</sup>	\$ 22,830	\$ 22,830	\$ -

# COMPOSITE EXHIBIT 3



## FY 2018 Resident Professional Schools Tuition Continued Revised Request

	Approved FY 2018	Revision Requested FY 2018	Change
<b>UMMC</b>			
School of Graduate Studies in the Health Sciences	\$ 7,950	\$ 8,268	\$ 318
School of Dentistry	\$ 28,408	\$ 29,523	\$ 1,115
School of Medicine	\$ 28,431	\$ 29,552	\$ 1,121
School of Physical Therapy	\$ 18,571	\$ 19,299	\$ 728
Doctor of Occupation Therapy	\$ 13,819	\$ 14,332	\$ 513
Doctor of Health Administration	\$ 13,819	\$ 14,332	\$ 513

# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Professional Schools Tuition Revised Request

	Approved FY 2018	Revision Requested FY 2018	Change
<b>MSU</b>			
Veterinary Medicine	\$ 47,299	\$ 47,299	\$ -
<b>UM</b>			
School of Law (JD)	\$ 35,134	\$ 35,254	\$ 120
Masters of Laws Program Air & Space Law	\$ 21,866	\$ 21,990	\$ 124
MBA	\$ 31,943	\$ 32,067	\$ 124
School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3	\$ 29,214	\$ 29,334	\$ 120
School of Pharmacy: P1 & P2	\$ 47,541	\$ 47,664	\$ 123
School of Pharmacy: P3 & P4	\$ 51,400	\$ 51,522	\$ 122
Accountancy Graduate Programs <sup>(2)</sup>	\$ 23,334	\$ 23,958	\$ 624
<b>USM</b>			
Certified Reg. Nurse Anesthesia <sup>(3)</sup>	\$ 28,830	\$ 28,830	\$ -

# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Professional Schools Tuition Continued Revised Request

	Approved		Revision Requested		
	FY 2018		FY 2018		Change
<b>UMMC</b>					
School of Graduate Studies in the Health Sciences	\$	23,334	\$	24,246	\$ 912
School of Dentistry	\$	66,759	\$	69,357	\$ 2,598
School of Medicine	\$	66,968	\$	69,584	\$ 2,616
School of Physical Therapy	\$	39,214	\$	40,746	\$ 1,532
Doctor of Occupation Therapy	\$	38,712	\$	40,150	\$ 1,438
Doctor of Health Administration	\$	38,712	\$	40,150	\$ 1,438

# EXHIBIT 4



## FY 2018 Room & Board Requested Revisions

	<b>Approved FY 2018</b>	<b>Revised FY 2018</b>	<b>Change</b>
<b>Alcorn State University</b>			
Average Double Occupancy	\$ 5,922	\$ 6,070	\$ 148
Average Meal Plan	3,091	3,168	77
<b>Mississippi Valley State University</b>			
Average Double Occupancy	\$ 4,408	\$ 4,537	\$ 129
Meal Plan	3,406	3,506	100

# EXHIBIT 5

April 20, 2017

Approval for the first reading the modifications to Board Policy 301.01 Officers of the Board.

## 301.01 Officers of the Board

### A. PRESIDENT:

There shall be a president elected by the Board from its membership. ~~It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve.~~ A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. ~~Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as President from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another A member of the a class may serve more than one term, if elected. The length of a term shall be one year. The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~ The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. ~~The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~

# EXHIBIT 6

April 20, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE March 16, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

### **ALCORN STATE UNIVERSITY**

1. **ASU- GS 101-294 – Utility Infrastructure**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$10,185.60 and zero (0) additional days to the contract of Metro Mechanical, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 1, 2017

Change Order Description: Change Order #2 includes the following items: furnish & install fencing with post and gates and sight proof slates around the new chiller area; and install galvanized fencing with a double gate around the grinder station.

Change Order Justification: These changes were due to the user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$52,208.20.

Project Initiation Date: March 21, 2013

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Metro Mechanical, Inc.

Phased Project Budget: \$2,645,702.43

Total Project Budget: \$3,846,615.33

2. **ASU- GS 101-297 – Technology Classroom Building**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, February 15, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 15, 2017



# EXHIBIT 6

April 20, 2017

Project Initiation Date: June 20, 2013  
Design Professional: Allred Architectural Group  
General Contractor: TBD  
Total Project Budget: \$16,500,000.00

## JACKSON STATE UNIVERSITY

### 3. JSU – GS 103-281 – Alexander Center Renovation Phase II

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the credit amount of \$52,848.57 and twenty-eight (28) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, February 17, 2017

Change Order Description: Change Order #5 includes the following items: additional countertop supports for forty (40) counters in the community bathrooms; replace four (4) existing deteriorated hollow metal doors & hardware from the penthouse onto the roof; repainting of the existing panels under the lobby windows; replace two (2) existing water heater flues for the proper vent of new water heaters; replace the missing exit door hardware on the north stairway exterior doors; delete the refurbishing of two (2) existing elevator cabs and the doors and frames in the five (5) elevator lobbies; delete some of the site-related items in the lay-down area; delete the installation of plumbing wall cleanouts on three (3) floors in the north and south wings of the building; and twenty-eight (28) days to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendations; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$83,344.62.

Project Initiation Date: October 17, 2013

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$8,310,000.00

## MISSISSIPPI STATE UNIVERSITY

### 4. MSU– IHL 205-262 – Aiken Village Demolition

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$41,000.00 and zero (0) additional days to the contract of M&M Services, Inc.

Approval Status & Date: APPROVED, February 24, 2017

# EXHIBIT 6

April 20, 2017

Change Order Description: Change Order #1 includes the following items: credit to delete demolition of the day care from the contract.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$41,000.00.

Project Initiation Date: October 20, 2011

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

General Contractor: M&M Services, Inc.

Phased Project Budget: \$2,031,380.02

Total Project Budget: \$5,000,000.00

5. **MSU- IHL 205-279 – Addition and Renovation to Dudy Noble Field-Polk-Dement Stadium**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Wier Boerner Allin Architecture.

Approval Status & Date: APPROVED, February 20, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 20, 2017

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$55,000,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

6. **MUW– GS 104-188 – Culinary Arts Pre-Plan**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Design Development Documents**

Board staff approved the Design Development Documents as submitted by JBHM.

Approval Status & Date: APPROVED, March 8, 2017

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: TBD

Total Project Budget: \$282,507.00

## MISSISSIPPI VALLEY STATE UNIVERSITY

7. **MVSU – GS 106-237 – Harrison Renovation Improvements**

**NOTE: This is a Bureau of Building project**

**UNAPPROVAL Request #1: Award of Construction Contract**

# EXHIBIT 6

April 20, 2017

Board staff did NOT approve the Award of Contract in the amount of \$795,860.00 to the apparent low bidder, Scott & Sons Construction and Mechanical Services, Inc.

Approval Status & Date: NOT APPROVED, March 6, 2017

Project Initiation Date: January 20, 2011

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

General Contractor: Scott & Sons Construction and Mechanical Services, Inc.

Phased Project Budget: \$876,771.91

Total Project Budget: \$20,025,000.00

## 8. MVSU – GS 106-237 – Harrison Renovation Improvements

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$34,865.04 and zero (0) additional days to the contract of Scott & Sons Construction and mechanical Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 6, 2107

Change Order Description: Change Order #1 includes the following items: add custom lockers in the locker room for the volley ball team.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$34,865.04.

Project Initiation Date: January 20, 2011

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

General Contractor: Scott & Sons Construction and Mechanical Services, Inc.

Phased Project Budget: \$876,771.91

Total Project Budget: \$20,025,000.00

## 9. MVSU- GS 106-257 – Edna Horton Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer & Associates

Approval Status & Date: APPROVED, March 9, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 9, 2017

Project Initiation Date: June 16, 2016

Design Professional: Shafer & Associates

General Contractor: TBD

Total Project Budget: \$8,700,000.00

# EXHIBIT 6

April 20, 2017

## UNIVERSITY OF MISSISSIPPI

### 10. UM– GS 107-308 – Union Addition & Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$455,833.00 and six (6) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #6 includes the following items: controls and instrumentation for the new chiller; adding a catering kitchen trough; access & security control for three (3) elevators in phase II; column revisions to the Grove side of the new porch; upgraded toilet partitions & color selection; potholing services; and six (6) days to the contract.

Change Order Justification: This change was due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$891,469.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects and Engineers, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,883,109.72

Total Project Budget: \$58,900,000.00

### 11. UM – GS 107-308.2 – Union Addition & Renovation – C101 Qdoba Buildout

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$120,000.00 to the apparent low bidder, Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 20, 2017

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects & Engineers, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$138,727.66

Total Project Budget: \$58,900,000.00

### 12. UM– GS 107-314 (formerly IHL 207-355) – Garland Hedleston Mayes Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$147,076.00 and thirty (30) additional days to the contract of Century Construction & Realty, P.A.

Approval Status & Date: APPROVED, February 20, 2017

Change Order Description: Change Order #1 includes the following items: change the underground pre-insulated chilled water piping from pvc to ductile iron; demolish additional latent piping that contains asbestos; demolish & remove plaster ceilings in the restroom areas; install 4” pvc irrigation sleeves underneath all paving and walks; reroute

# EXHIBIT 6

April 20, 2017

underground gas piping; relocate the site security fencing; and thirty (30) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$147,076.00.

Project Initiation Date: January 19, 2012

Design Professional: JH&H Architects/Planners/Interiors, P.A.

General Contractor: Century Construction & Realty, P.A.

Total Project Budget: \$23,500,000.00

## 13. **UM- IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$144,481.43 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #1 includes the following items: to purchase OCIP and Builder's Risk Insurance.

Change Order Justification: This change was a user/owner requested modification for the purchase of OCIP & Builder's Risk Insurance by the contractor. The change from owner procured to contractor procured policies was discussed & agreed by all parties involved.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$144,481.43.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Zellner Construction Services, LLC

Phased Project Budget: \$29,169,248.15

Total Project Budget: \$32,000,000.00

## 14. **UM – IHL 207-392 – North Parking Structure**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$54,186.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, February 20, 2017

Change Order Description: Change Order #4 includes the following items: excavation of unsuitable soils and backfill with compacted acceptable material; photocell controls added to six (6) existing light poles on the access road; elevator cab finishes were changed from specified plastic laminate panels to stainless steel; and an existing gas line was relocated.

Change Order Justification: This change was due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$461,181.61.

Project Initiation Date: September 26, 2014

# EXHIBIT 6

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Design Professional: Eley Guild Hardy Architects, P.A.

General Contractor: B.L. Harbert International, LLC

Phased Project Budget: \$33,750,000.00

Total Project Budget: \$34,550,000.00

15. **UM – IHL 207-411R – Oxford-University Stadium (Swayze Field) Addition & Renovation - REBID**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$26,461.35 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #2 includes the following items: relocation of the new communication entrance into the stadium; to clean up the water damage from a burst water main; and to provide temporary area drains for site work prior to the start-up of phase two.

Change Order Justification: These changes are due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$96,932.76.

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Upchurch Plumbing, Inc.

Phased Project Budget: \$1,233,528.93

Total Project Budget: \$18,975,750.00

16. **UM – IHL 207-424 – Faser Hall First Floor Modifications**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 9, 2017

**Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 9, 2017

Project Initiation Date: August 18, 2016

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$983,500.00

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## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 17. UMMC – IHL 209-539 – Lexington Hospital Renovations

#### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$29,018.88 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #9 includes the following items: Changes to the HVAC – fan, grills, fire dampers, and duct work material.

Change Order Justification: These changes were due to the discovery of significant air leakage once the new equipment was installed.

Total Project Change Orders and Amount: Nine (9) change orders for a total credit amount of \$181,477.07.

Project Initiation Date: January 20, 2011

Design Professional: McCarty Architects, P.A.

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$4,479,107.00

### 18. UMMC – IHL 209-555 – Children’s of Mississippi Expansion

#### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by HDR Architecture, Inc.

Approval Status & Date: APPROVED, March 8, 2017

Project Initiation Date: August 20, 2015

Design Professional: HDR Architecture, Inc.

General Contractor: TBD

Total Project Budget: \$180,000,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 19. USM – IHL 208-334 – Cochran Center Theatre

#### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,875,000.00 to the apparent low bidder, Hanco Corporation.

Approval Status & Date: APPROVED, March 6, 2017

Project Initiation Date: November 19, 2015

Design Professional: Albert & Associates Architects

General Contractor: Hanco Corporation

Project Budget: \$2,400,000.00

### 20. USM – IHL 210-245 – Toxicology Building Replacement

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$144,605.00 and twenty-six (26) additional days to the contract of Dan Hensarling, Inc.

# EXHIBIT 6

April 20, 2017

Approval Status & Date: APPROVED, March 6, 2017

Change Order Description: Change Order #3 includes the following items: aqua equipment changes; trench revisions; add mullions at five (5) door access locations; coring of concrete masonry unit walls; paving revisions; piping revisions & labels; floor & wall epoxy paint changes; changes to experiment chamber services & shelves; additional utilities to the exterior concrete slab; add sod around the building; credit for unsuitable soil allowance; and twenty-six (26) days to the contract.

Change Order Justification: These changes are due to user/owner requested modifications; and twenty-six (26) additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$152,512.00.

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group, P.A.

General Contractor: Dan Hensarling, Inc.

Project Budget: \$4,900,000.00



# EXHIBIT 7

April 20, 2017

## 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 Brunini, PLLC (statement dated 3/21/17) from the funds of Mississippi State University. (This statement, in the amount of \$1,210.35, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,210.35**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 3/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00 and \$2,500.00, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 5,000.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/9/17) from the funds of the University of Mississippi. (This statement, in the amount of \$10,717.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,717.50**

Payment of legal fees for professional services rendered by Bradley|Arant (statements dated 2/14/17 and 2/28/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$11,736.00 and \$220.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 11,956.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/9/17, 2/14/17, 2/14/17 and 2/28/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$318.50, \$1,568.00, \$367.50 and \$2,670.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,924.50**

Payment of legal fees for professional services rendered by Hogan Lovell (statement dated 1/31/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$18,912.10, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 18,912.10**

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April 20, 2017

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17 and 2/27/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$412.50, \$2,867.80, \$412.50, \$288.75, \$3,547.50, \$1,287.00, \$4,750.87, \$1,165.20, \$1,295.25, \$1,551.00, \$1,221.00, \$825.00, \$5,898.75, \$3,126.75, \$15,947.11, \$1,468.50, \$5,131.95, \$4,199.25 and \$1,485.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 56,881.68**

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 2/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$769.50 and \$807.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,576.50**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 2/28/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$7,839.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 7,839.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/13/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$360.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 360.0**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 3/3/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$198.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 198.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 3/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$29.98 and \$29.98, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 59.96**

# EXHIBIT 7

April 20, 2017

## 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 (statements dated 2/27/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine” - \$400.00; “Elusieve Processing CIP Application” - \$400.00; “Listeria and Salmonella Assay Methods and Kits” - \$518.00; “Effective Oximes Patent Prosecution” - \$120.00; “Live Attenuated Catfish Vaccine and Method of Making” - \$1,076.00 and “Detection of Antigenic Variants” - \$268.50.)

**TOTAL DUE.....\$ 2,782.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/25/17, 1/25/17, 1/25/17 and 2/27/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Synthesizing Graphene Materials” - \$2,482.00; “Methods of Synthesizing Graphene from a Lignin Source” - \$66.50; “Methods of Synthesizing Graphene from a Lignin Source” - \$4,887.50 and “Methods of Synthesizing Graphene from a Lignin Source” - \$38.00, respectively.)

**TOTAL DUE.....\$ 7,474.00**

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 1/27/17, 1/27/17, 2/28/17 and 3/6/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals” - \$107.10; “Systems and Methods for Detecting Transient Acoustic Signals” - \$245.84; “Systems and Methods for Detecting Transient Acoustic Signals” - \$105.00 and “Systems and Methods for Detecting Transient Acoustic Signals” - \$87.50, respectively.)

**TOTAL DUE.....\$ 545.44**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/25/17, 2/7/17, 2/13/17, 2/13/17, 2/14/17 and 2/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Preparation of Pre-Coated RP Rotors and Universal Chromatorotors” - \$3,086.30; “Biologically Active Cannabidiol Analogs” - \$12,240.40; “Highly Selective Sigma Receptor Radioligands” - \$1,598.75; “Highly Selective Sigma Receptor Radioligands” - \$4,709.10; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,090.37 and “Compositions containing Delta-9-THC-Amino Acid Esters” - \$1,000.00, respectively.)

**TOTAL DUE.....\$ 23,724.92**

# EXHIBIT 7

April 20, 2017

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/24/17, 1/24/17, 1/24/17, 1/24/17, 2/23/17 and 2/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions containing Highly Purified Amphotericin-B” - \$430.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,162.81; “Stabilized Formulation of Triamcinolone Acetonide” - \$774.00; “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$1,541.00; “Stabilized Formulation of Triamcinolone” - \$2,975.24 and “Indolizine-Based Donors as Organic Sensitizer Components” - \$1,434.00, respectively.)

**TOTAL DUE.....\$ 8,317.05**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/24/17, 1/24/17, 2/23/17 and 2/23/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$630.00, \$2,202.50, \$38.00 and \$124.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 2,994.50**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 8, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 10:00 p.m., and pursuant to notice in writing, to each and every member of said Board. At the above-named place there were present the following members to wit: Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Mr. Tom Duff and Dr. Ford Dye were absent. The meeting was called to order by Mr. C.D. Smith, President and Chair of the Board Search Committee.

**EXECUTIVE SESSION**

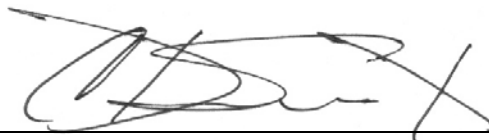
On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Duff, Dye, Rouse, and Star absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Hooper, seconded by Trustee McNair, with Trustees Duff, Dye, Rouse, and Star absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows: Discussion of a state university personnel matter.

**During Executive Session, the Board discussed a personnel matter at Jackson State University. No action was taken.**

**On motion by Trustee Perry, seconded by Trustee Starr, with Trustees Duff and Dye 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 Committee, on motion by Trustee Hooper, seconded by Trustee McNair, with Trustees Duff and Dye absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 18, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this May 18, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Dr. Doug Rouse, President. Trustee Alfred McNair introduced Dr. Terry Davis, a Jackson State University alumna.

**ANNOUNCEMENT**

- President Bill LaForge recognized Mr. John Pearce, IHL Associate Commissioner of Finance and Administration, who recently received his doctorate of education degree from Delta State University.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed the Student Government Association Officers: Patrick Herbert, SGA President at Alcorn State University; Tyler McMurray, SGA President at Mississippi State University; and William Thomas, SGA President at the University of Mississippi Medical Center.

**APPROVAL OF THE MINUTES**

On motion by Trustee Pickering, seconded by Trustee Morgan, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on April 19, 2017; April 20, 2017; April 20, 2017; and May 8, 2017.

**CONSENT AGENDAS**

On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**FINANCE**

1. **MSU** – Approved the request to enter into a contract with Anthony Travel, LLC to provide comprehensive Travel Agency Services for MSU’s Athletic Department. It is understood that Mississippi Code 25-3-41 (9)(a) requires approval from both the IHL Board and the Mississippi Department of Finance and Administration (DFA) for this agreement. MSU will submit a copy of the DFA approval as soon as it is obtained. The contract will begin when signed by both parties and will be for a term of two years with an option to renew for, up to, five additional two-year

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 18, 2017**

periods. Therefore, the maximum term under this contract could be up to 12 years total. The agreement is for \$91,500 per year. This will increase at a rate of 3% annually during the term of the agreement. If the contract were to run for the full two years with option to renew for up to 5 additional two-year terms, the total would be \$1,298,570.70. However, this amount may vary if additional services or savings are determined during the term. Funds are available from Athletics Funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

2. **UM** – Approved the request to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services for the 2017 football season. The contract will begin on September 14, 2017 and end on November 4, 2017. The contract amount is \$432,800 which is billed in two installments. The funding source for this contract is the Athletics Department Operating Funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
3. **UMMC** – Approved the request to enter into an amendment with Clinical Drug Information, LLC (successor -in-interest to Wolters Kluwer Health, Inc.), for the software licenses needed for the ongoing use of Medi-Span Knowledge drug databases. Many of these databases are necessary to meet the meaningful use requirements for electronic health records. The amendment will provide for a one year extension to the term and an increase in licenses volume in order to provide Epic Community Connect (ECC) to the ECC clients, the first of which will be the Mississippi Department of Health (MSDH). The term of this amendment will be twelve (12) months beginning on June 1, 2017 and ending May 31, 2018. The total term of this agreement will be six years beginning June 1, 2012 and ending May 31, 2018. The estimated cost of this amendment is \$102,292, further described in the breakdown included in the bound *May 18, 2017 Board Working File*. This third amendment will bring the total estimated cost of this agreement to \$511,004 over its term. Funding of this agreement will include patient revenue to the extent the licensed products are used by UMMC providers. For licenses provided to the ECC clients, the first of which is MSDH, the funding will be derived from the client who will reimburse UMMC for the 100% of the associated costs of the licenses. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
4. **UMMC** – Approved the request to amend the current Customer Agreement with Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response (AMR) to reduce the number of vehicles provided by AMR and the monthly pricing for the remaining vehicles accordingly. AMR provides transportation services for critically ill pediatric and neonatal patients from across Mississippi to the only children's hospital in the state and a higher level of care. The total term of the agreement is six (6) years, from September 1, 2013 to August 31, 2019. The First Amendment will be effective June 1, 2017, and continue through the Agreement expiration on August 31, 2019. The original cost of the Agreement was \$1,257,679.22. At the time, the agreement was renewed in August 2016, the estimated cost of the six-year agreement was \$2,620,477.23. The First Amendment will reduce the total estimated cost of the six-year agreement to \$2,182,991.23, for an overall savings of \$437,485.99. The fee schedule under the amended agreement is as follows:
  - a.) Monthly fee of \$4,725.00 for the use of one transport vehicle and the assurance of one backup vehicle if the primary vehicle is unavailable;
  - b.) Base rate of \$210.00 to be assessed on every trip;
  - c.) Charge of \$15.25 per fifteen-minute interval starting after the first fifteen-minute interval following arrival at the site from which the patient will be transported; and
  - d.) Charge of \$61.00 per hour for making a transport vehicle and driver available for marketing and public relations

**MINUTES OF THE BOARD OF TRUSTEES OF  
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events. The agreement provides for an increase in the above rates and fees on January 1 of each year. This increase will be equal to the percentage increase in the Consumer Price Index (CPI) during the most recent twelve-month period for which published figures are available from the U.S. Department of Labor. To date, AMR has not increased pricing under the agreement. To determine the estimated cost of the agreement, UMMC increased the above rates and fees by 7% per year to account for the potential increases, including CPI increases, volume increases, and adjustments for changed circumstances (increased fuel costs, new regulatory requirements, and new clinical standards). A breakdown of the total estimated cost of the agreement is included in the bound *May 18, 2017 Board Working File*. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

5. **UMMC** – Approved the request to enter into an Interventional Cardiology Agreement with Boston Scientific Corporation (BSX) to purchase various consumable commodities and equipment for use during Interventional Cardiovascular procedures. The commodities and equipment include drug-eluting stents, catheters, and guidewires. This contract will be for a period of twenty-four (24) months from June 1, 2017, through May 31, 2019. The total estimated cost over the term of the agreement is \$3,000,000. The actual contract cost will vary upon the number of interventional cardiovascular procedures performed on applicable patients. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
6. **UMMC** – Approved the request to enter into an In-Hospital Dialysis Services Agreement with Bio-Medical Applications of Mississippi, Inc., which is an affiliate of Fresenius Medical Care Holdings, Inc. d/b/a Fresenius Medical Care North America (collectively, "Fresenius"). The Board also granted retroactive approval for \$295,694.08 expended under the existing agreement between July 1, 2014 and December 31, 2016. Under the In-Hospital Services Agreement, Fresenius will provide inpatient hemodialysis to patients at UMMC Grenada as required and ordered by a medical provider. The term of the agreement is three years, from June 1, 2017, through May 31, 2020. The total estimated cost of the three-year agreement is \$625,000. The total cost includes a monthly flat fee and hourly service charges, as well as variables including services provided outside of regular business hours or on holidays, cancelled procedures, additional disinfection, additional UMMC-required education, patient volume increases, and an annual three percent (3%) price increase. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **UMMC** – Approved the request to enter into an Integrated Delivery Network (IDN) Agreement with DePuy Synthes Sales, Inc. for the purchase and consignment of neurosurgical (cranial) implants, instrumentation and supplies used in adult and pediatric surgical procedures. The consignment option under the agreement will allow for the neurosurgical implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. The savings in year one of this agreement ranges from \$123,000 to \$148,000. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by using DePuy and no more than one (1) additional vendor for neurosurgical implants. The term of the agreement is for three (3) years beginning on or about May 1, 2017 through April 30, 2020. The estimated total contract amount over the three (3) year term is \$2,880,047, based upon historical spend on maxillofacial implants,



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instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

8. **UMMC** – Approved Amendment 15 to its current license and support agreement with Epic Systems Corporation. The amendment will allow UMMC to increase the volume of inpatient and ambulatory licenses “as needed” for Epic Community Client (ECC) client, Mississippi Department of Health (MSDH). In addition, the amendment changes the payment terms related to the fees for such increased volume licenses, to allow UMMC to pay the fees when the increase is needed, so long as the option is taken by September 30, 2017. The term of amendment 15 will begin on or about June 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment will depend on the number of licenses UMMC needs for MSDH. At this time, the estimated cost is \$804,408 out of a maximum potential cost of \$3,099,347. The amendment cost will be paid by MSDH. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
9. **UMMC** – Approved a Service Request with Epic Systems Corporation to provide for implementation services, annual maintenance, project team training services and post-live services for the Epic Wisdom General Dentistry (Wisdom) application. UMMC originally purchased the Wisdom application in 2014, pursuant to Amendment four (4) to the Epic Agreement. UMMC has implemented Wisdom at its Batson Pediatric Dental Clinic and it is being utilized by Oral Maxiofacial specialist; however, the UMMC School of Dentistry is now ready to implement the application for use in its on-campus dental clinics and its clinic located at the Jackson Medical Mall. As a result of the expanded use of the application, UMMC is initiating this Epic Service Request to take advantage of Epic implementation services, pay maintenance of the application on an annual basis, and purchase project team training services. Additionally, as post-live services will be needed, UMMC will prepay for post-live activities in order to receive a discount on such services. The term of the service request will begin on or about June 1, 2017, and continue through implementation. Estimated implementation time is expected to last ten (10) months, with the post-live support that will include but not be limited to, post-live trips by Epic at two (2), four (4) and eight (8) months post-live use of the application. Annual services will began after first live use and will be coterminous with the current Epic License and Support Agreement, which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The costs associated with this Epic Service Request is \$290,916.00, which brings the total estimated cost of the Epic Agreement to \$67,359,789.01. The agreement continues to be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
10. **USM** – Approved the request to enter into contract for Air Charter service for the University's football team during the 2017 Season. This agreement is for Air Planning, LLC to arrange for the University's air charters with Sun Country for four away games this season. This agreement calls for flights from the Hattiesburg-Laurel Regional Airport, Hattiesburg, MS to San Antonio, TX, Knoxville, TN, Houston, TX, and Huntington, WV. In accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved payment in advance as set

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forth in the terms of the agreement. The term of this agreement will commence upon execution by both parties after approval by the IHL Board. The term will conclude at the end of the last scheduled flight on November 25, 2017. For this service, the University will pay Air Planning, LLC the sum of \$296,500 plus any fuel surcharges that result from market fuel prices. The fuel surcharges are currently estimated at \$10,000 for a total contract amount of \$306,500. The fuel base for flights operated under this agreement is \$2.50 per gallon. The agreement will be funded by Auxiliary Funds from the University's Department of Athletics. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

11. **USM** – Approved the request to enter into a license and distribution agreement with Conscious Content Media, Inc. (CCM) to co-develop and co-produce several educational and interactive “digital stories” to be used to educate children between the ages of two (2) and eight (8) and to distribute the CCM applications to school systems by which the digital stories will be delivered. In accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the prepayment of the services. The initial term of the contract will start June 1, 2017 and have a term of three (3) years ending on May 31, 2020. The parties may agree in writing to extend the initial term. The amount of the contract will not exceed \$309,000. Payment will be in accordance with the following schedule: Payment 1: \$154,500 upon execution of the agreement; Payment 2: \$77,250 due upon completion of the first anniversary of the agreement; and Payment 3: \$77,250 due upon completion of the second anniversary of the agreement. This contract is being funded through a grant from the W.K. Kellogg Foundation executed in December 2016. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
12. **USM** – Approved the request to enter into an agreement with Oceanering International, Inc. for the ECOGIG Consortia's use of the vessel, the *R/V Ocean Intervention II*, for a research cruise to take place in June 2017. This contract is for services which include use of the ship's time, equipment, including its Remotely Operated Vessel (ROV), and the ship's technical support crew in support of Gulf research. The term of this agreement will be for 14 days total. The cruise will begin June 12, 2017 and continue through June 22, 2017. There will be two (2) days for mobilization (June 10-11) and one (1) day for demobilization (June 23). The dates are flexible in the event delays occur with Mob/Demob, transit, *force majeure*, etc. The total cost is estimated at \$600,000. The cost is a lump sum payment for vessel time, project management and engineering, ROV System Mob/Demob, and offshore project execution costs. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization. If there are extra work days added, the extra work rate/standby rate is \$40,356 per day. There is also the potential of additional costs for unforeseen circumstances such as (a) downtime associated with a weather system, which later becomes a named storm, (b) delays resulting from changes in the Maritime Security Level imposed by U.S. regulatory bodies, and (c) disembarkation prior to project completion pursuant to U.S. Coast Guard Regulation (Title 19 of the U.S. Code, Part 1433); however, there is no practical way to estimate these costs. Payment will be issued based upon receipt of an approved invoice for actual services rendered. The agreement will be funded by an external grant ECOGIG, grant number GR05251. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
13. **USM** – Approved the request to enter into an enrollment management support services agreement with Royall & Company for its undergraduate enrollment and admissions department in the form

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of direct marketing via paper, email, and online communication channels. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved a partial payment in advance as set forth in the terms of the agreement. The term of the agreement is three (3) years, from July 1, 2017 through June 30, 2020. The total estimated cost of the contract over the three-year term is \$1,385,419. The list costs will be billed directly by list source providers over the three-year term and are estimated to be \$175,470. The digital media costs over the three-year term are estimated to be \$39,076. The postage costs over the three-year term are estimated to be \$102,853. Any surplus digital media and postage monies not used by Facebook/Google and the Postal Service, respectively, will be returned to USM as a credit. A chart summarizing the contract's estimated costs is included in the bound *May 18, 2017 Board Working File*. The cost of these services will be paid using E & G funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

14. **USM** – Pending review and approval by the Attorney General's Office, the Board approved the request to enter into a Food Services agreement with Tony's King of Steaks, Inc. for its Gulf Coast Research Laboratory (GCRL) facility. The contract is for the contractor to supply meals for students attending USM's Summer Field Program (SFP) and Coastal Sciences Camps (CSC), as well as serving as the sole provider of food services for all catered events with more than 20 participants while at GCRL during the period of the contract. The contractor will be allowed to prepare and serve additional items to visiting students and USM program participants while at GCRL. The short-order walk-in business will be managed and operated solely at the discretion of the Contractor. The term of this contract will be from May 18, 2017, through December 1, 2019, with the option to renew for three (3) additional one-year periods. The total contract amount is estimated at \$450,000, but this is dependent upon student enrollment and other unknown factors such as demand outside of students. The unit pricing of the meals per SFP student, per day, will be \$24.45. USM will be invoiced for the number of students served under the SFP Meal Plan at the end of each month. Additionally, USM will pay the Contractor for individual meals provided to SFP instructors, Teaching Assistants (TAs), or SFP program personnel and for individual meals reserved under the Marine Education Center (MEC's) CSC programs at the following rates: Breakfast \$6.95, Lunch \$8.25 and Dinner \$9.25. This contract will be funded by revenue generated from college students, public school groups, various program participants, and other campus activities requiring meals.
15. **USM** – Approved the request to contract with United Healthcare Insurance Company for health insurance for graduate and resident assistants, international students and domestic undergraduate students. This group insurance plan will allow students who need affordable health insurance coverage to have access to comprehensive coverage at a reasonable cost which is lower than rates available to them on an individual basis. The contract will be annual, from on or about August 15, 2017, to August 17, 2018 with an option to renew annually. The contract amount varies depending upon the number of students who elect to purchase the insurance. Total premium payments in FY 2017 were approximately \$1,600,000 with USM paying approximately \$547,742 and students paying the remainder. This insurance program is funded by direct bursar billings to students; fringe benefit charges build into externally funded contracts and grants; auxiliary funds; and, institutional funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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16. **USM** – Approved the request to enter into an agreement with The University of Rhode Island (URI) for the use of the vessel, *R/V Endeavor*, to conduct a research cruise. The vessel is owned by the National Science Foundation and is operated and managed by URI for marine research. The term of the agreement is 32 days starting on May 29, 2017 and ending on June 29, 2017. The total estimated cost of this agreement is \$869,851.70. The cost is based on a daily rate of \$21,862 for vessel time and a total of \$151,791 for marine technology support. (One marine tech will be on board all the time, including the transit from North Carolina, while a second tech will join the ship in Gulfport.) Other costs include a lab van rental and transport costs of approximately \$15,824.10, and rental of a winch for \$2,652.60. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization. Payment will be issued based upon receipt of an approved invoice for actual services rendered. The agreement will be funded by an external grant EOGIG-2, grant number GR05251. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
17. **MSU** – **Exhibit 1** represents the approval of Mississippi Information Technology Services (MS-ITS) Board for the amendment to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Mississippi State University. The Attorney General's staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of MSU. (**See Exhibit 1.**)

**REAL ESTATE**

18. **DSU** – Approved the initiation of **GS 102-264, Pre-Plan New President's House**, and the appointment of Eley Barkley Engineering & Architecture as the design professional. Eventually, the new home will be built on the site of the demolished old President's House. The estimated project budget is \$85,000. Funds are available from General Funds Transferred to the Bureau of Building (\$85,000).
19. **MSU** – Approved the initiation of **GS 105-357, Pre-Plan Music Building**, and appointment of Allred Architectural Group, P.A. as the design professional. The new building will be approximately 30,000 square feet and will include architectural, structural, mechanical, plumbing, electrical, and required furnishings. The proposed project budget is \$700,000. Funds are available from HB 1729, Laws of 2016 (\$700,000).
20. **UMMC** – Approved the appointment of Foil Wyatt Architects as the design professional for **GS 109-223, Clinical Research Unit**, as a result of the Request for Qualifications process. The Adult Hospital currently has shelled floors on the 6th and 7th floors. This project will build out approximately one half of the 6th floor. The build-out will contain patient beds and support spaces that will allow patients to be treated through innovative research techniques. The project budget is \$7.5 million. Funds are available from HB 1729, Laws of 2016 (\$7,500,000).
21. **UM** – Approved the initiation of **IHL 207-435, Guyton Drive Modifications**, and the appointment of A2H, PLLC as the design professional. The project consists of reworking the round-a-bout in front of Guyton Hall to align with Guyton Place and Magnolia Drive (Chapel Bell Tower), which coincides with the university master plan. The project budget is \$1,257,400. Funds are available from Internal R&R (\$1,257,400).
22. **MUW** – Approved the request to increase the project budget for **GS 104-189, Physical Plant Warehouse/Office Facility**, from \$1 million to \$1,059,550 for an increase of \$59,550. The increase will allow the university to award the project with the lowest bidder plus alternates 1 and

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2. The project consists of the complete construction of a 6,477 square foot warehouse building / office facility near the mini-storage units. The building will replace the current warehouse that is in deteriorating condition. Funds are available from SB 2906, Laws of 2015 (\$1,059,550).

**PERSONNEL REPORT**

23. **EMPLOYMENT**

**University of Mississippi**

- Susan Duncan; Dean and Professor of Law; J.D.; \$340,000 per annum, pro rata; E&G Funds; effective August 1, 2017 to June 30, 2018, tenure granted upon appointment (*12 month contract*)
- Aimee Nezhukumatathil; Professor of English and Creative Writing; M.F.A.; \$82,000 per annum, pro rata; E&G Funds; August 17, 2017 to May 12, 2018; tenure granted upon appointment (*9 month contract*)

24. **CHANGE OF STATUS**

**Mississippi State University**

- Rickey L. Travis, *from* Interim Dean and Professor, Academic Affairs - College of Arts and Sciences; salary of \$180,000 per annum, pro rata; E&G Funds; 12 month; *to* Dean and Professor, Academic Affairs – College of Arts and Sciences; salary of \$220,000 per annum, pro rata; E&G Funds; 12 month, effective May 1, 2017.

**University of Southern Mississippi**

- Allyson Easterwood; *from* Associate Vice President for Financial Affairs; salary of \$140,000 per annum, pro rata; E&G Funds; *to* Interim Vice President for Finance and Administration; salary of \$175,000 per annum, pro rata; E&G Funds; effective April 25, 2017
- Douglas H. Vinzant; *from* Vice President for Finance and Administration; salary of \$220,000 per annum, pro rata; E&G Funds; *to* Special Assistant to the President; salary of \$90,000 per annum, pro rata; E&G Funds; effective April 25, 2017

25. **TENURE (and Promotions where noted)**

**Alcorn State University**

- Byron Johnson; *promotion* to Associate Professor, Department of Fine Arts, School of Arts and Sciences; effective August 15, 2017 (*9 month contract*)
- Renardo Murray; *promotion* to Associate Professor, Department of Fine Arts, School of Arts and Sciences; effective July 1, 2017 (*12 month contract*)
- Chunquan Zhang; *promotion* to Associate Professor, Department of Agriculture, School of Agriculture; effective August 15, 2017 (*9 month contract*)

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**Delta State University**

- Mistie Barnes, Associate Professor of Counselor Education, Division of Counselor Education and Psychology, College of Education and Human Sciences; effective August 21, 2017 (*9 month contract*)
- Brian Becker, Associate Professor of History, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Leslie Green-Pimentel, Associate Professor of Community Development, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Séverine Groh, Associate Professor of Biology, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Thomas Laub, Associate Professor of History, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Lekeitha Morris, Associate Professor of Speech and Hearing Sciences, Department of Speech and Hearing Sciences, College of Arts and Sciences; effective August 21, 2017 (*12 month contract*)
- H. M. Reza, Associate Professor of Biology, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Clint Tibbs, Associate Professor of Philosophy, Division of Languages and Literature, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)
- Yongqin Zhang, Associate Professor of Geospatial Technologies, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

**Mississippi University for Women**

- Ian Childers; *promotion* to Associate Professor of Art, College of Arts and Sciences; effective May 2017 (*9 month contract*)
- Lee Crouse; *promotion* to Associate Professor of Theatre, College of Arts and Sciences; effective May 2017 (*9 month contract*)
- Brenda Dickey; *promotion* to Associate Professor of Education, College of Education and Human Sciences; effective May 2017 (*9 month contract*)
- Amber Handy; *promotion* to Associate Professor of History, College of Arts and Sciences; effective May 2017 (*12 month employee*)
- Jonathon Hooks; *promotion* to Associate Professor of History, College of Arts and Sciences; effective May 2017 (*9 month contract*)
- Melissa Smith; *promotion* to Associate Professor of Communication, College of Arts and Sciences; effective May 2017 (*9 month contract*)

**University of Mississippi**

- Joel C. Amidon, *promotion* to Associate Professor of Secondary Education, School of Education; effective August 17, 2017 (*9 month contract*)
- Matthew R. Bondurant, *promotion* to Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Javier F. Boyas, Associate Professor of Social Work, School of Applied Sciences; effective August 17, 2017 (*9 month contract*)

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- Tracy A. Brooks, *promotion* to Associate Professor of Pharmacology and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy; effective July 1, 2017 (*12 month contract*)
- W. Tucker Carrington, Director of the Innocence Project and Associate Professor of Law, School of Law; effective July 1, 2017 (*12 month contract*)
- Jeffery Carter, *promotion* to Associate Professor of Political Science, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Cristin E. Ellis, *promotion* to Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Stephen Fier, *promotion* to Associate Professor of Finance, School of Business Administration; effective August 17, 2017 (*9 month contract*)
- Maria Gondo, *promotion* to Associate Professor of Management, School of Business Administration; effective August 17, 2017 (*9 month contract*)
- Joshua Robert Hendrickson, *promotion* to Associate Professor of Economics, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Cynthia Joyce, *promotion* to Associate Professor of Journalism, Meek School of Journalism and New Media; effective August 17, 2017 (*9 month contract*)
- Burhanettin Keskin, Associate Professor of Early Childhood Education, School of Education; effective August 17, 2017 (*9 month contract*)
- Paul D. Loprinzi, *promotion* to Associate Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences; effective August 17, 2017 (*9 month contract*)
- Jos E. Milton, *promotion* to Associate Professor of Music, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Mark Jason Ortwein, *promotion* to Associate Professor of Curriculum and Instruction, School of Education; effective August 17, 2017 (*9 month contract*)
- Jodi Skipper, *promotion* to Associate Professor of Anthropology, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Roy J. Thurston, *promotion* to Associate Professor of Special Education, School of Education; effective August 17, 2017 (*9 month contract*)

**University of Mississippi Medical Center**

- Nicole Borges, Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Alan Jones, Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Ji Li, Associate Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Kandy Smith, Professor of Nursing, School of Nursing; effective July 1, 2017 (*12 month contract*)
- Rebecca Sugg, Associate Professor of Neurology, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Xinchun Zhou, *promotion to* Associate Professor of Pathology, School of Medicine; effective July 1, 2017 (*12 month contract*)

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**University of Southern Mississippi**

- Fengwei Bai, *promotion* to Associate Professor, Department of Biological Sciences, College of Science and Technology; effective August 14, 2017 (*9 month contract*)
- Jacob W. Breland, *promotion* to Associate Professor, Department of Management and International Business, College of Business; effective August 14, 2017 (*9 month contract*)
- Holly Huye, *promotion* to Associate Professor, Department of Nutrition and Food Systems, College of Health; effective August 14, 2017 (*9 month contract*)
- Sungsoo Kim, *promotion* to Associate Professor, Department of Economic Development, Tourism and Sport Management, College of Business; effective August 14, 2017 (*9 month contract*)
- Maria A. Leach, Associate Professor, School of Accountancy, College of Business; effective August 14, 2017 (*9 month contract*)
- Alisa Lowrey, Associate Professor, Department of Curriculum, Instruction and Special Education, College of Education and Psychology; effective August 14, 2017 (*9 month contract*)
- Mark C. Rigsby, *promotion* to Associate Professor, Department of Art and Design, College of Arts and Letters; effective August 14, 2017 (*9 month contract*)
- Amanda Lynn Schlegel, *promotion* to Associate Professor, School of Music, College of Arts and Letters; effective August 14, 2017 (*9 month contract*)

**26. PROMOTIONS**

**University of Mississippi**

- Zulfiqar Ali, *promotion* to Senior Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (*12 month contract*)
- Tiffany A. Bensen, *promotion* to Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Luca Bombelli, *promotion* to Professor of Physics and Astronomy, College of Liberal Arts; effective July 1, 2017 (*12 month contract*)
- Paul Keith Boran, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Meagan Brown, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (*12 month contract*)
- Daphne S. Cain, *promotion* to Professor of Social Work, School of Applied Sciences; effective July 1, 2017 (*12 month contract*)
- Marco Cavaglia, *promotion* to Professor of Physics and Astronomy, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)
- Narayan Das Chaurasiya, *promotion* to Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (*12 month contract*)
- Yixin Chen, *promotion* to Professor of Computer and Information Science, School of Engineering; effective August 17, 2017 (*9 month contract*)
- Courtney Strong Davis, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (*12 month contract*)



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- Gordon Huey Dunkin, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Lorena Ribeiro De Carvalho Fonseca, *promotion* to Senior Lecturer of French, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Mary Allison Ford-Wade, *promotion* to Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences; effective August 17, 2017 (9 month contract)
- Wendy Denise Goldberg, *promotion* to Lecturer of Composition & Rhetoric, College of Liberal Arts; effective July 1, 2017 (12 month contract)
- Denis Charles Goulet, *promotion* to Senior Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Shari Hodges Holt, *promotion* to Instructional Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Neil A. Manson, *promotion* to Professor of Philosophy, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Lucile M. McCook, *promotion* to Senior Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Jerilou J. Moore, *promotion* to Professor of Curriculum and Instruction, School of Education; effective August 17, 2017 (9 month contract)
- Gene Breese Quinn, *promotion* to Professor of Physics, College of Liberal Arts; effective August 17, 2017 (9 month contract)
- Mohamed Mahmoud Radwan, *promotion* to Senior Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (12 month contract)
- Margaret Jeanine Rauch, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective July 1, 2017 (12 month contract)
- Krista Dale Riche, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (12 month contract)
- Mary G. Roseman, *promotion* to Professor of Nutrition and Hospitality Management, School of Applied Sciences; effective August 17, 2017 (9 month contract)
- Angela Sykes Rutherford, *promotion* to Professor of Teacher Education, School of Education; effective July 1, 2017 (12 month contract)
- Denise A. Soares, *promotion* to Associate Professor of Special Education, School of Education; effective August 17, 2017 (9 month contract)
- Maribeth Stolzenburg, *promotion* to Research Professor of Physics and Astronomy, College of Liberal Arts; effective July 1, 2017 (12 month contract)
- Mary F. Thurlkill, *promotion* to Professor of Religion, College of Liberal Arts; effective August 17, 2017 (9 month contract)

**University of Mississippi Medical Center**

- Israh Akhtar, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (12 month contract)
- Svenja Albrecht, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

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- Janorkar Amol, *promotion* to Professor of Biomedical Materials Sciences, School of Dentistry; effective July 1, 2017 (12 month contract)
- Andrew Anderson, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Ayman Asfour, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (12 month contract)
- Rosanna Bahadur, *promotion* to Associate Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (12 month contract)
- Jennifer Bain, *promotion* to Associate Professor of Periodontics and Preventive Sciences, School of Dentistry; effective July 1, 2017 (12 month contract)
- Patrick Bergin, *promotion* to Associate Professor of Orthopedic Surgery and Rehabilitation, School of Medicine; effective July 1, 2017 (12 month contract)
- John Bethea, *promotion* to Associate Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (12 month contract)
- Josie Bidwell, *promotion* to Associate Professor of Nursing, School of Nursing; effective July 1, 2017 (12 month contract)
- Brian Borg, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Kenneth Butler, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Arthur Calimaran, *promotion* to Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (12 month contract)
- William Campbell, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Susan Clark, *promotion* to Professor of Academic Information Services, Administration; effective July 1, 2017 (12 month contract)
- Linda Croff-Poole, *promotion* to Associate Professor of Health Sciences, School of Health Related Professions; effective July 1, 2017 (12 month contract)
- Dongmei Cui, *promotion* to Associate Professor of Neurobiology and Anatomical Sciences, School of Medicine; effective July 1, 2017 (12 month contract)
- Ninabahen Dave, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (12 month contract)
- Pierre DeDelva, *promotion* to Associate Professor of Surgery, School of Medicine; effective July 1, 2017 (12 month contract)
- Erin Dehon, *promotion* to Associate Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Sadhana Dharmapuri, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (12 month contract)
- Heather Drummond, *promotion* to Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (12 month contract)
- Seena “Shazowee” Edgerton, *promotion* to Associate Professor of Radiologic Sciences, School of Health Related Professions; effective July 1, 2017 (12 month contract)

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- Rana El Feghaly, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Ingrid Espinoza, *promotion* to Associate Professor of Preventive Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Robert Eubanks, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Kevin Freeman, *promotion* to Associate Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Natalie Gaughf, *promotion* to Professor of Family Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Matthew Graves, *promotion* to Professor of Orthopedic Surgery and Rehabilitation; effective July 1, 2017 (*12 month contract*)
- Cameron Guild, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Michael Hall, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Craig Hallstrom, *promotion* to Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Carrie Henderson, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Jennifer Hong, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- John Ingram, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Jeremy Jackson, *promotion* to Associate Professor of Dermatology, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Jon Jackson, *promotion* to Associate Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Mary Johnson, *promotion* to Associate Professor of Otolaryngology and Communicative Sciences, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Ellen Jones, *promotion* to Associate Professor of Health Administration, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)
- Jonathan Jones, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)
- David Josey, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Denise Krause, *promotion* to Professor of Biomedical Materials Sciences, School of Dentistry; effective July 1, 2017 (*12 month contract*)
- Andrea Lewis, *promotion* to Associate Professor of Otolaryngology and Communicative Sciences, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Kyle Lewis, *promotion* to Associate Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (*12 month contract*)

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- Xiu Liu, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (12 month contract)
- Robert Long, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Suvankar Majumdar, *promotion* to Professor of Pediatrics, School of Medicine; effective July 1, 2017 (12 month contract)
- Leslie McKenzie, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Angela Morey, *promotion* to Associate Professor of Health Informatics and Information Management, School of Health Related Professions; effective July 1, 2017 (12 month contract)
- Nils Mungan, *promotion* to Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (12 month contract)
- Todd Nichols, *promotion* to Associate Professor of Radiology, School of Medicine; effective July 1, 2017 (12 month contract)
- Sarah Novotny, *promotion* to Associate Professor of Obstetrics and Gynecology, School of Medicine; effective July 1, 2017 (12 month contract)
- Jeffrey Orledge, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Michelle Owens, *promotion* to Professor of Obstetrics and Gynecology, School of Medicine; effective July 1, 2017 (12 month contract)
- Yi Pang, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (12 month contract)
- Jaimin Patel, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (12 month contract)
- Janet Ricks, *promotion* to Professor of Family Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- Brian Rutledge, *promotion* to Associate Professor of Health Administration, School of Health Related Professions; effective July 1, 2017 (12 month contract)
- Jennifer Sasser, *promotion* to Associate Professor of Pharmacology and Toxicology, School of Medicine; effective July 1, 2017 (12 month contract)
- Madhankumar Sathyamoorthy, *promotion* to Associate Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (12 month contract)
- David Sawaya, *promotion* to Professor of Surgery, School of Medicine; effective July 1, 2017 (12 month contract)
- James Shaffery, *promotion* to Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (12 month contract)
- Mario Sims, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)
- David Stec, *promotion* to Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (12 month contract)
- Samuel Thigpen, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

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- Laura Vick, *promotion* to Associate Professor of Surgery, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Junming Wang, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Kimberley Ward, *promotion* to Professor of Dermatology, School of Medicine; effective July 1, 2017 (*12 month contract*)
- Amanda Witt, *promotion* to Associate Professor of Neurology, School of Medicine; effective July 1, 2017 (*12 month contract*)

27. **EMERITUS STATUS**

**University of Southern Mississippi**

- William C. “Bill” Smith, Assistant Professor Emeritus of Marketing and Economic Development; effective April 1, 2017

28. **OTHER ACTIONS**

**University of Mississippi**

*(Corrections to sabbatical dates approved February 16, 2017)*

FROM: Dr. Bradley L. Cook; Associate Professor of Classics; *from* salary of \$66,883 per annum, pro rata; E&G Funds; *to* salary of \$33,442 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

TO: Dr. Bradley L. Cook; Associate Professor of Classics; *from* salary of \$66,883 per annum, pro rata; E&G Funds; *to* salary of \$33,442 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.

FROM: Dr. Judson D. Watson III, Professor of English; *from* \$114,456 per annum, pro rata; E&G Funds; *to* \$57,228 per annum, pro rata; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

TO: Dr. Judson D. Watson III, Professor of English; *from* \$114,456 per annum, pro rata; E&G Funds; *to* \$57,228 per annum, pro rata; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.

**ACADEMIC AFFAIRS**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Duff, seconded Starr, with Trustee McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **STATE** – Approved for final reading the proposed revisions to the Mississippi Nursing Degree Programs Accreditation Standards as follows:

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**STANDARD IV: CURRICULUM**

The curriculum prepares students to achieve the expected outcomes of the nursing program, facilitates nursing practice that reflects the needs of the community of interest and is consistent with safe practice and contemporary healthcare environments.

1. National Standards

- a. ACEN  
Standard 4: Curriculum
- b. CCNE  
Standard II: Program Quality: Institutional Commitment and Resources  
Standard III: Program Quality: Curriculum and Teaching-Learning Practices

1. State Specific Requirements

- a. Undergraduate student-to-faculty ratios must be:
  - 1. No more than 15 to 1 for total enrollment.
  - 2. No more than 10 to 1 for clinical laboratory courses that require direct supervision.
  - 3. No more than 15 to 1 for those courses that do not require direct supervision (i.e. precepted experiences).
- b. Graduate student-to-faculty ratios must be:
  - 1. No more than 15 to 1 for total enrollment.
  - 2. No more than 15 to 1 in graduate clinical courses.
  - 3. No more than 2 to 1 for advanced practice clinical courses that require direct supervision.
  - 4. No more than 6 to 1 for advanced practice clinical courses that do not require direct supervision (i.e. precepted experiences).
- c. Undergraduate Simulation Clinical Hours:
  - 1. 25% or less of traditional clinical hours substituted with simulation clinical hours in each individual clinical course does not require approval.
  - 2. 26% up to 50% of traditional clinical hours substituted with simulation clinical hours in each individual clinical course requires approval.
  - 3. No more than 50% of traditional clinical hours can be substituted with simulation clinical hours in each individual clinical course.

2. **STATE** – Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, the Board approved the accreditation of the Mississippi Nursing Degree Programs as shown below.

SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Alcorn State University	ADN BSN MSN	<b>Continuing Accreditation with Warning<sup>1</sup></b> Continuing Accreditation Continuing Accreditation
Belhaven University	BSN	Continuing Accreditation
Coahoma Community College	ADN	Continuing Accreditation
Copiah-Lincoln Community College	ADN	Continuing Accreditation
Delta State University	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation
East Central Community College	ADN	Continuing Accreditation
East Mississippi Community College	ADN	<b>Continuing Accreditation with Conditions<sup>2</sup></b>
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

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SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Meridian Community College	ADN	Continuing Accreditation with Conditions <sup>3</sup>
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 DNP	Continuing Accreditation Continuing Accreditation Continuing Accreditation Full 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 Full Accreditation
University of Southern Mississippi	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation with Conditions <sup>4</sup>
William Carey University	BSN MSN	Continuing Accreditation Continuing Accreditation

<sup>1</sup>**Alcorn State University**

- REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required over a three-year period; ADN program pass rate for three-year period **58.00%** (2014 – 52.27%; 2015 – 41.94%; 2016 – 88.00%).

**CONDITION:** must submit a final Performance Improvement Plan Report September 1, 2017 that addresses the recommendations made by the state site visit team.
- REASON:** ADN program non-compliant with three out of six ACEN Standards: Standard 2. Faculty and Staff; Standard 4. Curriculum; Standard 6. Outcomes.

**CONDITION:** must submit a follow-up report to ACEN Fall 2017 and Focused Site Visit Fall 2017.

<sup>2</sup>**East Mississippi Community College**

- REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required over a three-year period; ADN program pass rate for three-year period **79.66%** (2014 – 92.86%; 2015 – 62.50%; 2016 – 90.48%).
- CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/17.

<sup>3</sup>**Meridian Community College**

- REASON:** program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2.b. Degree Completion Rate **63.33% or above** over a three-year period; ADN program degree completion rate for three-year period **58.50%** (2013/14 – 53.00%; 2014/15 – 60.15%; 2015/16 – 63.95%).
- CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan progress report by 6/30/17.

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**<sup>4</sup>University of Southern Mississippi**

- **REASON:** DNP program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2. b. All nursing faculty (full-time, part-time, and adjunct) must hold an unencumbered license to practice in Mississippi.
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/17.**

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #4. Trustee Hooper recused himself from voting on agenda item #5 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Pickering, seconded by Trustee Starr, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #5. After the vote was completed on agenda item #5, Trustee Hooper returned to the room. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #6. On motion by Trustee Pickering, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda items #7- #9. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #10. On motion by Trustee Pickering, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #11. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #12. On motion by Trustee Pickering, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #13. On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #14.

1. **SYSTEM** – Approved the request to purchase cyber liability and incident response insurance coverage with Lloyds of London – Beazley Syndicate (Beazley). Cyber liability insurance will cover various cyber-related losses, including third party liability, first party liability, costs related to investigation and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber event. Purchase of the insurance also includes expert assistance from the insurers breach response team. The purchased policy will be primary to other insurance so that it will protect the IHL Self-Insured Tort Plan in the instances where coverages overlap. The recommended quote includes the ability to “buy-up” the limits during the term at a pre-negotiated price. The contract is a one-year insurance policy beginning May 31, 2017, and terminating June 1, 2018. The premium is approximately \$316,495 for the one-year policy. If IHL elects to expand its aggregate limits, then the additional premium will bring the total to \$376,448. The IHL Self-Insured Tort Plan will pay the premium and allocate an appropriate



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premium share to each policy participant. The share for each participant other than UMMC will be built into the annual assessment of the Tort Plan. The Tort Plan will invoice UMMC for its share. The chief financial officers support the purchase of this insurance policy.

2. **SYSTEM** – Approved the request to renew the property insurance coverage with Affiliated FM Insurance Company (AFM) and Axis Surplus Insurance Company (Axis). The system increased its insured values by 4.24% (\$440,328,885), and dropped the premium rate by 1% for the AFM coverage and by 4.61% for the USM wind and storm surge coverage. The total property premium for 2017-2018 will be approximately \$5,469,649, which is an increase of approximately 3.6% (\$189,247) from the 2016-2017 premiums. Despite improved pricing, the overall premium increased due to insuring more values. Favorable coverage terms, which were negotiated in prior years, remain a part of this renewal policy. Some new coverage improvements were also achieved. The contract is for a two-year insurance policy beginning May 31, 2017, and terminating May 31, 2019. The portion of coverage related to coastal wind and storm surge is for one year whereas the AFM premium rate is guaranteed for two years. The premium is approximately \$5,469,649 for 2017-2018, but may increase or decrease through the term of the policy as universities add or decrease their insured values. The 2018-2019 premium is expected to be approximately \$5.5 million. Each university and the Board Office pays its respective share of the premium which is billed and paid directly between the insurance company and the insured. The chief financial officers support the renewal of this insurance policy.
3. **ASU** – Approved the initial request to institute a \$15 Student Activities Fee to provide an independent source of funding for the Student Government Association (SGA) to host events such as concerts, educational speakers and other lyceum attractions. The \$15 fee would be charged per semester and applicable to all full-time students during the fall and spring semesters. Students will not be charged the fee during the summer semesters. The fee will be assessed for fall and spring semesters only beginning with FY 18. The AY 2017 budget for student activities is \$36,100. However, this budget and previous budgets have been insufficient for monetary needs of the SGA on campus. A Student Activities Fee will provide supplemental funding for this budget and will be administered by the Student Assessment Board to ensure that the money is spent on events specifically for the student body. Based on current enrollment, ASU projects this fee to generate approximately \$94,000.00 of new revenue annually.
4. **JSU** – Pending approval by the Attorney General’s Office, the Board approved a Resolution and form of bond documents authorizing Jackson State University Educational Building Corporation (JSU EBC) to issue up to a maximum aggregate principal amount of \$34,000,000 of debt obligations (however denominated) (the “Debt Obligations”), in toto, for the purpose of refunding the JSU EBC Revenue Bonds, Series 2010-A-1 (collectively). It is anticipated that the Debt Obligations for the refunding portion of the transaction (and possibly the entire financing) will be privately placed through the U.S. Department of Education's Historically Black College and University (HBCU) Capital Financing Program. Alternatively, all or a portion of the Debt Obligations may be sold through an underwriter in a public offering or privately placed with institutional investors. The Board also reviewed the Financial Advisor’s report, approved the other bond documents, and approved the employment of the financial advisor, bond counsel, and underwriter. First Southwest, a division of Hilltop Securities, Inc., will serve as the financial advisor. Jones Walker LLP will serve as bond counsel, in accordance with the terms of the Contractual Agreement for Legal Services approved by the Office of the Attorney General. Raymond James & Associates, Inc. will serve as underwriter and/or as placement agent, depending

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on the manner in which the Debt Obligations are sold. Bond counsel will be compensated at \$1.15 per \$1,000. The financial advisor will provide an independent analysis showing potential net present value (NPV) savings based on current market conditions. The Debt Obligations will mature no longer than 30 years from the dated date. It will be funded with existing cash flow from the projects refinanced with the Debt Obligations. The Board authorized the Finance Committee Chair to provide final approval contingent upon receipt and review of the financial advisor's report, a minimum of 3 percent of net present value savings, and recommendation from the Attorney General's Office.

5. **MSU** – Approved the request to initiate the bond process to borrow funds, not to exceed \$9.55 million, through the Mississippi State University Educational Building Corporation (MSUEBC) to help finance the design and construction of a 500-space parking facility on the north side of campus. The total project funding is \$9 million. The Board also approved the financial advisor's report and approved the employment of financial advisor, bond counsel, and underwriters. First Southwest will serve as the financial advisor. Jones Walker LLP will serve as bond counsel. Morgan Stanley & Company, LLC and Raymond James & Associates, Inc. will serve as underwriters. Bond counsel will be compensated at \$1.15 per \$1,000. Long-term bonds will be issued with maturities up to 30 years. MSU is expecting to issue up to a maximum of \$9,550,000 par value in fixed rate bonds. Proceeds from the bond issue will support the project fund (\$9 million), capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated April 3, 2017, the proposed debt amortization will have an average annual debt payment of \$661,321 at an expected true interest cost of 5.34 percent. Taxable and tax-exempt options will both be considered. Various Parking Services revenue sources will be used to support costs of the project. Specifically, decal prices will be increased for faculty, staff, and students, and the new Classroom Building garage and North Garage will generate new sources of revenue. A bond resolution and form of bond documents must be submitted for approval at a subsequent meeting.
6. **UM** – Approved the request to issue through the University of Mississippi Educational Building Corporation (UMEBC) revenue refunding bonds in one or more taxable and/or tax-exempt series to finance the costs of the current and/or advance refunding and defeasance of all or a portion of 1) The UMEBC revenue bonds, Series 2009A, issued in the original principal amount of \$19,870,000; 2) The UMEBC revenue bonds, Series 2009C, issued in the original principal amount of \$14,770,000; and 3) The UMEBC revenue bonds, Series 2011, issued in the original principal amount of \$27,995,000. The Board also approved the payment of the costs of issuance, sale, and delivery of the bonds and other necessary bond documents. The Board approved the financial advisor's report and approved the employment of financial advisor, bond counsel, and underwriter. First Southwest will serve as the financial advisor. Butler, Snow LLP will serve as bond counsel. Raymond James & Associates, Inc. will serve as underwriter. Fees for bond counsel is \$1.90 per thousand dollars of bonds issued for the first \$25,000,000 in bonds issued, and \$1.15 per thousand for any amounts in excess of \$25,000,000, plus expenses. The proceeds from this new issue will be used to current or advance refund and refinance all or a portion of the outstanding UMEBC Series 2009A, 2009C, and 2011 coupons where possible and when achieving an overall net present value savings threshold of 3%. First Southwest, financial advisor, estimates a net present value savings of \$2 million, or 5.005% in a report dated April 20, 2017. The term of the new bonds will closely match the term of the existing debt which is being refinanced. UMEBC expects to issue up to \$39,835,000 par value in fixed rate bonds to support this current and/or advance refunding

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and refinancing. Revenue streams as currently being utilized to fund the debt service obligations of the existing UMEBC bonds that will be refinanced. These revenue streams include private gifts and student room rents. The bond resolution and form of bond documents was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item.

7. **UMMC** – Approved the request to enter into an agreement with Zimmer US, Inc. and Biomet, Inc. for the purchase of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. The Board also approved the request to add or remove components from the agreement's exhibits without requiring submission to the Board as long as there is adequate funding available. The savings in year one of this agreement total approximately \$10,000. The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature. The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
8. **UMMC** – Approved the request to enter into an Integrated Delivery Network (IDN) Agreement with DePuy Synthes Sales, Inc. for the purchase and consignment of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. The consignment agreement will allow for a selection of sizes and types of component parts to be available to the surgeons during surgery. The savings in year one of this agreement total approximately \$236,000. The Board also approved the request to add or remove components from the agreement's schedules without requiring submission to the Board as long as there is adequate funding available. The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature. The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
9. **UMMC** – Approved the request to enter into an agreement with Smith & Nephew, Inc. for the purchase and consignment of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. The consignment agreement will allow for a selection of sizes and types of component parts to be available to the surgeons during surgery. The savings in year one of this Agreement total approximately \$68,800. The Board also approved the request to add or remove components from the agreement's exhibits without requiring submission to the Board as long as there is adequate funding available. The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature. The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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10. **UMMC** – Approved the request to modify the total expenditure amount applicable to its agreement with Executive Revenue Cycle Partners, LLC d/b/a Ensemble Health Partners. The purpose of this request is to increase the total expenditure amount applicable to the current services agreement. To date, Ensemble has identified a potential \$3,000,000 in underpayments to recover from third party non-governmental payors, which is more than UMMC originally anticipated. Under the agreement, Ensemble will invoice 25% of the amount it recovers for UMMC, or \$750,000 for the already identified underpayments. The term of the agreement remains at three (3) years – February 1, 2016 through January 31, 2019. The total estimated cost of the original contract was \$600,000 and an additional \$750,000 to pay for the recovery of the identified underpayments. The new total estimated cost for the agreement is \$1,350,000. The agreement is performed under a contingency fee structure with Ensemble’s fees being a flat 25% of amounts recovered on behalf of UMMC. The agreement will be funded by hospital patient revenue. As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General’s Office is required.
11. **UMMC** – Approved the request to amend its agreement with MED-EL Corporation (MED-EL) to remove obsolete products from the product listing and lower pricing on remaining products. The agreement allows UMMC to purchase otolaryngology auditory devices from MED-EL including, but not limited to, cochlear implants, bone conduction systems and ancillary products at a discounted rate; devices are used in the treatment of pediatric and adult patients. For those patients with hearing impairments, the implant replaces the function of the damaged inner ear to provide sound signals to the brain. The savings for Year 1 of this amendment total approximately \$51,880.90; however, UMMC’s requested spend authority will remain \$10,000,000 as the use of the MED-EL products is ultimately dependent upon which implant the physician and patient determines will best meet the patient’s need. The agreement term remains unchanged. The term is five (5) years, beginning October 1, 2016, and ending September 30, 2021. The total estimated contract amount remains \$10,000,000. The purchases will be made on an as-needed basis dependent upon patient need. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
12. **UMMC** – Approved the request to enter into an agreement with Medical Solutions, LLC to provide temporary nursing staff for the Grenada facility on an as-needed basis. This is a contract to supplement the nursing staff at UMMC’s Grenada facility that meets specific unit requirements on an as needed basis. This contract will allow continued and consistent access to quality nursing work force while UMMC’s Grenada facility adopts and implements multiple strategies for recruiting and retaining full-time nursing staff from the surrounding areas. The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The total estimated contract amount will be \$3,000,000. This amount is designated as a not-to-exceed amount and UMMC will only reimburse Medical Solutions for actual temporary staffing placed. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
13. **UMMC** – Approved the request to enter into a new service agreement with RevClaims, LLC to provide collection services on third party legal liability and workers’ compensation accounts. The Board granted retroactive approval of \$337,900.33 spent for a large placement of Workers’ Compensation accounts that were collected and paid out under a short-term agreement that began

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December 1, 2016 and ended February 28, 2017. This agreement establishes a contingency fee based agreement whereby RevClaims will provide collection services for third party legal liability and workers' compensation accounts. The term of this agreement will be for five (5) years beginning June 1, 2017 and ending May 31, 2022. The estimated total cost of this agreement is \$6,727,500. The cost is billed at twelve and one-half percent (12.5%) of the amount collected for Third Party Liability Claims and eight and a quarter percent (8.25%) of the amount collected for Workers' Compensation Claims. UMMC utilized a historic average of the past agreement to calculate a monthly average cost of approximately \$56,000. This amount was increased by fifty percent (50%) to account for an increase in volume and to account for any outstanding Workers' Compensation claims. This agreement will be funded through hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

14. **USM** – Approved the request to amend the existing bookstore services agreement with Barnes & Noble College Booksellers, LLC, (Barnes & Noble) to address a contractual clause currently in effect that, based on USM's reported FTE numbers, triggers a reduction in commission payments when the university's FTE enrollment falls by 5 percent or more below the Fall 2010 term's baseline of 13,584. The clause, if left in place, would significantly decrease USM's annual revenue from the contract. This amendment is a result of mutual agreement by USM and Barnes & Noble to reduce the annual guarantee and increase the sales-based commission percentage. The amendment does not alter the current contractual termination date June 2019. The effective date of this amendment will be June 1, 2017 with no change to the expiration date of June 30, 2019. This is a revenue producing contract to USM. This amendment will reduce the impact of lower enrollment on USM. The schedule of revenue for the current contract term shows actual and projected revenues per original contract, with and without this FTE clause amendment. The schedule is included in the bound *May 18, 2017 Board Working File*. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

Trustee Hooper recused himself from voting on agenda items #1 - #3 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Parker, seconded by Trustee Duff, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda. On motion by Trustee Parker, seconded by Trustee Duff, with Trustees Hooper and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Parker, seconded by Trustee McNair, with Trustees Hooper and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3. Trustee Hooper returned to the room following the vote on agenda item #3. On motion by Trustee Parker, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #4.

1. **MSU** – Approved the initiation of **IHL 205-287, MSU Parking Garage North**, and the appointment of McCarty Architects as the design professional. The project will include providing

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design documents, contract documents and construction administration for a new multistory parking garage located on the campus located on the north side of campus east of Howell Hall, and containing approximately 500 parking spaces. In addition, the facility shall be designed to expand upward for future parking levels. Approval of bond counsel, underwriter, financial advisor, and financial advisors report to borrow funds, not to exceed \$9.55 million, through the Mississippi State University Educational Building Corporation (MSUEBC) was approved on the Finance Regular Agenda. (See item #5 above.) The proposed project budget is \$9 million. Funds are available from EBC Bonds (\$9,000,000).

2. **MSU** – Approved the request to establish a \$13 million budget for **GS 113-141, ADS & Poultry Complex, Phase II**, and the exterior design of the project. A rendering of the project is included in the bound *May 18, 2017 Board Working File*. This project will construct a new building for the Poultry Science Department. Funds are available from HB 1729, Laws of 2016 (\$1,000,000); HB 1729, Section 2, Laws of 2016 (\$12,000,000).
3. **UM** – Approved the request to increase the budget for **IHL 207-376, STEM Building**, from \$8.7 million to \$14 million, an increase of \$5.3 million. The project will construct a new 5-story STEM Building in the Science District on campus. The building has currently been programmed at approximately 207,000 gross square feet. The budget increase will allow the university to proceed with Construction Documents. Subsequent staff approvals of other project phases will follow upon approval of this board item. The project will not move beyond the Construction Documents stage until the university returns to the IHL Board for approval to issue UMEBC bonds for the full cost of the project. Funds are available from Internal R&R (\$14,000,000).
4. **UMMC** – Approved the request to enter into an agreement with Brasfield & Gorrie, L.L.C. (B&G) for the provision of construction manager at risk (CMAR) services for the Children’s of Mississippi Expansion Project for the purpose of evaluating construction plans, pursuant to the contract the services shall be conducted in two (2) Phases. The Board approved only Phase I of the contract at this time. UMMC will seek approval from the Board prior to moving forward to Phase II. UMMC finds it necessary to expand the Batson Children’s Hospital to provide approximately 286,000 square feet of hospital inpatient space. In the past, UMMC has utilized the design-bid-build delivery method for construction projects; however, such methods have traditionally exposed UMMC to unnecessary risk of labor/materials escalation, errors and omissions in the plan by the professional, and the unpredictability of the bid market. All such exposures generally increase the cost of the construction project and delay the completion of the project. Therefore, to promote efficiency and to reduce risks/exposures, which in-turn will reduce project costs, UMMC has elected to use the CMAR delivery method. The size and complexity of this healthcare facility project (proposed total cost in excess of \$150 million, six times greater than the \$25 million threshold set by statute) makes this project more than suitable, and in fact, ideal for use of the construction manager at risk method of project delivery. Pursuant to the CMAR agreement there will be two phases of the project, as follows.

Phase I (pre-construction): The CMAR will work with the design professionals, as needed, on the design and specifications to ensure a complete and constructible set of plans that are within budget and scope.

Phase II (construction): After receipt of Board approval, Phase II will only commence upon receipt by B&G of a Notice to Proceed, from UMMC. This Notice will set the date at which construction shall commence and will provide the number of days in which the project must be completed. At that time, B&G will provide a guaranteed maximum price (GMP), which

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shall have been developed for the project pursuant to the requirements of the contract for establishing the same. Pursuant to the contract, neither the CMAR nor any company the CMAR has a financial interest in, or a parent or related company of the CMAR may submit a bid to self-perform the work of any bid package. Additionally, all buyout savings, remaining contingency and unused general conditions amounts will be returned to UMMC by deductive Change Order out of the GMP.

The term of the contract is expected to be four (4) years. This will include 210 days for completion of Phase I and thirty (30) months for completion of Phase II. Again, UMMC will only proceed with Phase II upon approval by the board. The cost associated with Phase I, shall not exceed \$445,500.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

By consensus, agenda items #1 - #3 were moved to the Executive Session Agenda for consideration. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4 as submitted on the Legal Agenda. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by Trustee Perry, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #6.

1. **UMMC** – Settlement of Tort Claim No. 3047. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of Tort Claim No. 3085. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **UMMC** – Settlement of IHL Self-Insured Workers' Compensation Claim No. 55-34267-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
4. **SYSTEM** – Approved the final reading of the modifications to Board Policy 301.01 Officers of the Board. **(See Exhibit 2.)**
5. **SYSTEM** – Approved for first reading new Board Policy 201.0104 Removal of Board Members. **(See Exhibit 3).**
6. **SYSTEM** – Approved the request to grant permission for an extension until December 31, 2017 of any affiliation agreements between our state universities and their affiliated foundations or alumni associations that will expire prior to that date to allow more time for possible improvements to Board Policy 301.0806 University Foundation/Affiliated Entity Activities, which may impact the required provisions for new affiliation agreements.

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**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee McNair, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved for first reading the proposed changes to Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation. **(See Exhibit 4.)**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **UMMC** - On January 19, 2017, the Board approved UMMC's request to enter into a reagent rental agreement with Beckman Coulter, Inc. (Beckman). The agreement was for the purchase of upgraded flow cytometry equipment that is used for a variety of clinical applications such as solid organ transplant cross-matching and monitoring of HIV therapy. Subsequently, on March 14, 2017, UMMC was informed by Beckman that the PrepPlus 2 Accessory Kit listed as part number 159277 was obsoleted and is replaced by R Prod, Accessory Kit, PP2 with part number B77937. Beckman provided UMMC with a signed letter stating this effective change to the agreement with a place for counter signature by UMMC. No other term and conditions of the agreement were changed.

**REAL ESTATE**

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 20, 2017 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 5.)**

**LEGAL**

3. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 6.)**
4. **SYSTEM** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the agency's emergency request to contract with attorney Collin Hite of Hirschler Fleischer, Attorneys at Law, for legal services with regard to the proposed system cyber insurance policy. The rate for services will be \$430 per hour or \$405 per hour when traveling, with a rate cap for policy review and opinion drafting at \$2,150.
5. **SYSTEM** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the agency's emergency request to contract with the law firm of Mayo Mallette for legal services with regard to the preparation and filing of an amicus brief in the Lefoldt v. Rentfro appeal. The rate for services will be \$175 per hour with a maximum amount payable of \$20,000.



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**ADMINISTRATION/POLICY**

6. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 26, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with the City of Hattiesburg for a parcel of land totaling .236 acres to be used primarily as parking for the adjacent Hattiesburg Employee Clinic. The term of the lease is for one year from the approval and execution date of the agreement at a cost of \$1.00 per year to the City of Hattiesburg. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**ANNOUNCEMENTS/OTHER BUSINESS**

- President Smith announced the next scheduled Board meeting will be Thursday, June 15, 2017 at the IHL Board Office.
- On motion by Trustee Hooper, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve the appointment of the Board committee chairs by President C.D. Smith in accordance with Board Policy 301.03 Board Committees, and the appointment of the members of the *Ayers* Endowment Management Committee, as listed below.
  - Academic Affairs Committee – Tom Duff, Chair
  - Finance Committee – Christy Pickering, Chair
  - Health Affairs Committee – Dr. Ford Dye, Chair
  - Legal Committee – Alan Perry, Chair
  - Real Estate Committee – Hal Parker, Chair
  - Diversity Committee – Shane Hooper, Chair

**Ayers Endowment Management Committee**

1. Dr. Alfred McNair, Chair
  2. Mr. C.D., Board President
  3. Dr. Glenn Boyce, Commissioner
  4. Dr. Al Rankins, President, Alcorn State University
  5. Dr. Rod Paige, Interim President, Jackson State University
  6. Dr. William Bynum, President Mississippi Valley State University
  7. Trustee Chip Morgan
- President Smith invited the university presidents to report on current activities on their campuses.

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**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, May 17, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 3:30 p.m. The following items were discussed.

1. The Committee received a quarterly clinical quality update from Dr. Michael Henderson, Chief Medical Officer at the University of Mississippi Medical Center.
2. The Committee received an update on the Children's of Mississippi Expansion Project from Mr. Bruce Fairbanks, Chief Financial Officer at the University of Mississippi Medical Center.
3. By consensus, the Committee adjourned the meeting.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Mrs. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, and Dr. Walt Starr. Mr. C.D. Smith was absent.

**EXECUTIVE SESSION**

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

Discussion of three state university litigation matters;  
Discussion of one state university prospective land transaction; and  
Discussion of one state university personnel matter.

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

The Board discussed one state university prospective land transaction. **No action was taken.**

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3047, styled as *Sandra Adams vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Rouse, seconded by Trustee Dye all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3085, styled as *Brenda Bynum vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-34267-1, styled as *Wendy Crumbley vs. UMMC, et al.*, as recommended by counsel.

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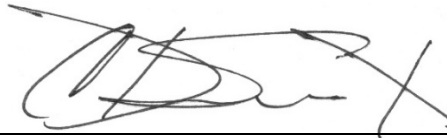
The Board discussed one state university personnel matter. **No action was taken.**

**The Board recessed for lunch at 12:57 p.m. The meeting reconvened at 1:45 p.m.**

**On motion by Trustee Hooper, seconded by Trustee Perry, 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 Perry, seconded by Trustee Smith, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**EXHIBITS**

- Exhibit 1      Approval of MS-ITS Board for the amendment to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Mississippi State University.
  
- Exhibit 2      Proposed modifications to Board Policy 301.01 Officers of the Board for final approval.
  
- Exhibit 3      Proposed new Board Policy 201.0104 Removal of Board Members for first reading.
  
- Exhibit 4      Proposed changes to Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation for first reading.
  
- Exhibit 5      Real Estate items that were approved by the IHL Board staff subsequent to the April 20, 2017 Board meeting.
  
- Exhibit 6      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

May 18, 2017

**PROJECT NUMBER 42958  
AMENDMENT # 4 TO  
SUPPLEMENT TO MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION, INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT SOFTWARE AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORPORATION)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
MISSISSIPPI STATE UNIVERSITY  
(ORIGINAL PROJECT NUMBER 38890)**

This document (hereinafter referred to as "Amendment Number 4") shall serve to amend and is made subject to the terms and conditions of the original Supplement to Master Software License and Service Agreement executed on February 23, 2011 and amended on December 19, 2014, June 4, 2015, and May 10, 2016 (hereinafter referred to as "Supplement"), between Ellucian Company L.P., having its principal place of business at 4 Country View Road, Malvern, Pennsylvania 19355 (hereinafter referred to as "Licensor" and/or "Ellucian"), and the Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for Mississippi State University located at 175 President's Circle, Mississippi State, Mississippi 39762 (hereinafter referred to as "Licensee" and/or "MSU"). ITS and Licensee are sometimes collectively referred to herein as "State".

**WHEREAS, MSU desires to renew Technical Currency maintenance services for its Ellucian software products;**

**NOW THEREFORE, ITS, MSU, and Ellucian, by entering into this Amendment Number 4, mutually agree that the following provisions shall modify the aforementioned Supplement:**

**In order to renew Technical Currency maintenance services for the Ellucian software products, the parties agree that Exhibit A, Exhibit A-1, and Exhibit A-2 in the Supplement shall be and hereby are, as of the date of the last signature below, modified by the addition of the new Exhibit A-3, which is attached to this Amendment Number 4 and incorporated herein by reference. As a result of this Amendment Number 4, Licensor agrees to provide the additional Technical Currency maintenance services listed in the attached Exhibit A-3 at the pricing therein stated not to exceed an additional \$3,857,491.00."**

**Any conflict between this Amendment Number 4 and the Supplement will be resolved in favor of this Amendment Number 4. Except as expressly modified by this Amendment Number 4, all other terms and conditions of the Supplement executed on February 23, 2011 and amended on December 19, 2014, June 4, 2015, and May 10, 2016, shall remain unchanged and in full force and effect.**

*Signature Page to Follow*


# EXHIBIT 1

## May 18, 2017

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this Amendment Number 4 as of the last signature date herein below.

State of Mississippi, Department of  
Information Technology Services, on  
behalf of Mississippi State University

Ellucian Company L.P.

By: Craig P. Orgeron  
Authorized Signature 

By:   
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: Mike Cleary  
VP Customer Support

Title: Executive Director

Title: \_\_\_\_\_

Date: 04/05/2017

Date: 3/30/2017

# EXHIBIT 1

## May 18, 2017

### EXHIBIT A-3

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
<b>Maintenance Paid in Arrears</b>							
Banner Document Mgmt Suite	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ApplicationXtender Capture Pkg	\$364.00	\$379.00	\$394.00	\$409.00	\$426.00	\$443.00	\$461.00
Elucian Intelligent Learning Plat (ILP)	\$15,296.00	\$15,908.00	\$16,544.00	\$17,206.00	\$17,895.00	\$18,610.00	\$19,355.00
Elucian Mobile Platform Edition	\$13,027.00	\$13,548.00	\$14,090.00	\$14,654.00	\$15,240.00	\$15,849.00	\$16,483.00
Banner Advancement	\$19,507.00	\$20,288.00	\$21,099.00	\$21,943.00	\$22,821.00	\$23,734.00	\$24,683.00
Banner Advancement Self-Service	\$11,705.00	\$12,173.00	\$12,660.00	\$13,167.00	\$13,693.00	\$14,241.00	\$14,811.00
Banner Doc Mgmt Int Comp	\$5,154.00	\$5,360.00	\$5,575.00	\$5,798.00	\$6,030.00	\$6,271.00	\$6,522.00
Banner Employee Self-Service	\$13,724.00	\$14,273.00	\$14,844.00	\$15,437.00	\$16,055.00	\$16,697.00	\$17,365.00
Banner Faculty Self-Service	\$13,724.00	\$14,273.00	\$14,844.00	\$15,437.00	\$16,055.00	\$16,697.00	\$17,365.00
Banner Finance	\$46,848.00	\$48,722.00	\$50,671.00	\$52,697.00	\$54,805.00	\$56,998.00	\$59,277.00
Banner Finance Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Financial Aid	\$45,111.00	\$46,915.00	\$48,792.00	\$50,744.00	\$52,774.00	\$54,884.00	\$57,080.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Human Resources	\$43,374.00	\$45,109.00	\$46,914.00	\$48,790.00	\$50,742.00	\$52,771.00	\$54,882.00
Banner Integration Technologies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Student	\$60,718.00	\$63,147.00	\$65,673.00	\$68,300.00	\$71,032.00	\$73,873.00	\$76,828.00

# EXHIBIT 1

May 18, 2017

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
Banner Student Self-Service	\$17,151.00	\$17,837.00	\$18,550.00	\$19,292.00	\$20,084.00	\$20,866.00	\$21,701.00
Banner Workflow	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter BCM Bundle	\$49,625.00	\$51,610.00	\$53,674.00	\$55,821.00	\$58,054.00	\$60,376.00	\$62,791.00
Recr Add'l Address Cleanses Maint	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recr Additional Emails Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter Base License	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter Payment Gateway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Advantage Plus Fees 1	\$19,858.00	\$20,652.00	\$21,478.00	\$22,337.00	\$23,231.00	\$24,160.00	\$25,126.00
Ellucian eCRM Platform	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ellucian eCRM Premium User	\$3,439.00	\$3,577.00	\$3,720.00	\$3,869.00	\$4,023.00	\$4,184.00	\$4,352.00
Ellucian eCRM Standard User	\$7,911.00	\$8,228.00	\$8,557.00	\$8,899.00	\$9,255.00	\$9,625.00	\$10,010.00
Ellucian Int'l Scholar Dossier	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ellucian Int'l Student and Scholar Mgmt	\$9,402.00	\$9,778.00	\$10,169.00	\$10,576.00	\$10,999.00	\$11,438.00	\$11,896.00
Banner Doc Mgmt Suite	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ApplicationXtender Desktop	\$9,129.00	\$9,494.00	\$9,874.00	\$10,269.00	\$10,680.00	\$11,107.00	\$11,551.00
AppX Rpts Mgmt AFP Print Stream Opt	\$1,909.00	\$1,986.00	\$2,065.00	\$2,148.00	\$2,234.00	\$2,323.00	\$2,416.00
AppXtender Reports Mgmt Svr	\$7,158.00	\$7,445.00	\$7,742.00	\$8,052.00	\$8,374.00	\$8,709.00	\$9,058.00
AppXtender Reports Mgmt Svr 2	\$954.00	\$992.00	\$1,032.00	\$1,073.00	\$1,116.00	\$1,160.00	\$1,207.00



# EXHIBIT 1

May 18, 2017

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
ApplicationXtender Test Bundle	\$1,369.00	\$1,423.00	\$1,480.00	\$1,540.00	\$1,601.00	\$1,665.00	\$1,732.00
AppXtender Web Access .NET	\$11,930.00	\$12,407.00	\$12,903.00	\$13,419.00	\$13,956.00	\$14,514.00	\$15,095.00
ApplicationXtender Web Services	\$5,431.00	\$5,648.00	\$5,874.00	\$6,109.00	\$6,353.00	\$6,607.00	\$6,872.00
DiskXtender Windows File System Mgr Svr	\$572.00	\$595.00	\$619.00	\$643.00	\$669.00	\$696.00	\$724.00
QuickScan Pro for AppXtender	\$1,886.00	\$1,961.00	\$2,039.00	\$2,121.00	\$2,206.00	\$2,294.00	\$2,386.00
Advantage Plus Fees for BDMS	\$2,420.00	\$2,517.00	\$2,618.00	\$2,722.00	\$2,831.00	\$2,945.00	\$3,062.00
Advantage Plus Fees for BDMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Luminis Basic	\$49,700.00	\$51,688.00	\$53,755.00	\$55,905.00	\$58,141.00	\$60,467.00	\$62,886.00
<b>Grand Total:</b>	<b>\$488,396.00</b>	<b>\$507,933.00</b>	<b>\$528,249.00</b>	<b>\$549,377.00</b>	<b>\$571,355.00</b>	<b>\$594,204.00</b>	<b>\$617,977.00</b>
							<b>Total Maintenance Cost:</b>
							<b>\$3,857,491.00</b>

# EXHIBIT 2

May 18, 2017

## SYSTEM - APPROVAL OF THE MODIFICATIONS TO BOARD POLICY 301.01 OFFICERS OF THE BOARD FOR FINAL READING.

### 301.01 Officers of the Board

#### A. PRESIDENT:

There shall be a president elected by the Board from its membership. ~~It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve.~~ A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. ~~Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as President from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another A member of the a class may serve more than one term, if elected. The length of a term shall be one year. The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~ The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. ~~The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~

# EXHIBIT 3

May 18, 2017

## SYSTEM - APPROVAL OF NEW BOARD POLICY 201.0104 REMOVAL OF BOARD MEMBERS FOR FIRST READING.

### 201.0104      **REMOVAL OF BOARD MEMBERS**

Members of the Board of Trustees are state officials appointed by the Governor and confirmed by the Senate. As such, they may only be removed from office pursuant to specific Mississippi statutory or constitutional provisions. Some examples of legal mechanisms for removal of a Board member are as follows:

- a. Pursuant to Art. 6 §175 of the Mississippi Constitution, public officers shall be removed for willful neglect of duty or misdemeanor in office upon conviction.
- b. Pursuant to Miss. Code Ann. § 25-5-1, if any public officer is convicted or pleads guilty or nolo contendere to any felony, other than manslaughter or any violation of the United States Internal Revenue Code, or corruption in office, or of gambling or dealing in futures with money coming to his hands by virtue of his office, any court of this state shall adjudge the defendant removed from office; and the office of the defendant shall thereby become vacant. If any such officer is found by inquest to be of unsound mind during the term for which he was elected or appointed, or shall be removed from office by the judgment of a court of competent jurisdiction or otherwise lawfully, his office shall thereby be vacated.

