

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 18, 2020**

**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 via teleconference 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 December 10, 2019, to each and every member of said Board said date being at least five days prior to this June 18, 2020 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham (by phone), Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Mr. Shane Hooper (by phone), Ms. Ann H. Lamar (by phone), Ms. Jeanne Carter Luckey (by phone), Mr. Bruce Martin (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Gee Ogletree (by phone), Mr. Hal Parker (by phone), and Dr. J. Walt Starr (by phone). The meeting was called to order by Dr. Ford Dye, President. Trustee Alfred McNair introduced Dr. CJ Rhodes, Pastor of Mt. Helm Baptist Church in Jackson, MS and Director of Student Religious Life at Alcorn State University, to provide the invocation.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via teleconference. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Board.**

**APPROVAL OF THE MINUTES**

On motion by Trustee Ogletree, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on May 21, 2020.

**CONSENT AGENDAS**

On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved a COVID-19 related waiver of Board Policy 506 Course Requirements. Per Board Policy 506, course requirements shall include at minimum 2,250 minutes per three semester hour course, which may include final exam time, and the number of weeks must meet Federal financial aid requirements. To aid the IHL universities in providing the safest academic experience for its students, IHL universities are granted a temporary waiver of the minimum contact minutes requirement in Board Policy 506 for the fall 2020 semester, providing universities (1) follow or be granted a waiver of current US Department of Education guidance/rules on course contact time, (2) adhere to relevant notification(s) to the Southern Association of Colleges and Schools Commission on Colleges, and (3) maintain course learning objectives and rigor.

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2. **SYSTEM** – Approved the following modification to an academic unit.  
Rename
  - a. **MSU** – From Department of Civil and Environmental Engineering to Richard A. Rula School of Civil and Environmental Engineering
3. **SYSTEM** – Approved the following new academic degree programs.
  - a. **MSU** – Master of Science (MS) in Conservation Education (CIP code: 13.1338)
  - b. **UM** – Master of Public Health (MPH) (CIP code: 51.2201)
  - c. **UM** – Doctor of Philosophy (PhD) in Criminal Justice Policy Studies (CIP code: 43.0104)
4. **SYSTEM** – Approved the following modifications to existing academic degree programs.  
Rename
  - a. **JSU** – From Master of Science (MS) in Mass Communications to Master of Science (MS) in Journalism and Media Studies (CIP code, sequence: 9.0102, 5123)
  - b. **MSU** – From Master of Science (MS) in Industrial Engineering to Master of Science (MS) in Industrial and Systems Engineering (CIP code, sequence: 14.3501, 4126)
  - c. **USM** – From Bachelor of Science (BS) in Applied Technology (CIP code, sequence: 52.9999, 5801) to Bachelor of Applied Science (BAS) in Applied Technology (CIP code: 52.0210)  
Delete
  - d. **USM** - Bachelor of Arts (BA) in Psychology (CIP code, sequence: 42.0101, 5627)
  - e. **USM** – Master of Science (MS) in Psychology (CIP code, sequence: 42.0101, 4383)

**FINANCE**

5. **ASU** – Approved the request to enter into a Gold Service Agreement with ThyssenKrupp Elevator to provide preventative maintenance to the 30 elevators on the Lorman and Natchez Campuses of the university. The term is 60 months commencing on July 1, 2020 and ending on June 30, 2025. The total amount of the agreement is \$256,900.56. A breakdown of the payment due per year follows: Year 1 \$49,560.00 ; Year 2 \$49,560.00 ; Year 3 \$51,046.80 ; Year 4 \$52,578.24; and Year 5 \$54,155.52. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay the service contract fee at the start of each year which would entitle the university to a 3% discount from the annual price in effect at the time of the payment. This agreement will be funded by E & G funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **DSU** – Approved the request to enter a professional services agreement with Barnes and Noble College Booksellers, LLC to operate and provide services for the bookstore on campus. B&N is currently the institution's exclusive buyer and seller of all required, recommended, or suggested course materials and supplies, including books, course packs, computer software, textbook rentals, and materials published or distributed electronically. This exclusive right includes all educational supplies, notebooks, stationery, desk and room accessories, etc. The contract will be executed for a period of five years, from July 1, 2020 through June 30, 2025, with the option to renew for two additional (1) one-year periods. Total estimated revenue over the five-year contract is \$915,000. The agreement guarantees