When any such officer is found guilty of a crime which is a felony under the laws of this state or which is punishable by imprisonment for one (1) year or more, other than manslaughter or any violation of the United States Internal Revenue Code, in a federal court or a court of competent jurisdiction of any other state, the Attorney General of the State of Mississippi shall promptly enter a motion for removal from office in the Circuit Court of Hinds County in the case of a state officer, and in the circuit court of the county of residence in the case of a district, county or municipal officer. The court, or the judge in vacation, shall, upon notice and a proper hearing, issue an order removing such person from office and the vacancy shall be filled as provided by law.

- c. Pursuant to Miss. Code Ann. § 25-4-109 (2), concerning a violation of the Miss. Ethics in Government Statutes, removal can occur as follows:

Upon a finding by clear and convincing evidence that any nonelected public servant has violated any provision of this article, the Ethics Commission may censure the nonelected public servant or impose a civil fine of not more than Ten Thousand Dollars (\$10,000.00), or both. The Ethics Commission may further recommend to the Circuit Court for Hinds County that the nonelected public servant be removed from office, suspended, or subjected to a demotion or reduction in pay.

# EXHIBIT 4

May 18, 2017

## SYSTEM - APPROVAL OF PROPOSED AMENDMENTS TO BOARD BYLAW 301.0802 INSTITUTIONAL EXECUTIVE OFFICER ASSESSMENT/EVALUATION FOR FIRST READING

### **301.0802 Institutional Executive Officer Assessment/Evaluation**

The objective of the Institutional Executive Officer Assessment/Evaluation is to promote good communication and build strong working relationships between the Institutional Executive Officer (IEO), the Commissioner, the Board of Trustees, and the campus constituencies. The assessment is designed to provide each Institutional Executive Officer with feedback on performance and the opportunity for professional reflection and development. The performance reviews of the IEOs will be conducted at least every year ~~year~~ two years.

- A. The Commissioner of Higher Education has primary responsibility for the ~~annual~~ two-year evaluation of the IEO. The Commissioner's ~~annual~~ two-year evaluation shall include at a minimum:
  1. An assessment of institutional performance at the system level,
  2. An assessment of individual performance goals and specific performance indicators reflective of long-term strategic institutional goals, and
  3. A written evaluation by the Commissioner.
- B. The Commissioner will seek input on IEO performance from on-campus constituent groups and external constituencies.
- C. The Commissioner will share the written evaluation of the IEO with the person being assessed and will provide the IEO with a copy and the opportunity to add a statement responding to the assessment and adding any additional information as appropriate. The written evaluation and any IEO response will then be shared with the Board of Trustees. Based on the results of the evaluation, the Commissioner may ask the IEO to develop a written improvement plan for the following year that will be approved by the Commissioner.
- ~~D. Based on the results of the evaluation, a written, personal development plan for the following year shall be developed by the IEO and approved by the Commissioner.~~
- E. The Commissioner shall report to the Board of Trustees the process being used for IEO assessment at the beginning of each ~~annual~~ two-year cycle.

# EXHIBIT 5

May 18, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE APRIL 20, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

### **DELTA STATE UNIVERSITY**

#### **1. DSU- GS 102-258 – Sillers Coliseum Renovations**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Cooke Douglass Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, April 10, 2017

Project Initiation Date: October 16, 2014

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$350,000.00

### **MISSISSIPPI STATE UNIVERSITY**

#### **2. MSU- GS 113-136 – Meat Science Laboratory**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$60,324.71 and zero (0) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 16, 2107

Change Order Description: Change Order #1 includes the following items: Install a heat detector; install 6” curbs behind the hot water system at the cooler panel walls; change the EOB (Emergency Shutdown Boiler) switch to be equal to Safety Technology International as EBO (Emergency Boiler Shutdown); omit pole lights P2 & change pole lights P1 height to 35 feet; revise the site grading; provide smart design trolleys for the smoke houses; and controls allowance reconciliation credit.

# EXHIBIT 5

May 18, 2017

Change Order Justification: This change was due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$60,324.71.

Project Initiation Date: October 17, 2013

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

General Contractor: Construction Services, Inc.

Total Project Budget: \$8,200,000.00

### 3. **MSU– GS 113-141, Phase I – ADS & Poultry Complex**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$11,518,000.00 to the apparent low bidder, Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

Project Initiation Date: April 16, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: Century Construction and Realty, Inc.

Total Project Budget: \$16,500,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 4. **MUW– GS 104-184 – Fant Library Renovation – PH III (Build Out)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$20,327.52 and zero (0) additional days to the contract of Amason & Associates, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 24, 2107

Change Order Description: Change Order #1 includes the following items: corrections of existing mechanical and plumbing work at the 2<sup>nd</sup> floor restrooms; credit for the difference between the Mechanical Controls Allowance and the bid amount; remove and replace unsuitable soils beneath the existing East concrete drive; relocate the fire main line above three rooms; re-route the existing pvc roof drain leader with the archives area; and credit for revisions to various ceiling types.

Change Order Justification: This change was due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$20,327.52.

Project Initiation Date: January 22, 2015

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

General Contractor: Amason & Associates, Inc.

Phased Project Budget: \$4,393,086.52

Total Project budget: \$8,249,000.00

# EXHIBIT 5

May 18, 2017

## MISSISSIPPI VALLEY STATE UNIVERSITY

### 5. MVSU – GS 106-258 – Academic Skills TI

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Architecture South.

Approval Status & Date: APPROVED, April 10, 2017

Project Initiation Date: October 15, 2015

Design Professional: Architecture South

General Contractor: TBD

Total Project Budget: \$3,500,000.00

## UNIVERSITY OF MISSISSIPPI

### 6. UM– GS 107-308.1 – Union Addition & Renovation – Primary Electric at Grove

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$52.20 and zero (0) additional days to the contract of Total Electric, LLC.

Approval Status & Date: APPROVED, March 24, 2017

Change Order Description: Change Order #1 includes the following items: reduce the conductor from 1/0 to #2; and install three #2-15kv inline splices in the electrical man hole #7.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$52.20.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects and Engineers, P.A.

General Contractor: Total Electric, LLC

Phased Project Budget: \$215,968.20

Total Project Budget: \$58,900,000.00

### 7. UM– IHL 207-372.1 – South Campus Recreation Facility & Transportation Hub DEMO

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$127,868.91 and ninety-seven (97) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

# EXHIBIT 5

May 18, 2017

Change Order Description: Change Order #5 includes the following items: removal of sub-grade building components uncovered during demolition; installation of satisfactory fill material; and twenty-six (26) days to the contract.

Change Order Justification: This change was due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$208,235.97.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$1,502,716.46

Total Project Budget: \$32,000,000.00

## 8. **UM- IHL 207-383 – Gillom Sports Center Renovation**

### **Approval Request #1: Change Order #4R**

Board staff approved Change Order #4R in the amount of \$96,056.98 and fourteen (14) additional days to the contract of Zellner Construction Services, Inc.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #4R includes the following items: revision of the wood lockers at all team locker rooms to include adding lockable space in the lockers & adding USB charging ports in all the lockers; multiple miscellaneous door opening revisions; additional sidewalks and guardrails to the West side of the building; add a hand sink to the concession area and make provisions in the countertop area; add the simple saver fabric used in the ceiling of the high roof area to all the exposed walls in that area; add an exhaust fan to the soccer vestibule; change the size & gauge of the hat channel framing under the grand stands; relocate some existing electrical junction boxes & conduits in the volleyball team room; delete the storage racks; reroute the existing gas line over strength and conditioning from in front of the windows; add matching light fixtures; additional access controls to multiple exterior doors; add doors to two (2) cubbies in sports medicine area; add a desk in the exam room next to the proposed sink millwork; add two (2) lay-in lights in a corridor; add steel tube supports to the half wall in the treatment area; add access controls to a door; delete the wood louvers in the tea, room; revise the location of the return air louvers in the court storage area; provide a gas line in the existing laundry room; and fourteen (14) days to the contract.

Change Order Justification: These changes are due to errors & omission in the plans & specification; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

### **Approval Request #2: Change Order #5**

Board staff approved Change Order #5 in the amount of \$6,707.91 and zero (0) additional days to the contract of Zellner Construction Services, Inc.

Approval Status & Date: APPROVED, April 3, 2017

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$196,526.09.

Project Initiation Date: June 19, 2014

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



# EXHIBIT 5

May 18, 2017

General Contractor: Zellner Construction Services, LLC  
Total Project Budget: \$13,800,000.00

## **9. UM – IHL 207-392 – North Parking Structure**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the credit amount of \$597,357.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, April 6, 2017

Change Order Description: Change Order #5 includes the following items: additional fire hydrants required connection to the fire main by hot tap; relocation of code blue stations; precast boardwalk system was deleted; retaining wall handrails were added; and floor drains were added.

Change Order Justification: These changes were due to errors and omission in the plans and specifications; and user/owner requested modifications.

Total Project Change Orders and Amount: Five (5) change orders for a total credit amount of \$136,175.39.

Project Initiation Date: September 26, 2014

Design Professional: Eley Guild Hardy Architects, P.A.

General Contractor: B.L. Harbert International, LLC

Phased Project Budget: \$33,750,000.00

Total Project Budget: \$34,550,000.00

## **10. UM– IHL 207-399 – University Avenue Bridge Renovation**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$1,980.72 and zero (0) additional days to the contract of Century Construction.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #1 includes the following items: sidewalk restoration to include a finish pour to match the concrete on either side of the new pour; repair of cracks & areas of spalling on the outside and underneath fascia of the steel beam encased in concrete; and credit for a bearing device not needed.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$1,980.72.

Project Initiation Date: January 22, 2015

Design Professional: Buchart Horn, Inc. /BASCO Associates

General Contractor: Century Construction

Total Project Budget: \$1,750,000.00

## **11. UM – IHL 207-411.1 – Oxford-University Stadium (Swayze Field) Addition & Renovation – PH II**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$15,083,000.00 to the apparent low bidder, Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

# EXHIBIT 5

May 18, 2017

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$17,742,421.30

Total Project Budget: \$18,975,750.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### **12. UMMC– IHL 109-210 (GC-001) – School of Medicine**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #10**

Board staff approved Change Order #10 in the amount of \$162,339.00 and ninety (90) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #10 includes the following items: revise the fire curtain track details & gypsum board atrium assemblies; add a storefront in lieu of a fire curtain; include additional testing for the fire alarm; remove the rubber & terrazzo from the millwork base cabinet doors with integral toe kicks and replace with laminate matching cabinet finish; delete the sprinkler fire protection from the multimedia renovation area; patch holes and add fire caulking at the existing ground floor lobby above the ceiling walls; add a pile cap at the loading dock; rework the installed lab casework to allow space for small incubators; add new cabinets in the simulation room; touch-up paint; add storage fees for incubators; install thicker rubber base in the wet lab; remove the existing pendant light fixture in the multimedia room and replace with a new lay-in fixture; remove the installed light fixtures in the student access room and replace with can lights; relocate the fire alarm strobes in the restrooms; and ninety (90) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$775,618.00.

Project Initiation Date: December 8, 2011

Design Professional: Cooke Douglass Farr Lemons + Eley Guild hardy, Architects – Jackson, P. A. – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

### **13. UMMC – IHL 209-544 – Translational Reserch Center**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$218,414.32 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, March 16, 2017

# EXHIBIT 5

May 18, 2017

Change Order Description: Change Order #4 includes the following items: modifications to the 3<sup>rd</sup> floor office area; wall & floor finishes inside the storage room in vivarium; in-wall & drain modifications to the break room; repair damaged underground conduit; provide access to the drain bowls in vivarium showers; adding five (5) pre-heat hot water coil loop pumps; add heat trace tape on the exterior cold water make-up piping for the cooling towers; re-route the fiber optic cabling; add a catch basin below the serpentine wall; resurface the parking area; and add furrdowns at the cage washers.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total credit amount of \$938,607.73.

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

## **14. UMMC- IHL 209-551 – Main Pharmacy Renovations 2014**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by The McCarty Company

Approval Status & Date: APPROVED, March 16, 2017

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 16, 2017

Project Initiation Date: January 22, 2015

Design Professional: The McCarty Company

General Contractor: TBD

Total Project Budget: \$3,848,518.00

## **15. UMMC – IHL 209-552 – School of Medicine Infrastructure-Contract 2**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$312,756.90 and eighty (80) additional days to the contract of Cooke Douglass Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 16, 2017

Change Order Description: Change Order #5 includes the following items: relocate 2” irrigation pipes; repairs and overlay to parking lot #11; adjust the existing grades at the Student Union truck entrance; add new sidewalks across the campus; add new stainless steel handrails at the loading dock; additional irrigation location services; add a sidewalk in lot #18; a credit for the exterior signage allowance not utilized; and eighty (80) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$760,208.65.

# EXHIBIT 5

May 18, 2017

Project Initiation Date: March 19, 2015

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$2,087,108.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### **16. USM– GS 108-281 – Green and Chain Renovations**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, April 5, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 5, 2017

Project Initiation Date: September 18, 2014

Design Professional: Allred Architectural Group

General Contractor: TBD

Total Project Budget: \$11,500,000.00

### **17. USM – IHL 208-335 – Ross Boulevard Parking Project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$945,339.50 to the apparent low bidder, R & J Construction, Inc.

Approval Status & Date: APPROVED, March 24, 2017

Project Initiation Date: May 19, 2016

Design Professional: Neel-Schaffer, Inc.

General Contractor: R & J Construction, Inc.

Project Budget: \$1,350,000.00

### **18. USM – IHL 210-243 – Marine Education Center**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$71,582.00 and six (6) additional days to the contract of Starks Contracting Company, Inc.

Approval Status & Date: APPROVED, April 3, 2017

Change Order Description: Change Order #4 includes the following items: add 2x6 moisture shield composite decking in lieu of 5/4 composite decking; add a seawater pump slab and post foundation; revision to site water utility; additional electrical & plumbing rough-ins for ice maker; and six (6) days to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendation by governmental agencies; weather; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$171,756.75.

# EXHIBIT 5

May 18, 2017

Project Initiation Date: August 21, 2008  
Design Professional: Lake Flato Architects, PLLC  
General Contractor: Starks Contracting Company, Inc.  
Total Project Budget: \$16,115,659.75

# EXHIBIT 6

May 18, 2017

## 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 Ware Immigration (statements dated 4/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00, \$2,500.00, \$1,133.75, \$2,000.00, \$2,000.00 and \$1,322.50, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 10,956.25**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 4/10/17) from the funds of the University of Mississippi. (This statement, in the amount of \$192.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 192.00**

Payment of legal fees for professional services rendered by Perry & Winfield (statement dated 4/20/17) from the funds of the Mississippi State University. (This statement, in the amount of \$8,982.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,982.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/18/17, 3/14/17, 3/14/17, 3/14/17, 3/14/17, 3/24/17, 3/24/17, 3/26/17, 3/29/17, 3/29/17, 3/29/17, 3/30/17, 3/31/17 and 4/4/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$871.00, \$392.00, \$1,151.50, \$3,895.50, \$465.50, \$2,940.00, \$1,641.50, \$514.50, \$5,316.50, \$2,228.60, \$7,301.00, \$21,887.80, \$9,506.00 and \$931.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 59,042.40**

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 2/28/17 and 3/31/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$36,211.70 and \$6,860.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 43,072.40**

# EXHIBIT 6

May 18, 2017

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 4/7/17, 4/7/17, 4/7/17, 4/7/17, 4/7/17, 4/7/17 and 4/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$643.50, \$1,156.42, \$495.00, \$313.50, \$16,329.10, \$2,244.00, \$643.50, \$3,833.84, \$10,902.25, \$255.75, \$1,212.75, \$643.50, \$1,320.00, \$2,846.25, \$6,352.50 and \$6,338.65, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 55,530.51**

Payment of legal fees for professional services rendered by John T. Kitchens d/b/a Whitfield Law Group (statements dated 3/3/17 and 3/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,836.00 and \$39,676.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 41,512.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/24/17, 4/5/17 and 4/14/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$8,112.00, \$336.00 and \$2,616.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,064.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 4/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$44.76, \$391.28, \$21.10, \$61.25, \$1,517.70, \$21.05, \$2,000.00 and \$46.30, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,103.44**

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

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statement dated 3/6/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Systems and Methods for Detecting Transient Acoustic Signals" - \$239.82.)

**TOTAL DUE.....\$ 239.82**

# EXHIBIT 6

May 18, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 3/29/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$657.00.)

**TOTAL DUE.....\$ 657.00**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/15/17, 3/21/17, 3/30/17 and 4/3/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$488.08; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$984.51; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$490.05 and “Compositions containing Delta-9-THC-Amino Acid Esters” - \$2,319.50, respectively.)

**TOTAL DUE.....\$ 4,282.14**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/22/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - \$559.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$38.00; “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$38.00 and “Indolizine-Based Donors as Organic Sensitizer Components” - \$47.50.)

**TOTAL DUE.....\$ 683.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/22/17, 3/22/17, 3/22/17, 3/22/17, 3/22/17, 3/22/17 and 3/30/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$313.50, \$57.00, \$1,487.50, \$546.50, \$38.00, \$757.50 and \$2,848.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 6,048.50**



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

**May 22, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in an emergency teleconference meeting held at the Board Office in Jackson, Mississippi, at 3:00 p.m. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Mr. C.D. Smith and Dr. J. Walt Starr. All trustees participated by phone except Dr. Doug Rouse who was absent and President C.D. Smith who participated in person and called the meeting to order.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter at one of the public universities**

**EXECUTIVE SESSION**

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustee Rouse absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Hooper, seconded by Trustee Perry, with Trustee Rouse absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at one of the public universities.

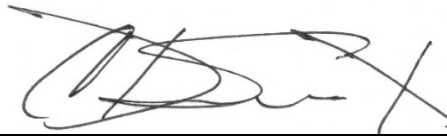
**During Executive Session, the following matter was discussed and voted upon:**

On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Rouse absent and not voting, all Trustees legally present and participating voted unanimously to select Dr. William Bynum as the preferred candidate for the position of president at Jackson State University. Dr. Bynum will participate in open interviews on the campus with various university and community constituency groups.

**On motion by Trustee Perry, seconded by Trustee Hopper, with Trustee Rouse 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 Perry, seconded by Trustee Hooper, with Trustee Rouse absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 31, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called teleconference meeting held at the Board Office in Jackson, Mississippi, at 3:00 p.m. At the above-named place there were present the following members to wit: Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Doug Rouse (by phone), Mr. C.D. Smith and Dr. J. Walt Starr (by phone). The meeting was called to order by Trustee C.D. Smith, President.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter and a Board litigation matter.**

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter and a Board litigation matter.

**During Executive Session, the following matter was discussed and/or voted upon:**

On motion by Trustee Dye, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the following:

1. Hire Dr. William Bynum as President of Jackson State University with a four-year contract beginning July 1, 2017 and consisting of a state base salary of \$300,000 and a foundation supplement up to \$75,000;
2. To include in the contract under the compensation upon return to faculty clause that in the event Dr. Bynum resigns or is terminated as President of JSU but remains employed with the institution, his salary as a full professor shall be 110% of the highest faculty salary on the Jackson Campus of Jackson State University; and
3. In accordance with Board Policy 403.03 Tenure of Institutional Executive Officers, the Board will consider an application for tenure as a full professor in the Department of Education, Human Development, and Humane Letters in the College of Education at Jackson State University.

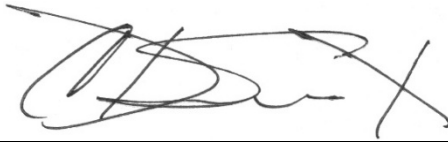
The Board discussed a Board litigation matter. **No action was taken.**

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 31, 2017**

**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 15, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this June 15, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Dr. Doug Rouse, President, and opened with prayer by Trustee Starr.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed the Student Government Association Officers: Alexis Moore, SGA President at Jackson State University; and Dion Kevin, SGA President at the University of Mississippi.
- Trustee Shane Hooper introduced his sons, Christopher and Channing Hooper. The Board welcomed them to the meeting.

**APPROVAL OF THE MINUTES**

On motion by Trustee Pickering, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on May 18, 2017; May 22, 2017; and May 31, 2017.

**CONSENT AGENDAS**

On motion by Trustee Perry, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to add agenda item #3, which requests authorization to plan degree programs, to the Academic Affairs Consent Agenda. On motion by Trustee Duff, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas, as modified.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved the following academic unit modifications:
  - Reorganize and Rename**
    - a. **JSU** – Consolidate two academic units, the Department of English and Modern Foreign Languages and the Department of Speech Communications, and rename the new unit the Department of English and Modern Foreign Languages and Speech Communications.
    - b. **JSU** – Consolidate two academic units, the Department of Art and the Department of Theatre and rename the new unit the Department of Art and Theatre.

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- c. **JSU** – Reorganize and rename the School of Journalism and Media Studies to The Department of Journalism and Media Studies.
  - d. **JSU** – Consolidate four academic units the Department of Accounting, the Department of Economics, Finance and General Business, the Department of Marketing and Management, and the Department of Entrepreneurship and rename the new units the Department of Accounting, Finance, and Entrepreneurship and the Department of Business Administration.
  - e. **JSU** – Consolidate the Department of Special Education and the Department of Social and Cultural Studies and rename the new unit the Department of Special Education and Social and Cultural Studies.
  - f. **JSU** – Consolidate two existing academic units, Physics, Atmospheric Sciences and Geoscience and Chemistry and Biochemistry, and rename the new unit the Department of Chemistry and Geo and Physical Sciences.
  - g. **JSU** – Consolidate two academic units, Computer Science and Electrical and Computer Engineering and rename the new unit the Electrical and Computer Engineering and Computer Science.
  - h. **JSU** – Consolidate two existing academic units, Industrial Systems and Technology and Civil and Environmental Engineering and rename the new unit the Department of Civil, Environmental Engineering and Industrial Systems Technology.
  - i. **MUW** – Reorganize two existing academic units, College of Arts and Sciences and College of Education and rename the new unit the College of Arts, Sciences, and Education.
- Reorganize**
- j. **MUW** – Reorganize the Department of Health and Kinesiology’s academic programs and move the department’s existing programs to the College of Nursing and Speech-Language Pathology.
2. **JSU** – Approved the following academic program modification: Suspend the Master of Arts in Teaching English degree (CIP 230101).
  3. **SYSTEM** – Approved the authorizations to plan new degree programs, as follows:
    - a. **ASU** – Bachelor of Science in Athletic Training degree (CIP 51.0913);
    - b. **ASU** – Masters of Arts in History degree (CIP 54.0102);
    - c. **MSU** – Bachelor of Science in Cyber Security and Operations degree (CIP 11.1003);
    - d. **MSU** – Masters in Physician Assistant Studies degree (CIP 51.0912);
    - e. **UM** – Bachelor of Science in Economics degree (CIP 13.1401);
    - f. **UM** – Master of Science in Hospitality Management degree (CIP 52.0901);
    - g. **UM** – Master of Science in Integrated Marketing Communication degree (CIP 9.0900);
    - h. **UM** – Master of Accountancy and Data Analytics degree (CIP 52.0399);
    - i. **UM** – Master of Taxation and Data Analytics degree (CIP 52.1601); and
    - j. **ASU, DSU, JSU, MSU, MUW, MVSU, UM, USM** – Bachelor of Science/Bachelor of Arts for the Adult Completion Degree Program (CIP 24.0102).

**FINANCE**

4. **SYSTEM** – Approved the request to renew the auto liability insurance coverage for the system with Berkley Southeast Insurance Group and American Empire Surplus Lines Insurance Company covering approximately 1,974 owned vehicles, but it also extends to borrowed and leased vehicles. The IHL Self-Insured Tort Plan insures against third party tort claims as outlined in the Mississippi

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Tort Claims Act (§11-46-1, et seq.), which includes automobile liability coverage. To limit its exposure, the IHL Self-Insured Tort Plan currently purchases liability insurance coverage in the amount of \$500,000 for in-state coverage and \$5,000,000 for out-of-state coverage. The term of the policy is July 1, 2017 to July 1, 2018, if a renewal option is not exercised. Berkley Southeast has offered a three-year conditional rate guarantee and renewal option, and this agenda item includes the renewal options in the event that IHL chooses to renew the policy for two additional years. If both renewals are elected, the contract term will run through July 1, 2020. The total annual premium for both insurance policies is \$763,711.89, with the premium amount for Berkley Southeast being \$613,460 and the premium for American Empire Surplus Lines Insurance Company being \$150,251.89. The last three policy years have seen a total insurance cost per vehicle to be \$384. The cost per vehicle for this policy will be \$386. The quote includes a three-year rate guarantee, subject to an Annual Loss Ratio of 40% or less. If the policy is renewed for two additional years, the three-year total would be \$2,360,557 if fleet size increases at 3% per year. However, the total annual premium may vary in proportion to an increase or decrease in the number of vehicles. In addition to the liability coverage, \$1,620 of the annual premium is for comprehensive coverage related to leased vehicles. The universities are billed directly for their share of the premium. There is a deductible of \$10,000 per occurrence, and deductible amounts are paid from the IHL Self-Insured Tort Claims Plan.

5. **MSU** – Approved the request to enter into a new contract with DoubleMap, Inc. to provide passenger bus tracking and passenger counting software, hardware, services, and maintenance. Passenger counting is needed in order to report annual ridership numbers as part of the proposal process with the Mississippi Department of Transportation. GPS bus tracking provides numerous benefits, including the ability for riders to track their bus and provide accurate estimated time of arrival times. The current contract is expiring. The CP-1 is approved for 10 years. This agreement will not be effective until both parties have executed this agreement and the effective date of this agreement shall be the date it is executed by whichever party executes the agreement last. This agreement shall commence on the effective date and shall continue for ten (10) years at which time, this agreement shall automatically expire. MSU expects the contract to be fully executed no later than June 23, 2017. The total cost of the contract for the 10-year term is \$528,177.97. A breakdown of yearly costs is included in the bound *June 15, 2017 Board Working File*. Funds are available from Starkville-MSU Area Rapid Transit, which is a partnership between the Mississippi Department of Transportation and MSU Parking and Transit Services. Through this grant, the Mississippi Department of Transportation covers 80% of capital and 50% of annual operation cost. This contract is funded as a capital item and cover by 80% grant funds and 20% local cash match from MSU Parking and Transit Services. The agreement, which was reviewed and approved by the Associate Commissioner for Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
6. **MSU** – Approved the request to extend the current contract for elevator maintenance with ThyssenKrupp for an additional six months with no changes. The contract provides for full comprehensive preventive maintenance and repair services for elevator maintenance at the MSU campus in Starkville. The extension will be effective July 1, 2017 and end on December 31, 2017. MSU will pay \$29,587.63 per month for six months, making the total expenditure \$177,525.78. It should be noted that the monthly amount has increased during the term of the contract due to the addition and deletion of various units as MSU closed and opened different buildings. This was anticipated in section 3.9.8 of the RFP. The contract will be funded by general funds. The

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- agreement, which was reviewed and approved by the Associate Commissioner for Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
7. **MSU** – Approved the request to renew a contract with United Healthcare Insurance Company for health insurance plans which will cover MSU students for the 2017-2018 school year. This is a group rate student health insurance contract which fully complies with the requirements of the Affordable Care Act. The plan allows students who need affordable health insurance coverage to have access to comprehensive coverage at a reasonable cost which is lower than rates available to them on an individual basis. The contract will be annual, from August 1, 2017, to July 31, 2018. The contract amount varies depending upon the number of students who elect to purchase the insurance. However, a fair estimate based upon last year's amount is approximately \$1,050,000. The agreement, which was reviewed and approved by the Associate Commissioner for Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
  8. **UM** – Approved the request to enter into a lease with Crown Castle Towers 06-2 LLC to enhance cell coverage on the west side of campus and ensure adequate signal in the event of an emergency. Under the contract, a neutral host cell tower will be constructed for cell providers to place antennas for cellular service. The initial term will be five years and will be renewed and extended upon mutual consent of UM and Lessee, for four additional terms of five years each. The university will receive \$100,000 university upon start of cell tower construction, and 40% of the cell carrier revenue for providers on the tower along with 40% of any lease increases if Crown Castle Towers 06-2 LLC gets a yearly escalator from the sublease agreements with the carriers will be paid to the university. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  9. **UM** – Approved the request to enter into a contract with Springer Customer Service Center which will include prepayment for services in accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services. The Board also granted retroactive approval for the contract start date of January 1, 2017. Retroactive approval is requested due to the lengthy negotiations between Springer and Lyasis which delayed the presentation of the Execution of License Agreements to the university licensees. The agreement is for license access to the Springer Nature Optimum collection of journals, to Springer Research Group journals, and a selected list of Nature Research Group journals titles used for educational and research purposes, and to control the rate of inflation on the cost of these subscriptions. This contract will be in place from January 1, 2017 to December 31, 2021. The subscriptions costs are: 2017 \$407,394.60; 2018 - \$423,690.50; 2019 \$440,638.12; 2020 \$458,264.12; 2021 \$476,595.16; for a total of \$2,206,582.50. Prepayment will be made before December 1 of the previous year for access granted in the contract year. Payment for 2017 has been held until this agreement is approved. These costs may vary slightly depending on particular subscriptions each year. Costs for this contract will be funded by the J. D. Williams Library's materials budget which is derived from educational and general funds and from specified endowments. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  10. **UM** – Approved the request to enter into an agreement with Venture Technologies, Inc. to procure hardware to be used to upgrade the existing computer network. This upgrade was reviewed and approved by the Mississippi ITS Board in March 2017. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to prepay for the three years of support and upgrades. The term of the agreement is for three (3) years and will commence upon execution of the agreement by the parties. The contract amount for this

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procurement is \$935,049.40 with hardware cost being \$807,422.94 (including three years of updates for the operating system), hardware installation cost being \$40,000.00 and three years of hardware support being \$87,626.46. The agreement will be funded by Telecommunications capital R&R reserves. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

11. **UM** – Approved the request to enter into a contract with Fanatics Retail Group Fulfillment, Inc. to operate the official Intercollegiate Athletics team store channels. The initial term of the contract is seven years with the option to renew for an additional three years upon agreement of the parties, and an automatic renewal of three years if certain financial benchmarks are met. The Board approved the total ten-year term. There is a minimum guaranteed revenue of \$1,500,000 during the initial seven-year term. The contract will be automatically extended if the aggregate payments exceed \$1,550,000 during the initial term. Fanatics will make capital expenditures or other improvements of at least \$50,000 to the Retail Location during the Term of the agreement. The total estimated revenue for the full 10-year period is \$2.5 million. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
12. **UMMC** – Approved the request to enter into a Dialysis Products Purchase Agreement with Baxter Healthcare Corporation for the purchase of hemodialysis solutions used in continuous renal replacement therapy (CRRT). CRRT is a type of hemodialysis that is provided in an inpatient (intensive) care setting. In CRRT, dialysis is provided on a continual basis, for an extended period of time. These solutions are different in composition than those used in an outpatient setting or for intermittent dialysis. The term of this agreement shall be three (3) years with the estimated effective date of July 1, 2017, and an expiration date of June 30, 2020. The estimated cost of this agreement is \$1,411,723.50 over the three (3) year term. A breakdown of costs is included in the bound *June 15, 2017 Board Working File*. UMMC has calculated the total potential cost based on historical purchases of hemodialysis solutions and included a seven percent (7%) annual increase beginning in Year 2 for potential patient volume increases. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
13. **UMMC** – Approved the request to enter into an agreement with Biosense Webster, Inc. for the purchase of products used with the CARTO 3 Electrophysiology Mapping System. The Board also granted retroactive approval for \$315,630 expended between December 1, 2015 and November 30, 2016. The purpose of this agreement is to secure pricing for the purchase of products to be used by the Electrophysiology Department for use with the Biosense CARTO 3 Mapping System. This system is used to provide 3-D Cardiac Mapping and Navigation of the heart and surrounding vessel as well as provides commodities utilized in the performance of cardiac cryo-ablation procedures. The 3-D mapping assists physicians in locating the patients' source of arrhythmia. The term of the agreement is for a two (2) year period, beginning on or about July 5, 2017 through July 4, 2019. The total estimated cost of the agreement is \$700,000. This amount was determined based on the number of products purchased in previous years. Actual purchases, however, will vary based upon the number of patients who require cardiac mapping and ablation. The estimated contract cost is a discounted price that is contingent upon UMMC's purchase of at least \$300,000 of products annually. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.



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14. **UMMC** – Approved the request to enter into an agreement with Dutch Ophthalmic USA, Inc. Under the agreement, Dutch Ophthalmic will place two (2) EVA Vaccuflow Valved Timing Intelligence Phaco and Vitrectomy Systems with Integrated 532Nm Laser (Vitrectomy System) at UMMC and provide for disposable products utilized on the systems at reduced pricing. The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The total estimated contract cost is \$1,635,992.00. The estimated total cost for the disposables is included in the bound *June 15, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
15. **UMMC** – Approved the request to renew the rental agreement with Insight Health Corporation (Insight) to provide a mobile MRI unit on site at its Grenada facility. This unit will be used while the installation of a new permanent MRI unit is placed. The term of this agreement is one (1) year beginning July 1, 2017 and ending June 30, 2018. There is no additional cost with this renewal. The original estimated cost of this agreement is \$271,665. A breakdown of costs is included in the bound *June 15, 2017 Board Working File*. The cost of this agreement will be paid for by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
16. **UMMC** – Approved a Campus and School Agreement (CSA) with Microsoft Corporation for Volume Licensing of Microsoft Products/Services utilized by UMMC, such as software, servers, online services, applications, etc. The Board also approved the request to add, as needed/required by the institution during the term of this agreement, Microsoft products/services, pursuant to the CSA. The purpose of the CSA is to allow UMMC to enroll with Microsoft as an educational institution, which in turn will allow UMMC to purchase volume license, such that we can purchase various Microsoft products/services in an amount to cover use by faculty/staff and students, the number of which is provided to Microsoft through the Enrollment form. The term of the agreement is 36 months. The effective date will be the date the CSA is signed by Microsoft or on the effective date indicated on the Educational Enrollment form, whichever is earlier. The cost of the agreement over the three (3) year term is \$3,277,627.09. This includes the cost of the items to be purchased at the time the agreement is executed and an additional 20% to cover the cost of any other products/services that UMMC elects to purchase during the term of the CSA. The agreement will be funded by both general funds and patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
17. **UMMC** – Approved the request to enter into an Agreement with Morrison Management Specialists, Inc. to operate a Copper Spoon coffee shop for light food and beverage services in the new School of Medicine building. The profit and loss agreement will allow UMMC to bear the responsibility and benefit of the success of the retail location. The total contract term is four (4) years from July 1, 2017, through June 30, 2021, which is coterminous with UMMC’s agreement for hospital patient and retail food and nutrition services. The total expenses under the Agreement for the four (4) year term are not expected to exceed \$400,000. Under the Agreement, UMMC shall pay Morrison an annual management fee of \$32,498, payable monthly. Morrison will collect all sales revenue and provide a credit towards expenses incurred in operation of the Copper Spoon, including personnel and management fee, the cost of food, supplies and other direct expenses. Morrison will apply the sales revenue collected towards any expenses due on a monthly basis. If the credit exceeds the expenses due, Morrison will issue payment to UMMC for the profit. If the

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monthly profit exceeds \$1,000, Morrison and UMMC will split the overage equally. Thus, UMMC does not expect to issue direct payment for the total operation expenses, as they will be paid through credits from the collected sales revenue. The current agreement will be funded by profits generated by the Copper Spoon coffee shop and/or general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

18. **UMMC** – Approved the request to enter into a letter of agreement with NxStage Medical, Inc. for the purchase of hemodialysis solutions used in continuous renal replacement therapy (CRRT). CRRT is a type of hemodialysis that is provided in an inpatient (intensive) care setting. In CRRT, dialysis is provided on a continual basis, for an extended period of time. These solutions are different in composition than those used in an outpatient setting or for intermittent dialysis. The term of this agreement shall be three (3) years with the estimated effective date of July 1, 2017, and an expiration date of June 30, 2020. The estimated cost of this agreement is \$1,530,237.75 over the three (3) year term. A breakdown of costs is included in the bound *June 15, 2017 Board Working File*. UMMC has calculated the total potential cost based on historical purchases of hemodialysis solutions and included a seven percent (7%) annual increase beginning in Year 2 for potential patient volume increases. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
19. **UMMC** – Approved the request to enter into a five (5) year contract with Rotolo Consultants, Inc. (RCI) to provide grounds maintenance services maintenance and landscaping services for UMMC's main campus. The term of this contract is for five (5) years beginning on or about July 1, 2017 and ending June 30, 2022. The cost of the contract is \$2,376,000 for the five (5) year term. UMMC will be invoiced on a monthly basis in the amount of \$39,000 for the first twenty-four (24) months of the agreement and \$40,000 per month for the following thirty-six (36) months. A breakdown of costs is included in the bound *June 15, 2017 Board Working File*. The contract will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
20. **UMMC** – Approved the request to enter into an agreement with Springer Customer Service Center (Springer) for the Rowland Medical Library to access journals, books, databases, etc. These materials can be utilized by UMMC faculty, staff, and students. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board granted approval to prepay the service on an annual basis. The Board also granted retroactive approval for a contract start date of January 1, 2017. Retroactive approval is requested due to the lengthy negotiations between Springer and Lyris which delayed the presentation of the Execution of License Agreements to the university licensees. The purpose of the agreement is to license access to the Springer Nature Optimum collection of journals, to Springer Research Group journals, and a selected list of Nature Research Group journals titles used for educational and research purposes, and to control the rate of inflation on the cost of these subscriptions. Pursuant to the agreement, UMMC can add to the Springer products they access on an as needed basis. The term of this agreement shall begin January 1, 2017 through December 31, 2021. The cost of the agreement is estimated to be \$2,385,999.84. This includes the annual cost for products UMMC is currently accessing plus an additional 20% to cover any additional materials UMMC may order through Springer during the term of the agreement and to account for a maximum 4% annual inflation. A breakdown of costs is included in the bound *June 15, 2017 Board Working File*. The contract will be funded by general

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funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

21. **UMMC** – Approved the request to enter into a Master Service Agreement with Stericycle, Inc. (SCRL) for sharps disposal management services at UMMC locations. The Board also approved the request to add and/or remove locations specified in the Agreement without seeking prior Board approval when adequate funds are available. The purpose of the Agreement is to provide appropriate management of the disposal of sharps at UMMC locations where sharps are used. Sharps include needles, syringes, scalpels, broken glass, culture slides and dishes, broken capillary tubes, broken rigid plastic, and exposed ends of dental wires. Under the Agreement, SRCL provides appropriate sharps containers for UMMC staff to utilize. On a regular schedule or as called, depending on the location, SRCL will pick up the sharps containers and dispose of the contents appropriately. The term of the contract is four (4) years, from July 1, 2017, through June 30, 2021. The estimated cost of the Agreement is \$1,597,500.00 for the four (4) year term. This estimated amount is based upon the following:

- A site survey that was performed to determine the total number of containers necessary for the Sharps Disposal Management services;
- Estimated needs of new UMMC sites such as the new School of Medicine, new Translational Research Center, and other locations that may be later determined;
- Estimated increases in waste driven by increased patient load and increased research; and
- An annual increase not to exceed two and a half percent (2.5%).

This Agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

22. **UMMC** – Approved the request to enter into a Master Service Agreement with Stericycle, Inc. (SCRL) for the removal and disposal of regulated medical waste at UMMC locations. The Board also approved the request to add and/or remove locations specified in the Agreement without seeking prior Board approval when adequate funds are available. The purpose of the Agreement is to provide appropriate regulated medical waste removal and disposal services for UMMC locations that produce regulated medical waste. Regulated medical waste includes medical, pathological, and trace chemo waste, but does not include hazardous, toxic, or radioactive waste. Under the Agreement, SRCL provides appropriate waste containers for UMMC staff to utilize. On a regular schedule or as called, depending on the location, SRCL will pick up the waste containers and dispose of the contents appropriately. The term of the contract is four (4) years, from July 1, 2017, through June 30, 2021. The estimated cost of the Agreement is \$871,393.00 for the four (4) year term. This estimated amount is based upon the following:

- Historical waste management costs;
- Estimated needs of new UMMC sites such as the new School of Medicine, new Translational Research Center, and other locations that may be later determined; and
- Estimated increases in regulated medical waste driven by increased patient load and increased research.

This Agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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23. **UMMC** – Pending receipt by the Attorney General’s Office of a copy from UMMC of the P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with Terumo BCT, Inc. for the purchase of disposables used with Terumo’s Spectra and Spectra Optia Apheresis Systems. Under the agreement, UMMC will purchase disposables for UMMC’s existing two (2) Spectra systems until installation of the two (2) recently purchased Spectra Optia systems has been completed. The Spectra Optia is a therapeutic apheresis, cell processing, and cell collection platform. The system adds, removes, or replaces blood components for patients undergoing treatments such as bone marrow transplant, sickle cell, leukemia, platelet disorders, or some neurological diseases. The agreement is for a period of one (1) year, beginning July 1, 2017, and ending June 30, 2018. The total estimated cost of the Agreement over one (1) year is \$410,000.00, including freight; freight for the disposables used with Terumo’s Spectra and Spectra Optia Apheresis Systems averages \$6.50 per box. This contract will be funded by hospital patient revenue. Approval by the Attorney General’s Office is pending the receipt from UMMC of a copy the P-1 certification of sole source from the Mississippi Department of Finance and Administration.
24. **USM** – Approved a lease with Aqua Green, LLC for 23,000 square feet of research space and share common space and storage at the Aqua Green facility at a cost of \$60,000 per month for a total contract cost of \$720,000 for the term August 1, 2017 to July 31, 2018. USM can terminate the lease upon thirty (30) days written notice which provides an avenue for purchase when U.S. Treasury funds are received. This Lease, which is only for a portion of the Aqua Green land, buildings and equipment, is being funded with USM General Funds. However, the parties are also currently negotiating a purchase agreement which will be contingent upon the receipt of funding from the U.S. Treasury grant under the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act). The purchase agreement will be for approximately forty-one (41) acres of Aqua Green property plus additional buildings. This purchase will be for the entire facility that was the subject of the prior Research Agreements between the parties. The need for this lease is to continue producing oyster larvae for state restoration purposes while conducting research necessary for the effective scale-up from producing 18 million larvae a month to 10 billion larvae per year. The previous research agreement with Aqua Green confirmed the viability of producing eastern oyster larvae in artificial seawater using methods and procedures for small-scale production. To meet the goal of producing 10 billion eyed larvae per year, research on effective scale-up should continue while awaiting the U.S. Treasury approval of Governor Bryant’s funding request. Oyster larvae produced at the facility will be available to continue restoration efforts as outlined in the Oyster Restoration and Resiliency Plan and as part of Mississippi’s Deepwater Horizon Restoration projects. Governor Bryant announced plans to provide RESTORE funding for purchase of the Aqua Green facility for USM research and academic activities in November 2016. USM is working closely with the Mississippi Department of Environmental Quality to supply the U. S. Treasury with materials and paperwork needed for awarding the grant. This lease will be funded through general funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
25. **USM** – Approved a lease agreement between the university and the University of Southern Mississippi Athletic Foundation (Lessee) for approximately 3,214 square feet of office space inside the building known as the Jim and Thomas Duff Athletic Center located at 110 Ray Guy Way, Hattiesburg, MS 39406. The premises are currently used as the M-Club Room, where M-

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Club members (former lettermen) gather during home football games six days each year, and throughout the remainder of the year, the space is used intermittently by various athletic teams as a meeting, recreation, and nutrition area. During the term of the lease, Lessee shall renovate the M-Club Room in accordance with plans and specifications as approved by the university. The purpose of the lease is to provide the Lessee the right to utilize the spaces as needed, including the right to make renovations to the existing M-Club kitchen and food service area, nutrition center, the carpet, the wall coverings, graphics, electronics and other areas necessary to bring the M-Club Room up to a fully renovated space. Upon prior written consent of the Lessor, the lease will provide the Lessee with the right to sublease the space to a Third Party, which will also use the space as a meeting, recreation, and nutrition area. All construction of the Facilities by Lessee shall be in accordance with plans and specifications as approved by the university. The total term is for 3 years from July 1, 2017 through June 30, 2020, unless sooner terminated under the terms of Article XI of the lease. The contract amount shall be \$1.00 cash in hand. Funding will come from the Lessee's private funds and from revenue generated by the sublease of the M-Club Room with the Third Party. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

26. **USM** – Approved a lease agreement between the university and the University of Southern Mississippi Athletic Foundation for approximately 30,000 square feet of the land known as the Payne Center parking lot located at 101 MK Turk Circle, Hattiesburg, MS 39406. During the term of the lease, Lessee shall construct a new Volleyball Facility in accordance with plans and specifications as approved by the university. The purpose of the lease is to provide the Lessee the right to utilize the spaces as needed, including the right to construct a new Volleyball Facility and/or other athletics related space. All construction of the Facility by Lessee shall be in accordance with plans and specifications as approved by the university. The total term is for 2 years, 1 month beginning July 1, 2017, and continuing through the earlier of (a) the 31st day of July, 2019, or (b) the date which is thirty (30) days subsequent to the completion and acceptance of the completed facility (as defined in Article III of the contract), unless sooner terminated under the terms of Article XV of the contract. The contract amount shall be \$1.00 cash in hand. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE**

27. **UM** – Approved the initiation of **IHL 207-436 – Kinard Water Treatment Plant Replacement**, and the appointment of Engineering Solutions, Inc. as the design professional. This project will replace the existing, but out of service, Water Treatment Plant #2 equipment, which has significantly outlived its design cycle. The project consists of removing the existing treatment plant equipment and replacing it with new 1000 gallons-per-minute capacity treatment equipment consisting of a new cast-in-place concrete clearwell, a new aerator, a new chemical feed system for chlorine, pH adjustment and fluoride. The project will also install new high service pumps and will tie the new equipment into the existing SCADA control system. The proposed project budget is \$1.1 million. Funds are available from Internal R&R (\$1,100,000).
28. **UMMC** – Approved the initiation of **IHL 209-559 – School of Population Health**, and the appointment of Foil Wyatt Architects as the design professional. This project will provide support space for Health Economics, Population Health Sciences, Preventive Medicine and Data Science; all of which are part of the new School of Population Health. It will build-out the 2nd floor shell

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space and ½ of the 5th floor shell space located in the Translational Research Center which is currently under construction. The build-out will include new HVAC, electrical and communication systems that will support the new school. The project budget is \$5 million. Funds are available from UMMC SSA –Building Improvement Funds (\$5,000,000).

29. **MSU** – Approved the request to increase the budget for **IHL 213-142, National Warmwater Aquaculture Research Center (NWARC) Roof Replacement**, from \$1,600,000 to \$2,000,000, for an increase of \$400,000. The estimated cost of the project has escalated to a point that additional funds are required to complete the project. Thus, the Board approved the request to modify the funding source to include \$1,000,000 in state bond funds and \$1,000,000 of MSU DAFVM Designated Funds. The Board also approved the request to change the project number to GS #113-145 to reflect a Bureau of Building project since the project now has 50% state bond funds in the project. The project will replace the roof material and provide new waterproofing at the parapet walls. Funds are available from HB 1729, Laws of 2016 (\$1,000,000); MSU DAFVM Designated Funds (\$1,000,000).
30. **UM** – Approved the request to increase the project budget for **IHL 207-411 – Oxford-University Stadium (Swayze Field) – Additions & Renovations**, from \$18,975,750 to \$19,844,146, for an increase of \$868,396. This budget increase is intended to compensate for unforeseen utilities and utility design changes in Phase I and to fund an expanded technology and fitness equipment scope for the completed building in Phase II. The project expands current player facilities, establishes two new premium clubs (adding additional seating capacity), and replaces the existing synthetic turf in foul territory. The project will renovate approximately 7,500 square feet of area under the existing stadium providing new seating behind home plate and transforming the existing pitching tunnel into a premium level club, including restrooms and foodservice. The multi-story addition of a new player performance center includes team locker room, team training room, indoor batting cages and pitching tunnel, equipment/laundry room, coaches' locker room, team meeting room, player lounge, pro/alumni locker room, nutrition center, weight training/plyometric, and roof top terrace overlooking the playing field. Funds are available from Self-Generated Athletic Revenues (\$1,344,146) and External EBC Financing (\$18,500,000).
31. **UMMC** – Approved the request to enter into a ground lease agreement, which shall include a temporary access easement, with the American Cancer Society (ACS). Under the lease UMMC will provide to ACS 1.5 acres of land located on the west side of North State Street and an easement providing access to said property. ACS will construct on the premises the Hope Lodge which is a temporary housing facility to be used for cancer patients who are receiving cancer treatments in the Greater Jackson Metropolitan area. The Board also approved the exterior design of the Hope Lodge. Two renderings are included in the bound *June 15, 2017 Board Working File*. The total term of the lease is sixty (60) years to include an initial term of forty (40) years with an option to renew the lease for an additional twenty (20) years. Rent is \$50 per year for a total of \$2,000. Additional considerations are set forth in the bound *June 15, 2017 Board Working File*. A copy of a legal description of the property and of the temporary access easement are included in the bound *June 15, 2017 Board Working File*. The associated documents, which were approved by the Attorney General's Office prior to the Board's approval of this item, are on file in the Board Office.
32. **USM** – Approved the request to purchase property located at 3709 Pearl Street in Hattiesburg, MS in the amount of \$225,000 from James Daniel Toombs and Candace June Toombs. The property is adjacent to the southwest quadrant of campus across from the tennis courts and includes a residential facility that is operating as a scuba diving shop. The property is critical to the long-

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range plans of the university due to its location to campus and will serve as future expansion or parking for the university. The university received two independent appraisals of \$235,000 and \$215,000. The average of the two appraisals is the purchase price of \$225,000. The legal description of the property is included in the bound *June 15, 2017 Board Working File*. The closing shall be held at a location mutually agreeable to the parties on or before August 18, 2017 or upon such earlier or later date and time per agreement by the parties. A Phase I Environmental Site Assessment (ESA) has been conducted on the property listed above. Based on site available information, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation, which were approved by the Attorney General's Office prior to the Board's approval of this item, are on file with the IHL Office of Real Estate and Facilities.

**LEGAL**

33. **MSU** – Approved the request to modify a contract with the firm of STITES & HARBISON, PLLC as outside counsel to provide services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with the University. This contract has been extended twice with approval from the Board. This modification #3 will extend the term of the contract for one (1) additional year or through June 30, 2018. The rates will be increased to range from \$95-\$360 per hour with the total amount payable not exceeding \$100,000. All other provisions of the Agreement for Legal Services dated July 1, 2015, shall remain in effect. The Attorney General has approved this request.
34. **MUW** – Approved the request to enter into a contract with Gian Franco Borio as Outside Counsel for the provision of legal services as necessary in the University's registration with the Italian Ministry of Education to allow the University to conduct educational programs throughout Italy. The fixed fee for this service will be \$8,992 plus allowable expenses not to exceed \$6,000 with a maximum amount payable under this contract of \$15,000. The term of the contract is one year from the date of approval and execution. The Attorney General has approved this request.
35. **UM** – Approved the request to renew its contract for professional services with the law firm of Armstrong Teasdale LLP as outside counsel for the provision of legal services in the area of engineering and physical sciences patent applications and related intellectual property issues. Attorneys Erin Florek and Adam Wuller will be the primary attorneys performing work for the University. The contract originated June 2011. The term of the proposed contract extension is from July 1, 2017 through June 30, 2018. Hourly rates range from \$250-\$450 for principals, \$175 for Associates, and \$150 for paralegals. These rates are increased for some of the attorneys who may do work under the contract, but at least \$100/hour below the Firm's customary rates. Total expenditures will not exceed \$100,000. The Attorney General has approved this request.
36. **UM** – Approved the request to renew its contract for professional services with the law firm of Butler Snow LLP as outside counsel for the provision of legal services in the areas of intellectual property (including patent prosecution), commercial, construction, taxation and regulatory matters. The contract originated in November 2007. The term of the proposed contract extension is July 1, 2017 through June 30, 2018. The blended hourly rate under the contract will be \$295 per hour for all attorneys, including patent work and \$95 per hour for all legal assistants. These rates are unchanged from last year and are competitive with or less than those charged by similarly qualified attorneys. Total expenditures will not exceed \$100,000. The Attorney General has approved this request.

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37. **UM** – Approved the request to renew its contract for professional services with the law firm of Evans Petree, PC as outside counsel to advise and represent the University with respect to construction matters, including but not limited to construction and design professional contracts, public procurement, potential bid protests, and other matters related to design, construction, and project management and related disputes. Joseph T. Getz will be the primary attorney performing work for the University. The contract originated in March 2013. The term of the proposed contract is from July 1, 2017 to June 30, 2018. The proposed fees are unchanged from last year as indicated: Partners \$265 to 295 per hour; Associates \$175 to \$225 per hour; Paralegals \$95 to \$110 per hour; Clerks \$50.00 per hour; and Research and copy charges at cost. Total expenditures will not exceed \$40,000 during this contract term. The Attorney General has approved this request.
38. **UM** – Approved the request to renew its contract for professional services with the New York law firm of Hershkovitz & Associates, LLC (“Hershkovitz”) as outside counsel so that Eugene Rzucidlo, an attorney practicing with Hershkovitz may continue to assist the University with pharmaceutical and natural products patent applications and related intellectual property and commercialization issues. Mr. Rzucidlo is one of a few patent lawyers in the world who is also a natural products chemist, and the University has worked with Mr. Rzucidlo on the most challenging natural products patents for many years. Mr. Rzucidlo’s hourly rate is \$595 per hour, which is the same as the University paid during the last contract period and is comparable to similarly qualified and experienced patent counsel. The term of the proposed contract is from July 1, 2017 to June 30, 2018, and total expenditures will not exceed \$250,000. The Attorney General has approved this request.
39. **UM** – Approved the request to renew its contract for legal services with the law firm of Jones Walker LLP as outside counsel for the provision of legal services in the area of intellectual property issues. Services will be provided to the University by Whit Rayner, Andrew Harris, and any other attorney with the firm whose specialized knowledge is required in such representation. The hourly rate for these services will remain unchanged at \$245. The term of the proposed contract is from July 1, 2017 to June 30, 2018, and total expenditures will not exceed \$60,000. The Attorney General has approved this request.
40. **UM** – Approved the request to renew its contract for legal services with the law firm of Mayo Mallette PLLC as outside counsel so that it may continue to assist the University with the Blackburn Estate as well as real estate matters, compliance advice and other local matters. The hourly rate for these services will remain unchanged at \$165 for Principals, \$135 for Associates, and \$65 for Paralegals. The proposed contract extension term is from July 1, 2017 to June 30, 2018, and total expenditures will not exceed \$60,000. The Attorney General has approved this request.
41. **UM** – Approved the request to renew its contract with the law firm of Stites & Harbison as outside counsel for the provision of legal services in the area of pharmaceutical patent applications and intellectual property issues. Richard Myers will be the primary attorney performing work for the University. Mr. Myers’ hourly rate is \$360, with other professionals who may work on University matters billing between \$95 and \$320 per hour. The term of the proposed contract is from July 1, 2017 to June 30, 2018, and total expenditures will not exceed \$100,000. The Attorney General has approved this request.
42. **UM** – Approved the request to renew its contract for professional services with the law firm of Ware Immigration, 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.



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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 from July 1, 2017 to June 30, 2018, and total expenditures will not exceed \$100,000 during the contract term. The hourly rates are as follows: David Ware \$300; Partners \$250; Associates \$175; and Paralegals \$100.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

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

**Permanent Residence Process with Labor Certification: Faculty**

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

**Permanent Residence Process with Labor Certification: Non-Faculty**

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

**Permanent Residence Process: Outstanding Professors and Researchers**

\$6,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$2,000	Standalone AOS and related applications
\$750	Adjustment of status and related applications each spouse or child
\$1,000	Standalone AOS for each spouse or child

**Permanent Residence Process: National Interest Waiver**

\$6,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$2,000	Standalone AOS and related applications
\$750	Adjustment of status and related applications each spouse or child
\$1,000	Standalone AOS and related, dependents

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Employment Authorization and Advance Parole Renewal

\$500 Employment Authorization Renewal per individual

\$500 Advance Parole Renewal per individual

The Attorney General has approved this request.

43. **UMMC** – Approved the request to renew a contract with Baker, Donelson, Bearman, Caldwell and Berkowitz, PC as outside counsel for the provision of legal services and advice on environmental related issues. The term of the contract will be from July 1, 2017 through June 30, 2018. The rate is \$245 per hour with a maximum amount payable under this contract of \$100,000. The Attorney General has approved this request.
44. **UMMC** – Approved the request to renew a contract with Butler Snow LLP as outside counsel for the provision of legal services and advice on intellectual property matters, healthcare regulatory and compliance matters, healthcare administrative hearings, human resource issues and commercial and general matters. The term of the contract will be from July 1, 2017 through June 30, 2018. The rate will be \$295 per hour with a maximum amount payable under this contract term of \$650,000. The Attorney General has approved this request.
45. **UMMC** – Approved the request to renew a contract with Jones Walker LLP as outside counsel to advise the Medical Center Educational Building Corporation (EBC) on legal issues concerning bond financing and compliance with IRS regulations regarding tax-exempt bonds and other related matters. The term of the contract will be July 1, 2017 through June 30, 2018. The hourly rate is \$225 with a maximum amount payable under this contract term of \$50,000. The Attorney General has approved this request.
46. **UMMC** – Approved the request to renew a contract with Hogan Lovells US LLP as outside counsel to advise on matters related to healthcare transactions, tax, antitrust, and regulatory matters related to academic medical center strategy and business issues. The term of the contract will be June 1, 2017 through June 30, 2018. The rate will be \$891 per hour with a maximum amount payable under this contract term of \$225,000. The Attorney General has approved this request.
47. **UMMC** – Approved the request to renew a contract with Stites and Harbison, PLLC as outside counsel to perform services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with UMMC. The term of the contract will be July 1, 2017 through June 30, 2018. The rate will be \$360 per hour with a maximum amount payable under the contract of \$150,000. The Attorney General has approved this request.
48. **UMMC** – Approved the request to renew a contract with Walker & Ungo, LLC 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. The term of the contract will be July 1, 2017 through June 30, 2018. The rates are set out in the Schedule of Fees below. The maximum amount payable under the contract is \$50,000.

**Labor Certification Fees**

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

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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.

49. **UMMC** – Approved the request to renew a contract with Ware Immigration 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. The term of the contract will July 1, 2017 through June 30, 2018. The rates are set out in the schedule of fees below. The maximum amount payable under the contract is \$50,000.

**Labor Certification Fees**

\$2000 – special handling labor certification, no re-advertisement required

\$2500 – special handling labor certification, re-advertisement required

\$3000 – non-teaching labor certification

Advertisement 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.

50. **UMMC** – Approved the request to renew a contract with Watkins and Eager, PLLC, to provide legal services related to real estate matters. The term of the contract is June 1, 2017 through June 30, 2018. The hourly rate is \$165 with a maximum amount payable under this contact of \$350,000.

The Attorney General has approved this request.

51. **UMMC** – Approved the request to renew a contract with the Whitfield Law Group, PLLC, formerly known as Kitchens, Hardwick & Whitfield, PLLC, to provide legal services related to personnel matters. The term of the contract is July 1, 2017 through June 30, 2018. The hourly rate is \$165 with a maximum amount payable under this contact term of \$250,000. The Attorney General has approved this request.

52. **USM** – Approved the request to amend a contract with the law firm of Bryan, Nelson, Schroeder, Castigliola & Banahan, P.A. as outside counsel for the provision of legal services in the practice areas of admiralty and maritime law, including advice and assistance with contracts, leases and other commercial agreements, as well as litigation related to any of the activities described herein. The circumstances of the litigated and contractual matters being handled by the firm are such that those matters have required the expenditure of significantly more time and effort than originally expected by all parties. The University has determined that the additional effort and expense involved is reasonable and necessary in light of the nature and complexity of the matters at issue. The amendment will increase the maximum amount payable under the current contract from \$25,000 to \$50,000. All other provisions of the current contract remain unchanged. The Attorney General has approved this request.

53. **USM** – Approved the request to renew a contract with the law firm of Bryan, Nelson, Schroeder, Castigliola & Banahan, P.A., as outside counsel to perform services as necessary and render legal advice and recommendations in the practice areas of admiralty and maritime law, including but not limited to all matters involving navigable waters, vessels at sea, and all similar interests of the University arising out of or related to the University's ownership and operation of watercraft, any associated facilities or activities, and the University's activities in and around navigable waters and coastal areas. The scope of services would also include advice and assistance with contracts, leases and other commercial agreements, general legal advice, commercial and regulatory matters, as

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well as litigation related to any of the activities described herein. The request includes the use of any and all attorneys employed by the firm, at the discretion of the firm, whose expertise and experience is required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged will be \$195 per hour for attorneys and \$90 per hour for paralegal services. The term of the contract will be July 1, 2017 through June 30, 2018, with a maximum amount payable under this contract term of \$50,000. The Attorney General has approved this request.

54. **USM** – Approved the request to renew a contract with Butler Snow LLP, as outside counsel to perform services as necessary in the practice areas of taxation, intellectual property and commercial matters, including trademark, copyright and patent matters. In addition, the firm will provide legal advice and representation to the University in matters relating to issues and disputes with the Federal Emergency Management Agency (FEMA). The hourly rate to be charged will be \$295 per hour for all attorneys and \$95 per hour for legal assistants with a maximum amount payable under the contract of \$75,000. The term of the contract will be July 1, 2017 through June 30, 2018. The Attorney General has approved this request.
55. **USM** – Approved the request to renew a contract with Mayo Mallette PLLC, as outside counsel to perform services as necessary and render legal advice in the practice areas of higher education law, employment law, First Amendment matters, academic tenure, student affairs, OFCCP, Title IX, NCAA compliance, disability law, and athletics. The request includes the use of any and all employed by the firm, at the discretion of Mary Ann Connell and Cal Mayo, whose experience and expertise is required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged will be \$165 per hour for attorneys and \$65 per hour for paralegal services with a maximum amount payable under the contract of \$40,000. The term of the contract will be from July 1, 2017 through June 30, 2018. The Attorney General has approved this request.
56. **USM** – Approved the request to renew a contract of Richard & Thomas as outside counsel to perform real estate services for multiple real estate closings. It is anticipated that the University will have a minimum of two closings with the possibility of a maximum of ten closings during the period from July 1, 2017, until June 30, 2018. The closings will be for purchases of property near the Hattiesburg campus. It is expected that each closing will cost the University approximately \$1,000. The maximum amount budgeted for payment under the contract is \$5,000. The attorney's average hourly rate, depending on services rendered, is \$150. Fees and expenses will be paid from the University general funds. The Attorney General has approved this request.
57. **USM** – Approved the request to renew a contract with Ware|Immigration, Attorneys at Law, as outside counsel to provide services as needed in preparing labor certification applications and permanent residence process on behalf of the University for its professors, researchers, and employees who seek permanent residence status and to further provide other related services relating to immigration and naturalization at the University's request. The agreement authorizes the Law Firm to assign any and all attorneys employed by the Law Firm who, at the discretion of the Law Firm, can provide the experience and expertise necessary to effectively represent the University in all matters set forth in the description of services to be provided. In addition to the fees reflected on the Schedule of Legal Fees, the University may seek general legal advice on immigration matters. For non-scheduled legal fees, attorneys' advice will be billed on an hourly basis. David Ware's hourly rate is \$300 and all other attorneys will be billed at the hourly rate of \$200. The terms of this contractual agreement will be for the period of time from July 1, 2017

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through June 30, 2018, for a maximum amount payable of \$50,000 in legal fees during the contract term. The proposed fees are as indicated below:

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

H-1B petition	\$1500.00
H1B extension or amendment petitions	\$1000.00
TN petition or border/consulate processing	\$1500.00
TN extension petition	\$1000.00
E-3 petition or consular processing	\$1500.00
E-3 extension petition	\$1000.00
O-1 petition	\$4000.00
O-1 extension or amendment petition	\$1500.00
Change of status or extension of status for dependents (i-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6000.00
J-1 waiver (Conrad)	\$6000.00

**Permanent Residence Process with Labor Certification: Faculty**

\$2000.00	“Special Handling: labor certification (must be paid by University*) \$2500.00 if position must be re-advertised
\$1000.00	Additional fee if audited
\$2500.00	Immigrant petition
\$1500.00	Adjustment of status and related applications (i-765, I-131, etc.) by employee
\$750.00	Adjustment of status and related applications each spouse or child

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

**Permanent Residence Process with Labor Certifications: Non-Faculty**

\$3000.00	Labor Certification (must be paid by University)
\$1500.00	Additional fee if audited
\$2500.00	Additional fee is subject to supervised recruitment
\$2500.00	Immigrant petition
\$1500.00	Adjustment of status and relation applications (i-765, I-131, etc.) by employee
\$750.00	Adjustment of status related applications each spouse or child

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

**Permanent Residence Process: Outstanding Professors and Researchers**

\$7000.00	Immigration petition
\$1500.00	Adjustment of status and related applications by employees
\$750.00	Adjustment of status and related applications each spouse or child

**Since Labor certification is not required, employees may pay all fees**

**Permanent Residence Process: National Interest Waiver**

\$7000.00	Immigrant petition
\$1500.00	Adjustment of status and related applications by employee
\$750.00	Adjustment of status and related applications each spouse or child

**Since labor certification is not required, employees may pay all fees. Employee’s legal fees in all cases may be paid in monthly installments, to be arranged with attorney.**

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The Attorney General has approved this request.

58. **USM** – Approved the request to renew a contract with William Wessler as outside counsel to perform services necessary and render legal advice, recommendations, and representation to the University in the practice area of bankruptcy. The term of the contract will be from July 1, 2017 through June 30, 2018. The rate will be \$200 per hour with a maximum amount payable under the contract of \$50,000. In addition to payment of attorneys' fees, the attorney will be entitled to reimbursement for all customary and necessary out of pocket expenses related to the representation. The Attorney General has approved this request.
59. **MSU** – Approved the request to enter into an agreement with Cornerstone Government Affairs, LLC, for assistance in the university's pursuit of its in-state government affairs and business objectives, including monitoring and lobbying of legislation of interest to MSU during the regular session of the Legislature and other services throughout the year. Cornerstone will apprise the Commissioner of IHL of its lobbying activities related to MSU and coordinate those activities within system strategies and processes prescribed by the IHL Board. The requested contract amount is \$50,000, and will be paid with private funds. In accordance with Board Policy 201.0506 Political Activity, Cornerstone's client list and proposed Agreement are included in the bound *June 15, 2017 Board Working File*.
60. **MUW** – Approved the request to enter into a one-year contract with Corporate Relations Management (CRM) of Canton, Mississippi, to provide in-state lobbying and government relations consulting services. The contractual flat fee is \$30,000. The fee will be paid with private funds by the MUW Foundation. In accordance with Board Policy 201.0506 Political Activity, CRM's client list and Service Agreement are included in the bound *June 15, 2017 Board Working File*.
61. **USM** – Approved the request to continue the agreement with Capitol Resources LLC, in Jackson, MS, to provide state lobbying and government relations and consulting services in Mississippi in the amount of \$48,000 annually and reasonable reimbursement of travel expenses funded by self-generated funds. In accordance with Board Policy 201.0506 Political Activity, Capitol Resources' client list and agreement are included in the bound *June 15, 2017 Board Working File*.
62. **USM** – Approved the request to continue the agreement with Joe Gill Consulting LLC (JGC), in Ocean Springs, MS, to provide state lobbying and government relations and consulting services in Mississippi pertaining to the Gulf Coast Research Laboratory in an amount not to exceed \$38,000 annually and reimbursement of reasonable expenses funded by self-generated funds. In accordance with Board Policy 201.0506 Political Activity, JGC's client list and agreement are included in the bound *June 15, 2017 Board Working File*.
63. **MSU** – Approved the request for Federal Solutions, LLC, to continue to lobby on behalf of the university outside the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.
64. **UM** – Approved the request for BGR Governmental Affairs, LLC, a Washington, D.C. based firm, to continue to assist in managing their federal governmental affairs and to represent their interests before federal executive branch agencies and congressional offices and committees in accordance with Board Policy 201.0506 Political Activity.
65. **UMMC** – Approved the request for Simms Strategies, LLC to lobby on behalf of the university outside of the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.
66. **USM** – Approved the request to continue the agreement with Cassidy & Associates, Inc., in Washington, DC, to provide federal relations services to obtain federal funding to support our infrastructure and research programs and to provide consultation, advice and assistance with regard

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to our annual federal appropriations requests in accordance with Board Policy 201.0506 Political Activity.

67. **ASU** – Approved Dr. Alfred Rankins, Jr. as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
68. **ASU** – Approved Marcus Ward as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
69. **DSU** – Approved Dr. Michelle Roberts as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
70. **JSU** – Approved Dr. William McHenry as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
71. **MSU** – Approved Lee Weiskopf as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
72. **MUW** – Approved Nora Miller as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
73. **MVSU** – Approved La Shon F. Brooks as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
74. **UM** – Approved Perry Sansing as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
75. **UMMC** – Approved Tara Mounger as the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
76. **UMMC** – Approved Wesley Clay as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
77. **UMMC** – Approved Rachel J. Gressett as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
78. **UMMC** – Approved Dr. Claude Brunson as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
79. **USM** – Approved Chad Driskell as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
80. **SYSTEM** – Approved Dr. Glenn Boyce as one of the Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
81. **SYSTEM** – Approved Kim Gallaspy as one of the Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.

**PERSONNEL REPORT**

82. **EMPLOYMENT**

**Delta State University**

- Elizabeth Belenchia; *rehired retiree*; reemployment position: Co-Project Director, Math and Science Partnership; salary of \$28,000 per annum, pro rata; Grant Funds; reemployment period: July 1, 2017-June 30, 2018
- Darlene Breaux; *rehired retiree*; reemployment position: Academic Affairs Developmental Officer; salary of \$30,000 per annum, pro rata; Foundation Funds; reemployment period: July 1, 2017-June 30, 2018

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- Gloria Brister; *rehired retiree*; reemployment position: Assistant Professor, Emeritus; salary of \$40,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Jean Grantham; *rehired retiree*; reemployment position: Instructor in Nursing (Part-time); salary of \$50,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Helen Sue Jolly; *rehired retiree*; reemployment position: Education Leadership Faculty; salary of \$54,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Maud Kuykendall; *rehired retiree*; reemployment position: Adjunct Instructor in Teacher Education; annual salary of \$25,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Kathleen Lott; *rehired retiree*; reemployment position: Project Director, Math and Science Partnership; salary of \$29,000 per annum, pro rata; Grant Funds; reemployment period: July 1, 2017-June 30, 2018
- A. C. Prewitt; *rehired retiree*; reemployment position: Facilities Engineer; salary of \$22,604 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Michael L. Putnam; *rehired retiree*; reemployment position: Director, Delta School Leadership Pipeline Project/Adjunct Instructor; salary of \$80,000 per annum, pro rata; Grant Funds; reemployment period: July 1, 2017-June 30, 2018
- James Robinson; *rehired retiree*; reemployment position: Adjunct Instructor in History; salary of \$40,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018
- Dorothy Sykes; *rehired retiree*; reemployment position: Director, Kellogg Grant; annual salary of \$30,000 per annum, pro rata; Grant Funds; reemployment period: July 1, 2017-June 30, 2018
- Kent Wyatt; *rehired retiree*; reemployment position: President Emeritus; salary of \$59,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017-June 30, 2018

**Mississippi State University**

- Peter Corrigan; Professor and Head, Classical and Modern Languages and Literatures, salary of \$125,000 per annum, pro rata, E&G Funds; 12-month, **hired with tenure**; effective July 1, 2017
- Dennis Smith, Jr., Professor and Head, Chemistry, salary of \$165,000 per annum, pro rata, E&G Funds; 12-month, **hired with tenure**; effective July 1, 2017

**Mississippi Valley State University**

- Betty Farmer, *rehired retiree*; reemployment position: Assistant Professor; salary of \$22,000 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- Edgar Holman, *rehired retiree*; reemployment position: Instructor; salary \$28,439 per annum, pro rata; Ayers Funds; reemployment period: August 14, 2017 to May 7, 2018
- Roy Hudson, *rehired retiree*; reemployment position: Assistant Professor; salary of \$20,000 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- John Johnson, *rehired retiree*; reemployment position: Special Assistant to the Project Director; annual salary of \$37,380 per annum, pro rata; External Grant Funds; reemployment period: August 14, 2017 to May 7, 2018



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- Ronald Love, *rehired retiree*; reemployment position: Associate Professor; salary of \$30,000 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- Gloria Turner, *rehired retiree*; reemployment position: Accounting Clerk; salary of \$21,000 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017 – June 30, 2018
- Vincent Venturini, *rehired retiree*; reemployment position: Visiting Professor; salary of \$22,463 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- Harvey Wardell, *rehired retiree*; reemployment position: Assistant Professor; salary of \$22,500 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- Raymond Williams, *rehired retiree*; reemployment position: Professor; salary of \$33,102 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018
- Robert Wilson; *rehired retiree*; reemployment position: Director, Institute for Effective Teaching Practices; salary of \$34,806 per annum, pro rata; E&G Funds; reemployment period: August 14, 2017 to May 7, 2018

**University of Mississippi**

- Minsoo Kang; Chair and Professor of Health, Exercise Science and Recreation Management; Ph.D.; salary of \$154,060 per annum, pro rata; E&G Funds; 12-month contract; **hired with tenure**, effective July 3, 2017
- Matthew O’Keefe; Executive Director of the Center for Manufacturing Excellence and Professor of Chemical Engineering; Ph.D.; salary of \$200,000 per annum, pro rata; E&G Funds; 12-month contract; **hired with tenure**; effective January 1, 2018

83. **CHANGE OF STATUS**

**Jackson State University**

- Sandra Hodge, *from* Interim Vice President for Institutional Advancement; salary \$170,000 per annum; E & G Funds; *to* Vice President for Institutional Advancement; no salary change, effective April 16, 2017

84. **TENURE (and promotions where noted)**

**Jackson State University**

- Brian Anderson; *promotion* to Professor, Department of Social Work; 9-month contract, effective August 10, 2017
- Taunjah P. Bell Neasman; *promotion* to Associate Professor, Department of Psychology; 9-month contract; effective August 10, 2017
- Kathy Bryant; *promotion* to Associate Professor, Department of Elementary and Early Childhood Education; 9-month contract; effective August 10, 2017
- Mary Langford-Hall; *promotion* to Associate Professor, Department of Communicative Disorders; 9-month contract; effective August 10, 2017
- Duanjun Lu; *promotion* to Associate Professor, Department of Physics, Atmospheric Sciences, and GeoSciences; 9-month contract; effective August 10, 2017

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- Yumi Park; *promotion* to Associate Professor, Department of Art; 9-month contract; effective August 10, 2017
- Annette King Pridgen; *promotion* to Associate Professor, Department of Accounting; 9-month contract; effective August 10, 2017
- Leniece Smith; *promotion* to Associate Professor, Department of Political Science; 9-month contract; effective August 10, 2017
- April Tanner; *promotion* to Associate Professor, Department of Computer Science; 9-month contract; effective August 10, 2017
- Xing Yang; *promotion* to Associate Professor, Department of Mathematics and Statistical Science; 9-month contract; effective August 10, 2017

**Mississippi Valley State University**

- Gloria Ross, Assistant Professor, Department of Health, Physical Education & Recreation; 12-month contract; effective August 14, 2017

**University of Mississippi Medical Center**

- David A. Felton, Professor, Care Planning and Restorative Sciences, School of Dentistry; 12-month contract; effective July 1, 2017

**University of Southern Mississippi**

- Richard Kravchak, Professor, School of Music; 12-month contract; effective July 1, 2017
- Terry Markham Puckett, *from* Chair, Department of Geography and Geology; 12-month; ending June 30, 2017; *to* Professor, Department of Geography and Geology; 9-month contract; effective August 14, 2017
- Zhifu Xie, Professor, Department of Mathematics; 9-month contract; effective August 14, 2017

85. **SABBATICAL**

**Jackson State University**

- Lomarsh Roopnarine, Professor of Caribbean Studies, History & Philosophy, College of Liberal Arts, *from* salary of \$69,045 per annum, pro rata; 9-month contract; E&G Funds; *to* salary of \$34,523 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2107 to December 17, 2017; professional development

**University of Southern Mississippi**

- Jonathan Pluskota, Assistant Professor of Mass Communication and Journalism, *from* salary of \$61,500 per annum, pro rata; 9-month contract; E&G funds, *to* salary of \$30,750 per annum for sabbatical period; E&G funds; effective August 14, 2017 to May 17, 2018; professional development

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86. **EMERITUS STATUS**

**University of Southern Mississippi**

- David C. Beckett, Professor Emeritus of Biological Sciences, effective July 1, 2017

87. **OTHER ACTIONS**

**University of Mississippi**

*(Corrections to sabbatical dates approved February 16, 2017)*

**FROM:** Charles K. Ross, Professor of History; *from* salary of \$130,127 per annum, pro rata; *to* salary of \$48,798 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2018 to May 12, 2018; professional development

**TO:** Charles K. Ross, Professor of History; *from* salary of \$130,127 per annum, pro rata; *to* salary of \$48,798 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2019 to May 10, 2019; professional development

**Administration/Policy**

88. **SYSTEM** – The Governor has issued a Proclamation authorizing state offices to be closed for the July 4th holiday on July 3 and 4, 2017. In accordance with Board Policy 805.08 Official Holidays, the Board approved the request to close the Executive Office and university offices on July 3, in addition to July 4, 2017, in celebration of Independence Day.

**ACADEMIC AFFAIRS**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** – Approved for first reading the new Board Policy 521 Adult Degree Completion Program. (See Exhibit 1.)

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Pickering, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Pickering, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by

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Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #6.

1. **SYSTEM** – Approved fiscal year ending 2018 Operating Budgets for the system. Included as supplemental information as required by the *Ayers* Settlement Agreement, Board Policy 704.02 Athletic Budget Approval and reporting, and Board Policy 703.04 Policy Guidelines Subsection E. are: Fiscal Year 2017-2018 *Ayers* Budgets, Fiscal Year 2017-2018 Athletic Budgets, and Fiscal Year 2017-2018 E&G Scholarships, Fellowships & Tuition Waivers. **(See Exhibit 2.)**
2. **SYSTEM** – Approved the FY 2018 proposed funding priorities for the 2019 Legislative Budget Requests. **(See Exhibit 3.)**
3. **ASU** – Approved for final reading the request to institute a \$15 Student Activities Fee to provide an independent source of funding for the Student Government Association (SGA) to host events such as concerts, educational speakers and other lyceum attractions. The \$15 fee would be charged per semester and applicable to all full-time students during the fall and spring semesters. Students will not be charged the fee during the summer semesters. The fee will be assessed for fall and spring semesters only beginning with FY 18. The AY 2017 budget for student activities is \$36,100. However, this budget and previous budgets have been insufficient for monetary needs of the SGA on campus. A Student Activities Fee will provide supplemental funding for this budget and will be administered by the Student Assessment Board to ensure that the money is spent on events specifically for the student body. Based on current enrollment, ASU projects this fee to generate approximately \$94,000.00 of new revenue annually.
4. **JSU** – Approved the resolution authorizing Jackson State University Educational Building Corporation (JSU EBC) to issue up to a maximum aggregate principal amount of \$6,000,000 of debt obligations (however denominated) to reimburse the university for expenditures made for improvements to, and maintenance of, the facilities of the university (the “Debt Obligations”). **(See Exhibit 4.)** The Board also approved the form of the bond documents. The Debt Obligations may be sold through an underwriter in a public offering or privately placed with institutional investors. First Southwest, a division of Hilltop Securities, Inc., will serve as the financial advisor. Jones Walker LLP will serve as bond counsel, in accordance with the terms of the Contractual Agreement for Legal Services approved by the Office of the Attorney General. Raymond James & Associates, Inc. will serve as underwriter and/or as placement agent, depending on the manner in which the Debt Obligations are sold. Improvements to the facilities of the University and facilities maintenance costs are being financed to spread the costs of the improvements and maintenance over the economic life of the improvements and maintenance, and thereby, improve cash flow and cash reserves. The Debt Obligations will mature no longer than 30 years from the dated date. Existing cash flow from the projects refinanced with the Debt Obligations. The bond resolution and form of bond documents were approved by the Attorney General’s Office. The Board received the Financial Advisor’s report and approved the request to waive the requirement to bring the resolution for additional and final approval at a subsequent meeting in accordance with Board Policy 906 Educational Building Corporations.

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5. **UMMC** – Pending receipt by the Attorney General’s Office of a copy of the P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with INO Therapeutics, LLC d/b/a Mallinckrodt for the INOtherapy System and related services. Under this agreement, Mallinckrodt will provide UMMC with the medical grade gas INOMAX and the INOtherapy system for delivery of the gas. INOMAX is a pharmaceutical medical grade gas used to treat neonatal and adult patients for hypoxic respiratory failure associated with pulmonary hypertension, where it improves oxygenation and reduces the need for extracorporeal membrane oxygenation. The initial term of the contract is one (1) year beginning July 1, 2017. After the initial term, the agreement will renew for four (4) additional periods of one-year each unless either party provides written notice at least thirty (30) days prior to the then-current term of its intent not to renew. The Board approved a five (5) year term ending June 30, 2022. The total estimated cost for the contract term is \$19,253,451.20. UMMC will pay a flat monthly rate for an allotted 25,000 hours per year for INOtherapy services. If UMMC’s use exceeds the annual allotted hours, UMMC shall pay an hourly rate for the INOtherapy services. Each year, Mallinckrodt and UMMC shall meet to discuss fees for the use of INOtherapy for the next contract year. If the parties fail to agree to pricing, UMMC shall pay the hourly rate plus CPI. If this situation occurs and the rate is not acceptable to UMMC, UMMC would cease use of INOtherapy services and exercise its right to terminate the Agreement early. The projected cost breakdown is included in the bound *June 15, 2017 Board Working File*. The agreement will be funded by patient revenues. The Attorney General’s approval is pending the receipt of the P-1 certification of sole source from the Mississippi Department of Finance and Administration.
6. **UMMC** – Approved the request to enter into an agreement with the Mississippi Organ Recovery Agency, Inc. (MORA) for the provision of organs suitable for use in UMMC transplant programs. Organs provided by MORA include kidney, heart, liver and pancreas. UMMC’s University Transplant is the only transplant center in the State of Mississippi serving citizens in need of organ transplantation therapy. The term of the agreement is for five (5) years – August 24, 2017 through August 23, 2022. The total estimated contract cost for the five (5) year agreement is \$49,543,500.00. Kidney Organ Acquisition Charges may vary by 10% above or below the fee set forth in the Agreement to ensure compliance with CMS financial standards. Fees are subject to adjustment annually upon prior written notice to UMMC. The annual breakdown based upon projected procedures is included in the bound *June 15, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

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**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

Trustee Hooper recused himself from voting on agenda item #1 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Parker, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda. Trustee Hooper returned to the room following the vote on agenda item #1. On motion by Trustee Parker, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **UM** – Approved the appointment of McCarty Architects as the design professional for **IHL 207-431, Crosby Hall Bathroom Renovations**, and the request to increase the project budget from \$3,000,000 to \$6,000,000, for an increase of \$3,000,000. Crosby Hall is a 10-story concrete frame and masonry building constructed in 1971 which houses 700 residents. There are three (3) communal bathrooms per floor. This project will renovate all the bathrooms within the facility. Phasing of the project may be required. However, the current desire is to conduct an aggressive construction project that will work ‘around-the-clock’ in multiple shifts to renovate the bathrooms over a summer break. The design professional will assist the university in determining the extent of the project scope and budget; and finally produce design/construction documents for the scope determined. Funds are available from Student Housing Revenues and Reserves (\$6,000,000).
2. **UM** – Approved the request to purchase property located at 2301 South Lamar Avenue in Oxford, MS from Baptist Memorial Health Care Corporation (Baptist) in the amount of \$22,000,000. In addition, the Board approved the request, upon purchase of this property, to lease the property back to Baptist so that it may continue to operate the Hospital until Baptist’s new facility is ready for occupancy. The estimated date for the transfer of occupancy is January 2018. The property consists of a 428,516 square-foot building, a parking facility, and approximately 14.495 acres of land. The initial lease period is 18 months from the date of closing. Under the lease, Baptist will be responsible for all costs customarily paid by a commercial tenant in a triple net lease, including all costs of operations, property insurance, taxes, assessments, utilities, repairs, replacements, and regular maintenance of the Hospital during the lease period. Baptist will pay the University an amount equal to 0.65% of the purchase price per month from the date of closing until the end of initial lease period. If the lease extends beyond 18 months, rental payments increase to 120% of the base rent until the seller vacates the property. The base rent is \$143,000 per month (\$1,716,000 per year) with the first payment due upon commencement of the Lease and each monthly installment due on the monthly anniversary date of the commencement date. The university received two independent property appraisals of \$22,000,000 and \$24,300,000. The purchase price is \$22,000,000 which is below the average of the two appraisals. A legal description of the property is included in the bound *June 15, 2017 Board Working File*. The closing shall be held in Oxford, Mississippi, by 5:00 p.m. on or before sixty (60) days after IHL approval or such earlier date as may be agreed to between the parties. The sale price will be \$22,000,000. However, the purchase price will be offset by the amount of lease payments received. A Phase I Environmental Site Assessment (ESA) has been conducted on the property. Based on site inspection, interviews with key site personnel and regulatory officials, adjacent property inspections, and record reviews, no recognized environmental conditions are evident at the subject property that would warrant further investigation. A copy of the property description and all legal documentation, which were approved by the Associate Commissioner of Legal

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Affairs prior to the Board's approval of this item, are on file with the IHL Office of Real Estate and Facilities.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to move agenda items #1 and #2 to the Executive Session Agenda. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve agenda item #3 as submitted on the Legal Agenda. Trustee Perry recused himself from voting on agenda item #4 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Perry left the room, on motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #4. Trustee Perry returned to the room following the vote on agenda item #4.

1. **MSU** – Settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36806. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of IHL Self-Insured Workers' Compensation Claim No. 55-37659-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **SYSTEM** – Approved for final reading new Board Policy 201.0104 Removal of Board Members. **(See Exhibit 5.)**
4. **UMMC** – Approved the request to renew a contract with Bradley, Arant, Boult, Cummings, LLP as outside counsel to advise on healthcare regulatory and compliance matters, healthcare administrative hearings and general healthcare related matters. The term of the contract will be July 1, 2017 through June 30, 2018. The rate will be \$245 per hour with a maximum amount payable under this contract term of \$175,000. The Attorney General has approved this request.

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee McNair, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved for final reading the proposed amendments to Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation. **(See Exhibit 6.)**

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**REAL ESTATE**

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the May 18, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 7.)

**LEGAL**

2. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 8.)
3. **DSU** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the Delta State University’s emergency request to contract with the law firm of Mayo Mallette PLLC for the provision of legal services related to a contract dispute and possible litigation. The approved hourly rates are \$165 for Pope Mallette, \$135 for Paul Watkins and \$65 per hour for paralegal services, with a maximum amount payable of \$50,000. The term of the contract is for one year from the date of approval and execution.

**ADMINISTRATION/POLICY**

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **ASU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 1, 2017, Commissioner Glenn F. Boyce approved the request enter into a lease agreement with Natchez-Adams County School District for the use of classroom and office space for the school district’s Early College High School in ASU’s MGA Building on the Natchez campus. The term of the lease is for 12 months from June 15, 2017 through June 15, 2018. The school district will pay to ASU total rental fee of \$61,776 plus a one-time technology fee of \$125 per student per school year, as well as the salary of one full-time maintenance employee at a total cost of \$18,096. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 8, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with the USDA Animal and Plant Health Inspection Service (APHIS) for six offices plus parking in the J.S. Scales building in Starkville, MS for use by the USDA APHIS as its National Wildlife Agricultural and Forestry Experiment Station on research of common interest. This is a revenue generating contract with a term of ten years beginning August 1, 2017 and ending July 31, 2027. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.



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- c. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 1, 2017, Commissioner Glenn F. Boyce approved the request to enter into a rental agreement with Respironics, Inc. for the rental of OmniLab Advanced + Heated Tube Humidifier Core Package equipment for the sleep lab. The term of this agreement is one year beginning on or about June 15, 2017 at a total cost of \$1,800 or \$15 per unit per month to be billed monthly. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **SYSTEM** – On May 19, 2017, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2017 and ending March 31, 2017. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.
- e. **SYSTEM** - In accordance with Board Policy 613 Athletics subsection (c) Athletic Tickets, each institution is required to submit a summary of their most recent annual Complimentary Athletic Ticket activity. On May 19, 2017, Commissioner Glenn F. Boyce approved the Fiscal Year 2017 Complimentary Athletic Tickets Report. The IHL financial staff have reviewed and approved the institutions’ submissions.

**OTHER BUSINESS/ANNOUNCEMENTS**

- On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the resolution commending Dr. Rod Paige for his service as Interim President at Jackson State University and to spread the resolution upon the minutes. **(See Exhibit 9.)**
- President C. D. Smith announced that that the July Board meeting is not scheduled at this time. Should a meeting be necessary, it will most likely be conducted by teleconference. The next meeting will be held August 17, 2017 at the Board Office.
- President Smith invited the university presidents to report on current activities on their campuses.

**ACADEMIC AFFAIRS  
COMMITTEE REPORT  
Wednesday, June 14, 2017**

The meeting was called to order by Chairman Tom Duff at approximately 1:30 p.m. The following items were discussed.

1. The Committee received an update on the Complete 2 Compete program and discussed the new Board policy 521 Adult Learner Degree Completion. **No action was taken.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
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2. The Committee discussed the authorizations to plan new degree programs, as follows:
  - a. **ASU** – Bachelor of Science in Athletic Training degree (CIP 51.0913);
  - b. **ASU** – Masters of Arts in History degree (CIP 54.0102);
  - c. **MSU** – Bachelor of Science in Cyber Security and Operations degree (CIP 11.1003);
  - d. **MSU** – Masters in Physician Assistant Studies degree (CIP 51.0912);
  - e. **UM** – Bachelor of Science in Economics degree (CIP 13.1401);
  - f. **UM** – Master of Science in Hospitality Management degree (CIP 52.0901);
  - g. **UM** – Master of Science in Integrated Marketing Communication degree (CIP 9.0900);
  - h. **UM** – Master of Accountancy and Data Analytics degree (CIP 52.0399);
  - i. **UM** – Master of Taxation and Data Analytics degree (CIP 52.1601); and
  - j. **ASU, DSU, JSU, MSU, MUW, MVSU, UM, USM** – Bachelor of Science/Bachelor of Arts for the Adult Completion Degree Program (CIP 24.0102).
3. By consensus, the Committee adjourned the meeting.

The following Committee members attended the meeting: Mr. Tom Duff (Chair), Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C. D. Smith, and Dr. Walt Starr.

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, June 14, 2017

The meeting was called to order by Chairman Ford Dye at approximately 3:00 p.m. The following items were discussed.

1. The Committee received an update on the gamma knife from Dr. Srinivasan Vijayakumar, Professor and Chair of Radiation Oncology at the University of Mississippi Medical Center. This is the only gamma knife available within the state of Mississippi. **No action was taken.**
2. The Committee received an update on the Helicopter Transport Program from Dr. Jonathan Wilson, Chief Administrative Officer at the University of Mississippi Medical Center. **No action was taken.**
3. The Committee received an update on the University Wellness Centers from Mr. Kevin Cook, Chief Executive Officer, University Hospitals and Health System, at the University of Mississippi Medical Center. **No action was taken.**
4. On motion by Trustee Smith, seconded by Trustee Starr, with Trustee McNair absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of three state university litigation matters;  
Discussion of six state university personnel matters; and  
Discussion of strategic plans for a public hospital.

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

On motion by Trustee Hooper, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to appoint Dr. Jerryl Briggs as Acting President of Mississippi Valley State University effective July 1, 2017.

On motion by Trustee Dye, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-37659-1, styled as *Katherine Ewing vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Perry, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36806, styled as *Jaunita Minor vs. MSU, et al.*, as recommended by counsel.

On motion by Trustee Perry, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to extend the contracts for Dr. Al Rankins, President of Alcorn State University; William LaForge, President of Delta State University; Dr. Mark Keenum, President of Mississippi State University; and Dr. Jim Borsig, President of Mississippi University for Women; by two years, which provides them with a four-year contract, with no salary adjustments; and to extend the contract of Dr. Rodney Bennett, President of the University of Southern Mississippi, by two years, which provides him with a four-year contract, and to increase his state salary by \$72,630 bringing the total state salary to \$300,000 in addition to the salary supplements of \$114,500 from the University of Southern Mississippi Foundation, Inc. and \$50,000 from the University of Southern Mississippi Alumni Association.

The Board discussed the strategic plans for a public hospital. **No action was taken.**

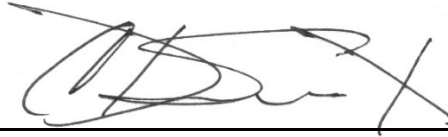
The Board discussed a litigation matter at one of the state universities. **No action was taken.**

**On motion by Trustee Lamar, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Lamar, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
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**EXHIBITS**

- Exhibit 1 Proposed new Board Policy 521 Adult Degree Completion Program for first reading.
- Exhibit 2 FY 2018 Operating Budgets for the System.
- Exhibit 3 FY 2018 proposed funding priorities for the 2019 Legislative Budget Requests.
- Exhibit 4 Resolution authorizing Jackson State University Educational Building Corporation to issue up to a maximum aggregate principal amount of \$6,000,000 of debt obligations.
- Exhibit 5 New Board Policy 201.0104 Removal of Board Members for final reading.
- Exhibit 6 Proposed amendments to Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation for final reading.
- Exhibit 7 Real Estate items that were approved by the IHL Board staff subsequent to the May 18, 2017 Board meeting.
- Exhibit 8 Report of the payment of legal fees to outside counsel.
- Exhibit 9 Resolution commending Dr. Rod Paige for his service as Interim President of Jackson State University.

# EXHIBIT 1

June 15, 2017

## **SYSTEM – APPROVAL FOR FIRST READING FOR NEW BOARD POLICY 521 ADULT DEGREE COMPLETION PROGRAM**

### **521 ADULT DEGREE COMPLETION PROGRAM**

#### **A. GENERAL POLICY**

The Complete 2 Compete (C2C) Initiative statewide program was developed to encourage Mississippi adults who have completed some college, but earned no degree, to return to college and finish what they started. The Adult Degree Completion Program provides adult learners with a flexible path to a bachelor's degree and is one option for returning students to obtain degree completion through the C2C Initiative. The Adult Degree Completion Program is intended to serve adult learners who have earned at least 90 credit hours but have not completed a baccalaureate degree and have not attended a postsecondary institution in the past twenty-four months based on last date of attendance. The curriculum may be individualized for each adult learner based on coursework completed and career goals.

#### **1) ADULT DEGREE COMPLETION PROGRAM**

Each IHL institution may offer the Adult Degree Completion Program as an emphasis under an existing baccalaureate program or as a new baccalaureate program. An IHL institution may choose to list discipline-specific concentrations for the programs under the Adult Degree Completion Program on the adult learner's final transcript.

A student may not be enrolled in the Adult Degree Completion Program and another baccalaureate degree program simultaneously. Admission to the Adult Degree Completion Program does not provide for admission to other baccalaureate degree programs at the IHL institutions; however, an institution may choose to allow a transfer path from the Adult Degree Completion Program to another baccalaureate degree program within their institution.

#### **2) ADMISSION TO ADULT DEGREE COMPLETION PROGRAM**

A student is eligible for admission to the Adult Degree Completion Program if he/she has earned at least 90 credit hours but has not completed a baccalaureate degree, and has not attended a postsecondary institution in the past twenty-four months based on last date of attendance.

All earned credit for college-level academic credit-bearing work earned before admission into the C2C Initiative may be accepted to satisfy the Adult Degree Completion Program degree requirements. Transfer coursework for which a student earned a grade of "D" may be accepted to satisfy the Adult Degree Completion Program degree requirements. All failing grades (e.g., "F" grades) received before admission to the Adult Degree Completion Program may be

# EXHIBIT 1

June 15, 2017

disregarded but should count in credit hours attempted to determine financial aid eligibility. Additional requirements may be established by the admitting institution.

## 3) INSTITUTIONAL POLICIES

- a. Adult learners returning to postsecondary education through the C2C Initiative may choose the Adult Degree Completion Program and only the requirements set forth in this policy may apply. For the Adult Degree Completion Program, additional degree requirements, catalog year requirements, and academic residency requirements may be waived by an institution.
- b. An adult returning to postsecondary education through the C2C Initiative may choose a baccalaureate degree program other than the Adult Degree Completion Program, and institutional policies and degree requirements will apply. Institutional readmission policies will apply to adult learners who choose a baccalaureate program other than the Adult Degree Completion Program.

## 4) MINIMUM ADULT DEGREE COMPLETION PROGRAM REQUIREMENTS

- a. The minimum number of hours required in the Adult Degree Completion Program is 120 credit hours. Credits earned through prior learning assessment, competency-based education, or regionally-accredited Career Technical programs may be included as part of the 120 hours.
- b. A program grade point average (GPA) of 2.0 must be earned. This may be the only GPA requirement that an adult learner in the Adult Degree Completion Program must satisfy to meet graduation requirements from an IHL institution. Only the credit hours required for the degree will be used to calculate the program GPA.
- c. Of the 120 credit hours required for the Adult Degree Completion Program, minimum requirements are as follows:

General Education Core Curriculum ( <i>IHL Policy 512 Core Curriculum</i> )	30 credit hours
Credit in residence at the awarding institution	30 credit hours
Upper-Division Credit	30 credit hours

## 5) FINANCIAL HOLDS

Adult learners with previous financial holds returning through the C2C Initiative must establish a repayment plan with the admitting institution prior to enrolling and registering for classes.

# EXHIBIT 1

June 15, 2017

6) TUITION AND FEES

Tuition and fees for enrollment in courses will be assessed according to the established tuition and fee schedule at each IHL institution.

7) DELIVERY FORMAT

The format (e.g., online, accelerated, hybrid, face-to-face) of the courses offered in the Adult Degree Completion Program may be determined by the admitting institution.

8) REPEATED COURSES

Grades of “F” earned while enrolled in the Adult Degree Completion Program may be repeated to earn a grade that satisfies the Adult Degree Completion Program degree requirements. The highest grade may stand as the official grade, and in that case, only the highest grade earned may be calculated in the Adult Degree Completion Program GPA.

9) PRIOR LEARNING ASSESSMENT AND COMPETENCY-BASED EDUCATION

The Adult Degree Completion Program may integrate prior learning assessment (PLA) and competency-based education (CBE) into university coursework. PLA and CBE credits may apply toward the Adult Degree Completion Program degree requirements.

- a. PLA credit may include individualized student portfolios, evaluation of corporate and military training, program evaluations, challenge exams, and standardized exams. Credit earned through PLA may count as lower-division or upper-division credit. Credit earned through PLA shall not count toward the 25 percent residency requirement for the degree-awarding institution. The types of PLA accepted may be determined by the IHL institution.
- b. CBE credit may include demonstrated mastery of competencies embedded into a conventional curriculum comprised of courses (course/credit-based approach) and evaluation of student achievement solely on the demonstration of competencies (direct assessment). In the Adult Degree Completion Program, an institution may accept up to 25 percent of the degree requirements as CBE. This requirement may be waived for institutions that have gained SACSCOC approval to offer an entire program as direct assessment or a hybrid direct assessment competency-based educational program where at least 50 percent of the competency-based program is direct assessment. Credit earned through CBE may count as lower-division or upper-division credit. Credit earned through CBE may count toward the 25 percent residency requirement for the degree-awarding institution. The types of CBE accepted may be determined by the IHL institution.



# EXHIBIT 2



## Total Operating Budget Original FY 2017 Compared to FY 2018

Budget	FY 2017	FY 2018	Dollar Change	Percent Change
Education & General	\$1,182,157,978	\$1,192,178,632	\$10,020,654	0.85%
Capital Funds	11,000,000	-	(11,000,000)	-100.00%
<b>Total E&amp;G</b>	<b>1,193,157,978</b>	<b>1,192,178,632</b>	<b>(979,346)</b>	<b>-0.08%</b>
UMMC	1,724,551,133	1,700,938,606	(23,612,527)	-1.37%
Agricultural	133,324,851	127,593,607	(5,731,244)	-4.30%
Student Financial Aid	41,099,277	40,550,346	(548,931)	-1.34%
Subsidiary	70,326,869	67,930,031	(2,396,838)	-3.41%
Restricted	938,135,873	938,087,183	(48,690)	-0.01%
Ayers	20,174,162	21,276,848	1,102,686	5.47%
Auxiliary	407,710,213	417,469,878	9,759,665	2.39%
Non-E&G Capital Funds	8,000,000	-	(8,000,000)	-100.00%
<b>Total Budget</b>	<b>\$4,536,480,356</b>	<b>\$4,506,025,131</b>	<b>(\$30,455,225)</b>	<b>-0.67%</b>

# EXHIBIT 2



## Total Operating Budget FY 2018

	Appropriation	Generated	Budget	Percent Appropriation
Education & General	\$339,302,475	\$ 852,876,157	\$1,192,178,632	28.5%
Capital Funds	-	-	-	N/A
<b>Total E&amp;G</b>	<b>339,302,475</b>	<b>852,876,157</b>	1,192,178,632	28.5%
UMMC	157,860,985	1,543,077,621	1,700,938,606	9.3%
Agricultural	80,782,518	46,811,089	127,593,607	63.3%
Student Financial Aid	37,661,346	2,889,000	40,550,346	92.9%
Subsidiary (1)	32,755,072	35,174,959	67,930,031	48.2%
Restricted	-	938,087,183	938,087,183	0.0%
Ayers	18,467,000	2,809,848	21,276,848	86.8%
Auxiliary	-	417,469,878	417,469,878	0.0%
Non-E&G Capital Funds	-	-	-	N/A
<b>Total Budget</b>	<b>\$666,829,396</b>	<b>\$3,839,195,735</b>	<b>\$4,506,025,131</b>	<b>14.8%</b>

## EXHIBIT 2



# Education & General Operating Budget FY 2017 and FY 2018

Institution	FY 2017	FY 2018	Change	Percent Change
ASU	\$46,905,002	\$45,441,122	(\$1,463,880)	-3.12%
DSU	45,909,952	46,264,845	354,893	0.77%
JSU	113,962,732	104,563,915	(9,398,817)	-8.25%
MSU	336,697,193	355,122,767	18,425,574	5.47%
MUW	37,985,037	39,298,196	1,313,159	3.46%
MVSU	31,478,970	30,676,067	(802,903)	-2.55%
UM	356,355,120	372,160,612	15,805,492	4.44%
USM	212,613,972	198,414,108	(14,199,864)	-6.68%
<b>Total</b>	<b>\$1,181,907,978</b>	<b>\$1,191,941,632</b>	<b>\$10,033,654</b>	<b>0.85%</b>

Note: Presentation does not include capital project funds appropriated by the Legislature.

## EXHIBIT 2



### Education and General Functional Budget Change in FY 2017 Original Budget to FY 2018

Functional Area	FY 2017	FY 2018	Dollar Change	Percent Change
Instruction	\$486,831,986	\$483,672,806	(\$3,159,180)	-0.65%
Research	35,249,356	34,917,366	(331,990)	-0.94%
Public Service	5,385,800	5,306,782	(79,018)	-1.47%
Academic Support	117,626,104	116,047,710	(1,578,394)	-1.34%
Student Services	71,387,620	69,222,966	(2,164,654)	-3.03%
Institutional Support	132,675,584	130,133,722	(2,541,862)	-1.92%
Operations & Maintenance	123,456,177	122,035,289	(1,420,888)	-1.15%
Scholarships	205,544,106	226,436,860	20,892,754	10.16%
Transfers	3,751,245	4,168,131	416,886	11.11%
<b>Total</b>	<b>\$1,181,907,978</b>	<b>\$1,191,941,632</b>	<b>\$10,033,654</b>	<b>0.85%</b>



## EXHIBIT 2

### Education and General Functional Budget Research Universities (JSU, MSU, UM, USM) Change in FY 2017 Original Budget to FY 2018

Functional Area	FY 2017	FY 2018	Dollar Change	Percent Change
Instruction	\$427,472,810	\$425,174,894	(\$2,297,916)	-0.54%
Research	35,225,168	34,892,966	(332,202)	-0.94%
Public Service	4,720,814	4,714,503	(6,311)	-0.13%
Academic Support	99,056,634	98,125,794	(930,840)	-0.94%
Student Services	52,611,922	49,484,424	(3,127,498)	-5.94%
Institutional Support	107,740,819	105,340,875	(2,399,944)	-2.23%
Operations & Maintenance	102,762,858	101,814,784	(948,074)	-0.92%
Scholarships	186,248,935	206,773,794	20,524,859	11.02%
Transfers	3,789,057	3,939,368	150,311	3.97%
<b>Total</b>	<b>\$1,019,629,017</b>	<b>\$1,030,261,402</b>	<b>\$10,632,385</b>	<b>1.04%</b>



## EXHIBIT 2

### Education and General Functional Budget Regional Universities (ASU, DSU, MUW, MVSU) Change in FY 2017 Original Budget to FY 2018

Functional Area	FY 2017	FY 2018	Dollar Change	Percent Change
Instruction	\$59,359,176	\$58,497,912	(\$861,264)	-1.45%
Research	24,188	24,400	212	0.88%
Public Service	664,986	592,279	(72,707)	-10.93%
Academic Support	18,569,470	17,921,916	(647,554)	-3.49%
Student Services	18,775,698	19,738,542	962,844	5.13%
Institutional Support	24,934,765	24,792,847	(141,918)	-0.57%
Operations & Maintenance	20,693,319	20,220,505	(472,814)	-2.28%
Scholarships	19,295,171	19,663,066	367,895	1.91%
Transfers	-37,812	228,763	266,575	-705.00%
<b>Total</b>	<b>\$162,278,961</b>	<b>\$161,680,230</b>	<b>(\$598,731)</b>	<b>-0.37%</b>

## EXHIBIT 2



### Education and General Major Object Category Budget Change in FY 2017 Original Budget to FY 2018

Category	FY 2017	FY 2018	Dollar Change	Percent Change
Personnel	\$764,082,189	\$759,138,979	(\$4,943,210)	-0.65%
Travel	9,411,775	8,963,814	(447,961)	-4.76%
Contractual	349,576,901	371,351,638	21,774,737	6.23%
Commodities	21,301,416	19,287,913	(2,013,503)	-9.45%
Capital	17,146,032	15,783,268	(1,362,764)	-7.95%
Other	20,389,665	17,416,020	(2,973,645)	-14.58%
<b>Total</b>	<b>\$1,181,907,978</b>	<b>\$1,191,941,632</b>	<b>\$10,033,654</b>	<b>0.85%</b>

Note: Excludes appropriations for capital project funds of \$11 million.

# EXHIBIT 2



## University of Mississippi Medical Center Operating Budget FY 2017 Compared to FY 2018

Budget	FY 2017	FY 2018	Dollar Change	Percent Change
School of Dentistry	\$20,127,487	\$21,107,021	\$979,534	4.87%
School of Health Related Professions	13,195,229	11,520,317	(1,674,912)	-12.69%
School of Medicine	195,956,660	180,715,872	(15,240,788)	-7.78%
School of Population Health	3,638,312	3,006,358	(631,954)	100.00%
Neuroscience Institute	71,000	-	(71,000)	100.00%
School of Nursing	15,866,997	15,180,788	(686,209)	-4.32%
Service Area	221,150,710	197,914,898	(23,235,812)	-10.51%
University Hospital	1,254,544,738	1,271,493,352	16,948,614	1.35%
<b>Total Budget</b>	<b>\$1,724,551,133</b>	<b>\$1,700,938,606</b>	<b>(\$23,612,527)</b>	<b>-1.37%</b>

Note: Auxiliary budget and restricted budget aggregated in the system presentation.

June 15, 2017

Finance Agenda



## EXHIBIT 2



### Agricultural Units Total Operating Budgets FY 2017 Compared to FY 2018

Budget	FY 2017	FY 2018	Dollar Change	Percent Change
ASU Agricultural Programs	\$6,682,990	\$6,190,694	(\$492,296)	-7.37%
Agricultural & Forestry Experiment Station	33,372,633	31,495,797	(1,876,836)	-5.62%
Mississippi Cooperative Extension	45,195,567	42,826,146	(2,369,421)	-5.24%
Forest & Wildlife Research Center	7,397,492	6,519,563	(877,929)	-11.87%
College of Veterinary Medicine	40,676,169	40,561,407	(114,762)	-0.28%
<b>Total Budget</b>	<b>\$133,324,851</b>	<b>\$127,593,607</b>	<b>(\$5,731,244)</b>	<b>-4.30%</b>

# EXHIBIT 2



## Subsidiary Units

(includes Executive Office, University Press & Student Financial Aid)

### Change in Total Operating Budget FY 2017 to FY 2018

Budget	FY 2017	FY 2018	Change	Percent Change
Urban Research Center	\$473,100	\$ 448,580	\$ (24,520)	-5.18%
Center for Advanced Vehicular Systems	4,764,455	4,426,458	(337,997)	-7.09%
State Chemical Laboratory	2,694,807	2,158,513	(536,294)	-19.90%
Water Resources Research Institute	382,118	357,031	(25,087)	-6.57%
Stennis Institute	834,586	750,929	(83,657)	-10.02%
Alcohol Safety Education Program (Special Funds)	1,782,594	1,584,488	(198,106)	-11.11%
Law Research Institute	836,238	778,882	(57,356)	-6.86%
Mineral Resources Institute	366,033	336,795	(29,238)	-7.99%
Research Institute of Pharmaceutical Sciences	3,271,893	3,058,808	(213,085)	-6.51%
Supercomputer	680,430	631,560	(48,870)	-7.18%
Small Business Center	309,877	288,172	(21,705)	-7.00%
Center for Manufacturing Excellence	2,689,905	2,567,961	(121,944)	-4.53%
State Court Education Program (Special Funds)	1,768,988	1,574,512	(194,476)	-10.99%
Mississippi Polymer Institute	637,113	587,625	(49,488)	-7.77%
Gulf Coast Research Laboratory	10,315,425	9,687,669	(627,756)	-6.09%
Stennis Center	333,306	311,564	(21,742)	-6.52%
Executive Office	27,878,216	28,560,101	681,885	2.45%
Student Financial Aid	41,099,277	40,550,346	(548,931)	-1.34%
University Press	2,836,854	2,836,795	(59)	0.00%
<b>Total</b>	<b>\$117,539,044</b>	<b>\$101,496,789</b>	<b>(\$16,042,255)</b>	<b>-13.65%</b>

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Finance Agenda

# EXHIBIT 2



## Auxiliary Unit Operating Budgets FY 2018 Compared to FY 2017 Original

Institution	FY 2017	FY 2018	Change	Percent Change
Alcorn State University	\$14,140,484	\$14,889,060	\$748,576	5.29%
Delta State University	10,955,481	10,250,390	(705,091)	-6.44%
Jackson State University	41,959,868	39,250,954	(2,708,914)	-6.46%
Mississippi State University	109,698,027	113,104,300	3,406,273	3.11%
Mississippi University for Women	5,088,692	5,243,802	155,110	3.05%
Mississippi Valley State University	9,200,000	9,400,000	200,000	2.17%
University of Mississippi	143,762,468	151,645,104	7,882,636	5.48%
University of Southern Mississippi	66,437,625	67,021,579	583,954	0.88%
UMMC	6,467,568	6,664,689	197,121	3.05%
<b>Total Auxiliaries</b>	<b>\$390,786,825</b>	<b>\$407,710,213</b>	<b>\$16,923,388</b>	<b>4.33%</b>

# EXHIBIT 3



## Budget Request Summary Fiscal Year 2019 Compared to FY 2018 Original

<b>Budget</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Difference</b>	<b>Percent</b>
Campus Budgets	\$339,302,475	\$388,573,400	\$49,270,925	14.52%
Capital Appropriations	-	11,000,000	11,000,000	100.00%
Total E&G Appropriations	339,302,475	399,573,400	60,270,925	17.76%
Subsidiaries	\$33,034,129	\$36,370,663	3,336,534	10.10%
Agricultural Units	80,782,518	89,346,974	8,564,456	10.60%
UMMC	157,860,985	188,754,483	30,893,498	19.57%
Ayers	18,467,000	11,733,000	(6,734,000)	-36.47%
Student Financial Aid (a)	37,661,346	38,755,077	1,093,731	2.90%
<b>Grand Total</b>	<b>\$667,108,453</b>	<b>\$764,533,597</b>	<b>\$97,425,144</b>	<b>14.60%</b>

(a) This appropriation request is approved by the Postsecondary Board. This Board has not yet acted on an appropriation request for FY 2019.

June 15, 2017

Finance Agenda

# EXHIBIT 4

RESOLUTION AUTHORIZING JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION TO ISSUE BONDS IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$6,000,000 TO REIMBURSE JACKSON STATE UNIVERSITY FOR EXPENDITURES MADE FOR IMPROVEMENTS TO, AND MAINTENANCE OF, THE FACILITIES OF JACKSON STATE UNIVERSITY, AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG JACKSON STATE UNIVERSITY, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; APPROVING THE PURPOSES AND ACTIVITIES OF JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES FINANCED WITH THE PROCEEDS OF SAID BONDS; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the "Board") hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.

2. Jackson State University (the "University") was organized and incorporated as a state institution of higher learning pursuant to Section 37-125-1 *et seq.*, Mississippi Code of 1972, is controlled and managed by the Board pursuant to Chapter 101 of Title 37, Mississippi Code of 1972, and is an educational institution owned and operated by the State of Mississippi by and through the Board.

3. Jackson State University Educational Building Corporation (the "Corporation") was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through

# EXHIBIT 4

37-101-71, Mississippi Code of 1972, as amended (the "Act"), for the purpose of acquiring or constructing facilities for the University.

4. The Board of Directors of the Corporation proposes to issue its Bonds in the maximum aggregate par amount of \$6,000,000 (the "Bonds") to provide moneys to reimburse the University for expenditures made for improvements to, and maintenance of, the facilities of the University (collectively, the "Project") located on the main campus of the University as set forth more particularly in Exhibit A to the Lease (defined below) (the "Project Site"), and to pay the related costs of the issuance, sale and delivery of the Bonds; provided, such issuance is conditioned upon the adoption of this Resolution authorizing the same.

5. The Corporation shall lease the Project Site from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the "Ground Lease").

6. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the "Lease").

7. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Site to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Site from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

8. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease

# EXHIBIT 4

and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board or the University.

9. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

10. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation's net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

11. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

12. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

13. Raymond James & Associates, Inc., acting as placement agent, will place the Bonds with one or more institutional investors. The Corporation will sell the Bonds, in one or more series, on a negotiated basis to such institutional investors pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement"). It is necessary and appropriate for the Board to approve Raymond James & Associates, Inc. as

# EXHIBIT 4

placement agent for the Bonds. It is also necessary and appropriate to authorize the Corporation to sell the Bonds at such prices as may be determined by the Corporation, provided that, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$6,000,000; the final maturity of the Bonds shall not be later than thirty (30) years from the dated date of the Bonds; the interest rates on the Bonds shall not exceed the interest rates permitted by Mississippi law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more taxable or tax-exempt series, in the maximum aggregate par amount of \$6,000,000, provided that the other conditions of paragraph 13 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to reimburse the University for expenditures made for improvements to, and maintenance of, the facilities of the University, and to pay the costs of the issuance, sale and delivery of the Bonds and expenses relating to the Bonds. The Corporation's engagement of FirstSouthwest, a division of Hilltop Securities Inc., as financial advisor to the Corporation, and of Jones Walker LLP as bond counsel with respect to the issuance of the Bonds and of Raymond James & Associates, Inc. as placement agent for the Bonds is hereby approved. The Board also approves the University counsel to serve in his official capacity as counsel for both the University and for the Corporation in connection with the various transactions related to the issuance of the Bonds, and the Board specifically waives any related conflict of interest.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground



# EXHIBIT 4

Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. Raymond James & Associates, Inc., acting as placement agent, is authorized to place the Bonds with one or more institutional investors. The Corporation is authorized to sell the Bonds to such institutional investors, in one or more series, on a negotiated basis pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement"). The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate in connection with the private placement or public sale of the Bonds. The President of the Board and the Commissioner of Higher Education are hereby authorized to take such actions and execute such documents as may be necessary or appropriate in connection with the private placement of the Bonds.

SECTION 5. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

# EXHIBIT 4

SECTION 6. The Bonds shall be submitted for validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 7. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

[The remainder of this page is intentionally left blank.]

# EXHIBIT 4

## CERTIFICATE

I certify that the foregoing instrument is a true and correct copy of a resolution adopted by the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on June 15, 2017.

Executed on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
President, Board of Trustees of State  
Institutions of Higher Learning

(SEAL)

# EXHIBIT 5

June 15, 2017

## SYSTEM - APPROVAL OF NEW BOARD POLICY 201.0104 REMOVAL OF BOARD MEMBERS FOR FINAL READING.

### 201.0104      **REMOVAL OF BOARD MEMBERS**

Members of the Board of Trustees are state officials appointed by the Governor and confirmed by the Senate. As such, they may only be removed from office pursuant to specific Mississippi statutory or constitutional provisions. Some examples of legal mechanisms for removal of a Board member are as follows:

- a. Pursuant to Art. 6 §175 of the Mississippi Constitution, public officers shall be removed for willful neglect of duty or misdemeanor in office upon conviction.
- b. Pursuant to Miss. Code Ann. § 25-5-1, if any public officer is convicted or pleads guilty or nolo contendere to any felony, other than manslaughter or any violation of the United States Internal Revenue Code, or corruption in office, or of gambling or dealing in futures with money coming to his hands by virtue of his office, any court of this state shall adjudge the defendant removed from office; and the office of the defendant shall thereby become vacant. If any such officer is found by inquest to be of unsound mind during the term for which he was elected or appointed, or shall be removed from office by the judgment of a court of competent jurisdiction or otherwise lawfully, his office shall thereby be vacated.

When any such officer is found guilty of a crime which is a felony under the laws of this state or which is punishable by imprisonment for one (1) year or more, other than manslaughter or any violation of the United States Internal Revenue Code, in a federal court or a court of competent jurisdiction of any other state, the Attorney General of the State of Mississippi shall promptly enter a motion for removal from office in the Circuit Court of Hinds County in the case of a state officer, and in the circuit court of the county of residence in the case of a district, county or municipal officer. The court, or the judge in vacation, shall, upon notice and a proper hearing, issue an order removing such person from office and the vacancy shall be filled as provided by law.

- c. Pursuant to Miss. Code Ann. § 25-4-109 (2), concerning a violation of the Miss. Ethics in Government Statutes, removal can occur as follows:

Upon a finding by clear and convincing evidence that any nonelected public servant has violated any provision of this article, the Ethics Commission may censure the nonelected public servant or impose a civil fine of not more than Ten Thousand Dollars (\$10,000.00), or both. The Ethics Commission may further recommend to the Circuit Court for Hinds County that the nonelected public servant be removed from office, suspended, or subjected to a demotion or reduction in pay.

# EXHIBIT 6

June 15, 2017

## SYSTEM – APPROVAL FOR FINAL READING OF PROPOSED AMENDMENTS TO BOARD BYLAW 301.0802 INSTITUTIONAL EXECUTIVE OFFICER ASSESSMENT/EVALUATION

### **301.0802 Institutional Executive Officer Assessment/Evaluation**

The objective of the Institutional Executive Officer Assessment/Evaluation is to promote good communication and build strong working relationships between the Institutional Executive Officer (IEO), the Commissioner, the Board of Trustees, and the campus constituencies. The assessment is designed to provide each Institutional Executive Officer with feedback on performance and the opportunity for professional reflection and development. The performance reviews of the IEOs will be conducted at least every year two years.

- A. The Commissioner of Higher Education has primary responsibility for the ~~annual~~ two-year evaluation of the IEO. The Commissioner's ~~annual~~ two-year evaluation shall include at a minimum:
  1. An assessment of institutional performance at the system level,
  2. An assessment of individual performance goals and specific performance indicators reflective of long-term strategic institutional goals, and
  3. A written evaluation by the Commissioner.
- B. The Commissioner will seek input on IEO performance from on-campus constituent groups and external constituencies.
- C. The Commissioner will share the written evaluation of the IEO with the person being assessed and will provide the IEO with a copy and the opportunity to add a statement responding to the assessment and adding any additional information as appropriate. The written evaluation and any IEO response will then be shared with the Board of Trustees. Based on the results of the evaluation, the Commissioner may ask the IEO to develop a written improvement plan for the following year that will be approved by the Commissioner.
- ~~D. Based on the results of the evaluation, a written, personal development plan for the following year shall be developed by the IEO and approved by the Commissioner.~~
- E. The Commissioner shall report to the Board of Trustees the process being used for IEO assessment at the beginning of each ~~annual~~ two-year cycle.

# EXHIBIT 7

June 15, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MAY 18, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **DELTA STATE UNIVERSITY**

### **1. DSU– GS 102-237 – Caylor White Walters-Ph III**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$0.00 and forty-three (43) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 28, 2017

Change Order Description: Change Order #5 includes the following items: forty-three days (43) added to the contract.

Change Order Justification: This change was due to delays in the backorder of a custom door.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$64,676.64.

Project Initiation Date: August 19, 2010

Design Professional: Architecture South, P.A.

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$1,261,848.00

### **2. DSU– GS 102-255 – Central Mechanical Plant-Ph II**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$0.00 and one hundred fifteen (115) additional days to the contract of Acey Mechanical, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 28, 2017

Change Order Description: Change Order #4 includes the following items: one hundred fifteen days (115) added to the contract.

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Change Order Justification: This change was due to delays in the turn around time of change order #3 which affected the completion date and was not the responsibility of the contractor.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$225,099.61.

Project Initiation Date: August 15, 2013

Design Professional: Engineering Resource Group, Inc.

General Contractor: Acey Mechanical, LLC

Total Project Budget: \$2,000,000.00

### 3. **DSU- GS 102-262 – Young Mauldin Cafeteria Renovations**

#### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Burris/Wagnon Architects.

Approval Status & Date: APPROVED, May 1, 2017

#### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, May 1, 2017

Project Initiation Date: October 16, 2014

Design Professional: Burris/Wagnon Architects

General Contractor: TBD

Total Project Budget: \$9,180,791.00

## MISSISSIPPI STATE UNIVERSITY

### 4. **MSU– GS 105-352 – Library Expansion, Mitchell Memorial Library**

#### **NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$19,300.60 and two (2) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 20, 2017

Change Order Description: Change Order #4 includes the following items: revise the rough-ins in gallery B; add steel at the elevators for plates & cutting column; add conduit/power to the new communications panel at the stacks and for CCTV; add bureau of buildings plaque; hardware modification for six (6) storefront doors; and two (2) days to the contract.

Change Order Justification: These changes were due to errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$21,820.59.

Project Initiation Date: August 15, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC.

General Contractor: West Brothers Construction, Inc.

# EXHIBIT 7

June 15, 2017

Total Project Budget: \$8,300,000.00

5. **MSU- GS 113-136 – Meat Science Laboratory**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$9,199.14 and twenty-five (25) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 4, 2107

Change Order Description: Change Order #2 includes the following items: additional fire dampers, layer of gypsum board, sleeves and fire-rated materials; install head and jamb at one door; include chiller and hot water systems wiring and programming; credit for all truncated dome tiles; additions & changes to door hardware; twenty-two (22) days due to weather delays and three (3) additional days (for work) added to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$51,125.57.

Project Initiation Date: October 17, 2013

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

General Contractor: Construction Services, Inc.

Total Project Budget: \$8,200,000.00

6. **MSU– IHL 205-276 – Residence Hall North**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$437,588.00 and forty-five (45) additional days to the contract of W.G. Yates & Sons Construction, Inc.

Approval Status & Date: APPROVED, May 3, 2107

Change Order Description: Change Order #3 includes the following items: revise the exterior balcony exterior edge using standard pavers instead of bullnose; simplify the metal detailing at the parapet above the entry vestibules, the detailing and sub-framing at the roof fascia, soffit and frieze; repair and relocation of the existing gas lines; add an in-ground fire department connection valve box; add an interior storefront and door at the Center for America's Veterans (CAV); revise the vertical fan coil unit access doors from 48 inches tall to 60 inches tall; revise the closet hardware at all bedrooms to be fixed instead of vertically adjustable; add furrount at the divider wall at each bedroom closet and provide concealed sprinkler heads; omit redundant ceiling framing and gypsum board at CAV electrical & data rooms, take walls to sub-ceiling above; revise the fan coil unit pic valves to be actuated ball valves with a circuit setter; revise models of televisions throughout the project to currently available models; add power to the kitchen hoods at apartments; add four (4) light fixtures at accessible bedrooms; omit the fire alarm connection for the solenoid valve at the electrical and data rooms; lengthen the duct length in CAV attic; add power, water & drain for the dishwasher at the CAV kitchen; add gypsum board ceilings at the Residence Hall 4<sup>th</sup> floor electrical data & trash rooms;



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add fire dampers at the top of the duct shafts at the attic; provide credit for installation labor at the Giles Hall electrical feeder; request for additional days due to weather; frame & finish drywall window pockets at the ceilings at sixty-five (65) locations; revisions to the door hardware; add card readers & electrified hardware at A & B area stairwell doors; omit auto operators from C doors into A & B area, floors two through four; add data outlets at the housing office reception desk; add fire alarm connections at the fire pump room and at the tamper/flow switches; install a breaker for the bus stop; install a 200A breaker for RV pedestals; add a fire damper at the air transfer above the ceiling in the rated wall at apartments in the south building; relocate a 24" storm drain at the east side of the site stair; revision to the CAV duct; relocation of the fire water line south of CAV located beneath the future fountain; reconciliation of the controls allowance; revise the size of area C return grilles at eight (8) locations; add conduit to the existing code blue station on site from the south building; add handrails at both residence hall building attic catwalks and equipment mezzanines; add decorative steel security gates at three (3) apartment patio locations; revisions made to the irrigation system; add a decorative railing at lobby areas; increase the bracket thickness and add returns at the horizontal rods; add shelves & brackets at the dryers in the south building laundries at four (4) locations; relocate the construction fence & silt fence at the RV pedestals, PEX water, plywood and grass mat; add sod at the south hillside in lieu of erosion mat; allow temporary elevator use for two elevators; install a privacy partition at the window in the women's restroom at CAV; remove the security gate at the north building first floor stair; increase the height of the retaining wall at the central courtyard by two feet; add parking lot striping west of the north building entry, west of CAV and north of the south building entry; add a sleeve under paving at CAV; add access control at the CAV interior corridor doors at two locations; provide additional communications and power conduit over the top of the multipurpose room to serve the east wing; add access control, pull handles & exterior core/cylinder at three exterior doors, add power & water at a lounge ice maker and revise millwork at a lounge ice maker in the housing offices; add millwork to the mail/copy room; add relays for one elevator per building to run on emergency power; add curbs at four (4) attic mezzanine locations; add new frames & covers for the existing junction boxes in new sidewalks at three (3) locations; add sheath and insulate the sprinkler pipe above the soffit at the south building breezeway; add a permanent galvanized water line, valve boxes and hose bibs for RV parking west of CAV; relocate the chase wall in the telecom rooms; add two (2) communication boxes with three (3) data drops at each south building main housing desks on the first floor; add floor door stops at the bathroom doors & closet doors; revise four (4) stainless sink locations with smaller bowls; add powered booster fan, duct, & high velocity grilles at each of the four (4) tower locations; provide temporary flex duct while wood ceilings are being installed; wrap the exposed north building C area beams with drywall; modify the millwork at the CAV break room; add five room signs at the CAV; raise the storm drain grates with a riser at seven (7) locations; add power & data at a site to reinstate an existing code blue station; remove high portions of paw prints at the south building breezeway and fill with concrete patch; replace double doors at the CAV multipurpose room; tie in the existing storm lines to the new inlet at the southwest corner of the site; add thickened and reinforced paving beneath the generator and other items in the enclosure at the south building; omit two

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parking islands west of the CAV; MSU agreed to repay the contractor for the temporary utilities paid by the contractor during the transition period in order to move the students in during that time; and forty-five days to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendations by governmental agencies: i.e., revisions in building codes, safety or health regulations, controls on materials specified, etc.; errors and omissions in the plans & specifications; latent job site conditions; weather related delays; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$1,031,486.00.

Project Initiation Date: May 15, 2014

Design Professional: McCarty Company/Hanbury Evans

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

Total Project Budget: \$60,500,000.00

## 7. **MSU- IHL 205-278 – MSU nSPARC Data Center**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$186,060.68 and seventy-seven (77) additional days to the contract of Burks-Mordecai Builders, Inc.

Approval Status & Date: APPROVED, April 28, 2107

Change Order Description: Change Order #2 includes the following items: relocate the utility transformer; reconciliation of the controls allowance; extended the generator warranty period and add a five (5) year preventive maintenance program; exterior door relocation; exterior lighting revisions; permanent drive relocation to include revised grading; additional storm drainage work; add concrete lintel above the windows; add gypsum board to the storage room; add electronic hardware for doors; and seventy-seven (77) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$214,561.71.

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: Burks-Mordecai Builders, Inc.

Total Project Budget: \$4,650,000.00

## 8. **MSU- IHL 205-279 – Addition and Renovation to Dudy Noble Field-Polk-Dement Stadium**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$47,272,500.00 to the apparent low bidder, JESCO, Inc.

Approval Status & Date: APPROVED, April 28, 2017

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architecture

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General Contractor: JESCO, Inc.  
Total Project Budget: \$55,000,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 9. MUW– GS 104-184 – Fant Library Renovation – PH III (Build Out)

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the credit amount of \$1,364.47 and zero (0) additional days to the contract of Amason & Associates, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 20, 2017

Change Order Description: Change Order #2 includes the following items: credit for site utility modifications and related unused assumptions; credit for three (3) light fixtures (omitted); revisions to the page system and fire alarm devices; and to grind, polish, stain & seal the 2<sup>nd</sup> floor concrete.

Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$18,963.05.

Project Initiation Date: January 22, 2015

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

General Contractor: Amason & Associates, Inc.

Phased Project Budget: \$4,391,721.05

Total Project budget: \$8,249,000.00

## MISSISSIPPI VALLEY STATE UNIVERSITY

### 10. MVSU – GS 106-257 – Edna Horton Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$7,352,300.00 to the apparent low bidder, Timbo's Construction, Inc.

Approval Status & Date: APPROVED, April 28, 2017

Project Initiation Date: June 16, 2016

Design Professional: Shafer & Associates

General Contractor: Timbo's Construction, Inc.

Total Project Budget: \$8,700,000.00

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## UNIVERSITY OF MISSISSIPPI

### 11. UM– IHL 207-413 – Greek Village Preliminary Lot Grading (Revised)

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$5,537.71 and zero (0) additional days to the contract of Michael Pittman Construction Company, Inc.

Approval Status & Date: APPROVED, April 28, 2017

Change Order Description: Change Order #2 includes the following items: Additional 1” and 2” conduit (directional bore); additional #8 and #10 THHN; a lockable box with a back plate; two (2) red dot quad receptacle boxes and covers; a handy box; additional manhours; deductions of undercut excavation & borrow excavation; the addition of seven (7) concrete wheel stops; and a deduction of four (4) pipe bollards.

Change Order Justification: These changes were due to user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$14,467.71.

Project Initiation Date: December 17, 2015

Design Professional: Precision Engineers Corporation

General Contractor: Michael Pittman Construction Company, Inc.

Total Project Budget: \$1,933,636.00

### 12. UM – IHL 207-434 – Chucky Mullins Drive Roundabout

#### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,823,400.36 to the apparent low bidder, Xcavators, Inc.

Approval Status & Date: APPROVED, April 20, 2017

Project Initiation Date: April 20, 2017

Design Professional: Buchart Horn, Inc.

General Contractor: Xcavators, Inc.

Total Project Budget: \$2,500,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 13. UMMC– IHL 109-210 (GC-001) – School of Medicine

#### **NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #11**

Board staff approved Change Order #11 in the amount of \$34,324.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, May 2, 2017

Change Order Description: Change Order #11 includes the following items: add metal studs and fire treated wood blocking for the mailbox supports; delete the steel support tubes at the overhead coiling grille; delete two (2) roller shades on the east side of the 4<sup>th</sup> floor; reroute the roof drain piping and spiral duct at the atrium ceiling of the 4<sup>th</sup> floor; add metal studs, insulation, sheathing and brake metal at the 1<sup>st</sup> floor connector to the

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existing; add metal stud furring and gypsum board to cover the existing brick veneer at the ground floor connector to the existing; provide a substitute light fixture for type “Y” specified fixture in the 1<sup>st</sup> floor of the existing; change the specified hinges for some of the double egress doors to continuous type hinges; change the specified hinges for another double egress door to wide throw type hinges; add concealed mounting cleats for inactive door leafs at two double egress doors; add jamb piece sections to the heavy glass wall system at a conference room; and add two (2) magnetic hold-open devices at one door;

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of \$809,942.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglass Farr Lemons + Eley Guild hardy, Architects – Jackson, P. A. – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

## 14. **UMMC – IHL 209-537 – Garage C & Roadway Revisions – Package A**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the credit amount of \$27,312.54 and one hundred seventy (170) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, May 2, 2017

Change Order Description: Change Order #3 includes the following items: irrigation allowance reconciliation; Building Management system allowance reconciliation; repair & paint the north retaining wall to match adjacent finishes; cap underground pipe and repair asphalt damaged by a water leak; additional network cabling in lieu of analog; replace three (3) non-rated doors with fire rated doors; relocate fire extinguishers; install film over door lites at the communications closets; install a concrete flume at the steep grade change; install a grate over the new areaway; install parking wheel stops at standpipes; relocate exit lights; install smoke and heat detectors in the elevator shaft; provide a dedicated circuit for the sump pump; repair a pole light; remove carflex and replace with flexible conduit; install an additional bollard; install a ladder extension; install a handrail at the new concrete flume; install a refrigerant piping cover; and one hundred seventy-seven days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$34,055.46.

Project Initiation Date: August 19, 2010

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers

General Contractor: Roy Anderson Corporation

Total Project Budget: \$20,000,000.00

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## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 15. USM– GS 108-283 – Bolton Hall Renovation

#### **NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Albert & Associates

Approval Status & Date: APPROVED, April 20, 2017

#### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 20, 2017

Project Initiation Date: February 18, 2015

Design Professional: Albert & Associates

General Contractor: TBD

Total Project Budget: \$3,200,000.00

### 16. USM– IHL 208-332 – Pride Field Turf and Fencing

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$21,674.94 and eight (8) additional days to the contract of FieldTurf USA, Inc.

Approval Status & Date: APPROVED, May 15, 2017

Change Order Description: Change Order #1 includes the following items: deduct for fewer quantities used; inspection to determine course of action to repair inlet; additional tree removal, grading and sod; replacement of flares on the finials to match the fences on the campus; additional handrails for the ADA ramp at the tower to match the handrails on the other sections of the tower; handrails to be embedded into the ramp; fence relocation following extension of the retaining wall; and eight (8) days to the contract.

Change Order Justification: These changes were due to user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$21,674.94.

Project Initiation Date: March 18, 2015

Design Professional: Neel-Schaffer

General Contractor: FieldTurf USA, Inc.

Total Project Budget: \$1,315,000.00

### 17. USM – IHL 208-335 – Ross Boulevard Parking Project

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$23,355.28 and zero (0) additional days to the contract of R&J Construction, Inc.

Approval Status & Date: APPROVED, April 28, 2017

Change Order Description: Change Order #1 includes the following items: deduction for existing soil pumping; add backfill/borrow; Portland Soil Cement Treatment; excavation of debris and backfill/borrow.

Change Order Justification: These changes were due to latent job site conditions.

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Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$23,355.28.

Project Initiation Date: May 19, 2016

Design Professional: Neel-Schaffer, Inc.

General Contractor: R & J Construction, Inc.

Project Budget: \$1,350,000.00

## 18. **USM – IHL 210-245 – Toxicology Building Replacement**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$18,593.00 and thirty-seven (37) additional days to the contract of Dan Hensarling, Inc.

Approval Status & Date: APPROVED, May 4, 2017

Change Order Description: Change Order #4 includes the following items: delete twelve (12) peristaltic pumps; delete the signage; saw, cut demo, relocate and patch the floor drain at the exposure chambers; add an oxygen line to the outside pad; add eight (8) ½” cast acrylic sheets and one (1) 3/8” cast acrylic sheet for exposure chambers size revisions; add control cabling and terminations to the aquaculture equipment; delete the automatic openers; add door closers; and thirty-seven (37) days to the contract.

Change Order Justification: These changes were due to user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$171,105.00.

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group

General Contractor: Dan Hensarling, Inc.

Total Project Budget: \$4,900,000.00

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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 Ware Immigration (statement dated 4/19/17) from the funds of Alcorn State University. (This statement, in the amount of \$1,960.00, represents services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 1,960.00**

Payment of legal fees for professional services rendered by Julie Brown (statement dated 5/5/17) from the funds of Mississippi State University. (This statement, in the amount of \$1,320.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,320.00**

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 5/1/17) from the funds of Mississippi State University. (This statement, in the amount of \$3,000.00, represents services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 3,000.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 5/10/17) from the funds of the University of Mississippi. (This statement, in the amount of \$120.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 120.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/28/17, 4/12/17, 4/14/17, 4/20/17 and 4/21/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$14,723.68, \$588.00, \$1,886.50, \$21,287.28 and \$2,905.35, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 41,390.81**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 4/7/17, 4/7/17, 4/7/17, 4/14/17, 4/14/17, 4/14/17, 4/14/17, 4/14/17 and 4/14/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,476.75, \$759.00, \$412.50, \$660.00, \$577.50, \$2,574.00, \$1,138.50, \$2,334.75 and \$330.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,263.00**



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Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 4/4/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,006.50, \$660.00, \$30,444.66, \$462.00, \$1,039.50, \$1,512.00, \$1,561.00, \$2,274.00 and \$6,851.50, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 45,810.66**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 5/8/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$148.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 148.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$30.35, \$125.00, \$72.07, \$20.90, \$4,000.00, \$51.00 and \$21.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,320.32**

## **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 (statements dated 9/14/16, 3/24/17, 3/31/17, 4/3/17, 4/14/17, 4/14/17, 4/14/17, 4/14/17, 4/14/17 and 4/14/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications” - \$900.00; “Cancer Therapeutic Use of Occidiofungin” - \$120.00; “Engineering the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species” - \$527.50; “Engineering the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species” - \$1,545.50; Listeria and Salmonella Assay Methods: - \$120.00; “Therapeutics for Breathing Disorders” - \$3,912.00; “Cancer Therapeutic Use of Occidiofungin” - \$2,231.00; “Chambers Provisional” - \$4,035.00; “Unsymmetrical Bis (Azolium) Salts: Bioactive Agents and Precursors to CCC-NHC Pincer and Bimetallic Complexes” - \$280.50 and “System and Methods for Pest Reduction” - \$1,008.00, respectively.)

**TOTAL DUE.....\$ 14,679.50**

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Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 4/25/17, 4/25/17, 5/3/17 and 5/3/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$65.00; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species” - \$162.50; “Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$1,815.00 and “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$1,676.00, respectively.)

**TOTAL DUE.....\$ 3,718.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/22/17, 3/22/17, 3/22/17 and 4/24/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$3,059.50; “Methods of Synthesizing Graphene from a Lignin Source” - \$1,767.00; “Extruder Device” - \$367.50 and “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$678.00, respectively.)

**TOTAL DUE.....\$ 5,872.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 4/24/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$2,248.50.)

**TOTAL DUE.....\$ 2,248.50**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 4/7/17, 4/16/17, 4/16/17, 4/19/17, 5/1/17, 5/2/17 and 5/12/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Economic Process for the Isolation of Cannabinoids from Cannabis” - \$8,680.10; “Potent Immunostimulants from Microalgae” - \$4,015.75; “Potent Immunostimulants from Microalgae” - \$1,233.29; “Potent Immunostimulants from Microalgae” - \$1,813.56; “Compositions containing Delta-9-THC-Amino Acid Esters” - \$958.47; “Economic Process for the Isolation of Cannabinoids from Cannabis” - \$663.60 and “Potent Immunostimulants from Microalgae” - \$457.10, respectively.)

**TOTAL DUE.....\$ 17,821.87**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/24/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - \$28.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$6,954.75; “Stabilized Formulation of Triamcinolone Acetonide” - \$28.50; “Stabilized

# EXHIBIT 8

June 15, 2017

Formulation of Triamcinolone Acetonide” - \$28.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$28.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$28.50; “Lipid Nanoparticle Compositions” - \$78.00; “Indolizine-based Donors as Organic Sensitizer Components” - \$427.50; “Gas Separating Membranes” - \$3,947.50 and “Stabilized Formulation of Triamcinolone Acetonide” - \$3,155.50, respectively.)

**TOTAL DUE.....\$ 14,705.75**

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 3/30/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$996.50, represents services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 996.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/24/17 and 4/14/17) from the funds of the University of Southern Mississippi. (These statements represents services and expenses in connection with the following patents: “Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$1,285.00 and “Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$646.16, respectively.)

**TOTAL DUE.....\$ 1,931.16**

# EXHIBIT 9

June 17, 2017

# RESOLUTION

## Honoring Dr. Rod Paige

**WHEREAS**, the Board of Trustees of State Institutions of Higher Learning (IHL), pays tribute and recognizes **Dr. Rod Paige**, Interim President of Jackson State University, for the outstanding leadership he has provided to the university and the tremendous difference he has made to the institution, its faculty, staff, students and alumni; and

**WHEREAS**, **Dr. Paige** accepted the call to serve Jackson State University, not to add yet another accomplishment to his list of accolades, but out of a deep affection for the university, his fellow alumni, the faculty and staff, and the students; and

**WHEREAS**, **Dr. Paige** has provided stability to the campus and launched the Presidential Challenge, raising more than \$300,000; and

**WHEREAS**, **Dr. Paige** is a native Mississippian and alumnus of Jackson State University who has devoted his professional life to education, serving as Dean of Education at Texas Southern University, leading the Houston Independent School District and serving as U.S. Secretary of Education under President George W. Bush; and

**WHEREAS**, **Dr. Paige** was named a Public Policy Fellow at the Woodrow Wilson International Center for Scholars and continues to serve on numerous boards, including the Fordham Institute, the Strake Foundation and the Blue Cure Foundation; and was inducted into the National Alliance for Public Charter Schools Hall of Fame; and

**WHEREAS**, **Dr. Paige** holds a bachelor's degree from Jackson State University and a master's and doctoral degree from Indiana University; and

**WHEREAS**, **Dr. Paige** and his lovely wife, Stephanie Nellons-Paige, an accomplished business leader and vice president of USA Funds' national engagement, have served as role models and mentors for the students, making a difference through their visibility, presence, and openness; and

**BE IT RESOLVED**, that **Dr. Paige** will therefore be remembered as a leader who made a positive impact on the lives of Jackson State University students of today and tomorrow, the JSU faculty and staff, and the alumni who are proud to call the university their alma mater; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the Board and that a copy be presented to **Dr. Rod Paige** with the affirmation that he will always be remembered for his love for and dedication to Jackson State University.

**DONE**, this the 15<sup>th</sup> day of June, 2017



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*C.D. Smith, President*  
*Mississippi Board of Trustees of State Institutions of Higher Learning*

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 17, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this August 17, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President, and opened with prayer by Trustee Lamar.

**INTRODUCTION OF GUESTS**

- President Smith welcomed the Student Government Association Officers: Ashley Griffin, SGA President at Delta State University; Layton Little, SGA President at Mississippi State University; Edgar Meyer, SGA President at the University of Mississippi Medical Center; and Cameron Cloud, SGA President at the University of Southern Mississippi.
- Dr. William Bynum, President of Jackson State University, introduced his new team Dr. Ivory Nelson, Interim Provost; Dr. Deborah Mayes Jackson, Chief of Staff; Dr. Joseph Whittaker, Associate Provost; and Mr. Thomas Hudson, Special Assistant to the President.
- Dr. Rodney Bennett, President of the University of Southern Mississippi, announced that his long-time executive assistant, Polly Odom, recently retired. He introduced Ms. Latouisha Wilson, who has taken her place.

**PRESENTATION**

- Commissioner Glenn Boyce and Dr. Casey Turnage, Director of Policy and Strategic Initiatives at IHL, provided an update on the Complete 2 Compete program which launched its website on August 15, 2017.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Lamar, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on June 15, 2017.

**CONSENT AGENDAS**

Upon the request of Trustee Perry, agenda items #44, #45, and #46 on the Real Estate Consent Agenda were moved to the Real Estate Regular Agenda, and agenda item #52 on the Legal Consent Agenda was moved to the Legal Regular Agenda. On motion by Trustee Lamar, seconded by Trustee Duff, with

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Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas, as amended.

**ACADEMIC AFFAIRS**

1. **MSU** – Approved the request to offer the following academic programs:
  - a. Master of Physician Assistant Studies (CIP 51.0921)
  - b. Bachelor of Science in General Studies (Complete 2 Compete) (CIP 24.0102)
2. **USM** – Approved the new academic units for the reorganization of academic affairs as shown below. This reorganization will reduce administrative costs and promote additional efficiencies through more integrated and collaborative structures. The reorganization allows USM to leverage existing strengths in scholarly activity and instruction by reducing barriers to internal collaboration among faculty. No new funding is requested as existing unit budgets will provide adequate support.

**Schools**

a. **College of Arts and Sciences**

Center for Science and Math Education

Department of Aerospace Studies (no majors)

Department of Military Science (no majors)

1. School of Biological, Environmental, and Earth Sciences
  - Department of Ecology and Organismal Biology
  - Department of Geography and Geology
  - Department of Cell and Molecular Biology
  - Department of Medical Laboratory Science
2. School of Communication
  - Department of Communication Studies
  - Department of Journalism, Public Relations, and Advertising (Including programs in Entertainment Industry and Film)
3. School of Computing Sciences and Computer Engineering
4. School of Construction and Design
5. School of Criminal Justice, Forensic Science, and Security
6. School of Humanities
  - Department of English
  - Department of History
  - Department of Philosophy and Religion
7. School of Interdisciplinary Studies and Professional Development
  - Department of Continuing Education (non-degree certificates, Continuing Education Credits [CEUs], and workforce and professional training)
  - Department of Human Capital Development
  - Department of Interdisciplinary Studies (including interdisciplinary minors, University Foundations coursework, and the Exploratory Studies Program)
8. School of Mathematics and Natural Sciences
  - Department of Chemistry and Biochemistry
  - Department of Mathematics
  - Department of Physics and Astronomy
9. School of Music

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10. School of Ocean Science and Engineering
  - Department of Marine Science
  - Department of Coastal Sciences
11. School of Performing and Visual Arts
  - Department of Art & Design
  - Department of Dance
  - Department of Theatre
12. School of Polymer Science and Engineering
13. School of Social Science and Global Studies
  - Department of Anthropology and Sociology
  - Department of Economics and International Development
  - Department of Political Science and Legal Studies
  - Department of World Languages
- b. College of Business and Economic Development**
  1. School of Accountancy
    - Accounting
    - MPA
  2. School of Finance
    - Economic Development (Including CLTT)
    - Finance (Including Real Estate, Statistics, Information Systems, BA courses, Business Law, Ethics)
  3. School of Management
    - General Business
    - Management
    - Entrepreneurship
    - International Business
    - MBA
  4. School of Marketing
    - Marketing
    - Merchandising
    - Health Care Marketing
    - Hospitality and Tourism Management
    - Sport Management
- c. College of Education and Human Sciences**
  1. School of Child and Family Sciences
  2. School of Education
    - Department of Curriculum and Instruction
    - Department of Special Education
    - Department of Educational Research and Administration
  3. School of Kinesiology and Nutrition
    - Department of Kinesiology
    - Department of Nutrition and Food Systems
  4. School of Psychology
  5. School of Social Work

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**d. College of Nursing and Health Professions**

1. School of Health Professions  
Department of Public Health  
Department of Rehabilitation Sciences
2. School of Leadership and Advances Nursing Practice
3. School of Professional Nursing Practice
4. School of Speech and Hearing Science

**Departments**

**e. College of Arts and Sciences**

1. Department of Ecology and Organismal Biology
2. Department of Cell and Molecular Biology
3. Department of Continuing Education

**f. College of Education and Human Sciences**

1. Department of Curriculum and Instruction
2. Department of Special Education
3. Department of Kinesiology

**g. College of Nursing and Health Professions**

1. Department of Rehabilitation Sciences

**3. SYSTEM - Approved the academic unit modifications as follows.**

**Reorganize and Name**

- a. **USM** - Reorganize the Department of Political Science, International Development and International Affairs, and all associated programs and name the new units the Department of Economics and International Development and the Department of Political Science and Legal Studies.

**Rename**

- b. **MUW** – Rename the College of Nursing and Speech-Language Pathology the College of Nursing and Health Sciences.
- c. **USM** – Rename the following units:
  1. The School of Mass Communication and Journalism to the Department of Journalism, Public Relations, and Advertising.
  2. The Department of Foreign Languages and Literatures to the Department of World Languages.

**Reorganize**

- d. **USM** – Reorganize the following units:

**College of Arts and Sciences**

1. Four units and all associated programs in the Department of Ecology and Organismal Biology; the Department of Cell and Molecular Biology; the Department of Geography and Geology; and the Department of Medical Laboratory Science to the School of Biological, Environmental, and Earth Sciences under the College of Arts and Sciences
2. Center for Science and Math Education to the College of Arts and Sciences
3. Department of Aerospace Studies to the College of Arts and Sciences
4. Department of Military Science to the College of Arts and Sciences
5. School of Music to the College of Arts and Sciences



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6. Department of Communication Studies and Department of Journalism, Public Relations, and Advertising, and all associated degree programs to the School of Communication under the College of Arts and Sciences
7. Three units, and all associated programs in the Department of Philosophy and Religion, the Department of English, and the Department of History to the School of Humanities under the College of Arts and Sciences
8. Three units, and all associated programs in the Department of Continuing Education, the Department of Human Capital Development, and the Department of Interdisciplinary Studies to the School of Interdisciplinary Studies and Professional Development under the College of Arts and Sciences
9. Three units and all associated programs in the Department of Chemistry and Biochemistry; the Department of Mathematics; and the Department of Physics and Astronomy to the School of Mathematics and Natural Sciences in the new College of Arts and Sciences
10. Three units, and all associated programs in the Department of Art & Design, the Department of Dance, and the Department of Theatre to the School of Performing and Visual Arts in the College of Arts and Sciences
11. Four units, and all associated programs in the Department of Anthropology and Sociology, the Department of Economics and International Development, the Department of Political Science and Legal Studies, and the Department of World Languages to the School of Social Science and Global Studies in the College of Arts and Sciences

*College of Business and Economic Development*

1. School of Accountancy and all associated programs under the College of Business and Economic Development
2. Department of Economic Development, Tourism, and Sport Management's programs and move the Master of Science in Economic Development to the School of Finance under the new College of Business and Economic Development
3. Department of Economic Development, Tourism, and Sport Management's programs and move the Bachelor of Science in Business Administration in Sport Management, Master of Science in Sport Management, and the Bachelor of Science in Business Administration in Tourism to the School of Marketing under the new College of Business and Economic Development

*College of Education and Human Sciences*

1. Three departments and all associated programs in the Department of Educational Research and Administration; the Department of Curriculum and Instruction, and the Department of Special Education to the School of Education under the College of Education and Human Sciences
2. School of Kinesiology's programs: Bachelor of Science in Kinesiology (Exercise Science), Bachelor of Science in Kinesiology (Physical Education Licensure), Master of Science in Kinesiology, Doctor of Philosophy in Kinesiology, Bachelor of Science in Sport Coaching Education, and Master of Science in Sport Coaching Education to the Department of Kinesiology under the College of Education and Human Sciences

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3. Two units and associated programs in the Department of Kinesiology and the Department of Nutrition and Food Systems to the School of Kinesiology and Nutrition under the new College of Education and Human Sciences
4. School of Library and Information Science and all associated programs under the College of Education and Human Sciences
5. School of Social Work and all associated programs under the College of Education and Human Sciences

*College of Nursing and Health Professions*

1. School of Kinesiology's programs: Bachelor of Science in Kinesiology in Kinesiotherapy, Bachelor of Science in Athletic Training, and Bachelor of Science in Recreation to the Department of Rehabilitation Sciences in the School of Health Professions under the College of Nursing and Health Professions.
2. Units and all associated programs in the Department of Public Health and the Department of Rehabilitation Sciences under the College of Nursing and Health Professions

**Reorganize and Rename**

- e. **USM** – Reorganize and rename the following units:

*College of Arts and Sciences*

1. Reorganize the Department of Biological Sciences, and all associated programs, and rename the new units Department of Ecology and Organismal Biology: and Department of Cell and Molecular Biology
2. Rename the School of Computing the School of Computing Sciences and Computer Engineering and reorganize under the new College of Arts and Sciences
3. Rename the School of Construction the School of Construction and Design and reorganize under the new College of Arts and Sciences
4. Rename the School of Criminal Justice the School of Criminal Justice, Forensic Science, and Security and reorganize under the new College of Arts and Sciences
5. Rename the School of Mathematics the School of Mathematics and Natural Sciences and reorganize under the new College of Arts and Sciences
6. Rename the School of Ocean Science Technology the School of Ocean Science and Engineering and reorganize under the new College of Arts and Sciences
7. Rename the School of Polymer Science and High Performing Materials the School of Polymer Science and Engineering and reorganize under the College of Arts and Sciences

*College of Business and Economic Development*

1. Reorganize the Department of Finance, Real Estate, and Business Law and rename the unit School of Finance in the new College of Business and Economic Development
2. Reorganize the Department of Management and International Business and rename the unit School of Management in the new College of Business and Economic Development
3. Reorganize the Department of Marketing and Merchandising and rename the unit School of Marketing in the new College of Business and Economic Development

*College of Education and Human Sciences*

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1. Rename the Department of Child and Family Studies the School of Child and Family Sciences; and reorganize the unit and all associated programs under the College of Education and Human Sciences
2. Rename the Department of Psychology the School of Psychology; and reorganize the unit and all associated programs under the College of Education and Human Sciences
3. Reorganize the Department of Curriculum Instruction and Special Education and rename the new units: Department of Curriculum and Instruction, and Department of Special Education

*College of Nursing and Health Professions*

1. Rename the Department of Speech and Hearing Sciences the School of Speech and Hearing Sciences; and reorganize the unit and all associated programs under the College of Nursing and Health Professions
2. Rename the Department of Collaborative Nursing Care to the title School of Professional Nursing Practice; and reorganize the unit and all associated programs under the College of Nursing and Health Professions

**Consolidate and Rename**

- f. **USM** – Consolidate two units and all associated programs in the Department of Advanced Practice and the Department of Systems Leadership and Health Outcomes and rename the new unit School of Leadership and Advanced Nursing Practice under the College of Nursing and Health Professions

**Delete**

- g. **USM** – Delete the following units:
  1. School of Kinesiology
  2. Department of Economic Development, Tourism, and Sport Management
4. **SYSTEM** – Approved for final reading new Board Policy 521 Adult Degree Completion Program. (See Exhibit 1.)

**FINANCE**

5. **EXECUTIVE** – Approved the request to enter into a service agreement with DTG Holdings, Inc. d/b/a Access Receivables Management to collect debt owed on state forgivable loans administered by the Mississippi Office of Student Financial Aid. This agreement allows for the management and collection of accounts that meet the criteria for “bad debt” and have been deemed uncollectable by standard institutional billing practices. The initial term of this agreement shall be for a period of one (1) year from the date of the agreement with the option to renew for additional one-year periods up to a total of five (5) years. No Student Financial Aid funds will be expended to cover the cost of collection by Access Receivables Management. Rather, the Office utilizes a collections approach known as borrower-paid collection costs. Each forgivable loan contract stipulates that if a forgivable loan account is placed with a collection agency, the borrower is responsible for paying principle, interest, and the collection commission. All monies paid to Access Receivables Management for services rendered will be paid out of the monies collected over and above the amount due and owing to the state. The contract reflects borrower-paid collection commissions of 22% for first referrals and 28% for second referrals. These rates are the same as those used by the current collectors and are aligned with industry standards and norms. Only second referral accounts will be placed initially. It is estimated that 33% of all second referral accounts, valued

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at \$10,547,821 will be placed with Access Receivables Management in the first year of this agreement. Access Receivables Management projects an 8.7% recovery rate, which is considerably higher than the recovery rate of the existing collectors as demonstrated in the chart below. Such a recovery rate would net \$917,660 in collections. At the second referral commission rate of 28%, such collections would result in \$256,945 borrower-paid collection commission to be returned to Access Receivables Management. The total estimated amount over five (5) years would be \$1,284,725. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

6. **JSU** – Approved the agreement with E and H Holdings, LLC for the provision of armed and trained security services at JSU residential housing facility, University Pointe. The term of the agreement is nine (9) months, September 1, 2017 through May 31, 2018. JSU will issue a competitive procurement if these services are required after May 31, 2018. The total estimated cost of the agreement is \$382,200. The agreement will be funded by Auxiliary Funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **JSU** – Approved the request to enter into a agreement with JPMCC 2006 - CIBC15 EAST AMITE STREET, LLC d/b/a MARRIOTT JACKSON for the lease of hotel rooms for the housing of students enrolled in its Executive Ph.D. program during various program dates. The program runs from September 2017 through August 2018. The program runs from September 2017 through August 2018. The total estimated cost of the agreement is \$199,920.00. This cost is based on the use of approximately 140 room nights monthly at a rate of \$119 per night for twelve (12) months. The agreement will be funded by E&G Funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
8. **MSU** – Approved an amendment to the professional services contract between Mississippi State University on behalf of its Office of Nutrition Education (ONE) and Frontier Strategies, LLC, for the purposes of (1) renewing the agreement for a period of one (1) year and (2) assigning the ownership of all documents, files, reports and work papers and working documents, electronic or otherwise created by Contractor in connection with the agreement to the university. The original contract term commenced on July 6, 2017. With this amendment, the expiration date for the agreement will change from September 30, 2017 to September 30, 2018. The start date of the amendment is October 1, 2017. The total contract amount is \$1,750,000. Payment will be issued on a monthly basis upon receipt of invoices based on actual services rendered. The contract and addendum are funded by a subgrant between the Mississippi Department of Human Services (MDHS), the university, and the Office of Nutrition Education. The funding source for the subgrant is the United States Department of Agriculture (USDA). The funding for this agreement was approved by USDA in May 2017 and the subgrant between the university and MDHS was signed on July 5, 2017. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
9. **MSU** – Approved the request to enter into a lease with Oktibbeha County Economic Development Authority which will include prepayment for services in accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services. The term of the agreement is thirty-four (34) months, September 1, 2017 through June 30, 2020. The yearly lease contract amount is \$227,465.44 and the yearly common space is \$2,278.52 for a total yearly cost of \$229,743.96. The total cost for the thirty-four (34) month contract term is \$650,941.22. Externally funded grants

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and contracts awarded to the Social Science Research Center at Mississippi State University. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

10. **MUW** – Approved the request to enter into a services contract with Accademia dell'Arte (ADA) for its students currently enrolled in the Master of Fine Arts (MFA) in Physical Theatre in Arezzo, Italy for instruction/learning space for students involved in the MFA, including the classrooms and academic instruction by the ADA faculty. This agreement sets forth the responsibilities of the parties to ensure continued academic oversight by MUW and addresses specific payment terms to the ADA for the services they will provide. The term of this agreement will be for Fall 2017 through Fall 2018. The Agreement will commence on the effective date of the contract and covers Cohorts IV and V and will expire in the Fall 2018 with the completion of Cohort V's final semester. The amount of the contract shall not exceed \$424,741.16. The amount is dependent on the number of students enrolled each year in the program and the net tuition each student owes MUW. MUW will pay ADA tuition charged for each enrolled student in the MFA Program, minus any scholarships applied to each student's account, within 45 days of MUW's receipt of the tuition funds. MUW will also withhold \$1,500 per student (\$750 per Fall and Spring Semester, where applicable) for a processing fee. The agreement will be funded by student tuition and fees of students enrolled in the program. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
11. **MVSU** – Approved the request to modify a sponsorship agreement with Bottling Group, LLC and/or respective subsidiaries collectively comprising Pepsi Beverages Company, specifically paragraph 7(D) Rebates. The amendment will allow the university to receive rebates on all cases of single-serve packaged products. The term of this agreement remains ten (10) years beginning on June 1, 2016 and ending on May 30, 2026. Under this agreement, MVSU estimates to receive \$716,000 over the term of the agreement. The financial proposal under this agreement is included in the bound *August 17, 2017 Board Working File*. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
12. **UM** – Approved the request to enter into an agreement with ASG Technologies Group, Inc. for a Digital Imaging Software License that provides a platform to scan, categorize and digitally archive documents. This is a perpetual license with maintenance/support limited to a three (3) year period. The estimated total cost for software licenses and support the three (3) year term is \$635,500. The university has the funds allocated to cover this acquisition as part of the regular budgeting process. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
13. **UM** – Approved the request to enter into a lease agreement with Joe Poppenheimer Management, LLC to lease approximately 7,500 square feet of space in Southaven, MS for use by the UM – DeSoto Campus for office space and graduate seminar classroom space. The term of the Lease Agreement is three years (beginning 10/1/2017 and ending 9/30/2020). The rent to be paid under this lease agreement is \$11,690 monthly, \$140,280 per year which equates to \$420,840 for the three-year term. Funding for this lease will come from the operating funds budgeted for University of Mississippi – DeSoto Campus. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
14. **UM** – Approved the request to add an amendment to the contract with Fanatics Retail Group Fulfillment, Inc., the vendor operating official team store channels, to incorporate Fanatics'

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purchase of inventory remaining from the previous provider. A reduction in the amount of revenue to the university is included in this amendment to compensate for Fanatic's purchase of the old inventory. The initial term of the contract is seven years with the option to renew for an additional three years upon agreement of the parties, and an automatic renewal of three years if certain financial benchmarks are met. IHL approval was granted for ten years. Because the inventory purchase was contemplated in the original contract and contract revenues are calculated on a Contract Year basis that runs from July 1st through June 30th each year, the Amendment start date will be July 1, 2017. The original minimum guaranteed revenue of \$1,500,000 is revised by this Amendment to a minimum guaranteed revenue is \$1,430,000 for the initial seven-year term. For Contract Years 1 and 2, the amendment includes a 5% reduction of the original revenue share in the retail location category. In contract Year 3, there will be a 2.5% reduction in that revenue share. Beginning in Contract Year 4 and continuing through the remainder of the term, the revenue share returns to the original 20% of Net Merchandise Revenue for sales in the Retail locations. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

15. **UMMC** – Approved the request to amend its Price Protection & Purchasing Agreement with Advance Medical Designs, Inc. (Advance Medical) to create, maintain, and manage UMMC's operating room turnover pack (packs) inventory. Turnover packs are packs of general materials, such as sterile disposable sheets, bio-hazardous bags, disposable arm board covers and the like, which are needed to prepare an operating room for a surgical case. The amended agreement is for a term of four (4) years and four (4) months, from September 1, 2014, through December 31, 2018. The amendment will extend the original three (3) year term for an additional sixteen (16) months. The total estimated cost of the amended agreement is \$901,970.05. The original estimated cost of the three (3) agreement was \$578,712.96. UMMC has calculated the need for an additional \$323,257.09 for the extended term. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
16. **UMMC** – Approved the request to enter into an Equipment Placement Agreement with Arrow International, Inc. (Arrow) for the provision of four (4) vascular positioning systems (VPS), including accessories and consumable kits used with the VPS. UMMC agrees to purchase a minimum quantity of consumables kits used with the VPS in exchange for the placement of the equipment at no additional cost. The VPS allows for accurate, precise placement of peripherally inserted central catheter (PICC) lines used for long-term intravenous (IV) antibiotics, nutrition, medications, or blood draws. Accuracy in PICC line placement leads to improved patient outcomes. The term of the Agreement is three (3) years, beginning September 1, 2017, and ending August 31, 2020. The total estimated cost of the agreement over the three (3) year term is \$1,309,731.05. UMMC's actual purchases during the loaner agreements have totaled approximately ten percent (10%) higher than the minimum commitment for consumables purchases. Additionally, UMMC has calculated an annual increase of ten percent (10%) above historical purchases for potential volume growth each year of the Agreement. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
17. **UMMC** – Approved the request to enter into an agreement with GeneDx, Inc. for the provision of outside reference laboratory services at discounted pricing. The testing that GeneDx performs under this Agreement are used for rare, hereditary disorders. These tests are ordered when

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conditions cannot be diagnosed with routine genetic tests. UMMC's other contracted reference laboratory vendors cannot perform this same genetic testing. With the base discount pricing, UMMC expects to save approximately \$47,900 per year. The term of the agreement is for three (3) years- September 1, 2017 through August 31, 2020. The total estimated cost of the agreement over three (3) years is \$1,830,321.81. Each January, GeneDx may increase pricing up to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U). UMMC has calculated an annual increase of three percent (3%) for the potential price increase and an annual increase of 20% for patient/testing volume growth. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

18. **UMMC** – Approved the request to enter into a Services Provider License Agreement (SPLA) with Microsoft Corporation (MSFT). UMMC's electronic health record, Epic, runs on Microsoft servers that are licensed by Microsoft. This agreement will allow UMMC to sublicense server access to the Epic community connect clients, the first of which is the Mississippi Department of Health (MSDH). The term of the SPLA is three (3) years. The effective date will be the date reflected on the signature form, which is expected to be October 1, 2017. The cost of the agreement over the three (3) year term is estimated to be \$250,000. This estimate includes enough for MSDH and an overage, in the case that more Epic Community Connect clients are enrolled during the three years. Contract will be funded by the Epic Community Connect Client(s). The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
19. **UMMC** – Approved the request to enter into a Provider Service Agreement with Myriad Genetic Laboratories, Inc. (Myriad) for the provision of outside reference laboratory services at discounted pricing. The testing that Myriad performs under this Agreement is used specifically to evaluate for breast and ovarian tumor sensitivity to certain pharmacological inhibitor therapy. In exchange for entering into a formal contract with Myriad, UMMC will receive a discounted rate for the services used. With the base discount pricing, UMMC expects to save approximately \$89,208 per year. The term of the Agreement is three (3) years, beginning September 1, 2017, and ending August 31, 2020. The total estimated cost of the agreement over three (3) years is \$1,368,826.97. No more than annually, Myriad may increase pricing up to three percent (3%). In addition to the 3% annual price increase, UMMC has calculated an additional annual increase of 20% for patient/testing volume growth. The contract will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
20. **UMMC** – Approved the request to enter into an agreement with Prescott Clinical Consulting, LLC (PCC) for the development and ongoing management of a geriatric psychiatric intensive outpatient program (IOP) at UMMC's Holmes County facility. The initial term of the agreement is three (3) years, with two (2) additional one (1) year renewal terms. UMMC requests approval for the entire five (5) year term, beginning September 1, 2017, and ending August 31, 2022. The total estimated cost of the agreement over the five (5) year term is \$1,080,000.00. The total includes: a fixed monthly fee of \$9,000, and capped monthly fees which include the following – Clinical Therapists/RN Specialists at \$4,000; Referral Development and Community Education Specialists at \$4,000; and, PRN staff coverage at \$60 per hour. PCC will pass through its actual monthly costs for the Specialists and PRN staff coverage, up to a maximum monthly rate. In the total estimated cost, UMMC has calculated the maximum capped monthly fees and 200 staff coverage

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hours per year. As a Critical Access Hospital under CMS regulation, UMMC's contractual expenses are fully recovered through 101% cost reimbursement. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

21. **UMMC** – Approved the request to enter into an agreement with Quality Group of Jackson II, LLC (Quality Group) for relocation services for UMMC Master Plan implementation. These services will include large relocation projects, such as the relocation of entire office suites and the relocation of clinical based departments. The agreement will be for a term of five (5) years starting on or about September 1, 2017 and ending August 31, 2022. The total cost of the agreement over the five (5) year term is \$1,875,000.00. Relocation services will be billed per coordinated move and the cost of each coordinated move will be based upon rate schedule provide in the agreement. The contract will be funded through general funds. The agreement, which was reviewed and approved by the Associate Commissioner for Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
22. **UMMC** – Approved the request to enter into a contract with Ram & Sons Corporation d/b/a Best Western PLUS (Best Western) for the purpose of temporary lodging for patients who reside greater than two (2) hours from UMMC, who are in need of medical services/treatment but do not require hospitalization, and for whom distance would be a barrier to treatment and medical care. This includes patients receiving transplant services, radiation treatment, pre-operative first case surgeries, as well as those patients who have been discharged and are awaiting transportation that will not be available until the next day, in order to decrease non-medically necessary inpatient stays and uncompensated medical costs/expenses. The term of the agreement is five (5) years beginning September 1, 2017, and ending August 31, 2022. The total amount of the five (5) year term is \$1,291,325. Fifteen (15) rooms are reserved at a rate of \$47 per night, for a total of \$257,325 per year. Should UMMC require more than fifteen (15) rooms, Best Western will extend the contracted rate of \$47 per night for each additional room. UMMC has calculated the potential for an estimated twenty (20) additional rooms each year. Best Western will submit monthly invoices to UMMC for services provided during the preceding month. A breakdown of costs is included in the bound *August 17, 2017 Board Working File*. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
23. **UMMC** – Approved the request to amend Product Schedule 138355 with Roche Diagnostic Corporation. The Schedule provides for the purchase of immunohistochemistry (IHC) reagents and ancillary products used in tissue staining. The Amendment will add five (5) additional reagents for UMMC to purchase under the Schedule. The term of the schedule remains five (5) years, November 1, 2016 through October 31, 2021. The estimated cost over the five (5) year term of Schedule 138355 remains \$9,466,188.32. There is no change to the overall cost of the Schedule for the Amendment. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Associate Commissioner for Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
24. **UMMC** – Approved the request to modify the total expenditure amount applicable to its agreement with TEKsystems, Inc. for staffing services to ensure that UMMC can acquire supplemental staffing for Epic Community Connect clients, to assist with Epic implementation and go-live. The first Epic Community Connect client will be the Mississippi Department of Health. The costs will be reimbursed by the client. The term of the agreement remains at three (3) years – February 2,



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2015 through February 1, 2018. The Board approved the expense of an additional of \$724,080 which brings the total cost of the agreement to \$5,724,080.00. The estimated cost breakdown is included in the bound *August 17, 2017 Board Working File*. This agreement is funded through patient revenue for work performed for UMMC, but for work performed for Epic Community Connect clients the cost will be billed by UMMC to the client. As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General's Office is required.

25. **UMMC** – Approved the request to amend its Surgical Equipment Services Agreement with UHS Surgical Services, Inc. (UHS) to rent surgical lasers, medical equipment, technical support, and supplies for UMMC's operating rooms and clinics. The amendment will extend the original two (2) year and one (1) month term for an additional three (3) years. The amended agreement is for a term of five (5) years and one (1) month, from September 1, 2015, through September 30, 2020. The total estimated cost of the amended agreement is \$1,809,642.72. The original estimated cost of the agreement was \$549,300. UMMC has calculated the need for an additional \$1,260,342.72 for the extended term. The contract will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
26. **USM** – Approved the request for the University of Southern Mississippi Research Foundation, Inc. to engage Wright, Ward, Hatten & Guel, PLLC to conduct the annual audit for the year ending December 31, 2017, pursuant to Board Policy 301.0806 Subsection D (9) University Foundation/Affiliated Entity Agreements.
27. **USM** – Approved the request to amend its current lease with New Cingular PCS, LLC (NCW) to allow them to install and operate additional LTE antennas, associated cables, and equipment to enhance their already existing array of cellular equipment in place on the Theatre and Dance Building in Hattiesburg. The original contract was for one 5-year term, with two 5-year renewal options for a total of 15 years. The current lease amount will increase by \$525.00 per month. NCW/AT&T currently pays USM \$2,886.71 per month for the Theatre and Dance location, therefore this would increase the monthly payment to \$3,411.71. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
28. **USM** – Approved the request to amend its current lease with New Cingular PCS, LLC (NCW) to allow them to add new exterior cellular sector pods to enhance their already existing DAS cellular system in place within M. M. Roberts Stadium. The original contract was for one 5-year term, with two 5-year renewal options for a total of 15 years. The current lease amount will increase by \$500.00 per month. NCW/AT&T currently pays USM \$1,840.00 per month for the stadium DAS, therefore this would increase the monthly payment to \$2,340.00. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
29. **DSU** – **Exhibit 2** represents the approval of the Mississippi Information Technology Services (MS-ITS) Board to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Delta State University (DSU). The Attorney General's staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of DSU. **(See Exhibit 2.)**

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30. **JSU – Exhibit 3** represents the approval of the Mississippi Information Technology Services (MS-ITS) Board to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Jackson State University (JSU). The Attorney General’s staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of JSU. **(See Exhibit 3.)**
31. **USM – Exhibit 4** represents the approval of the Mississippi Information Technology Services (MS-ITS) Board for the provision of a hosted High Performance Computing Cluster for the University of Southern Mississippi (USM). The Attorney General’s staff assigned to the MS-ITS reviews such agreements prior to execution. The Purchase Agreement for the High Performance Computing Cluster is between Advanced Clustering Technologies and MS-ITS behalf of USM. **(See Exhibit 4.)**
32. **SYSTEM** – The Mississippi Information Technology Services (MS-ITS) Board, acting as contracting agent for the Mississippi Institutions of Higher Learning (IHL), is entering into an agreement with Regional Economic Models, Inc. (REMI). The REMI software provides a dynamic forecasting and policy analysis tool used in support of impact studies of economic development projects, state policy proposals, and tax policy proposals. The agreement will have an annual cost of \$82,500 for IHL Executive Office and \$15,000 for MSU/nSPARC, totaling \$97,500 annually, not to exceed \$292,500 over the three-year term ending June 30, 2020. **(See Exhibit 5.)**

**REAL ESTATE**

33. **MSU** – Approved the initiation of **IHL 205-286, MSU Parking Lot and Extension of Morgan Street**, and the appointment of Garver, LLC as the design professional. Construction on the Engineering and Science Complex will begin in late spring of 2018. This new construction will remove existing parking for commuters since the existing parking is in the footprint of a new construction site. This project will allow the university to design and construct a new parking lot and an extension of Morgan Street which is located on the south side of campus and will be constructed to the west of the Fresh Food Dining Facility and to the east of Stone Boulevard. The estimated project budget is \$3.3 million. Funds are available from University Parking and Transit Funds (\$3,300,000).
34. **MSU** – Approved the initiation of **IHL 205-285A, MSU Chilled Water Loop Upgrade**, and the appointment of Cooke Douglass Farr Lemons Architects + Engineers as the design professional. This is Phase A of the Expansion of Central Utility Plant Infrastructure project (IHL#205-285). The MSU Central Chiller Plant produces chilled water to cool over three million square feet of educational space in the core of the campus. The chilled water produced at the plant is continually pumped, year-round through an underground piping network known as the chilled water loop. With new facilities in design and construction, it has become evident that the piping system cannot support further additions without relieving the excessive pressures on the system. The project will include the installation of 20” diameter supply and return lines across the midpoint of the existing central water loop. The new installation will cross the existing drill field and connect to the existing central plant. In addition, the design documents will include an alternate to add a backup chiller to the existing plant along with additional ice pods for ice storage. The proposed project budget is \$4 million. Funds are available from MSU Operation and Maintenance Recovery Funds (\$4,000,000).