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the following: 13.60% Commission of gross sales up to \$750,000; 15.60% Commission of gross over \$750,000; 7.0% Commission of all gross sales of First day and Digital Sales; \$85,000 toward renovation of the current Delta State University bookstore; \$10,000 annually in an athletic sponsorship; \$5,000 annually for textbook scholarships; 2% commission on all Okra Kard purchases; 10.0% discount on all merchandise available at the Bookstore except adopted textbooks, special orders, sale books, class and alumni rings, computer software, periodicals, discounted merchandise, computer hardware, stamps, health and beauty aids, food snacks, and beverages; and 20.0% discount on all authorized departmental purchases except adopted textbooks, special orders, sale books, class and alumni rings, computer software, periodicals, discounted merchandise, computer hardware, stamps, health and beauty aids, food snacks, and beverages. A breakdown of the estimated yearly revenue is included in the bound *June 18, 2020 Board Working File*. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

7. **MSU** – Approved the request to enter an Agreement for Beverage Services with The Coca-Cola Company and Clark Beverage Group, Inc., collectively referred to as “Sponsor”, to provide beverage services for the MSU campus and athletic events, for a product that is desired by MSU faculty, staff, students and fans, at a reasonable price to the purchaser, while providing MSU additional revenue. The initial contract term begins on July 1, 2020 and ends on June 30, 2030 with an option to renew for five additional years. This is a revenue-generating contract. Over the 10-year period, MSU will receive minimum revenue of \$7,750,000 plus commissions on all sales and product rebates. MSU will also receive Marketing funds of \$45,000 annually, product donations of \$10,000, one Campus Ambassador and up to two Coca-Cola Campus Speaker Series speakers per year. A breakdown of the estimated yearly revenue is included in the bound *June 18, 2020 Board Working File*. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **MSU** – Approved the request to enter a new contract with Ruffalo Noel Levitz, LLC to provide consulting services to the University with respect to an enrollment plan, financial aid awarding strategies, and recruitment strategies for potential new students. This agreement shall not be effective unless and 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. Each Statement of Work contains a term and renewal option specific to that Statement of Work which must be adhered to by the Parties, however, the overall term of the contract shall commence on the effective date and shall continue until September 30, 2023, at which time the agreement will expire unless Statement of Work 2 and/or 3 is extended for up to two one-year terms. The contract amount for the initial term of the agreement is \$612,900. If all options to renew are exercised, the total contract amount would be \$1,596,825. Annual renewals shall be contingent upon the University’s satisfaction with the services performed and the need to continue services. The agreement will be funded with general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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9. **MSU** – Approved the request to enter an Agreement for Concessions Services/Software/Equipment with Proof of the Pudding to operate the University’s athletics concessions operation. The initial contract term begins July 1, 2020 and ends June 30, 2025 with the option to renew for five additional years. This is a revenue-generating contract. MSU will pay the Proof of the Pudding a monthly management fee of 5% of the gross receipts. All annual net profits will be shared 90% to MSU and 10% to the concessionaire. In the event that there is no profit and/or a loss, MSU will be solely responsible and contractor will not be required to share in the loss as MSU retains the rights to determine all pricing, purchasing, and labor models for the various Athletic facilities. Proof of the Pudding will also provide a \$360,000 capital investment for MSU’s use on facility upgrades and equipment during the length of the agreement. Should the University make the decision to allow alcohol sales in athletic venues, this amount will be increased in an amount agreed to by the parties. As proposed, the gross revenue projection over the life of the contract is \$10,386,124 with an estimated net profit share of \$702,663 to MSU. A breakdown of the estimated yearly expenses and revenue is included in the bound *June 18, 2020 Board Working File*. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **MVSU** – Approved the request to enter a Software License and Service Agreement (DegreeWorks) with Ellucian Company, LP to facilitate the implementation of the Ellucian DegreeWorks™ application along with system education and deployment support. The term of the Services Agreement is one (1) year, from July 1, 2020 through June 30, 2021. The maintenance term is four (4) years, from July 1, 2020 through June 30, 2024. The total cost of the agreement is \$159,536, with annual payments as follows: Year 1 \$144,146; Year 2 \$5,130; Year 3 \$5,130; and Year 4 \$5,130. This agreement will be funded by general and restricted funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
11. **MVSU** – Approved the request to enter into a Software License and Service Agreement (CRM Recruit) with Ellucian Company, LP to provide services to support the configuration of Ellucian CRM Recruit along with system education and advisory consulting to prepare MVSU for deployment. The term of the agreement is one (1) year, from July 1, 2020 through June 30, 2021. The total cost of the agreement is \$109,560. This agreement will be funded by general and restricted funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **MVSU** – Approved a resolution authorizing the filing of an application with the Mississippi Department of Transportation (MDOT) for CARES Act Funds – COVID19 Grant 5311 to cover administrative operating and capital cost at 100% federal share, to assist in providing transportation services. Through an agreement with the MDOT and the Federal Transit Administration, the University provides public transportation services in eight (8) Delta counties: Carroll, Grenada, Holmes, Humphreys, Leflore, Sunflower, Tallahatchie and Washington. MVSU has been awarded this grant for over the past 20+ years to provide transportation to the campus community as well as citizens in the