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35. **UMMC** – Approved the initiation of **IHL 209-560, Pediatric Pharmacy Renovation**, and the appointment of Foil Wyatt Architects as the design professional. This project will bring the pediatric pharmacy up to the new United States Pharmacopeia (USP) 797 standards. It will build out a space which is currently shelled and will include new mechanical, electrical and communication systems. The proposed project budget is \$1,105,000. Funds are available from UMMC Shared Services Administration (SSA) Funds (\$1,105,000).
36. **MUW** – Approved the request to increase the budget for **GS 104-187, Demonstration School (Turner Hall) Renovation**, from \$7,542,914.97 to \$9,042,914.87, for an increase of \$1,499,999.90. This is the second budget increase request made for this project by the university. This building has been vacant since FY 2005 and needs renovating to bring it into compliance with local, state, and federal agencies and assist the university in coordination of the campus master plan. The project involves a complete interior and exterior renovation. Interior renovation includes the upgrade of building systems and interior finishes. Exterior renovations will include building stabilization, waterproofing, tuckpointing, site drainage, and upgrade of building systems. An addition, this building will provide a lecture hall to accommodate 156 people. This project will also include asbestos and lead paint surveys as well as any necessary abatement. All applicable codes, including ADA (elevator need) will be addressed. Funds are available from SB 2906, Laws of 2015 (\$1,750,000); SB 3100, Laws of 2011 (\$152,914.87); and HB 1729, Laws of 2016 (\$7,140,000).
37. **MVSU** – Approved the request to increase the budget for **GS 106-258, Academic Skills TI**, from \$3,500,00.00 to \$3,797,243.50, for an increase of \$297,243.50. This is the first budget escalation request made for this project by the university. The university is requesting to increase the project budget in order to accurately reflect the design professional’s most recent cost estimate for the project, which will allow the project to move smoothly from bidding to construction. The project will include the renovation and comprehensive redesign of the first and second floors. Renovation will also include eliminating structural deficiencies that were discovered through a structural assessment in 2016. The work will include but is not limited to the renovation of the existing auditorium, building technology integration, interior finishes, and completion of Phase II mechanical upgrades on the first floor. The complete renovation of the second-floor shell space will include full mechanical and plumbing system installation, construction and renovation of offices, existing classroom space, conference rooms, and interior finishes. Funds are available from SB 2906, Laws of 2015 (\$3,797,243.50).
38. **USM** – Approved the request to change the name of the project **GS 108-281** from “Greene and Chain Renovations” to “**Joseph Greene Hall Renovations**” to more accurately reflect the scope of the project. The Board also approved the request to increase the budget from \$11,500,000 to \$13,000,000, for an increase of \$1,500,000, and to move funds from GS #108-283 Bolton Hall Renovations to GS#108-281 Greene and Chain Renovations to allow for the budget increase. The renovation will include addressing such issues as windows, roofing, technology, lighting, and safety upgrades. All classroom space will be upgraded, as well as, all office and student interaction space. Upon completion of the renovation, the building will house several departments within the College of Health and Criminal Justice. This is the second budget escalation request made for this project by the university. Funds are available from HB 1641, Laws of 2008 (\$66,900); SB 3100, Laws of 2011 (\$911,255.08); HB 787, Laws of 2014 (\$3,888,744.92); Deepwater Horizon (BP) Insurance Proceeds 2016 (\$8,133,100).

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39. **UM** – Approved the request to increase the budget for **IHL 207-424, Faser Hall First Floor Modifications**, from \$983,500 to \$1,300,000, for an increase of \$316,500. This is the first budget escalation request made for this project by the university. The requested increase more accurately reflects the design professional’s most recent cost estimate for the project, which will allow the project to move smoothly from bidding to construction. The School of Pharmacy will renovate a portion of the first floor to modernize existing laboratory facilities and provide graduate student work areas. This project upgrades existing casework and interior finishes, reconfigures an existing open lab into individual labs, and converts an existing stock room into a graduate student work area. The scope of work includes asbestos abatement, casework replacement, interior finish renovation, and utility reconfiguration to provide a modern laboratory environment for existing research programs to continue and for new research programs to develop. Funds are available from Internal R&R (\$1,300,000).
40. **USM** – Approved the request to increase the budget for **IHL 208-334, Cochran Center Theatre**, from \$2,400,000 to \$2,800,000, for an increase of \$400,000. This is the second budget escalation request made for this project by the university. The requested increase more accurately reflects the cost estimates for the project. The project will complete the existing unfinished theatre area located inside the Thad Cochran Center. The build-out will include, but not limited to the following: internal finishes, furniture and equipment package, mechanical, electrical, audio visual equipment, plumbing, and life safety systems. Funds are available from Student Facility Capital Improvement Fee (\$2,800,000).
41. **MSU** – Approved the request to advertise and award the sale to the highest and best bid for timber sales 17-04HT, Talking Warrior Unit, from the John W. Starr Memorial Forest. The sale area is approximately 112 acres in size and is located in a portion of the SE ¼ of Section 17 in Township 17 North, Range 14 East in Oktibbeha County, Mississippi. This sale contains an estimated volume of 223,259 board feet of hardwood sawtimber, 3,609 board feet of pine sawtimber, 3 cords of pine chip-n-saw, 616 cords of hardwood pulpwood, and 24 cords of pine pulpwood. All trees must be cut and removed by September 2018. The timber sale process on the John W. Starr Memorial Forest, and other university owned lands, begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by various means but mostly by directions taken from the Forest Management Plan. Other specific site characteristics may also dictate the need for the sale of timber. After the stand has been identified, the process of tree marking and sale identification begins. Once that is completed, the sale is computed and a bid prospectus is prepared and approved by the Dean of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. A request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. If/when the Board of Trustees approve that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. Once the bids have been received in the Director of Purchasing office, a recommendation is made by the department to the President of the university to either accept or reject the bids. This recommendation has the approval of the Deal of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. If/when the President of the university concurs with the department’s recommendation to accept the bid, a contract is executed between the university and the highest and best bidder for that sale. This process continues obtaining the Director of Purchasing’s signature on the contract and then

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contacting the high bidder to set the closing. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount.

42. **MVSU** – Approved the request to name the Devil’s Den which is the MVSU football locker room on campus “The Archie Cooley Devil’s Den” for Archie “Gunslinger” Cooley. Coach Cooley’s success at MVSU is attributed to the design of his innovative "Satellite Express" passing offense, which was a no huddle offense featuring five wide receivers. Cooley led the Delta Devils to their only Division I-AA playoff appearance in 1984. To this day, Cooley is the winningest coach in the history of the Delta Devil football program. In 2007, Cooley was inducted into the Southwestern Athletic Conference Hall of Fame and the Mississippi Valley State University Athletic Hall of Fame. Cooley finished with an overall coaching record of 83-78-6. His record at Mississippi Valley was 41-27-3 and 30-22-3 in SWAC play.
43. **UM** – Approved the request to grant to the City of Oxford a ten (10) foot wide perpetual utility right-of-way easement running along and near the west side of Chucky Mullins Drive. The easement will provide the perpetual right to construct, reconstruct, relocate, replace, remove, repair, install, and thereafter use, operate, inspect, repair, maintain, replace, and remove, a potable water distribution line. A description of the property is included in the bound *August 17, 2017 Board Working File*. Grantor grants to Grantee the perpetual and permanent right of easement to construct, reconstruct, relocate, replace, remove, repair, install, and thereafter use, operate, inspect, repair, maintain, replace, and remove, a potable water distribution line and appurtenances, all over, across and under the above described property. All such rights shall be exclusive and ensure only to the benefit of the Grantee, its servants, agents, employees and assigns. The Grantee, its servants, agents, employees and assigns have the right of ingress and egress at all times across and on all of the above described property while constructing said water line and in the continued, exclusive use of the property, including without limitation to make repairs and/or inspection thereof. The Grantee, its servants, agents, employees and assigns shall have the right to dig trenches for constructing the water line, of such dimension and shape as those in charge of the construction deem advisable and shall have the right to dig in the ground when it shall be advisable to do so. Grantor may terminate this easement and all the rights granted herein any time after six (6) months of continuous non-use of the easement and the easement of area by the Grantee. In the event of such termination, the easement shall be quitclaimed from the Grantee to the Grantor, without expense to the Grantor, and any and all interest in Grantor’s property conveyed in this easement shall automatically revert to Grantor or its successors or assigns, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantees shall promptly remove any and all improvements it installed in, on, under or above the easement area. At the option of the Grantor, all such improvements shall become the personal property of the Grantor at no cost to Grantor. The easement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
44. **UM** – Request to sell 0.0824 acres of land via a Quitclaim Deed to W S Ashley Holdings II, LLC at a sales price of \$86,500. The property is located South of West Jackson Avenue and surrounded by the university to the East and private property to the South and West. This will provide permanent access to a multifamily residential housing project. The transfer will provide the Grantee all of the tenements, hereditaments, and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in otherwise appertaining. The first appraisal was in the amount of \$75,000. The second appraisal was in the amount of \$80,000. The average of the two appraisals was \$77,500. The university is selling the

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property for \$86,500 which is above the average of the two appraisals. Grantor grants, bargains, sells, conveys and quitclaims unto Grantee the above described property, together with all of the tenements, hereditaments, and appurtenances, with every privilege, right, title, interest and estate, revision, remainder and easement thereto belonging or in otherwise appertaining. The conveyance is subject to any prior reservations of oil, gas or other minerals by predecessors in title, any flood plain or drainage issues and any solid waste liens, rights of way and easements for public roads and public utilities, subdivision, zoning regulations and ordinances in effect in the City of Oxford, Mississippi, all applicable building restrictions of record, any law, ordinance or government regulation which restricts, regulates or prohibits the occupancy, use or location of any improvement created on the Property. Any ad valorem taxes assessed against the Property shall be the responsibility of the Grantee herein. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was reviewed and approved by the Attorney General's Office prior to the Board's approval. **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**

45. **UM** – Request to grant a 0.0243 acre permanent sewer and water line easement running along and near West Jackson Avenue to W S Ashley Holdings II, LLC. The easement will provide the right to lay, construct, maintain, operate, and repair sewer lines, pipes, facilities, and appurtenances thereto, all under, across and through the described property. This request is contingent upon the Board's approval of Consent Agenda Item #44 that requests approval of the sale of 0.0824 acres of University of Mississippi land to W S Ashley Holdings II, LLC. Grantor grants to Grantee the exclusive, perpetual right to lay, construct, maintain, operate, and repair sewer lines, pipes, facilities, and appurtenances thereto, all under, across and through the above described property. The Grantor also grants to Grantee, its servants, agents or employees the right of ingress and egress and full access at all times across and to the above described property while constructing said lines or making repairs and/or inspections thereof. The sewer line shall be placed at such a depth as not to be disturbed by cultivating tools, implements or vehicles. The parties do covenant and agree that the consideration is accepted as full compensation for all damages caused by the exercise of any rights granted by this instrument, except that the Grantee shall remain liable for any direct physical damage caused to the remaining property of the Grantor by Grantee's construction forces or by the construction forces of its agents and employees in the construction, maintenance and repair of said line. Grantee agrees to restore any disturbed areas to their same general condition as existed prior to installation and/or repairs of said sewer and water line. Grantee and its servants, agents and employees shall have the right to dig trenches for constructing the above line, of such dimension and shape as those in charge of the construction deem advisable and shall have the right to dig in the ground at any time when it shall be advisable to do so in making repairs to this line. Should Grantee deem it advisable to increase the capacity of the above described line, or any portion thereof, this instrument shall remain in force and effect for such increase or increases in capacity the same as if repairs were being made so long as the new line or lines follow the route of the original line. This conveyance is subject to all liens, encumbrances, covenants, conditions, restrictions, reservations, contracts, leases, licenses, easements and rights of way of record pertaining to Grantor's property of which the easement is a portion, thereof, whether or not of record. The use of the word "grant" shall not imply any warranty on the part of the Grantor with respect to the easement or easement area. Grantor may terminate this easement and all the rights

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granted herein any time after six (6) months of continuous non-use of the easement and the easement area by the Grantee. In the event of such termination, the easement shall be quitclaimed from the Grantee to the Grantor, without expense to the Grantor, and any and all interest in Grantor's property conveyed in this easement shall automatically revert to Grantor or its successors or assigns, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantees shall promptly remove any and all improvements it installed in, on, under or above the easement area. At the option of the Grantor, all such improvements shall become the personal property of the Grantor at no cost to Grantor. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was reviewed and approved by the Attorney General's Office prior to the Board's approval. **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**

46. **UM** – Request to grant a temporary construction easement running along and near West Jackson Avenue to W S Ashley Holdings II, LLC. The easement will provide the temporary right to facilitate construction; this includes but is not limited to ingress/ egress of construction equipment and vehicles, temporary storage of construction equipment, vehicles, and placement of temporary structures. This request is contingent upon the Board's approval of Consent Agenda Item #12 that requests approval of the sale of 0.0824 acres of University of Mississippi land to W S Ashley Holdings II, LLC. Grantee plans to redevelop the Grantee Property for a multifamily residential housing project (the "Project") and in order to complete the construction of the Project, Grantee requires a temporary construction easement on, under, over and across the portion of the Grantor Property, which location of said easement is depicted above, and the Grantor is in agreement to provide and grant such easement on the terms and conditions herein set forth and as more particularly described herein. Grantor hereby grants to Grantee a temporary construction easement, on, under and across the Grantor Property for the portion of the Easement Area which shall be situated on Grantor Property, as described above. Grantor grants the Temporary Construction Easement for the following purposes: (a) to facilitate construction for the Project, this includes but is not limited to ingress/ egress of construction equipment and vehicles, temporary storage of construction equipment, vehicles, and placement of temporary structures. (b) to use the air space to allow the boom of the construction crane, if required for construction, to be used on the Project to swing over the Grantor Property from time to time until the use of such crane work is completed; (c) The work described in subsections (a) and (b) above is collectively referred to herein as the "Easement Work" and (d) This conveyance is subject to all liens, encumbrances, covenants, conditions, restrictions, reservations, contracts, leases, licenses, easements and rights of way of record pertaining to Grantor's property of which the easement is a portion, thereof, whether or not of record. The use of the word "grant" shall not imply any warranty on the part of the Grantor with respect to the easement or easement area. Unless contemplated in a separate document, it is expressly understood that in no event shall Grantee have any right to use the Grantor Property in any manner other than as contemplated above. Grantor may terminate this easement and all the rights granted herein any time after six (6) months of continuous non-use of the easement and the easement area by the Grantee. In the event of such termination, the easement shall be quitclaimed from the Grantee to the Grantor, without expense to the Grantor, and any and all interest in Grantor's property conveyed in this easement shall automatically revert to Grantor or its successors or assigns, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantees shall promptly remove any and all materials it installed in, on, under or above

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the easement area. At the option of the Grantor, all such materials shall become the personal property of the Grantor at no cost to Grantor. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was reviewed and approved by the Attorney General’s Office prior to the Board’s approval. **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**

47. **USM** – Approved the request to delete from inventory and demolish Building #896 located at 503 N36th Avenue, Hattiesburg, MS. Building #896 is a residential house that is unoccupied and in disrepair. Once the house is demolished, the vacant lot will be used by the university for future expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
48. **USM** – Approved the request to purchase property located at 108 N35th Avenue in Hattiesburg, MS in the amount of \$142,000 from Douglas A. Tatum, Patricia A. Nicholson, and Rebecca E. Geriner. The property borders university property and is critical to the long-range plans of the university due to its location to campus. Upon acquisition, the university intends to demolish the existing structure and grass the lot so that it can be used for future parking and/or expansion. The first of two independent property appraisals for the property was in the amount of \$142,000. The second appraisal was in the amount of \$142,000. The university is purchasing the property for a total of \$142,000 which is the average of the property’s two appraised values. The property is a single-family dwelling built in 1948 and consists of 2,251 gross square feet. The property is located at the North ½ of Lot 13 and all of Lots 14 and 15 of Block 26 of the Pinecrest second survey which is described as Section 7, Township 4 North, Range 13 West in Hattiesburg, Mississippi. The closing shall be held at a location mutually agreeable to the parties on or before September 15, 2017 or upon such earlier or later date and time per agreement by the parties. The sale price will be \$142,000. The purchaser can terminate any time prior to 5:00 p.m. on the inspection date with written notice to seller. Should the IHL Board of Trustees not approve the purchase of the property the purchase agreement would automatically terminate and sellers would hold purchaser harmless from any further obligations. A Phase I Environmental Site Assessment (ESA) has been conducted on the property listed above. Based on site available information, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.

**LEGAL**

49. **JSU** – Approved the request to enter into a contract with Armstrong Law Firm as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this Agreement shall commence in August 2017 and shall expire no later than one year thereafter, subject to renewal, if necessary. The maximum amount payable under the contract is \$50,000.00. The fee schedule is set out below. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

<u>Type of Immigration Processing</u>	<u>Attorneys’ Fees<sup>1</sup></u>
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<b>Permanent resident status (“green card”/immigrant) processing – labor certification required<sup>2</sup></b>	
“Special handling” labor certification for faculty (teaching positions only) – using original recruitment	\$2,000.00
“Special handling” labor certification for faculty (teaching positions only) – re-recruitment <sup>3</sup>	\$2,500.00
“Basic recruitment” labor certification for non-teaching positions	\$3,000.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney’s Fees</u></b>
<b>Permanent resident status (“green card”/immigrant) processing – “Outstanding professors and researchers” (labor certification not required)<sup>4</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$4,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent employee	\$ 750.00
<b>Permanent resident status (“green card”/immigrant) processing – “extraordinary ability” or “National Interest Waiver” (labor certification not required)<sup>5</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications, if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications, if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
<b>Temporary status (nonimmigrant) processing</b>	
H-1B “specialty occupation” petition (initial filing) <sup>6</sup>	\$1,750.00
H-1B “specialty occupation” petition (subsequent extensions or amendments to initial filing)	\$1,250.00
O-1 “extraordinary ability” petition (initial filing)	\$4,000.00
O-1 “extraordinary ability” petition (subsequent extensions or amendments to initial filing)	\$1,500.00
TN “NAFTA professional” petition (initial filing, including consular processing)	\$1,500.00
TN “NAFTA professional” petition (subsequent extensions or amendments to initial filing)	\$1,250.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program)	\$6,000.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship)	\$6,000.00
Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary	\$ 250.00

<sup>1</sup>Exclusive of all required US Citizenship and Immigration Services filing fees and costs of recruitment (if required); all additional work, including assistance in ad placement, renewal applications for employment authorization or advance parole during the period the application for adjustment of status is pending, preparation for and attendance at interviews with immigration officers,

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or appeals of any denials of any immigration petition or application filed, will be billed at normal hourly rates (currently \$250 an hour).

<sup>2</sup>Regulations require employer to pay all costs relating to certification, including all costs of recruitment.

<sup>3</sup>Re-recruitment may be required if original ads do not meet US Department of Labor requirements or if labor certification is not filed within 18 months of date of offer letter.

<sup>4</sup>Employee may pay fees and costs because labor certification is not required for this process.

<sup>5</sup>Employee may pay fees and costs because labor certification is not required for this process.

<sup>6</sup>Regulations require employer to pay all costs relating to H-1B filing, including attorney’s fees and filing fees (however, employee may pay “premium processing request” filing fee if desired).

50. **JSU** – Approved the request to enter into a contract with David Ware & Associates, L.L.C. dba Ware|Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this Agreement shall commence in August 2017 and shall expire no later than one year thereafter, subject to renewal, if necessary. The fee schedule is set out below and the maximum amount payable under this contract is \$50,000. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$1500.00
H-1B extension or amendment petitions	\$1000.00
TN petition or border/consulate processing	\$1500.00
TN extension petition	\$1000.00
E-3 petition or consular processing	\$1500.00
E-3 extension petition	\$1000.00
O-1 petition	\$4000.00
O-1 extension or amendment petition	\$1500.00

Change of status or extension of status for dependents (I-539) no additional charge

J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00

Permanent Residence Process with Labor Certification: Faculty

\$2000.00	“Special Handling” labor certification \$2500.00 if position must be readvertised
\$1500.00	Additional fee if audited.
\$2500.00	Immigrant petition
\$1500.00	Adjustment of status and related applications (I-765, I-131, etc.) for employee, if handled together with I-140
\$2000.00	“Standalone” adjustment of status and related applications
\$750.00	Adjustment of status and related applications, each spouse or child, if together with principal application and I-140
\$1000.00	“Standalone” adjustment of status and related, each spouse or child

Permanent Residence Process with Labor Certification: Non-Faculty

\$4000.00	Labor certification (must be paid by University)
\$500 - \$1500	Additional fee if audited
\$2500.00	Additional fee if subject to supervised recruitment
\$2500.00	Immigrant petition

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\$1500.00 Adjustment of status and related applications (I-765, I-131, etc.) for employee  
\$2000.00 Standalone AOS and related applications

\$750.00 Adjustment of status and related applications, each spouse or child  
\$1000.00 Standalone AOW and related applications

Permanent Residence Process: Outstanding Professors and Researchers

\$6000.00 Immigrant petition

\$1500.00 Adjustment of status and related applications for employee  
\$2000.00 Standalone AOS and related

\$750.00 Adjustment of status and related applications, each spouse or child  
\$1000.00 Standalone AOS and related

Permanent Residence Process: National Interest Waiver

\$6000.00 Immigrant petition

\$1500.00 Adjustment of status and related applications by employee  
\$2000.00 Standalone AOS and related

\$750.00 Adjustment of status and related applications each spouse or child  
\$1000.00 Standalone AOS and related, dependents

Employment Authorization and Advance Parole Renewal

\$500 Employment Authorization Renewal per individual

\$500 Advance Parole Renewal per individual

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rates:

David Ware: \$300 per hour billed

WI Partners: \$250 per hour billed

Associate Attorneys: \$175 per hour billed

Paralegals: \$100 per hour billed

51. **JSU** – Approved the request to enter into an Interlocal Agreement with the City of Jackson, Mississippi (hereinafter “the City”) for the use of twenty parking spaces located on City owned Parcel No. 190-27. The purpose of the Agreement is to provide additional parking to JSU students attending classes at the University’s Downtown Campus at 101 Capitol Street. The term of the agreement is for one year at a cost of \$10 per space per month. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
52. **JSU** – Request to enter into a consultant agreement between Jackson State University, Jackson State University Development Foundation, and Worth Thomas of W.T. Consultants, who will provide a full scope of legislative liaison services within the state of Mississippi, with such services designed to achieve the state agency and governmental relations goals of the university. This contract will be paid for with private foundation funds. In accordance with Board Policy 201.0506 Political Activity, W.T. Consultants’ client list and agreement are included in the bound *August 17, 2017 Board Working File*. **(THIS ITEM WAS MOVED TO THE LEGAL REGULAR AGENDA.)**

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53. **MSU** – Approved the request to modify a contract with Jones Walker LLP to provide services necessary in connection with the issuance of bonds for the financing of the construction and acquisition of buildings for Mississippi State University. The initial contract entered into on August 25, 2010 was modified by Modifications 1-6. Proposed Modification #7 will extend the term until August 24, 2018. Section V. “Specific Attorneys” has been revised to reflect Keith Parsons, Aileen Thomas, Ronald Bell, and Sabrina Ruffin, as specific attorneys who will be furnishing legal services under this contract. All other provisions of the Agreement for Legal Services dated August 25, 2010 shall remain in effect. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
54. **USM** – Approved the request to enter into an interlocal agreement with Lamar County, Mississippi to allow Lamar County to improve the roadways, hiking and biking trails and parking areas of Lake Thoreau Environmental Center owned by USM. Lake Thoreau, which includes the Leon Eubanks Nature Preserve and the Longleaf Preserve, is located within Forrest and Lamar Counties and is open to the public for fishing, hiking and biking. The term of the agreement is five years. Attorney General staff representing the Board has approved this request. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

**PERSONNEL REPORT**

55. **EMPLOYMENT**

**Alcorn State University**

- Edmund Buckner; *hired with tenure*; Dean and Professor, School of Agriculture; salary of \$150,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2017 to June 30, 2018

**Jackson State University**

- Veronica M. Cohen, Vice President for Institutional Advancement, Division of Institutional Advancement; salary of \$180,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2017
- Debra L. Mays-Jackson, Vice President and Chief of Staff, Office of the President; salary of \$185,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 24, 2017
- Ivory Nelson, Interim Provost, Division of Academic Affairs; salary of \$45,000 per annum, pro rata; E&G Funds; 4-month contract; effective July 11, 2017 – November 30, 2017
- Susan E. Powell, Associate Vice President for Student Affairs; salary of \$120,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2017
- Joseph A. Whittaker, Associate Provost, Division of Academic Affairs; salary of \$180,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2017

**Mississippi State University**

- Emery Martindale; *hired with tenure*; Associate Professor and Head, Instructional Systems and Workforce Development; salary of \$136,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 16, 2017

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**Mississippi University for Women**

- Clara Hurd; *rehired retiree*; reemployment position: Instructor of Nursing, Tupelo RN-BSN; salary of \$31,470 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017 - June 30, 2018
- Hortencia Kayser; *hired with tenure*; Professor of Speech-Language Pathology, College of Nursing and Speech-Language Pathology; salary of \$80,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2017
- Linda Mills (formerly Linda Cox); *rehired retiree*; reemployment position: Instructor of Nursing, Tupelo RN-BSN; salary of \$38,395 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017 - June 30, 2017
- Debbie Ricks; *rehired retiree*; reemployment position: Instructor of Nursing, Tupelo RN-BSN; salary of \$34,900 per annum, pro rata; E&G Funds; reemployment period: July 1, 2017 - June 30, 2018

**University of Mississippi**

- Charlotte Parks; Vice Chancellor for Development; salary of \$300,000 per annum, pro rata; University of Mississippi Foundation Funds; 12-month contract; effective September 1, 2017

56. **CHANGE OF STATUS**

**Alcorn State University**

- Donna Williams, *from* Interim Dean and Assistant Professor, School of Business; salary of \$135,000 per annum, pro rata; E&G Funds; *to* Dean and Associate Professor, School of Business; salary of \$140,000 per annum, pro rata; E&G Funds; 12-month contract; *with tenure*; effective July 1, 2017

**Jackson State University**

- Deborah Dent, *from* Vice President of Information Technology, Division of Information Technology; salary of \$180,610 per annum, pro rata; E&G Funds; 12-month contract; *to* Chief Information Officer, Division of Academic Affairs; salary of \$160,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 16, 2017
- Sandra Hodge, *from* Vice President of Institutional Advancement, Division of Institutional Advancement; salary of \$170,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Vice President; salary of \$130,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 16, 2017
- Ramin C. Maysami, Dean, College of Business; salary \$184,140 per annum, pro rata; E&G Funds; separation of employment; effective July 31, 2017
- Loretta Moore, *from* Vice President of Research and Federal Relations, Division of Research Relations; salary of \$179,025 per annum, pro rata; E&G Funds; 12-month contract; *to* Chief Research Officer, Division of Academic Affairs; no salary change, effective August 16, 2017

**Mississippi Valley State University**

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- Jerryl Briggs, *from* Executive Vice President and Chief Operating Officer; salary of \$140,000 per annum, pro rata; E&G Funds; *to* Acting President, salary of \$215,000 per annum, pro rata; \$205,000 from E&G Funds and \$10,000 from the Mississippi Valley State University Foundation Board; effective July 1, 2017
- Raynaldo Gillus, *from* Interim Dean of Students and Director of Student Life; salary of \$80,000 per annum, pro rata; E&G Funds; *to* Executive Director of Residential Life and Student Conduct; no salary change; effective July 1, 2017
- Yolanda Jones, *from* Director of Student Counseling; salary of \$53,645 per annum, pro rata; Ayers Funds; *to* Dean of Student Development, salary of \$65,000 per annum, pro rata; E&G Funds; effective July 1, 2017

**University of Southern Mississippi**

- David T. Hayhurst; *from* Dean and Professor of Chemistry, College of Science and Technology; salary of \$210,330 per annum, pro rata; E&G Funds; 12-month contract; *to* Professor of Chemistry; Department of Chemistry and Biochemistry; salary of \$158,143 per annum, pro rata; E&G Funds; 9-month contract; effective July 1, 2017
- Trenton E. Gould; *from* Professor of Kinesiology and Dean, College of Health; salary of \$155,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Professor of Kinesiology and Dean, College of Health; and Interim-Dean, College of Education and Psychology; salary of \$180,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2017
- Kathleen Masters; *from* Professor of Nursing; salary of \$105,017 per annum, pro rata; E&G Funds; 9-month contract; *to* Professor of Nursing and Interim-Dean, College of Nursing; salary of \$180,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2017
- Christopher Winstead; *from* Professor of Physics salary of \$105,724 per annum, pro rata; E&G Funds; 9-month contract; *to* Professor of Physics and Interim-Dean, College of Science and Technology; salary of \$180,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2017

57. **TENURE**

**Mississippi Valley State University**

- Ben Arnold, *promotion* to Associate Professor, Department of Fine Arts; effective August 14, 2017
- John Weiss, *promotion* to Associate Professor, Department of Fine Arts; effective August 14, 2017

**University of Mississippi Medical Center**

- Kimberly W. Crowder, Professor of Ophthalmology, Department of Ophthalmology; effective July 1, 2017

58. **SABBATICAL**

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**Jackson State University**

- Susie A. Spence, Professor of Social Work, College of Public Service, *from* salary of \$93,505 per annum, pro rata; 9-month contract, E&G Funds; *to* salary of \$46,752.48 per annum, pro rata for sabbatical period; effective August 2017 – December 2017; professional development

**ADMINISTRATION/POLICY**

59. **ASU** – Approved the request to bestow one honorary degree at its 25th Anniversary of the Opening of Spinks-Casem Stadium, September 23, 2017. Supporting documents are on file at the Board Office.

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda items #1 - #8 as submitted on the Finance Agenda.

1. **ASU** – Approved the request to enter into a five-year operating agreement with Follett Higher Education Group, Inc., for management services of the campus bookstore. The term of the agreement is 5 years from August 18, 2017 to June 30, 2022, with an option to renew for another 5-year term. The total contract amount for the five years is \$1,317,921. A breakdown of costs is included in the bound *August 17, 2017 Board Working File*. This is a revenue contract. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
2. **DSU** – Approved the request to enter into a five-year purchase agreement with Varsity Brands Holdings Co., Inc. d/b/a BSN Sports, LLC (BSN) and Under Armour, Inc for the purchase of athletic apparel for all sports at DSU. The initial term of the agreement is for approximately five years, with an option for a one or two-year extension, upon satisfactory performance by BSN, not to exceed a total of seven (7) years. Approval is requested for the total seven-year term from August 17, 2017 through June 30, 2024. The estimated cost of the agreement for the initial five-year term is \$750,000. With the option to extend the contract an additional two years, the total estimated cost is \$1,000,000 over seven (7) years. The agreement will be funded by E&G funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
3. **JSU** – At its May 18, 2017 meeting, the Board delegated approval to the Finance Committee chair of a Resolution authorizing Jackson State University Educational Building Corporation (JSU EBC) to issue up to a maximum aggregate principal amount of \$34,000,000 of debt obligations (however denominated) for the purpose of refunding the JSU EBC Revenue Bonds, Series 2010-A-1 (Original Resolution). After further due diligence, the Original Resolution was not approved by the Finance Committee chair. The Original Resolution provided “prior to the sale of the Debt Obligations through a public offering, Board approval will be obtained of the form and execution of a Preliminary Official Statement and a Continuing Disclosure Agreement.” Pending receipt of the Financial Advisor’s report and approval of all documents from the Attorney General’s Office, the Board approved the sale of the Debt Obligations through a public offering and the

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Supplemental Resolution approving the form of, and authorizing the execution of, a Preliminary Official Statement and a Continuing Disclosure Agreement. **(See Exhibit 6 for the supplemental resolution.)** First Southwest, a division of Hilltop Securities, Inc., will serve as the financial advisor. Jones Walker LLP will serve as bond counsel, in accordance with the terms of the Contractual Agreement for Legal Services approved by the Office of the Attorney General. Raymond James & Associates, Inc. will serve as underwriter and/or as placement agent, depending on the manner in which the Debt Obligations are sold. The Debt Obligations will mature no longer than 30 years from the dated date. Existing cash flow from the projects refinanced with the Debt Obligations. Pending receipt of the Financial Advisor's report, the Attorney General's Office approved the bond resolution and form of bond documents for this item.

4. **MSU** – Approved the request to enter into a pre-development agreement with EdR Management, Inc. a subsidiary of EdR. MSU and EdR are interested in developing the former Aiken Village site into a mixed-use student housing project which will include over 1,600 beds of new student housing for upperclassmen and 50,000 GSP of retail and commercial space. To accomplish this, it is envisioned that the University will lease the land to EdR for 40 years as authorized by 2016 House Bill 884. It is anticipated that a ground lease will be presented for IHL Board approval at a future date if the project is determined to be feasible. The contract currently before the Board allows both MSU and EdR to share in the pre-development costs which are necessary to determine the feasibility of the project including both the housing and retail components. The contract will be effective August 18, 2017. Unless terminated by default or due to the project not being viable, this contract shall control until a ground lease is executed. If a ground lease is not executed prior to April 1, 2018, this contract shall terminate on April 1, 2018, unless the parties mutually agree in writing to an extension. Such extension shall not last long than 1 year. The contract amount varies as follows: 1.) If the parties are able to agree on the specific terms of a ground lease, the University will not be required to pay EdR for any of the pre-development activities and thereafter EdR will bear all costs of financing the Project except as may otherwise be agreed to by the University in the ground lease. 2.) If after the pre-development period the parties agree that the Project is not viable, the University will pay EdR for 50% of the pre-development fees incurred plus interest. The maximum potential exposure for the pre-development fees is \$517,750. 3.) If the project should not be viable and the University wishes to purchase the design documents or any other documents obtained throughout the pre-development period, the University shall pay 100% of all pre-closing payments and the development fee. In this scenario, the maximum cost to purchase the documents would be \$1,587,214. Funds are available from internal sources. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
5. **MSU** – Approved the request to enter into a contract with Event Operations Group, Inc. to provide event services at athletic events as well as other, on and off campus special events, including but not limited to: football games, basketball games, baseball games, graduation, etc. The contract will begin after approval of the Board and upon the signature of both parties. The contract will end on June 30, 2022. The contract is based on hourly rates for different levels of employees. The total cost will be dependent upon the number and size of events held. For informational purposes it has been determined the average cost for a football game is \$61,000, the average cost for a Men's basketball game is \$6,500. The total cost of the contract is estimated to be \$5,000,000 over the five-year term. As most of the expenses fall on Athletics, the majority of funding comes from MSU Athletics budget. However, other departments will have access to the contract for events



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- such as concerts, graduation, etc. Each event will be funded with appropriate funds from the hosting department. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
6. **UM** – Approved the request to amend the agreement with Whelan Event Staffing Services, Inc. for the guest service staffing of athletic events signed on June 25, 2015. The purpose of this amendment is twofold. First, there is a need to adjust the pricing on all positions and add a holiday bill rate for events that fall on a holiday. Secondly, an adjustment is desired for the termination options, changing written notification of termination from 60 days to 90 days. This will be an amendment to the one (1) year service agreement beginning July 1, 2015 that can be renewed for additional one (1) year periods up to five (5) years in total ending June 30, 2020. The cost of this agreement is billed on a rate structure for all scheduled hours worked by Whelan employees. The estimated yearly cost based on historical positions needed would increase from \$895,000 to approximately \$1,350,000 per year. This would increase the total amount of the 5-year agreement from \$4,475,000, originally approved by the IHL Board in June 2015, to \$5,840,000. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  7. **UMMC** – Approved the proposed policy granting waivers of out-of-state tuition to UMMC students within the School of Population Health. More specifically, this policy will be implemented to include out-of-state tuition waivers as authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. § 37-103-25 (3). This policy reflects, and shall be construed in conformity with, the Policies and Bylaws of the Board of Trustees of State Institutions of Higher Learning and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This policy shall be effective upon approval by IHL and UMMC with individual waivers becoming applicable as of the date indicated below. Current UMMC policy, approved by the IHL Board of Trustees, allows waiver of 100% of the then in-effect non-resident surcharge for PhD programs in the School of Graduate Studies in the Health Sciences. UMMC seeks approval to allow this same waiver for PhD students in the John D. Bower School of Population Health who meet established admission criteria. Waivers will be equal to 100% of the then in-effect nonresident surcharge. All waivers are contingent upon the student's submission of timely and adequate proof of having met the applicable criteria, and awarding of any such waiver will be determined on a case-by-case basis. These newly created waivers would become effective for the 2017-18 academic year. Students receiving a waiver during their first year must maintain a specified GPA, and must continue to meet the additional criteria making them eligible to automatically renew the waiver. Based on current enrollment, the financial impact of these waivers will be approximately \$35,000 per year or less than 1% of UMMC tuition revenue. Through these non-resident waiver policies, UMMC hopes to attract a greater number of nonresident students to the programs. UMMC estimates that they could reasonably collect additional revenue over a five-year period from new non-resident students attracted to the university by these policies. This is above and beyond what nonresident surcharge revenue that would have ordinarily been collected. The Associate Commissioner of Legal Affairs has reviewed and approved the proposed policy.
  8. **UMMC** – Approved the request to enter into Amendment 4 to the existing Schedule 12231 to the Master Agreement with Roche Diagnostics Corporation. Under Amendment 4, Roche has agreed to remove reagents that UMMC no longer purchases, add two (2) new reagents that UMMC wishes to purchase, and renew the term of the Schedule on a month-to-month basis upon expiration. UMMC requests approval for an additional one (1) year renewal term. The term of Schedule

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12231 The term of the amended Schedule 12231 will be six (6) years, commencing May 22, 2013, and ending May 21, 2019. Amendment 4 will be effective on the date signed by both parties, which is expected to be on or before September 1, 2017. The estimated cost over the six (6) year term of Schedule 12231 is \$14,753,861.81. The original estimated cost of the five (5) year term was \$11,753,861.81. UMMC anticipates the need for an additional \$3,000,000 for the extended renewal term. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Associate Commissioner of Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Starr, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda. On motion by Trustee Parker, seconded by Trustee Dye, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda items #2 - #4.

1. **SYSTEM** – Approved the Facilities Needs Request for the 2018 Legislative Session as prepared by each individual institution. These lists of campus priorities were developed in a similar manner as last year's lists, with each university determining the top five ranking priorities of their respective campus. **(See Exhibit 7.)**
2. **UM** – Approved the request to sell 0.0824 acres of land via a Quitclaim Deed to W S Ashley Holdings II, LLC at a sales price of \$86,500. The property is located South of West Jackson Avenue and surrounded by the university to the East and private property to the South and West. This will provide permanent access to a multifamily residential housing project. The transfer will provide the Grantee all of the tenements, hereditaments, and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in otherwise appertaining. The first appraisal was in the amount of \$75,000. The second appraisal was in the amount of \$80,000. The average of the two appraisals was \$77,500. The university is selling the property for \$86,500 which is above the average of the two appraisals. Grantor grants, bargains, sells, conveys and quitclaims unto Grantee the above described property, together with all of the tenements, hereditaments, and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in otherwise appertaining. The conveyance is subject to any prior reservations of oil, gas or other minerals by predecessors in title, any flood plain or drainage issues and any solid waste liens, rights of way and easements for public roads and public utilities, subdivision, zoning regulations and ordinances in effect in the City of Oxford, Mississippi, all applicable building restrictions of record, any law, ordinance or government regulation which restricts, regulates or prohibits the occupancy, use or location of any improvement created on the Property. Any ad valorem taxes assessed against the Property shall be the responsibility of the Grantee herein. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was

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reviewed and approved by the Attorney General's Office prior to the Board's approval. **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA.)**

3. **UM** – Approved the request to grant a 0.0243 acre permanent sewer and water line easement running along and near West Jackson Avenue to W S Ashley Holdings II, LLC. The easement will provide the right to lay, construct, maintain, operate, and repair sewer lines, pipes, facilities, and appurtenances thereto, all under, across and through the described property. This request is contingent upon the Board's approval of Consent Agenda Item #44 that requests approval of the sale of 0.0824 acres of University of Mississippi land to W S Ashley Holdings II, LLC. Grantor grants to Grantee the exclusive, perpetual right to lay, construct, maintain, operate, and repair sewer lines, pipes, facilities, and appurtenances thereto, all under, across and through the above described property. The Grantor also grants to Grantee, its servants, agents or employees the right of ingress and egress and full access at all times across and to the above described property while constructing said lines or making repairs and/or inspections thereof. The sewer line shall be placed at such a depth as not to be disturbed by cultivating tools, implements or vehicles. The parties do covenant and agree that the consideration is accepted as full compensation for all damages caused by the exercise of any rights granted by this instrument, except that the Grantee shall remain liable for any direct physical damage caused to the remaining property of the Grantor by Grantee's construction forces or by the construction forces of its agents and employees in the construction, maintenance and repair of said line. Grantee agrees to restore any disturbed areas to their same general condition as existed prior to installation and/or repairs of said sewer and water line. Grantee and its servants, agents and employees shall have the right to dig trenches for constructing the above line, of such dimension and shape as those in charge of the construction deem advisable and shall have the right to dig in the ground at any time when it shall be advisable to do so in making repairs to this line. Should Grantee deem it advisable to increase the capacity of the above described line, or any portion thereof, this instrument shall remain in force and effect for such increase or increases in capacity the same as if repairs were being made so long as the new line or lines follow the route of the original line. This conveyance is subject to all liens, encumbrances, covenants, conditions, restrictions, reservations, contracts, leases, licenses, easements and rights of way of record pertaining to Grantor's property of which the easement is a portion, thereof, whether or not of record. The use of the word "grant" shall not imply any warranty on the part of the Grantor with respect to the easement or easement area. Grantor may terminate this easement and all the rights granted herein any time after six (6) months of continuous non-use of the easement and the easement area by the Grantee. In the event of such termination, the easement shall be quitclaimed from the Grantee to the Grantor, without expense to the Grantor, and any and all interest in Grantor's property conveyed in this easement shall automatically revert to Grantor or its successors or assigns, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantees shall promptly remove any and all improvements it installed in, on, under or above the easement area. At the option of the Grantor, all such improvements shall become the personal property of the Grantor at no cost to Grantor. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was reviewed and approved by the Attorney General's Office prior to the Board's approval. **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA.)**
4. **UM** – Approved the request to grant a temporary construction easement running along and near West Jackson Avenue to W S Ashley Holdings II, LLC. The easement will provide the temporary

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right to facilitate construction; this includes but is not limited to ingress/ egress of construction equipment and vehicles, temporary storage of construction equipment, vehicles, and placement of temporary structures. This request is contingent upon the Board's approval of Consent Agenda Item #12 that requests approval of the sale of 0.0824 acres of University of Mississippi land to W S Ashley Holdings II, LLC. Grantee plans to redevelop the Grantee Property for a multifamily residential housing project (the "Project") and in order to complete the construction of the Project, Grantee requires a temporary construction easement on, under, over and across the portion of the Grantor Property, which location of said easement is depicted above, and the Grantor is in agreement to provide and grant such easement on the terms and conditions herein set forth and as more particularly described herein. Grantor hereby grants to Grantee a temporary construction easement, on, under and across the Grantor Property for the portion of the Easement Area which shall be situated on Grantor Property, as described above. Grantor grants the Temporary Construction Easement for the following purposes: (a) to facilitate construction for the Project, this includes but is not limited to ingress/ egress of construction equipment and vehicles, temporary storage of construction equipment, vehicles, and placement of temporary structures. (b) to use the air space to allow the boom of the construction crane, if required for construction, to be used on the Project to swing over the Grantor Property from time to time until the use of such crane work is completed; (c) The work described in subsections (a) and (b) above is collectively referred to herein as the "Easement Work" and (d) This conveyance is subject to all liens, encumbrances, covenants, conditions, restrictions, reservations, contracts, leases, licenses, easements and rights of way of record pertaining to Grantor's property of which the easement is a portion, thereof, whether or not of record. The use of the word "grant" shall not imply any warranty on the part of the Grantor with respect to the easement or easement area. Unless contemplated in a separate document, it is expressly understood that in no event shall Grantee have any right to use the Grantor Property in any manner other than as contemplated above. Grantor may terminate this easement and all the rights granted herein any time after six (6) months of continuous non-use of the easement and the easement area by the Grantee. In the event of such termination, the easement shall be quitclaimed from the Grantee to the Grantor, without expense to the Grantor, and any and all interest in Grantor's property conveyed in this easement shall automatically revert to Grantor or its successors or assigns, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantees shall promptly remove any and all materials it installed in, on, under or above the easement area. At the option of the Grantor, all such materials shall become the personal property of the Grantor at no cost to Grantor. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. This item was reviewed and approved by the Attorney General's Office prior to the Board's approval. **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA.)**

**LEGAL AGENDA**

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Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Parker, with Trustees Pickering participating by phone, all Trustees legally present and participating voted unanimously to move agenda items #1 and #3 to the Executive Session Agenda. Agenda item #4 was voted on as shown below. On motion by Trustee Perry, seconded by Trustee McNair, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #5.

1. **UMMC** – Settlement of Tort Claim No. 3102. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of Tort Claim No. 3004. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **UMMC** – Settlement of Tort Claim No. 3083. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**A motion was made by Trustee Perry, seconded by Trustee Hooper, to approve agenda item #4. The motion failed on a 4 to 7** with Trustee McNair abstaining. Trustees voting for the motion were: Ford Dye, Shane Hooper, “Alan Perry, and Christy Pickering (by phone). Trustees voting against the motion were: Tom Duff, Hal Parker, Chip Morgan, Doug Rouse, C.D. Smith, Ann Lamar, and Walt Starr.

4. **SYSTEM** – Request for approval for reading of modifications to Board Policy 301.0806 University Foundation/Affiliated Entity Activities. **(See Exhibit 8.)**
5. **JSU** – Approved the request to enter into a consultant agreement between Jackson State University, Jackson State University Development Foundation, and Worth Thomas of W.T. Consultants, who will provide a full scope of legislative liaison services within the state of Mississippi, with such services designed to achieve the state agency and governmental relations goals of the university. This contract will be paid for with private foundation funds. In accordance with Board Policy 201.0506 Political Activity, W.T. Consultants’ client list and agreement are included in the bound *August 17, 2017 Board Working File*. **(THIS ITEM WAS MOVED FROM THE LEGAL CONSENT AGENDA.)**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**ACADEMIC AFFAIRS**

1. **SYSTEM** – In accordance with Board Policy 403.0103 Post-Tenure Review, the post-tenure review report below is presented to the Board for information. In 2016–2017, 96% of full-time faculty received an annual evaluation. Forty-Two (42) faculty members were triggered for a post tenure review. Two (2) faculty members are participating in a faculty development plan.

Number of Full-time Faculty	Number of Full-time Faculty Evaluated	Number of Tenured Faculty	Number of Tenured Faculty Triggering Post Tenure Review Process	Maximum Length of Faculty Development Plan	Number of Tenured Faculty in Faculty Development Plan	Number of Tenured Faculty Completing Development Plan		Tenured Faculty Separated from Employment as a Result of the Post Tenure Review Process
						Successfully	Unsuccessfully	

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<b>Alcorn State University</b>									
80	78	27	0	3 years	0	0	0	0	0
<b>Delta State University</b>									
153	147	51	1	3 years	1	1	0	0	0
<b>Jackson State University</b>									
357	349	180	14	2 years	0	0	0	0	0
<b>Mississippi State University</b>									
955	955	500	12	3 years	0	0	0	0	0
<b>Mississippi University for Women</b>									
146	146	57	0	4 years	0	0	0	0	0
<b>Mississippi Valley State University</b>									
120	120	60	14	2 years	0	0	0	0	0
<b>University of Mississippi</b>									
881	835	389	0	3 years	1	0	0	0	0
<b>University of Mississippi Medical Center</b>									
917	824	263	1	1 year	0	0	0	0	0
<b>University of Southern Mississippi</b>									
675	669	344	0	2 years	0	0	0	0	0
<b>System Totals</b>									
<b>4284</b>	<b>4123</b>	<b>1871</b>	<b>42</b>		<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

ASU – 1 faculty retired and 1 faculty on family medical leave

DSU – 5 faculty resigned and 1 faculty retired

JSU – 7 faculty evaluated on another review cycle and 1 faculty serving as interim dean at time of evaluation

UM – 28 administrators on quadrennial review cycle, 12 faculty non-returning professor, 1 faculty died, and 1 retiring, 1 faculty on leave without pay, 1 new faculty, and 1 faculty promoted to administrative position.

UMMC – 4 faculty resigned or non-renewed; 3 faculty on leave, and 16 faculty recent hires.

USM – 2 faculty resigned, 2 faculty pending HR consultation; 1 faculty retired, and 1 faculty on fellowship leave.

2. **SYSTEM** – Annual Report on Faculty Tenure. In 2010–2011, IHL institutions hired 106 tenure track faculty members. As of the 2016–2017 academic year, 69% were awarded tenure from the 2010–2011 cohort.

Institution	Number Hired (2010-2011)	Number Applied for Tenure	Number Awarded Tenure	Percentage Awarded who Applied for Tenure	* Number of Cohort Received Tenure	Percentage of Cohort Awarded Tenure
Alcorn State University	2	1	1	100%	1	50%
Delta State University	4	1	1	100%	1	25%
Jackson State University	10	10	10	100%	10	100%
Mississippi State University	44	23	23	100%	23	52%
Mississippi University for Women	5	*6	*6	100%	5	100%
Mississippi Valley State University	1	1	1	100%	1	100%
University of Mississippi	19	8	7	88%	11	58%
University of MS Medical Center	7	7	**6	100%	6	85%
University of Southern Mississippi	14	7	7	100%	7	50%
<b>***System Totals</b>	<b>106</b>	<b>64</b>	<b>62</b>	<b>99%</b>	<b>65</b>	<b>69%</b>

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\* Includes those who received tenure at time of appointment and/or early tenure.

\*\* The decision to award tenure for the 1 outstanding applicant is pending findings of an investigation.

\*\*\* Total percentage values based on total number values.

3. **SYSTEM** – Commissioner Glenn F. Boyce approved the report on the degrees to be conferred in August 2017.

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
<b>Delta State University</b>					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	2			
	Bachelor of Science	3			
	Bachelor of Social Work	1			
			<b>6</b>		
	<i>College of Business</i>				
	Bachelor of Business Administration	2			
			<b>2</b>		
	<i>College of Education</i>				
	Bachelor of Science	2			
			<b>2</b>		
	<i>School of Graduate Studies</i>				
	Master of Business Administration	7			
	Master of Commercial Aviation	2			
	Master of Education	5			
	Master of Arts in Teaching	1			
	Master of Arts in Liberal Studies	1			
	Master of Professional Accountancy	1			
	Master of Science in Social Justice and Criminology	1			
	Master of Science in Sport and Human Performance	1			
	Education Specialist	3			
			<b>22</b>		
				<b>32</b>	
<b>Jackson State University</b>					
	<i>Undergraduate</i>				
	Bachelor of Arts	27			
	Bachelor of Business Administration	29			
	Bachelor of Music	2			
	Bachelor of Music Education	1			
	Bachelor of Science	56			
	Bachelor of Science Education	26			
	Bachelor of Social Work	11			
			<b>152</b>		
	<i>Graduate</i>				
	Master of Arts	5			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Arts in Teaching	4			
	Master of Business Administration	14			
	Master of Music Education	4			
	Master of Professional Accountancy	1			
	Master of Public Health	8			
	Master of Public Policy and Administration	1			
	Master of Science	17			
	Master of Science in Education	15			
	Master of Science in Teaching	2			
	Master of Social Work	11			
	Specialist in Education	5			
	Doctor of Education	2			
	Doctor of Philosophy	18			
	Doctor of Public Health	2			
			<b>109</b>		
				<b>261</b>	
<b>Mississippi State University</b>					
	<i>College of Agriculture and Life Sciences</i>				
	Bachelor of Science	17			
	Master of Agribusiness Management	2			
	Master of Landscape Architecture	1			
	Master of Science	14			
	Doctor of Philosophy	2			
			<b>36</b>		
	<i>College of Architecture, Art, and Design</i>				
	Bachelor of Science	1			
			<b>1</b>		
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	24			
	Bachelor of Science	44			
	Master of Arts	2			
	Master of Public Policy and Administration	1			
	Master of Science	25			
	Doctor of Philosophy	8			
			<b>104</b>		
	<i>College of Business</i>				
	Bachelor of Business Administration	26			
	Master of Business Administration	8			
	Doctor of Philosophy	3			
			<b>37</b>		
	<i>College of Education</i>				



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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science	23			
	Master of Arts in Teaching	2			
	Master of Arts in Teaching Middle	3			
	Master of Arts in Teaching Secondary	2			
	Master of Science	18			
	Educational Specialist	8			
	Doctor of Philosophy	5			
			<b>61</b>		
	<b><i>College of Engineering</i></b>				
	Bachelor of Science	23			
	Master of Science	9			
	Doctor of Philosophy	6			
			<b>38</b>		
	<b><i>College of Forest Resources</i></b>				
	Bachelor of Science	1			
	Master of Science	3			
	Doctor of Philosophy	4			
			<b>8</b>		
	<b><i>College of Veterinary Medicine</i></b>				
	Doctor of Philosophy	4			
			<b>4</b>		
	<b><i>School of Accountancy</i></b>				
	Bachelor of Accountancy	6			
	Master of Professional Accountancy	11			
			<b>17</b>		
				<b>306</b>	
<b>Mississippi University for Women</b>					
	<b><i>Undergraduate</i></b>				
	Associate of Science in Nursing	1			
	Bachelor of Art	6			
	Bachelor of Fine Art	2			
	Bachelor of Applied Science	2			
	Bachelor of Music	1			
	Bachelor of Science	29			
	Bachelor of Science in Nursing	311			
			<b>352</b>		
	<b><i>Graduate</i></b>				
	Master of Art	1			
	Master of Business Administration	1			
	Master of Education	9			
	Master of Fine Art	5			
	Master of Science	1			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Science in Nursing	31			
			<b>48</b>		
				<b>400</b>	
<b>University of Mississippi</b>					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	173			
	Bachelor of Science	10			
	Bachelor of Fine Arts	4			
			<b>187</b>		
	<i>School of Engineering</i>				
	Bachelor of Science in Chemical Engineering	2			
	Bachelor of Science in Civil Engineering	3			
	Bachelor of Science in Computer Science	6			
	Bachelor of Science in Electrical Engineering	2			
	Bachelor of Science in Mechanical Engineering	5			
	Bachelor of Science in Geological Engineering	8			
	Bachelor of Engineering	1			
	Bachelor of Science in Geology	8			
			<b>35</b>		
	<i>School of Education</i>				
	Bachelor of Arts in Education	2			
			<b>2</b>		
	<i>School of Pharmacy</i>				
	Pharmaceutical Sciences	114			
			<b>114</b>		
	<i>School of Business</i>				
	Bachelor of Business Administration	187			
			<b>187</b>		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	96			
			<b>96</b>		
	<i>School of Applied Sciences</i>				
	Bachelor of Science in Criminal Justice	49			
	Bachelor of Science in Exercise Science	57			
	Bachelor of Science	66			
	Bachelor of Social Work	104			
	Bachelor of Arts in Parks and Recreation Administration	6			
	Bachelor of Paralegal Studies	3			
			<b>285</b>		
	<i>School of Journalism and New Media</i>				
	Bachelor of Arts in Journalism	25			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science	52			
			77		
	<i>General Studies</i>				
	Bachelor of General Studies	93			
			93		
	<i>Graduate School</i>				
	Master of Arts	28			
	Master of Criminal Justice	2			
	Master of Science	13			
	Master of Science in Exercise Science	2			
	Master of Fine Arts	1			
	Master of Accountancy	53			
	Master of Business Administration	37			
	Master of Taxation	7			
	Master of Education	46			
	Master of Music	2			
	Master of Social Work	3			
	Specialist in Education	26			
	Doctor of Philosophy	20			
			240		
	<i>Law School</i>				
	Juris Doctor	3			
			3		
				1319	
<b>University of Mississippi Medical Center</b>					
	<i>Undergraduate</i>				
	Bachelor of Science in Nursing	87			
	Bachelor of Science in Health Informatics and Information Management	1			
			88		
	<i>Graduate/Professional</i>				
	Master of Science	4			
	Master of Science in Nursing	9			
	Master of Occupational Therapy	1			
	Master of Health in Informatics and Information Management	6			
	Doctor of Philosophy	13			
	Doctor of Nursing Practice	4			
			37		
				125	
<b>University of Southern Mississippi</b>					
	<i>College of Arts and Letters</i>				
	Bachelor of Arts	21			
	Bachelor of Fine Arts	2			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Interdisciplinary Studies	10			
	Bachelor of Liberal Studies	17			
	Bachelor of Music	1			
	Bachelor of Science	4			
	Master of Arts	8			
	Master of the Arts in Teaching of Language	7			
	Master of Fine Arts	3			
	Master of Music	3			
	Master of Music Education	6			
	Master of Science	1			
	Doctor of Philosophy	4			
			<b>87</b>		
	<b><i>College of Business</i></b>				
	Bachelor of Science	8			
	Bachelor of Science in Business Administration	42			
	Master of Business Administration	18			
	Master of Professional Accountancy	1			
	Master of Science	12			
			<b>81</b>		
	<b><i>College of Education and Psychology</i></b>				
	Bachelor of Arts	3			
	Bachelor of Science	40			
	Master of Arts	4			
	Master of Arts in Teaching	2			
	Master of Education	25			
	Master of Library and Information Science	8			
	Master of Science	24			
	Specialist in Education	4			
	Doctor of Education	1			
	Doctor of Philosophy	18			
			<b>129</b>		
	<b><i>College of Health</i></b>				
	Bachelor of Arts	6			
	Bachelor of Science	47			
	Bachelor of Social Work	2			
	Master of Public Health	1			
	Master of Science	14			
	Doctor of Philosophy	1			
			<b>71</b>		
	<b><i>College of Nursing</i></b>				
	Master of Science in Nursing	11			
	Doctor of Nursing Practice	1			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
			12		
	<i>College of Science and Technology</i>				
	Bachelor of Arts	8			
	Bachelor of Science	37			
	Master of Arts	2			
	Master of Science	36			
	Doctor of Philosophy	25			
			108		
				488	
<b>System Total</b>					
					<b>2931</b>

**FINANCE**

4. **UMMC** – In June 2017, the Board of Trustees conditionally approved an Agreement between UMMC and INO Therapeutics, LLC contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.
5. **UMMC** – In April 2017, the Board of Trustees conditionally approved a Purchase Agreement between UMMC and Phadia US, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.
6. **UMMC** – In June 2017, the Board of Trustees conditionally approved a Purchase Agreement between UMMC and Terumo BCT, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.
7. **UMMC** - In March 2017, the Board of Trustees conditionally approved a Master Agreement and Product Agreement between UMMC and Therakos, Inc. contingent on UMMC’s receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General’s Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General’s Office.

**REAL ESTATE**

8. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the June 15, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 9.)

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**LEGAL**

9. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 10.**)
10. **ASU** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved Alcorn State University’s emergency request to contract with the law firm of Baker Hostetler with regard to an incident of confidential personal information disclosure. The term of the contract shall expire upon completion of the scope of services. The hourly rate will be \$365 for partners, \$335 for associates, and \$125 for paralegal services, with a maximum amount payable under the contract of \$50,000.00, of which only a \$5,000 deductible will be billed directly to ASU. The remainder will be billed directly to ASU’s insurer.
11. **DSU** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved Delta State University’s emergency request to contract with the law firm of Roedel Parsons to defend the University in litigation filed against it in the State of Louisiana by GeoServices. The hourly rate will be \$250 for shareholders, \$175 for associates, and \$75 for paralegal services, with a maximum amount payable under the contract of \$50,000.
12. **SYSTEM** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the agency’s emergency request to contract with attorney Paul Stephenson, III of Watkins and Eager to defend IHL and the University of Mississippi in the Nutt v. University of Mississippi case. The hourly rate will be \$325 with a maximum amount payable under the contract of \$100,000.
13. **SYSTEM** – Pursuant to IHL Board Policy 1103 Requests for Legal Opinions from the Attorney General, the IHL Board Legal Committee Chair granted permission to request an opinion by the Attorney General regarding Miss. Code Ann. §25-1-113 and electronic call logs. See **Exhibit 11** for the questions seeking clarification of the law.

**ADMINISTRATION/POLICY**

14. **MUW** – The Mississippi University for Women athletics program has been accepted into the NCAA Division III exploratory program beginning in September of 2017. The Division III philosophy of educating students through the athletic experience is an ideal match for this university as we strive to provide a complete and positive educational experience.
15. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **DSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On July 7, 2017, Commissioner Glenn F. Boyce approved the lease agreement with Coahoma Community College for the lease of property located at 109 Clark Street, Clarksdale, MS, for use as the Coahoma County Higher Education Center. The term of the lease is for one year beginning July 1, 2017 at a total cost of \$6,400. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - b. **DSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On August 3, 2017, Commissioner Glenn F. Boyce approved ground lease agreement with Delta State University Foundation, Inc. for the purpose of allowing the Foundation to remove and replace the existing

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replicated grass field at Parker Field. The term of the lease is 2 months ending September 30, 2017 at a cost of \$1.00. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- c. **MSU** – In accordance with Board Policy Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 26, 2017, Commissioner Glenn F. Boyce approved the renewal of the lease agreement between the university and the MSU Research & Technology Corporation for 4,372 square feet of Class A office space at the NASA Stennis Space Center for the Northern Gulf Institute. The contract is for one year – October 1, 2017 through September 30, 2018. The contract amount is \$76,291.40 plus pro-rated actual cost of utilities and telephones. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **MSU** – In accordance with Board Policy Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 26, 2017, Commissioner Glenn F. Boyce approved the renewal of the lease agreement between the Mississippi Agricultural and Forestry Experiment Station (MAFES)/MSU and the U.S. Department of Agriculture; Research, Education and Economics; Agricultural Research Service (USDA/ARS) for 4,164 square feet of greenhouse space at the Delta Branch Experiment Station, Washington County, MS. The term of the contract is one year – September 1, 2017 through August 31, 2018. This is year 8 of this contract, which may be renewed annually through August 31, 2021. The contract amount is \$1 receipt of which is acknowledged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **MSU** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July 5, 2017, Commissioner Glenn F. Boyce approved the 2017-18 Traffic and Parking Rules and Regulations.
- f. **MSU** – In accordance with Board Policy Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On July 6, 2017, Commissioner Glenn F. Boyce approved the renewal of the lease agreement between the Mississippi Agricultural and Forestry Experiment Station (MAFES)/MSU and the U.S. Department of Agricultural Research Service for 12.37 acres of land at the South Mississippi Branch Experiment Station in Pearl River County, MS to be used for government agricultural research purposes. The term of the lease is one year – October 1, 2017 through September 30, 2018. This is year 8 of a possible 10-year lease. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- g. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or

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contracting to make prepayment of goods or services before such goods or services are received. On July 20, 2017, Commissioner Glenn F. Boyce approved the renewal of the lease agreement with the U.S. Department of Agriculture/Agricultural Research Service for approximately 30.7 acres of land on the McNeill sub-unit of MSU's South Mississippi Branch Experiment Station, Coastal Research and Extension Center, Mississippi Agricultural and Forestry Experiment Station in Pearl River County, MS to be used for government agricultural research purposes. This is a one-year lease. This is year 4 of a 10-year lease terminating in September 2023. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- h. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On August 4, 2017, Commissioner Glenn F. Boyce approved the lease agreement with U.S. Congressman Gregg Harper for approximately 200 square feet of office space within the MSU-Meridian Riley Campus located at 2214 5<sup>th</sup> Street, Meridian, MS. The term of the initial agreement is for 18 months beginning August 1, 2017 at a total cost of \$250 per month through July 31, 2017 and increasing to \$260 per month through the term of the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **UM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On June 29, 2017, Commissioner Glenn F. Boyce approved the budget revisions for the On Campus Budget, Off Campus Budget, Super Computer Budget, Center for Manufacturing Excellence Budget, and the State Court Education Program Budget for Fiscal Year 2017. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. Copies of the documents are included in the *August 17, 2017 Board Working File*.
- j. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 6, 2017, Commissioner Glenn F. Boyce approved the lease agreement with Anderson Communications for space on a broadcast transmission tower necessary for broadcasting WUMS-FM radio transmission. The lease is for a term of three years—July 1, 2017 through June 30, 2018—with a provision for automatic renewal for an additional three-year term, at an annual rate of \$6,000 to be paid at the beginning of each year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- k. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03



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Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 6, 2017, Commissioner Glenn F. Boyce approved the lease agreement with Ascent Aviation Group for two aviation refueler tanks. The lease is for a term of five years—July 1, 2017 through June 30, 2022—at a monthly rate of \$900 for the Jet refueler truck and \$700 for the Avgas refueler truck for a total contract amount of \$96,000 over the course of the five-year term. The monthly payments are due at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- l. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 7, 2017, Commissioner Glenn F. Boyce approved the Part-Time Space Occupancy Agreement with Jackson HMA, LLC for approximately 4,249 square feet of clinic and office space, including furnishings, for use one half-day per week by UMMC cardiac physicians to see Merit Central patients for pre-operative and post-operative visits for cardiac surgeries performed at Merit Central by UMMC physicians. The lease is for a term of one year estimated to begin July 1, 2017 at a total cost of \$10,712 or \$206 per 4-hour day, one day per week. Rental payments will be due at the beginning of each month at the rates specifically set out in the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- m. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 7, 2017, Commissioner Glenn F. Boyce approved the Part-Time Space Occupancy Agreement with The Vicksburg Clinic, LLC for approximately 2,298 square feet of clinic and office space, including furnishings, for use two half-days per month by UMMC cardiac physicians to see River Region patients for pre-operative and post-operative visits for cardiac surgeries performed at River Region by UMMC physicians. The lease is for a term of five years estimated to begin on July 1, 2017 at a total cost of \$18,720 or \$156 per 4-hour day, two 4-hour days per month. Rental payments will be due at the beginning of each month at the rates specifically set out in the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- n. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 21, 2017, Commissioner Glenn F. Boyce approved the lease agreement with Greenwood Leflore Airport for approximately 7,960 square feet of office space for use by the AirCare 4 air ambulance staff and approximately 8,000 square feet of ground space for the placement of a fuel tank. The term is for three years—August 1, 2017 through July 31, 2020—at a cost of \$2,000 per month for the office space and \$43.34 per month for the ground space. Rent is payable at the beginning of each month as set out in Section 3 of the lease agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- o. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On July 6, 2017, Commissioner Glenn F. Boyce approved the lease agreement with United Methodist Ministry with Children & Families, Inc. d/b/a Methodist Children’s Home for approximately 1,600 square feet of classroom and office space known as “Magnolia Home” on the campus of Methodist Children’s Homes. The space will be used by the Early Oral Intervention graduate program. The term of the lease is for two years beginning August 1, 2017 with a total cost of \$16,000 to be prepaid in annual increments of \$8,000 each on August 1<sup>st</sup> of each year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- p. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On July 6, 2017, Commissioner Glenn F. Boyce approved the lease agreement amendment with SciGenesis, LLC to decrease the amount of space being leased by SciGenesis in the University’s Accelerator Building by approximately 661 square feet to a new total of 456 square feet. The new annual rent will be \$11,400. The term of the lease began June 1, 2010 for one year with automatic one-year renewals since that time. All other provisions of the existing lease remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- q. **USM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July

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5, 2017, Commissioner Glenn F. Boyce approved the 2017-18 Traffic and Parking Regulations.

- r. **SYSTEM** – On August 4, 2017, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning April 1, 2017 and ending June 30, 2017. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

**ANNOUNCEMENTS/OTHER BUSINESS**

- President Smith appointed Trustee Shane Hooper as chairman of the Mississippi Valley State University Presidential Search Committee. On motion by Trustee Perry, seconded by Trustee McNair, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve this appointment.
- Commissioner Glenn Boyce commended the university presidents on their efforts to increase enrollment.
- President Smith announced that the board will meet for its annual retreat September 20-22, 2017 at Long Leaf Plantation in Purvis, MS.
- President Smith invited the university presidents to report on current activities on their campuses.

**ACADEMIC AFFAIRS  
COMMITTEE REPORT  
Wednesday, August 16, 2017**

The meeting was called to order by Chairman Tom Duff at approximately 1:00 p.m. The following items were discussed.

1. The Committee discussed the proposed re-structuring of Academic Affairs at the University of Southern Mississippi. **No action was taken.**
2. By consensus, the Committee adjourned at approximately 1:23 p.m.

The following Committee members attended the meeting: Mr. Tom Duff (Chair), Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Dr. Ford Dye and Mr. Shane Hooper were absent.

**FINANCE  
COMMITTEE REPORT  
Wednesday, August 16, 2017**

The meeting was called to order by Chairman Christy Pickering at approximately 2:00 p.m. The following items were discussed.

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1. The Committee discussed Mississippi State University's request to enter into a pre-development contract with EdR Management, Inc. to determine the feasibility of constructing a residential facility with retail and commercial space. **No action was taken.**

2. By consensus, the Committee adjourned at approximately 3:30 p.m.

The following Committee members attended the meeting: Ms. Christy Pickering (Chair), Mr. Tom Duff, Dr. Ford Dye, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Mr. Shane Hooper was absent.

**LEGAL  
COMMITTEE REPORT**

Wednesday, August 16, 2017

The meeting was called to order by Chairman Alan Perry at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the request approve modifications to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading. By consensus, the current policy remains in place with no changes. **No action was taken.**

2. By consensus, the Committee adjourned at approximately 3:45 p.m.

The following Committee members attended the meeting: Mr. Alan Perry (Chair), Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper (by phone), Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, August 16, 2017

The meeting was called to order by Chairman Ford Dye at approximately 4:00 p.m. The following items were discussed.

1. The Committee received an update on clinical quality from Dr. Michael Henderson, Chief Medical Officer at the University of Mississippi Medical Center. **No action was taken.**
2. Executive Session

On motion by Trustee Starr, seconded by Trustee McNair, with Trustees Pickering and Smith absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Starr, with Trustees Pickering and Smith absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows: Discussion of strategic plans of a public hospital by its Board;

The Committee discussed the strategic plans of the University of Mississippi Medical Center. **No action was taken.**

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On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Hooper participating by phone and Trustee Pickering absent and not voting, all trustees legally present and participating voted unanimously to return to open session.

3. On motion by Trustee McNair, seconded by Trustee Duff, with Trustee Hooper participating by phone and Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper (by phone), Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Ms. Christy Pickering was absent.

**EXECUTIVE SESSION**

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

Discussion of one state university personnel matter;  
Discussion of one system office personnel matter; and  
Discussion of three state university litigation matters.

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

On motion by Trustee Dye, seconded by Trustee Rouse, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3083 styled as *Rebecca Hentz vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Hooper, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3004 styled as *Kenyita Campbell vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Hooper, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3102 styled as *Tasha Hairston vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee McNair, seconded by Trustee Rouse, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to grant tenure to Dr. Jim Borsig, President of Mississippi University for Women, within the Department of Political Science at MUW.

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

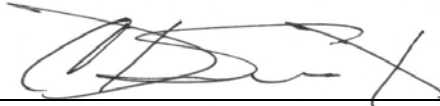
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**On motion by Trustee Starr, seconded by Trustee Rouse, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

On motion by Trustee Smith, seconded by Trustee Lamar, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to appoint Trustee Hal Parker to serve on the Mississippi Educational Television aka Mississippi Public Broadcasting Board from August 17, 2017 until June 30, 2019, subject to confirmation by the Mississippi State Senate.

**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- Exhibit 1 Approval for final reading of Board Policy 521 Adult Degree Completion Program.
- Exhibit 2 Approval of MS-ITS to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Delta State University.
- Exhibit 3 Approval of MS-ITS to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Jackson State University.
- Exhibit 4 Approval of MS-ITS for the provision of a hosted High Performance Computing Cluster for the University of Southern Mississippi.
- Exhibit 5 Approval of MS-ITS, acting as contracting agent for IHL, entering into an agreement with Regional Economic Models, Inc.
- Exhibit 6 Approval of supplemental Bond Resolution to issue Educational Building Corporation revenue bonds in an amount not to exceed thirty-four million (\$34,000,000), in toto, in order to refund certain bond obligations (series 2010-a-1) for Jackson State University.
- Exhibit 7 Facilities Needs Requests for the 2018 Legislative Session.
- Exhibit 8 Request for approval for first reading of modification to Board Policy 301.0806 University Foundation/Affiliated Entity Activities.
- Exhibit 9 Real Estate items that were approved by the IHL Board staff subsequent to the June 15, 2017 Board meeting.
- Exhibit 10 Report of the payment of legal fees to outside counsel.
- Exhibit 11 Request for an Opinion by the Attorney General regarding Miss. Code Ann. §25-1-113 and electronic call logs.

# EXHIBIT 1

August 17, 2017

## **SYSTEM – APPROVAL FOR FINAL READING FOR NEW BOARD POLICY 521 ADULT DEGREE COMPLETION PROGRAM**

### **521 ADULT DEGREE COMPLETION PROGRAM**

#### **A. GENERAL POLICY**

The Complete 2 Compete (C2C) Initiative statewide program was developed to encourage Mississippi adults who have completed some college, but earned no degree, to return to college and finish what they started. The Adult Degree Completion Program provides adult learners with a flexible path to a bachelor's degree and is one option for returning students to obtain degree completion through the C2C Initiative. The Adult Degree Completion Program is intended to serve adult learners who have earned at least 90 credit hours but have not completed a baccalaureate degree and have not attended a postsecondary institution in the past twenty-four months based on last date of attendance. The curriculum may be individualized for each adult learner based on coursework completed and career goals.

#### **1) ADULT DEGREE COMPLETION PROGRAM**

Each IHL institution may offer the Adult Degree Completion Program as an emphasis under an existing baccalaureate program or as a new baccalaureate program. An IHL institution may choose to list discipline-specific concentrations for the programs under the Adult Degree Completion Program on the adult learner's final transcript.

A student may not be enrolled in the Adult Degree Completion Program and another baccalaureate degree program simultaneously. Admission to the Adult Degree Completion Program does not provide for admission to other baccalaureate degree programs at the IHL institutions; however, an institution may choose to allow a transfer path from the Adult Degree Completion Program to another baccalaureate degree program within their institution.

#### **2) ADMISSION TO ADULT DEGREE COMPLETION PROGRAM**

A student is eligible for admission to the Adult Degree Completion Program if he/she has earned at least 90 credit hours but has not completed a baccalaureate degree, and has not attended a postsecondary institution in the past twenty-four months based on last date of attendance.

All earned credit for college-level academic credit-bearing work earned before admission into the C2C Initiative may be accepted to satisfy the Adult Degree Completion Program degree requirements. Transfer coursework for which a student earned a grade of "D" may be accepted to satisfy the Adult Degree Completion Program degree requirements. All failing grades (e.g., "F" grades) received before admission to the Adult Degree Completion Program may be



# EXHIBIT 1

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disregarded but should count in credit hours attempted to determine financial aid eligibility. Additional requirements may be established by the admitting institution.

## 3) INSTITUTIONAL POLICIES

- a. Adult learners returning to postsecondary education through the C2C Initiative may choose the Adult Degree Completion Program and only the requirements set forth in this policy may apply. For the Adult Degree Completion Program, additional degree requirements, catalog year requirements, and academic residency requirements may be waived by an institution.
- b. An adult returning to postsecondary education through the C2C Initiative may choose a baccalaureate degree program other than the Adult Degree Completion Program, and institutional policies and degree requirements will apply. Institutional readmission policies will apply to adult learners who choose a baccalaureate program other than the Adult Degree Completion Program.

## 4) MINIMUM ADULT DEGREE COMPLETION PROGRAM REQUIREMENTS

- a. The minimum number of hours required in the Adult Degree Completion Program is 120 credit hours. Credits earned through prior learning assessment, competency-based education, or regionally-accredited Career Technical programs may be included as part of the 120 hours.
- b. A program grade point average (GPA) of 2.0 must be earned. This may be the only GPA requirement that an adult learner in the Adult Degree Completion Program must satisfy to meet graduation requirements from an IHL institution. Only the credit hours required for the degree will be used to calculate the program GPA.
- c. Of the 120 credit hours required for the Adult Degree Completion Program, minimum requirements are as follows:

General Education Core Curriculum ( <i>IHL Policy 512 Core Curriculum</i> )	30 credit hours
Credit in residence at the awarding institution	30 credit hours
Upper-Division Credit	30 credit hours

## 5) FINANCIAL HOLDS

Adult learners with previous financial holds returning through the C2C Initiative must establish a repayment plan with the admitting institution prior to enrolling and registering for classes.

# EXHIBIT 1

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6) TUITION AND FEES

Tuition and fees for enrollment in courses will be assessed according to the established tuition and fee schedule at each IHL institution.

7) DELIVERY FORMAT

The format (e.g., online, accelerated, hybrid, face-to-face) of the courses offered in the Adult Degree Completion Program may be determined by the admitting institution.

8) REPEATED COURSES

Grades of “F” earned while enrolled in the Adult Degree Completion Program may be repeated to earn a grade that satisfies the Adult Degree Completion Program degree requirements. The highest grade may stand as the official grade, and in that case, only the highest grade earned may be calculated in the Adult Degree Completion Program GPA.

9) PRIOR LEARNING ASSESSMENT AND COMPETENCY-BASED EDUCATION

The Adult Degree Completion Program may integrate prior learning assessment (PLA) and competency-based education (CBE) into university coursework. PLA and CBE credits may apply toward the Adult Degree Completion Program degree requirements.

- a. PLA credit may include individualized student portfolios, evaluation of corporate and military training, program evaluations, challenge exams, and standardized exams. Credit earned through PLA may count as lower-division or upper-division credit. Credit earned through PLA shall not count toward the 25 percent residency requirement for the degree-awarding institution. The types of PLA accepted may be determined by the IHL institution.
- b. CBE credit may include demonstrated mastery of competencies embedded into a conventional curriculum comprised of courses (course/credit-based approach) and evaluation of student achievement solely on the demonstration of competencies (direct assessment). In the Adult Degree Completion Program, an institution may accept up to 25 percent of the degree requirements as CBE. This requirement may be waived for institutions that have gained SACSCOC approval to offer an entire program as direct assessment or a hybrid direct assessment competency-based educational program where at least 50 percent of the competency-based program is direct assessment. Credit earned through CBE may count as lower-division or upper-division credit. Credit earned through CBE may count toward the 25 percent residency requirement for the degree-awarding institution. The types of CBE accepted may be determined by the IHL institution.

# EXHIBIT 2

## August 17, 2017

ITS CONTRACT ACCEPTANCE  
Project Number 43601  
For Banner Maintenance Renewal-Amendment #2

TO:

Edwin Craft  
DSU

RETURN TO:

Paula Conn  
Dept. of Information Technology Services  
3771 Eastwood Drive  
Jackson, MS 39211  
Phone: 601-432-8046  
Fax: 601-713-6380

DATE SENT: July 12, 2017

RETURN BY: July 26, 2017

**INSTRUCTIONS:**

Please review the attached contract forwarded to you by the ITS staff. **If any material changes are needed to this contract, please mark all changes needed on the document and return to ITS for changes. You will be sent a revised copy to review before you sign this Contract Acceptance form.** Otherwise, please select one of the options below and return this form to the address above.

Please initial the appropriate line to indicate the contract has been reviewed & is accepted by your agency/institution and that all reviews by your agency attorney and management are complete:

\_\_\_\_\_ without changes

\_\_\_\_\_ with the following corrections to format or syntax: (attach additional pages if needed)

Page Number	Correction Needed:

Please list all names/titles, if any, who will sign this contract on behalf of your agency:

\_\_\_\_\_ None; we accept the signature of the ITS Executive Director on our behalf

\_\_\_\_\_ Please add a signature line for the following person(s) from our agency:

Name	Title

**CONTRACT DELIVERY (SELECT ONE):**

\_\_\_\_\_ Send contracts to vendor via overnight delivery and bill our agency/institution.

\_\_\_\_\_ Send contracts to vendor via regular United States Postal Service mail.

AUTHORIZED SIGNATURE / DATE

AGENCY / INSTITUTION

My signature above indicates that my agency/institution is a full party to the above-referenced contract, with or without the signature of the agency executive on the body of the contract. My agency executive understands and agrees that: (1) by virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the Executive Director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software and services, and, as contracting agent, must be a party to any amendments, change orders, or termination actions for the life of this contract; (2) ITS as contracting agent is not responsible or liable for the performance or non-performance of any of agency's contractual obligations, financial or otherwise, for this contract; and (3) my agency/institution is responsible for day-to-day management of the project and contract and all business decisions pertaining thereto and must initiate any actions regarding payments, changes in scope, early termination, and invocation of any penalties defined herein, providing appropriate notification to ITS when required.

# EXHIBIT 2

## August 17, 2017

Edwin Craft

---

**From:** Paula Conn, CPM <Paula.Conn@its.ms.gov>  
**Sent:** Wednesday, July 12, 2017 10:03 AM  
**To:** Edwin Craft  
**Subject:** RESPONSE REQUIRED: Amendment #2 to Ellucian supplement  
**Attachments:** 43601-Ellucian Company L.P-DSU-June2017-Amendment.pdf; Work Product Acceptance Form Contract-Amendment #2.doc

Edwin,

Attached is amendment #2 to the supplement with Ellucian. Amendment #2 covers the seven years beginning September 1. Please have this document reviewed and if acceptable, have the Work Product Acceptance form, also attached, signed. We will NOT fully execute this agreement until after approval by the IHL board on 8/17/17. However, we should not wait until the last minute to start the process. Since we have the luxury of a few weeks, I have asked that I receive a response no later than July 26, 2017. Do not hesitate to contact me if you have any questions or concerns.

Paula

**Paula Conn, CPM**  
Technology Consultant  
MS Department of Information Technology Services  
601-432-8046 | [www.its.ms.gov](http://www.its.ms.gov)



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# EXHIBIT 2

## August 17, 2017

PROJECT NUMBER 43601  
AMENDMENT # 2 TO  
SUPPLEMENT TO MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION, INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT SOFTWARE AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORPORATION)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
DELTA STATE UNIVERSITY  
(ORIGINAL PROJECT NUMBER 38893)

This document (hereinafter referred to as "Amendment Number 1") shall serve to amend and is made subject to the terms and conditions of the original Supplement to Master Software License and Service Agreement executed on February 23, 2011 and amended on June 30, 2017 (hereinafter referred to as "Supplement"), between Ellucian Company L.P., having its principal place of business at 4 Country View Road, Malvern, Pennsylvania 19355 (hereinafter referred to as "Licensor" and/or "Ellucian"), and the Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for Delta State University located at Highway 8 West, Cleveland, Mississippi 38733 (hereinafter referred to as "Licensee" and/or "DSU"). ITS and Licensee are sometimes collectively referred to herein as "State".

WHEREAS, DSU desires to renew Technical Currency maintenance services for its Ellucian software products;

NOW THEREFORE, ITS, DSU, and Ellucian, by entering into this Amendment Number 2, mutually agree that the following provisions shall modify the aforementioned Supplement:

In order to renew Technical Currency maintenance services for the Ellucian software products beginning September 1, 2017 and continuing through August 31, 2024, the parties agree that Exhibit A in the Supplement and Exhibit A-1 in the Amendment Number 1 shall be and hereby are, as of the date of the last signature below, modified by the addition of the new Exhibit A-2, which is attached to this Amendment Number 2 and incorporated herein by reference. As a result of this Amendment Number 2, Licensor agrees to provide the additional Technical Currency maintenance services listed in the attached Exhibit A-2 at the pricing therein stated not to exceed an additional \$2,202,576.00."

Any conflict between this Amendment Number 2 and the Supplement will be resolved in favor of this Amendment Number 2. Except as expressly modified by this Amendment Number 2, all other terms and conditions of the Supplement executed on February 23, 2011 and amended on June 30, 2017 shall remain unchanged and in full force and effect.

*Signature Page to Follow*

# EXHIBIT 2

## August 17, 2017

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this Amendment Number 2 as of the last signature date herein below.

State of Mississippi, Department of  
Information Technology Services, on  
behalf of Delta State University

Ellucian Company L.P.

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT 2

## August 17, 2017

### EXHIBIT A-2

Time Period:	September 1, 2017 to August 31, 2018	September 1, 2018 to August 31, 2019	September 1, 2019 to August 31, 2020	September 1, 2020 to August 31, 2021	September 1, 2021 to August 31, 2022	September 1, 2022 to August 31, 2023	September 1, 2023 to August 31, 2024
<b>Maintenance Paid in Advance</b>							
Banner Advancement	\$11,557.00	\$12,019.00	\$12,500.00	\$13,000.00	\$13,520.00	\$14,061.00	\$14,623.00
Banner Advancement Self-Service Doc Mgmt	\$3,712.00	\$3,861.00	\$4,015.00	\$4,176.00	\$4,343.00	\$4,517.00	\$4,697.00
Banner Integration Component	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Employee Self-Service	\$6,969.00	\$7,248.00	\$7,538.00	\$7,840.00	\$8,153.00	\$8,479.00	\$8,819.00
Banner Faculty and Advisor Self-Service	\$4,945.00	\$5,142.00	\$5,348.00	\$5,562.00	\$5,785.00	\$6,016.00	\$6,257.00
Banner Finance	\$35,693.00	\$37,121.00	\$38,606.00	\$40,150.00	\$41,756.00	\$43,426.00	\$45,163.00
Banner Finance Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Financial Aid	\$30,864.00	\$32,098.00	\$33,382.00	\$34,717.00	\$36,106.00	\$37,550.00	\$39,052.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Human Resources	\$28,643.00	\$29,789.00	\$30,980.00	\$32,220.00	\$33,508.00	\$34,849.00	\$36,243.00
Banner Integration for eLearning	\$6,607.00	\$6,871.00	\$7,146.00	\$7,432.00	\$7,729.00	\$8,039.00	\$8,360.00
Banner Integration Technologies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Student	\$34,753.00	\$36,143.00	\$37,589.00	\$39,092.00	\$40,656.00	\$42,282.00	\$43,974.00
Banner Student Self-Service	\$11,779.00	\$12,250.00	\$12,740.00	\$13,250.00	\$13,780.00	\$14,331.00	\$14,904.00
Banner Workflow	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EDISmart	\$1,470.00	\$1,529.00	\$1,590.00	\$1,653.00	\$1,720.00	\$1,788.00	\$1,860.00

# EXHIBIT 2

## August 17, 2017

Time Period:	September 1, 2017 to August 31, 2018	September 1, 2018 to August 31, 2019	September 1, 2019 to August 31, 2020	September 1, 2020 to August 31, 2021	September 1, 2021 to August 31, 2022	September 1, 2022 to August 31, 2023	September 1, 2023 to August 31, 2024
Banner Doc Mgmt Suite:							
ApplicationXtender Desktop	\$9,108.00	\$9,473.00	\$9,852.00	\$10,246.00	\$10,655.00	\$11,082.00	\$11,525.00
ApplicationXtender Image Capture	\$999.00	\$1,039.00	\$1,080.00	\$1,123.00	\$1,168.00	\$1,215.00	\$1,264.00
ApplicationXtender Web Access.NET	\$2,371.00	\$2,466.00	\$2,565.00	\$2,667.00	\$2,774.00	\$2,885.00	\$3,000.00
Financial Aid FM Need Analysis	\$3,327.00	\$3,480.00	\$3,599.00	\$3,743.00	\$3,892.00	\$4,048.00	\$4,210.00
Oracle:							
Developer 2000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Relational Database System	\$75,622.00	\$78,647.00	\$81,793.00	\$85,085.00	\$88,467.00	\$92,006.00	\$95,686.00
WebServer	\$1,177.00	\$1,224.00	\$1,273.00	\$1,324.00	\$1,377.00	\$1,432.00	\$1,489.00
TouchNet:							
Payment Gateway	\$6,363.00	\$6,618.00	\$6,883.00	\$7,158.00	\$7,444.00	\$7,742.00	\$8,052.00
Webcheck	\$2,907.00	\$3,024.00	\$3,145.00	\$3,270.00	\$3,401.00	\$3,537.00	\$3,679.00
Grand Total:	\$278,866.00	\$290,022.00	\$301,624.00	\$313,688.00	\$326,234.00	\$339,285.00	\$352,857.00
						Total Maintenance Cost:	\$2,202,576.00



# EXHIBIT 3

August 17, 2017

**PROJECT NUMBER 43618  
AMENDMENT # 1 TO  
SUPPLEMENT TO MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION, INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT SOFTWARE AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORPORATION)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
JACKSON STATE UNIVERSITY  
(ORIGINAL PROJECT NUMBER 38894)**

This document (hereinafter referred to as "Amendment Number 1") shall serve to amend and is made subject to the terms and conditions of the original Supplement to Master Software License and Service Agreement executed on February 23, 2011 (hereinafter referred to as "Supplement"), between Ellucian Company L.P., having its principal place of business at 4 Country View Road, Malvern, Pennsylvania 19355 (hereinafter referred to as "Licensor" and/or "Ellucian"), and the Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for Jackson State University located at 1400 Lynch Street, Jackson, Mississippi 39217 (hereinafter referred to as "Licensee" and/or "JSU"). ITS and Licensee are sometimes collectively referred to herein as "State".

**WHEREAS**, JSU desires to renew Technical Currency maintenance services for its Ellucian software products;

**NOW THEREFORE**, ITS, JSU, and Ellucian, by entering into this Amendment Number 1, mutually agree that the following provisions shall modify the aforementioned Supplement:

In order to renew Technical Currency maintenance services for the Ellucian software products beginning July 1, 2017 and continuing through June 30, 2024, the parties agree that Exhibit A in the Supplement shall be and hereby is, as of the date of the last signature below, modified by the addition of the new Exhibit A-1, which is attached to this Amendment Number 1 and incorporated herein by reference. As a result of this Amendment Number 1, Licensor agrees to provide the additional Technical Currency maintenance services listed in the attached Exhibit A-1 at the pricing therein stated not to exceed an additional \$2,238,145.00."

Any conflict between this Amendment Number 1 and the Supplement will be resolved in favor of this Amendment Number 1. Except as expressly modified by this Amendment Number 1, all other terms and conditions of the Supplement executed on February 23, 2011 shall remain unchanged and in full force and effect.

*Signature Page to Follow*

# EXHIBIT 3

August 17, 2017

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this Amendment Number 1 as of the last signature date herein below.

State of Mississippi, Department of  
Information Technology Services, on  
behalf of Jackson State University

Ellucian Company L.P.

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT 3

August 17, 2017

## EXHIBIT A-1

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
<b>Maintenance Paid in Arrears</b>							
Banner Advancement	\$15,958.00	\$16,596.00	\$17,260.00	\$17,950.00	\$18,668.00	\$19,415.00	\$20,192.00
Banner Advancement Self-Service	\$5,973.00	\$6,212.00	\$6,460.00	\$6,718.00	\$6,987.00	\$7,267.00	\$7,557.00
Banner Employee Self-Service	\$10,189.00	\$10,596.00	\$11,020.00	\$11,461.00	\$11,920.00	\$12,396.00	\$12,892.00
Banner Faculty Self-Service	\$9,062.00	\$9,424.00	\$9,801.00	\$10,193.00	\$10,601.00	\$11,025.00	\$11,466.00
Banner Finance	\$71,015.00	\$73,856.00	\$76,810.00	\$79,883.00	\$83,078.00	\$86,401.00	\$89,857.00
Banner Finance Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Financial Aid	\$2,846.00	\$2,960.00	\$3,079.00	\$3,202.00	\$3,330.00	\$3,463.00	\$3,602.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Human Resources	\$27,162.00	\$28,248.00	\$29,378.00	\$30,553.00	\$31,775.00	\$33,046.00	\$34,368.00
Banner Integration for eLearning	\$7,239.00	\$7,529.00	\$7,830.00	\$8,143.00	\$8,469.00	\$8,808.00	\$9,160.00
Banner Integration Technologies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner International Tax Navigator Interface	\$1,548.00	\$1,609.00	\$1,674.00	\$1,741.00	\$1,810.00	\$1,883.00	\$1,958.00
Banner Student	\$115,734.00	\$120,364.00	\$125,178.00	\$130,185.00	\$135,393.00	\$140,808.00	\$146,441.00
Banner Student Self-Service	\$11,328.00	\$11,781.00	\$12,252.00	\$12,742.00	\$13,252.00	\$13,782.00	\$14,333.00
Banner Workflow	\$4,413.00	\$4,589.00	\$4,773.00	\$4,964.00	\$5,162.00	\$5,369.00	\$5,583.00
College Board IM Need Analysis	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

# EXHIBIT 3

August 17, 2017

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
Financial Aid FM Need Analysis	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EDISmart	\$905.00	\$941.00	\$979.00	\$1,018.00	\$1,058.00	\$1,101.00	\$1,145.00
<b>Grand Total:</b>	<b>\$283,372.00</b>	<b>\$294,705.00</b>	<b>\$306,494.00</b>	<b>\$318,753.00</b>	<b>\$331,503.00</b>	<b>\$344,764.00</b>	<b>\$358,554.00</b>
<b>Total Maintenance Cost:</b>							<b>\$2,238,145.00</b>

# EXHIBIT 4

Effective Date 05/18/2017

Expiration Date 06/30/2022

Date Printed 05/25/2017

Procurement Type **COMPETITIVE PROCUREMENT**

**CP-1 Acquisition Approval Form**  
**Dept. of Information Technology Services**  
**3771 Eastwood Dr.**  
**Jackson, MS 39211**  
**(601) 432-8000**

Page: 1

**CP-1 20170469**

**Contract IT20170213**

Acquisition Method: **PURCHASE**

This document is your authorization from ITS to purchase the following products and/or services from the vendor listed, at or below the prices itemized. If no vendor is listed, proceed according to ITS exemption instructions or instructions included on the Planned Purchase Approval Letter accompanying this CP-1. This procurement is contingent upon availability of funds and will not become final until the vendor has received your purchase order. Keep this form with your financial records as an audit trail of ITS procurement approval.

For additional information regarding the ITS Procurement Process and CP-1 Approval Documents, refer to the ITS Procurement Handbook, located at <http://www.its.state.ms.us/its/procman.nsf>. The following sections of the Procurement Handbook include information specifically related to CP-1 approvals: 009-025, 013-040, and 013-080.

If you need additional assistance regarding this CP-1, please contact the ITS Procurement Help Desk at 601-432-8166 or e-mail [isshelp@its.ms.gov](mailto:isshelp@its.ms.gov).

University of Southern MS ATTN: Gopinath Subramanian Box 5001 Hattiesburg, MS 39406	<b>PLACE ORDER TO:</b> 3102035701 Advanced Clustering Technologies Advanced Clustering Technologies 3148 Roanoke Rd Kansas City, MO 64111  <b>MAKE PAYMENT TO:</b> 3102035701 Advanced Clustering Technologies Advanced Clustering Technologies 3148 Roanoke Rd Kansas City, MO 64111
--	---

<b>MAX ANNUAL % INCREASE</b> 0.00	<b>CP1 LIFECYCLE LIMIT</b> 641,166.00	<b>NUMBER OF PAYMENTS</b> 1
-----------------------------------	---------------------------------------	-----------------------------

This CP1 is for the acquisition of a High Performance Computing Cluster for the University of Southern Mississippi; This procurement approval falls within the ITS Director Approval threshold for IHLs, as outlined in 018-030 of the ITS Procurement Handbook.

A Purchase Agreement has been executed.

IT Equipment total is \$603,383.08. IT Professional Services total is \$12,200.00. IT Software total is \$25,582.92.

APPROVED ITS DATE:05/25/2017



### PRODUCTS AND SERVICES PURCHASE DETAILS

QTY	PRODUCTS	EACH NET	EXTENDED NET
1	High Performance Computing Cluster	641,166.00	641,166.00
<b>TOTAL</b>		<b>MAXIMUM</b>	<b>641,166.00</b>

COMMODITY CODES -- 61902000000, 61921000000, 63421000000

#### DISTRIBUTION TO

Paige Strickland - EMAIL [Computer.Orders@usm.edu](mailto:Computer.Orders@usm.edu)

David Sliman - EMAIL [david.sliman@usm.edu](mailto:david.sliman@usm.edu)

ISS MAGIC - EMAIL [issmagic@its.ms.gov](mailto:issmagic@its.ms.gov)

Brian Olson - EMAIL [brian.olson@usm.edu](mailto:brian.olson@usm.edu)

<b>PRNO</b> CEW00-43011-1	<b>ATHY</b> DIRECTOR APRV	<b>REPLACEMENT</b> NEW	<b>RFP No(s)</b> 3960
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**August 17, 2017**

# EXHIBIT 4

**PROJECT NUMBER 43011  
PURCHASE AGREEMENT  
BETWEEN  
ADVANCED CLUSTERING TECHNOLOGIES, INC.  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR THE  
UNIVERSITY OF SOUTHERN MISSISSIPPI**

This Purchase Agreement (hereinafter referred to as "Agreement") is entered into by and between Advanced Clustering Technologies, Inc., a Missouri corporation having its principal place of business at 3148 Roanoke Road, Kansas City, Missouri 64111 (hereinafter referred to as "Seller"), and Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for the University of Southern Mississippi located at 118 College Drive, Hattiesburg, Mississippi 39406 (hereinafter referred to as "Purchaser"). ITS and Purchaser are sometimes collectively referred to herein as "State".

**WHEREAS**, Purchaser, pursuant to Request for Proposals ("RFP") No. 3960, requested proposals for the acquisition of certain equipment and software (hereinafter referred to as "Products") comprising a high performance computing cluster as listed in Exhibit A which is attached hereto and incorporated herein; and

**WHEREAS**, Seller was the successful proposer in an open, fair and competitive procurement process;

**NOW THEREFORE**, in consideration of the mutual understandings, promises, consideration and agreements set forth, the parties hereto agree as follows:

## **ARTICLE 1 TERM OF AGREEMENT**

**1.1** This Agreement will become effective on the date it is signed by all parties and will continue in effect until all tasks required herein, including any post warranty maintenance/support specified in Exhibit A, have been completed. Seller agrees to complete all tasks required under this Agreement, with the exception of warranty service, on or before the close of business on June 1, 2017, or within such other period as may be agreed to by the parties.

**1.2** This Agreement will become a binding obligation on the State only upon the issuance of a valid purchase order by the Purchaser following contract execution and the issuance by ITS of the CP-1 Acquisition Approval Document.

## **ARTICLE 2 FURNISHING OF EQUIPMENT**

**2.1** Subject to the terms and conditions set forth herein, Seller agrees to provide and Purchaser agrees to buy as needed, the Products listed in the attached Exhibit A and at the purchase price set forth therein, but in no event will the total compensation to be paid hereunder exceed the specified sum of \$641,166.00 unless prior written authorization from ITS has been obtained. Purchaser shall submit a purchase order signed by a representative of Purchaser itemizing the Products to be purchased. The purchase order shall be subject to the terms and conditions of this Agreement. The parties agree that Purchaser reserves the right to adjust the quantities of purchases based upon the availability of funding or as determined necessary by Purchaser. Seller guarantees pricing for a period of six (6) months from the effective date of this

# EXHIBIT 5

## August 17, 2017

**PROJECT NUMBER 43573**  
**SOFTWARE LICENSE AND MAINTENANCE AGREEMENT**  
**BETWEEN**  
**REGIONAL ECONOMIC MODELS, INC.**  
**AND**  
**MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES**  
**AS CONTRACTING AGENT FOR**  
**INSTITUTIONS OF HIGHER LEARNING**

This Software License and Maintenance Agreement (hereinafter referred to as "Agreement") is entered into by and between Regional Economic Models, Inc., a Massachusetts corporation having its principal place of business at 306 Lincoln Avenue, Amherst, Massachusetts 01002 (hereinafter referred to as "Licensor"), and Mississippi Department of Information Technology Services having its principal place of business at 301 North Lamar Street, Suite 508, Jackson, Mississippi 39201 (hereinafter referred to as "ITS"), as contracting agent for the Institutions of Higher Learning located at 3825 Ridgewood Road, Jackson, Mississippi 39211 (hereinafter referred to as "Licensee"). ITS and Licensee are sometimes collectively referred to herein as "State."

**WHEREAS**, Licensee desires to acquire certain software, services, and maintenance of REMI PI+ and Tax PI System Software to provide model simulation to estimate economic and demographic effects in the State of Mississippi; and

**WHEREAS**, the sole source laws in Mississippi changed during the 2015 Legislative Session; and

**WHEREAS**, ITS issued a Notice of Intent to Certify Sole Source No. 4006 in an attempt to certify the sole source status of this procurement; and

**WHEREAS**, there being no objections to the sole source status being filed by any person or entity and the parties thereby determining that this is indeed a sole source project;

**NOW THEREFORE**, in consideration of the mutual understandings, promises, consideration, and agreements set forth, the parties hereto agree as follows:

### **ARTICLE 1 DEFINITIONS**

The following terms as used herein shall have the following meanings:

**1.1 "Documentation"** means the published user and technical manuals and documentation that Licensor makes generally available for the Software.

**1.2 "Enhancements"** means the fixes, updates or upgrades to the Software or Documentation that Licensor may provide to Licensee under this Agreement.

**1.3 "Licensee"** means the Institutions of Higher Learning and its employees who shall be bound by the terms and conditions of this Agreement.

**1.4 "Licensor"** means Regional Economic Models, Inc. and its successors and assigns.

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**1.5** “**Products**” means the Software, Documentation, Enhancements, and any copy of the Software, Documentation, or Enhancements.

**1.6** “**Software**” means the machine-readable object code version of the computer programs described in and specifically identified in the attached Exhibit A, whether embedded on disc, tape, or other media.

## ARTICLE 2 TERM OF AGREEMENT

**2.1** The effective date of this Agreement shall be the date it is signed by all parties and, provided that Licensee has paid all applicable fees, its license term is perpetual unless terminated as prescribed elsewhere in this Agreement. The maintenance term for the Software shall continue until the close of business on June 30, 2020, unless a change in this date is mutually agreed to in writing by the Licensee and the Licensor. Software, as used herein, also includes future updates/revisions and new releases of the Software that Licensor may provide to Licensee under this Agreement.

**2.2** This Agreement will become a binding obligation on the State only upon the issuance of a valid purchase order by the Licensee, following contract execution and the issuance by ITS of the CP-1 Acquisition Approval Document.

## ARTICLE 3 SCOPE OF LICENSE

**3.1** Licensor hereby grants to Licensee a non-exclusive, non-transferable, and perpetual license to use the Products for Licensee’s business operations subject to the terms of this Agreement. Licensee has previously received and accepted said licenses. Licensee may license additional Software Products by executing a written amendment to this Agreement and paying an additional license fee.

**3.2** Use of the Licensed Program is restricted to a single authorized individual who, at all times during the term of this Agreement, shall be an employee of Licensee (hereinafter referred to as the “Authorized User”). Installation and use of the licensed program is restricted to a single computer only. The licensed program may be installed only on a hard drive or area of a hard drive that cannot be accessed by or from other computers, terminals or network users. Use of the licensed program is limited to those analytic purposes directly related to economic impact studies in the State of Mississippi on behalf of the Mississippi Development Authority, Mississippi Governor’s Office, Mississippi Institution of Higher Learning and any secondary users. Licensee agrees and acknowledges that its right to copy or reproduce the licensed program is as specified in Article 6 herein and Licensee further agrees that it will not attempt to reverse engineer or decompile the licensed program. Licensee will not provide the licensed program or any copy of all or part of the licensed program to any third party without the prior, written consent of Licensor.

**3.3** The Authorized User was determined prior to model delivery. Licensee may change the Authorized User and will notify Licensor in writing. For additional licenses, the Authorized User shall be determined prior to model delivery.

**3.4** The Licensee may designate one (1) of its employees as an assistant to an Authorized User (the “Assistant User”). The Assistant User may, under certain conditions, access and use the Products for the sole and exclusive purposes of assisting the Authorized User. Provided, however,



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the Licensee must first (a) inform Licensor of the name, position, and duties of the proposed Assistant User, and (b) obtain written approval from Licensor, which approval shall not be unreasonably withheld. The Assistant User shall be bound by and adhere to the license terms and restrictions set forth in this Agreement and may have limited access to Licensor's support services at no additional fee. The extent and scope of such access shall be mutually agreed upon by the parties.

## **ARTICLE 4 DELIVERY, RISK OF LOSS, AND ACCEPTANCE**

The parties understand and agree that the Software and Documentation was previously delivered by Licensor to Licensee and subsequently accepted by Licensee.

## **ARTICLE 5 CONSIDERATION AND METHOD OF PAYMENT**

The cost of the Software and services to be provided by Licensor is specified in the attached Exhibit A, which is incorporated herein by reference. Upon acceptance of the Software by Licensee, Licensor shall invoice Licensee for the Software, and the software maintenance/support will be invoiced annually. Licensor shall submit invoices and supporting documentation to Licensee electronically at any time during the term of this Agreement using the processes and procedures identified by the State. Licensee shall make payment hereunder in accordance with Mississippi law on "Timely Payment for Purchases by Public Bodies," as amended, which generally provides for payment of undisputed amounts by Licensee within forty-five (45) days of receipt of the invoice. Licensor understands and agrees that Licensee is exempt from the payment of taxes. All payments shall be in United States currency. Payments by state agencies using Mississippi's Accountability System for Government Information and Collaboration (MAGIC) shall be made and remittance information provided electronically as directed by the State. The payments by these agencies shall be deposited into the bank account of the Licensor's choice. No payment, including final payment, shall be construed as acceptance of defective Products or incomplete work, and the Licensor shall remain responsible for full performance in strict compliance with the contract documents specified in the article herein titled "Entire Agreement."

## **ARTICLE 6 OWNERSHIP, USE, AND RESTRICTIONS ON USE**

**6.1** Licensee acknowledges that the Software Products shall remain the exclusive property of Licensor. Licensee acknowledges that it has no right to or interest in the Software Products other than as expressly granted herein. Licensee shall not remove any identification notices affixed to the Software Products or their packaging.

**6.2** Licensee is granted the right to make one (1) copy of the Products for archival and disaster recovery purposes. Licensee shall include Licensor's confidentiality and proprietary rights notices on any copies made of the Products.

**6.3** Licensee acknowledges that the Software Products are trade secrets and confidential information of Licensor. Neither the Software Products nor any physical media containing the Software may be used, copied, disclosed, broadcast, sold, re-licensed, distributed, or otherwise published by Licensee except as expressly permitted by this Agreement. Licensee shall use reasonable efforts to maintain the confidential nature of the Software Products.

**6.4** Licensee agrees that, except as noted herein, it will not otherwise copy, translate, modify, adapt, decompile, disassemble, or reverse engineer any of the Software without the prior written

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consent of Licensor.

## ARTICLE 7 WARRANTIES

**7.1** Licensor represents and warrants that it has the right to license the Products provided under this Agreement.

**7.2** Licensor represents and warrants that all work performed hereunder, including but not limited to consulting, training, and Software maintenance, shall be performed by competent personnel and shall be of professional quality consistent with generally accepted industry standards for the performance of such services and shall comply in all respects with the requirements of this Agreement. For any breach of this warranty, the Licensor shall, for a period of ninety (90) days from the performance of service, perform the services again, at no cost to the Licensee, or if the Licensor is unable to perform the services as warranted, the Licensor shall reimburse the Licensee the fees paid to the Licensor for the unsatisfactory services.

**7.3** Licensor represents and warrants that neither the Software nor Enhancements shall contain disabling code or a lockup program or device. Licensor further agrees that it will not, under any circumstances, including enforcement of a valid contract right, (a) install or trigger a lockup program or device, or (b) take any step which would in any manner interfere with Licensee's licensed use of the Software or Enhancements and/or which would restrict Licensee from accessing its data files or in any way interfere with the transactions of Licensee's business. For any breach of this warranty, Licensor, at its expense, shall, within five (5) working days after receipt of notification of the breach, deliver Products to Licensee that are free of such disabling code or a lockup program or device.

**7.4** In addition, Licensor represents and warrants, to the best of its knowledge, that neither the Software nor Enhancements delivered to Licensee contain a computer virus. For purposes of this provision, a computer virus shall be defined as code intentionally inserted in the Software or Enhancements that will damage or destroy Licensee's applications or data. For any breach of this warranty, Licensor, at its expense, shall, within ten (10) working days after receipt of notification of the breach, deliver Products to Licensee that are free of any virus, and shall be responsible for repairing, at Licensor's expense, any and all damage done by the virus to Licensee's site.

**7.5** Licensor represents and warrants that the Software will operate free from defects for a period of ninety (90) days after acceptance and will provide Licensee complete functionality necessary for the operation of the system as stated in this Agreement. Licensor's obligations pursuant to this warranty shall include, but are not limited to, the repair of all defects or the replacement of the Software at the expense of Licensor. In the event Licensor is unable to repair or replace the Software within ten (10) working days after receipt of notice of the defect, Licensee shall be entitled to a full refund of fees paid and shall have the right to terminate this Agreement in whole or in part. Licensee's rights hereunder are in addition to any other rights Licensee may have.

**7.6** If applicable under the given circumstances, Licensor represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq. of the Mississippi Code Annotated (Supp2008), and will register and participate in the status verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of

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1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Licensor agrees to maintain records of such compliance and, upon request of the State and approval of the Social Security Administration or Department of Homeland Security where required, to provide a copy of each such verification to the State. Licensor further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Licensor understands and agrees that any breach of these warranties may subject Licensor to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Licensor by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Licensor would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit.

## **ARTICLE 8 INFRINGEMENT INDEMNIFICATION**

**8.1** Licensor represents and warrants that neither the Products and their elements nor the use thereof violates or infringes on any copyright, patent, trade secret, or other proprietary right of any person or entity. Licensee shall notify Licensor promptly of any infringement claim of which it has knowledge, and shall cooperate with Licensor in the defense of such claim by supplying information, all at Licensor's expense. Licensor, at its own expense, shall defend or settle any and all infringement actions filed against Licensor or Licensee which involve the Products provided under this Agreement and shall pay all costs, attorney fees, settlements, damages, and judgment finally awarded against Licensee. If, in any such suit arising from such claim, the continued use of the Products for the purpose intended is enjoined or threatened to be enjoined by any court of competent jurisdiction, Licensor shall, at its expense: (a) first procure for Licensee the right to continue using the Products, or upon failing to procure such right; (b) modify or replace the Products, or components thereof, with non-infringing Products so it becomes non-infringing, or upon failing to secure either such right; (c) refund the license fees previously paid by Licensee for the Products Licensee may no longer use. Said refund shall be paid within ten (10) working days of notice to Licensee to discontinue said use.

**8.2** Licensor shall have no indemnification obligations to Licensee under this Article 8 for any breach of the preceding warranties caused directly by: (i) infringement resulting from the combination of the Products with other items not supplied by Licensor; (ii) infringement resulting from material modification of the Products by someone other than Licensor, its agents, or subcontractors or Licensee's employees who were working at Licensor's direction; (iii) continued allegedly infringing activity by Licensee after it has been notified of the possible infringement; or (iv) infringement resulting from Licensee's use of an allegedly infringing version of the Product if the alleged infringement would have been avoided by the use of a different version Licensor made available to Licensee at no cost to Licensee, as long as the new or corrected version did not adversely affect the Licensee's system's functionality.

## **ARTICLE 9 MODIFICATION**

This Agreement may be modified only by written agreement signed by the parties hereto and any attempt at oral modification shall be void and of no effect. The parties agree to renegotiate the Agreement if federal and/or state revisions of any applicable laws or regulations make changes in

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this Agreement necessary.

## ARTICLE 10 ASSIGNMENT AND SUBCONTRACTS

**10.1** Neither party may assign or otherwise transfer this Agreement or its obligations hereunder without the prior written consent of the other party, which consent shall not be unreasonably withheld. Any attempted assignment or transfer of its obligations without such consent shall be null and void. Provided, however, that no such consent is required in the event that Licensor makes an assignment in connection with a merger or sale of all or substantially all of its business. This Agreement shall be binding upon the parties' respective successors and assigns.

**10.2** Licensor must obtain the written approval of Licensee before subcontracting any portion of this Agreement. No such approval by Licensee of any subcontract shall be deemed in any way to provide for the incurrence of any obligation of Licensee in addition to the total fixed price agreed upon in this Agreement. All subcontracts shall incorporate the terms of this Agreement and shall be subject to the terms and conditions of this Agreement and to any conditions of approval that Licensee may deem necessary.

**10.3** Licensor represents and warrants that any subcontract agreement Licensor enters into shall contain a provision advising the subcontractor that the subcontractor shall have no lien and no legal right to assert control over any funds held by the Licensee, that the subcontractor acknowledges that no privity of contract exists between the Licensee and the subcontractor, and that the Licensor is solely liable for any and all payments which may be due to the subcontractor pursuant to its subcontract agreement with the Licensor. The Licensor shall indemnify and hold harmless the State from and against any and all claims, demands, liabilities, suits, actions, damages, losses, costs, and expenses of every kind and nature whatsoever arising as a result of Licensor's failure to pay any and all amounts due by Licensor to any subcontractor, materialman, laborer, or the like.

**10.4** All subcontractors shall be bound by any negotiation, arbitration, appeal, adjudication, or settlement of any dispute between the Licensor and the Licensee, where such dispute affects the subcontract.

## ARTICLE 11 AVAILABILITY OF FUNDS

It is expressly understood and agreed that the obligation of the Licensee to proceed under this Agreement is conditioned upon the appropriation of funds by the Mississippi State Legislature and the receipt of state and/or federal funds. If the funds anticipated for the continuing fulfillment of this Agreement are, at any time, not forthcoming or insufficient through the failure of the federal government to provide funds, the State of Mississippi to appropriate funds, the discontinuance or material alteration of the program under which funds were provided, or if funds are not otherwise available to the Licensee, the Licensee shall have the right to immediately terminate this Agreement without damage, penalty, cost, or expense to the Licensee of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination. In the event of termination, Licensor shall be entitled to receive just and equitable compensation for satisfactory work completed or services rendered by Licensor in connection with this Agreement as of the date of receipt of notification of termination.

## ARTICLE 12 TERMINATION

Notwithstanding any other provision of this Agreement to the contrary, this Agreement may be

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terminated in whole or in part as follows: (a) upon the mutual, written agreement of the parties; (b) by Licensee if Licensor becomes the subject of bankruptcy, reorganization, liquidation, or receivership proceedings, whether voluntary or involuntary; (c) by Licensee in the event Licensee determines it is in the best interest of the State of Mississippi to terminate this Agreement; or (d) by either party in the event of a breach of a material term or provision of this Agreement and such breach continues for thirty (30) days after the breaching party receives written notice from the other party. Upon termination, Licensee will be entitled to a refund of applicable unexpended prorated annual Software maintenance fees/charges, if any. In the event of termination, Licensor shall be entitled to receive just and equitable compensation for satisfactory work completed or services rendered by Licensor in connection with this Agreement as of the date of receipt of notification of termination. In no case shall said compensation exceed the total contract price. The provisions of this article do not limit either party's right to pursue any other remedy available at law or in equity.

## **ARTICLE 13 GOVERNING LAW**

This Agreement shall be construed and governed in accordance with the laws of the State of Mississippi, and venue for the resolution of any dispute shall be Jackson, Hinds County, Mississippi. Licensor expressly agrees that under no circumstances shall Licensee be obligated to pay an attorney's fee, prejudgment interest, or the cost of legal action to Licensor. Further, nothing in this Agreement shall affect any statutory rights Licensee may have that cannot be waived or limited by contract.

## **ARTICLE 14 WAIVER**

Failure of either party hereto to insist upon strict compliance with any of the terms, covenants, and conditions hereof shall not be deemed a waiver or relinquishment of any similar right or power hereunder at any subsequent time or of any other provision hereof, nor shall it be construed to be a modification of the terms of this Agreement. A waiver by the State, to be effective, must be in writing, must set out the specifics of what is being waived, and must be signed by an authorized representative of the State.

## **ARTICLE 15 SEVERABILITY**

If any term or provision of this Agreement is prohibited by the laws of the State of Mississippi or declared invalid or void by a court of competent jurisdiction, the remainder of this Agreement shall be valid and enforceable to the fullest extent permitted by law, provided that the State's purpose for entering into this Agreement can be fully achieved by the remaining portions of the Agreement that have not been severed.

## **ARTICLE 16 CAPTIONS**

The captions or headings in this Agreement are for convenience only, and in no way define, limit, or describe the scope or intent of any provision or section of this Agreement.

## **ARTICLE 17 HOLD HARMLESS**

Subject to the terms and conditions otherwise set forth in this Agreement, to the fullest extent allowed by law, Licensor shall indemnify, defend, save and hold harmless, protect, and exonerate Licensee, its Board Members, officers, employees, agents, and representatives from and against any and all claims, demands, liabilities, suits, actions, damages, losses, costs, and expenses of every kind and nature whatsoever, including without limitation, court costs, investigative fees and expenses, attorney fees, and claims for damages arising out of or caused by Licensor and/or its

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partners, principals, agents, employees, or subcontractors in the performance of or failure to perform this Agreement.

## **ARTICLE 18 THIRD PARTY ACTION NOTIFICATION**

Licensor shall give Licensee notice in writing of any action or suit filed and prompt notice of any claim made against Licensor by any entity that may result in litigation related in any way to this Agreement.

## **ARTICLE 19 AUTHORITY TO CONTRACT**

Licensor warrants that it is a validly organized business with valid authority to enter into this Agreement, that entry into and performance under this Agreement is not restricted or prohibited by any loan, security, financing, contractual, or other agreement of any kind, and notwithstanding any other provision of this Agreement to the contrary, that there are no existing legal proceedings, or prospective legal proceedings, either voluntary or otherwise, which would, in Licensor's opinion, adversely affect its ability to perform its obligations under this Agreement.

## **ARTICLE 20 NOTICE**

Any notice required or permitted to be given under this Agreement shall be in writing and personally delivered or sent by electronic means, provided that the original of such notice is sent by certified United States mail, postage prepaid, return receipt requested, or overnight courier with signed receipt, to the party to whom the notice should be given at their business address listed herein. ITS' address for notice is: Craig P. Orgeron, Ph.D., Executive Director, Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211 Licensee's address for notice is: Mr. Phil Cumberland, Procurement Officer, Institutions of Higher Learning, 3825 Ridgewood Road, Jackson, Mississippi 39211 with a copy to Mr. Darrin Webb, State Economist, Institutions of Higher Learning, 3825 Ridgewood Road, Jackson, Mississippi 39211. The Licensor's address for notice is: Dr. Frederick Treyz, Chief Executive Officer, Regional Economic Models, Inc., 306 Lincoln Avenue, Amherst, Massachusetts, 01002. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

## **ARTICLE 21 RECORD RETENTION AND ACCESS TO RECORDS**

Licensor shall establish and maintain financial records, supporting documents, statistical records, and such other records as may be necessary to reflect its performance of the provisions of this Agreement. The Licensee, ITS, any state or federal agency authorized to audit Licensee, and/or any of their duly authorized representatives, shall, upon five (5) days written notice, have reasonable access at a mutually agreed upon time to any of the Licensor's books, documents, papers, and/or records that are pertinent to this Agreement to make audits, examinations, excerpts, and transcriptions at the Licensor's office where such records are kept during Licensor's normal business hours. All records relating to this Agreement shall be retained by the Licensor for three (3) years from the date of receipt of final payment under this Agreement; however, if any litigation or other legal action, by or for the state or federal government, has begun that is not completed at the end of the three (3) year period, or if an audit finding, litigation, or other legal action has not been resolved at the end of the three (3) year period, the records shall be retained until resolution.

## **ARTICLE 22 INSURANCE**

Licensor represents that it will maintain workers' compensation insurance as prescribed by law,

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which shall inure to the benefit of Licensor's personnel, as well as comprehensive general liability insurance. Licensor will, upon request, furnish Licensee with a certificate of conformity providing the aforesaid coverage.

## **ARTICLE 23 COMPLIANCE WITH LAWS**

Licensor shall comply with, and all activities under this Agreement shall be subject to, all Licensee policies and procedures, all applicable federal, state, and local laws, regulations, policies, and procedures as now existing and as may be amended or modified. Specifically, but not limited to, Licensor shall not discriminate against any employee nor shall any party be subject to discrimination in the performance of this Agreement because of race, creed, color, sex, age, national origin, or disability.

## **ARTICLE 24 CONFLICT OF INTEREST**

Licensor shall notify Licensee of any potential conflict of interest resulting from the representation of or service to other clients. If such conflict cannot be resolved to Licensee's satisfaction, Licensee reserves the right to terminate this Agreement.

## **ARTICLE 25 SOVEREIGN IMMUNITY**

By entering into this Agreement with Licensor, the Licensee in no way waives its sovereign immunities or defenses as provided by law.

## **ARTICLE 26 CONFIDENTIAL INFORMATION**

**26.1** Both parties shall treat the other party's data and information to which it has access by Licensor's performance under this Agreement as confidential and shall not disclose such data or information to a third party without specific written consent. In the event that either party receives notice that a third party requests divulgence of confidential or otherwise protected information and/or has served upon it a subpoena or other validly issued administrative or judicial process ordering divulgence of such information, the said party shall promptly inform the other party and thereafter respond in conformity with such subpoena to the extent mandated by state or federal law. This section shall survive the termination or completion of this Agreement.

**26.2** Licensor and Licensee shall not be obligated to treat as confidential and proprietary any information disclosed by the other party ("the Disclosing Party") which: (a) is or becomes known to the public without fault or breach of the party receiving confidential information of the Disclosing Party ("the Recipient"); (b) is furnished by the Disclosing Party to third parties without restriction on subsequent disclosure; (c) the Recipient obtains from a third party without restriction on disclosure and without breach of a non-disclosure obligation; (d) is already in the Recipient's possession without an obligation of confidentiality; or (e) is independently developed by Recipient without reliance on the confidential information.

## **ARTICLE 27 EFFECT OF SIGNATURE**

Each person signing this Agreement represents that he or she has read the Agreement in its entirety, understands its terms, is duly authorized to execute this Agreement on behalf of the parties, and agrees to be bound by the terms contained herein. Accordingly, this Agreement shall not be construed or interpreted in favor of or against the Licensee or the Licensor on the basis of draftsmanship or preparation hereof.

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## ARTICLE 28 ENTIRE AGREEMENT

**28.1** This Agreement constitutes the entire agreement of the parties with respect to the subject matter contained herein and supersedes and replaces any and all prior negotiations, understandings and agreements, written or oral, between the parties relating hereto, including any “shrink-wrap” version of the Software Product, or any “click-wrap” or “browse-wrap” license presented in connection with a license via the internet.

**28.2** The Agreement made by and between the parties hereto shall consist of, and precedence is hereby established by the order of the following:

- A. This Agreement signed by both parties, and
- B. Any exhibits attached to this Agreement.

**28.3** The intent of the above listed documents is to include all items necessary for the proper execution and completion of the services by the Licensor. The documents are complementary, and what is required by one shall be binding as if required by all. A higher order document shall supersede a lower order document to the extent necessary to resolve any conflict or inconsistency arising under the various provisions thereof, provided, however, that in the event an issue is addressed in one of the above mentioned documents but is not addressed in another of such documents, no conflict or inconsistency shall be deemed to occur by reason thereof. The documents listed above are shown in descending order of priority; that is, the highest document begins with the first listed document (“A. This Agreement”) and the lowest document is listed last (“B. Any exhibits”).

## ARTICLE 29 SURVIVAL

Articles 7, 8, 13, 17, 21, 25, 26, and all other articles which, by their express terms so survive or which should so reasonably survive, shall survive any termination or expiration of this Agreement.

## ARTICLE 30 DEBARMENT AND SUSPENSION CERTIFICATION

Licensor certifies that neither it nor its principals: (a) are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency; (b) have, within a three (3) year period preceding this Agreement, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, including violation of federal or state anti-trust statutes, commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, and receiving stolen property; (c) are presently indicted of or otherwise criminally or civilly charged by a governmental entity with the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, including violation of federal or state anti-trust statutes, commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property; and (d) have, within a three (3) year period preceding this Agreement, had one or more public (federal, state, or local) transactions terminated for cause or default.

## ARTICLE 31 NETWORK SECURITY

Nothing herein shall be construed as requiring Licensor to have or provide remote access to



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Licensee's system. In the event, however, that both parties later agree in writing that such access will be provided, then the following terms and conditions shall apply to such access. Licensor and Licensee understand and agree that the State of Mississippi's Enterprise Security Policy mandates that all remote access to and/or from the State network must be accomplished via a Virtual Private Network (VPN). If remote access is required at any time during the life of this Agreement, Licensor and Licensee agree to implement/maintain a VPN for this connectivity. This required VPN must be IPsec-capable (ESP tunnel mode) and will terminate on a Cisco VPN-capable device (e.g. VPN concentrator, PIX firewall, etc.) on the State's premises. Licensor agrees that it must, at its expense, implement/maintain a compatible hardware/software solution to terminate the specified VPN on the Licensor's premises. The parties further understand and agree that the State protocol standard and architecture are based on industry-standard security protocols and manufacturer engaged at the time of contract execution. The State reserves the right to introduce a new protocol and architecture standard and to require the Licensor to comply with the same, in the event the industry introduces a more secure, robust protocol to replace IPsec/ESP and/or there is a change in the manufacturer engaged.

## **ARTICLE 32 STATUTORY AUTHORITY**

By virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the Executive Director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software, and services. The Licensor understands and agrees that ITS as contracting agent is not responsible or liable for the performance or non-performance of any of Licensee's contractual obligations, financial or otherwise, contained within this Agreement.

## **ARTICLE 33 SOFTWARE MAINTENANCE**

**33.1** Licensor shall provide Licensee, for the annual fee specified in the attached Exhibit A, the Software maintenance services as herein described.

**33.2** Licensor shall provide the following Software maintenance services: As part of the Software maintenance services, Licensor will maintain the Products in an operable condition according to the specifications contained in the technical manuals; provide a new model annually based on the most recent data and new research results, and permit Licensee to attend the annual User's Conference and educational seminars. Licensor shall make available to Licensee during each annual maintenance period, at least one (1) update to the Software Products that will incorporate any new features or enhancements to the licensed Products. Licensor shall also provide unlimited telephone support in the operation of the Software Products Monday through Friday, 7:30 A.M. to 4:30 P.M. (Central Time), with a guaranteed response acknowledging receipt of Licensee's trouble report within one (1) business day. Priority placement in the support queue shall be given to all system locking situations or problems claimed by Licensee to be mission critical processes. Finally, Licensor shall provide on-site support in the operation of the Software Products if reasonably convenient or necessary in the opinion of the Licensor.

**33.3** At least sixty (60) days prior to the expiration of the initial Software maintenance period or any renewal term thereof, Licensor shall notify Licensee in writing of the impending expiration and Licensee shall have thirty (30) days in which to notify Licensor of its intentions to either renew or cancel any further Software maintenance. In no event shall the cost for Software maintenance increase during the initial five (5) year period. In the event Licensee elects to renew the Software

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maintenance beyond the initial five (5) year period, the cost for Software maintenance shall not increase by more than five percent (5%) per year for five (5) years thereafter.

## **ARTICLE 34 FORCE MAJEURE**

Each party shall be excused from performance for any period and to the extent that it is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond the reasonable control and without the fault or negligence of such party and/or its subcontractors. Such acts shall include without limitation acts of God, strikes, lockouts, riots, acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "Force Majeure Events"). When such a cause arises, the Licensor shall notify the State immediately in writing of the cause of its inability to perform; how it affects its performance, and the anticipated duration of the inability to perform. Delays in delivery or in meeting completion dates due to Force Majeure Events shall automatically extend such dates for a period equal to the duration of the delay caused by such events, unless the State determines it to be in its best interest to terminate the Agreement.

## **ARTICLE 35 TRANSPARENCY**

In accordance with the Mississippi Accountability and Transparency Act of 2008, §27-104-151, et seq., of the Mississippi Code of 1972, as Amended, the American Accountability and Transparency Act of 2009 (P.L. 111-5), where applicable, and §31-7-13 of the Mississippi Code of 1972, as amended, where applicable, a fully executed copy of this Agreement and any subsequent amendments and change orders shall be posted to the State of Mississippi's accountability website at: <https://www.transparency.mississippi.gov>. Prior to ITS posting the Agreement and any subsequent amendments and change orders to the website, any attached exhibits which contain trade secrets or other proprietary information and are labeled as "confidential" will be redacted by ITS. Notwithstanding the preceding, however, it is understood and agreed that pursuant to §25-61-9(7) of the Mississippi Code of 1972, as amended, the contract provisions specifying the commodities purchased or the services provided; the price to be paid; and the term of this Agreement shall not be deemed a trade secret or confidential commercial or financial information and shall thus not be redacted.

## **ARTICLE 36 LIABILITY ISSUES**

Unless jointly agreed otherwise in writing, Licensor's liability shall not exceed the total amount paid by Licensee to Licensor under this Agreement. In no event will Licensor be liable to Licensee for special, indirect, consequential or incidental damages including lost profits, lost savings or lost revenues of any kind unless Licensor was advised of the possibility of such loss or damage or unless such loss or damage could have been reasonably foreseen. Excluded from this or any liability limitation are claims related to fraud; bad faith; infringement issues; bodily injury; death; physical damage to tangible personal property and real property, and the intentional and willful misconduct or gross negligent acts of Licensor. The language contained herein tending to limit the liability of the Licensor will apply to Licensee to the extent it is permitted and not prohibited by the laws or constitution of Mississippi. Further, the parties understand and agree that the Licensor is precluded from relying on any contractual damages limitation language within this article where the Licensor acts fraudulently or in bad faith.

# EXHIBIT 5

## August 17, 2017

For the faithful performance of the terms of this Agreement, the parties have caused this Agreement to be executed by their undersigned representatives.

**State of Mississippi, Department  
of Information Technology Services,  
on behalf of the Institutions of Higher  
Learning**

**Regional Economic Models, Inc.**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT 5

## August 17, 2017

### EXHIBIT A

<b>Software Support</b>	<b>September 1, 2017 through June 30, 2018</b>	<b>July 1, 2018 through June 30, 2019</b>	<b>July 1, 2019 through June 30, 2020</b>
PI+ and Tax PI Software Support for IHL office	\$82,500.00	\$82,500.00	\$82,500.00
PI+ and Tax PI Software Support for MSU/nSPARC	\$15,000.00	\$15,000.00	\$15,000.00
Annual Total:	\$97,500.00	\$97,500.00	\$97,500.00
<b>3 YEAR GRAND TOTAL:</b>			<b>\$292,500.00</b>

# EXHIBIT 6

August 17, 2017

**JSU - APPROVAL OF A BOND RESOLUTION TO ISSUE EDUCATIONAL BUILDING CORPORATION REVENUE BONDS IN AN AMOUNT NOT TO EXCEED THIRTY-FOUR MILLION (\$34,000,000), IN TOTO, IN ORDER TO REFUND CERTAIN BOND OBLIGATIONS (SERIES 2010-A-1); TO REVIEW FINANCIAL ADVISOR'S REPORT, AND FOR APPROVAL OF OTHER BOND DOCUMENTS AND TO APPROVE BOND COUNSEL, FINANCIAL ADVISOR, AND UNDERWRITER**

The Resolution reads as follows:

RESOLUTION AUTHORIZING JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION TO ISSUE TAXABLE REVENUE REFUNDING BONDS IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$34,000,000 TO REFUND ALL OR A PORTION OF THE OUTSTANDING JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION REVENUE BONDS, SERIES 2010-A-1 AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID TAXABLE REVENUE REFUNDING BONDS; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG JACKSON STATE UNIVERSITY, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF SAID TAXABLE REVENUE REFUNDING BONDS; AUTHORIZING JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH OBTAINING BOND INSURANCE FOR SAID TAXABLE REVENUE REFUNDING BONDS; APPROVING THE PURPOSES AND ACTIVITIES OF JACKSON STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES REFINANCED WITH THE PROCEEDS OF SAID TAXABLE REVENUE REFUNDING BONDS; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the "Board") hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.

2. Jackson State University (the "University") was organized and incorporated as a state institution of higher learning pursuant to Section 371251 *et seq.*, Mississippi Code of 1972, is controlled and managed by the Board pursuant to Chapter 101 of Title 37, Mississippi Code of 1972, and is an educational institution owned and operated by the State of Mississippi by and through the Board.

3. Jackson State University Educational Building Corporation (the "Corporation") was created as a public nonprofit corporation, known as an educational building corporation, pursuant to a resolution of the Board under the authority of Sections 37-10161 through 3710171, Mississippi Code of 1972, as amended (the "Act"), for the purpose of acquiring or constructing facilities for the University.

# EXHIBIT 6

August 17, 2017

4. At its May 18, 2017 meeting, the Board took preliminary action on the issuance of up to a maximum aggregate principal amount of \$34,000,000 of debt obligations for the purpose of refunding the Corporation's Revenue Bonds, Series 2010-A-1 (the "Series 2010 Bonds"), with the debt obligations either (i) to be issued under U.S. Department of Education's Historically Black College and University (HBCU) Capital Financing Program, (ii) to be sold through an underwriter in a public offering or (iii) to be privately placed with institutional investors, and the Board approved the engagement of FirstSouthwest, a division of Hilltop Securities Inc., as financial advisor to the Corporation, of Jones Walker LLP as bond counsel with respect to the issuance of the debt obligations and of Raymond James & Associates, Inc. as underwriter and/or placement agent for the debt obligations.

5. The Board of Directors of the Corporation now proposes to issue its Taxable Revenue Refunding Bonds in the maximum aggregate par amount of \$34,000,000 (the "Bonds") to provide moneys to refund all or a portion of the Series 2010 Bonds and to pay the related costs of the issuance, sale and delivery of the Bonds and to pay the related costs of the refunding; provided, such issuance is conditioned upon the adoption of this Resolution authorizing the same.

6. The Corporation issued the Series 2010 Bonds to finance the projects set forth on Exhibit B to the Lease (as defined below) (collectively, the "Project") located on the sites on the campus of the University set forth on Exhibit A to the Lease (collectively, the "Project Site").

7. The Corporation shall lease the Project Site from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the "Ground Lease").

8. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the "Lease").

9. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Site to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Site from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

10. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board or the University.

11. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

12. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation's net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

13. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

14. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay

# EXHIBIT 6

August 17, 2017

expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

15. The Corporation will sell the Bonds, in one or more series, on a negotiated basis pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement") with Raymond James & Associates, Inc. (the "Underwriter") and such other underwriters as are named in the Bond Purchase Agreement. It is also necessary and appropriate to authorize the Corporation to sell the Bonds at such prices as may be determined by the Corporation, provided that, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$34,000,000; the final maturity of the Bonds shall not be later than thirty (30) years from the dated date of the Bonds; the interest rates on the Bonds shall not exceed the interest rates permitted by Mississippi law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act.

16. It is appropriate for the Board to approve the Preliminary Official Statement (the "Preliminary Official Statement") to be used in connection with the marketing of the Bonds and to authorize and approve the execution and distribution of a final Official Statement (the "Official Statement") in connection with the sale of the Bonds.

17. It is necessary in connection with the sale of the Bonds to enter into a Continuing Disclosure Agreement, and it is necessary and appropriate for the Board to approve the form, and authorize the execution, of a Continuing Disclosure Agreement.

18. To enhance the marketability of the Bonds, it may be desirable to obtain municipal bond insurance for the Bonds; and it is necessary and appropriate for the Board to authorize the Corporation to take such actions and execute such documents and agreements as may be necessary or appropriate to obtain bond insurance for the Bonds.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more series, in the maximum aggregate par amount of \$34,000,000, provided that the other conditions of paragraph 15 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to finance the refunding of the Series 2010 Bonds and to pay the costs of the issuance, sale and delivery of the Bonds and expenses relating to the Bonds. The Corporation's engagement of FirstSouthwest, a division of Hilltop Securities Inc., as financial advisor to the Corporation, and of Jones Walker LLP as bond counsel with respect to the issuance of the Bonds and of the Underwriter as underwriter for the Bonds is hereby confirmed. The Board also approves the University counsel to serve in his official capacity as counsel for both the University and for the Corporation in connection with the various transactions related to the issuance of the Bonds, and the Board specifically waives any related conflict of interest.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

# EXHIBIT 6

August 17, 2017

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. The sale of the Bonds on a negotiated basis to the Underwriter is hereby authorized and approved.

SECTION 5. The Preliminary Official Statement prepared in connection with the sale of the Bonds and the distribution thereof are hereby approved in substantially the form attached hereto as **Exhibit C** with such completions, changes, insertions, and modifications as shall be approved by the Corporation. The Official Statement with respect to the Bonds is hereby approved in substantially the form of the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the Corporation; the distribution of said Official Statement in connection with the sale of the Bonds is hereby approved; and execution of said Official Statement by the President of the Corporation is hereby approved.

SECTION 6. Pursuant to the Continuing Disclosure Agreement, the Board will, when and if required, undertake to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of these undertakings with respect to the Bonds is set forth in the Preliminary Official Statement and will also be set forth with respect to the Bonds in the final Official Statement. The Continuing Disclosure Agreement is hereby approved in substantially the form attached hereto as **Exhibit D**, and the Commissioner of Higher Education is hereby authorized to execute and deliver the Continuing Disclosure Agreement under the seal of the Board for and on behalf of the Board, with such completions, changes, insertions, and modifications as shall be approved by said official, the execution thereof by such official to be conclusive evidence of such approval.

SECTION 7. The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate to obtain municipal bond insurance for the Bonds, whether such municipal bond insurance is to be obtained being entirely within the discretion of the Corporation.

SECTION 8. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

SECTION 9. The Bonds shall be submitted for validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 10. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.



# EXHIBIT 7

August 17, 2017

## Facilities Needs Requests for FY 2019 2018 Legislative Session

University	University Priority	Project Description	Request Per Project	Total By University
<b>ASU</b>	1	Water and Sewer Infrastructure Emergency Repairs	\$1,500,000	
	2	<b>ADA Modifications</b>	\$10,000,000	
	3	Campus Security Project	\$8,000,000	
	4	New Student Union	\$22,500,000	
	5	Whitney Renovations Pre-Plan <i>(New FY 2019 Addition)</i>	\$250,000	
				<b>\$42,250,000</b>
<b>ASU -AG</b>	1	Child Development Laboratory Center	\$2,500,000	
	2	Socially Disadvantaged Farmers & Ranchers Policy Center	\$1,050,000	
	3	Swine Laboratory	\$720,000	
	4	Meat Laboratory	\$1,000,000	
	5	Poultry Center	\$750,000	
				<b>\$6,020,000</b>
<b>DSU</b>	1	Reconstruction of President's Home	\$1,753,575	
	2	Campus Roof Repairs and Other Repairs	\$6,242,500	
	3	<b>ADA Compliance Requirements</b>	\$3,972,500	
	4	Robert E. Smith Addition <i>(New FY 2019 Addition)</i>	\$4,880,500	
	5	Walter Sillers Coliseum Renovation	\$19,027,500	
				<b>\$35,876,575</b>
<b>JSU</b>	1	Stewart Hall Renovations	\$7,500,000	
	2	College of Education & Human Development	\$6,500,000	
	3	General Repair and Renovation Phase III	\$8,000,000	
	4	PrePlan Peoples Science Renovation	\$350,000	
	5	New College of Public Service Facility - (School of Social Work PrePlan)	\$350,000	
				<b>\$22,700,000</b>
<b>MSU</b>	1	Kinesiology Building	\$30,000,000	
	2	New Facility for College of Architecture, Art and Design	\$30,000,000	
	3	Renovation to Etheredge Hall	\$19,589,225	
	4	Renovation to Magruder Hall	\$12,000,400	
	5	Renovation to George Hall <i>(New FY 2019 Addition)</i>	\$7,000,000	
				<b>\$98,589,625</b>
<b>MSU/DAFVM</b>	1	Blackjack Forest and Wildlife Research Facility	\$4,172,500	
	2	Exterior & Interior R&R- Forest Products Complex	\$3,455,000	
	3	Dorman Hall Lab & Common Space Renovation	\$4,960,000	
	4	Food Science, Nutrition and Health Promotion Complex Renovation	\$12,717,500	
	5	Bost Extension Center / Technology Addition <i>(New FY 2019 Addition)</i>	\$11,397,500	
				<b>\$36,702,500</b>

# EXHIBIT 7

August 17, 2017

University	University Priority	Project Description	Request Per Project	Total By University
MUW	1	General Campus R&R Projects	\$5,675,000	
	2	New Culinary Arts Building	\$10,215,000	
	3	Hogarth Center Renovation--Preplan	\$283,750	
	4	Old Pohl Gym Renovation --Preplan	\$283,750	
	5	Medium Voltage Electric System <i>(Modified FY 2019 Addition)</i>	\$2,554,000	
				<b>\$19,011,500</b>
MVSU	1	Academic Skills Tenant Improvements (TI)	\$3,000,000	
	2	Student Union Complex Renovation and Expansion	\$13,867,672	
	3	Leflore Residence Hall Renovation	\$10,400,000	
	4	R.W. Lackey Center Renovations	\$3,920,000	
	5	Ratcliff Hall Renovations	\$9,975,529	
				<b>\$41,163,201</b>
UM	1	New Science Building	\$15,000,000	
	2	Data Center Renovation	\$18,000,000	
	3	Northwest Campus Mechanical Plant	\$23,500,000	
	4	Conner / Holman Hall Addition	\$16,000,000	
	5	Peabody Hall <i>(New FY 2019 Addition)</i>	\$8,500,000	
				<b>\$81,000,000</b>
UMMC	1	Children's of Mississippi Expansion	\$24,000,000	
	2	Emergency Cooling <i>(New FY 2019 Addition)</i>	\$5,000,000	
	3	Replacement of AHU #1 – OR Suite <i>(New FY 2019 Addition)</i>	\$2,979,375	
	4	Emergency Generator Replacement	\$5,958,750	
	5	New Boiler for Main Boiler Plant	\$2,979,375	
				<b>\$40,917,500</b>
USM	1	Bolton Hall Renovation <i>(New FY 2019 Addition)</i>	\$4,500,000	
	2	Commercial Food Lab Construction <i>(New FY 2019 Addition)</i>	\$2,000,000	
	3	Safety/Parking/Transit Improvements	\$5,000,000	
	4	Southern Hall – Restoration & Renovation	\$15,000,000	
	5	Science Instruction and Research – Johnson Science Tower	\$25,000,000	
				<b>\$51,500,000</b>
USM-Gulf Coast	1	Student Resource Center -Gulf Park	\$8,700,000	
	2	Science Building Addition – Gulf Park	\$12,000,000	
	3	Halstead Campus Repairs and Renovations -GCRL <i>(New FY 2019 Addition)</i>	\$5,575,000	
	4	University Police & Facilities Services Complex -GCRL	\$4,000,000	
	5	Halstead Campus Entrance Dr. Enhancements -GCRL <i>(New FY 2019 Addition)</i>	\$400,000	
				<b>\$30,675,000</b>

# EXHIBIT 7

August 17, 2017

University	University Priority	Project Description	Request Per Project	Total By University
ERC	1	Reroof Paul B. Johnson Building	\$750,000	
	2	Replace Mechanical Air Handlers	\$1,850,000	
	3	Repair Mechanical Hot/Chilled Water Lines & Sanitary Sewer Lines	\$500,000	
	4	Repave Parking Garage/Repair Stairs and Drainage System	\$1,975,000	
	5	Repave South Student/Employee Parking Lots	\$985,000	
				<b>\$6,060,000</b>
				<b><u>\$512,465,901</u></b>

Note: All projects in bold represent life safety and/or ADA code compliance projects.

# EXHIBIT 8

August 17, 2017

## SYSTEM – REQUEST FOR APPROVAL FOR FIRST READING OF MODIFICATION TO BOARD POLICY 301.0806 UNIVERSITY FOUNDATION/AFFILIATED ENTITY ACTIVITIES

### D. General Requirement of Affiliation Agreements

The Affiliation Agreements for each Entity shall address and comply with the following general requirements and subjects:

\*\*\*\*

18. Requiring that the chief executive officer of the Entity and its other governing authorities will immediately notify the IEO and the IHL, in writing, if the Entity intends to purchase or lease real property or execute a contract or contracts for improvements to real property intended to be used, at the time of acquisition or in the future, for a function customarily performed by the university or its affiliated entities or if any significant portion of the funding for owning, developing, or operating the property is expected to be provided by the University or from its students, staff, or faculty. For example, this provision applies to property purchased for the purpose of housing to be occupied by students, for parking facilities to be used by students, faculty or staff, or for athletic facilities used by University athletics departments, even if it is intended that the record owner of the property will be an entity other than the University itself. Such notice to IHL shall be provided to the Commissioner on behalf of the Board at least thirty (30) days prior to any associated expenditure(s) and prior to execution of any associated contract(s). Board approval is required if the Commissioner determines that the total amount of the funds to be expended would have a material financial impact on the Entity. An expenditure by the Entity will be deemed to have a material financial impact on the Entity if the total of (a) the proposed transaction amount and (b) all such other expenditures made during the fiscal year is equal to or greater than twenty percent (20%) of the highest amount that the Entity received as unrestricted and temporarily restricted revenues during any of the three most recent fiscal years prior to the year of the proposed expenditure, as shown on its audited financial statements.

# EXHIBIT 9

August 17, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JUNE 15, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **JACKSON STATE UNIVERSITY**

### **1. JSU- GS 103-281 – Alexander Center Renovations PH II (Elevator Replacement)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,412,600.00 to the apparent low bidder, Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, June 8, 2017

Project Initiation Date: February 18, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$1,650,000.00

### **2. JSU- GS 103-281 – Alexander Center Renovations PH III (Building A Buildout)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$91,210.85 and fifty (50) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 22, 2017

Change Order Description: Change Order #2 includes the following items: add a kill switch at the reception desk to unlock the exit doors; reseal the existing windows in four (4) stairways; install a smoke alarm upgrade in the Phase I west wing and Phase II east wing; add various sitework items that were deleted in the previous phase; and fifty days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$113,460.85.

Project Initiation Date: October 17, 2013

# EXHIBIT 9

August 17, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$2,018,827.06

## MISSISSIPPI STATE UNIVERSITY

### 3. **MSU- GS 105-345 – MSU Classroom Building with Parking**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$34,088.00 and one hundred twenty-seven (127) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #8 includes the following items: raise manhole #2 to the existing elevation; add motor vertic for the vertical folding partition; audio/visual modifications; credit for additional generator conduits to the YMCA building; and one hundred twenty-seven (127) days to the contract.

Change Order Justification: These changes were due to errors & omissions in plans and specifications; latent job site conditions; twenty-two (22) adverse weather delays; latent job site conditions; user/owner requested modifications; and additional days (105) for work as indicated herein.

**Approval Request #2: Change Order #9**

Board staff approved Change Order #9 in the amount of \$56,348.00 and seventy (70) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 22, 2017

Change Order Description: Change Order #9 includes the following items: add heat detectors on the elevator shafts; add conduit for the elevator automatic transfer switch; add exit lights to classroom doors; add a monitor of shunt trip on the elevators; add two (2) exit lights to parking 2 level; add furring for the pipe in the elevator shaft; and seventy (70) days to the contract.

Change Order Justification: These changes were due to errors & omissions in plans and specifications; latent job site conditions; user/owner requested modifications; sixteen (16) adverse weather delays and additional days (54) for work as indicated herein.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$763,533.60.

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

Phased Project Budget: \$36,232,589.00

Total Project Budget: \$41,314,339.00

# EXHIBIT 9

August 17, 2017

4. **MSU– GS 105-351 – YMCA Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$126,284.37 and forty (40) additional days to the contract of Gregory Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #1 includes the following items: remove a set of concrete steps uncovered in the proposed elevator pit location; first floor wall and floor repairs; skylight framing repair; change in hardware finish; credit for various deletions i.e. plaster, structural steel columns first floor, ramp, micropile, lowering first floor entrances & porch; and forty (40) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$126,284.37.

Project Initiation Date: August 15, 2013

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Gregory Construction Services, Inc.

Total Project Budget: \$9,800,000.00

5. **MSU– GS 105-352 – Library Expansion, Mitchell Memorial Library**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$313,521.00 and one hundred fifty (150) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #5 includes the following items: sitework and sidewalk modifications; elevator and equipment room modifications; changing asphalt details; add elevator emergency power notification and lighting control; and one hundred fifty (150) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$335,341.59.

Project Initiation Date: August 15, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC.

General Contractor: West Brothers Construction, Inc

Total Project Budget: \$8,300,000.00

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## MISSISSIPPI UNIVERSITY FOR WOMEN

6. **MUW– GS 104-184 – Fant Library Renovation – PH III (ASRS)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the credit amount of \$6,864.80 and thirty (30) additional days to the contract of Anchor Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 13, 2017

Change Order Description: Change Order #3 includes the following items: credit for relocation of the fire main line above various rooms; credit for unused mechanical controls allowance and thirty (30) days to the contract.

Change Order Justification: This change was due to latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$32,382.22.

Project Initiation Date: January 22, 2015

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

General Contractor: Anchor Construction, LLC

Phased Project Budget: \$1,534,387.78

Total Project budget: \$8,249,000.00

7. **MUW– GS 104-189 – Physical Plant Warehouse/Office Facility**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$900,000.00 to the apparent low bidder, Worsham Brothers Construction, LLC.

Approval Status & Date: APPROVED, June 8, 2017

Project Initiation Date: June 18, 2015

Design Professional: Major Design Studio, PLLC

General Contractor: Worsham Brothers Construction, LLC

Total Project Budget: \$1,059,550.00

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8. **UM– IHL 107-308 – Union Addition & Renovation**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$16,642.00 and two (2) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, June 22, 2017

Change Order Description: Change Order #7 includes the following items: change several light bollards to a few pole lights; credit for deleted/revised site lighting and deleted fixtures; reroute and consolidate two (2) 15” roof drain lines with flow sensors in Phase three; change two (2) pairs of doors to overhead coiling doors and modify the



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access controls at the loading dock; reroute the natural gas line to the NW corner of the existing building; add built-up curbs at the roof-mounted food service condenser unit locations; and two days to the contract.

Change Order Justification: This change was due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$908,111.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects – Jackson, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,580,556.79

Total Project budget: \$58,900,000.00

## 9. **UM– GS 107-314 (formerly IHL 207-355) – Garland Hedleston Mayes Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1R**

Board staff approved Change Order #1R in the amount of \$300,180.00 and seventy-three (73) additional days to the contract of Century Construction & Realty. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #1R includes the following items: change the underground pre-insulated chilled water piping from pvc to ductile iron; demolish additional latent piping containing asbestos; demolish and remove plaster ceilings in the restroom areas; install 4” pvc irrigation sleeves underneath all paving and walkways; reroute underground gas piping; relocate the site security fencing; remove and dispose of discovered mortar beds and removal of residual mastic; revision for the site domestic water line discrepancies discovered during demolition; and seventy-three (73) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$300,180.00.

Project Initiation Date: June 18, 2008

Design Professional: JH&H Architects/Planners/Interiors, PA

General Contractor: Century Construction & Realty, P.A.

Total Project Budget: \$23,500,000.00

## 10. **UM– IHL 207-354 – Honors College Renovation and Addition**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$44,449.94 and forty (40) additional days to the contract of Hooker Construction, Inc.

Approval Status & Date: APPROVED, May 25, 2017

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Change Order Description: Change Order #7 includes the following items: add a light fixture in a lounge area; replace existing cable at the ceiling of lounge feeding floor boxes at a room above with new conductor and conduit; add electrical circuitry for study carrels at a study area; install one 20 AMP 208 V circuit for an oven; rewire lighting in a classroom; install offsets in new 20" double wall spiral duct in a lounge area; provide revised mechanical diffusers at third floor ceilings; install a transfer fan at a grill exchanging air between the basement and the first floor; install insulation on new return ductwork in an existing attic; install new duct at the kitchen & data rooms on the 3<sup>rd</sup> floor; swap a proposed dishwasher for a new ice maker (labor); install three (3) new manual balancing dampers at ductwork to assist in HVAC balancing; provide new lay-in acoustic ceiling in various rooms; provide wall furring at the upper portion of walls in a lounge area; enclose the underside of stairs with metal studs and gypsum board; repair damaged walls and ceilings; removal of dumpster pad and reinstallation of concrete curb; install beams under the new walls at a study room and under new walls at the basement; swap proposed dishwasher for a new ice maker (appliance); provide additional room signage; assessment of liquidated damages for forty (40) days (late completion) to the contract.

Change Order Justification: This change was due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$739,157.14.

Project Initiation Date: November 17, 2011

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: Hooker Construction, Inc.

Total Project budget: \$6,900,000.00

## 11. **UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$30,965.19 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, May 22, 2017

Change Order Description: Change Order #2 includes the following items: remove, fill and compact unidentified manhole; and demolition & removal of the existing fire suppression system.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and latent job site conditions.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$175,446.62.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Zellner Construction Services, LLC

Phased Project Budget: \$28,746,997.47

Total Project Budget: \$32,000,000.00

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## 12. UM – IHL 207-375 – Student Housing Phase II

### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$121,343.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, June 15, 2017

Change Order Description: Change Order #9 includes the following items: to provide power to the relocated access control power supplies; and installing the fire alarm relays to the new access controls at the east and west stairwell doors.

Change Order Justification: These changes are due to changes in requirements or recommendation by governmental agencies; and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$532,059.00.

Project Initiation Date: November 21, 2013

Design Professional: The McCarty Company - Design Group, P.A.

General Contractor: B.L. Harbert International, LLC

Total Project Budget: \$40,000,000.00

## 13. UM – IHL 207-376 – STEM Building

### **Approval Request #1: Approval of Design Development Documents**

Board staff approved the Schematic Design Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, June 13, 2017

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$6,187,347.79

Total Project Budget: \$14,000,000.00

## 14. UM– IHL 207-383 – Gillom Sports Center Renovation

### **Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$40,885.33 and fifteen (15) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #6 includes the following items: replace the existing mechanical room's louvered doors with solid metal doors; paint the volleyball arena light fixtures white; flooring changes on the cardio mezzanine; add game lines and net floor sleeves to the practice court in the area under the retractable bleachers; add new electrical service to the existing retractable bleachers; provide a new curb to connect the new ADA ramp entrance and the entrance to the golf car parking area & also provides two (2) new steel bollards to protect the new electrical junction box that was installed next to the pavement & demolishes an existing concrete vault not being used; installation of three (3) more exterior wall lights; provide additional door hardware; extend the receptacles on the south end of the building out to the poles of the new golf cart pad canopy for the chargers to be placed under the canopy and replaces a section of existing

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sidewalk that is ADA compliant; reduce the height of the dividing wall between the treatment areas; and fifteen (15) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$237,411.42.

Project Initiation Date: June 19, 2014

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

General Contractor: Zellner Construction Services, LLC

Total Project Budget: \$13,800,000.00

## 15. **UM – IHL 207-398 – John W. White Facilities Management Building West Wing Addition**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$378.51 and thirty-nine (39) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, June 22, 2017

Change Order Description: Change Order #5 includes the following items: add two (2) additional until the flat files are installed; modify the swing of a door; delete the hose bibb on the north wall; delete the tile and base in a room; delete “J” hooks no longer necessary for data wiring; delete the aluminum plaque; add four (4) can lights in the conference room and relocate six (6) can lights plus one (1) sprinkler head; move the sprinkler head in the conference room; add two (2) corner guards to match the wall paint color; and thirty-nine days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; and user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$151,869.51.

Project Initiation Date: January 22, 2015

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$2,394,739.00

## 16. **UM – IHL 207-407 – University-Oxford Airport East Ramp Expansion**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$164,114.30 and sixty-six (66) additional days to the contract of Xcavators, Inc.

Approval Status & Date: APPROVED, May 25, 2017

Change Order Description: Change Order #2 includes the following items: add 12,000 square yards of sodding; and sixty-six (66) days to the contract.

Change Order Justification: This change was necessary to revise the line item quantities for the contractor’s unit rate contract to match the final as-constructed quantities; and for work as indicated herein.

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$1,486,328.30.

Project Initiation Date: September 17, 2015

Design Professional: Barge, Waggoner, Sumner & Cannon, Inc.

General Contractor: Xcavators, Inc.

Total Project Budget: \$8,700,000.00

## 17. **UM – IHL 207-411.1 – Oxford-University Stadium (Swayze Field) Addition & Renovation – PH II**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$6,748.78 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, June 13, 2017

Change Order Description: Change Order #1 includes the following items: demolish the buried slab under the existing hitting facility building; add one 6” and one 3” isolation valve for control convenience to the new water line service to the 3<sup>rd</sup> baseline concessions, restrooms and the new fire hydrant.

Change Order Justification: These changes are due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$6,748.78.

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$17,749,170.08

Total Project Budget: \$18,975,750.00

## 18. **UM – IHL 207-423 – Jackson Avenue Center Phase III – Swing Space**

### **Approval Request #1: Change Order #1R**

Board staff approved Change Order #1R in the amount of \$2,435.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Approval Status & Date: APPROVED, May 25, 2017

Change Order Description: Change Order #1R includes the following items: add wood blocking in walls for six (6) tv locations, three (3) data boxes at the vending machine location; and add a 208v receptacle in the telcom room.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications; and user/owner requested modifications.

### **Approval Request #2: Change Order #2**

Board staff approved Change Order #2 in the amount of \$13,193.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Approval Status & Date: APPROVED, June 7, 2017

Change Order Description: Change Order #2 includes the following items: revise the door hardware; and to add sixty-eight (68) Pyramid Cylinders to the door hardware.

Change Order Justification: This change was due to errors & omissions in the plans and specifications; and user/owner modifications.

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$15,628.00.

Project Initiation Date: September 2, 2016

Design Professional: Shafer & Associates, PLLC

General Contractor: Murphy & Sons, Inc.

Total Project Budget: \$3,800,000.00

## 19. UM – IHL 207-428 – East Campus Electrical Modifications

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, June 1, 2017

### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, June 1, 2017

Project Initiation Date: November 17, 2016

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: TBD

Total Project Budget: \$1,900,000.00

## 20. UM – IHL 207-435 – Guyton Drive Modifications

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by A2H, PLLC.

Approval Status & Date: APPROVED, June 1, 2017

### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by A2H, PLLC.

Approval Status & Date: APPROVED, June 1, 2017

Project Initiation Date: May 18, 2017

Design Professional: A2H, PLLC

General Contractor: TBD

Total Project Budget: \$1,257,400.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

## 21. UMMC– GS 109-210 (GC-001) – School of Medicine

**NOTE: This is a Bureau of Building project**

### **Approval Request #1: Change Order #12**

Board staff approved Change Order #12 in the amount of \$113,215.00 and zero (0) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 6, 2011

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Change Order Description: Change Order #12 includes the following items: remove the existing electrical devices and wiring at the 1<sup>st</sup> floor legacy wall; relocate the 2<sup>nd</sup> floor stair 2 Area of Refuge; delete the wood nosings & transition strips in the lecture halls and install vinyl components; revise the layout of the Hunter Douglas specialty ceiling grid in the vestibules on the ground, first and third floors; install hard tile flooring to match the existing flooring in the Learning Research Center connector; provide conduit infrastructure above the hard ceilings from the draft curtain control panels to test switch locations in the north electrical room on three floors; core drill the Penthouse floor slab and install conduit infrastructure for the data cable from the fourth floor to the building management system panels; provide power to the ground floor window types “N” roller shades; add two (2) power outlets and one (1) data outlet to the counter in a lab support room; delete the select fill at the east drive area with utility congestion and install flowable fill; delete the asphalt paving and install reinforced concrete pavement; trench under the existing utilities and install concrete supports; locate the unidentified fire main and encase in concrete; x-ray the existing Learning Research Center concrete floor slab to locate the steel reinforcement before core drilling; and relocate the fire pump controllers cabinet.

Change Order Justification: These changes were due to errors & omissions in the plans & specifications; latent job site conditions and user/owner requested modifications.

## **Approval Request #2: Change Order #13**

Board staff approved Change Order #13 in the amount of \$29,228.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, June 27, 2017

Change Order Description: Change Order #13 includes the following items: add a gypsum board wall enclosure at stair one on the ground floor landing; repair the epoxy flooring in the wet lab where the base cabinets were removed for installation of incubators; add gypsum board furring at the atrium draft curtains; add smoke partitions above the fourth floor atrium glass wall and doors leading to a corridor; install power receptacle grommets in the student lounge millwork; change all interior door gaskets to the low profile type; add power and wall switch rough-ins for various conference rooms and roller shades on the east glass wall in another conference room; add roller shade switch rough-ins at window types on the first floor; and lower the pole lighting duct bank at the west paving site.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Twelve (13) change orders for a total amount of \$952,385.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

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## 22. UMMC – IHL 109-223 – Clinical Research Unit

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Foil Wyatt Architects.

Approval Status & Date: APPROVED, June 1, 2017

Project Initiation Date: May 18, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$7,500,000.00

## 23. UMMC– IHL 209-544 – Translational Research Center

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$271,123.50 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, June 1, 2017

Change Order Description: Change Order #5 includes the following items: excavate & remove unwanted expansive material and replace with select fill for proper compaction; additional framing & installation of impact-resistant gypsum board at elevator lobbies & vestibules; inlet modifications at the dock concrete apron; add moisture-resistant epoxy base compound to flooring slab; delete the exterior MIND center signage; removal of the existing partition wall between the small break room on the third floor and the adjacent small conference room; replacement of floor drain parts at the mechanical room; additional electrical circuits for the animal watering system; add electrical power for the damper circuits; fire hydrant modifications; demolish and remove the storm inlet and piping; provide finish grade clean outs for the perimeter drainage system; add landscape & irrigation design scope to the project; add column wraps in the south entrance vestibule; add hot gas bypass to the rooftop air-coated chiller; and add one hundred (100) pair external copper cable connection to the campus copper communications infrastructure.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Five (5) change orders for a total credit amount of \$667,484.23

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

## 24. UMMC – IHL 209-551 – Main Pharmacy Renovations 2014

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by The McCarty Company.

Approval Status & Date: APPROVED, May 16, 2017

Project Initiation Date: January 22, 2015



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Design Professional: The McCarty Company  
General Contractor: Sunbelt General Contractors, Inc.  
Total Project Budget: \$3,848,518.00

25. **UMMC – IHL 209-554 – 2016 Campus Master Plan**

**Approval Request #1: Master Plan 10-Year Update**

Board staff approved the Campus Master Plan 10-Year Update

Approval Status & Date: APPROVED, June 1, 2017

Design Professional: Cannon Design

26. **UMMC – IHL 209-555 – Children’s of Mississippi Expansion**

**Approval Request #1: Approval of Design Development Documents**

Board staff approved the Design Development Documents as submitted by HDR Architecture.

Approval Status & Date: APPROVED, June 7, 2017

Project Initiation Date: April 21, 2016

Design Professional: HDR Architecture

General Contractor: TBD

Total Project Budget: \$180,000,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

27. **USM– GS 108-279 – Lucas Administration Envelope Repairs**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$0.00 and one hundred seventy (170) additional days to the contract of Finlo Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 22, 2017

Change Order Description: Change Order #2 includes the following item: extended time of one hundred seventy (170) days to the contract.

Change Order Justification: This change is due to weather (rain) delays followed by site conditions being too wet to execute the required work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$120,640.07.

Project Initiation Date: March 21, 2013

Design Professional: Albert & Associates Architects, P.A.

General Contractor: Finlo Construction Company, Inc.

Total Project Budget: \$3,300,000.00

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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 Baker & Hostetler (statement dated 7/20/17) from the funds of Alcorn State University. (This statement, in the amount of \$994.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 994.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/1/17, 6/1/17 and 6/1/17) from the funds of Alcorn State University. (These statements, in the amounts of \$30.05, \$23.02 and \$1,000.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 1,053.07**

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 5/19/17 and 6/20/17) from the funds of Mississippi State University. (These statements, in the amounts of \$5,437.50 and \$100.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,537.50**

Payment of legal fees for professional services rendered by Perry & Winfield (statement dated 6/23/17) from the funds of Mississippi State University. (This statement, in the amount of \$11,665.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,665.50**

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 6/1/17) from the funds of Mississippi State University. (This statement, in the amount of \$2,000.00, represents services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 2,000.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 2/2/17, 4/5/17, 6/7/17, 7/7/17 and 7/7/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,798.25, \$1,635.50, \$3,213.81, \$2,867.50 and \$3,549.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 14,064.56**

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Payment of legal fees for professional services rendered by Ware Immigration (statements dated 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 1/1/17, 1/1/17, 1/1/17, 1/1/17, 2/1/17, 2/1/17, 2/1/17, 2/1/17, 2/1/17, 3/1/17, 3/1/17, 3/1/17, 6/1/17, 6/1/17 and 6/1/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$55.29, \$22.93, \$7,500.00, \$22.93, \$28.23, \$27.80, \$2,500.00, \$2,500.00, \$2,500.00, \$387.32, \$7,500.00, \$2,500.00, \$2,000.00, \$50.74, \$2,000.00, \$382.04, \$387.32, \$393.92, \$522.50, \$2,000.00, \$28.53 and \$4,000.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 37,309.55**

Payment of legal fees for professional services rendered by the Baker|Donelson (statement dated 6/15/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$5,041.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,041.50**

Payment of legal fees for professional services rendered by Bradley|Arant (statements dated 5/10/17, 5/10/17, 5/11/17 and 5/11/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,793.00, \$14,268.90, \$1,813.00 and \$1,935.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 20,810.40**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/23/16, 3/14/17, 4/12/17, 4/25/17, 4/27/17, 4/28/17, 4/28/17, 5/2/17, 5/8/17, 5/19/17, 5/19/17, 5/19/17, 5/22/17, 5/31/17, 6/5/17, 6/12/17, 6/12/17, 6/13/17, 6/13/17, 6/14/17, 6/15/17, 6/26/17, 6/29/17, 7/6/17 and 7/6/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$31,466.24, \$122.50, \$1,200.50, \$1,755.79, \$8,036.00, \$2,131.50, \$15,642.39, \$5,757.50, \$759.50, \$57,169.24, \$4,572.03, \$4,410.00, \$1,839.10, \$98.00, \$32,852.08, \$1,053.50, \$1,029.00, \$661.50, \$3,356.50, \$6,776.70, \$9,457.20, \$12,001.50, \$3,410.00, \$367.50, \$14,920.50 and \$441.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 221,287.27**

Payment of legal fees for professional services rendered by Hogan Lovell (statements dated 4/26/17, 4/26/17, 5/26/17, 5/26/17, 6/13/17 and 6/13/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$891.00, \$3,098.70, \$2,287.60, \$891.00, \$5,262.60 and \$891.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 13,321.90**

# EXHIBIT 10

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Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 2/15/17, 2/27/17, 4/13/17, 4/13/17, 4/14/17, 4/14/17, 5/1/17, 5/1/17, 5/1/17, 5/1/17, 5/1/17, 5/1/17, 5/3/17, 5/16/17, 5/16/17, 5/16/17, 5/16/17, 5/16/17, 6/16/17, 6/16/17, 6/16/17 and 6/16/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,395.50, \$4,017.75, \$1,650.00, \$3,228.19, \$2,145.00, \$1,138.50, \$288.75, \$808.50, \$890.87, \$5,263.50, \$2,655.50, \$445.50, \$1,963.50, \$2,409.00, \$15,798.75, \$404.25, \$33.00, \$2,621.55, \$327.95 and \$280.50, \$32,958.75, \$24.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 84,758.81**

Payment of legal fees for professional services rendered by John Kitchens d/b/a Whitfield Law Group (statements dated 5/2/17, 5/2/17, 5/2/17, 5/22/17, 5/22/17, 5/22/17, 5/22/17, 6/2/17, 6/26/17, 6/26/17, 6/26/17 and 6/26/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$528.00, \$3,774.00, \$610.50, \$1,042.50, \$1,438.00, \$660.00, \$1,044.00, \$2,590.50, \$1,096.50, \$2,308.50, \$2,562.00 and \$1,624.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 19,279.00**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 5/24/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$7,731.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 7,731.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/11/17, 5/30/17 and 6/21/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$216.00, \$4,181.00 and \$4,632.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 9,029.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 6/1/17, 7/1/17 and 7/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$17.07, \$13.52 and \$12.17, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 42.76**

# EXHIBIT 10

August 17, 2017

## 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 (statements dated 11/9/16, 5/24/17, 5/24/17, 5/24/17, 5/24/17, 5/24/17, 5/24/17, 5/24/17, 5/24/17, 6/29/17, 6/29/17 and 6/29/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Vibrio Assay Methods and Kits” - \$960.00; “Esterification and Bio Oil Upgrading” - \$400.00; “Vibrio Assay Methods and Kits” - \$1,286.00; “HCN4 Therapeutics for Breathing Disorders” - \$2,941.00; “Continuation – Occidiofungin Patent Applications” - \$2,040.00; “Cancer Therapeutic Use of Occidiofungin” - \$120.00; “Novel Oximes for Reactivating Butyrylcholinesterase” - \$47.50; “System and Methods for Pest Reduction” - \$575.00; “Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza , A Virus in Cells” - \$305.00; “Listeria and Salmonella Assay Methods and Kits” - \$120.00; “Sequence Specific Phage-Based Antimicrobials” - \$285.00 and “Novel Oximes for Reactivating Butyrylcholinesterase” - \$19.00, respectively.)

**TOTAL DUE.....\$ 9,098.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/17/17, 5/17/17, 6/20/17, 6/20/17 and 6/2017) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Extruder Device” - \$2,128.00; “Methods of Synthesizing Graphene from a Lignin Source” - \$2,115.00; “Extruder Device” - \$767.50; “Methods of Synthesizing Graphene from a Lignin Source” - \$311.00 and “Nano-Structured Catalysts for Methane Reforming” - \$57.00, respectively.)

**TOTAL DUE.....\$ 5,378.50**

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 4/11/17, 4/11/17, 4/11/17, 6/27/17, 6/27/17, 6/27/17, 6/27/17 and 6/27/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$60.48; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$35.00; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$926.76; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$212.10; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$697.58; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$403.42; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$157.50 and “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$1,240.00, respectively.)

**TOTAL DUE.....\$ 3,732.84**

# EXHIBIT 10

August 17, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 6/29/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$5,584.50.)

**TOTAL DUE.....\$ 5,584.50**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 6/17/17, 6/17/17, 6/29/17, 6/29/17 and 6/30/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions Containing Delta-9THC Amino Acid Esters” - \$241.05; “Highly Selective Sigma Receptor Radioligands” - \$181.10; “Potent Immunostimulants from Microalgae” - \$678.33; “Potent Immunostimulants from Microalgae” - \$1,288.66 and “Highly Selective Sigma Receptor Radioligands” - \$1,957.65, respectively.)

**TOTAL DUE.....\$ 4,346.79**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/20/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - \$904.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$658.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$591.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$941.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$716.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,600.00; “Novel Tools for Assessing the Skin Sensitization” - \$432.00 and “Indolizine-Based Donors as Organic Sensitizers” - \$458.00, respectively.)

**TOTAL DUE.....\$ 6,300.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/24/17, 4/24/17, 4/24/17, 4/24/17, 4/24/17, 4/24/17, 5/7/17, 5/17/17, 5/17/17, 5/17/17, 5/17/17, 5/17/17, 6/26/17, 6/26/17 and 6/26/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$571.00, \$1,591.47, \$4,117.50, \$239.00, \$795.50, \$47.50, \$1,086.00, \$2,486.50, \$289.50, \$629.31, \$208.00, \$2,499.50, \$182.00, \$2,297.50, \$4,511.00 and \$53.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 15,604.28**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 5/24/17) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: “Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$504.00.)

**TOTAL DUE.....\$ 504.00**

# EXHIBIT 11

August 17, 2017

## **SYSTEM – REQUEST FOR AN OPINION BY THE ATTORNEY GENERAL**

Pursuant to IHL Board Policy 1103 Requests for Legal Opinions from the Attorney General, the IHL Board Legal Committee Chair granted permission to request an opinion by the Attorney General regarding Miss. Code Ann. §25-1-113, as reflected in the items set out below. Board Policy 1103 requires that all such requests approved by the Legal Committee Chair be reported to the full Board as an information item at its next meeting. The request seeks clarification on the following questions:

**Question 1:** Do the electronic call logs provided to UM by OMAF reflecting calls placed or received on OMAF-owned cell phones constitute a singular “public record” or does each call reflected in the electronic records constitute an individual and specific record of a call that must be analyzed to determine whether that individual call constitutes a “public record”?

This office has previously opined that information such as addresses, telephone numbers and other personal information are the types of information that should not be made public through responses to public records requests. MS AG Op., Stanton (Nov.7, 2014) (*citing* MS AG Op., Neyman (Jan. 31, 2014) and MS AG Op. Smith (July 2, 1984)). Our second question asks how this series of opinions and the MEC opinions cited above apply to the telephone numbers of third parties contained in the telephone records.

**Question 2:** If the entire call logs for OMAF-owned cell phones are considered “public records”, are telephone numbers of third parties contained on the call logs related to personal calls that were not made in the conduct, transaction or performance of any business, transaction, work, duty or function of UM subject to redaction prior to release?

As mentioned above, some of the public records requests also seek telephone records for landline phones used by various current or former athletics personnel. Unlike the cell phones, these landlines are owned by UM. Our third question and fourth questions focus on how UM should approach records of personal calls on state-owned landlines under the MPRA.

**Question 3:** Do the electronic call logs reflecting calls placed or received on UM-owned land lines constitute a singular “public record” or does each call reflected in the electronic records constitute an individual and specific record of a call that must be analyzed to determine whether that individual call constitutes a “public record”?

**Question 4:** If the entire call logs for UM-owned land lines are considered a “public record”, are telephone numbers of third parties contained on the call logs related to personal calls that were not made in the conduct, transaction or performance of any business, transaction, work, duty or function of UM subject to redaction prior to release?

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Even if the records of personal calls are considered “public records” and the telephone numbers of third parties are not protected from disclosure under Stanton and other opinions referenced above, Mississippi common law recognizes a cause of action for the unlawful invasion of an individual’s privacy rights through the public disclosure of private facts. The Mississippi Supreme Court has adopted the Restatement (Second) of Torts § 652D, which covers the public disclosure of private facts. Young v. Jackson, 572 So.2d 378 (Miss.1990). In Young, the Mississippi Supreme Court stated that Mississippi law affords each person a substantial zone of freedom which, at his election, he may keep private. The zone surrounds person and place and without his consent may not be invaded by other persons, or by the state. According to the Mississippi Supreme Court, one who gives publicity to a matter concerning the private life of another is subject to liability to the other for invasion of his privacy, if the matter publicized is of a kind that: (a) the publication of which would be highly offensive to a reasonable person, and (b) is not of legitimate concern to the public.

**Question 5:** If the personal calls are considered “public records” and third party phone numbers related to personal calls are not otherwise subject to redaction, does UM have a duty under Mississippi common law to redact (or not to release) records if their release would constitute the public disclosure of private facts? In other words, would UM or its officials be liable to third parties for invasion of privacy if they release public records that include private facts, the publication of which would be highly offensive to a reasonable person and are not of legitimate concern to the public?

Lastly, personnel records are specifically exempt from disclosure pursuant to Miss. Code Ann. § 25-1-100. Thus UM has an affirmative duty not to disclose personnel records, which leads to our final question.

**Question 6:** Do calls reflected on the call logs which formed the basis of a personnel action against a former employee constitute a personnel record that is exempt from disclosure?



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 21, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at Longleaf Plantation in Purvis, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this September 21, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President. Trustee Dye acknowledged Mr. Marcus Thompson, IHL Chief Administrative Officer, to give the prayer.

**APPROVAL OF THE MINUTES**

On motion by Trustee Dye, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 17, 2017.

**PRESENTATION**

- Dr. Rodney Bennett, President of the University of Southern Mississippi; Mr. Houston Ernst, Assistant to the President at USM, and Ms. Allyson Easterwood, Interim Vice President for Finance & University Controller at USM, provided a presentation on the university's current athletic funding and needs of the future.