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surrounding communities where public transportation is non-existent. The mass transit system serves as a vital means of transportation for students to attend the university. A copy of the resolution is included in the bound *June 20, 2020 Board Working File*. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable.

13. **UM** – Approved the request to enter a five-year pricing agreement with CAS, a division of the American Chemical Society, to the research database SciFinder. This agreement reduces the rate of price increase from 7.8% per year to 3.85% per year over the life of the agreement. The subscription to this resource would continue even without this agreement, but at a greater cost to the Libraries. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay the costs of this subscription prior to the start of any subscription year, as is standard procedure for subscriptions. The term of the agreement will be five years beginning July 2020 and ending June 2025. The total contract amount is \$622,660, with annual payments as follows: Year 1 \$115,420; Year 2 \$119,805; Year 3 \$124,360; Year 4 \$129,085; and Year 5 \$133,990. Subscription costs for this agreement will be funded by the Library’s materials budget, derived from educational and general funds and from specified endowments. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
14. **UM** – Approved the request to enter into another fire protection agreement with the City of Oxford (“the City”). The University currently leases 1.7 acres to the City to support the new fire station on McElroy Drive and leases a parcel of property on Intramural Drive to support another fire station. Although part of the proposed fire protection agreement, the lease agreements fall below the threshold requiring Board approval. The annual fire protection fee will be paid in four equal installments on the first business day of each quarter. The fire protection agreement allows the University and the City to share fire protection services through a single fire department. Both parties have determined that sharing such services costs each party less than it would for each party to maintain its own fire department. Further, sharing such services assures consistent, professional protection for both parties and assures a better staffed, better trained, and better equipped department than either party would be able to maintain separately. The City will continue providing general fire protection for the University’s entire Oxford campus for a three-year period, beginning July 1, 2020 and ending June 30, 2023. The University shall pay the City an annual fire protection fee in four, equal quarterly installments to be paid on the first business day of each quarter. During the first year of the proposed fire protection agreement, the base annual fire protection fee shall be \$585,423. In the second and third years of this agreement, the annual fire protection fee will be adjusted by the most recent annual Consumer Price Index published by the United States Bureau of Labor Statistics. However, the fee paid by the University to the City for each subsequent year shall not be less than the fee paid for the preceding year. The University will pay the City an annual capital contribution of \$75,000 to assist the city in servicing its bonded indebtedness incurred to finance construction of the new fire station on McElroy Drive. The University will also continue support of the new fire station servicing the campus by leasing to the city 1.7 acres adjoining the new station as well as supporting the fire station on Intramural

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Drive in another lease to the City. The City will pay \$50 per year per lease in accordance with the terms of both leases. A breakdown of costs is included in the bound *June 18, 2020 Board Working File*. Educational and general funds provide the funding required for this contract. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