**CONSENT AGENDAS**

On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**ACADEMIC AFFAIRS**

1. **DSU** – Approved the following academic program: Bachelor of Science in General Studies (DSU Complete 2 Complete Adult Completion Program) degree (CIP 24.0102).

**FINANCE**

2. **MUW** – **Exhibit 1** represents approval of the Mississippi Information Technology Services (MS-ITS) Board to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Mississippi University for Women (MUW). The Attorney General's staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of MUW. (**See Exhibit 1.**)

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**PERSONNEL REPORT**

3. **EMPLOYMENT**

**Alcorn State University**

- Banks, Ivan; Interim Dean, School of Education and Psychology; salary \$135,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 14, 2017 to June 30, 2018
- Gilmer, Christopher; Executive Director of the Vicksburg Center; salary \$115,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2017 to June 30, 2018

4. **CHANGE OF STATUS**

**Mississippi Valley State University**

- Joseph Wahome; from Associate Professor of Biology with tenure in Department of Natural Science and Environmental Health; salary of \$62,917 per annum, pro rata; *Ayers* Funds; 9-month contract; termination effective June 1, 2017

**ADMINISTRATION/POLICY**

5. **SYSTEM** – Approved the appointment of Mr. Bill LaForge, President of Delta State University, to replace Dr. Rodney Bennett, President of the University of Southern Mississippi, on the Education Achievement Council and the re-appointment of Dr. William Bynum in his new role of President of Jackson State University. There is no length of term in the statute for these appointments.
6. **SYSTEM** – Approved a right-of-way easement between Entergy Mississippi, Inc. and IHL for the current “Primary Electrical Replacement” project at the IHL campus. This easement will give legal access to Entergy for installing and servicing the leased power supply lines and transformers that were negotiated with Entergy as part of the project. The easement will run from the main power feed at Eastover drive to the transformer at the back of the power plant and continue to the new transformer that has been installed to the east of the parking garage. A copy of the right-of-way instrument is included in the bound *September 21, 2017 Board Working File*.

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Hooper, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda.

1. **UM** – Approved the request for the University of Mississippi Educational Building Corporation (UMEBC) to select Trustmark National Bank as the preferred lender for financing of the Baseball Addition and Renovation Project (Oxford University Stadium), not to exceed a \$19 million note, the authorizing resolution, the associated ground lease between the Board/UM and UMEBC and the lease agreement of the project and project site from UMEBC to the Board/UM. The addition portion of the project will include a two-story, roughly 45,000 square foot performance/operations center. It will house equipment and laundry rooms, players’ locker room, training room, pro/alumni locker room, player lounge, team meeting room, coaches’ locker room, weight

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training/plyometrics, and an outdoor plaza. The renovations are two-fold. The Field Club renovations include a roughly 7,500 square foot area under the stadium and seating behind home plate to provide club seating between dugouts and a field club including restrooms and foodservice. Renovations will also be completed in the existing locker rooms to provide Officials' locker room, Diamond Girl locker room, and Visitor's locker room/training room. The financing will include an interest only facility during the construction phase of the project which is not to exceed May 31, 2018. This facility will be a priced on a 30-day LIBOR plus 132 basis points, floating. The total amount borrowed under the financing facility shall be the lesser of \$19 million or the actual costs of the project. The permanent financing will be through a 15-year fully amortized note. The loan will be priced on a 30-day LIBOR plus 139 basis points, floating. In the event the underlying index becomes unavailable at any point during the life of the credit facility, the underlying index and resulting interest rate will be adjusted to a new index and rate as agreed upon by both Trustmark National Bank and UMEBC. UMEBC will be responsible for transaction costs, such as legal and filing fees. The total amount borrowed will not exceed the lesser of \$19 million or the actual costs of the project. Payments will be fully amortized over 15 years. Funds are available from various Athletic revenues, including annual seat donations, capital gift agreements, philanthropic Athletic gifts, and other internally generated Athletic revenues. The authorizing resolution and forms of the ground lease and lease agreement which were reviewed and approved by the Attorney General's Office prior to Board approval, are on file in the Board Office. **(See Exhibit 2.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

1. **SYSTEM** – The Board discussed the process utilized for evaluating the Commissioner of Higher Education. **No action was taken.**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**ADMINISTRATION/POLICY**

1. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **ASU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 10, 2017, Commissioner Glenn F. Boyce approved the revisions to the FY 2017 *Ayers* academic programs budgets to align the budgets to actual expenditures. The requested revisions are below the salary/benefit line item and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in

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total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- b. **JSU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 10, 2017, Commissioner Glenn F. Boyce approved the revisions to the FY 2017 *Ayers* academic programs budgets to align the budgets to actual expenditures. The requested revisions are for the salary/benefit line item and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- c. **JSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 5, 2017, Commissioner Glenn F. Boyce approved the revisions to the FY 2018 *Ayers* academic programs budgets. The requested revisions are for the student aid and salary/benefit line items and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- d. **MUW** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 15, 2017, Commissioner Glenn F. Boyce approved the Facilities Lease Agreement between MUW and the Columbus Municipal School District (CMSD) for use of CMSD’s baseball facilities for MUW’s new baseball program. The term of the lease is September 1, 2017 through May 15, 2018 at a total cost of \$9,100 to be paid in two equal installments due on or before September 30, 2017 and May 31, 2018. Additionally, MUW agrees to pay up to \$6,400 for one half of the cost of various facility improvements. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 22, 2017, Commissioner Glenn F. Boyce approved the Lease

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Agreement between UM's McLean Institute for Public Service and Community Engagement and the UM Research Foundation (Insight Park) for office space at Insight Park to be used by the McLean Institute's Catalyzing Entrepreneurship and Economic Development (CEED) Initiative. The term of the lease is two years beginning November 1, 2017 at a cost of \$10,913.88 per year, payable at the beginning of each lease year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- f. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 28, 2017, Commissioner Glenn F. Boyce approved the Rental Agreement between UMMC and CardiacAssist, Inc. d/b/a TandemLife for the provision of two cardiac mechanical circulatory pump systems. The term of the agreement is for two years beginning September 1, 2017, at a cost of \$24,000 annually, to be prepaid at the beginning of each one-year term. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- g. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 24, 2017, Commissioner Glenn F. Boyce approved the revisions to the On Campus Budget (Hattiesburg Campus), Off Campus Budget (Gulf Coast Campus), Auxiliary Enterprises Budget, Stennis Center for Higher Learning Budget, Mississippi Polymer Institute Budget, and the Gulf Coase Research Laboratory Budget for Fiscal Year 2017. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is included in the September 21, 2017 Board Working File.

**BY CONSENSUS AT APPROXIMATELY 3:30 P.M., ALL TRUSTEES LEGALLY PRESENT AND PARTICIPATING VOTED UNANIMOUSLY TO RECESS THE BOARD MEETING UNTIL FRIDAY, SEPTEMBER 22, 2017 AT 9:00 A.M.**

**THE BOARD MEETING RECONVENED FRIDAY, SEPTEMBER 22, 2017 AT 9:00 A.M.** there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President.

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**OTHER BUSINESS**

- The Board discussed naming the School of Medicine building at the University of Mississippi Medical Center. **No action was taken.**
- The Board discussed that considerable attention has been paid in recent years and months to issues involving universities, communities, and state and local governments around the country concerning the possible relocation or modification of historical monuments and changes to the names of buildings and institutions.

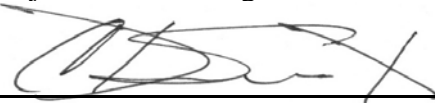
The Board understands the widely-divergent and strongly-held views on these issues held by persons of goodwill. Differences of opinion are inevitable in any group of people – in countries and states, and even in families. Thus, the task for universities, as well as for people of this State, is to deal with these divergent opinions and perspectives in a way that is consistent with our core values as Americans. Those core values include a recognition that all of us have equal rights under the law—including the right to hold and express our own opinions and views.

It is in light of those core values that the Board recognizes and appreciates the work of the Chancellor’s Advisory Committee on History and Context at the University of Mississippi, for its comprehensive and positive work performed in evaluating various sites on the University campus and the appropriate way to clarify their historical context. The Committee sought views from many constituencies of the University and conducted an open discussion of the various and competing views in a respectful and thoughtful manner. While the results could not possibly satisfy everyone on every issue, the process resolved those issues in a manner that is entitled to respect. Thus, the process used by the University has served the University well. Accordingly, the Board commends the Committee and the general principles which it employed in bringing the committee’s assigned tasks to what the Board considers to be a resolution and conclusion on behalf of the University. We express our appreciation to all who participated in that process.

On motion by Trustee Dye, seconded by Trustee Pickering, with Trustee McNair participating by phone and not voting, all Trustees legally present and participating voted unanimously to commend the Committee.

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Dye, seconded by Trustee Hooper, with Trustee McNair participating by phone and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 21, 2017**

**EXHIBITS**

- Exhibit 1      Approval of MS-ITS to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Mississippi University for Women.
- Exhibit 2      Approval of authorizing resolution for the University of Mississippi Educational Building Corporation for financing of the Baseball Addition and Renovation Project (Oxford University Stadium), not to exceed a \$19 million note.

**ITS CONTRACT ACCEPTANCE—Revised 8/17/17  
Project Number 43821  
For Ellucian Maintenance Renewal**

**TO:**

Carla Lowery  
MUW

**RETURN TO:**

Paula Conn  
Dept. of Information Technology Services  
3771 Eastwood Drive  
Jackson, MS 39211  
Phone: 601-432-8046  
Fax: 601-713-6380

**DATE SENT:** August 17, 2017

**RETURN BY:** August 24, 2017

**INSTRUCTIONS:**

Please review the attached contract forwarded to you by the ITS staff. **If any material changes are needed to this contract, please mark all changes needed on the document and return to ITS for changes. You will be sent a revised copy to review before you sign this Contract Acceptance form.** Otherwise, please select one of the options below and return this form to the address above.

Please initial the appropriate line to indicate the contract has been reviewed & is accepted by your agency/institution and that all reviews by your agency attorney and management are complete:

\_\_\_\_\_ without changes

\_\_\_\_\_ with the following corrections to format or syntax: (attach additional pages if needed)

Page Number	Correction Needed:

Please list all names/titles, if any, who will sign this contract on behalf of your agency:

\_\_\_\_\_ None; we accept the signature of the ITS Executive Director on our behalf

\_\_\_\_\_ Please add a signature line for the following person(s) from our agency:

Name	Title

**CONTRACT DELIVERY (SELECT ONE):**

\_\_\_\_\_ Send contracts to vendor via overnight delivery and bill our agency/institution.

\_\_\_\_\_ Send contracts to vendor via regular United States Postal Service mail.

**AUTHORIZED SIGNATURE / DATE**

**AGENCY / INSTITUTION**

My signature above indicates that my agency/institution is a full party to the above-referenced contract, with or without the signature of the agency executive on the body of the contract. My agency executive understands and agrees that: (1) by virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the Executive Director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software and services, and, as contracting agent, must be a party to any amendments, change orders, or termination actions for the life of this contract; (2) ITS as contracting agent is not responsible or liable for the performance or non-performance of any of agency's contractual obligations, financial or otherwise, for this contract; and (3) my agency/institution is responsible for day-to-day management of the project and contract and all business decisions pertaining thereto and must initiate any actions regarding payments, changes in scope, early termination, and invocation of any penalties defined herein, providing appropriate notification to ITS when required.



**PROJECT NUMBER 43821  
SUPPLEMENT TO  
MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT, INC. AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORP)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
MISSISSIPPI UNIVERSITY FOR WOMEN**

This document (hereinafter referred to as "Supplement") shall serve as a Supplement to the original Master Software License and Service Agreement (hereinafter referred to as "Master Agreement") executed on May 21, 1998, between Ellucian Company L.P., formerly known as "SunGard SCT, Inc." and SCT Software & Resource Management Corporation, and "SunGard" (hereinafter referred to as "Licensor" and/or "Ellucian"), and Mississippi Department of Information Technology Services (hereinafter referred to as "ITS"), as contracting agent for the agencies and institutions of the State of Mississippi. It is understood by the parties that ITS is executing this Supplement on behalf of Mississippi University for Women (hereinafter referred to as "Licensee"). ITS and Licensee are sometimes collectively referred to herein as "State."

**WHEREAS**, the Licensee desires to acquire the Technical Currency Services as specified herein;

**NOW THEREFORE**, in consideration of the mutual understandings, promises, consideration and agreements set forth, the parties hereto agree as follows:

- 1) This Supplement will become effective on the date it is signed by all parties ("Effective Date") and will continue in effect until September 30, 2024 unless terminated pursuant to Article 14 of the Master Agreement. Licensor agrees to provide the Technical Currency Services in accordance with Article 32 of the Master Agreement.
- 2) Licensor agrees to provide Licensee with Technical Currency Services for the Licensed Software identified in the Licensee Order Form, which is attached hereto as Exhibit A and incorporated herein by reference, and at the fees and for the periods set forth therein.
- 3) Licensor represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq. of the Mississippi Code Annotated (Supp2008), and will register and participate in the status verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Licensor agrees to maintain records of such compliance and, upon request of the State, to provide a copy of each such verification to the State. Licensor further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Licensor understands and agrees that any breach of these warranties may subject Licensor to the following: (a) termination of this Supplement and ineligibility for any state or public contract in

Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Licensor by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Licensor would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit.

4) The parties understand and agree that all terms and conditions set forth in the Master Agreement are incorporated herein by reference and that this acquisition is subject to and controlled by the terms and conditions set forth in the Master Agreement.

5) All other provisions in the underlying Master Agreement shall remain unchanged.

For the faithful performance of the terms of this Supplement, the parties have caused this Supplement to be executed by their undersigned representatives.

**State of Mississippi, Department of  
Information Technology Services, on  
behalf of Mississippi University for  
Women**

**Ellucian Company L.P.**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT A  
MISSISSIPPI LICENSE ORDER FORM  
TECHNICAL CURRENCY SERVICES**

Licensee: Mississippi University for Women ("Licensee")  
 Delivery Address: 1100 College Street, Columbus, MS 39701

Licensee is hereby obtaining Technical Currency Services for the Licensed Software listed below pursuant to the Master Software License and Services Agreement between Ellucian and ITS as Contracting Agent for the Agencies and Institutions of the State of Mississippi dated May 21, 1998 (the "Master Agreement"). The fees due hereunder shall be in addition to any fees due under any prior Order Form, Amendment or Agreement entered into between Ellucian and either ITS or the Board of Trustees of the Mississippi Institutions of Higher Learning.

**TABLE 1: Technical Currency Services (Maintenance):**

Technical Currency Year Begins/Ends: October 1/September 30  
 Technical Currency Expiration Date: September 30, 2024

Time Period:	October 1, 2017 to September 30, 2018	October 1, 2018 to September 30, 2019	October 1, 2019 to September 30, 2020	October 1, 2020 to September 30, 2021	October 1, 2021 to September 30, 2022	October 1, 2022 to September 30, 2023	October 1, 2023 to September 30, 2024
<b>Maintenance Paid in Arrears</b>							
<b>Component System</b>							
Banner Employee Self-Service	\$7,093.00	\$7,377.00	\$7,672.00	\$7,979.00	\$8,298.00	\$8,630.00	\$8,975.00
Banner Faculty and Advisor Self-Service	\$7,095.00	\$7,379.00	\$7,674.00	\$7,981.00	\$8,301.00	\$8,633.00	\$8,978.00
Banner Finance	\$16,319.00	\$16,972.00	\$17,651.00	\$18,357.00	\$19,091.00	\$19,855.00	\$20,649.00
Banner Finance Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Financial Aid	\$14,346.00	\$14,920.00	\$15,517.00	\$16,138.00	\$16,783.00	\$17,455.00	\$18,153.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Human	\$16,320.00	\$16,973.00	\$17,652.00	\$18,358.00	\$19,092.00	\$19,856.00	\$20,650.00

Time Period:	October 1, 2017 to September 30, 2018	October 1, 2018 to September 30, 2019	October 1, 2019 to September 30, 2020	October 1, 2020 to September 30, 2021	October 1, 2021 to September 30, 2022	October 1, 2022 to September 30, 2023	October 1, 2023 to September 30, 2024	
Resources								
Banner Student	\$20,392.00	\$21,208.00	\$22,056.00	\$22,939.00	\$23,856.00	\$24,811.00	\$25,803.00	
Banner Student Self-Service	\$9,515.00	\$9,895.00	\$10,291.00	\$10,703.00	\$11,131.00	\$11,576.00	\$12,039.00	
Banner Workflow	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
EDISmart	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
FM Need Analysis	\$1,559.00	\$1,621.00	\$1,686.00	\$1,753.00	\$1,824.00	\$1,897.00	\$1,972.00	
Oracle: 1								
Internet App Server Enterprise Edition	\$8,699.00	\$9,047.00	\$9,409.00	\$9,786.00	\$10,177.00	\$10,584.00	\$11,008.00	
Internet Developer Suite	\$5,003.00	\$5,203.00	\$5,411.00	\$5,628.00	\$5,853.00	\$6,087.00	\$6,330.00	
Programmer	\$623.00	\$648.00	\$674.00	\$701.00	\$729.00	\$758.00	\$788.00	
Relational Database System	\$24,910.00	\$25,907.00	\$26,943.00	\$28,021.00	\$29,141.00	\$30,307.00	\$31,519.00	
<b>Grand Total:</b>	\$131,874.00	\$137,150.00	\$142,636.00	\$148,344.00	\$154,276.00	\$160,449.00	\$166,864.00	
	<b>Total Maintenance Cost:</b>							<b>\$1,041,593.00</b>

**NOTES TO TABLE 1:**

<sup>1</sup> Indicates the Component System is owned by a third party.

**NOTES:**

The hours during which Maintenance will be provided for each Component System, the targeted response times for certain defined categories of Maintenance calls for each Component System, and other details and procedures (collectively, the "Maintenance Standards") relating to the provision of Maintenance for each Component System are described in the applicable Maintenance Standards stated below.

The Technical Currency (Maintenance) amounts specified in Table 1 above will be reflected by Ellucian in annual invoices in arrears. Licensee will make payment for invoices in accordance with the terms of Article 10 of the Master Agreement and penalties for late payments shall be calculated in accordance with the terms of Article 10.2 of the Master Agreement. Following the Expiration Date of the final Technical Currency

Year (i.e. September 30, 2024), Technical Currency Services may be extended upon mutual written agreement of the parties, in the form of an amendment to this Supplement signed by an authorized representative of each party hereto.

Notwithstanding anything in the Master Agreement to the contrary, except in the case of: (a) a termination for cause as described in Article 14.1 or 14.2 of the Master Agreement, or (b) as the result of mutual written agreement of the parties as described in Article 14.3, or (c) a lack of appropriation of funds as described in Article 27 of the Master Agreement, the Technical Currency Term as it applies to each Baseline Component System listed in Table 1 above is for the period beginning on the Commencement Date (i.e. October 1, 2017) and shall continue, and remain in full force and effect, until the Expiration Date of the final Technical Currency Year, in accordance with its terms.

## Advantage Level Maintenance Standards

### I. Defined Terms:

**“Notification”** means a communication to Ellucian’s ActionLine by means of: (i) Ellucian’s Customer Support Center; (ii) the placement of a telephone call; or (iii) the sending of an e-mail, in each case, in accordance with Ellucian’s then-current policies and procedures for submitting such communications.

**“Priority One Call”** means a Notification that Licensee believes that a Documented Defect has caused: (i) a full failure (i.e., “crash”) of its computer system; (ii) a full failure of the Licensed Software; or (iii) a failure of its computer system or the Licensed Software which, in either case, prevents Licensee from performing data processing which is critical to Licensee’s operations on the day on which the alleged Documented Defect is reported.

**“Priority Two Call”** means a Notification that Licensee believes that a Documented Defect has caused a partial failure of Licensee’s computer system or the Licensed Software which significantly hinders its ability to perform data processing which is critical to Licensee’s operations on the day on which the alleged Documented Defect is reported.

**“Priority Three Call”** means a Notification that Licensee believes that a Documented Defect has caused an intermittent failure of, or problem with, its computer system or the Licensed Software that causes a significant delay in Licensee’s ability to perform data processing on the day on which the alleged Documented Defect is reported, but where the processing is not critical to Licensee’s operations.

**“Priority Four Call”** means a Notification that Licensee believes that a Documented Defect has caused a problem with its computer system or the Licensed Software that does not significantly affect critical processing.

**II. Hours During Which Ellucian’s “ActionLine” Telephone Support Will be Available to Licensee in Connection with the Provision of Maintenance:** Five (5) days per week, Monday through Friday, excluding United States holidays and Ellucian-observed holidays, from 8:00 AM to 8:00 PM (Central US Time).

**III. Targeted Response Times:** With respect to Ellucian's Maintenance obligations, Ellucian will respond to Notifications from Licensee relating to the Baseline Component Systems identified in this Supplement in accordance with the following guidelines, with the time period to be measured beginning with Ellucian's receipt of the Notification:

**Priority One Calls** –two (2) hours or less.

**Priority Two Calls** – four (4) hours or less.

**Priority Three Calls** – twenty-four (24) hours or less.

**Priority Four Calls** – seventy-two (72) hours or less.

**Notes:** For purposes of these targets, a "response" will mean an initial contact from an Ellucian representative to Licensee to begin evaluation of the problem reported under one of the categories of calls identified above; (2) As a prerequisite to Ellucian's obligation to respond to Licensee, Licensee must follow the policies and procedures of Ellucian's ActionLine (such as the dialing of a particular phone number, the categorization of a particular problem, etc.) when submitting its Notification.

# EXHIBIT 1

September 21, 2017

Page: 1

Effective Date 07/01/2017  
 Expiration Date 08/31/2017  
 Date Printed 08/09/2017

**CP-1 Acquisition Approval Form**  
 Dept. of Information Technology Services  
 3771 Eastwood Dr.  
 Jackson, MS 39211  
 (601) 432-8000

CP-1 **20180062**  
 Contract **IT20110278**

Procurement Type **COMPETITIVE PROCUREMENT**

Acquisition Method: **PURCHASE**

This document is your authorization from ITS to purchase the following products and/or services from the vendor listed, at or below the prices itemized. If no vendor is listed, proceed according to ITS exemption instructions or instructions included on the Planned Purchase Approval Letter accompanying this CP-1. This procurement is contingent upon availability of funds and will not become final until the vendor has received your purchase order. Keep this form with your financial records as an audit trail of ITS procurement approval.

For additional information regarding the ITS Procurement Process and CP-1 Approval Documents, refer to the ITS Procurement Handbook, located at <http://www.its.state.ms.us/its/procman.nsf>. The following sections of the Procurement Handbook include information specifically related to CP-1 approvals: 009-025, 013-040, and 013-080.

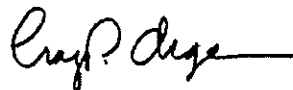
If you need additional assistance regarding this CP-1, please contact the ITS Procurement Help Desk at 601-432-8166 or e-mail [isshelp@its.ms.gov](mailto:isshelp@its.ms.gov).

MS University for Women ATTN: Jame (Jim) Borsig P. O. Box W1628 Columbus, MS 39701	PLACE ORDER TO: 3100031806 ELLUCIAN COMPANY L P 4 COUNTRY VIEW ROAD MALVERN, PA 19355  MAKE PAYMENT TO: 3100031806 ELLUCIAN COMPANY L P 4 COUNTRY VIEW ROAD MALVERN, PA 19355
---	---

MAX ANNUAL % INCREASE	0.00	CP1 LIFECYCLE LIMIT	21,763.00	NUMBER OF PAYMENTS	1
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MUW will use this CP-1 for maintenance, updates, and enhancements to the Banner Administration Software System used to coordinate and manage student and employee information and business processes.  
 ITS is issuing this CP1 while a new Supplement to the Master Software License and Service Agreement is negotiated.

APPROVED ITS DATE: 08/09/2017



*PRODUCTS AND SERVICES PURCHASE DETAILS*

QTY	PRODUCTS	EACH NET	EXTENDED NET
1	*** Bronze Level Technical Currency Services *** Software Support through August 31, 2017	21,763.00	21,763.00

TOTAL MAXIMUM 21,763.00

COMMODITY CODES -- 61921000000

DISTRIBUTION TO  
 CARLA LOWERY - EMAIL [cmlowery@muw.edu](mailto:cmlowery@muw.edu)

PRNO PJC00-43821-1	ATHY DIRECTOR APRV	REPLACEMENT SUBSEQUENT	RFP No(s) 2911
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# EXHIBIT 1

September 21, 2017

Page: 2

Effective Date 07/01/2017  
Expiration Date 08/31/2017  
Date Printed 08/09/2017  
Procurement Type COMPETITIVE PROCUREMENT

CP-1 Acquisition Approval Form  
Dept. of Information Technology Services  
3771 Eastwood Dr.  
Jackson, MS 39211  
(601) 432-8000

CP-1 **20180062**  
Contract **IT20110278**  
Acquisition Method: PURCHASE

## CP-1 LIFECYCLE REPORT

Product/Services  
Software maintenance for 2 months

Payment frequency MAXIMUM  
Max Annual % Increase 0.00

	YEAR	PERIOD	PAYMENT AMOUNT	# PMTS	TOTAL FOR YEAR
Total	1	07/01/2017	21,763.00	1	21,763.00



# EXHIBIT 1

September 21, 2017

Page: 1

Effective Date 07/01/2017  
 Expiration Date 09/30/2017  
 Date Printed 08/14/2017  
 Procurement Type COMPETITIVE PROCUREMENT

CP-1 Acquisition Approval Form  
 Dept. of Information Technology Services  
 3771 Eastwood Dr.  
 Jackson, MS 39211  
 (601) 432-8000

CP-1 **20180070**  
 Contract **IT20110278**  
 Acquisition Method: PURCHASE

This document is your authorization from ITS to purchase the following products and/or services from the vendor listed, at or below the prices itemized. If no vendor is listed, proceed according to ITS exemption instructions or instructions included on the Planned Purchase Approval Letter accompanying this CP-1. This procurement is contingent upon availability of funds and will not become final until the vendor has received your purchase order. Keep this form with your financial records as an audit trail of ITS procurement approval.

For additional information regarding the ITS Procurement Process and CP-1 Approval Documents, refer to the ITS Procurement Handbook, located at <http://www.its.state.ms.us/its/procman.nsf>. The following sections of the Procurement Handbook include information specifically related to CP-1 approvals: 009-025, 013-040, and 013-080.

If you need additional assistance regarding this CP-1, please contact the ITS Procurement Help Desk at 601-432-8166 or e-mail [isshelp@its.ms.gov](mailto:isshelp@its.ms.gov).

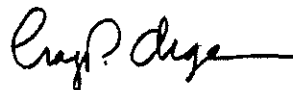
MS University for Women ATTN: Jame (Jim) Borsig P. O. Box W1628 Columbus, MS 39701	PLACE ORDER TO: 3100031806 ELLUCIAN COMPANY L P 4 COUNTRY VIEW ROAD MALVERN, PA 19355  MAKE PAYMENT TO: 3100031806 ELLUCIAN COMPANY L P 4 COUNTRY VIEW ROAD MALVERN, PA 19355
---	---

MAX ANNUAL % INCREASE	0.00	CP1 LIFECYCLE LIMIT	10,879.00	NUMBER OF PAYMENTS	1
-----------------------	------	---------------------	-----------	--------------------	---

MUW will use this CP-1 for maintenance, updates, and enhancements to the Banner Administration Software System used to coordinate and manage student and employee information and business processes.

ITS is issuing this CP1 while a new Supplement to the Master Software License and Service Agreement is negotiated. This CP1 extends the date through September 30, 2017.

APPROVED ITS DATE:08/14/2017



PRODUCTS AND SERVICES PURCHASE DETAILS

QTY	PRODUCTS	EACH NET	EXTENDED NET
1	*** Bronze Level Technical Currency Services *** Software Support through September 30, 2017	10,879.00	10,879.00

TOTAL MAXIMUM 10,879.00

COMMODITY CODES -- 61921000000

DISTRIBUTION TO

CARLA LOWERY - EMAIL [cmlowery@muw.edu](mailto:cmlowery@muw.edu)

PRNO PJC00-43821-2	ATHY DIRECTOR APRV	REPLACEMENT SUBSEQUENT	RFP No(s) 2911
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# EXHIBIT 1

September 21, 2017

Page: 2

Effective Date 07/01/2017  
Expiration Date 09/30/2017  
Date Printed 08/14/2017  
Procurement Type COMPETITIVE PROCUREMENT

CP-1 Acquisition Approval Form  
Dept. of Information Technology Services  
3771 Eastwood Dr.  
Jackson, MS 39211  
(601) 432-8000

CP-1 **20180070**  
Contract **IT20110278**  
Acquisition Method: PURCHASE

## CP-1 LIFECYCLE REPORT

Product/Services  
Software maintenance for 2 months

Payment frequency MAXIMUM  
Max Annual % Increase 0.00

	YEAR	PERIOD	PAYMENT AMOUNT	# PMTS	TOTAL FOR YEAR
	1	07/01/2017	10,879.00	1	10,879.00
Total				1	10,879.00

# EXHIBIT 2

September 21, 2017

There came on for consideration by the Board of Trustees of State Institutions of Higher Learning the matter of the University of Mississippi Educational Building Corporation obtaining financing to make certain improvements to and around the baseball stadium on the main campus of the University of Mississippi. After a discussion of the subject, Trustee \_\_\_\_\_ offered and moved the adoption of the following resolution:

**RESOLUTION AUTHORIZING THE UNIVERSITY OF MISSISSIPPI EDUCATIONAL BUILDING CORPORATION TO ENTER INTO A LOAN AGREEMENT AND ISSUE A PROMISSORY NOTE IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$19,000,000, THE PROCEEDS OF WHICH WILL BE USED TO (A) ACQUIRE, CONSTRUCT, MAINTAIN, ENLARGE, IMPROVE OR EQUIP PUBLIC BUILDINGS, LAND AND FACILITIES AND TO MAKE OTHER CAPITAL IMPROVEMENTS ON THE MAIN CAMPUS OF THE UNIVERSITY OF MISSISSIPPI LOCATED IN OR NEAR OXFORD, MISSISSIPPI, INCLUDING, BUT NOT LIMITED TO (I) THE CONSTRUCTION OF A TWO-STORY APPROXIMATELY 45,000 SQUARE FOOT PERFORMANCE/ OPERATIONS CENTER WHICH WILL HOUSE EQUIPMENT AND LAUNDRY ROOMS, PLAYERS LOCKER ROOM, TRAINING ROOM, PRO/ALUMNI LOCKER ROOM, PLAYER LOUNGE, TEAM MEETING ROOM, COACHES LOCKER ROOM AND WEIGHT TRAINING; (II) THE CONSTRUCTION OF THE FIELD CLUB CONSISTING OF RENOVATIONS OF APPROXIMATELY 7,500 SQUARE FEET UNDER THE STADIUM AND SEATING BEHIND HOME PLATE BETWEEN THE DUGOUTS; AND (III) THE RENOVATION OF THE EXISTING LOCKER ROOMS TO PROVIDE FOR AN OFFICIALS' LOCKER ROOM, DIAMOND GIRL LOCKER ROOM AND VISITORS' LOCKER ROOM, TO BE UNDERTAKEN BY THE EBC ON THE MAIN CAMPUS OF THE UNIVERSITY OF MISSISSIPPI, AND (B) PAY CERTAIN NECESSARY EXPENSES INCIDENTAL THERETO, INCLUDING THE COSTS OF ISSUING THE SERIES 2017 NOTE; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG THE UNIVERSITY OF MISSISSIPPI, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE UNIVERSITY OF MISSISSIPPI EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND AMONG THE UNIVERSITY OF MISSISSIPPI EDUCATIONAL BUILDING CORPORATION AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE UNIVERSITY OF MISSISSIPPI IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2017 NOTE; APPROVING CERTAIN PROFESSIONALS IN CONNECTION WITH SAID FINANCING; APPROVING THE PURPOSES AND ACTIVITIES OF THE UNIVERSITY OF MISSISSIPPI EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT**

# EXHIBIT 2

September 21, 2017

## TITLE TO THE LAND FINANCED WITH THE CONTEMPLATED FINANCING; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the “Board”) hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.

2. The University of Mississippi (the “University”) was organized and incorporated as a state institution of higher learning pursuant to Section 37-115-1, Mississippi Code of 1972, as amended, is controlled and managed by the Board pursuant to Chapter 101 of Title 37, Mississippi Code of 1972, and is an educational institution owned and operated by the State of Mississippi by and through the Board.

3. The University of Mississippi Educational Building Corporation (the “Corporation”) was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through 37-101-71, Mississippi Code of 1972, as amended (the “Act”), for the purpose of acquiring or constructing facilities, and land therefor, for the University.

4. Pursuant to the Act, the Board of Directors of the Corporation proposes to issue its taxable Note in the maximum aggregate par amount of \$19,000,000 (the “Series 2017 Note”) to finance the costs to (a) acquire, construct, maintain, enlarge, improve or equip public buildings, land and facilities and to make other capital improvements on the main campus of the University of Mississippi (the “University”) located in or near Oxford, Mississippi (the “Project Sites”), including, but not limited to (i) the construction of a two-story approximately 45,000 square foot performance/operations center which will house equipment and laundry rooms, players locker room, training room, pro/alumni locker room, player lounge, team meeting room, coaches locker room and weight training; (ii) the construction of the Field Club consisting of renovations of approximately 7,500 square feet under the stadium and seating behind home plate between the dugouts; and (iii) the renovation of the existing locker rooms to provide for an officials locker room, Diamond Girl locker room and visitors’ locker room, to be undertaken by the EBC on the main campus of UM (together (i), (ii) and (iii), the “Construction Projects”), and (b) pay certain necessary expenses incidental thereto, including the costs of issuing the Series 2017 Note (together, (a) and (b) constitute the “Project”).

5. The Board of Directors of the Corporation now proposes to enter into a loan agreement (the “Loan”) with a financial institution to be selected by the Corporation following analysis by the Corporation of responses received by the Corporation through a Request for Proposals process (such financial institution, as selected by the Corporation, being referred to herein as the “Bank”) in the amount not to exceed \$19,000,000, which, will be sufficient to complete the Project.

# EXHIBIT 2

September 21, 2017

6. To evidence the Loan, the Corporation intends to provide the Bank with the Corporation's Promissory Note, to be dated the date of delivery thereof (the "Note"), in an amount not to exceed \$19,000,000.

7. The Corporation shall lease the Project Site from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of the Series 2017 Note, by and among the Board, the University and the Corporation (the "Ground Lease").

8. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of the Series 2017 Note (the "Lease").

9. The Corporation is authorized by the Act to issue its Note for the purposes set forth herein, which Note shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively an obligation of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board or the University.

10. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation's net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

11. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project, subject to the rights of the Bank pursuant to the Collateral Assignment of Leases and Rents between the Corporation and the Bank (the "Collateral Assignment").

12. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

13. It is necessary and appropriate for the Board to approve the Corporation's hiring of certain professionals in connection with the issuance of the Series 2017 Note, and to waive any conflict of interest to allow the University's General Counsel to serve as counsel for both the University and the Corporation in connection with the various transactions related to the Property and the financing thereof.

**NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:**

# EXHIBIT 2

September 21, 2017

**SECTION 1.** The Board hereby approves the purposes and activities of the Corporation, and the Corporation is hereby authorized to enter into the Loan with the Bank, to issue its Note in evidence of said Loan, and to complete the financing and completion of the Project. The Series 2017 Note may be issued by the Corporation to the Bank as an obligation the interest of which is included in gross income for federal income tax purposes, in the maximum aggregate principal amount not to exceed \$19,000,000, at such interest rates and for such maturity as may be determined by the Corporation, provided that the other conditions of this Resolution are also satisfied in connection therewith. The Corporation is authorized to take all actions and to execute all documents and certificates necessary to provide for the financing for and completion of the Project, including, without limitations, loan agreements, collateral assignments, and related lending documents and certificates. The Corporation's engagement of Butler Snow LLP, as Note Counsel in connection with the issuance of the Series 2017 Note and financing of the Project, is hereby approved. The Board also approves the University's General Counsel to serve in its official capacity as counsel for both the University and for the Corporation in connection with the various transactions related to the Property and the issuance of the Series 2017 Note, and the Board specifically waives any related conflict of interest.

**SECTION 2.** The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

**SECTION 3.** The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval. The Board hereby authorizes and directs the University to take all actions necessary to comply with its obligations under the Lease, including but not limited to appropriating the funds necessary to make rent payments under the Lease from Designated Revenues (as defined in the Lease). The Board will take the actions necessary to ensure such funds are appropriated each year.

**SECTION 4.** The Board hereby covenants and agrees that it shall accept full legal title to the Property, and any improvements and additions thereto, upon retirement of the Series 2017 Note, and no further action shall be necessary by the Board at such time for full legal title to the Property and any improvements and additions thereto to immediately vest in the Board provided, however, that upon retirement of the Series 2017 Note the Corporation and the University are hereby authorized to provide any documentation or filings necessary to properly reflect fee title of the Property in the name of the University, the Board and/or the State of Mississippi, as appropriate.

**SECTION 5.** The Series 2017 Note may be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the Clerk of Board may make up a transcript of all legal papers and proceedings relating to the Project and the financing thereof and

# EXHIBIT 2

September 21, 2017

to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

**SECTION 6.** The President of the Board and the Commissioner of Higher Education are further authorized to execute and deliver any additional documents, notices, instruments and certificates which may be required in connection with the issuance of the 2017 Note. Further, from and after the execution and delivery of the documents hereinabove authorized, the proper officers, directors, agents and employees of the Board are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance and sale of the 2017 Note and the execution and delivery of the Lease, the Ground Lease or other documents necessary to conclude the issuance and delivery of the 2017 Note and to authorize changes to any of the said documents, the execution of said documents being conclusive evidence of such approval. If the issuance and delivery of any the 2017 Note does not occur during the calendar year 2017, then the Board hereby fully authorizes the officers of the Corporation, the President of the Board or the Vice-President of the Board and the Commissioner of Higher Education or the Associate Commissioner for Finance and Administration to approve all applicable and necessary changes to the documents attached hereto or otherwise and related to such change, the execution of said documents being conclusive evidence of such approval.

**SECTION 7.** All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing resolution, Trustee \_\_\_\_\_ seconded the motion for its adoption, which motion received the affirmative vote of a majority of the Trustees present. The President thereupon declared the motion carried and the resolution adopted on this 21<sup>st</sup> day of September, 2017.

\_\_\_\_\_  
President, Board of Trustees of State Institutions of  
Higher Learning of the State of Mississippi

\_\_\_\_\_  
Commissioner of Higher Education of  
the State of Mississippi  
(SEAL)

# **EXHIBIT 2**

September 21, 2017

## **CERTIFICATE**

I certify that the foregoing instrument is a true and correct copy of a resolution adopted by the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on September 21, 2017.

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President, Board of Trustees of State  
Institutions of Higher Learning

(SEAL)

## **EXHIBIT A**

### **FORM OF THE GROUND LEASE**

## **EXHIBIT B**

### **FORM OF THE LEASE**

37994637v4



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this November 16, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by President C.D. Smith. Trustee Alan Perry introduced Dr. Seetha A. Srinivasan, Director Emeritus of the University Press of Mississippi, to provide the invocation.

**INTRODUCTION OF GUESTS**

- President Smith welcomed the following Student Government Association Officers to the meeting: Patrick Herbert, SGA President at Alcorn State University; Ashley Griffin, SGA President at Delta State University; Alexis Moore, SGA President at Jackson State University; Tyler McMurray, SGA President at Mississippi State University; Aisha Ghimire, SGA President at Mississippi University for Women; Kamberlin King, SGA President at Mississippi Valley State University; Dion Kevin, SGA President at the University of Mississippi; William Thomas, SGA President at the University of Mississippi Medical Center; Erin Dyer, student at the University of Mississippi Medical Center; and Cameron Cloud, SGA President at the University of Southern Mississippi.

**PRESENTATION**

- All eight public university presidents received The Seven Seals Award at the Board of Trustees meeting held today in Jackson. The Award was presented by the Mississippi Employer Support of the Guard and Reserve (MSESGR) in recognition of significant individual or organizational achievement, initiative, or support that promotes and supports the ESGR mission. Major General Janson D. Boyles, Adjutant General of Mississippi, presented the awards.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on October 19, 2017.

**ANNOUNCEMENT**

Commissioner Glenn Boyce congratulated the university presidents on increases the number of graduates. Mississippi Public Universities will confer 4,663 degrees in December, representing an increase of 235 more degrees than were awarded in December 2016.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2017**

**CONSENT AGENDAS**

Item #11 on the Finance Consent Agenda was moved to the Finance Regular Agenda for consideration. Item #28 on the Real Estate Consent Agenda was moved to the Real Estate Regular Agenda for consideration. On motion by Trustee Dye, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas as amended.

**ACADEMIC AFFAIRS**

1. **MUW** – Approved the following new academic program: Bachelor of Professional Studies (CIP 24.0199).
2. **SYSTEM** – Approved the following degrees to be conferred in December 2017 provided each candidate has met all requirements for the degree.

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
<b>Alcorn State University</b>					
	<i>Undergraduate</i>		<b>181</b>		
	Bachelor of Science	120			
	Associate of Science in Nursing	2			
	Bachelor of Music	2			
	Bachelor of Arts	50			
	Bachelor of Social Work	7			
	<i>Graduate Degrees</i>		<b>91</b>		
	Master of Science in Agriculture	6			
	Master of Science in Biology	3			
	Master of Science in Elementary Education	11			
	Master of Science in Secondary Education	11			
	Master of Science in Biotechnology	1			
	Master of Arts in Teaching	6			
	Master of Science in Computer & Information Science	8			
	Master of Business Administration	16			
	Specialist in Education	1			
	Master of Science in Workforce Education Leadership	13			
	Master of Science in Applied Science & Technology	15			
				<b>272</b>	
<b>Delta State University</b>					
	<i>College of Arts and Sciences</i>		<b>65</b>		
	Bachelor of Arts	7			
	Bachelor of Fine Arts	5			
	Bachelor of Music Education	2			
	Bachelor of Science	23			
	Bachelor of Science in Education	5			
	Bachelor of Science in Social Justice and Criminology	6			
	Bachelor of Science in Interdisciplinary Studies	4			
	Bachelor of Science in General Studies (C2C)	13			
	<i>College of Business</i>		<b>28</b>		
	Bachelor of Business Administration	25			
	Bachelor of Commercial Aviation	3			

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2017**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
	<b><i>College of Education</i></b>		<b>45</b>		
	Bachelor of Arts	4			
	Bachelor of Science	31			
	Bachelor of Science in Education	10			
	<b><i>School of Nursing</i></b>		<b>39</b>		
	Bachelor of Science in Nursing	39			
	<b><i>School of Graduate Studies</i></b>		<b>86</b>		
	Master of Business Administration	15			
	Master of Commercial Aviation	7			
	Master of Education	34			
	Master of Arts in Teaching	2			
	Master of Science in Professional Accountancy	1			
	Master of Science in Community Development	1			
	Master of Social Justice and Criminology	4			
	Master of Science in Sport and Human Performance	1			
	Educational Specialist	16			
	Doctor of Education	3			
	Doctor of Nursing Practice	2			
				<b>263</b>	
<b>Jackson State University</b>					
	<b><i>Undergraduate</i></b>		<b>431</b>		
	Bachelor of Arts	29			
	Bachelor of Business Administration	61			
	Bachelor of Music	1			
	Bachelor of Music Education	1			
	Bachelor of Science	282			
	Bachelor of Science Education	10			
	Bachelor of Social Work	47			
	<b><i>Graduate</i></b>		<b>193</b>		
	Doctor of Education	3			
	Doctor of Philosophy	25			
	Doctor of Public Health	3			
	Specialist in Education	8			
	Master of Arts	6			
	Master of Arts in Teaching	7			
	Master of Business Administration	11			
	Master of Music Education	2			
	Master of Professional Accountancy	6			
	Master of Public Health	13			
	Master of Public Policy and Administration	9			
	Master of Science	51			
	Master of Science in Education	41			
	Master of Social Work	7			
	Master of Science in Teaching	1			
				<b>624</b>	
<b>Mississippi State University</b>					
	<b><i>School of Accountancy</i></b>		<b>32</b>		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2017**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
	Bachelor of Accountancy	31			
	Master of Professional Accountancy	1			
	<b><i>College of Agriculture and Life Sciences</i></b>		<b>166</b>		
	Bachelor of Science	121			
	Bachelor of Landscape Architecture	2			
	Master of Landscape Architecture	4			
	Master of Agribusiness Management	1			
	Master of Science	25			
	Doctor of Philosophy	13			
	<b><i>College of Architecture, Art, and Design</i></b>		<b>9</b>		
	Bachelor of Science	1			
	Bachelor of Fine Arts	8			
	<b><i>College of Arts and Sciences</i></b>		<b>393</b>		
	Bachelor of Applied Technology	1			
	Bachelor of Arts	120			
	Bachelor of Science	243			
	Bachelor of Social Work	10			
	Master of Arts	7			
	Master of Public Policy and Administration	4			
	Master of Science	22			
	Doctor of Philosophy	16			
	<b><i>College of Business</i></b>		<b>202</b>		
	Bachelor of Business Administration	172			
	Master of Business Administration	26			
	Master of Science Information Systems	3			
	Doctor of Philosophy	1			
	<b><i>College of Education</i></b>		<b>252</b>		
	Bachelor of Science	179			
	Bachelor of Music Education	4			
	Master of Arts in Teaching	5			
	Master of Arts in Teaching Secondary	5			
	Master of Science	27			
	Master of Science Instructional Technology	2			
	Master of Arts Teaching Special	2			
	Educational Specialist	6			
	Master of Arts Teaching Middle	9			
	Doctor of Education	1			
	Doctor of Philosophy	12			
	<b><i>College of Engineering</i></b>		<b>249</b>		
	Bachelor of Science	177			
	Master of Engineering	2			
	Master of Science	58			
	Doctor of Philosophy	12			
	<b><i>College of Forest Resources</i></b>		<b>32</b>		
	Bachelor of Science	20			
	Master of Science	9			
	Doctor of Philosophy	3			
	<b><i>College of Veterinary Medicine</i></b>		<b>9</b>		
	Master of Science	2			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
	Doctor of Philosophy	7			
	<b><i>Academic Affairs – Complete to Compete</i></b>		<b>19</b>		
	Bachelor of General Studies	19			
	<b><i>Total Undergraduate Degrees - 1078</i></b>				
	<b><i>Total Graduate Degrees - 285</i></b>				
				<b>1363</b>	
<b>Mississippi University for Women</b>					
	<b><i>Undergraduate</i></b>		<b>168</b>		
	Bachelor of Arts	20			
	Bachelor of Applied Science	14			
	Bachelor of Fine Art	7			
	Bachelor of Music	2			
	Bachelor of Science	94			
	Bachelor of Science in Nursing	31			
	<b><i>Graduate</i></b>		<b>10</b>		
	Master of Art	2			
	Master of Business Administration	1			
	Master of Education	2			
	Master of Public Health	5			
				<b>178</b>	
<b>Mississippi Valley State University</b>					
	<b><i>Undergraduate</i></b>		<b>27</b>		
	Bachelor of Arts	3			
	Bachelor of Science	22			
	Bachelor of Social Work	1			
	Bachelor of Music Education	1			
	<b><i>Graduate</i></b>		<b>13</b>		
	Master of Art	2			
	Master of Business Administration	9			
	Master of Science	2			
				<b>40</b>	
<b>University of Mississippi</b>					
	<b><i>College of Liberal Arts</i></b>		<b>120</b>		
	Bachelor of Arts	108			
	Bachelor of Science	11			
	Bachelor of Fine Arts	1			
	<b><i>School of Engineering</i></b>		<b>25</b>		
	Bachelor of Science in Civil Engineering	6			
	Bachelor of Science in Computer Science	7			
	Bachelor of Science in Electrical Engineering	4			
	Bachelor of Science in Mechanical Engineering	5			
	Bachelor of Science in Geological Engineering	1			
	Bachelor of Engineering	2			
	<b><i>School of Education</i></b>		<b>10</b>		
	Bachelor of Arts in Education	10			
	<b><i>School of Business</i></b>		<b>165</b>		

**MINUTES OF THE BOARD OF TRUSTEES OF  
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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
	Bachelor of Business Administration	165			
	<b><i>School of Accountancy</i></b>		<b>57</b>		
	Bachelor of Accountancy	57			
	<b><i>School of Pharmacy</i></b>		<b>2</b>		
	Doctor of Pharmacy	2			
	<b><i>School of Applied Sciences</i></b>		<b>128</b>		
	Bachelor of Science in Criminal Justice	43			
	Bachelor of Science in Exercise Science	26			
	Bachelor of Science	42			
	Bachelor of Social Work	11			
	Bachelor of Arts in Recreation Administration	3			
	Bachelor of Paralegal Studies	3			
	<b><i>School of Journalism and New Media</i></b>		<b>53</b>		
	Bachelor of Arts in Journalism	10			
	Bachelor of Science (IMC)	43			
	<b><i>General Studies</i></b>		<b>75</b>		
	Bachelor of General Studies	75			
	<b><i>Graduate School</i></b>		<b>134</b>		
	Master of Accountancy	6			
	Master of Arts	14			
	Master of Business Administration	20			
	Master of Criminal Justice	3			
	Master of Education	20			
	Master of Science	20			
	Master of Taxation	5			
	Specialist in Education	11			
	Doctor of Education	1			
	Doctor of Philosophy	34			
	<b><i>Law School</i></b>		<b>18</b>		
	Juris Doctor	17			
	Master of Laws	1			
	<b><i>Total Undergraduate Degrees - 635</i></b>				
	<b><i>Total Graduate Degrees - 134</i></b>				
	<b><i>Total Law School - 18</i></b>				
				<b>787</b>	
<b>University of Mississippi Medical Center</b>					
	<b><i>Undergraduate</i></b>		<b>73</b>		
	Bachelor of Science in Nursing	73			
	<b><i>Graduate</i></b>		<b>68</b>		
	Master of Health Information and Information Mgmt.	4			
	Master of Science in Nursing	17			
	Master of Science	17			
	Doctor of Medicine	3			
	Doctor of Philosophy	20			
	Doctor of Nursing Practice	7			
				<b>141</b>	

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	<b>System Total</b>
<b>University of Southern Mississippi</b>					
	<b><i>College of Arts and Letters</i></b>		<b>195</b>		
	Bachelor of Arts	71			
	Bachelor of Fine Arts	12			
	Bachelor of Interdisciplinary Studies	9			
	Bachelor of Liberal Studies	39			
	Bachelor of Music	1			
	Bachelor of Music Education	12			
	Bachelor of Science	18			
	Master of Arts	6			
	Master of Fine Arts	2			
	Master of Arts in Teaching of Language	9			
	Master of Music	3			
	Master of Science	5			
	Doctor of Musical Arts	2			
	Doctor of Philosophy	6			
	<b><i>College of Business</i></b>		<b>209</b>		
	Bachelor of Science	10			
	Bachelor of Science in Business Administration	168			
	Master of Business Administration	11			
	Master of Professional Accountancy	6			
	Master of Science	14			
	<b><i>College of Education and Psychology</i></b>		<b>177</b>		
	Bachelor of Arts	5			
	Bachelor of Science	105			
	Master of Arts	3			
	Master of Education	23			
	Master of Library and Information Science	11			
	Master of Science	9			
	Doctor of Education	1			
	Specialist in Education	2			
	Doctor of Philosophy	18			
	<b><i>College of Health</i></b>		<b>147</b>		
	Bachelor of Arts	12			
	Bachelor of Science	73			
	Bachelor of Social Work	19			
	Master of Public Health	25			
	Master of Science	17			
	Bachelor of Social Work	1			
	<b><i>College of Nursing</i></b>		<b>81</b>		
	Bachelor of Science in Nursing	62			
	Doctor of Nursing Practice	17			
	Doctor of Philosophy	2			
	<b><i>College of Science and Technology</i></b>		<b>186</b>		
	Bachelor of Arts	23			
	Bachelor of Science	110			
	Master of Arts	1			
	Master of Science	32			

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
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Institution	Degree to be Conferred	Number	Subtotal	Total	System Total
	Doctor of Philosophy	20			
				995	
<b>System Total</b>					<b>4663</b>

**FINANCE**

3. **SYSTEM** – Approved the request to escalate the *Ayers* Endowment Diversity Program budget for Alcorn State University and Jackson State University. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2017 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown.

**Alcorn State University**

Object of Expenditure	Current Budget FY 2018	Budget Revision	Revised Budget FY 2018
Salaries, Wages & Fringe Benefits			\$ -
Travel			-
Contractual Services			-
Commodities			-
Capital Outlay:			-
Equipment			-
Library Resources			-
Student Aid	260,618	121,534	382,152
<b>Total</b>	<b>\$ 260,618</b>	<b>\$ 121,534</b>	<b>\$ 382,152</b>

**Jackson State University**

Object of Expenditure	Current Budget FY 2018	Budget Revision	Revised Budget FY 2018
Salaries, Wages & Fringe Benefits	\$ 122,225		\$ 122,225
Travel			-
Contractual Services			-
Commodities			-
Capital Outlay:			-
Equipment			-
Library Resources			-
Student Aid	489,505	47,901	537,406
<b>Total</b>	<b>\$ 611,730</b>	<b>\$ 47,901</b>	<b>\$ 659,631</b>

4. **SYSTEM** – Approved the request to increase the total expenditure amount for the agreement with KPMG, LLP to \$3,499,500. The original estimate did not include an estimate for major programs identified or existing programs that require audits more frequently, nor did it anticipate the increases related to implementation of GASB Standards No. 68 and No. 72, that have been agreed



**MINUTES OF THE BOARD OF TRUSTEES OF  
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to in the annual engagement letters. The agreement became effective upon full execution of all parties, May 16, 2014. The agreement will expire 120 days after the conclusion of the last services performed. The total estimated cost of the original contract was \$2,949,500. An additional \$550,000 will be added to the contract to pay for additional auditing services. The new total estimated cost for the agreement is \$3,499,500. Contractual costs will be share among the IHL institutions based upon each's proportionate share of the worked audit hours. E&G funding sources will be the primary means for these payments. As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General's Office is required. The agreement is on file in the Board Office.

5. **DSU** – Approved the request to enter into an operating agreement with TouchNet Information Systems, Inc., for online payment processing and to allow prepayment of the annual Application Subscription Program fee pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services. The term of the agreement is five years upon signature. Access rights granted commence on November 1, 2017 and continue through October 31, 2022, in anticipation of contract being executed. The estimated total cost over this period is \$317,921.16. No training or implementation costs will be necessary. The annual fee will be paid by the Office of Information Technology with E&G funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
6. **MSU** – Approved the request to enter into a multi-year contract with the American Chemical Society (ACS) for access to the ACS Web Editions online journal package. The term of the contract is January 1, 2018 – December 31, 2020. The total amount of the three-year agreement is \$319,747.00 to be paid as follows: 2017 \$100,650; 2018 \$106,466; and 2019 \$112,631. The contract will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **MSU** – Approved the request to amend contract #012064 with AssetWorks LLC for annual software maintenance and support for their facilities and space management software system AiM to include annual maintenance costs for two recently purchased modules Capital Planning & Project Management (CPPM) and the CPPM Fire Mobile Application (Aim Fire). While the amount of this amendment is not in excess of \$250,000, requiring IHL Board approval, this addendum does push the total expenditure under this contract over the \$250,000 threshold. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay this contract in advance annually as payment at the beginning of the service year is standard procedure in this industry. No change is requested in term of contract which will remain September 1, 2016 through August 31, 2021. The Amendment will be effective the date first signed by both parties and will end on August 31, 2021. The addendum requires an additional amount of \$140,244 through August 31, 2021 for the CPPM and Aim Fire modules/licenses. The total due from the point of the amendment through August 31, 2021 is \$263,521.07. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
8. **MSU** – Approved the request to amend the agreement with SirsiDynix in order to migrating from a locally hosted server environment to a vendor-hosted environment for the remaining 2 years of the agreement. SirsiDynix provides specialized library software and services for the members of the Mississippi Library Partnership. The SirsiDynix Library Automation System is the software used by the libraries to manage their collections including providing an online catalog, and the

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modules required to manage the collections (i.e. circulation, cataloging, acquisitions, serials control, reporting). The term of the contract is July 1, 2014 to June 30, 2019. The new contract amount for FY18 will be \$243,665.11 (previously \$207,665.11) and FY19 will be \$227,159.20 for a total of \$470,824.31. This amount is within the Mississippi Department of Information Technology Services CP1 approved budget for the project. Each member of the Mississippi Library Partnership pays Mississippi State University Libraries for a portion of their overall contract fee. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

9. **MSU** – Approved the request to amend a subscription agreement with Wiley Subscription Services, Inc. for access to electronic journals for education and research purposes. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to make two prepayments for service. The amendment extends the term of the license for two years starting on January 1, 2018 and ending on December 31, 2019. The total cost of the agreement is \$942,050.96. The cost of the agreement in Year 1 is \$466,361.86 and the cost of the agreement in Year 2 is \$475,689.10. The cost in Year 2 is capped at a 2% increase over the cost in Year 1. Adjustments to journals in the subscription may change the cost of the amendment. MSU will make a prepayment each January for access it will receive over the course of the year. The agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
10. **UM** – Approved the request to enter into a contract with SAP America, Inc. (SAP) for SAP SuccessFactors Cloud Based Human Capital Management (HCM) Software. Additionally, in accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay annual fees for the Cloud Service(s) on an annual basis. This software will enhance UM's employee recruitment, onboarding and performance evaluation/goal setting processes. The term of the contract is five years beginning in November of 2017. The contract dollar amounts are \$138,171 per year for five years. The total contract value is \$690,855. Note, however, that in the event of termination SAP will refund UM a pro rata amount equal to the unused fees for that year. The agreement will be funded by Educational & General funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
11. **UM** – Request to enter into an Agreement for the Operation of International Student Recruitment and Retention Programs with Shorelight Education, LLC and Shorelight-UM Global, LLC. Shorelight/UM Global will both recruit international students and, in cooperation with UM, operate an international accelerator language/pathways program. The contract is for a ten-year term, renewable for an additional ten years if the University receives at least \$80,000,000 from tuition and fees related to the contract during the first nine years. This is a revenue contract. As additional international student tuition revenue is received, it will be allocated according to the schedule in the contract. Net revenue to the University is expected to be approximately \$80,000,000 during the first nine years of the agreement. International student tuition provides the funding of this contract. The University currently receives approximately \$3.7 million annually in revenue from international student tuition. Shorelight/UM Global will not receive net revenue from international student tuition until the University's minimum revenue threshold reaches \$4,000,000. The agreement, which was reviewed and approved by the Attorney General's

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Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

12. **UMMC** – Approved the request to amend the agreement with Abbott Laboratories, Inc. to increase the annual cartridge purchase commitment in exchange for fifteen (15) new i-STAT systems and lower cartridge pricing. The term of the amendment will begin December 1, 2017 and is coterminous with the original agreement which ends August 31, 2020. The total amount of the amended agreement over five (5) years will be approximately \$4,323,803.76. For the remainder of the agreement term, the Amendment will add \$637,572.25 to the original approved cost of \$3,686,231.51. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
13. **UMMC** – Approved the request enter into an End User Agreement with Air Products and Chemicals, Inc. to provide liquid oxygen for patient consumption in all inpatient and outpatient care areas at UMMC facilities in Jackson. The term of the agreement is sixty (60) months, beginning on the date of first delivery, which is expected to be on or about February 1, 2018. UMMC will provide an update to the IHL Staff as to the exact start date once it has been determined. The total estimated cost over the five (5) year term is \$1,193,359.53. A breakdown of costs is included in the bound *November 16, 2017 Board Working File*. This total is based upon historical oxygen volume purchases plus potential volume growth, as well as potential price increases for the tank rental and the product spend in years 3 and 4. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
14. **UMMC** – Approved the request to enter into a Product Sale Agreement with Airgas, LLC to provide cylinder medical gases for patient consumption in all adult and pediatric inpatient and outpatient care areas at UMMC facilities in Jackson, Grenada, and Lexington. The initial term of the agreement is for five (5) years – December 1, 2017 through November 30, 2022. The total estimated cost over the five (5) year term is \$826,018.02. A breakdown of costs is included in the bound *November 16, 2017 Board Working File*. This total is based upon historical cylinder medical gas purchases plus potential volume growth, as well as potential price increases up to CPI or a maximum of three percent (3%) beginning in Year 2. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
15. **UMMC** – Approved the request to amend its Dialysis Products Purchase Agreement with Baxter Healthcare Corporation (Baxter) for the rental of dialyzer equipment used by patients on Peritoneal Dialysis (PD), as well as the purchase of associated disposables and commodities. The Amendment will allow UMMC to replace thirty-two (32) Home Choice Pro dialyzers with thirty-two (32) AMIA 2.0 Automated PD dialyzers and lower the pricing of the commodities UMMC purchases. The AMIA dialyzers are the newer model of dialyzer cyclers, with automated functionality to advance home PD therapy. The term of the existing agreement is two (2) years and ten (10) months, from February 1, 2016, through November 30, 2018. The Amendment will begin December 1, 2017, and end coterminous with the existing Agreement on November 30, 2018. The approved total cost of the existing Agreement is \$5,280,807.02 over the two (2) years and ten (10) month term. To date, UMMC has spent \$1,550,294.97 under the Agreement. Although the upgraded equipment has a higher monthly rental cost, Baxter agreed to lower the pricing on UMMC's commodities by twenty-five percent (25%) to offset the rental costs.

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Therefore, the proposed amendment will not cause an overall increase in the approved total cost. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

16. **UMMC** – Approved the request to enter into a Customer Optimization Plus Program Agreement with **Covidien Sales, LLC**, a Medtronic company, to allow UMMC to receive discounted pricing for Covidien commodities, to add equipment, and upgrade end-of-life capital equipment through a purchase commitment program. The commodities and equipment are related to pulse oximetry monitoring, depth of anesthesia monitoring, cerebral/somatic monitoring, and capnography. The term of this agreement is three (3) years - December 1, 2017 through November 30, 2020. The estimated cost of the three (3) year Agreement is \$7,346,446.71. This amount is based upon UMMC's historical purchase volume for the consumables, plus twenty percent (20%) annual volume growth. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
17. **UMMC** – Approved the request to enter into an Endoscopy Commitment Agreement (ECA) and Equipment Service Agreement (ESA) with Olympus America, Inc. The purpose of ECA is for UMMC to purchase disposables used with endoscopy scopes used in gastrointestinal (GI) procedures at multiple UMMC locations. The purpose of the ESA is for Olympus to provide repair services for the endoscopy scopes that UMMC owns and utilizes at its UP Belhaven facility. Under the ECA, UMMC commits to purchase a certain amount of disposables in exchange for a discount of the fees charged under the ESA. The term of the agreement is thirty-six (36) months - December 1, 2017 through November 30, 2020. The total combined amount of the ECA and ESA over three (3) years is \$740,924.08. The total cost of the ESA is \$169,342.48 over three (3) years. UMMC expects to purchase up to \$571,581.60 in disposables. This agreement will be paid for by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
18. **UMMC** – Approved the request to enter into a License, Consulting Services and Support Agreement with Practice Diagnostic Systems, LLC (PDS) to install, implement, and maintain the PDS iMPower Web-based Analytic software application that will allow UMMC to manage overall accounts receivable for the entire health system. The PDS iMPower application measures productivity, performance, and effectiveness of each department, location, billing area, and individual provider, as well as patterns of payers' erroneous claims handling. This system also will allow UMMC to identify trending of denials, success of appeals, reconsiderations, and aging of accounts receivable. Finally, UMMC will have enhanced capability to customize reports in a timelier manner to manage all aspects of financial performance for UMMC's ambulatory area. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the prepayment of license fees. The term of this agreement is five (5) years beginning on March 21, 2018 and ending on March 20, 2023. The total estimated cost of the agreement over the five (5) year term is \$462,152.41. A breakdown of costs is included in the bound *November 16, 2017 Board Working File*. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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19. **UMMC** – Approved the request to enter into a Third Amendment to the Master Participant Enrollment and License Agreement with Vizient, Inc. and Vizient Data Services, LLC (collectively, Vizient). Vizient was formerly known as Vizient Data Services, LLC, which was formerly VHA-UHC Data NewCo, LLC, and prior to that, it was known as the University HealthSystem Consortium, or UHC. The third amendment would allow UMMC to extend the term of the existing agreement for the performance suite for an additional year. The term of the Third Amendment will begin on or about November 1, 2017, and will extend the current expiration date of the Master Participant Enrollment and License Agreement to December 31, 2018. The total cost of the Third Amendment is \$356,250.70. This will bring the total cost of the Master Enrollment and License Agreement to \$2,774,934.60. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
20. **USM** – Approved the request to enter into a Lease between the University and the University of Southern Mississippi Athletic Foundation (Foundation/Lessee). The premises involve approximately 150,195 square feet of the first and second floors of the Cook Library, located at 124 Golden Eagle Avenue Hattiesburg, MS 39406. During the term of the Lease, the Foundation will remodel and renovate the first and second floors of the Cook Library in accordance with plans and specifications as approved by USM. The renovations include the creation of the Bower Academic Center. USM shall accept the revised premises from the Foundation upon expiration of the term as consideration of the Lease herein. The portions of the Premises that are leased solely for renovating systems necessary for the completion of the Bower Academic Center will be released to USM when those systems are upgraded. The term of the Lease shall commence subsequent to IHL Board approval and full execution of the Lease and continuing through the earlier of (a) the date which is thirty days subsequent to the completion and acceptance of the completed Facilities as defined in the Lease or (b) June 30, 2020. The contract amount shall be \$1.00 cash in hand. This lease is being funded through private funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE**

21. **UM** – Approve the appointment of Burns & McDowell Engineering Company, Inc. as the design professional for the utilities component of the UM master plan. This is an extension of the campus master plan and dovetails with it, but will be carried out by a different design firm with different areas of expertise. All utilities and plant buildings will be considered, where they should be placed, where they are deficient, and how improvements should be made. The results of the plan will form a road map for long-term growth. The planning firm will not be permitted to submit for any of the design work that results from the planning effort. The proposed project budget (for design fees only) is \$850,000. Funds are available from Internal R&R (\$850,000).
22. **UM** – Approved the initiation of **IHL 207-438, Deaton and Hefley Hall Elevator Refurbishment**, and the appointment of Corbett Legge & Associates, PLLC as the design professional. The university will replace the elevators in Deaton Hall and Hefley Hall. The Deaton Hall elevator, which is currently out of service, was installed in 1951 with control modifications in 2003. Hefley Hall was originally installed in 1980 and has only had exterior signals upgraded in the late 1990's. The proposed project budget is \$1,150,000. Funds are available from Student Housing Revenues and R&R Reserves (\$1,150,000).

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23. **UM** – Approved the initiation of **IHL 207-439, Crosby Hall HVAC Upgrades**, and the appointment of Corbett Legge & Associates, PLLC as the design professional. The university will replace existing VAV boxes, supply and return grills and the control system of Crosby Hall HVAC system. These upgrades will necessitate replacement of the ceiling in areas impacted by the work. The proposed project budget is \$2.8 million. Funds are available from Student Housing Revenues and R&R Reserves (\$2,800,000).
24. **UM** – Approved the initiation of **IHL 207-440, New Band Practice Filed**, and the appointment of Holcombe Norton Partners, Inc. as the design professional. The University expects the project cost to be in the range of \$1,900,000 to \$2,300,000. The University intends to construct a new practice field with proper drainage structures and lights, a new director's tower, small storage building, and proper field access. The design professional will proceed with schematic and design development documents to more accurately determine the final project budget. The University will then submit a subsequent agenda item to the Board of Trustees to increase the budget as required to reflect the established scope of work and more refined costs. The proposed project budget (for design fees only) is \$65,000. Funds are available from Private Gifts and Internal R&R (\$65,000).
25. **UMMC** – Approved the initiation of **IHL 209-563, Campus Emergency Systems Upgrade**, and the appointment of Cooke Douglass Farr Lemons (CDFL) Architects + Engineers, P.A. as the design professional. The university will remove selected generators in the subbasement and install new generators at ground level on the exterior of the building. The project will allow the university to provide connectivity for portable generators that would be able to provide power to the chillers and cooling towers during a power outage. The proposed project budget is \$3.5 million. Funds are available from UMMC SSA (Shared Services Administration) – Building Improvements (\$3,500,000).
26. **UMMC** – Approved the initiation of **IHL 209-564, Sterile Processing Relocation**, and the appointment of Canizaro Cawthon Davis Architects as the design professional. The university will relocate the central sterile processing from the current location in the basement of the adult hospital to the basement of the north wing where materials management is currently located. A separate project will relocate materials management. The proposed project budget is \$2 million. Funds are available from UMMC SSA (Shared Services Administration) – Building Improvements (\$2,000,000).
27. **UM** – Approved the request to increase the budget for **IHL 207-421, Jackson Avenue Center Safe Room**, from \$1.1 million to \$1.3 million, an increase of \$200,000. This is the first budget escalation request made for this project by the university. The University will construct an independent 2,500 square foot MEMA compliant safe room structure to hold 306 occupants. The safe room will be able to withstand winds up to 250 mph and will be located adjacent to the existing Jackson Avenue Center. Funds are available from Mississippi Emergency Management Agency (MEMA) – (\$730,158) and Internal R&R (\$569,842).
28. **UMMC** – Request to increase the project budget for **IHL 209-555, Children's of Mississippi Expansion**, from \$6 million to \$180 million, an increase of \$174 million. In addition, UMMC is requesting approval of the exterior design of the Children's of Mississippi Expansion. A rendering is included in the bound *November 16, 2017 Board Working File*. This is the first budget escalation request made for this project by the university. The project will be approximately 340,000 square feet and will include a new diagnostic and treatment podium, clinics, and bed tower adjacent to the existing UMMC Batson Children's Hospital. The project will include site and infrastructure

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improvements, including parking for approximately 300-500 cars. Funds are available from EBC Bonds (\$89,682,294); SB 2906, Laws of 2015 (\$6,000,000); Pledges Received (\$16,271,290); Committed Future Pledges (\$28,046,416); and Intermediate Loan (\$40,000,000). **(THIS ITEM WAS MOVED TO THE REAL ESTATE REGULAR AGENDA FOR CONSIDERATION.)**

29. **ASU** – Approved the request to name the University Track on the ASU campus as the “Mildrette Netter White Track”. As a former ASU track athlete, Mildrette Netter White qualified for the 1968 Nationals and Olympic trials and received numerous accolades, honors and awards. Mrs. White spent twenty-eight years teaching and coaching in the state of Mississippi.
30. **MSU** – Contingent upon the submission to the Attorney General’s Office of a final executed agreement, the Board approved the request to advertise and award the sale to the highest and best bid for timber sales 17-05PT from the Coastal Plain Branch Experiment Station in Newton County, Mississippi. The Attorney General’s Office has reviewed and approved this item contingent upon submission of a final executed agreement. The legal property description and timber sale process is listed below.

**Timber Sale No. 17-05PT, Coastal Plain Branch Experiment Station -**

The sale area is approximately 181 acres in size and is located in a portion of the N ½ and a portion of the SE ¼ of Section 21 in Township 6 North, Range 12 East in Newton County, Mississippi. This sale contains an estimated volume of 117,240 board feet of pine pole timber, 2,743,720 board feet of pine sawtimber, 884 tons of pine chip-n-saw, 354 tons of pine pulpwood, 181,140 board feet of hardwood sawtimber, and 1,822 tons of hardwood pulpwood. All trees must be cut and removed by December 31, 2019.

**Timber Sale Process:** The timber sale process on the Coastal Plain Branch Experiment Station, and other Mississippi State University owned lands, begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by various means but mostly by directions taken from the Forest Management Plan. Other specific site characteristics may also dictate the need for the sale of timber. After the stand has been identified, the process of tree marking and sale identification begins. Once that is completed, the sale is computed and a bid prospectus is prepared and approved by the Dean of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. A request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. If/when the Board of Trustees approve that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. Once the bids have been received in the Director of Purchasing office, a recommendation is made by the department to the President of the university to either accept or reject the bids. This recommendation has the approval of the Deal of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. If/when the President of the university concurs with the department’s recommendation to accept the bid, a contract is executed between the university and the highest and best bidder for that sale. This process continues obtaining the Director of Purchasing’s signature on the contract and then contacting the high bidder to set the closing. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount.

31. **MSU** – Approved the exterior design of the Left Field Lofts at Dudy Noble Field-Polk DeMent Stadium. A rendering is included in the bound *November 16, 2017 Board Working File*. This project is fully funded by the Bulldog Club but the lofts will be constructed on leased land from the university and therefore requires Board approval of the exterior design. No state or university funds are being expended on this project. The Left Field Lofts will include twelve (12) total units, four (4) units per level. The units will be leased out either per game or per season by the Bulldog Club. The rooftop of the Left Field Lofts is a terrace for invited fans to watch the game.
32. **MSU** – Approved the exterior design of the **GS 105-355, Engineering and Science Complex**. A rendering is included in the bound *November 16, 2017 Board Working File*. The project shall consist of approximately 70,000 square feet of new construction, which will house classrooms, offices, teaching labs, research labs, two general chemistry labs, support space and high bay areas. This facility is the first building for the proposed Engineering and Science Complex. The

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estimated project budget is \$34 million. Funds are available from SB 2906, Laws of 2015 (\$13,000,000); SB 2844, Laws of 2015 (\$1,000,000); MSU Foundation Funds (\$12,000,000); MSU Funds (\$4,000,000); and EBC Funds (\$4,000,000).

33. **UM & UMMC** – Approved the request to name the Medical Education Building on the UMMC campus as the “Phil Bryant Medical Education Building”. Governor Bryant was instrumental in securing funding for the building project, including \$10 million a Community Development Block Grant funding from the Mississippi Development Authority to launch the effort as well as \$64 million in bonds. The 151,000-square foot facility had its groundbreaking in January 2013 and opened in August 2017.

**LEGAL**

34. **ASU** – Approved the proposed affiliation agreement with Alcorn State University A-Club Alumni Association, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
35. **ASU** – Approved the proposed affiliation agreement with Alcorn State University National Alumni Association, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
36. **ASU** – Approved the proposed affiliation agreement with Alcorn State University National Alumni Association Foundation, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
37. **ASU** – Approved the proposed affiliation agreement with Alcorn State University Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
38. **DSU** – Approved the proposed affiliation agreement with Delta State University Foundation, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
39. **JSU** – Approved the proposed affiliation agreement with Jackson State University Development Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
40. **JSU** – Approved the proposed affiliation agreement with Jackson State University National Alumni Association, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
41. **JSU** – Approved the proposed affiliation agreement with Mississippi E-Center Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.



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42. **JSU** – Approved the proposed affiliation agreement with the JSU Tiger Fund Athletic Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
43. **JSU** – Approved the proposed affiliation agreement with The Blue Bengal Athletic Association, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
44. **MSU** – Approved the proposed affiliation agreement with Mississippi State University Alumni, Incorporated as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
45. **MSU** – Approved the proposed affiliation agreement with Mississippi State University Foundation, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
46. **MSU** – Approved the proposed affiliation agreement with the Bulldog Club, Inc. as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
47. **MSU** – Approved the proposed affiliation agreement with Mississippi State University Research and Technology Corporation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
48. **MUW** – Approved the proposed affiliation agreement with Mississippi University for Women Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
49. **MVSU** – Approved the proposed affiliation agreement with Mississippi Valley State University National Alumni Association as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
50. **MVSU** – Approved the proposed affiliation agreement with Mississippi Valley State University Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
51. **UM** – Approved the proposed affiliation agreement with the University of Mississippi Research Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
52. **UM** – Approved the proposed affiliation agreement with the Ole Miss Athletics Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.

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53. **UM** – Approved the proposed affiliation agreement with the Alumni Association of the University of Mississippi as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
54. **UM** – Approved the proposed affiliation agreement with The University of Mississippi Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
55. **UMMC** – Approved the proposed affiliation agreement with the University of Mississippi Medical Center Research and Development Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
56. **USM** – Approved the proposed affiliation agreement with the University of Southern Mississippi Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
57. **USM** – Approved the proposed affiliation agreement with The University of Southern Mississippi Athletic Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
58. **USM** – Approved the proposed affiliation agreement with The University of Southern Mississippi Alumni Association as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
59. **USM** – Approved the proposed affiliation agreement with the University of Southern Mississippi Research Foundation as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The agreement, which was reviewed and approved by the Attorney General prior to the Board’s approval of this item, is on file in the Board Office.
60. **JSU** – Approved the request to appoint Dr. Debra Mays-Jackson as Legislative Liaison in compliance with Board Policy 201.0506 Political Activity.
61. **UMMC** – Approved the request to contract with Butler Snow, LLP to provide in-state lobbying and government relations consulting services. The contractual flat fee is \$60,000 (payable \$5,000 per month) and the contract provides for the reimbursement of reasonable expenses. The fee will be paid with self-generated funds. The term of the agreement is December 1, 2017 through November 30, 2018. Butler Snow’s client list is included in the bound *November 16, 2017 Board Working File*. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

**PERSONNEL REPORT**

62. **EMPLOYMENT**

**Alcorn State University**

Josephine Posey; *rehired retiree*; reemployment position: Consultant, Center for Culture and Learning – Archival Project; salary \$15,625 pro rata; E&G Funds; reemployment period: November 1, 2017 - January 31, 2018

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**63. OTHER ACTION**

**Delta State University**

In accordance with Board Policy 401.0102 Delegation of Authority, the Board approved the request to create the position of Vice President of University Advancement and External Relations. This position will report directly to the President, and will serve on the President's Cabinet and on the Executive Committee. The salary for this position will be in line with the salaries of the Vice President for Executive Affairs and the Vice President for Student Affairs.

**Mississippi State University**

*(Revocation of Sabbatical approved March 2017)*

Shirley Ann James Hanshaw; Associate Professor, English; *from* salary of \$63,064.00 per annum, pro rata (nine-month contract); E&G Funds; *to* salary of \$31,532.00 for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional improvement.

**ADMINISTRATION/POLICY**

- 64. **ASU** – Approved the request to bestow one honorary degree at its December 2017 commencement ceremony. Supporting documents are on file at the Board Office.
- 65. **DSU** – Approved the request to bestow one honorary degree at its December 2017 and one at its May 2018 commencement ceremonies. Supporting documents are on file at the Board Office.
- 66. **UM & UMMC** – Approved the revision to the mission statement as shown below.

**Mission Statement**

As Mississippi's ~~flagship~~ first comprehensive, public university and academic medical center, the University of Mississippi transforms lives, communities, and the world by providing opportunities for the people of Mississippi and beyond through excellence in learning, discovery, healthcare, and engagement.

<i>Oxford &amp; Regional Campus Mission</i>	<i>Medical Center Campus Mission</i>
<p>The mission of the University of Mississippi is to create, evaluate, share, and apply knowledge in a free, open, and inclusive environment of intellectual inquiry. Building upon a distinguished foundation in the liberal arts, the state's first comprehensive university serves the people of Mississippi and the world through a breadth of academic, research, professional, and service programs. The University of Mississippi provides an academic experience that emphasizes critical thinking; promotes research and creative achievement to advance society; uses its expertise to engage and transform communities; challenges and inspires a diverse community of undergraduate, graduate, and professional students; offers enriching opportunities outside the classroom; supports lifelong learning; and develops a sense of global responsibility.</p>	<p>The mission of the University of Mississippi Medical Center is to improve the health and well-being of patients and the community through excellent training for health care professionals, engagement in innovative research, and the delivery of state-of-the-art health care.</p>

- 67. **USM** – Approved the request to bestow one honorary degree at its December 2017 commencement ceremony. Supporting documents are on file at the Board Office.

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**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee Parker, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2. A motion was made by Trustee Pickering, seconded by Trustee Rouse, to approve agenda items #3 - #6. Trustee Pickering rescinded her motion. Agenda items #3 - #7 were tabled and moved to the end of the agenda for consideration. Agenda item #8 was removed from the agenda for further consideration. On motion by Trustee Pickering, seconded by Trustee Starr, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #9. On motion by Trustee Pickering, seconded by Trustee Hooper, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #10. On motion by Trustee Pickering, seconded by Trustee Hooper, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #11.

1. **UMMC** – Approved a bond resolution issuance through the Medical Center Educational Building Corporation (MCEBC) Revenue Bonds in one or more taxable and/or tax-exempt series to finance the costs of (a) the Children’s of Mississippi Expansion (\$91,000,000) and (b) current and/or advance refunding and defeasance of all or a portion of the MCEBC bonds, Series 2009, issued in the original principal amount of \$105,605,000 to achieve net present value savings. The Board approved the form of bond documents. Hilltop Securities will serve as financial advisor. Butler Snow LLP will serve as bond counsel, in accordance with the terms of the contractual agreement for legal services approved by the Office of Attorney General. J.P. Morgan, Morgan Stanley, and Raymond James will serve as senior underwriters. For the new money portion, the bonds will mature no longer than thirty (30) years. For the refunding portion, the term of the new bonds will closely match the term of the existing debt which is being refinanced. MCEBC expects to issue an amount not to exceed \$91,000,000 in new bonds. For the refunding, MCEBC expects to issue an estimated maximum of \$72 million par value in fixed rate bonds to support this current and/or advance refunding and refinancing. **(See Exhibit 1 for bond resolution.)** The bond resolution and form of bond documents have been reviewed and approved by the Attorney General’s Office.
2. **UMMC** – Approved the request to amend its current Limited Supply Agreement with PETNET Solutions, Inc. (PETNET) for the purchase of Amyvid, a drug used for Positron Emission Tomography (PET) imaging of the brain in adults who are being evaluated for Alzheimer’s disease and other causes of cognitive decline. UMMC originally projected the total cost of the Agreement to be less than \$250,000. However, due to an increased number of research studies and patients using the drug, the Agreement now exceeds \$250,000. The term of the Agreement is two (2) years, from September 1, 2016, through September 2018. The estimated cost of the Agreement is \$754,224.00. Each dose of Amyvid is \$2,756.00, plus regular or STAT delivery charges. The new estimated cost includes growth potential for additional research studies or patients during the remainder of the contract term. The Agreement is funded by the grant funds or hospital patient revenue, as applicable. As the Board is being asked to approve additional expense under an on-going agreement, no approval by the Attorney General’s Office is required.
3. **UMMC** – Request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 5,440 square feet of clinical space located at 8950 Lorraine Road in Gulfport, Mississippi, for use as a pediatric outpatient clinic. Pursuant

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to Board Policy 707.03 Approval of Prepayment for Goods or Services, UMMC also requests approval to prepay rent on the first day of each month. The initial term of the agreement is twenty-seven (27) months and five (5) days, beginning March 26, 2018, and ending June 30, 2020. The total cost of the Sublease is \$379,329.17 over the twenty-seven (27) months and five (5) days term. UMMC's base rent will be \$10,132 per month, or \$283,696 total, plus an estimated \$95,633.17 in operating expenses over the term of the Sublease. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% in the second year of the lease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE END OF THE AGENDA FOR CONSIDERATION.)**

4. **UMMC** – Request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 4,500 square feet of clinical space located at 12259 Highway 49 in Gulfport, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The term of the agreement is twenty-three (23) months and five (5) days, beginning March 26, 2018, and ending February 28, 2020. The total cost of the Sublease is \$278,451.42 over the twenty-three (23) month and five (5) day term. UMMC's base rent will be \$8,460 per month, or \$203,040 total, plus an estimated \$75,411.42 in operating expenses over the term of the Sublease. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% in the second year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE END OF THE AGENDA FOR CONSIDERATION.)**
5. **UMMC** – Request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 2,229 square feet of clinical space located at 920 Tommy Munro Drive in Biloxi, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The initial term of the agreement is thirty-eight (38) months and five (5) days, beginning March 26, 2018, and ending May 31, 2021. The total cost of the Sublease is \$226,864.79 over the thirty-eight (38) months and five (5) days term. UMMC's base rent will be a total of \$161,969.24, plus an estimated \$64,895.66 in operating expenses over the term of the Sublease. The initial base rent is \$4,040.06 per month, subject to the annual increase in the Consumer Price Index, not to exceed three percent (3%). UMMC has included the maximum three percent (3%) annually in its calculation of the total cost. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% each subsequent year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE END OF THE AGENDA FOR CONSIDERATION.)**
6. **UMMC** – Request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 2,880 square feet of clinical space located at 833 Highway 90 in Bay St. Louis, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the

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request to prepay rent on the first day of each month. The initial term of the agreement is five (5) months and five (5) days, beginning March 26, 2018, and ending August 31, 2018. Upon MHG's renewal of its lease with Dr. Artigues, the Sublease will extend through August 31, 2021, for a total term of three (3) years, five (5) months, and five (5) days. The total cost of the Sublease is \$279,633.36 over the initial and renewal term. UMMC's base rent will be a total of \$189,346.41, plus an estimated \$90,286.95 in operating expenses over the term of the Sublease. The initial base rent is \$4,320 per month, subject to the annual increase in the Consumer Price Index, which UMMC has estimated as a two and a half percent (2.5%) annually. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% each subsequent year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE END OF THE AGENDA FOR CONSIDERATION.)**

7. **UMMC** – Request to enter into a Neonatology Services Agreement with Southern Mississippi Neonatology, P.A. (SMN) to provide neonatology services to patients of the neonatal intensive care unit (NICU) at Memorial Hospital at Gulfport (MHG) in Gulfport, Mississippi. The initial term of the Agreement is two (2) years, from January 22, 2018, through January 21, 2020. The Agreement will automatically renew for additional one (1) years terms, up to five (5) years, or January 21, 2023. The total amount of the Agreement over five (5) years is \$1,710,000. The fixed rate for the neonatology services is \$342,000 per year. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE END OF THE AGENDA FOR CONSIDERATION.)**
8. **UMMC** – Request to enter into a Lease Agreement with Winston County Medical Foundation (WCMF) for approximately 3,085 square feet of clinical space located at 17280 East Main Street, Louisville, MS, for UMMC's Department of Dermatology. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the university requested approval to prepay rent on the first day of each month. The term of the Lease Agreement is sixty (60) months with a single five (5) year automatic renewal term. UMMC expects the commencement date of the Lease Agreement to be on or about March 22, 2018, which would cause the expiration date to be March 21, 2028. The total cost over the ten (10) year term of the Lease Agreement is \$726,267.62. Beginning in Year 2, UMMC has included an annual price increase of two percent (2%). The agreement will be funded by patient revenue. The agreement was reviewed and approved by the Attorney General's Office. **(THIS ITEM WAS REMOVED FROM THE AGENDA FOR FURTHER CONSIDERATION.)**
9. **MSU** – Approved a bond Resolution authorizing the Mississippi State University Educational Building Corporation (MSUEBC) to issue up to a maximum aggregate principal amount of \$110,000,000 of debt obligations (however denominated) for the purpose of refunding the MSUEBC Revenue Bonds, Series 2011 and 2013, the form of bond documents, and the project professionals as follows: Financial Advisor – First Southwest, a division of Hilltop Securities, Inc.; Bond Counsel – Jones Walker LLP; and Underwriters – Raymond James & Associates, Inc., Morgan Stanley & Co. LLC and such other underwriters as are named in the Bond Purchase Agreement. Payment to Bond Counsel is \$1.15 for every \$1,000 in par value of bonds sold. The financial advisor provided an independent analysis showing potential net present value (NPV) savings based on market conditions as of November 7, 2017. The financial advisor estimates an

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NPV savings of \$5,054,448, or 5.43%. Long-term bonds in one or more taxable or tax-exempt series will be issued with maturities not to exceed thirty (30) years. Maximum aggregate principal amount of \$110,000,000 for the refunding, at an estimated All-In Interest cost of 3.44%. Funds are available from existing cash flow from the projects refinanced with the Debt Obligations. **(See Exhibit 2 for bond resolution.)** The bond resolution and form of bond documents have been reviewed and approved by the Attorney General's Office.