15. **UM** – Approved the request to amend the original Master Services Agreement with Hoar Program Management, LLC (HPM) for the University of Mississippi New STEM Building. The Amended Master Services Agreement will include additional Owner’s Representative responsibilities in the scope of work, reflect increased staffing rates due to project delays, and increase the agreement duration for the new STEM building to May 31, 2023. The revisions to the original agreement are located in the agreement title; Paragraphs 5.2, 8.1, 9.5.1, 12.2, 12.11, 12.12; the listing of Exhibits on Page 8; Exhibit A; and Exhibit B. The original duration of the Master Services Agreement is February 16, 2018 – June 16, 2020. This Amended Master Services Agreement maintains the original agreement start date of February 16, 2018 and extends the duration of the Agreement to the updated anticipated completion of construction and close-out date of May 31, 2023. The contract amount per the original agreement is \$1,025,706. The additional fee for the increased responsibilities and services reflected in this amended agreement is \$557,043.27. The new contract total is \$1,582,749.27. The funding source for this contract is internal R&R funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UM** – Approved the request of the Athletics Department to amend the original agreement with Whelan Event Staffing Services, Inc. signed on June 25, 2015 and amended on August 30, 2017. The amendment will extend the service period. The current agreement states the agreement may be renewed after the initial contract year for additional one (1) year periods up to five (5) years in total ending on June 30, 2020. This second amendment states the agreement may be renewed after the initial contract year for additional one (1) year periods up to six (6) years in total ending on June 30, 2021. With the agreement ending on June 30, 2020, the Athletics Department started the Request for Proposal (RFP) process in early March to select a guest service staffing vendor for the upcoming fiscal year. This process involves vendors coming to campus to assess our needs and requirements and to present their proposals. Due to COVID-19 social distancing requirements issued in March, the vendors were not allowed on campus to assess our needs, and the Athletics Department could no longer evaluate the vendors. This second amendment will extend the agreement an additional year which will provide the needed services and time for the Athletics Department to start a new RFP process next spring. This second amendment extends the original agreement that began July 1, 2015 for an additional one (1) year ending on June 30, 2021. 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 be approximately \$1,350,000 per year. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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17. **UMMC** – Approved the request to enter a service agreement with Adaptive Branding, LLC to provide marketing and advertising strategies, research analysis, media plans, creation and placement of UMMC’s advertising and media, which includes oversight and audits. The term of the agreement is two (2) years, from July 1, 2020, through June 30, 2022. The total estimated cost of the agreement over the two (2) year term is \$4,000,000. All services will be billed at an hourly rate of \$110/ hour. All outside costs, such as media placements, will be billed at 100% pass-through cost with no markups. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
18. **UMMC** – Approved the request to amend its Pest Control Services Agreement with Bay Pest Control Company Inc. to provide add and remove locations for pest control services at UMMC and to amend the agreement as needed to add or remove locations without seeking prior Board approval as long as adequate funds are available. The amendment adds pest control services to the new children’s hospital, Parking Garage D, the Mississippi Center for Emergency Services and to add an additional 5,424 square feet of service area to the Face and Skin Center space. The amendment will also remove existing services at the following locations, Grenada Lake Medical Center, UNACARE, Children’s North Clinic, The Blake Clinic at Jackson Medical Mall and UMMC’s West Clinic in Winona, MS. The term of the agreement remains five (5) years, from September 1, 2018, through August 31, 2023. The amendment will begin July 1, 2020 and does not change the expiration date. The total estimated cost of the amended agreement is \$940,000.00. The original estimated cost of the agreement over the five (5) year term was \$842,100.00. The amendment will add an additional monthly cost of \$2,929.96 for the remainder of the five (5) year term. For any new square footage added during the term of the agreement, the fee is \$0.01 per square foot. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
19. **UMMC** – Approved Amendment 2 to Agreement No. 18863, Bioplex® 2200 System Rental Agreement Plan with Bio-Rad Laboratories, Inc. to extend the term of the agreement, update the rental terms, revise items, amend provisions on insurance and indemnification, and add information security language. The agreement is for the rental of a BioPlex 2200 System, Evolis Microplate Processor, and related equipment, as well as the purchase of consumables and service for the systems. The BioPlex and Evolis system are utilized to provide diagnostic laboratory testing, including testing for Rubella, Measles, Mumps, CMV, and Syphilis. Additionally, the Evolis system is an open-channel testing equipment that can run assays from manufacturers other than BioRad as needed. The term of the amended agreement is six (6) years, from July 1, 2015, through June 30, 2021. The original Agreement was for 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 July 1, 2015. The Second Amendment extends the agreement one (1) additional year through June 30, 2021. The total estimated cost of the amended agreement is \$1,800,000.00. The previous approved cost of the agreement was \$1,506,055.13. During the extended term, UMMC anticipates the need for an additional \$292,345.03. The agreement will be funded by

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hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

20. **UMMC** – Approved the request to amend its agreement with Dutch Ophthalmic USA, Inc. to extend the term of the agreement; amend the sections on insurance and notice; include sections on information security, compliance with laws, and indemnification; and add items for purchase to document discounted pricing. The agreement is for the purchase of vitrectomy disposable products from Dutch Ophthalmic and allows for placement of two (2) Vitrectomy Systems at no charge. The Board also approved the request to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the amended agreement is five (5) years, from July 1, 2017 through June 30, 2022. The original agreement was for three (3) years, from July 1, 2017, through June 30, 2020. The amendment extends the agreement for two (2) additional years through June 30, 2022. The total estimated cost of the amended agreement is \$3,350,000.00. The cost of the original agreement was \$1,635,992.00. During the extended term, UMMC anticipates the need for an additional \$1,708,090.96. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay the annual maintenance or service fee in advance of the coverage year. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
21. **UMMC** – Approved an amendment to its Purchase and License Agreement with General Devices LLC to revise the quantities of the hardware needed with the Mobile Tele-Assist System (MTAS or system). The system will provide telemedicine directly to first responders in the field through a secure and direct transmission of video, data, and telemetry services through UMMC’s MED-COM. The system aims to improve patient assessment capabilities of EMS responders, facilitate appropriate transport, and improve patient outcomes for transported patients through increased access to information supporting timely medical decision-making. The term of the agreement remains unchanged at two (2) years, from February 25, 2019, through February 24, 2021. The term of the amendment will begin upon last signature. There is no additional cost for the amendment. The total cost of the agreement remains \$596,180.00. The contract will be funded through a sub-award to UMMC from the State of Mississippi’s Governor’s Office under a grant award for the Broadband Technology Opportunities Program (BTOP), CFDA 11.557. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
22. **UMMC** – Approved the request to enter a Municipal Advisory Agreement with Hilltop Securities Inc. to provide financial advisory services to help ensure lowest cost of capital when borrowing, provide debt service and capital management planning, insure regulatory compliance with bond issuance, financial planning, trend analysis, debt analysis, and industry information to assist UMMC Finance in decision making and direction. The term of the agreement is five (5) years, from July 1, 2020, through June 30, 2025. The total estimated cost of the agreement is \$275,000 over the five (5) year term. This amount includes an annual \$25,000 retainer fee and an estimated \$150,000 in transaction fees to



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be paid out over the term. The annual retainer fee shall be credited against the total amount of transaction fees received by HilltopSecurities during the contract year in which the transaction fees occur. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to allow prepayment of an annual retainer. The agreement will be funded by hospital revenue and general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