10. **USM** – Contingent upon the Attorney General's approval of the Agreement for Bond Counsel Legal Services between Butler Snow and the Southern Mississippi Educational Building Corporation (SMEBC), the Board approved a bond resolution authorizing the SMEBC to issue up to a maximum aggregate principal amount of \$58,000,000 of debt obligations (however denominated) for the purpose of refunding the SMEBC Revenue Bonds, Series 2013, the form of bond documents, and the project professionals as follows: Financial Advisor – First Southwest, a division of Hilltop Securities, Inc.; Bond Counsel – Butler Snow LLP; and Underwriter – Raymond James. Payment to Bond Counsel is \$1.90 for every \$1,000 in par value of bonds for the first \$25,000,000 of bonds issued and \$1.15 per \$1,000 of bonds issued over and above \$25,000,000. Total estimated fee assuming \$58,000,000 of bonds are issued is \$85,450 plus expenses. The financial advisor provided an independent analysis showing potential net present value (NPV) savings based on market conditions as of October 23, 2017. The financial advisor estimates an NPV savings of \$1,345,282, or 3.01%. Long-term bonds in one or more taxable or tax-exempt series will be issued with maturities not to exceed thirty (30) years. The cost will be a maximum aggregate principal amount of \$58,000,000 for the refunding, at an estimated All-In Interest cost of 3.60%. Funds are available from existing cash flow from the projects refinanced with the Debt Obligations. **(See Exhibit 3 for bond resolution.)** The bond resolution and form of bond documents have been reviewed and approval is contingent upon Agreement for Bond Counsel Legal Services between Butler Snow and the SMEBC.
11. **UM** – Approved the request to enter into an Agreement for the Operation of International Student Recruitment and Retention Programs with Shorelight Education, LLC and Shorelight-UM Global, LLC. Shorelight/UM Global will both recruit international students and, in cooperation with UM, operate an international accelerator language/pathways program. The contract is for a ten-year term, renewable for an additional ten years if the University receives at least \$80,000,000 from tuition and fees related to the contract during the first nine years. This is a revenue contract. As additional international student tuition revenue is received, it will be allocated according to the schedule in the contract. Net revenue to the University is expected to be approximately \$80,000,000 during the first nine years of the agreement. International student tuition provides the funding of this contract. The University currently receives approximately \$3.7 million annually in revenue from international student tuition. Shorelight/UM Global will not receive net revenue from international student tuition until the University's minimum revenue threshold reaches \$4,000,000. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA FOR CONSIDERATION.)**

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**REAL ESTATE AGENDA**

Presented by Trustee Hal Parker, Chair

Trustee Hooper recused himself from voting on items #1 and #2 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Parker, seconded by Trustee Duff, with Trustees Hooper and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Real Estate Agenda. With Trustee Hooper out of the room, on motion by Trustee Parker, seconded by Trustee Duff, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Parker, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #3. Item #4 was approved on a split vote as shown below.

1. **MSU** – Approved the request to change the funding source for **IHL 205-287, MSU Parking Garage North**, from EBC Bonds to Internal R&R funds. The project budget will remain the same. The Board also approved the exterior design for the project. A rendering of the facility is included in the bound *November 16, 2017 Board Working File*. The design professional is McCarty Architects. The exterior skin of the new multi-story facility shall comply with the architectural design standards of the University and will be located on the north side of campus, east of Howell Hall, with approximately 500 parking spaces. In addition, the facility shall be designed to expand upward for future parking levels. The estimated project budget is \$9 million. Funds are available from Internal R&R Funds (\$9,000,000).
2. **UM** – Approved the request to hire an owner’s representative via the “Request for Qualifications” (RFQ) and interview process for **IHL 207-376, STEM Building**. The University will hire an experienced team of construction professionals to assist the Owner in overseeing and evaluating construction costs, expenses, construction scheduling, construction quality, and day-to-day site operations of the Construction Manager at Risk (CMAR) on the STEM project. The design professional is McCarty Architects. The proposed project budget is \$14 million. Funds are available from Internal R&R Funds (\$14,000,000).
3. **UMMC** – Approved the request to increase the project budget for **IHL 209-555, Children’s of Mississippi Expansion**, from \$6 million to \$180 million, an increase of \$174 million. In addition, UMMC is requesting approval of the exterior design of the Children’s of Mississippi Expansion. A rendering is included in the bound *November 16, 2017 Board Working File*. This is the first budget escalation request made for this project by the university. The project will be approximately 340,000 square feet and will include a new diagnostic and treatment podium, clinics, and bed tower adjacent to the existing UMMC Batson Children’s Hospital. The project will include site and infrastructure improvements, including parking for approximately 300-500 cars. Funds are available from EBC Bonds (\$89,682,294); SB 2906, Laws of 2015 (\$6,000,000); Pledges Received (\$16,271,290); Committed Future Pledges (\$28,046,416); and Intermediate Loan (\$40,000,000). **(THIS ITEM WAS MOVED FROM THE REAL ESTATE CONSENT AGENDA FOR CONSIDERATION.)**



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**A motion was made by Trustee Parker, seconded by Trustee Dye, to approve agenda item #4.** The motion passed on a 9 to 3 vote. Board members voting for the motion were: Dr. Ford Dye, Mr. Shane Hooper, Mrs. Ann Lamar, Dr. Alfred McNair, Mr. Hal Parker, Mr. Alan Perry, Mrs. Christy Pickering, Dr. Doug Rouse, and Mr. C.D. Smith. Board members voting against the motion were: Mr. Tom Duff, Mr. Chip Morgan, and Dr. Walt Starr.

4. **UMMC** – Approved the request to move forward on Phase II - Construction under the construction manager at risk (CMAR) services agreement with Brasfield & Gorrie, L.L.C. (B&G) for **IHL 209-555, Children’s of Mississippi Expansion Project**. Phase II will commence upon receipt by B&G of a Notice to Proceed from UMMC. This Notice will set the date at which construction shall commence and will provide the number of days in which the project must be completed. B&G has provided a guaranteed maximum price (GMP) for the project pursuant to the requirements of the contract. The term of the contract is expected to be four (4) years. This will include 210 days for completion of Phase I and thirty (30) months for completion of Phase II. UMMC is requesting approval for Phase II at this time. The cost associated with Phase II, shall not exceed \$135,464,856.00. Phase II of the project will be funded by long-term and intermediate term fixed bond rates, state appropriations, patient revenues, and development funds.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

Agenda items #1 and #2 were moved to the Executive Session Agenda for consideration.

1. **UMMC** – Settlement of Tort Claim No. 3095. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
2. **UMMC** – Settlement of Tort Claim No. 3109. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the following Board meeting dates and locations for January through December 2018. Should committee meetings be held, they will most likely occur on the Wednesday prior to the Board meeting dates.

Thursday, January 18, 2018	Board Office
Thursday, February 15, 2018	Board Office
Thursday, March 22, 2018	Board Office
Thursday, April 19, 2018	Board Office
Thursday, May 17, 2018	Board Office
Thursday, June 21, 2018	Board Office
Thursday, July 19, 2018	Subject to Call
Thursday, August 16, 2018	Board Office
Thursday, September 20, 2018	Board Retreat
Thursday, October 18, 2018	Board Office
Thursday, November 15, 2018	The University of Mississippi
Thursday, December 20, 2018	Subject to Call

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**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**ACADEMIC AFFAIRS**

1. **SYSTEM** – The institutions below are offering the existing academic programs online to expand student access by providing an alternative program delivery method to traditional classroom instruction.
  - a. **ASU** is offering the Bachelor of Science in Child Development
  - b. **ASU** is offering the Bachelor of Science in Business Administration
  - c. **MSU** is offering the Bachelor of Science in Industrial Technology
  - d. **MSU** is offering the Bachelor of Business Administration
  - e. **MSU** is offering the Master of Science in Educational Leadership (concentration in School Administration)
  - f. **MSU** is offering the Master of Science in Technology Mississippi State University is offering the Master of Agribusiness Management
  - g. **MSU** is offering the Master of Professional Accountancy
  - h. **MSU** is offering the Master of Taxation
  - i. **MVSU** is offering the Master of Science in Criminal Justice
  - j. **USM** is offering the Doctor of Nursing Practice in Nursing (Clinical) - Hybrid
  - k. **USM** is offering the Doctor of Nursing Practice in Nursing (BSN to DNP Leadership in Nursing) - Hybrid
  - l. **USM** is offering the Master of Education in School Counseling - Hybrid
  - m. **USM** is offering the Master of Public Health in Public Health (Health Policy and Administration)
  - n. **USM** is offering the Educational Specialist in Education (Special Education)
  - o. **USM** is offering the Bachelor of Science in Business Administration in Management
  - p. **USM** is offering the Bachelor of Science in Nursing (RN-BSN)
  - q. **USM** is offering the Bachelor of Science in Medical Laboratory Science (MLT to MLS)
2. **SYSTEM** – The Board received the annual report on institutional accreditation. A table summarizing the system accreditation activity for the period beginning July 1, 2016 and ending June 30, 2017 is included in the bound *November 16, 2017 Board Working File*.
3. **SYSTEM** – The Board received the annual report of Halbrook Award Winners for Academic Achievement among Athletes 2016-2017.

<b>David C. Halbrook Awards for Academic Achievement Among Athletes<sup>a</sup></b>			
<b>Public University Division – Men</b>		<b>Mississippi Valley State University</b>	
<b>Public University Division – Women</b>		<b>University of Mississippi</b>	
<b>Independent College Division Overall</b>		<b>Millsaps College</b>	
<b>Community and Junior College Division Overall</b>		<b>Southwest Mississippi Community College</b>	
<b>John C. and Ernestine McCall Halbrook Improvement Award<sup>b</sup></b>		<b>Southwest Mississippi Community College</b>	
<b>David M. Halbrook Certificate Award for Academic Achievement Among Athletes<sup>c</sup></b>			
	<b>Institution</b>	<b>Male Recipient</b>	<b>Female Recipient</b>
<b>Public Division</b>	Alcorn State University	Michael Hurns ( <i>Biology/Pre-PT</i> )	Talisa D. Sherman ( <i>Psychology</i> )
	Delta State University	Tyler Sullivan ( <i>Biology</i> )	Melanie Tombers ( <i>Business</i> )
	Jackson State University	Javancy Jones ( <i>Physical Edu</i> )	Laura Uzzell ( <i>Biology</i> )

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	<b>Institution</b>	<b>Male Recipient</b>	<b>Female Recipient</b>
	Mississippi State University	Richard Brown ( <i>Industrial Tech</i> )	Dominique Dillingham ( <i>Exer Phys</i> )
	Mississippi Valley State University	Deion Reid ( <i>HPE&amp;R</i> )	Mariana Massaro Balbao ( <i>Bus Adm</i> )
	University of Mississippi	Craig Engels ( <i>Gen Studies/Bus</i> )	Aubrey Edie ( <i>Elementary Edu</i> )
	University of Southern Mississippi	Picasso Nelson, Jr. ( <i>Fin/Real Est</i> )	Dani Block ( <i>Biological Science</i> )
<b>Independent Division</b>	Belhaven University	Scott Malcolm ( <i>Psychology</i> )	Mary Lichlyter ( <i>Social Work</i> )
	Blue Mountain College	Jonas White ( <i>Social Science</i> )	Mallorie Sweat ( <i>Exercise Science</i> )
	Millsaps College	Lee Ogletree ( <i>Biology</i> )	Kim Klunk ( <i>Biology</i> )
	Mississippi College	Kyle Smith ( <i>Accounting</i> )	Sydney Chandler ( <i>Exercise Science</i> )
	Rust College	Avery T. Moore ( <i>Biology</i> )	Julie Jean-Baptiste ( <i>Sociology</i> )
	Tougaloo College	Dedrick Barkley ( <i>Mathematics</i> )	Taylor Kangethe ( <i>Econ/Bus</i> )
	William Carey University	Peyton Owen ( <i>English</i> )	Kimberly Gilbert ( <i>Pre-Med</i> )
<b>Community and Junior College Division</b>	Coahoma Community College	Not Submitted	Not Submitted
	Copiah-Lincoln Comm. College	Stephen Hayes Thompson	Jule Elaine Kraner
	East Central Community College	Samuel Thompson	Chaney Mills
	East Mississippi Comm. College	Corley Reynolds	Mallory Vance
	Hinds Community College	Ryan Wheeless	Bethanie Myers
	Holmes Community College	Zachary Boone	Micah Redd
	Itawamba Community College	Bryce Hunt	Marlee Hatcher
	Jones County Junior College	Shelton Wallace	Abbey Graham
	Meridian Community College	John Taylor Champion	Abigail Lee Pate
	MS Delta Community College	Not Submitted	Not Submitted
	MS Gulf Coast Comm. College	Watt Adkinson	Nora Keehn
	Northeast MS Comm. College	Joshua Martin Stillman	Hannah Makayla Cox
	Northwest MS Comm. College	Zakary M. Harbin	Zoe Adozinda Saraiva
	Pearl River Community College	Parker Dungan	Jordan Ahlgren
	Southwest MS Comm. College	Bryce J. Baker	Kayla A. Sanchez

<sup>a</sup> Trophy award to institution with the highest percentage of graduating student athletes.

<sup>b</sup> Cash award to institution with greatest improvement in percentage of student athletes graduating.

<sup>c</sup> Certificate awarded to student athletes who have excelled in academics, leadership, and/or service.

**FINANCE**

- SYSTEM** - As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The *Ayers* Investment Report summarizes the activity in the endowment accounts for FY 2017 and is included in the bound *November 16, 2017 Board Working File*.

**REAL ESTATE**

- SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 19, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 4.)

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**LEGAL**

6. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 5.)

**ADMINISTRATION/POLICY**

7. **SYSTEM** – The Board received the 2017 December commencement schedules.

Alcorn State University

Time/Date: 10:00 a.m., Friday, December 8, 2017  
Location: Davey L. Whitney Health and Physical Education Complex  
Speaker: Dr. Caleph B. Wilson, Field Application Scientist, Miltenyi Biotec

Delta State University

*Graduate Commencement Exercises*

Time/Date: 10:00 a.m., Saturday, December 9, 2017  
Location: Bologna Performing Arts  
Speaker: Dr. Ronald G. Koehler, Chair Emeritus for the Department of Art and Professor Emeritus of Art; 2017 Recipient of S.E. Kossman Outstanding Teacher Award, Delta State University

*Undergraduate Commencement Exercises*

Time/Date: 2:00 p.m., Saturday, December 9, 2017  
Location: Bologna Performing Arts  
Speaker: Dr. Ronald G. Koehler, Chair Emeritus for the Department of Art and Professor Emeritus of Art; 2017 Recipient of S.E. Kossman Outstanding Teacher Award, Delta State University

Jackson State University

*Undergraduate/Graduate Commencement Exercises*

Time/Date: 10:00 a.m., Friday, December 10, 2017  
Location: Lee E. Williams Athletics and Assembly Center  
Speaker: Dr. Kevin Murriel, Senior Pastor, Cascade United Methodist Church

Mississippi State University

*Meridian Campus*

Time/Date: 11:00 a.m., Thursday, December 7, 2017  
Location: Kahlmus Auditorium, College Park Campus, MSU-Meridian  
Speaker: Eddie Kelley, Meridian Division Manager, Mississippi Power

*Starkville Campus*

*College of Architecture, Art and Design, College of Arts and Sciences, College of Education*

Time/Date: 9:30 a.m., Friday, December 8, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. Allen K. Sills, Jr., Chief Medical Officer, National Football League

*Bagley College of Engineering, College of Agriculture and Life Sciences, College of Business, College of Forest Resources, College of Veterinary Medicine,*

Time/Date: 4:00 p.m., Friday, December 8, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. John D. Davis, IV, Neurosurgeon, NewSouth NeuroSpine

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Mississippi University for Women

Time/Date: 2:00 p.m., Friday, December 15, 2017  
Location: Rent Auditorium, Whitfield Hall  
Speaker: Mr. Joey Barnes, WCBI News

The University of Southern Mississippi

Time/Date: 9:00 a.m. and 3:00 p.m., Friday, December 8, 2017  
Location: Bernard Reed Green Coliseum  
Speaker: TBD

8. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
- a. **JSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On October 25, 2017, Commissioner Glenn F. Boyce approved the proposed Motor Vehicle License to Use Agreement between the university and Toyota Motor Sales, U.S.A., Inc. for the use of a Toyota Rav4 Hybrid vehicle by the JSU Athletic Department as part of a partnership between SWAC and Toyota. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.
  - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On October 17, 2017, Commissioner Glenn F. Boyce approved the Lease Agreement with Hewlett Wood Products, Inc. for the lease of 6,250 square feet of space to be used for Bagley College of Engineering activities of the student competition teams, outreach coordinator, and storage. The lease renewal is for a one-year period beginning November 18, 2017 at a cost of \$2,500 per month plus \$280 per month for electricity, payable in advance at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.
  - c. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On October 17, 2017, Commissioner Glenn F. Boyce approved the Lease Agreement between MSU (lessee) and Union Station Hair Designers (lessor). This is a revenue generating lease for approximately 392 square feet of space in Colvard Student Union for the purposes of a hair salon. The term of the lease will be five years beginning December 1, 2017 and ending November 30, 2022 at a cost of either \$800 per month or 15% of the gross sales for the five years, providing MSU with a minimum of \$48,000 in revenue over the five-year term. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.
  - d. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On October 11, 2017, Commissioner

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Glenn F. Boyce approved Amendment #1 to the July 1, 2017 Refueler Lease Agreement between the university and Ascent Aviation Group for the lease of two aviation refueler tanks. The Amendment is for the provision of an additional refueler truck during home games with larger than normal attendance. The additional truck will be provided at no additional cost. All other provisions of the original Lease Agreement remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.

- e. **UMMC** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On October 11, 2017, Commissioner Glenn F. Boyce approved the Policies for Parking and Traffic Rules and Regulations, Revised September 2017.
- f. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On October 23, 2017, Commissioner Glenn F. Boyce approved the Commercial Lease Agreement between the university and Duff Amusement Company, Inc. for approximately 4,200 square feet of off-site warehouse storage space for use by Housing & Residence Life. The term of the lease is four years beginning November 1, 2017, at a cost of \$1,600 per month, to be paid in advance monthly plus utilities at an average cost of \$65 per month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.

**ANNOUNCEMENTS**

- Commissioner Glenn Boyce announced the award of a \$3.5 million grant from the W. K. Kellogg Foundation for the Complete 2 Compete initiative. Funding provided by the foundation over the next two years will be used for C2C Tuition Assistance Grants that students may use to offset the costs of returning to pursue a degree.
- President C.D. Smith announced that a December meeting is not anticipated at this time. The next scheduled meeting will be January 2018 at the IHL Board Office.
- Dr. Jeff Vitter, Chancellor of the University of Mississippi, thanked the IHL Board for approving the naming of the Medical Education Building on the UMMC campus as the “Phil Bryant Medical Education Building”.
- President Smith invited the student government presidents to report on current activities on their campuses.

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**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, November 15, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the quarterly clinical quality update. **No action was taken.**
2. Executive Session

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

Discussion of 4 sets of strategic business plans related to a public hospital.

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

The Committee discussed the first set of strategic business plans related to a public hospital. **No action was taken.**

The Committee discussed the second set of strategic business plans related to a public hospital. **No action was taken.**

The Committee discussed the third set of strategic business plans related to a public hospital. **No action was taken.**

The Committee discussed the fourth set of strategic business plans related to a public hospital. **No action was taken.**

On motion by Trustee Pickering, seconded by Trustee Starr, with Trustee McNair absent and not voting, all trustees legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Pickering, seconded by Trustee Hooper, with Trustee McNair absent and not voting, all Trustees legally present and participating voted unanimously to adjourn at approximately 5:30 p.m.

The following Committee members were present for the first half of the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse (by phone), Mr. C. D. Smith, and Dr. Walt Starr.

**EXECUTIVE SESSION**

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

Discussion of two state university litigation matters;  
Discussion of two personnel items at a state university; and

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Discussion of strategic business plans related to a public hospital.

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

The Board discussed two personnel items at a state university. **No action was taken.**

On motion by Trustee Hooper, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3095, styled as *Charles Fisher vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3109, styled as *Mary Frances Smith vs. UMMC, et al.*, as recommended by counsel.

Trustee McNair recused himself from voting on or discussing the strategic business plans related to a public hospital. After Trustee McNair left the room, the Board discussed the strategic business plans related to a public hospital. **No action was taken**

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

On motion by Trustee Pickering, seconded by Trustee Duff, with Trustee McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve items #1 - #5 which were originally located on the Finance Regular Agenda.

1. **UMMC** – Approved the request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 5,440 square feet of clinical space located at 8950 Lorraine Road in Gulfport, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The initial term of the agreement is twenty-seven (27) months and five (5) days, beginning March 26, 2018, and ending June 30, 2020. The total cost of the Sublease is \$379,329.17 over the twenty-seven (27) months and five (5) days term. UMMC's base rent will be \$10,132 per month, or \$283,696 total, plus an estimated \$95,633.17 in operating expenses over the term of the Sublease. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% in the second year of the lease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Approved the request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 4,500 square feet of clinical space located at 12259 Highway 49 in Gulfport, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The term of the agreement is twenty-three (23) months and five (5) days, beginning March 26, 2018, and ending February 28, 2020. The total cost of the Sublease is \$278,451.42 over the twenty-three (23) month and five (5) day term. UMMC's base rent will be \$8,460 per month, or \$203,040 total, plus an estimated



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\$75,411.42 in operating expenses over the term of the Sublease. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% in the second year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

3. **UMMC** – Approved the request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 2,229 square feet of clinical space located at 920 Tommy Munro Drive in Biloxi, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The initial term of the agreement is thirty-eight (38) months and five (5) days, beginning March 26, 2018, and ending May 31, 2021. The total cost of the Sublease is \$226,864.79 over the thirty-eight (38) months and five (5) days term. UMMC's base rent will be a total of \$161,969.24, plus an estimated \$64,895.66 in operating expenses over the term of the Sublease. The initial base rent is \$4,040.06 per month, subject to the annual increase in the Consumer Price Index, not to exceed three percent (3%). UMMC has included the maximum three percent (3%) annually in its calculation of the total cost. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% each subsequent year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**
4. **UMMC** – Approved the request to enter into a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 2,880 square feet of clinical space located at 833 Highway 90 in Bay St. Louis, Mississippi, for use as a pediatric outpatient clinic. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay rent on the first day of each month. The initial term of the agreement is five (5) months and five (5) days, beginning March 26, 2018, and ending August 31, 2018. Upon MHG's renewal of its lease with Dr. Artigues, the Sublease will extend through August 31, 2021, for a total term of three (3) years, five (5) months, and five (5) days. The total cost of the Sublease is \$279,633.36 over the initial and renewal term. UMMC's base rent will be a total of \$189,346.41, plus an estimated \$90,286.95 in operating expenses over the term of the Sublease. The initial base rent is \$4,320 per month, subject to the annual increase in the Consumer Price Index, which UMMC has estimated as a two and a half percent (2.5%) annually. Operating expenses were estimated based on historical cost data from MHG, adjusted upward for inflation of 1.5% each subsequent year of the Sublease. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**
5. **UMMC** – Approved the request to enter into a Neonatology Services Agreement with Southern Mississippi Neonatology, P.A. (SMN) to provide neonatology services to patients of the neonatal intensive care unit (NICU) at Memorial Hospital at Gulfport (MHG) in Gulfport, Mississippi. The initial term of the Agreement is two (2) years, from January 22, 2018, through January 21, 2020. The Agreement will automatically renew for additional one (1) years terms, up to five (5) years, or January 21, 2023. The total amount of the Agreement over five (5) years is \$1,710,000. The

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fixed rate for the neonatology services is \$342,000 per year. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**EXHIBITS**

- Exhibit 1      Resolution authorizing the issuance through the Medical Center Educational Building Corporation Revenue Bonds in one or more taxable and/or tax-exempt series to finance the costs of (a) the Children’s of Mississippi Expansion (\$91,000,000) and (b) current and/or advance refunding and defeasance of all or a portion of the MCEBC bonds, Series 2009, issued in the original principal amount of \$105,605,000 for the purpose of refunding series bonds to achieve net present value savings.
- Exhibit 2      Resolution authorizing the Mississippi State University Educational Building Corporation to issue up to a maximum aggregate principal amount of \$110,000,000 of debt obligations (however denominated) for the purpose of refunding the MSUEBC Revenue Bonds, Series 2011 and 2013.
- Exhibit 3      Bond Resolution authorizing the Southern Mississippi Educational Building Corporation (SMEBC) to issue up to a maximum aggregate principal amount of \$58,000,000 of debt obligations (however denominated) for the purpose of refunding the SMEBC Revenue Bonds, Series 2013, the form of bond documents and contingent upon the Attorney General’s approval of the Agreement for Bond Counsel Legal Services between Butler Snow and the SMEBC.
- Exhibit 4      Real Estate items that were approved by the IHL Board staff subsequent to the October 19, 2017 Board meeting.
- Exhibit 5      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

November 16, 2017

There came on for consideration by the Board of Trustees of State Institutions of Higher Learning the matter of issuance of revenue bonds by the Medical Center Educational Building Corporation. After a discussion of the subject, Trustee \_\_\_\_\_ offered and moved the adoption of the following resolution:

**RESOLUTION AUTHORIZING THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION TO ISSUE REVENUE BONDS IN ONE OR MORE TAXABLE AND/OR TAX-EXEMPT SERIES IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$165,000,000 (THE "BONDS") TO FINANCE ALL OR A PORTION OF THE COSTS TO (A) ACQUIRE, CONSTRUCT, MAINTAIN, ENLARGE, IMPROVE OR EQUIP PUBLIC BUILDINGS, LAND AND FACILITIES AND TO MAKE OTHER CAPITAL IMPROVEMENTS ON THE CAMPUS OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (THE "MEDICAL CENTER") LOCATED IN OR NEAR JACKSON, MISSISSIPPI IN THE COUNTIES OF HINDS, RANKIN AND MADISON (THE "PROJECT SITES"), INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION, EQUIPPING AND LANDSCAPING OF AN APPROXIMATELY 340,000 SQUARE FOOT EXPANSION OF THE CHILDREN'S OF MISSISSIPPI HOSPITAL, INCLUDING APPROPRIATE EXTERNAL INFRASTRUCTURE IMPROVEMENTS SUCH AS PARKING, UTILITIES, STREETS AND DRIVES, A NEW AMBULATORY AND OUTPATIENT CLINIC, CLINIC SPACES, A NEW DIAGNOSTIC AND TREATMENT PODIUM, AND BED TOWER ADJACENT TO THE EXISTING HOSPITAL; A NEW SERVICE ELEVATOR CONNECTION; A PARKING GARAGE; MODIFICATIONS TO ENTRANCES AND EXITS; AND NEW OFFICE SPACES (COLLECTIVELY, THE "CONSTRUCTION PROJECT"), PROVIDED THE BONDS ISSUED FOR THE CONSTRUCTION PROJECT ARE EXPRESSLY LIMITED TO A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$91,000,000; (B) CURRENT AND/OR ADVANCE REFUND AND DEFEASE FOR INTEREST RATE SAVINGS ALL OR A PORTION OF THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION REVENUE REFUNDING BONDS, SERIES 2009 (UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FACILITIES REFINANCING), ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$105,605,000 (THE "REFUNDED BONDS") (THE "REFUNDING PROJECT"); AND (C) PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF THE BONDS (TOGETHER, (A), (B) AND (C) CONSTITUTE THE "PROJECT"); AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG THE UNIVERSITY OF MISSISSIPPI, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE MEDICAL CENTER EDUCATIONAL**

# EXHIBIT 1

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**BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT BY AND BETWEEN THE TRUSTEE FOR THE BONDS AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING IN CONNECTION WITH THE SALE AND ISSUANCE OF THE BONDS; APPROVING THE FORM AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE BONDS; APPROVING THE FORM AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT PERTAINING TO THE BONDS; AUTHORIZING THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH OBTAINING BOND INSURANCE FOR THE BONDS; APPROVING THE ENGAGEMENT BY THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION OF BUTLER SNOW LLP, AS BOND COUNSEL, HILLTOP SECURITIES, INC., AS FINANCIAL ADVISOR, AND J.P. MORGAN, AS SENIOR UNDERWRITER; APPROVING THE PURPOSES AND ACTIVITIES OF THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES FINANCED WITH THE PROCEEDS OF THE BONDS; AND FOR RELATED PURPOSES.**

The Board of Trustees of State Institutions of Higher Learning (the “Board”) hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.
2. The University of Mississippi (the “University”), of which the University of Mississippi Medical Center (the “Medical Center”) is a part, was organized and incorporated as a state institution of higher learning pursuant to Sections 37-115-1 *et seq.*, Mississippi Code of 1972, as amended, is controlled and managed by the Board pursuant to Sections 37-101-1 *et seq.*, Mississippi Code of 1972, as amended, and is an educational institution owned and operated by the State of Mississippi by and through the Board.
3. The Medical Center Educational Building Corporation (the “Corporation”) was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through 37-101-71, Mississippi Code of 1972, as amended (the “Act”), for the purpose of acquiring or constructing facilities for the University.
4. Pursuant to the Act and Sections 31-27-1 *et seq.*, Mississippi Code of 1972, as amended (the “Refunding Act”), the Board of Directors of the Corporation proposes to issue its

# EXHIBIT 1

November 16, 2017

revenue bonds in one or more taxable and/or tax-exempt series in the maximum aggregate par amount of \$165,000,000 (the “Bonds”) to finance all or a portion of the costs (a) to acquire, construct, maintain, enlarge, improve or equip public buildings, land and facilities and to make other capital improvements on the campus of the University of Mississippi Medical Center (the “Medical Center”) located in or near Jackson, Mississippi in the counties of Hinds, Rankin and Madison (the “Project Sites”), including, but not limited to, construction, equipping and landscaping of an approximately 340,000 square foot expansion of the Children’s of Mississippi Hospital, including appropriate external infrastructure improvements such as parking, utilities, streets and drives, a new ambulatory and outpatient clinic, clinic spaces, a new diagnostic and treatment podium, and bed tower adjacent to the existing hospital; a new service elevator connection; a parking garage; modifications to entrances and exits; and new office spaces (collectively, the “Construction Project”), provided, the Bonds issued for the Construction Project are expressly limited to a maximum aggregate principal amount of \$91,000,000; (b) to current and/or advance refund and defease for interest rate savings all or a portion of the Medical Center Educational Building Corporation Revenue Refunding Bonds, Series 2009 (University of Mississippi Medical Center Facilities Refinancing), issued in the original principal amount of \$105,605,000 (the “Refunded Bonds”); and (c) to pay the costs of the issuance, sale and delivery of the Bonds (collectively, (a), (b), and (c) constitute the “Project”).

5. The Corporation shall lease the Project Sites from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the “Ground Lease”).

6. The Board shall lease the Project and the Project Sites from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the “Lease”).

7. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Sites to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Sites from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

8. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board or the University.

9. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

10. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation’s net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

# EXHIBIT 1

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11. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

12. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

13. It is appropriate for the Board to approve the Preliminary Official Statement (the “Preliminary Official Statement”) to be used in connection with the marketing of the Bonds and to authorize and approve the execution and distribution of a final Official Statement (the “Official Statement”) in connection with the sale of the Bonds.

14. The Corporation will sell the Bonds on a negotiated basis pursuant to a Bond Purchase Agreement (the “Bond Purchase Agreement”) with J.P. Morgan, as senior underwriter, and such other underwriters as are named in the Bond Purchase Agreement (collectively, the “Underwriter”). It is necessary and appropriate for the Board to approve the Underwriter as the senior underwriter for the Bonds. It is also necessary and appropriate to authorize the President of the Corporation to execute the Bond Purchase Agreement at such prices as may be determined by the Corporation, provided that, in either case, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$165,000,000, provided the Bonds issued for the Construction Project are expressly limited to a maximum aggregate principal amount of \$91,000,000; the final maturity of the Bonds shall not be more than thirty (30) years from the dated date thereof; the interest rates on the Bonds shall not exceed the interest rates permitted by Mississippi law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act and the Refunding Act.

15. It is necessary in connection with the sale of the Bonds to enter into a Continuing Disclosure Agreement, and it is necessary and appropriate for the Board to approve the form, and authorize the execution, of a Continuing Disclosure Agreement.

16. To enhance the marketability of the Bonds, it may be desirable to obtain municipal bond insurance for the Bonds; and it is necessary and appropriate for the Board to authorize the Corporation to take such actions and execute such documents and agreements as may be necessary or appropriate to obtain bond insurance for the Bonds.

17. A portion of the Bonds may be issued as tax-exempt bonds (the “Tax-Exempt Bonds”) and a portion of the Bonds may be issued as taxable bonds (the “Taxable Bonds”). In order to protect the exclusion of interest on the Tax-Exempt Bonds, it is necessary for the Board to expressly agree to accept title to the portion of the Project financed with those Bonds that are

# EXHIBIT 1

November 16, 2017

issued as Tax-Exempt Bonds, and any additions thereto, upon retirement of those Bonds that are issued as Tax-Exempt Bonds.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more taxable and/or tax-exempt series to be designated in the Bond Purchase Agreement, in the maximum aggregate par amount of \$165,000,000 at such time as the Corporation is able to sell the Bonds to the Underwriter and at such prices as may be determined by the Corporation, provided that the other conditions of paragraph 14 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to finance the costs of the Project and to pay the costs of the issuance, sale and delivery of the Bonds and interest on and expenses relating to the Bonds. The Corporation's engagement of Hilltop Securities, Inc. as financial advisor to the Corporation with respect to the issuance of the Bonds, of Butler Snow LLP, as bond counsel with respect to the issuance of the Bonds, and of J.P. Morgan, as senior underwriter for the Bonds, is hereby approved. The Board also approves the University counsel to serve in his official capacity as counsel for both the University and for the Corporation in connection with the various transactions related to the Project and the sale and issuance of the Bonds, and the Board specifically waives any related conflict of interest.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. The Preliminary Official Statement prepared in connection with the sale of the Bonds and the distribution thereof are hereby approved in substantially the form attached hereto as **Exhibit C** with such completions, changes, insertions, and modifications as shall be approved by the Corporation. The Official Statement with respect to the Bonds is hereby approved in substantially the form of the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the Corporation; the distribution of said Official Statement in connection with the sale of the Bonds is hereby approved; and execution of said Official Statement by the President of the Corporation is hereby approved.

SECTION 5. Pursuant to the Continuing Disclosure Agreement, the Board will, when and if required, undertake to provide certain annual financial information and notices of the occurrence



# EXHIBIT 1

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of certain events, if material. A description of these undertakings with respect to the Bonds is set forth in the Preliminary Official Statement and will also be set forth with respect to the Bonds in the final Official Statement. The Continuing Disclosure Agreement is hereby approved in substantially the form attached hereto as **Exhibit D**, and the Commissioner of Higher Education is hereby authorized to execute and deliver the Continuing Disclosure Agreement under the seal of the Board for and on behalf of the Board, with such completions, changes, insertions, and modifications as shall be approved by said official, the execution thereof by such official to be conclusive evidence of such approval.

SECTION 6. The sale of the Bonds on a negotiated basis to the Underwriter is hereby authorized and approved at such prices as may be determined by the Corporation; provided that the Bond Purchase Agreement, when executed by the President of the Corporation, shall be in compliance with the requirements set forth in Section 1 hereof.

SECTION 7. The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate to obtain municipal bond insurance for the Bonds, whether such municipal bond insurance is to be obtained being entirely within the discretion of the Corporation.

SECTION 8. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

SECTION 9. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 10. The President of the Board and the Commissioner of Higher Education are further authorized to execute and deliver any additional documents, notices, instruments and certificates which may be required in connection with the sale and issuance of the Bonds. Further, from and after the execution and delivery of the documents hereinabove authorized, the proper officers, directors, agents and employees of the Board are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance and sale of the Bonds and the execution and delivery of the Lease, the Ground Lease, the Continuing Disclosure Agreement or other documents necessary to conclude the issuance, sale and delivery of the Bonds and to authorize changes to any of the said documents, the execution of said documents being conclusive evidence of such approval. If the issuance and delivery of any series of the Bonds does not occur during the calendar year 2017, then the Board hereby fully authorizes the officers of the Corporation, the President of the Board or the Vice-President of the Board and the Commissioner

# EXHIBIT 1

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of Higher Education or the Associate Commissioner for Finance and Administration to approve all applicable and necessary changes to the documents attached hereto or otherwise and related to such change, including changing the series designation of the Bonds or providing for more than one series of taxable or tax-exempt bonds, if necessary, the execution of said documents being conclusive evidence of such approval.

SECTION 11. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing resolution, Trustee \_\_\_\_\_ seconded the motion for its adoption, which motion received the affirmative vote of all Trustees present. The President thereupon declared the motion carried and the resolution adopted on this 16th day of November, 2017.

\_\_\_\_\_  
President, Board of Trustees of State Institutions of  
Higher Learning of the State of Mississippi

## CERTIFICATE

I certify that the foregoing instrument is a true and correct copy of a resolution adopted by the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on November 16, 2017.

Executed on this, the 16th day of November, 2017.

\_\_\_\_\_  
President, Board of Trustees of State  
Institutions of Higher Learning

(SEAL)

# **EXHIBIT 1**

November 16, 2017

EXHIBIT A

THE GROUND LEASE

EXHIBIT B

THE LEASE AGREEMENT

EXHIBIT C

PRELIMINARY OFFICIAL STATEMENT

EXHIBIT D

THE CONTINUING DISCLOSURE AGREEMENT

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# EXHIBIT 2

November 16, 2017

RESOLUTION AUTHORIZING MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION TO ISSUE REVENUE REFUNDING BONDS IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$110,000,000 TO REFUND ALL OR A PORTION OF CERTAIN OUTSTANDING MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION REVENUE BONDS TO BE IDENTIFIED IN THE BOND PURCHASE AGREEMENT, AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG MISSISSIPPI STATE UNIVERSITY, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE SALE AND ISSUANCE OF SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT PERTAINING TO SAID BONDS; AUTHORIZING MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH OBTAINING BOND INSURANCE FOR SAID BONDS; APPROVING THE PURPOSES AND ACTIVITIES OF MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES REFINANCED WITH THE PROCEEDS OF SAID BONDS; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the "Board") hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.

2. Mississippi State University of Agriculture and Applied Science (the "University") was organized and incorporated as a state institution of higher learning pursuant to Section 37-113-1 *et seq.*, Mississippi Code of 1972, as amended, is controlled and managed by the Board pursuant to Chapter 101 of Title 37, Mississippi Code of 1972, and is an educational institution owned and operated by the State of Mississippi by and through the Board.

3. Mississippi State University Educational Building Corporation (the "Corporation") was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through

# EXHIBIT 2

November 16, 2017

37-101-71, Mississippi Code of 1972, as amended (the "Act"), for the purpose of acquiring or constructing facilities for the University.

4. The Board of Directors of the Corporation proposes to issue its Revenue Refunding Bonds in the maximum aggregate par amount of \$110,000,000 (the "Bonds") to provide moneys to refund all or a portion of the outstanding revenue bonds set forth on the Schedule of Refundable Bonds attached hereto that are identified in Bond Purchase Agreement (defined below) as bonds to be refunded with the proceeds of the Bonds (the "Refunded Bonds"), and to pay the related costs of the issuance, sale and delivery of the Bonds and to pay the related costs of the refunding; provided, such issuance is conditioned upon the adoption of this Resolution authorizing the same.

5. The Corporation issued the Refunded Bonds to finance various projects as set forth on Exhibit B to the Lease (as defined below) (collectively, the "Project") located on various sites on the campus of the University as set forth on Exhibit A to the Lease (collectively, the "Project Site").

6. The Corporation shall lease the Project Site from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the "Ground Lease").

7. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the "Lease").

8. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Site to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Site from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

9. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board or the University.

10. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

11. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation's net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

12. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

13. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

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November 16, 2017

14. It is appropriate for the Board to approve the Preliminary Official Statement (the "Preliminary Official Statement") to be used in connection with the marketing of the Bonds and to authorize and approve the execution and distribution of a final Official Statement (the "Official Statement") in connection with the sale of the Bonds.

15. The Corporation will sell the Bonds, in one or more series, on a negotiated basis pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement") with Raymond James & Associates, Inc., Morgan Stanley & Co. LLC and such other underwriters as are named in the Bond Purchase Agreement (the "Underwriter"). It is necessary and appropriate for the Board to approve the Underwriter as the underwriter for the Bonds. It is also necessary and appropriate to authorize the Corporation to sell the Bonds at such prices as may be determined by the Corporation, provided that, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$110,000,000; the final maturity of the Bonds shall be not later than August 1, 2043; the interest rates on the Bonds shall not exceed the interest rates permitted by Mississippi law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act.

16. It is necessary in connection with the sale of the Bonds to enter into a Continuing Disclosure Agreement, and it is necessary and appropriate for the Board to approve the form, and authorize the execution, of a Continuing Disclosure Agreement.

17. To enhance the marketability of the Bonds, it may be desirable to obtain municipal bond insurance for the Bonds; and it is necessary and appropriate for the Board to authorize the Corporation to take such actions and execute such documents and agreements as may be necessary or appropriate to obtain bond insurance for the Bonds.

18. It is anticipated that the Bonds will be issued as tax-exempt bonds. In order to protect the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, it is necessary for the Board to expressly agree to accept title to the Project, and any additions thereto, upon retirement of the Bonds.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more series to be designated in the Bond Purchase Agreement, in the maximum aggregate par amount of \$110,000,000 at such time as the Corporation is able to sell the Bonds to the Underwriter and at such prices as may be determined by the Corporation, provided that the other conditions of paragraph 15 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to finance the refunding of the Refunded Bonds and to pay the costs of the issuance, sale and delivery of the Bonds and expenses relating to the Bonds. The Corporation's engagement of FirstSouthwest, a division of Hilltop Securities Inc., as financial advisor to the Corporation, and of Jones Walker LLP as bond counsel with respect to the issuance of the Bonds and of the Underwriter as underwriter for the Bonds is hereby approved. The Board also approves the University counsel to serve in her official capacity as counsel for both the University and for the Corporation in connection with the various transactions related to the issuance of the Bonds, and the Board specifically waives any related conflict of interest.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be

# EXHIBIT 2

November 16, 2017

approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. The Preliminary Official Statement prepared in connection with the sale of the Bonds and the distribution thereof are hereby approved in the substantially the form attached hereto as **Exhibit C** with such completions, changes, insertions, and modifications as shall be approved by the Corporation. The Official Statement with respect to the Bonds is hereby approved in substantially the form of the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the Corporation; the distribution of said Official Statement in connection with the sale of the Bonds is hereby approved; and execution of said Official Statement by the President of the Corporation is hereby approved.

SECTION 5. Pursuant to the Continuing Disclosure Agreement, the Board will, when and if required, undertake to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of these undertakings with respect to the Bonds is set forth in the Preliminary Official Statement and will also be set forth with respect to the Bonds in the final Official Statement. The Continuing Disclosure Agreement is hereby approved in substantially the form included in **Exhibit C**, and the Commissioner of Higher Education is hereby authorized to execute and deliver the Continuing Disclosure Agreement under the seal of the Board for and on behalf of the Board, with such completions, changes, insertions, and modifications as shall be approved by said official, the execution thereof by such official to be conclusive evidence of such approval.

SECTION 6. The sale of the Bonds on a negotiated basis to the Underwriter is hereby authorized and approved.

SECTION 7. The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate to obtain municipal bond insurance for the Bonds, whether such municipal bond insurance is to be obtained being entirely within the discretion of the Corporation.

SECTION 8. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

SECTION 9. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 10. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

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# EXHIBIT 2

November 16, 2017

## SCHEDULE OF REFUNDABLE BONDS

Issue	Maturity	Type	of Bond	Coupon	Maturity Value	Call Date	Call Price
<b>Dated 7/28/2011   Delivered 7/28/2011</b>							
Series 2011	08/01/2022	Serial	Coupon	5.000%	1,395,000	08/01/2021	100.000%
Series 2011	08/01/2023	Serial	Coupon	5.000%	1,460,000	08/01/2021	100.000%
Series 2011	08/01/2024	Serial	Coupon	5.000%	1,535,000	08/01/2021	100.000%
Series 2011	08/01/2025	Serial	Coupon	5.000%	1,615,000	08/01/2021	100.000%
Series 2011	08/01/2026	Serial	Coupon	4.000%	1,690,000	08/01/2021	100.000%
Series 2011	08/01/2027	Serial	Coupon	5.000%	500,000	08/01/2021	100.000%
Series 2011	08/01/2028	Serial	Coupon	5.000%	1,500,000	08/01/2021	100.000%
Series 2011	08/01/2029	Serial	Coupon	4.250%	1,570,000	08/01/2021	100.000%
Series 2011	08/01/2030	Serial	Coupon	4.250%	1,635,000	08/01/2021	100.000%
Series 2011	08/01/2031	Serial	Coupon	4.750%	1,715,000	08/01/2021	100.000%
Series 2011	08/01/2032	Term 1	Coupon	5.000%	1,800,000	08/01/2021	100.000%
Series 2011	08/01/2033	Term 1	Coupon	5.000%	1,890,000	08/01/2021	100.000%
Series 2011	08/01/2034	Term 1	Coupon	5.000%	1,990,000	08/01/2021	100.000%
Series 2011	08/01/2035	Term 1	Coupon	5.000%	2,090,000	08/01/2021	100.000%
Series 2011	08/01/2036	Term 1	Coupon	5.000%	2,195,000	08/01/2021	100.000%
Series 2011	08/01/2038	Term 2	Coupon	5.000%	2,420,000	08/01/2021	100.000%
Series 2011	08/01/2039	Term 2	Coupon	5.000%	2,545,000	08/01/2021	100.000%
Series 2011	08/01/2040	Term 2	Coupon	5.000%	2,675,000	08/01/2021	100.000%
Series 2011	08/01/2041	Term 2	Coupon	5.000%	2,810,000	08/01/2021	100.000%
Series 2011	08/01/2037	Serial	Coupon	4.000%	930,000	08/01/2021	100.000%
Series 2011	08/01/2037	Serial	Coupon	4.625%	2,305,000	08/01/2021	100.000%
<b>Subtotal</b>	-	-	-	-	<b>\$38,265,000</b>	-	-
<b>Dated 10/11/2013   Delivered 10/11/2013</b>							
Series 2013	08/01/2024	Serial	Coupon	5.000%	685,000	08/01/2023	100.000%
Series 2013	08/01/2025	Serial	Coupon	5.000%	720,000	08/01/2023	100.000%
Series 2013	08/01/2026	Serial	Coupon	5.000%	760,000	08/01/2023	100.000%
Series 2013	08/01/2027	Serial	Coupon	5.000%	2,050,000	08/01/2023	100.000%
Series 2013	08/01/2028	Serial	Coupon	4.000%	2,140,000	08/01/2023	100.000%
Series 2013	08/01/2029	Serial	Coupon	4.000%	2,230,000	08/01/2023	100.000%
Series 2013	08/01/2030	Serial	Coupon	5.000%	2,330,000	08/01/2023	100.000%
Series 2013	08/01/2031	Serial	Coupon	5.000%	2,450,000	08/01/2023	100.000%
Series 2013	08/01/2032	Serial	Coupon	5.000%	2,575,000	08/01/2023	100.000%
Series 2013	08/01/2033	Serial	Coupon	4.375%	2,700,000	08/01/2023	100.000%
Series 2013	08/01/2034	Term 1	Coupon	5.250%	2,835,000	08/01/2023	100.000%
Series 2013	08/01/2035	Term 1	Coupon	5.250%	2,985,000	08/01/2023	100.000%
Series 2013	08/01/2036	Term 1	Coupon	5.250%	3,150,000	08/01/2023	100.000%
Series 2013	08/01/2037	Term 1	Coupon	5.250%	3,315,000	08/01/2023	100.000%
Series 2013	08/01/2038	Term 1	Coupon	5.250%	3,495,000	08/01/2023	100.000%
Series 2013	08/01/2039	Term 2	Coupon	5.000%	3,680,000	08/01/2023	100.000%
Series 2013	08/01/2040	Term 2	Coupon	5.000%	3,870,000	08/01/2023	100.000%
Series 2013	08/01/2041	Term 2	Coupon	5.000%	4,070,000	08/01/2023	100.000%
Series 2013	08/01/2042	Term 2	Coupon	5.000%	4,275,000	08/01/2023	100.000%
Series 2013	08/01/2043	Term 2	Coupon	5.000%	4,495,000	08/01/2023	100.000%
<b>Subtotal</b>	-	-	-	-	<b>\$54,810,000</b>	-	-
<b>Total</b>	-	-	-	-	<b>\$93,075,000</b>	-	-



# **EXHIBIT 2**

November 16, 2017

**EXHIBIT A  
THE GROUND LEASE**

**EXHIBIT B  
THE LEASE AGREEMENT**

**EXHIBIT C  
PRELIMINARY OFFICIAL STATEMENT**

# EXHIBIT 3

November 16, 2017

There came on for consideration by the Board of Trustees of State Institutions of Higher Learning the matter of issuance of revenue bonds by the S.M. Educational Building Corporation. After a discussion of the subject, Trustee \_\_\_\_\_ offered and moved the adoption of the following resolution:

RESOLUTION AUTHORIZING THE S.M. EDUCATIONAL BUILDING CORPORATION TO ISSUE REVENUE REFUNDING BONDS IN ONE OR MORE TAXABLE AND/OR TAX-EXEMPT SERIES IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$58,000,000 TO REFUND ALL OR A PORTION OF CERTAIN OUTSTANDING REVENUE BONDS OF S.M. EDUCATIONAL BUILDING CORPORATION TO BE IDENTIFIED IN THE BOND PURCHASE AGREEMENT, AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG THE UNIVERSITY OF SOUTHERN MISSISSIPPI, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE S.M. EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND S.M. EDUCATIONAL BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE SALE AND ISSUANCE OF SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT PERTAINING TO SAID BONDS; AUTHORIZING S.M. EDUCATIONAL BUILDING CORPORATION TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH OBTAINING BOND INSURANCE FOR SAID BONDS; APPROVING THE PURPOSES AND ACTIVITIES OF THE S.M. EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES REFINANCED WITH THE PROCEEDS OF SAID BONDS; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the “Board”) hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.
2. The University of Southern Mississippi (the “University”) was organized and incorporated as a state institution of higher learning pursuant to Section 37-119-1 *et seq.*, Mississippi Code of 1972, as amended, is controlled and managed by the Board pursuant to

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Chapter 101 of Title 37, Mississippi Code of 1972, and is an educational institution owned and operated by the State of Mississippi by and through the Board.

3. S.M. Educational Building Corporation (the “Corporation”) was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through 37-101-71, Mississippi Code of 1972, as amended (the “Act”), for the purpose of acquiring or constructing facilities for the University.

4. The Board of Directors of the Corporation proposes to issue its Revenue Refunding Bonds in the maximum aggregate par amount of \$58,000,000 (the “Bonds”) to provide moneys to refund all or a portion of the outstanding revenue bonds set forth on the Schedule of Refundable Bonds attached hereto that are identified in Bond Purchase Agreement (defined below) as bonds to be refunded with the proceeds of the Bonds (the “Refunded Bonds”), and to pay the related costs of the issuance, sale and delivery of the Bonds and to pay the related costs of the refunding; provided, such issuance is conditioned upon the adoption of this Resolution authorizing the same.

5. The Corporation issued the Refunded Bonds to finance various projects as set forth on Exhibit B to the Lease (as defined below) (collectively, the “Project”) located on various sites on the campus of the University as set forth on Exhibit A to the Lease (collectively, the “Project Site”).

6. The Corporation shall lease the Project Site from the Board and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the “Ground Lease”).

7. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the “Lease”).

8. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Site to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Site from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

9. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State of Mississippi, the Board, or the University.

10. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

11. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation’s net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

12. The Board, through the University, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

13. The Board has full authority under the Constitution and laws of the State of Mississippi, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay

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expenditures of the institutions of higher learning of the State of Mississippi, including the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

14. It is appropriate for the Board to approve the Preliminary Official Statement (the "Preliminary Official Statement") to be used in connection with the marketing of the Bonds and to authorize and approve the execution and distribution of a final Official Statement (the "Official Statement") in connection with the sale of the Bonds.

15. The Corporation will sell the Bonds, in one or more series, on a negotiated basis pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement") with Raymond James & Associates, Inc., and such other underwriters as are named in the Bond Purchase Agreement (collectively, the "Underwriter"). It is necessary and appropriate for the Board to approve the Underwriter as the underwriter for the Bonds. It is also necessary and appropriate to authorize the Corporation to sell the Bonds at such prices as may be determined by the Corporation, provided that, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$58,000,000; the final maturity of the Bonds shall be not later than December 1, 2043; the interest rates on the Bonds shall not exceed the interest rates permitted by Mississippi law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act.

16. It is necessary in connection with the sale of the Bonds to enter into a Continuing Disclosure Agreement, and it is necessary and appropriate for the Board to approve the form, and authorize the execution, of a Continuing Disclosure Agreement.

17. To enhance the marketability of the Bonds, it may be desirable to obtain municipal bond insurance for the Bonds; and it is necessary and appropriate for the Board to authorize the Corporation to take such actions and execute such documents and agreements as may be necessary or appropriate to obtain bond insurance for the Bonds.

18. It is anticipated that the Bonds will be issued as tax-exempt and/or taxable bonds. In order to protect the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, it is necessary for the Board to expressly agree to accept title to the Project, and any additions thereto, upon retirement of the Bonds.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more taxable and/or tax-exempt series to be designated in the Bond Purchase Agreement, in the maximum aggregate par amount of \$58,000,000 at such time as the Corporation is able to sell the Bonds to the Underwriter and at such prices as may be determined by the Corporation, provided that the other conditions of paragraph 15 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to finance the refunding of the Refunded Bonds and to pay the costs of the issuance, sale and delivery of the Bonds and expenses relating to the Bonds. The Corporation's engagement of Hilltop Securities Inc., as financial advisor to the Corporation, of Butler Snow LLP as bond counsel, and of the Underwriter as underwriter for the Bonds is hereby approved.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be

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approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. The Preliminary Official Statement prepared in connection with the sale of the Bonds and the distribution thereof are hereby approved in substantially the form attached hereto as **Exhibit C** with such completions, changes, insertions, and modifications as shall be approved by the Corporation. The Official Statement with respect to the Bonds is hereby approved in substantially the form of the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the Corporation; the distribution of said Official Statement in connection with the sale of the Bonds is hereby approved; and execution of said Official Statement by the President of the Corporation is hereby approved.

SECTION 5. Pursuant to the Continuing Disclosure Agreement, the Board will, when and if required, undertake to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of these undertakings with respect to the Bonds is set forth in the Preliminary Official Statement and will also be set forth with respect to the Bonds in the final Official Statement. The Continuing Disclosure Agreement is hereby approved in substantially the form attached hereto as **Exhibit D**, and the President of the Board is hereby authorized to execute and deliver the Continuing Disclosure Agreement under the seal of the Board for and on behalf of the Board, with such completions, changes, insertions, and modifications as shall be approved by said official, the execution thereof by such official to be conclusive evidence of such approval.

SECTION 6. The sale of the Bonds on a negotiated basis to the Underwriter is hereby authorized and approved.

SECTION 7. The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate to obtain municipal bond insurance for the Bonds, whether such municipal bond insurance is to be obtained being entirely within the discretion of the Corporation.

SECTION 8. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

SECTION 9. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 10. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

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Following the reading of the foregoing resolution, Trustee \_\_\_\_\_ seconded the motion for its adoption, which motion received the affirmative vote of all Trustees present. The President thereupon declared the motion carried and the resolution adopted on this 16th day of November, 2017.

\_\_\_\_\_  
President, Board of Trustees of State Institutions of  
Higher Learning of the State of Mississippi

## CERTIFICATE

I certify that the foregoing instrument is a true and correct copy of a resolution adopted by the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on November 16, 2017.

Executed on this, the 16th day of November, 2017.

\_\_\_\_\_  
President, Board of Trustees of State  
Institutions of Higher Learning

(SEAL)

## SCHEDULE OF REFUNDABLE BONDS

<u>Maturity</u>	<u>Rate</u>	<u>Principal Amount</u>	<u>Call Date</u>	<u>Call Price</u>
3/1/2024	2.500%	\$ 750,000	3/1/2023	100.000%
3/1/2025	2.750%	845,000	3/1/2023	100.000%
3/1/2026	3.000%	945,000	3/1/2023	100.000%
3/1/2027	3.000%	1,055,000	3/1/2023	100.000%
3/1/2028	3.125%	1,165,000	3/1/2023	100.000%
3/1/2029	3.250%	1,290,000	3/1/2023	100.000%
3/1/2030	5.000%	1,415,000	3/1/2023	100.000%
3/1/2031	5.000%	1,575,000	3/1/2023	100.000%
3/1/2032	5.000%	1,745,000	3/1/2023	100.000%
3/1/2033	5.000%	1,930,000	3/1/2023	100.000%
3/1/2034	5.000%	2,125,000	3/1/2023	100.000%
3/1/2035	5.000%	2,330,000	3/1/2023	100.000%
3/1/2036	5.000%	2,550,000	3/1/2023	100.000%

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<u>Maturity</u>	<u>Rate</u>	<u>Principal Amount</u>	<u>Call Date</u>	<u>Call Price</u>
3/1/2037	5.000%	2,785,000	3/1/2023	100.000%
3/1/2038	5.000%	3,035,000	3/1/2023	100.000%
3/1/2039	5.000%	3,300,000	3/1/2023	100.000%
3/1/2040	5.000%	3,580,000	3/1/2023	100.000%
3/1/2041	5.000%	3,880,000	3/1/2023	100.000%
3/1/2042	5.000%	4,195,000	3/1/2023	100.000%
3/1/2043	5.000%	4,535,000	3/1/2023	100.000%
<b>Total</b>		<b>\$45,030,000</b>		

## EXHIBIT A

### FORM OF GROUND LEASE

## EXHIBIT B

### FORM OF LEASE AGREEMENT

## EXHIBIT C

### FORM OF PRELIMINARY OFFICIAL STATEMENT

## EXHIBIT D

### FORM OF CONTINUING DISCLOSURE AGREEMENT

# EXHIBIT 4

November 16, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 19, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

### **ALCORN STATE UNIVERSITY**

1. **ASU – IHL 201-255 – Water Treatment Facility Improvements**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 24, 2017 to initiate a new project and appoint M&G Enterprises for the design and construction of a reverse osmosis water treatment system.

Approval Status & Date: APPROVED, August 24, 2017

Project Initiation Date: August 24, 2017

Design Professional: M&G Enterprises, Inc., d/b/a Engineering Services

General Contractor: TBD

Total Project Budget: \$3,311,592.00

### **MISSISSIPPI STATE UNIVERSITY**

2. **MSU– GS 105-351 – YMCA Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$126,716.29 and eight (8) additional days to the contract of Gregory Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, October 16, 2017

Change Order Description: Change Order #4 includes the following items: utility revisions; storm drain revisions; electrical revisions; site utility and piping modifications; electrical (IT) changes and eight (8) days to the contract.

Change Order Justification: These changes are due to user/owner requested modifications; and additional days for work as indicated herein.



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Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$564,224.11.

Project Initiation Date: August 15, 2013

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Gregory Construction Services, Inc.

Total Project Budget: \$9,800,000.00

### 3. MSU– GS 105-352 – Library Expansion, Mitchell Memorial Library

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$4,999.00 and ten (10) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 14, 2017

Change Order Description: Change Order #6 includes the following items: added carpet in the atrium; and ten (10) days to the contract.

Change Order Justification: This change was necessary to latent job site conditions; and days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$340,340.59.

Project Initiation Date: August 15, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC.

General Contractor: West Brothers Construction, Inc

Total Project Budget: \$8,300,000.00

### 4. MSU – GS 113-145 (formerly IHL #213-142) – NWARC Roof Replacement

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Pryor & Morrow Architects and Engineers, P.A.

Approval Status & Date: APPROVED, September 7, 2017

**Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Pryor & Morrow Architects and Engineers, P.A.

Approval Status & Date: APPROVED, September 7, 2017

Project Initiation Date: October 21, 2016

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

General Contractor: TBD

Total Project Budget: \$2,000,000.00

### 5. MSU– IHL 205-278 – MSU nSPARC Data Center

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$96,330.41 and thirty (30) additional days to the contract of Burks Mordecai Builders, Inc.

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Approval Status & Date: APPROVED, October 13, 2017

Change Order Description: Change Order #4 includes the following items: additional diffusers; low voltage additional changes; installation of a knoxbox; landscaping revisions; security system changes; insulation changes at the metal panels; additional lighting controls; and thirty (30) days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$334,553.29.

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: Burks Mordecai Architects, P.A.

Total Project Budget: \$4,650,000.00

## 6. **MSU– IHL 205-279 – Addition & Renovation to Dudy Noble Field**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$47,273.56 and zero (0) additional days to the contract of Wier Boerner Allin Architects, PLLC.

Approval Status & Date: APPROVED, September 28, 2017

Change Order Description: Change Order #2 includes the following items: re-feed the water line to an office; revised the view level vomitory slabs; credit for the revised undercut to the existing playing field; material abatement of the existing outfield restroom building; credit to keep the storm inlets; revised the design of the stadium view level railings; extended the grandstand steel light towers to 100' above the field; revised the wall/door layout at the lobby to coordinate with the adjacent stair; and added a concrete wall at the void in the existing stadium.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$422,526.44.

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architects, PLLC

General Contractor: Jesco, Inc.

Total Project Budget: \$55,000,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

## 7. **MUW– GS 104-184 – Fant Library Renovation – PH III (Build Out)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

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Board staff approved Change Order #3 in the amount of \$42,475.14 and eighty-six (86) additional days to the contract of Amason & Associates, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, October 4, 2017

Change Order Description: Change Order #3 includes the following items: additional power circuits to four (4) variable airflow valve (VAV) boxes; modifications to the existing electrical panels; added lighting control sensors for certain light fixtures located within the 2<sup>nd</sup> floor area; signage changes; electrical changes; power supply to the pre-action fire panel and air compressor; added window treatments; removal of potter panel and added a simplex panel for the sprinkler system; additional signage changes; and eighty-six (86) days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$61,438.19.

Project Initiation Date: January 22, 2015

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

General Contractor: Amason & Associates, Inc.

Phased Project Budget: \$4,429,006.89

Total Project budget: \$8,249,000.00

## UNIVERSITY OF MISSISSIPPI

### 8. UM- IHL 107-308 – Union Addition & Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$425,796.00 and twenty-one (21) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 7, 2017

Change Order Description: Change Order #9 includes the following items: food service design revisions & clarifications; rerouted the mechanical pipe in the basement; added miscellaneous metal members based on structural/architectural coordination; installed plywood, drip edge, and vapor barrier membrane at the low roof parapet; added three (3) additional card readers, and added raceways for six (6) added card readers at elevators in Phase 2; added one set of furniture pads at the freight elevator south of the kitchen; added aluminum cane rails; provided 2-hour fire-rated duct wrap at the makeup air ducts at the hoods; installed additional 3” of concrete at the loading dock drive lane for a total thickness of 8” ; changed the ballroom carpet types and patterns; revised the sanitary sewer to replace & lower the existing sanitary line; revised the storm sewer to run along the nail wall and capture the existing clay pipe from Isom Hall; removed five (5) existing precast panels on the phase 3 lower east elevation ; installed miscellaneous steel angle

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and deck at level 3 Phase 3 to infill the existing stair opening; swapped the chiller line connections; and twenty-one days to the contract.

Change Order Justification: These changes are due to changes & requirements or recommendations by governmental agencies; errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$1,795,661.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects – Jackson, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,580,521.45

Total Project budget: \$58,900,000.00

9. **UM– GS 107-317 (formerly IHL 207-368) – Johnson Commons East Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$22,417.02 and twenty-nine (29) additional days to the contract of Legacy Construction Services. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 7, 2017

Change Order Description: Change Order #1 includes the following items: deleted the chilled & hot water line work; installed an isolation valve at the return chiller line; abatement of floor tile and adhesive at two floors; grading and drainage revisions; credit adjustment for energy management & control system quotes for the specified allowance; sidewalk and east plaza revisions; installed additional knee bracing at the mechanical mezzanine structural steel; installed fire sprinkler heads at the ceiling space below the mezzanines; and twenty-nine (29) days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$22,417.02.

Project Initiation Date: November 15, 2012

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Legacy Construction Services

Total Project Budget: \$8,300,000.00

10. **UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$131,043.29 and twenty-two (22) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, September 14, 2017

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Change Order Description: Change Order #3 includes the following items: pump out and remove an unknown neutralization basin uncovered on the site and fill with compacted soil in preparation for concrete; design revision of the site plan; modification of the existing fire main; pretreated the new concrete slabs for termites; shored up the existing building column; removal and disposal of unknown debris uncovered while digging the retention pond; modification of the existing structure to support the installation of a new beam; built additional temporary fencing around the retention pond; extended the length of communication lines to the relocated communication vault; relocated job trailers and temporary power; undercut areas of the new east bus road; lowered the depressed slab at the boulder wall making sure the padding is flush with the finish floor; removal of an uncovered concrete slab below the demolished asphalt; and twenty-two (22) days to the concrete, fifteen (15) of which are due to weather delays.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; weather delays and days for work as indicated herein.

## **Approval Request #2: Change Order #4**

Board staff approved Change Order #4 in the amount of \$110,538.52 and forty-nine (49) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, October 4, 2017

Change Order Description: Change Order #4 includes the following items: added a roof drain connection to the structure and to cap the existing connections; added closed caption tv (CCTV) raceways; additional duct for the gym storage room; undercutting areas of the new east bus road; removal of unforeseen concrete beneath the existing asphalt; added helical piers for the building corner; additional piping supports; and forty-nine (49) days to the contract, three (3) of which are due to weather delays.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$417,028.43.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Zellner Construction Services, LLC

Phased Project Budget: \$28,740,890.13

Total Project Budget: \$32,000,000.00

## **11. UM – IHL 207-411.1 – Oxford-University Stadium (Swayze Field) Addition & Renovation – PH II**

### **Approval Request #1: Change Order #2R**

Board staff approved Change Order #2R in the amount of \$140,950.33 and five (5) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, October 13, 2017

Change Order Description: Change Order #2R includes the following items: provide a temporary feed to the existing emergency generator to maintain life safety systems during

# EXHIBIT 4

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owner occupancy of the building during construction; demolition of a dead ductbank; modification of the new storm drain to connect to the uncovered existing storm drain and tie into the original existing 18” main storm drain; modification of the existing sanitary storm sewer to route around the west edge of the building and tie into the existing manhole; changed the pile to the cap layout at the column corner; modification of the design of the segmented retaining wall; requested direct cost associated with the loss of deep foundation production; and five (5) days to the contract.

Change Order Justification: These changes are due to errors and omission in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$147,698.11.

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$18,692,553.92

Total Project Budget: \$19,844,146.00

## 12. UM- IHL 207-421 – Jackson Avenue Center Safe Room

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer & Associates

Approval Status & Date: APPROVED, September 7, 2017

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 7, 2017

Project Initiation Date: August 18, 2016

Design Professional: Shafer & Associates

General Contractor: TBD

Total Project Budget: \$1,100,000.00

## 13. UM – IHL 207-423 – Jackson Avenue Center Phase III – Swing Space

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$44,430.00 and ten (10) additional days to the contract of Murphy & Sons, Inc.

Approval Status & Date: APPROVED, August 29, 2017

Change Order Description: Change Order #3 includes the following items: demolished the existing storefront; constructed a new storefront; added a conduit rough-in; installed two (2) Dyson hand dryers and circuits; added three (3) fire extinguisher cabinets; added circuits for projector screens & projectors; and ten (10) days to the contract

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

### **Approval Request #2: Change Order #4**

# EXHIBIT 4

November 16, 2017

Board staff approved Change Order #4 in the amount of \$31,115.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Approval Status & Date: APPROVED, September 14, 2017

Change Order Description: Change Order #4 includes the following items: modification of the roof system wall flashing on the parapet wall.

Change Order Justification: This change is due to latent job site conditions.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$91,173.00.

Project Initiation Date: September 2, 2016

Design Professional: Shafer & Associates, PLLC

General Contractor: Murphy & Sons, Inc.

Total Project Budget: \$3,800,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 14. UMMC– GS 109-210 (GC-001) – School of Medicine

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #14**

Board staff approved Change Order #14 in the amount of \$429,919.00 and eighty-one (81) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 7, 2017

Change Order Description: Change Order #14 includes the following items: provided the necessary revisions to the Learning Resource Center (LRC) first floor corridor walls; relocated three (3) cove light fixtures to the west wall of a room and added a dimming switch; removed the top of the existing LRC precast panel and fill the floor gap on the LRC side; replaced the exterior aluminum entry doors thresholds with American Disabilities Act (ADA) ramp type thresholds; provided wire management enclosures at the headwall locations in the simulation rooms; provided aluminum angle closure trim at the glass smoke baffle locations; installed nine (9) low static pressure sensors on the return air exhaust ducts ; installed new locks on five (5) penthouse exterior doors; excavated the existing fire main north of the dental school; installed a new sump pump, a breaker for the sump pump, and relocated the fire alarm heat detectors; retested the fire pump following the change to the breaker at the transfer switch; added road revisions; and eighty-one (81) days to the contract.

Change Order Justification: These changes are due to errors & omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

**Approval Request #2: Change Order #15**

Board staff approved Change Order #15 in the amount of \$128,923.00 and twenty-nine (29) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, September 7, 2017

# EXHIBIT 4

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Change Order Description: Change Order #15 includes the following items: installed metal studs, gypsum board and aluminum sheet over the back of the insulated spandrel glass in a stair; reduced the mulch material depth from 12” to 3” in the courtyard planters; relocated the smoke detectors in a specialty ceiling within 3 feet of the HVAC grilles and diffusers; cleaned and repainted the ground floor north foundation wall of the LRC; added new traffic gate arms and power to the west entry of the north parking lot; added wiring and boxes for the surgical light in the simulation room; changed two (2) sprinkler heads under the ground floor atrium stair from exposed type to concealed; removed, revised, and reinstalled terrazzo base at the smoke curtains; added a steel plate infill at gaps between the steel stair stringers and walls of a stair; installed rough-ins and programming in order to revise the lab exhaust control and sequence; provided floor slab cores in a 3<sup>rd</sup> floor room and rated wall sleeve penetration at the 2<sup>nd</sup> floor; installed cube core grilles in the 4<sup>th</sup> floor ceiling exam rooms; and twenty-nine (29) days to the contract.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Fifteen (15) change orders for a total amount of \$1,511,227.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

## 15. UMMC – IHL 109-223 – Clinical Research Unit

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Design Development Documents**

Board staff approved the Design Development Documents as submitted by Foil Wyatt Architects & Planners, PLLC.

Approval Status & Date: APPROVED, September 14, 2017

Project Initiation Date: May 18, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$7,500,000.00

## 16. UMMC – IHL 209-559 – School of Population Health

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Foil Wyatt Architects & Planners, PLLC.

Approval Status & Date: APPROVED, September 27, 2017

Project Initiation Date: June 15, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$5,000,000.00



# EXHIBIT 4

November 16, 2017

## 17. UMMC- IHL 209-560– Pediatric Pharmacy Renovation

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Foil Wyatt Architects & Planners, PLLC

Approval Status & Date: APPROVED, September 27, 2017

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 27, 2017

Project Initiation Date: August 17, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$1,105,000.00

## 18. UMMC- IHL 209-560– Pediatric Pharmacy Renovation – Sole Source

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on September 26, 2017 requesting permission to sole source the energy management controls for the Pediatric Pharmacy Renovations project as an extension of the existing Johnson Controls system.

Approval Status & Date: APPROVED, September 26, 2017

Project Initiation Date: August 17, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Total Project Budget: \$1,105,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

## 19. USM– GS 110-097 – Campus Repairs & Renovations

**NOTE: This is a Bureau of Building project**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, September 14, 2017

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 14, 2017

Project Initiation Date: October 15, 2015

Design Professional: Allred Architectural Group

General Contractor: TBD

Total Project Budget: \$2,000,000.00

# EXHIBIT 4

November 16, 2017

20. **USM- IHL 208-335 – Ross Boulevard Parking Project**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$11,832.30 and thirty (30) additional days to the contract of R&J Construction, Inc.

Approval Status & Date: APPROVED, October 12, 2017

Change Order Description: Change Order #2 includes the following items: a deduct for adjustment of miscellaneous unit quantities of underruns on materials, excess excavation and Portland Cement soil treatment; additional miscellaneous overruns, added crushed stone, borrow excavation; and thirty (30) days to the contract, sixteen (16) of which were due to weather delays.

Change Order Justification: These changes are due to latent job site conditions; weather delays and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$11,522.98.

Project Initiation Date: May 19, 2016

Design Professional: Neel-Schaffer, Inc.

General Contractor: R&J Construction, Inc.

Total Project Budget: \$1,350,000.00

# EXHIBIT 5

November 16, 2017

## 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 Ware Immigration (statements dated 1/1/17, 2/1/17, 4/1/17, 5/1/17, 6/19/17, 9/1/17 and 9/1/17) from the funds of Alcorn State University. (These statements, in the amounts of \$15.50, \$28.51, \$16.50, \$30.05, \$460.00, \$2,000.00 and \$22.68, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 2,573.24**

Payment of legal fees for professional services rendered by Gian Franco Borio (statement dated 10/20/17) from the funds of Mississippi State University. (This statement, in the amount of \$3,500.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,500.00**

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 9/17/17) from the funds of Mississippi State University. (This statement, in the amount of \$835.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 835.00**

Payment of legal fees for professional services rendered by Perry & Winfield (statement dated 10/2/17) from the funds of Mississippi State University. (This statement, in the amount of \$2,031.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 2,031.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 9/1/17, 9/1/17, 9/1/17, 9/1/17, 10/1/17, 10/1/17, 10/1/17 and 10/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00, \$2,000.00, \$2,500.00, \$504.00, \$2,000.00, \$1,000.00, \$2,000.00 and \$2,000.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 14,504.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 9/18/17) from the funds of the University of Mississippi. (This statement, in the amount of \$41,621.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 41,621.50**

# EXHIBIT 5

November 16, 2017

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/1/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$4,000.00, \$2,500.00 and \$2,966.00, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 9,466.00**

Payment of legal fees for professional services rendered by the Baker|Donelson (statement dated 9/12/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$4,957.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,957.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/12/17, 9/12/17, 9/12/17, 9/12/17 and 9/19/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$27,437.90, \$15,900.80, \$2,235.53, \$41,158.50 and \$6,674.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 93,407.43**

Payment of legal fees for professional services rendered by Hogan Lovell (statements dated 9/18/17 and 9/28/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$712.80 and \$41,471.20, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 42,184.00**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 8/29/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$825.00, \$1,551.00, \$882.75, \$363.00, \$1,468.50 and \$660.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,750.25**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 9/1/17, 9/1/17, 9/12/17 and 9/12/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,372.30, \$243.90, \$10,575.10 and \$4,765.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 21,957.00**

# EXHIBIT 5

November 16, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/13/17, 9/18/17, 10/9/17 and 10/11/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$147.50, \$2,360.00, \$236.00 and \$10,856.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 13,599.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,500.00, \$46.81, \$464.00, \$1,507.10 and \$2,500.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 6,017.91**

## **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 (statements dated 8/31/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Vibrio Assay Methods and Kits” - \$407.50; “Live Attenuated Catfish Vaccine and Method of Making” - \$38.00; “Sequence Specific Phage-Based Antimicrobials” - \$184.50; “Symmetrical CCC-NHC Pincer Metal Complexes and Catalytic Methods” - \$512.50; “CCC-NHC Pincer Metal Complexes and Catalytic Methods” - \$487.00; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - \$50.00 and “Cancer Therapeutic Use of Occidiofungin” - \$89.00.)

**TOTAL DUE.....\$ 1,768.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/23/17, 9/21/17 and 9/21/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,746.00, \$2,102.00 and \$1,000.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 4,848.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/18/17) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks” - \$400.00 and “Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$820.32.)

**TOTAL DUE.....\$ 1,220.32**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 19, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this October 19, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President. Trustee Chip Morgan introduced Dr. Al Rankins, President of Alcorn State University, to give the prayer.

**INTRODUCTION OF GUESTS**

- President C.D. Smith welcomed the Student Government Association Officers: Patrick Herbert, SGA President at Alcorn State University; Ashley Griffin, SGA President at Delta State University; Tyler McMurray, SGA President at Mississippi State University; Kamberlin King, SGA President at Mississippi Valley State University; Dion Kevin, SGA President of the University of Mississippi; Edgar Meyer, SGA President of the University of Mississippi Medical Center; Cameron Cloud, SGA President at the University of Southern Mississippi; and McKenna Stone, SGA Vice President at the University of Southern Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee Pickering, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on September 21, 2017.

**CONSENT AGENDAS**

On motion by Trustee Rouse, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved the following new academic programs:
  - a. **ASU** - Bachelor of Science in Athletic Training degree (CIP 51.0913)
  - b. **ASU** – Master of Arts in History degree (CIP 54.0101)
  - c. **UM** – Bachelor of Science in Economics degree (CIP 13.1401)
  - d. **UM** – Master of Science in Hospitality Management degree (CIP 52.0910)
  - e. **UM** – Master of Science in Integrated Marketing Communication degree (CIP 09.0900)
  - f. **UM** – Master of Accountancy and Data Analytics degree (CIP 52.0399)
  - g. **UM** – Master of Taxation and Data Analytics degree (CIP 52.1601)
2. **SYSTEM** – Approved the following new academic unit: **UM** – Center for Graphene Research and Innovation.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 19, 2017**

3. **SYSTEM** – Approved the following academic unit modification: **UMMC** – Rename the Biochemistry Department to the Department of Cell and Molecular Biology.
4. **SYSTEM** – Approved the following academic program modifications:
  - a. **UMMC** – Rename the Master of Science in Population Health the Master of Science in Population Health Science.
  - b. **UMMC** – Rename the Doctorate of Philosophy in Population Health the Doctorate of Philosophy in Population Health Science.
  - c. **UMMC** – Rename the Doctorate of Philosophy in Biochemistry the Doctorate of Philosophy in Cell and Molecular Biology.
  - d. **MUW** – Consolidate the Master of Education in Reading Literacy, the Master of Education in Gifted Studies, and the Master of Education in Education leadership degrees into the Master of Education in Education degree. (CIP 13.0101).

**FINANCE**

5. **MSU** – Approved the request for the MSU Extension Agricultural Communications to enter into a five-year copier lease agreement with Canon Solutions America for IMAGEPRESS C8000VP Digital Press Set, Prisma Direct, and Prisma Prepare, with annual recurring maintenance and support plus training on the IMAGEPRESS C8000VP Digital Press Set, Prisma Direct, Prisma Prepare and Océ 115vp. MSU is also seeking approval from the Mississippi Department of Information Technology Services (IT related contract over \$250,000) and the Public Procurement Review Board (state contract over \$500,000). The contract will not be signed until approval is received from each of these bodies. This rental is needed in order to increase and better integrate production capabilities to meet current and expanding needs for printing to support Extension personnel, programs, and outreach to clientele. The C8000vp will replace two Océ 110 VeroPrint copiers that are reaching the end of their lease. Prisma Prepare will replace a current version that is reaching the end of its lease. Prisma Direct will manage printing equipment and Prisma Prepare software. The contract will begin when the documentation is approved and continue for 60 months. There will be a monthly charge of \$7,507.51 paid upon receipt of invoice. There will be additional payments for professional services at a state contract rate of \$200 per hour. The total cost is \$485,450.60. In addition, MSU will pay “click” charges as set forth in the State Contract. It is unknown exactly how many copies will be made over the five-year contract but it is estimated that there will be additional charges of up to \$306,000, giving a total anticipated expenditure of around \$791,450.60. The total cost of this contract will be paid with Agricultural Communications Print Shop Service Center funds. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board’s approval of this item, is on file in the Board Office.
6. **MSU** – Approved the request to enter into a contract with Diversified Elevator Service & Equipment Co., Inc. to continue daily operation and maintenance on the 135 elevators on MSU’s Starkville campus. The contract will run for five years starting January 1, 2018 and expiring on December 31, 2022. The contract amount is \$25,655.00 per month or \$1.6 million over 5 years. Funds are available from MSU General Funds. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board’s approval of this item, is on file in the Board Office.
7. **MSU** – Approved the request to amend the contract between MSU’s Office of Nutrition Education (ONE) and Frontier Strategies, LLC, for the purposes of making a no additional cost technical

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change in the contract between the production budget and the placement budget. The original agreement provides for the design, production and implementation of an advertising and communications plan with key messages targeting SNAP-Ed recipients in the State of Mississippi promoting healthy eating, shopping and cooking choices to increase awareness and encourage healthy lifestyles. The original contract term is July 6, 2017 to September 30, 2017. The term of Amendment #1 is October 1, 2017 to September 30, 2018. The agreement may be renewed for a period of one (1) year upon agreement of both parties in writing. The total contract amount is \$1,750,000. Payment will be issued on a monthly basis upon receipt of invoices based on actual services rendered. The contract and addendum are funded by a subgrant between the Mississippi Department of Human Services (MDHS) and Mississippi State University and the Office of Nutrition Education. The funding source for the subgrant is the United States Department of Agriculture (USDA). The funding for this agreement was approved by the USDA in May 2017 and the subgrant between MSU and MDHS was signed on July 5, 2017. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.

8. **MSU** – Approved the request to enter into a three-year lease of a 5,409.1-square foot building and 1.2-acre parcel of land on Singing River Island, MS for the purpose of Unmanned Aircraft Systems (UAS) operations with the Department of Homeland Security. In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Board approved the request to pay the quarterly rent in advance as is common in this industry. The agreement is for three years beginning October 1, 2017, and ending September 30, 2020. The contract may be renewed for up to five consecutive one-year periods upon written agreement of both parties. The Lessee will pay rent quarterly, in advance, in the amount of \$8,523.88, totaling \$34,095.52 annually. The rent is calculated as \$5.00 per square foot for the building and \$5,875 per acre for the ground lease (\$5.00 x 5,409.1 square feet; \$5,875 x 1.20 acres). The total rent amount for the 3-year lease totals \$102,286.50. The lease will be funded under Task Order 03 of contract W56HZV-17-C-0095 between MSU and the US Army's Tank Automotive Research, Development and Engineering Center. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
9. **MSU** – Approved the request to enter into a contract with STM Charters, Inc. for 9 round trip flights for the Men's Basketball team during the winter of 2017-18 season. In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Board approved the request to pay prior to the flights as is common in this industry. The contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement. The total of all charters will be \$354,206 to be paid with Athletic funds. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.
10. **MSU** – Approved the request to enter into a contract with STM Charters, Inc. for 8 round trip flights for the Women's Basketball team during the winter of 2017-18 season. In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Board approved the request to pay prior to the flights as is common in this industry. The contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement. The total of all charters will be \$296,895 to be paid with Athletic funds. The agreement, which was reviewed and approved by the IHL Associate Commissioner of Legal Affairs prior to the Board's approval of this item, is on file in the Board Office.



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11. **UM** – Approved the request to enter into a contract with CodeLynx, Inc. to standardize pricing for software, hardware, and migration services as requested by the ID Center. The scope of work will be to migrate the ID Center’s current video management system (Qognify) to Avigilon Control Center (ACC). This includes the current cameras, both analog and digital. CodeLynx is to provide takeover licensing for the current 665 licenses, any hardware required for the migration, product training, and any additional licenses needed for future use. This contract includes a non-solicitation clause that is in effect during the contract and for the twelve months following unless one party has the prior written approval of the other party; this clause also extends to any subcontract resulting from this contract. This contract will be for a period of one year from the start date of the signed contract with an option to renew each year up to an additional four years pending mutual agreement by both parties. The Board approved the full five years. The contract amount is estimated at a total of \$458,056.80. The initial migration and licensing cost for the first year will total \$208,221.60. The remaining \$249,835.20 will be spent on estimated future licenses for years 2-5. The total estimated cost of the video surveillance system project is \$612,888.75, which includes this agreement for the migration, hardware, and software licenses estimated at \$458,056.80 and the sister agreement with ESSC, Inc. for the installation of security cameras estimated at \$154,831.95. Funds for this contract will come from self-generated funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
12. **UM** – Approved the request from the Office of the Provost and Research and Sponsored Programs to amend an existing contract with Parker Executive Search to include four additional national searches for key leadership positions. UM is seeking professional assistance to fill four positions: Dean of the Graduate School, Dean of the School of Applied Sciences, Assistant Vice Chancellor for Research and Sponsored Programs, and Director of the Center for Educational Research and Evaluation. The existing contract commenced upon signing by the University, and will continue until successful completion of the Scope of Work as modified by the addition of these four searches. This modification will add \$270,000 for the professional services to the original contract, plus direct expenses (capped at 10% or \$27,000), plus actual costs for advertising, background investigations, interviews, and committee and candidate travel expenses. The estimated total for this modification is \$350,000. The funding source for this contract will be educational and general funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
13. **UM** – Approved the request to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services for the 2017/2018 men’s basketball season to be provided by Elite Aviation. In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Board approved the request to pay prior to the flights as is common in this industry. The contract will begin on October 20, 2017 and end on February 27, 2018. The contract amount is \$443,200 which is billed in two installments. The funding source for this contract is the Athletics Department Operating Funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
14. **UMMC** – Approved the request to enter into a new Solid Waste Services Agreement (Agreement) with BFI Waste Services, LLC d/b/a Republic Services of Jackson (Republic) to provide solid waste removal, disposal, and recycling services at all UMMC locations in the Jackson area and Lexington, Mississippi, as well as potential future services in Grenada, Mississippi. The term of the Agreement is for five (5) years, beginning December 1, 2017, and ending November 30, 2022.