23. **UMMC** – Approved the request to enter a Services Agreement with Horne LLP for the provision of Medicare and Medicare Advantage bad debt reporting services related to UMMC’s net patient service revenue (deductibles and coinsurance), including analyses of underlying systems, methodologies, and processes. The agreement enables UMMC to reasonably recoup net revenue leakage that has occurred related to deductibles and coinsurance identified issues. The objective of the net revenue recovery service engagement is to understand and address, as identified, instances where UMMC has experienced net revenue leakage due to policies, procedures, systems, and methodologies that, for various reasons, under-reported deductibles and coinsurance reimbursement. The term of the agreement is one (1) year from July 1, 2020, through June 30, 2021. The estimated cost of the agreement is \$1,150,000 over the one (1) year term. Horne’s fee is a sliding scale performance-based fee calculated as a percentage of the incremental net financial (cash) benefit to UMMC, ranging from 22.5%-15% incremental rate. This agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
24. **UMMC** – Approved the request to enter into a Reagent Rental Proposal with Werfen USA LLC d/b/a Instrumentation Laboratory for the lease of twenty-seven (27) GEM 5000 analyzers, the purchase of reagents and supplies needed for diagnostic testing, service for the instruments, and training. The analyzers are used to perform blood gas analysis, hematocrit, and electrolyte testing on patients. This testing allows a physician to evaluate lung function and acid-base imbalance that could indicate a respiratory, metabolic, or kidney disorder, and allow the clinician to monitor the effectiveness of treatment. The Board approved the request to add and remove items from the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is five (5) years, from July 1, 2020, through June 30, 2025. The total estimated cost over the five (5) year term is \$5,625,000. UMMC has included an annual fifteen percent (15%) increase for potential price increases and patient volume growth. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayment of service on an annual basis. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
25. **UMMC** – Approved the request to enter a Purchase Agreement with Cook Medical LLC (Cook) for the purchase of vascular, non-vascular, and specialty products such as balloons, catheters, stents, guidewires, dilators, and tracheostomy tubes used in surgical procedures and in critical care units. These products are needed for aortic disease intervention and

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percutaneous tracheostomy care in adult and pediatric patients. The Board approved the request to add or remove products and/or eligible facilities under the agreement without seeking prior Board approval so long as adequate funds are available. The term of the agreement is two (2) years, from August 1, 2020, through July 31, 2022. The estimated cost of the agreement is \$2,850,000 over the two (2) year term. This includes a ten percent (10%) increase per year to allow for patient volume change. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

26. **UMMC** – Approved the request to modify the total expenditure amount applicable to its agreement with Inspire Medical Systems, Inc. to purchase surgical implants and add an overspend on the current contract. The Agreement, as amended, is for the purchase surgical implants to be used in procedures to treat sleep apnea, including but not limited to generators, leads, remotes, and programmers, on adult patients at the Jackson campus. The term of the agreement remains at five (5) years, June 1, 2016 through May 31, 2021. The new estimated total cost over the five (5) year term is \$2,262,950. The original estimated cost was \$658,275. To date, UMMC has spent an additional \$222,775 under the Agreement. UMMC anticipates the need for an additional \$1,381,900 for the remainder of the term. 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 Legal Staff is required.
27. **UMMC** – Approved an amendment to the User License Agreement and Education Services Terms with QlikTech, Inc. to terminate the subscription maintenance for the DataMarket Services. All other subscriptions will remain in effect. The amendment removes the maintenance on three (3) Qlik DataMarket services in years two and three of the current agreement, while leaving the remainder of the agreement intact which will reduce the cost of the agreement. This will have no impact on the performance of the other solutions and UMMC’s business operations using Qlik software. The Agreement enables UMMC employees to leverage data to drive innovative decisions that improve health sciences, research, education, and business administration. This software is used to build data analysis applications based on end user criteria and identified data sources for the divisions throughout the organization. The term of the agreement remains three (3) years, from June 20, 2019, through June 19, 2022. The Amendment will be effective August 1, 2020 and ends coterminously with the Agreement. The Amendment will reduce the cost of the Agreement by \$73,561.29. The total cost of the Agreement is now \$1,009,479.25. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE**

28. **MSU** – Approved the initiation of **IHL 205-306, IED Parking Lot Improvements**, and the appointment of Pickering Firm, Inc. as the design professional. The project will construct a new parking lot over the existing gravel parking lot behind the IED building

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located on the campus of MSU. The proposed project budget is \$2 million. Funds are available from MSU Internal Funds (\$2,000,000).