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The estimated cost of the contract is \$2,720,595.20 for the five (5) year term. A breakdown of the cost is included in the bound *October 19, 2017 Board Working File*. The contract will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

15. **UMMC** – Approved the request to amend its Agreement No. 18863, Bioplex® 2200 System Rental Agreement Plan (Agreement) with Bio-Rad Laboratories, Inc. (Bio-Rad) for the rental of a Bio-Plex 2200 System, Evolis Microplate Processor, and related equipment, as well as the purchase of consumables and service for the systems. The Bio-Plex and Evolis system are utilized to provide diagnostic laboratory testing, including testing for Rubella, Lupus, Measles, Mumps, Varicella, and Herpes Simplex Virus. Additionally, the Evolis system is an open-channel testing equipment that can run assays from manufacturers other than Bio-Rad as needed. The amendment will reduce UMMC's commitment to purchase certain tests, reduce the costs for tests, add new tests and assays currently performed on other platforms at UMMC or sent to outside reference laboratories, provide additional training of the Evolis system, and clarify the Agreement start date. The term of the original Agreement is one (1) year with four (4) automatic one (1) year renewals. The start date of the Agreement was upon the "go-live date," which was the date that the equipment was installed, calibrated, and tested sufficiently for operation in accordance with federal regulations. UMMC originally anticipated the go-live date to be October 1, 2014; however, the actual go-live date was July 1, 2015. The amendment does not change the term of the Agreement, but it clarifies the start date as July 1, 2015. The expiration date of the amended Agreement will be June 30, 2020. The original Agreement amount was estimated to be \$1,906,923.56. Upon amendment, the total amount of the Agreement will decrease to \$1,506,055.13. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
16. **UMMC** – Approved the request to enter into a Vizient Letter of Commitment agreement with Cardinal Health 200, LLC to access discount rate tiers and to participate in an agreement for freight management services. The purpose of this Agreement is to provide UMMC access to nationally negotiated shipping/freight pricing, the ability to deal directly with the shipping/freight companies, and complete visibility and transparency for UMMC's incoming shipping/freight charges. The term of this agreement will be forty-nine (49) months, beginning on November 1, 2017, and ending conterminously with the Vizient Agreement on November 30, 2021. The estimated freight cost to be paid to Cardinal under the Agreement is \$4,173,455.66, based on UMMC's historical shipping costs. UMMC estimates approximately \$1,937,632.64 in savings through the utilization of this program. The agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
17. **UMMC** – Approved an amendment to its current software license and service agreement with Corepoint Health, LLC in order to purchase additional integration/interface engine licenses, service and support to be used by UMMC and its Epic Community Connect (ECC) client, the Mississippi Department of Health (MDH). The original agreement provides the software license and support services for the enterprise integration/interface engine that allows for the integration of clinical and business systems at UMMC. The amendment will begin November 1, 2017, and end conterminously with the existing agreement on October 31, 2020. The total term of the amended agreement remains four (4) years, beginning November 1, 2016, and ending October 31,

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2020. The estimated cost of the amendment is \$168,400. The total estimated cost of the amended agreement is \$371,700. This amendment will be funded by MDH. The original agreement is funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
18. **UMMC** – Approved the request to enter into a Locally Negotiated Agreement with Covidien Sales LLC to purchase vessel sealing, electrosurgery, smoke evacuation, ultrasonic cutting, and hardware products at discounted rates. These devices are basic and advanced hardware and associated products used primarily in the Operating Room to control bleeding, sealing, and cutting blood vessels during minor to extensive procedures. The term of the Agreement is three (3) years, beginning December 1, 2017, and continuing until November 30, 2020, which includes the initial one (1) year term and two (2) automatic one (1) year renewal terms. The estimated amount of the Agreement over the three (3) year term is \$3,286,053.47. UMMC based its calculation on historical purchases, plus ten percent (10%) volume growth each year of the Agreement. The agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
19. **UMMC** – Approved Amendment 16 to its current license and support agreement with Epic Systems Corporation to add the Remote Monitoring Module onto UMMC's current program property listing. This module will provide UMMC the ability to oversee an individual patient or a specific patient population from a remote location, which acts as a safety net to detect patient health deterioration earlier. The term of Amendment 16 will begin on or about November 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity regarding the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no new associated cost for Amendment Sixteen (16), as the fees are included in the Audio/Video Integration Module that was previously approved under Amendment Four (4). The total estimated approved cost for the Epic agreement remains \$67,359,789.01. The amendment cost will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
20. **UMMC** – Approved Amendment 17 to its current license and support agreement with Epic Systems Corporation to add the program property license for enhanced analytics and data warehousing, specifically by changing the Caboodle Data Warehouse licensing to a subscription basis, adding the Healthy Planet Enhanced Data Analytics module, adding ten (10) Predictive Analytics Models to UMMC's current program property list, and changing the definition of Interface Unit to allow for expansion of UMMC's interface license to cover the addition of Epic standard data connectors. The Caboodle Data Warehouse is an architecture for combining Epic and non-Epic data in a single, unified data model for reporting purposes. The Healthy Planet Enhanced Data Analytics will allow non-UMMC patient data to be brought into the Healthy Planet Module or Caboodle Warehouse Module. The Predictive Analytics Models will allow UMMC the ability to embed real-time predictive analytics directly into users' workflows. The term of amendment 17 will begin on or about November 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regard to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no new associated cost for Amendment Seventeen (17). The total estimated approved cost for the Epic agreement remains \$67,359,789.01. The amendment cost will be funded by hospital patient

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- revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
21. **UMMC** – Approved the request to enter into a Lease Agreement with Golden Triangle Regional Airport Authority (Authority) for the lease of hangar space for use by UMMC medical helicopter personnel and adjacent ground space for the placement of a modular office facility. The Lease Agreement will allow UMMC to continue to operate AirCare 3 from Golden Triangle Regional Airport, which is used for transporting critical care patients to UMMC or other designated receiving facilities for treatment. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay the lease amount on the first day of each month. The term of the Lease Agreement is nine (9) years, beginning April 1, 2018, and ending March 31, 2027. The total cost of the Lease Agreement over the nine (9) year term is \$324,000.00. The monthly rent of \$3,000 includes hangar space, non-exclusive access to public parking, access to utilities, and signage. The agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  22. **UMMC** – Approved the request to amend its agreement with Hologic (MA), LLC formerly known as Hologic Limited Partnership (Hologic) to reduce the commitment amount of ThinPrep pap reagents, as well as exchange existing equipment for new equipment at no additional cost. The purpose of the Agreement is to provide for the usage and maintenance of Papanicolaou anatomic preparation (pap) testing equipment and related testing supplies. In addition, Hologic will provide the ThinPrep Imaging System, a device that uses computer imaging technology to assist in primary cervical cancer screening. In return for the use and maintenance of the equipment, UMMC commits to purchase a minimum amount of ThinPrep pap reagents. The term of the amendment will begin November 1, 2017 and is coterminous with the original agreement which ends November 30, 2019. The total estimated cost of the amended Agreement over five (5) years is \$2,136,876.06. The original Agreement cost was \$2,276,511.70. With the reduction in committed purchases of ThinPrep pap reagents, UMMC expects to save approximately \$139,635.64 in the final two (2) years of the amended Agreement. The agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  23. **UMMC** – Approved Amendment 2 to its current Master Services Agreement with Press Ganey Associates, Inc. to replace the Physician Quality Reporting System (PQRS) Consumer Assessment Healthcare Providers & Systems (CAHPS) Regulatory Survey with Merit-Based Incentive Payment System (MIPS) CAHPS Regulatory Survey. The term of amendment 2 will begin November 1, 2017, and is coterminous with the original agreement. The original agreement is for a period of five (5) years, beginning October 1, 2015, and continuing until September 30, 2020. There is no cost associated with Amendment 2. The total estimated cost of the contract over five (5) years remains \$2,599,643.81. The contract will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
  24. **UMMC** – Approved Amendment 3 to its current Master Services Agreement with Press Ganey Associates, Inc. to add the Neonatal Intensive Care Unit (NICU) eSurvey Blend methodology to UMMC's existing survey services and to add the Outpatient and Ambulatory Surgery (OAS) Regulatory CAHPS Wave 2 surveys to UMMC's current Ambulatory Surgery eSurvey Blend services. The current Pediatric Inpatient Survey is not applicable to the NICU setting. NICU-

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specific surveys will provide more meaningful data to physicians and staff within the NICU. The OAS CAHPS collects information about patients' experiences of care in hospital outpatient departments and ambulatory surgery centers. This survey will be required by CMS in the near future. Early adoption of the OAS CAHPS survey can help improve performance and put UMMC in a stronger position to succeed when CMS mandates implementation. The term of amendment 3 will begin November 1, 2017, and is coterminous with the original agreement. The original agreement is for a period of five (5) years, beginning October 1, 2015, and continuing until September 30, 2020. Amendment 3 adds an annual cost of \$1,500 for the addition of the NICU eSurvey Blend methodology. However, UMMC's original calculations of the estimated agreement cost include enough funds to cover this additional cost. Therefore, the total estimated cost of the amended agreement over five (5) years remains \$2,599,643.81. The contract will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

25. **UMMC** – Approved the request to enter into an agreement with SG-2, LLC for the *MarketEdge* product and consulting services for benchmarking data and analytic capabilities to assist UMMC in its strategic planning for future growth and to improve quality of care provided to its patients. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to make annual prepayments for service. SG-2's *MarketEdge* product and consulting services provide integrated data, analytic tools, implementation support, and advisory services to significantly enhance its provider service and marketplace planning and performance analysis capabilities. The term of this agreement is three (3) years beginning on or about November 1, 2017, and ending October 31, 2020. The estimated cost of this agreement over the three (3) year term is \$925,000. A breakdown of costs is included in the bound *October 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
26. **UMMC** – Approved the request to amend its Management Agreement with SP Plus Corporation formerly known as Central Parking of Mississippi LLC, to extend the agreement for one (1) year for continued parking staffing and management services for Parking Garages A and B, Parking Lots 17, 21, and the Pavilion Parking Lot on UMMC's main campus. The Second Amendment also lowers UMMC's monthly cost for the services provided. The amended Management Agreement has an initial term of three (3) years with the option to renew for two (2) consecutive one (1) year terms. The full (5) five-year term currently is effective from November 1, 2012, to October 31, 2017. The Second Amendment will extend the Management Agreement through October 31, 2018. The original agreement and First Amendment had a total estimated cost of \$2,685,536.09 for the five (5) year term. Beginning in Year 2 of the original agreement, UMMC's cost increased each year in an amount equal to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. The Second Amendment will lower the monthly cost to \$39,250 per month, or \$471,000 for the term extension. The new total cost of the amended agreement is \$3,156,536.09. The agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
27. **UMMC** – Approved the request to enter into an End User Agreement (Agreement) with Stryker Sustainability Solutions, Inc. (Stryker) for consulting and reprocessing services for medical

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devices labeled as single use devices. Reprocessing services include cleaning, sharpening, functional testing, sterile packaging, sterilization, and high-level disinfection for the medical devices, and reprocessing allows the devices to be resold and used for multiple uses. The cost of reprocessed devices is discounted greatly from the original price as a new item. The consulting and reprocessing services also include disposal of devices that cannot be reprocessed, at no additional cost. Through this Agreement, UMMC expects to achieve a significant savings through reduced purchase pricing of reprocessed medical devices and a reduction in costs associated with the handling and disposal of contaminated medical waste. The term of the Agreement is two (2) years and six (6) months, beginning November 1, 2017, and continuing through April 30, 2020, which is coterminous with Stryker's agreement with Vizient. The estimated total cost of the agreement over the two (2) year and six (6) month term is \$849,134.52, including shipping costs. The estimated total cost is based upon historical spend on new medical devices used in the Perioperative Services, Procedural, and Patient Care hospital departments, as discounted at the reprocessing rate. The discounted pricing for purchase of reprocessed medical devices will be based upon the percentage of reprocessed devices purchased annually for each device category. The typical market purchase percentage of reprocessed devices ranges from 60% to 80%. This is due to clinical need for OEM support for certain devices, as well as the ongoing need to purchase new devices, as used devices may be damaged or have reached their end of life and cannot be reprocessed again. However, for calculation of the total potential cost of this Agreement, UMMC assumed it would purchase up to 100% of reprocessed medical devices for the Perioperative Services, Procedural, and Patient Care hospital departments. At a 60% purchase level, the Agreement would allow UMMC to recognize estimated potential savings of \$1,184,558.22 over the term of the Agreement. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

28. **USM** – Approved the Amended and Restated Lease with the University of Southern Mississippi Athletic Foundation (Foundation/Lessee). The premises involve approximately two acres of land known as the Payne Center parking lot located at 101 MK Turk Circle, Hattiesburg, MS 39406. The premises also include portions of the Reed Green Coliseum located adjacent to the proposed construction in the Payne Center parking lot. During the term of the Lease, the Foundation will construct a Wellness Center of approximately thirty thousand square feet in accordance with plans and specifications as approved by USM. The premises shall also include certain other under-utilized athletic space as agreed upon by the parties hereto. The Foundation intends to sublease the premises to a third party for prepaid rent in order to allow the Foundation to perform the construction to the premises. The purpose of the Lease Agreement is to provide the Foundation the right to utilize the premises as needed and agreed upon by the parties, including the right to construct and lease/sublease a new Wellness Center and/or other athletics related space, including but not limited to the Reed Green Coliseum. All construction of the facilities by the Foundation shall be in accordance with plans and specifications as approved by USM. The term of the Lease shall commence subsequent to IHL Board approval and full execution of the Lease and shall expire on July 31, 2022. The contract amount shall be \$1.00 cash in hand. This lease and subsequent sublease are being funded through the lease of athletic department facilities by the Mississippi Community Education Center (MCEC), a SOI(c)3 organization designed to provide schools, communities and families with educational services and training programs in South Mississippi. MCEC will use the subject facilities to support their programming efforts for South Mississippi.

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MCEC's funding for this project is via a Block Grant from the Mississippi Department of Human Services. The funding from MCEC shall be prepaid rent to the Foundation in the amount of Five Million Dollars (\$5,000,000) for the leasing of certain USM athletic facilities including but not limited to the to be constructed Wellness Center, Reed Green Coliseum and additional athletic space as agreed upon by USM and the Foundation. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

29. **USM** – Approved the Reimbursable Space Act Agreement between The National Aeronautics and Space Administration John H. Stennis Space Center (NASA) and the Mississippi Board of Trustees of State Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL). Under this Agreement, NASA provides space for IHL through the Center of Higher Learning (CHL) in order to facilitate the continued education of the NASA workforce. This Agreement further addresses the terms and conditions for non-academic activities which the IHL has authorized, pursuant to approval by NASA. The purpose of this Agreement is to define the relationship between NASA and CHL for the continued provision of academic and non-academic programs through the CHL at the John H. Stennis Space Center (SSC). Such programs, conducted by the CHL and associated institutions, are designed to meet the present and future higher education needs of SSC employees and persons from surrounding communities. The Stennis Space Center Policy Board on Higher Education is an advisory body appointed by the NASA / Stennis Center Director to provide broad oversight to CHL. The SSC Policy Board approves all new academic degree programs offered at the SSC by the CHL and their associated institutions; the list of proposed program offerings in Appendix A of this Agreement reflects previously-approved degree programs by the Policy Board. This agreement is a precursor to a Host-Tenant Agreement and Use Permit Agreement that will stipulate specifics as to pricing and space usage. This Agreement will be effective upon the date of the latest party's signature and will expire five years from said date or until the completion of all obligations of the parties, whichever comes first. In accordance with the terms of the Agreement, IHL shall reimburse NASA an estimated cost totaling up to approximately \$3,575,875 for NASA to carry out its responsibilities over the five-year term of the Agreement. This estimated total cost is based on the historical costs for the last five years of the Agreement and reflects expenditures by both the CHL and the USM Division of Marine Science. These expenditures are for floor space, utilities, badging and security, telecommunications and other costs associated with being a tenant at the SSC. A table of historical costs for the last five years is included in the bound *October 19, 2017 Board Working File*. This agreement will be funded by State of Mississippi Appropriations for Center of Higher Learning, Education and general funds for the Department of Marine Science. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
30. **ASU** – **Exhibit 1** represents the approval of the Mississippi Information Technology Services (MS-ITS) Board to acquire Ellucian Technical Currency Services for Licensed Software for Alcorn State University (ASU). The Attorney General's staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of ASU. (**See Exhibit 1.**)

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**REAL ESTATE**

31. **UMMC** – Approved the initiation of **IHL 209-561, Campus HVAC Upgrades FY 18**, and the appointment of Engineering Resource Group, Inc. as the design professional. This project will replace the air handler serving the existing main operating rooms and the aging rooftop units on the Pavilion building. The proposed project budget is \$2,750,000. Funds are available from UMMC Shared Services Administration (SSA) – Building Improvement Funds (\$2,750,000).
32. **UMMC** – Approved the initiation of **IHL 209-562, Re-Roof Pavilion**, and the appointment of Dean & Dean Architects as the design professional. This project will replace the failing and deteriorating roof on the Pavilion. The proposed project budget is \$1.6 million. Funds are available from UMMC Shared Services Administration (SSA) Funds (\$1,600,000).
33. **JSU** – Approved the request to increase the budget for **GS 103-286, Stewart Hall Renovations**, from \$200,000 to \$602,739.56, for an increase of \$402,739.56. The Board also approved the request to add SB 2851, Laws of 2013, and 2014 JSU Funds to the project as funding sources to allow for the project budget increase. This is the first budget increase request made for this project by the university. The increase will to allow the continuation of the project through the construction document phase. Stewart Hall is currently vacant and unusable as a residential facility due to the deteriorated condition of interior finishes and mechanical systems. This is a 37,033 gross square foot (GSF) five (5) story brick facility with 90 rooms designed for a total of 180 student beds. The university is pre-planning a comprehensive renovation which will include envelope restoration, substantial reconfiguration, interior upgrades, ADA compliance issues, asbestos abatement, as well as, major renovations of the mechanical, electrical, plumbing, and life safety systems. The facility will be repurposed to be a state-of-the-art residential hall. Funds are available from SB 2906, Laws of 2015 (\$200,000); SB 2851, Laws of 2013/JSU (\$128,023.97); SB 2851, Laws of 2013/IHL-CEF (\$31,545.29); and 2014 JSU Discretionary Funds (\$243,170.30).
34. **UMMC** – Approved the request to sole source the HVAC controls portion of **GS 109-223, Clinical Research Unit**. The Request for Qualifications method was used to select the Foil Wyatt Architects as design professional. The university determined that it would benefit to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system. The estimated value of the existing Johnson Controls EMCS is approximately \$1,500,000. The probable cost of the project EMCS modifications is \$135,000 which is a 9.0% modification. According to IHL and Bureau of Building EMCS procurement protocol for existing systems, the EMCS can and should be procured by single source procurement since the portion of the work related to the new renovation is less than 25% of the existing system as long as approval is obtained prior to bidding. The total project budget is \$7.5 million. Funds are available from UMMC SSA – Building Improvement Funds (\$7,500,000).
35. **USM** – Approved the purchase of property located at 3403 Pearl Street in Hattiesburg, MS from Roderick T. Wells and Dorothy Wells in the amount of \$126,000. The property borders university property and is critical to the long-range plans of the university due to its location to campus. Upon acquisition, the university intends to demolish the existing structure and grass the lot so that it can be used for future parking and/or expansion. The university received two independent property appraisals in the amounts of \$137,000 and \$120,000. The purchase price is \$126,000 which is below the average of the property's two appraised values. The closing shall be held at a location mutually agreeable to the parties on or before November 17, 2017 or upon such earlier or later date and time per agreement by the parties. A Phase I Environmental Site Assessment (ESA) has been



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conducted on the property. Based on site available information, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.

**LEGAL**

36. **ASU** – Approved the contract with Ware | Immigration, to provide services necessary in preparing labor certification documents on behalf of ASU for its employees who seek permanent residence status and related immigration matters. The contract term is one year beginning October 1, 2017. The fee schedule is as outlined below with a maximum amount payable of \$20,000. The Attorney General’s Office has approved this request.

**Schedule of Legal Fees for Academia**

Nonimmigrant Petitions and Processes

H-1B petition	\$1500.00
H-1B extension or amendment petitions	\$1000.00
TN petition or border/consulate processing	\$1500.00
TN extension petition	\$1000.00
E-3 petition or consular processing	\$1500.00
E-3 extension petition	\$1000.00
O-1 petition	\$4000.00
O-1 extension or amendment petition	\$1500.00
Change of status or extension of status for dependents (I-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00

Permanent Residence Process with Labor Certification: Faculty

\$2000.00	Special Handling labor certification <i>\$2500.00 if position must be readvertised</i>
\$1500.00	Additional fee if audited.
\$2500.00	Immigrant petition
\$1500.00	Adjustment of status and related applications (I-765, I-131, etc.) for employee, if handled together with I 140
\$2000.00	“Standalone” adjustment of status and related applications
\$750.00	Adjustment of status and related applications, each spouse or child, if together with principal application and I 140
\$1000.00	“Standalone” adjustment of status and related, each spouse or child

Permanent Residence Process with Labor Certification: Non-Faculty

\$4000.00	Labor certification
(\$500-\$1500.00)	Additional fee if audited)
(\$2500.00)	Additional fee if subject to supervised recruitment)
\$2500.00	Immigrant petition
\$2000.00	Adjustment of status and related applications (I-765, I-131, etc.) for employee
\$2500.00	Standalone AOS and related applications
\$750.00	Adjustment of status and related applications, each spouse or child
\$1000.00	Standalone AOS for each spouse or child

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Permanent Residence Process: Outstanding Professors and Researchers

\$6000.00	Immigrant petition
\$1500.00	Adjustment of status and related applications for employee
\$2000.00	Standalone AOS and related
\$750.00	Adjustment of status and related applications, each spouse or child
\$1000.00	Standalone dependent AOS and related

Permanent Residence Process: National Interest Waiver

\$6000.00	Immigrant petition
\$1500.00	Adjustment of status and related applications by employee
\$2000.00	Standalone AOS and related
\$750.00	Adjustment of status and related applications each spouse or child
\$1000.00	Standalone AOS and related, dependents

Employment Authorization and Advance Parole Renewal

\$500	Employment Authorization Renewal per individual
\$500	Advance Parole Renewal per individual

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rates:

David Ware \$350 per hour billed.

WI Partners \$350 per hour billed.

Associate Attorneys: \$250 per hour billed.

Paralegals: \$175 per hour billed.

37. **MSU** – Approved the request to modify a contract with Butler Snow LLP, to provide services necessary in the practice areas of intellectual property and commercial matters; this representation does not and is not intended to include any representation by law firm for or on behalf of the University as bond counsel or in any related role in connection with any financing transaction undertaken by or for the University, including other matters which may concern advice in connection with indebtedness of the University. The initial contract entered into on October 17, 2013 was modified by Modifications 1-3, each extending the term for one year, with the current term expiring October 16, 2017. Modification #4 will extend the term of the contract for an additional year or through October 16, 2018. Blended hourly rate for all attorneys is increased from \$240 per hour to \$295 per hour. Rate for legal assistants shall remain at \$95 per hour. Total amount payable during the extension period shall not exceed \$75,000. All other provisions of the Agreement for Legal Services dated October 17, 2013 shall remain in effect. The Modification has been approved by the Office of the Attorney General.
38. **MSU** – Approved the request to modify a contract with the firm of Valauskas Corder, LLC located at 150 South Wacker Drive, Suite 620, Chicago, IL 60606, as outside counsel for the provision of services necessary in assisting the University with various patent applications, identification and forensic analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements and other related intellectual property and commercialization issues. The initial contract entered into on November 17, 2011 was modified by Modifications 1-5, each Modification extending contract terms for one (1) year. Modification #6 will extend the term until November 16, 2018. Current attorneys providing services are Charles Valauskas, Allison Corder, and Paul K. Judd. All other provisions of the Agreement for Legal Services dated November 17, 2011, shall remain in effect,

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with hourly rates ranging from \$225-\$425, and total amount payable under this extension shall not exceed \$100,000. This Modification has been approved by the Office of the Attorney General.

39. **MSU** – Approved the request to enter into a contract with The Winfield Law Firm, P.A. as outside counsel to provide legal services necessary in assisting the University in the areas of higher education law, employment law, real estate matters, compliance, and other local matters, at an hourly rate of \$165.00. The contract will be effective November 1, 2017, for an initial term of one (1) year. The total amount payable during the contract shall not exceed \$50,000. This request has been approved by the Office of the Attorney General.

**PERSONNEL REPORT**

40. **EMPLOYMENT**

**Jackson State University**

- Steven Smith, Interim Vice President for Enrollment Management, Institutional Research & Assessment; salary of \$24,900 for 3 months; effective September 5, 2017 – November 30, 2017

**Mississippi University for Women**

- Rita C. Hinton; *rehired retiree*; reemployment position: Emerita Professor of Philosophy; salary of \$29,155 per annum, pro rata; E&G Funds; reemployment period: August 21, 2017 – December 18, 2017

**Mississippi Valley State University**

- Chresteen Seals; *rehired retiree*; reemployment position: Site Coordinator at Coahoma Community College; salary of \$20,000 per annum, pro rata; E & G Funds; reemployment period: July 1, 2017 - April 30, 2018

41. **CHANGE OF STATUS**

**University of Mississippi**

- Noel Wilkin; *from* Interim Provost and Executive Vice Chancellor for Academic Affairs, Professor of Pharmacy Administration and Research Professor in the Research Institute of Pharmaceutical Sciences; salary of \$290,000 pro annum, pro rata; E&G Funds; *to* Provost and Executive Vice Chancellor of Academic Affairs, Professor of Pharmacy Administration and Research Professor in the Research Institute of Pharmaceutical Sciences; Ph.D.; salary of \$385,000 per annum, pro rata; E&G Funds; 12-month contract; effective September 22, 2017

42. **SABBATICAL**

**Jackson State University**

- Mukesh Kumar; Associate Professor and Interim Program Director, Urban Planning-PHD; salary of \$69,904, this will be an unpaid leave; effective September 1, 2017 – May 31, 2018

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43. **EMERITUS STATUS**

**University of Southern Mississippi**

- William W. Powell, Associate Professor Emeritus of TESOL & French; effective July 1, 2017

**ADMINISTRATION/POLICY**

44. **ASU** – Approved the university’s mission statement as follows:

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

45. **DSU** – Approved the revisions to the university’s mission statement as follows:

As a regional Carnegie Master’s I university located in Cleveland, Mississippi, Delta State University serves as an educational and cultural center for the Mississippi Delta, emphasizing service to the Northern Delta and contiguous counties and its campus centers in Clarksdale and Greenville in traditional and distance education formats. The University offers undergraduate, graduate and continuing education programs of study leading to baccalaureate and master’s degrees in the Colleges of Arts and Sciences, Business and Aviation, Education and Human Sciences, and the School of Nursing, as well as the Educational Specialist degree and Doctorates in Education and Nursing Practice. Emphasis is placed on excellence in instruction, followed by service and research, in the creation of a community of scholars. With special attention to small classes, a friendly environment, and a broad liberal arts foundation, the University encourages significant student-faculty interactions. Delta State provides programs and services that promote intellectual, cultural, ethical, physical, and social development. Students from different cultural, socioeconomic, and ethnic backgrounds will develop the ability to respect and evaluate the thoughts of value others; to develop, assess, and express their own thoughts effectively; and, to use the techniques of research and performance associated with their disciplines.

46. **JSU** – Approved the university’s mission statement as follows:

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

47. **MSU** – Approved the university’s mission statement as follows:

Mississippi State University is a public, land-grant university whose mission is to provide access and opportunity to students from all sectors of the state’s diverse population, as well as from other states and countries, and to offer excellent programs of teaching, research, and service.

Enhancing its historic strengths in agriculture, natural resources, engineering, mathematics, and natural and physical sciences, Mississippi State offers a comprehensive range of undergraduate and graduate programs; these include architecture, the fine arts, business, education, the humanities, the social and behavioral sciences, and veterinary medicine.

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The university embraces its role as a major contributor to the economic development of the state through targeted research and the transfer of ideas and technology to the public, supported by faculty and staff relationships with industry, community organizations, and government entities.

Building on its land-grant tradition, Mississippi State strategically extends its resources and expertise throughout the entire state for the benefit of Mississippi's citizens, offering access for working and place-bound adult learners through its Meridian Campus, Extension, and distance learning programs.

Mississippi State is committed to its tradition of instilling among its students and alumni ideals of diversity, citizenship, leadership, and service.

48. **MUW** – Approved the revisions to the university's mission statement as follows:  
Mississippi University for Women (MUW), a public institution since 1884, provides high-quality undergraduate and graduate education for women and men in a variety of liberal arts and professional programs, while maintaining its historic commitment to academic and leadership development for women. MUW emphasizes a personalized learning environment in all of its educational programs, which are offered through the College of Arts, ~~and Sciences, and Education,~~ College of Business and Professional Studies, ~~College of Education and Human Sciences,~~ and College of Nursing and Health Sciences ~~Speech Language Pathology~~. MUW delivers selected programs and courses through distance education formats to provide educational opportunities throughout Mississippi and the United States, while addressing the unique educational and public service needs of northeast Mississippi and adjoining counties in northwest Alabama. MUW supports research, scholarship, and creativity to enhance faculty development and student learning and to advance knowledge in the disciplines offered by the university.
49. **MVSU** – Approved the university's mission statement as follows:  
Mississippi Valley State University, as a Carnegie Classified Master's University, provides comprehensive undergraduate and graduate programs in education, the arts and sciences, and professional studies. The University is driven by its commitment to excellence in teaching, learning, service, and research--a commitment resulting in a learner-centered environment that prepares critical thinkers, exceptional communicators, and service-oriented, engaged, and productive citizens. MVSU is fundamentally committed to positively impacting the quality of life and creating extraordinary educational opportunities for the Mississippi Delta and beyond.
50. **UM & UMMC** – Approved the revisions to the UM and UMMC vision and mission statements as follows:
- Vision Statement**  
~~As a great American public university, The University of Mississippi will lead and excel by engaging minds, transforming lives, and serving others.~~ aspires to be a preeminent public international research university and a leading force for innovation and opportunity in Mississippi, the United States, and the world.

**Mission Statement**

As Mississippi's flagship university and academic medical center, the University of Mississippi transforms lives, communities, and the world by providing opportunities for the people of Mississippi and beyond through excellence in learning, discovery, healthcare, and engagement.

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<i>Oxford &amp; Regional Campus Mission</i>	<i>Medical Center Campus Mission</i>
<p>The <del>mission of the</del> University of Mississippi <del>mission</del> is to create, evaluate, share, and apply knowledge in a free, open, and inclusive environment of intellectual inquiry. Building upon a distinguished foundation in the liberal arts, the state's <del>oldest-first comprehensive</del> university serves the people of Mississippi and the world through a breadth of academic, research, <del>and</del> professional, <del>and</del> service programs. The University of Mississippi provides an academic experience that emphasizes critical thinking; <del>encourages intellectual depth and creativity</del>; <del>promotes research and creative achievement to advance society</del>; uses its expertise to <del>engage and transform communities</del>; challenges and inspires a diverse community of undergraduate, graduate, and professional students; <del>provides</del> offers enriching opportunities outside the classroom; supports lifelong learning; and develops a sense of global responsibility.</p>	<p>The mission of the University of Mississippi Medical Center is to improve the health and well-being of patients and the community through excellent training for health care professionals, engagement in innovative research, and the delivery of state-of-the-art health care.</p>

51. **USM** – Approved the university’s mission statement as follows:

The University of Southern Mississippi is a community of engaged citizens, operating as a public, student-centered, doctoral-granting research university serving Mississippi, the nation, and the world. The University is dedicated to scholarship and learning, integrating students at all levels in the creation and application of knowledge through excellence in teaching, research, creative activities, outreach, and service. The University nurtures student success by providing distinctive and competitive educational programs embedded in a welcoming environment, preparing a diverse student population to embark on meaningful life endeavors.

**ACADEMIC AFFAIRS**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Parker, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** – Approved the following recommended actions based on the Academic Program Productivity Reviews:

a. **Continue with stipulation** the following 20 academic programs (subject to additional review by the IHL Office of Academic and Student Affairs for two years to assess progress toward future productivity):

ASU – Bachelor of Arts in Sociology (CIP 45.1101)

ASU – Bachelor of Science in Computer Science (CIP 11.0101)

ASU – Bachelor of Science in Robotics and Automation Technology (CIP 15.0405)

DSU – Master of Science in Community Development (CIP 44.0201)

JSU – Bachelor of Science in Mathematics Education (CIP 13.1311)

JSU – Master of Education in Elementary Education (CIP 13.1202)

JSU – Master of Education in Secondary Education (CIP 13.1205)

JSU – Master of Science in Environmental Science (CIP 30.103)

JSU – Masters in Science and Mathematics Teaching (CIP 13.9999)

MUW – Bachelor of Arts in Music – (CIP 50.0901)

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- MVSU – Bachelor of Science in Computer Science (CIP 11.0101)
- MVSU – Bachelor of Science in Elementary Education (CIP 13.1202)
- MVSU – Bachelor of Arts in Art (CIP 50.0101)
- USM – Bachelor of Science in Electronics Engineering Technology (CIP 15.0303)
- USM – Bachelor of Arts in Philosophy (CIP 38.0101)
- USM – Master of Science in Polymer Science and Engineering (CIP 14.3201)
- USM – Master of Science in Forensics (CIP 43.0106)
- USM – Doctorate in Kinesiology (CIP 31.0505)
- USM – Doctorate in Criminal Justice (CIP 43.0104)
- USM – Doctorate in Geography (CIP 45.0701)
- b. **Delete** - DSU – Bachelor of Arts in Political Science (CIP 45.1001).

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

Trustee Pickering removed agenda item #1 for further review. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Pickering, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve agenda item #5.

1. **SYSTEM** – Request approval for first reading of the revisions to Board Policy 906 Educational Building Corporations. **(See Exhibit 2.) (THIS ITEM WAS REMOVED FROM THE AGENDA FOR FURTHER REVIEW.)**
2. **UMMC** – Approved the request to enter into a Customer Agreement with CareFusion Solutions, LLC to purchase dedicated and non-dedicated intravenous (IV) disposable sets, including pump sets, gravity sets, extension sets, connectors, secondary sets, and accessories at a discount in exchange for a commitment to purchase at least \$1,000,000 per year and 90% of UMMC’s total need for IV disposable sets. UMMC currently owns 1,996 CareFusion IV pumps that require use of dedicated CareFusion IV disposable sets due to compatibility. By combining the dedicated sets and non-dedicated sets under this agreement, UMMC qualifies for a higher discount on the products. The term of the agreement is for five (5) years – November 1, 2017 through October 31, 2022. The total estimated cost for the five (5) year contract term is \$8,738,381.30. Beginning in Year 2, UMMC has calculated an annual increase of five and one-half percent (5.5%) for potential price increases and volume growth each year of the agreement. The agreement will be funded by patient revenue. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
3. **UMMC** – Approved Amendment 2 to its agreement with Crothall Healthcare, Inc. to add Statement of Work #4 to the agreement, which includes services for the remainder of UMMC’s facilities in Jackson, including its academic, research, and service department facilities. The original contract term for the master agreement is for five (5) years beginning November 1, 2015.

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The Second Amendment will be effective November 1, 2017, with services commencing on or about December 1, 2017. The Second Amendment's expiration will coincide with the original agreement on October 31, 2020. The total cost of Statement of Work #4 is \$11,821,604.85, including all potential and variable costs. UMMC will pay semi-monthly fixed costs for housekeeping services. Beginning in Year 2, annual prices will increase by CPI or three percent (3%), whichever is less. Should UMMC terminate Statement of Work #4 prior to its expiration, UMMC will pay the unamortized balance for Crothall's opening expenses, and UMMC will have the option to pay the unamortized balance for any equipment purchases made by Crothall. If Crothall's costs to perform the services increases by more than fifteen percent (15%), UMMC and Crothall will renegotiate a new rate, and UMMC will present the amendment to the IHL Board with a request for the increase at that time. A breakdown of costs is available in the bound *October 19, 2017 Board Working File*. This agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

4. **UMMC** – Approved the request to initiate the bond process for up to \$91 million for the Medical Center Educational Building Corporation for the purpose of expanding Children's of Mississippi, including a new tower with expanded neonatal intensive care unit (NICU), pediatric intensive care unit (PICU), new pediatric imaging center, new dedicated surgical suites, related infrastructure, outpatient clinics, clinics and parking garage. It should be noted that the original request was for bonds up to \$132 million. After discussion within the Health Affairs Committee on October 18, 2017, the request was revised to \$91 million with the understanding that should additional money be needed the University of Mississippi would loan the money to UMMC internally. The expansion will also include a new lobby with critical infrastructure (food/chapel/gift shop) and dedicated patient elevators. The building will double the size of pediatric clinical space at the Medical Center to meet existing and future patient needs. The Board approved the payment of costs of issuance, sale and delivery of the bonds and other necessary bond documents and the financial advisor's report provided by Hilltop Securities. The Board approved the following professionals: Hilltop Securities as financial advisor; Butler Snow LLP as bond counsel; and JP Morgan, Morgan Stanley, and Raymond James as underwriters. Bond counsel has agreed to donate its fee up to \$250,000 to the Children's of Mississippi Expansion project. The expansion is needed to provide approximately 340,000 square feet of additional space to provide NICU, PICU, surgery, clinic and outpatient clinics and dedicated pediatric imaging space for its pediatric patients. Long-term and intermediate term fixed rate bonds will be issued with maturities up to thirty (30) years. UMMC is expecting to issue up to a maximum of \$91,000,000 par value in tax-exempt, fixed rate bonds. Proceeds from the bond issue will support the project fund, capitalized interest, costs of issuance and the underwriter's discount. Based on the Financial Advisor's report dated September 21, 2017, the proposed debt amortization will have an annual debt payment as follows: FY 2019–2042 is \$4,883,325; and FY 2043-2047 is \$18,145,000. Funds are available from Patient Revenues, Development Funds.
5. **UMMC** – Approved the request to enter into a Service Agreement with ThyssenKrupp Elevator Corporation (ThyssenKrupp) to provide elevator maintenance service for 125 elevators located on UMMC's main campus and new Belhaven facility, as well as facilities located in Lexington and Grenada, MS. The term of the Agreement is for five (5) years from November 1, 2017, through October 31, 2022. The total estimated cost of the Agreement over the five (5) year term is \$3,602,804.87. Any price increases under the Agreement, including increased fuel costs and



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elevator examiner rate charges, are capped at three and one-half percent (3.5%) increase per year and subject to approval by UMMC. The agreement will be funded by general funds. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

Trustee Perry moved agenda items #1 and #2 to the Executive Session Agenda for consideration.

1. **MVSU** – Request to settle the IHL Self-Insured Workers' Compensation Program Claim No. 55-8703-1. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
2. **UMMC** – Request to settle Tort Claim number 3133. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **SYSTEM** - In accordance with the *Jake Ayers, Jr., et al. and United States of America v Ronnie Musgrove, Governor, State of Mississippi, et al.* Settlement (aka: *Ayers Settlement Agreement*), the IHL Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the Court. Each member of the IHL Board is being provided a copy of the 2017 *Ayers Accountability Manual* as required by the *Ayers Settlement Agreement*. A copy is on file at the Board Office.

**REAL ESTATE**

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 17, 2017 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 3.)**

**LEGAL**

3. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 4.)**

**ADMINISTRATION/POLICY**

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **ASU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On October 4, 2017, Commissioner Glenn F. Boyce approved the proposed Motor Vehicle License to Use Agreement

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between the university and Toyota Motor Sales, U.S.A., Inc. for the use of a Toyota Rav4 vehicle by the ASU Athletic Department as part of a partnership between the SWAC and Toyota. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.

- b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On October 4, 2017, Commissioner Glenn F. Boyce approved the Lease Agreement addendum #2 between the university and the MSU Research and Technology Corporation (MSU-RTC) for 352 square feet of office space located in the MSU-RTC Incubator Building in Starkville, MS. This is the 2<sup>nd</sup> renewal of an existing Lease that began on October 1, 2016, at an annual cost of \$5,280. All provisions of the agreement remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**ANNOUNCEMENTS**

- Commissioner Glenn Boyce noted that each trustee received a draft copy of the 2015-2016 Education Achievement Council (EAC) Report Card for each of the Mississippi public universities. These reports are required by law and will be provided to the EAC for approval next week.
- President C.D. Smith announced that the next scheduled Board meeting will be November 16, 2017 at the Board Office.
- President Smith invited the university presidents to report on current activities on their campuses.
- Trustee Walt Starr reported that Mr. David Buford, IHL Director of Risk Management, recently conducted a thorough review and assessment of each of the Mississippi public university’s procedures related to sexual assault complaints and whether counseling services are available for those involved in incidents. Mr. Buford was able to conduct a thorough review without contacting university staff because ample information was readily available through the internet. Students will likely use this method to educate themselves, in addition to what they remember from orientation and related past trainings. No two universities had the exact same policy, but it is apparent that all are following pertinent Title IX regulatory guidance. Trustee Starr thanked all eight universities for proactively working to prevent incidents, to educate the campus population, and to create safe environments for students.
- Chancellor Jeff Vitter introduced Dr. Noel Wilkin who was recently promoted to Provost and Executive Vice Chancellor of Academic Affairs, Professor of Pharmacy Administration and Research Professor in the Research Institute of Pharmaceutical Sciences.
- President Smith thanked the students representing the student government associations at the universities who took time from their busy schedules to participate in the Board meeting.

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**ACADEMIC AFFAIRS  
COMMITTEE REPORT  
Wednesday, October 18, 2017**

The meeting was called to order by Chairman Tom Duff at approximately 1:30 p.m. The following items were discussed.

1. On motion by Trustee Hooper, seconded by Trustee Dye, with Trustees Pickering and Smith absent and not voting, all Trustees legally present and participating voted unanimously to approve the authorization to plan an Executive Master of Science in Population Health Management degree program (CIP 51.2208) at the University of Mississippi Medical Center.
2. On motion by Trustee Rouse, seconded by Trustee Dye, with Trustees Pickering and Smith absent and not voting, all Trustees legally present and participating voted unanimously to approve the authorization to plan a Bachelor of Science in Health Sciences degree program (CIP 51.9999) at the University of Southern Mississippi.
3. By consensus, the Committee adjourned at approximately 1:50 p.m.

The following Committee members attended the meeting: Mr. Tom Duff (Chair), Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, and Dr. Walt Starr. Ms. Christy Pickering and Mr. C.D. Smith were absent.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, October 18, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 2:00 p.m. The following items were discussed.

1. The Committee discussed the request by the University of Mississippi Medical Center to initiate the bond process for up to \$132 million for Medical Center Educational Building Corporation for the purpose of expanding Children's of Mississippi, including a new tower with expanded neonatal intensive care unit (NICU), pediatric intensive care unit (PICU), new pediatric imaging center, new dedicated surgical suites, related infrastructure, outpatient clinics, clinics, and parking garage. **No action was taken.**
2. **By consensus, the Committee recessed at 4:00 p.m.** The following Committee members were present for the first half of the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, and Dr. Walt Starr. Mr. C. D. Smith was absent.
3. **Chairman Ford Dye reconvened the meeting at approximately 4:30 p.m.** The following Committee members were present for the remainder of the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper (by phone), Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.
4. The Committee continued its discussion of the bond issuance for the UMMC expansion of Children's of Mississippi. **No action was taken.**
5. By consensus, the Committee adjourned at approximately 4:50 p.m.

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**MISSISSIPPI VALLEY STATE UNIVERSITY  
BOARD SEARCH COMMITTEE REPORT**

Wednesday, October 18, 2017

The meeting was called to order by Chairman Shane Hooper at approximately 4:55 p.m. The following item was discussed.

1. Executive Session

On motion by Trustee Perry, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Dye, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at Mississippi Valley State University.

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

The Committee discussed a personnel matter at Mississippi Valley State University. **No action was taken.**

On motion by Trustee Perry, seconded by Trustee Parker, all trustees legally present and participating voted unanimously to return to open session.

2. On motion by Trustee Smith, seconded by Trustee Perry, with Trustee Starr absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Mr. Shane Hooper (Chair), Mr. Tom Duff, Dr. Ford Dye, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr.

**EXECUTIVE SESSION**

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

Discussion of two state university litigation matters and one state university personnel matter.

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

On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3133, styled as *Steve Wright vs. UMMC, et al.*, as recommended by counsel.

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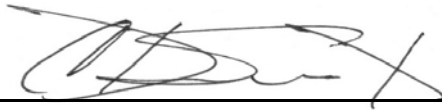
On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self Insured Workers' Compensation Claim No. 55-8703-1, styled as *Anthony McClung vs. MVSU, et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to approve to utilize the expedited process as listed in the Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process and to waive any parts of such policy that are not consistent with the action taken by this Board, and to name Dr. Jerryl Briggs as president of Mississippi Valley State University with a state salary of \$215,000 with a possible foundation supplement up to \$10,000, and to provide reimbursement of up to \$1,000 for moving expenses, effective October 19, 2017.

**On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Dye 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 Pickering, seconded by Trustee Perry, with Trustee Dye absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- Exhibit 1      Approval of MS-ITS to acquire Ellucian Technical Currency Services for Licensed Software for ASU.
  
- Exhibit 2      Request approval for first reading of the following revisions to Board Policy 906 Educational Building Corporations.
  
- Exhibit 3      Real Estate items that were approved by the IHL Board staff subsequent to the August 17, 2017 Board meeting.
  
- Exhibit 4      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

October 19, 2017

**ITS CONTRACT ACCEPTANCE**  
**Project Number 43900**  
**For Renewal of Banner License**

TO:

Felicia Harried ASU
------------------------

RETURN TO:

Paula Conn Dept. of Information Technology Services 3771 Eastwood Drive Jackson, MS 39211 Phone: 601-432-8046 Fax: 601-713-6380
--

DATE SENT: August 31, 2017

RETURN BY: September 14, 2017

**INSTRUCTIONS:**

Please review the attached contract forwarded to you by the ITS staff. If any material changes are needed to this contract, please mark all changes needed on the document and return to ITS for changes. You will be sent a revised copy to review before you sign this Contract Acceptance form. Otherwise, please select one of the options below and return this form to the address above.

Please initial the appropriate line to indicate the contract has been reviewed & is accepted by your agency/institution and that all reviews by your agency attorney and management are complete:

ACJ without changes

\_\_\_\_\_ with the following corrections to format or syntax: (attach additional pages if needed)

Page Number	Correction Needed:

Please list all names/titles, if any, who will sign this contract on behalf of your agency:

ACJ None; we accept the signature of the ITS Executive Director on our behalf

\_\_\_\_\_ Please add a signature line for the following person(s) from our agency:

Name	Title

**CONTRACT DELIVERY (SELECT ONE):**

\_\_\_\_\_ Send contracts to vendor via overnight delivery and bill our agency/institution.

ACJ Send contracts to vendor via regular United States Postal Service mail.

Alfred Rankins Jr 9/14/2017

Alcorn State University

AUTHORIZED SIGNATURE / DATE

AGENCY / INSTITUTION

My signature above indicates that my agency/institution is a full party to the above-referenced contract, with or without the signature of the agency executive on the body of the contract. My agency executive understands and agrees that: (1) by virtue of Section 25-53-21 of the Mississippi Code Annotated, as amended, the Executive Director of ITS is the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of information technology equipment, software and services, and, as contracting agent, must be a party to any amendments, change orders, or termination actions for the life of this contract; (2) ITS as contracting agent is not responsible or liable for the performance or non-performance of any of agency's contractual obligations, financial or otherwise, for this contract; and (3) my agency/institution is responsible for day-to-day management of the project and contract and all business decisions pertaining thereto and must initiate any actions regarding payments, changes in scope, early termination, and invocation of any penalties defined herein, providing appropriate notification to ITS when required.

Date Revised: 9/14/2017

**PROJECT NUMBER 43900  
SUPPLEMENT TO  
MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT, INC. AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORP)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
ALCORN STATE UNIVERSITY**

This document (hereinafter referred to as "Supplement") shall serve as a Supplement to the original Master Software License and Service Agreement (hereinafter referred to as "Master Agreement") executed on May 21, 1998, between Ellucian Company L.P., formerly known as "SunGard SCT, Inc." and SCT Software & Resource Management Corporation, and "SunGard" (hereinafter referred to as "Licensor" and/or "Ellucian"), and Mississippi Department of Information Technology Services (hereinafter referred to as "ITS"), as contracting agent for the agencies and institutions of the State of Mississippi. It is understood by the parties that ITS is executing this Supplement on behalf of Alcorn State University (hereinafter referred to as "Licensee"). ITS and Licensee are sometimes collectively referred to herein as "State."

**WHEREAS**, the Licensee desires to acquire the Technical Currency Services as specified herein;

**NOW THEREFORE**, in consideration of the mutual understandings, promises, consideration and agreements set forth, the parties hereto agree as follows:

- 1) This Supplement will become effective on the date it is signed by all parties ("Effective Date") and will continue in effect until October 31, 2024 unless terminated pursuant to Article 14 of the Master Agreement. Licensor agrees to provide the Technical Currency Services in accordance with Article 32 of the Master Agreement.
- 2) Licensor agrees to provide Licensee with Technical Currency Services for the Licensed Software identified in the Licensee Order Form, which is attached hereto as Exhibit A and incorporated herein by reference, and at the fees and for the periods set forth therein.
- 3) Licensor represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq. of the Mississippi Code Annotated (Supp2008), and will register and participate in the status verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Licensor agrees to maintain records of such compliance and, upon request of the State, to provide a copy of each such verification to the State. Licensor further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Licensor understands and agrees that any breach of these warranties may subject Licensor to the following: (a) termination of this Supplement and ineligibility for any state or public contract in



Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Licensor by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Licensor would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit.

4) The parties understand and agree that all terms and conditions set forth in the Master Agreement are incorporated herein by reference and that this acquisition is subject to and controlled by the terms and conditions set forth in the Master Agreement.

5) All other provisions in the underlying Master Agreement shall remain unchanged.

For the faithful performance of the terms of this Supplement, the parties have caused this Supplement to be executed by their undersigned representatives.

**State of Mississippi, Department of  
Information Technology Services, on  
behalf of Alcorn State University**

**Ellucian Company L.P.**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT A  
MISSISSIPPI LICENSE ORDER FORM  
TECHNICAL CURRENCY SERVICES**

Licensee: Alcorn State University ("Licensee")  
Delivery Address: 1000 ASU Drive, Alcorn State, MS 38096

Licensee is hereby obtaining Technical Currency Services for the Licensed Software listed below pursuant to the Master Software License and Services Agreement between Eliucian and ITS as Contracting Agent for the Agencies and Institutions of the State of Mississippi dated May 21, 1998 (the "Master Agreement"). The fees due hereunder shall be in addition to any fees due under any prior Order Form, Amendment or Agreement entered into between Eliucian and either ITS or the Board of Trustees of the Mississippi Institutions of Higher Learning.

**TABLE 1: Technical Currency Services (Maintenance):**  
Technical Currency Year Begins/Ends: November 1/October 31  
Technical Currency Expiration Date: October 31, 2024

Time Period:	November 1, 2017 to October 31, 2018	November 1, 2018 to October 31, 2019	November 1, 2019 to October 31, 2020	November 1, 2020 to October 31, 2021	November 1, 2021 to October 31, 2022	November 1, 2022 to October 31, 2023	November 1, 2023 to October 31, 2024
<b>Maintenance Paid In Arrears</b>							
Banner Advancement	\$19,156.00	\$19,922.00	\$20,719.00	\$21,548.00	\$22,410.00	\$23,306.00	\$24,239.00
Banner Advancement Self-Service	\$4,355.00	\$4,529.00	\$4,710.00	\$4,898.00	\$5,094.00	\$5,298.00	\$5,510.00
Banner Document Management Integration Component	\$2,584.00	\$2,687.00	\$2,795.00	\$2,907.00	\$3,023.00	\$3,144.00	\$3,270.00
Banner Employee Self-Service	\$10,684.00	\$11,111.00	\$11,556.00	\$12,018.00	\$12,499.00	\$12,999.00	\$13,519.00
Banner Faculty and Advisor Self-Service	\$7,123.00	\$7,408.00	\$7,704.00	\$8,013.00	\$8,333.00	\$8,666.00	\$9,013.00
Banner Finance	\$29,610.00	\$30,795.00	\$32,027.00	\$33,308.00	\$34,640.00	\$36,026.00	\$37,467.00
Banner Finance Self-Service	\$2,379.00	\$2,474.00	\$2,573.00	\$2,676.00	\$2,783.00	\$2,894.00	\$3,010.00
Banner Financial Aid	\$22,642.00	\$23,548.00	\$24,490.00	\$25,470.00	\$26,488.00	\$27,548.00	\$28,650.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

# EXHIBIT 1

October 19, 2017

Time Period:	November 1, 2017 to October 31, 2018	November 1, 2018 to October 31, 2019	November 1, 2019 to October 31, 2020	November 1, 2020 to October 31, 2021	November 1, 2021 to October 31, 2022	November 1, 2022 to October 31, 2023	November 1, 2023 to October 31, 2024
Banner Human Resources	\$19,156.00	\$19,922.00	\$20,719.00	\$21,548.00	\$22,410.00	\$23,306.00	\$24,239.00
Banner Student	\$31,310.00	\$32,563.00	\$33,865.00	\$35,220.00	\$36,629.00	\$38,094.00	\$39,618.00
Banner Student Self-Service	\$8,914.00	\$9,270.00	\$9,641.00	\$10,027.00	\$10,428.00	\$10,845.00	\$11,279.00
Voice Response EPOS	\$5,826.00	\$6,059.00	\$6,301.00	\$6,553.00	\$6,815.00	\$7,088.00	\$7,371.00
Banner Workflow	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
IM Need Analysis	\$2,823.00	\$2,936.00	\$3,054.00	\$3,176.00	\$3,303.00	\$3,435.00	\$3,572.00
FM Need Analysis	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Document Management Suite							
ApplicationXtender Desktop	\$7,870.00	\$8,185.00	\$8,512.00	\$8,853.00	\$9,207.00	\$9,575.00	\$9,958.00
ApplicationXtender Test Bundle	\$1,192.00	\$1,240.00	\$1,289.00	\$1,341.00	\$1,394.00	\$1,450.00	\$1,508.00
ApplicationXtender Web Access .NET	\$4,473.00	\$4,652.00	\$4,838.00	\$5,031.00	\$5,232.00	\$5,442.00	\$5,659.00
DiskXtender Windows File System Manager Server	\$1,357.00	\$1,412.00	\$1,468.00	\$1,527.00	\$1,588.00	\$1,651.00	\$1,718.00
TouchNet Payment Gateway <sup>†</sup>	\$6,046.00	\$6,288.00	\$6,539.00	\$6,801.00	\$7,073.00	\$7,356.00	\$7,650.00
TouchNet Webcheck <sup>†</sup>	\$3,318.00	\$3,460.00	\$3,588.00	\$3,732.00	\$3,881.00	\$4,036.00	\$4,198.00
Oracle:							
Internet App Server Enterprise Edition	\$16,957.00	\$17,635.00	\$18,340.00	\$19,074.00	\$19,837.00	\$20,630.00	\$21,456.00
Internet Developer Suite	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Programmer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Relational Database System	\$29,170.00	\$30,337.00	\$31,550.00	\$32,812.00	\$34,125.00	\$35,490.00	\$36,909.00
<b>Grand Total:</b>	<b>\$236,945.00</b>	<b>\$248,423.00</b>	<b>\$256,278.00</b>	<b>\$266,533.00</b>	<b>\$277,192.00</b>	<b>\$288,279.00</b>	<b>\$299,813.00</b>
					<b>Total Maintenance Cost:</b>		<b>\$1,871,463.00</b>

**NOTES TO TABLE 1:**

<sup>†</sup> Indicates the Component System is owned by a third party.

## NOTES:

The hours during which Maintenance will be provided for each Component System, the targeted response times for certain defined categories of Maintenance calls for each Component System, and other details and procedures (collectively, the "Maintenance Standards") relating to the provision of Maintenance for each Component System are described in the applicable Maintenance Standards stated below.

The Technical Currency (Maintenance) amounts specified in Table 1 above will be reflected by Ellucian in annual invoices in arrears. Licensee will make payment for invoices in accordance with the terms of Article 10 of the Master Agreement and penalties for late payments shall be calculated in accordance with the terms of Article 10.2 of the Master Agreement. Following the Expiration Date of the final Technical Currency Year (i.e. October 31, 2024, Technical Currency Services may be extended upon mutual written agreement of the parties, in the form of an amendment to this Supplement signed by an authorized representative of each party hereto.

Notwithstanding anything in the Master Agreement to the contrary, except in the case of: (a) a termination for cause as described in Article 14.1 or 14.2 of the Master Agreement, or (b) as the result of mutual written agreement of the parties as described in Article 14.3, or (c) a lack of appropriation of funds as described in Article 27 of the Master Agreement, the Technical Currency Term as it applies to each Baseline Component System listed in Table 1 above is for the period beginning on the Commencement Date (i.e. November 1, 2017) and shall continue, and remain in full force and effect, until the Expiration Date of the final Technical Currency Year, in accordance with its terms.

## Advantage Level Maintenance Standards

### I. Defined Terms:

**"Notification"** means a communication to Ellucian's ActionLine by means of: (i) Ellucian's Customer Support Center; (ii) the placement of a telephone call; or (iii) the sending of an e-mail, in each case, in accordance with Ellucian's then-current policies and procedures for submitting such communications.

**"Priority One Call"** means a Notification that Licensee believes that a Documented Defect has caused: (i) a full failure (i.e., "crash") of its computer system; (ii) a full failure of the Licensed Software; or (iii) a failure of its computer system or the Licensed Software which, in either case, prevents Licensee from performing data processing which is critical to Licensee's operations on the day on which the alleged Documented Defect is reported.

**"Priority Two Call"** means a Notification that Licensee believes that a Documented Defect has caused a partial failure of Licensee's computer system or the Licensed Software which significantly hinders its ability to perform data processing which is critical to Licensee's operations on the day on which the alleged Documented Defect is reported.

**"Priority Three Call"** means a Notification that Licensee believes that a Documented Defect has caused an intermittent failure of, or problem with, its computer system or the Licensed Software that causes a significant delay in Licensee's ability to perform data processing on the day on which the alleged Documented Defect is reported, but where the processing is not critical to Licensee's operations.

**"Priority Four Call"** means a Notification that Licensee believes that a Documented Defect has caused a problem with its computer system or the Licensed Software that does not significantly affect critical processing.

**II. Hours During Which Ellucian's "ActionLine" Telephone Support Will be Available to Licensee in Connection with the Provision of Maintenance:** Five (5) days per week, Monday through Friday, excluding United States holidays and Ellucian-observed holidays, from 8:00 AM to 8:00 PM (Central US Time).

**III. Targeted Response Times:** With respect to Ellucian's Maintenance obligations, Ellucian will respond to Notifications from Licensee relating to the Baseline Component Systems Identified in this Supplement in accordance with the following guidelines, with the time period to be measured beginning with Ellucian's receipt of the Notification:

- Priority One Calls – two (2) hours or less.
- Priority Two Calls – four (4) hours or less.
- Priority Three Calls – twenty-four (24) hours or less.
- Priority Four Calls – seventy-two (72) hours or less.

**Notes:** For purposes of these targets, a "response" will mean an initial contact from an Ellucian representative to Licensee to begin evaluation of the problem reported under one of the categories of calls identified above; (2) As a prerequisite to Ellucian's obligation to respond to Licensee, Licensee must follow the policies and procedures of Ellucian's ActionLine (such as the dialing of a particular phone number, the categorization of a particular problem, etc.) when submitting its Notification.

# EXHIBIT 2

October 19, 2017

## **SYSTEM – REQUEST FOR APPROVAL FOR FIRST READING OF REVISIONS TO BOARD POLICY 906 – EDUCATIONAL BUILDING CORPORATIONS**

### **906 – EDUCATIONAL BUILDING CORPORATIONS**

Authority, Miss. Code Ann., Sections 37-101-61 and 37-101-63 (1972), as amended, grants the state institutions of higher learning the authority to form nonprofit corporations for the purpose of acquiring, or maintaining, equipping, improving or constructing facilities for use by the institution. These educational building corporations are granted the authority to issue bonds or other forms of debt obligations (if required for the type of debt to be issued) for the construction and renovation of facilities.

~~Financial Advisor. Prior to Board consideration of an institution's request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition, and renovation of facilities or to refinance outstanding debt, Board staff, in conjunction with institutional staff, must select a financial advisor(s) to represent the interests of the Board, the educational building corporation and the institution. The financial advisor(s) shall meet such qualifications and perform such services as may be prescribed by the institution, the Board or its staff.~~

Financial Advisor. Prior to Board consideration of an institution's request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition, and renovation of facilities or to refinance outstanding debt, the Commissioner shall designate a financial advisor(s) to advise the Board with respect to the likely impacts and the prudence of the proposed transaction. The Financial Adviser will provide advice to the Board -- which is independent of the advice provided by the institution or the educational building corporation - as to the anticipated effect of the proposed transaction on the institution and the entire IHL system. The Commissioner will not approve use of a financial adviser with respect to a transaction if the proposed advisor has or has had substantial other relationships with the institution to the extent that would cause its judgment or independence to be questioned by a disinterested observer. The financial advisor(s) shall meet such qualifications and perform such services as may be prescribed by the Board, and the Board will periodically approve a list of possible firms to provide those services from which the Commissioner may select when the necessity arises.

Payment to the financial advisor(s) shall be made by the institution, or the institution's educational building corporation, without regard for whether the Board approves the construction or renovation or whether the institution or educational building corporation constructs the project, or in the case of refinancing, whether the debt is refinanced.

Financing Projects. Prior to Board consideration of an institution's request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition or renovation of facilities, the financial advisor must provide the Board with an independent

# EXHIBIT 2

October 19, 2017

analysis of the institution's financial condition, to verify that proposed revenue stream(s) are sufficient to repay the debt service and to recommend the project's viability. If the educational building corporation will issue commercial paper, the financial advisor shall also calculate an opinion of the breakeven interest rate to long term bonds to justify the use of commercial paper. The institution shall submit the report of the financial advisor(s) and the request for a project initiation to the Board for approval. The request must state the institution's intent, justify the need for the project and give an estimate of the total construction budget. The request must also include naming the design professionals, bond counsel and senior underwriter(s) selected by the board of the educational building corporation.

Following the Board's approval of the project initiation, the institution shall return to the Board at a subsequent meeting and present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations for the specific project. In no case shall the educational building corporation issue bonds or other forms of debt obligations without specific approval of the debt obligations from the Board for specific projects.

Refinancing or Defeasing of Outstanding Debt. Outstanding debt of the educational building corporation may be refinanced in accordance with the provisions of this policy. Prior to Board consideration of an institution's request to issue debt of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, the financial advisor must provide the Board with an independent analysis showing potential net present value (NPV) savings based on current market conditions. The institution's request must include naming the bond counsel and senior underwriter(s) selected by the board of the educational building corporation. After consideration of the financial advisor's analysis and other factors that the Board deems material, the Board may approve the issuance of debt by the educational building corporation, in the discretion of the authorized representatives of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, which authorization may be conditioned on the specific level of NPV savings being achieved. Refinancing or defeasing of debt does not require a subsequent meeting of the Board of Trustees provided the financial advisor has provided a report demonstrating adequate net present value savings and the bond resolution and form of bond documents have been presented to and approved by the Board.

Review and Approval of Documents. In connection with the issuance of debt for any purpose, the institution shall present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations and for approval of the following documents to which the Board will be a party: the lease, the ground lease, the preliminary official statement (if required for the type of debt to be issued), and the continuing disclosure agreement (if required for the type of debt to be issued). The resolution shall also authorize representatives of the Board to execute such documents. Prior to the approval of the resolution by the Board, the educational

# EXHIBIT 2

October 19, 2017

building corporation shall submit to the Board staff, for informational purposes only, the form of any documents that are to be entered into by the educational building corporation in connection with the issuance of bonds or other debt, but to which the Board is not a party.

Method of Sale. Unless the Board approves otherwise, obligations shall be offered and sold through a competitive sale process or, alternatively, on a negotiated basis to an underwriter, in the case of bonds, or a dealer, in the case of commercial paper.

Selection of Financial Institution Participants. Any selection of a financial institution to serve as trustee under a trust indenture, as escrow agent under an escrow agreement, or as a lender to an educational building corporation, either directly or through the purchase of obligations of the educational building corporation, shall be made by the educational building corporation in its sole discretion and shall not be subject to approval by the Board.

Continuing Disclosure Obligations. Securities and Exchange Commission Rule 15c2-12 generally provides that an underwriter cannot sell governmental bonds unless an “obligated person” with respect to the bonds enters into a “Continuing Disclosure Agreement” (CDA) agrees to submit annually audited financial statements of the obligated person and other information as set forth in the CDA and notices of specified material events. With respect to the issuance of bonds by educational building corporations, the Board is an “obligated person” and the CDA will typically require audited financial statements and operating data for the entire IHL system to be submitted annually, rather than information on individual institutions. The material events specified in the CDA also typically relate to the entire IHL system.

To facilitate uniformity, efficiency and timeliness in complying with the requirements of Rule 15c2-12 relating to bonds issued by an educational building corporation, the Board, rather than the educational building corporation, will enter into the CDA and undertake to provide the annual disclosures and material event notices. The Board will hire an independent agent to assist with compliance with its obligations under CDA(s), as well as, compliance by educational building corporations under CDA(s) entered into by educational building corporations prior to the adoption of this policy upon approval by the Board. The Board, and/or its dissemination agent, will also sign up for the EMMA tickler system reminders.



# EXHIBIT 3

October 19, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 17, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **ALCORN STATE UNIVERSITY**

### **1. ASU- GS 101-297 – Technology Classroom Building**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, August 29, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 29, 2017

Project Initiation Date: June 20, 2013

Design Professional: Allred Architectural Group

General Contractor: TBD

Total Project Budget: \$16,500,000.00

### **2. ASU- IHL 201-252 – Morris-Boykin Renovation**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Durrell Design Group

Approval Status & Date: APPROVED, August 14, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 14, 2017

Project Initiation Date: August 8, 2016

Design Professional: Durrell Design Group

General Contractor: TBD

Total Project Budget: \$1,777,500.35

# EXHIBIT 3

October 19, 2017

## 3. ASU- IHL 201-255 – Water Treatment Facility Improvements

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 24, 2017 to approve the initiation and appointment of the design professional for the Water Treatment Facility Improvements project.

Approval Status & Date: APPROVED, August 24, 2017

Project Initiation Date: February 18, 2016

Design Professional: M & G Enterprises, Inc., d/b/a Engineering Service

General Contractor: TBD

Total Project Budget: \$3,311,592.00

## DELTA STATE UNIVERSITY

## 4. DSU– GS 102-260 – Zeigel Hall Renovation

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$250,141.80 and one hundred sixteen (116) additional days to the contract of Roy Collins Construction Co., Inc.

Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 11, 2017

Change Order Description: Change Order #1 includes the following items: removal of existing trees; provide separate chill water valves from the existing campus loop; relocation of fiber optics; installation of a valve into the main gas line and tie into the main gas line directly and replacement of the existing gas valve; removal of asbestos containing concealed glue dots; cost associated with proposal for energy management & controls system to be deducted from the controls allowance; block the wall demo; new wall construction; and one hundred sixteen (116) days to the contract..

Change Order Justification: These changes were due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$250,141.80.

Project Initiation Date: October 16, 2014

Design Professional: Architecture South, Inc.

General Contractor: Roy Collins Construction Co., Inc.

Total Project Budget: \$6,292,500.00

## 5. DSU– GS 102-262 – Young Maulding Renovations

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$8,095,000.00 to the apparent low bidder, Diversified Construction Services, Inc.

Approval Status & Date: APPROVED, July 18, 2017

# EXHIBIT 3

October 19, 2017

Project Initiation Date: October 16, 2014  
Design Professional: Burris/Wagnon Architects, P.A.  
General Contractor: Diversified Construction Services, Inc.  
Total Project Budget: \$9,180,791.00

## JACKSON STATE UNIVERSITY

### 6. JSU– GS 103-286 – Stewart Renovation Preplan

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Foil Wyatt Architects & Planners, PLLC.

Approval Status & Date: APPROVED, August 21, 2017

#### **Approval Request #2: Design Development Documents**

Board staff approved the Design Development Documents as submitted by Foil Wyatt Architects & Planners, PLLC.

Approval Status & Date: APPROVED, August 21, 2017

Project Initiation Date: November 17, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBD

Phased Project Budget: \$200,000.00

## MISSISSIPPI STATE UNIVERSITY

### 7. MSU– GS 105-351 – YMCA Renovation

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$171,879.54 and eleven (11) additional days to the contract of Gregory Construction Services, Inc.

Approval Status & Date: APPROVED, August 25, 2017

Change Order Description: Change Order #2 includes the following items: roof investigation; asbestos abatement; electrical modifications; interior finish modifications; and eleven (11) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; and additional days for work as indicated herein.

#### **Approval Request #2: Change Order #3**

Board staff approved Change Order #3 in the amount of \$139,343.91 and twenty-one (21) additional days to the contract of Gregory Construction Services, Inc.

Approval Status & Date: APPROVED, August 25, 2017

Change Order Description: Change Order #3 includes the following items: steam tunnel removal; electrical changes; first floor ceiling & miscellaneous interior credits; and twenty-one (21) days to the contract.

# EXHIBIT 3

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Change Order Justification: These changes were due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$437,507.82.

Project Initiation Date: August 15, 2013

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Gregory construction Services, Inc.

Total Project Budget: \$9,800,000.00

## 8. **MSU– GS 113-136 – Meat Science Laboratory**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$15,219.54 and sixteen (16) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 21, 2017

Change Order Description: Change Order #3 includes the following items: remove six (6) backflow preventers; provide weather proof GFCI with weather proof cover; provide Patriot “chair” in lieu of Fusion; install a handrail; re-configure the fire protection and domestic water connections; and sixteen (16) days to the contract.

Change Order Justification: These changes were due to errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$35,906.03.

Project Initiation Date: October 17, 2013

Design Professional: Pryor & Morrow, P.A.

General Contractor: Construction Services, Inc.

Total Project Budget: \$8,200,000.00

## 9. **MSU– IHL 205-271 – Robert L. Jones Circle Road and Utility Completion**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$9,090.75 and one hundred eighty-five (185) additional days to the contract of Mitchell Contracting, Inc.

Approval Status & Date: APPROVED, July 7, 2017

Change Order Description: Change Order #1 includes the following items: add an out flume; add striping; add a sewer manhole extension; add a concrete flume and riprap to the west end of the project; to raise a sewer manhole in the southeast portion of the project; add traffic striping; and one hundred eight-five (185) days to the contract due to weather delays.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$9,090.75.

Project Initiation Date: October 17, 2013

# EXHIBIT 3

October 19, 2017

Design Professional: Pritchard Engineering  
General Contractor: Mitchell Contracting, Inc.  
Total Project Budget: \$1,260,315.00

## 10. **MSU– IHL 205-278 – MSU nSPARC Data Center**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$23,661.17 and fourteen (14) additional days to the contract of Burks-Mordecai Builders, Inc.

Approval Status & Date: APPROVED, August 2, 2017

Change Order Description: Change Order #3 includes the following items: re-routing site fiber; added a solid panel door; installed window shades in an office; add a raised laminate floor; changes to electrical and low voltage; add a card access to a door; add a grounding system to the computer room; and fourteen (14) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$238,222.88.

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: Burks-Modecai Builders, Inc.

Total Project Budget: \$4,650,000.00

## 11. **MSU– IHL 205-279 – Addition & Renovation to Dudy Noble Field**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$469,800.00 and zero (0) additional days to the contract of Jesco, Inc.

Approval Status & Date: APPROVED, August 9, 2017

Change Order Description: Change Order #1 includes the following items: insulation spec revision from ½” to 1” on chill water piping; delete roof drain where exposed to ambient temperatures; to apply 1” armaflex on heating water equipment in lieu of 3” fiberglass; change the outfield lounge rails from steel to aluminum; increase the mesh opening to 4”; to use Timber Tech composite decking in lieu of Trex decking at the outfield lounges; change out the existing two gas water heaters for Tricon water heaters; change out the existing water heater for the center field build and install a Rhee water heater; delete all domestic cold and hot water insulation on branch lines; change the domestic cold and hot recirculation pipe size 2” and below to PEX 8; omit the requirement for PVC coated galvanized steel elbow for underground 90’s; and omit the requirement for fire wrap.

Change Order Justification: These changes were due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$469,800.00.

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architects, PLLC

General Contractor: Jesco, Inc.

# EXHIBIT 3

October 19, 2017

Total Project Budget: \$55,000,000.00

12. **MSU - Demolition of Building #1132**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on July 26, 2017 to approve the removal from inventory and demolition of the existing small garage/storage building (Building #1132).

Approval Status & Date: APPROVED, July 26, 2017

## MISSISSIPPI UNIVERSITY FOR WOMEN

13. **MUW- GS 104-187 – Turner Hall (Demonstration School) Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Durrell Design Group

Approval Status & Date: APPROVED, August 14, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 14, 2017

Project Initiation Date: August 8, 2016

Design Professional: Durrell Design Group

General Contractor: TBD

Total Project Budget: \$1,777,500.35

14. **MUW – Memorandum of Agreement between MUW and the Mississippi Department of Archives and History (MDAH)**

The Mississippi Archives and History (MDAH) Board of Trustees, MDAH staff, and Mississippi University for Women have agreed to a Memorandum of Agreement (MOA) that addresses the designation of three (3) new historical landmark buildings, thirteen (13) potential historical landmark buildings, and eleven (11) ineligible buildings for historical landmark designation on the MUW campus during a five (5) year time period beginning September 26, 2017 and ending September 26, 2022. At the end of the five (5) year time period, the MOA will be reassessed by MDAH and MUW. A copy of the MOA that details the designation of each building will be kept on file with the Office of Real Estate and Facilities at IHL.

## UNIVERSITY OF MISSISSIPPI

15. **UM– IHL 107-308 – Union Addition & Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$461,754.00 and sixty-five (65) additional days to the contract of Roy Anderson Corporation.

# EXHIBIT 3

October 19, 2017

Approval Status & Date: APPROVED, July 14, 2017

Change Order Description: Change Order #8 includes the following items: removal and disposal of undocumented asbestos-contaminated material; add new water lines with Insterta-Valves; remove existing undocumented water lines and hydro-jet to locate other existing utilities to remain for construction of the new south porch; add an air handling unit with associated components including controls and painting at one of the buildings; add miscellaneous steel framing, plating & grating for floor openings & a sprinkler system at mechanical platforms; change the flooring in McAlister's back-of-house kitchen areas from tile to fluid-applied flooring to match the rest of the kitchens; change the material of overhead doors at the loading dock from painted steel to stainless steel and add sensing edge slack retraction safety features at the food brand security grilles; add crack suppression membrane under the terrazzo flooring at the light-weight concrete floor slabs; and sixty-five (65) days to the contract.

Change Order Justification: This change was due to errors and omissions in the plans and specifications; latent jobsite conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$1,369,865.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects – Jackson, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,580,565.32

Total Project budget: \$58,900,000.00

## 16. **UM – IHL 207-376.2R – STEM Building – Site Utilities Relocation REBID**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$485,148.07 and sixty (60) additional days to the contract of Eubank Construction Co., Inc.

Approval Status & Date: APPROVED, July 7, 2017

Change Order Description: Change Order #1 includes the following items: additional hot and cold water valves; extend the electrical bore; additional water lines added to the new waterline to Faser Hall; excavation to abandon two (2) existing water well casings discovered during construction; additional construction fencing; relocation of a communications manhole into the sidewalk; storm drainage modifications; sanitary sewer line repair; additional bores and wire; an additional post indicator valve for a fire protection line; add 1200 amp outdoor disconnect and relocate the underground feeder; raise the manhole tops to match the existing grade; installation of a domestic water service connection; relocation of a domestic water line; additional boring for the water line installation; replace two (2) manholes and a gravity sewer line on the north end of the new line; install electrical conduit for future use; and sixty (60) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plan & specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$485,148.07.

# EXHIBIT 3

October 19, 2017

Project Initiation Date: January 16, 2014  
Design Professional: McCarty Architects, P.A.  
General Contractor: Eubank Construction Co., Inc.  
Phased Project Budget: \$6,689,259.40  
Total Project Budget: \$14,000,000.00

## 17. **UM– IHL 207-389 – Vaught-Hemingway Stadium North End Zone**

### **Approval Request #1: Change Order #11**

Board staff approved Change Order #11 in the credit amount of \$78,043.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, July 6, 2017

Change Order Description: Change Order #11 includes the following items: Credit due to silt and fiber damage.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of \$2,524,973.28.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Total Project Budget: \$30,593,713.00

## 18. **UM – IHL 207-401 – Wastewater Treatment Facility Expansion**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$55,269.11 and eleven (11) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, July 21, 2017

Change Order Description: Change Order #5 includes the following items: labor & material to pipe from clarifier to sludge drain; to extend electrical service for the new decant lift station; changes in the design of the cascade aerator structure; to fill the old degritter and headworks channel and cap with concrete in lieu of grating; change the type of vent louver in the headworks building from fixed to operable with associated electrical work; to locate and re-route unmarked water lines; to install additional probes & controllers and provide circuits to those locations; to modify a rotor access platform; and eleven (11) days to the contract due to weather delays.

Change Order Justification: These changes are due to errors and omissions in the plans and specifications; latent jobsite conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$121,747.04.

Project Initiation Date: February 18, 2015

Design Professional: Engineering Solutions, Inc.

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$9,900,000.00



# EXHIBIT 3

October 19, 2017

## 19. UM – IHL 207-436 – Kinard Water Treatment Replacement

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, August 16, 2017

### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, August 16, 2017

Project Initiation Date: June 15, 2017

Design Professional: Engineering solutions, Inc.

General Contractor: TBD

Total Project Budget: \$1,100,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

## 20. UMMC– IHL 209-544 – Translational Research Center

### **Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$57,867.53 and forty-one (41) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, July 27, 2017

Change Order Description: Change Order #6 includes the following items: added paint scope at various basement rooms; add five (5) pipe bollards at the fuel tank; add a quazite enclosure to raise the existing medium voltage pull box at south drive; add removable caps at the animal holding rooms; install lab sinks in millwork at the 1<sup>st</sup> floor area; relocate stair vestibule smoke detectors at all floors; add a generator Float; install air flow switches and high humidity duct-mounted devices on six (6) air handling units; add a transformer for the interconnection between the emergency generator and the temporary generator docking station; install gypsum board at two (2) floor service elevator vestibules; add a fire damper at the 4<sup>th</sup> floor where wet labs are located; add a duct detector at one air handling unit; add electrical for an instant hot water heater for two (2) sterilizers in the surgery suite; and forty-one (41) days to the contract due to weather delays.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; latent job site conditions; user/owner requested modifications and weather delays for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total credit amount of \$609,616.70

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

# EXHIBIT 3

October 19, 2017

## 21. UMMC – IHL 209-557 – Med-Com/PES Renovations

### **Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Canizaro Cawthon Davis.

Approval Status & Date: APPROVED, July 27, 2017

Project Initiation Date: June 16, 2017

Design Professional: Canizaro Cawthon Davis

General Contractor: TBD

Total Project Budget: \$2,868,925.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

## 22. USM– GS 108-279 – Lucas Administration Envelope Repairs

### **NOTE: This is a Bureau of Building project**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$7,705.00 and zero (0) additional days to the contract of Finlo Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 21, 2017

Change Order Description: Change Order #3 includes the following items: replace corroded cast iron pipe with PVC pipe at two (2) locations on the roof drains.

Change Order Justification: This change is due to existing cast iron pipes that have deteriorated and are corroded.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$112,935.00.

Project Initiation Date: March 21, 2013

Design Professional: Albert & Associates Architects, P.A.

General Contractor: Finlo Construction Company, Inc.

Total Project Budget: \$3,300,000.00

## 23. USM– GS 108-281 – Joseph Greene Hall Renovations

### **NOTE: This is a Bureau of Building project**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$10,350,000.00 to the apparent low bidder, B. W. Sullivan Building Contractor, Inc.

Approval Status & Date: APPROVED, August 29, 2017

Project Initiation Date: September 18, 2014

Design Professional: Allred Architectural Group

General Contractor: B. W. Sullivan Building Contractor, Inc.

Total Project Budget: \$13,000,000.00

# EXHIBIT 3

October 19, 2017

## 24. USM– IHL 210-243 – Marine Education Center

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$99,170.00 and thirteen (13) additional days to the contract of Starks Contracting Co., Inc.

Approval Status & Date: APPROVED, August 2, 2017

Change Order Description: Change Order #5 includes the following items: installation of a security camera and code blue rough-ins; additional communication fiber and wire to connect two buildings to the main hub in the visitors center; provide certified tested storefront door hardware on a building; relocate electrical transformers in two buildings; to replace a single wall exposed insulated duct with double wall insulated spiral duct in three buildings; additional communications fiber infrastructure; and thirteen (13) days to the contract.

Change Order Justification: This change is due to changes in requirements or recommendation by governmental agencies; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$270,926.75.

Project Initiation Date: August 21, 2008

Design Professional: Lake Flato

General Contractor: Starks Contracting Co., Inc.

Total Project Budget: \$16,115,659.75

## EDUCATION AND RESEARCH CENTER

## 25. ERC– GS 111-052 – Structural & Subsurface Repair

### **NOTE: This is a Bureau of Building project**

### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$230,975.00 and one hundred sixteen (116) additional days to the contract of Gregory Construction Services.

Approval Status & Date: APPROVED, August 31, 2017

Change Order Description: Change Order #4 includes the following items: removal of unsuitable soils & provide new backfill and lime stabilization to the north access drive; fire main relocation, additional parking, removal of north parking lot sidewalks & relocated electrical service at the north parking lot; seal the crawl space opening in the foundation wall, backfill the area, construct a new sidewalk to tie into the existing sidewalk, & asphalt paving replacement in the affected area at the crawl space access; delete seven (7) planters in the east and west plaza; delete eleven (11) trees for the planters; delete the irrigation lines to the planters; and twenty-one (21) days to the contract.

Change Order Justification: These changes are due to latent job site conditions; user/owner requested modifications; and additional days for work due to weather delays as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$500,983.50.

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Project Initiation Date: August 21, 2008

Design Professional: JBHM

General Contractor: Gregory Construction Services

Total Project Budget: \$4,178,570.87

# EXHIBIT 4

October 19, 2017

## 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 Baker & Hostetler (statement dated 8/28/17) from the funds of Alcorn State University. (This statement, in the amount of \$833.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 833.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/17 and 8/9/17) from the funds of Alcorn State University. (These statements, in the amounts of \$1,000.00 and \$2,435.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 3,435.00**

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 7/25/17 and 8/21/17) from the funds of Mississippi State University. (These statements, in the amounts of \$4,200.00 and \$50.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 4,250.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/11/17) from the funds of Mississippi State University. (This statement, in the amount of \$9,888.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 9,888.00**

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 8/1/17) from the funds of Mississippi State University. (This statement, in the amount of \$500.00, represents services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 500.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/11/17) from the funds of the University of Mississippi. (This statement, in the amount of \$1,475.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,475.00**

# EXHIBIT 4

October 19, 2017

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 8/7/17 and 9/8/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,071.50 and \$7,662.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,733.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/17, 8/1/17, 9/1/17, 9/1/17, 9/1/17 and 9/1/17) from the funds of the University of Mississippi. (These statements, in the amounts of \$500.00, \$24.64, \$24.68, \$47.26, \$80.00 and \$30.05, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 706.63**

Payment of legal fees for professional services rendered by Bradley|Arant (statements dated 6/23/17, 8/7/17, 8/7/17 and 8/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,177.88, \$245.00, \$4,195.30 and \$3,260.20, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 13,878.38**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/12/17, 7/13/17, 7/13/17, 7/13/17, 7/13/17, 7/17/17, 7/17/17, 7/20/17, 7/24/17, 8/4/17, 8/10/17, 8/11/17, 8/15/17, 8/15/17, 8/15/17 and 8/17/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$122.50, \$1,349.40, \$10,048.00, \$1,176.00, \$343.00, \$60.10, \$2,548.00, \$1,886.50, \$8,302.50, \$42,755.75, \$23,189.81, \$10,782.82, \$9,972.60, \$1,386.50, \$88.50 and \$6,287.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 120,299.68**

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 7/31/17 and 8/22/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$17,422.50 and \$7,312.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 24,735.20**

Payment of legal fees for professional services rendered by Hood|Bolen (statement dated 8/8/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,155.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,155.00**

# EXHIBIT 4

October 19, 2017

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 8/2/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$90.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 90.00**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 5/1/17, 5/16/17, 7/13/17, 8/29/17, 8/29/17, 8/29/17, 8/29/17 and 8/29/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$610.50, \$123.75, \$6,398.99, \$297.00, \$511.50, \$222.75, \$297.00 and \$12,688.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 21,149.99**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 6/26/17, 7/5/17, 7/5/17, 7/6/17, 7/6/17, 7/6/17, 8/4/17, 8/4/17, 8/4/17, 8/4/17, 8/4/17, 8/4/17 and 8/9/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,359.00, \$2,901.45, \$973.00, \$8,032.20, \$6,313.20, \$5,299.10, \$4,781.70, \$5,910.20, \$2,139.50, \$10,939.86, \$2,070.00, \$700.00 and \$4,817.82, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 56,237.33**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 9/7/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$11,485.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 11,485.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/3/17, 7/6/17, 7/7/17, 7/24/17, 7/24/17, 8/8/17, 8/8/17, 8/10/17, 8/11/17 and 9/7/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$552.00, \$48.00, \$1,397.65, \$925.00, \$2,112.00, \$72.00, \$1,327.50, \$3,451.50, \$816.00 and \$955.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,732.15**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/17, 8/1/17, 8/1/17, 8/1/17, 8/1/17, 9/1/17, 9/1/17 and 9/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$287.50, \$8.61, \$49.63, \$47.10, \$8.61, \$1,500.00, \$3,000.00 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 7,401.45**

# EXHIBIT 4

October 19, 2017

## 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 (statements dated 6/29/17, 6/29/17, 6/29/17, 6/29/17, 7/21/17 and 7/24/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Micro-Fluidic Device for Measuring Osmotic Second Virial Coefficients” - \$3,728.50; “Live Attenuated Catfish Vaccine and Method of Making” - \$2,371.50; “Live Attenuated Catfish Vaccine and Method of Making” - \$335.00; “Occidiofungin Patent Applications” - \$65.00; “Cancer Therapeutic Use of Occidiofungin” - \$5,315.89 and “Live Attenuated Edwardsiella ictaluri Vaccine and Method of Using Same” - \$1,416.00, respectively.)

**TOTAL DUE.....\$ 9,881.89**

Payment of legal fees for professional services rendered by Mendelsohn|Dunleavy (statements dated 5/10/17 and 5/22/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species” - \$1,998.75 and “Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$2,616.25, respectively.)

**TOTAL DUE.....\$ 4,615.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/24/17, 7/25/17 and 8/25/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Methods of Synthesizing Graphene from a Lignin Source” - \$285.00; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$2,176.00 and “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$575.90, respectively.)

**TOTAL DUE.....\$ 3,036.90**

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 5/19/17, 7/11/17, 7/11/17, 8/23/17 and 8/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals” - \$87.64; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$1,319.22; “Microphone Array for Reducing the Effect of Atmospheric Turbulence” - \$1,109.06; “Systems and Methods for Detecting Transient Acoustic Signals” - \$40.00 and “Systems and Methods for Detecting Transient Acoustic Signals” - \$406.00, respectively.)

**TOTAL DUE.....\$ 2,961.92**



# EXHIBIT 4

October 19, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/19/17, 7/18/17 and 8/30/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cache Mapping Technology Matter” - \$2,728.50; “Cache Mapping Technology Matter” - \$2,008.50 and “Cache Mapping Technology Matter” - \$1,360.50, respectively.)

**TOTAL DUE.....\$ 6,097.50**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 5/1/17, 5/18/17, 7/18/17, 7/20/17, 8/8/17, 8/8/17, 8/9/17, 8/9/17, 8/10/17, 8/15/17, 8/15/17, 8/16/17, 8/17/17, 8/20/17, 8/23/17 and 8/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cannabidiol Prodrugs with Improved Ocular Bioavailability” - \$1,541.75; “Compositions Containing Delta-9-THC-Amino Acid Esters” - \$1,881.50; “Potent Immunostimulants from Microalgae” - \$820.00; “Potent Immunostimulants from Microalgae” - \$1,110.00; “Potent Immunostimulants from Microalgae” - \$1,568.04; “Potent Immunostimulants from Microalgae” - \$1,452.40; “Potent Immunostimulants from Microalgae” - \$1,233.76; “Potent Immunostimulants from Microalgae” - \$1,811.80; “Potent Immunostimulants from Microalgae” - \$1,184.22; “Highly Selective Sigma Receptor Radioligands” - \$150.00; “Potent Immunostimulants from Microalgae” - \$2,264.51; “Potent Immunostimulants from Microalgae” - \$1,315.06; “Potent Immunostimulants from Microalgae” - \$2,010.00; “Potent Immunostimulants from Microalgae” - \$1,049.79; “Compositions Containing Delta-9-THC Amino Acid Esters” - \$4,670.00; “Potent Immunostimulants from Microalgae” - \$1,126.79 and “Potent Immunostimulants from Microalgae” - \$1,871.25, respectively.)

**TOTAL DUE.....\$ 27,060.87**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/17/17, 5/17/17, 7/25/17, 7/25/17, 7/25/17, 8/24/17, 8/24/17, 8/24/17, 8/24/17 and 8/24/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Method of Detecting Humans” - \$550.50; “Gas Separating Membranes” - \$40.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,216.00; “Use of Trans-Gnetin H or Extracts Containing Genetic H” - \$2,378.00; “High Photovoltage per Area by Sequential Series Tandem (SST)” - \$5,000.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$360.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,061.50; “Longitudinal Gait Velocity Monitoring of Older Population” - \$28.50; “High Photovoltage per Area by Sequential Series Tandem (SS)” - \$234.50 and “Use of Trans-gnetin H or Extracts Containing Genetic H” - \$748.00, respectively.)

**TOTAL DUE.....\$ 7,432.50**

# EXHIBIT 4

October 19, 2017

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/24/17, 7/24/17, 7/24/17, 7/24/17, 7/25/17, 7/25/17, 7/25/17, 7/25/17, 7/25/17, 8/23/17, 8/23/17, 8/23/17, 8/23/17, 8/23/17 and 8/24/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$47.50, \$85.50, \$133.00, \$332.50, \$416.00, \$5,274.50, \$2,008.00, \$295.00, \$397.50, \$5,317.53, \$38.00, \$575.00, \$755.00, \$38.00 and \$4,138.31, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 19,851.34**