29. **MSU** – Approved the initiation of **IHL 413-144, Sustainable Bioproducts Facilities**, and the appointment of PryorMorrow as the design professional. This project will provide repair/renovations and capital improvements to facilities at the Sustainable Bioproducts complex which consists of 16 buildings, all with wood or composite siding. Several of the buildings need roof replacements, siding replaced, window and roof trim repair, and painting. Some of the buildings may need support poles replaced, fire alarms repaired, and some HVAC repairs. One of the buildings has damaged roof trusses and will need to be demolished and replaced. The proposed project budget is \$5 million. Funds are available from SB 3065, Laws of 2019 (\$5,000,000).
30. **MUW** – Approved the request to increase the budget for **GS 104-188, Culinary Arts**, from a pre-plan budget of \$299,386 to \$5,955,613, an increase of \$5,656,227, and to add SB 3065, Laws of 2019 as a funding source to the project as part of the budget increase. This project will construct a new 50,000 square foot building to house the university’s premier culinary arts program and provide adequate parking space. The requested increase is needed to expand the contract to include construction documents and construction. MUW requested an additional \$13 million in the 2020 Legislative Session to complete the funding for the construction making the total project budget approximately \$19 million if the \$13 million of additional state bond funds requested is received in the 2020 Legislative Session. MUW will return to the Board at a future meeting for an additional budget increase request should the remaining funds needed to complete the project be received in the bond bill during the 2020 Legislative Session. Funds are available from MUW Funds (\$25,000); SB 2906, Laws of 2015 (\$285,613); and SB 3065, Laws of 2019 (\$5,645,000).
31. **UM** – Approved the IHL 207-460, Historic Monument Relocation, which will relocate the historic Confederate Monument from the Circle to the University Cemetery, which is located on Coliseum Loop on the Oxford campus. A monument to confederate soldiers has stood on campus since 1906. The Mississippi Military Memorial Protection Act prohibits the relocation, removal, or alteration of monuments that commemorate military figures, except in a limited circumstance applicable here. See Miss. Code. Ann. § 55-15-8. As a governing body, the IHL may authorize the relocation of the confederate statute to a “more suitable location” deemed “more appropriate to displaying the monument.” See § 55-15-81(2); Miss. Attorney General, Opinion Letter No. 2017-00275, 2017 WL 5558441, \*2 (Miss. A.G. Oct. 2, 2017). Before making this submission to the IHL, the university sought approval of its plan from the Mississippi Department of Archives and History. Under Mississippi law, the MDAH Board of Trustees must assess the appropriateness of any such plan, as noted in the board’s resolution on the university’s plan, “in the early stages of planning and before the letting of bids for public construction or improvement affecting Mississippi Landmarks.” The MDAH Board determined that the university’s “plans and specifications for the move comply with the Secretary of the Interior’s Standards for Treatment of Historic Properties.” The MDAH Board unanimously approved the resolution on December 5, 2019. **(See Exhibit 1.)** The university’s privately funded plan proposes relocation to the University Cemetery because a cemetery is sacred ground that serves as the final resting place of the fallen. For that reason, cemeteries have

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long been deemed appropriate places for war memorials. The inscription on the Confederate Monument references those who are buried in the University Cemetery, and the relocation of the monument immediately adjacent to the cemetery would place the monument in a broader and more proper historical context. In addition, the university's defined approach gives tremendous thought and planning into the work to be completed at the University Cemetery. These efforts, which will also be funded privately, will ensure that the University Cemetery will not only serve as a respected site for the Confederate Monument, but also a site for educational purposes on the UM campus. The Confederate Monument will be accessible by a newly-laid brick path surrounded by trees and enhanced with lighting. Included in these plans will be a new marker to recognize the men from Lafayette County who served in the Union Army as part of the United States Colored Troops during the Civil War. Within the walls of the cemetery, new headstones will be added to offer remembrance for the souls buried on the grounds along with a stone path to the existing marker in the cemetery. Cameras will be added in and around the University Cemetery to allow for continuous monitoring by the University Police Department. The relocation of the Monument has received written endorsement from various campus constituencies, including: The Associated Student Body, The Graduate Student Council, Faculty Senate, Staff Council, The Ole Miss Alumni Association, The UM Foundation, Ole Miss Athletics Foundation, and The Interfraternity Council, National Pan-Hellenic Council and the Panhellenic Council. The University of Mississippi gave careful time and consideration in developing a thoughtful plan to relocate its Confederate Monument on the basis that the University Cemetery is the most suitable location for this monument. The Monument is currently located in the Circle on the campus of The University of Mississippi. It will be carefully disassembled, transported, and reassembled to a more suitable site adjacent to the Confederate Cemetery, also on the UM campus. The cost of the monument relocation is anticipated to be approximately \$1,150,000 and funded with private funds.

**LEGAL**

32. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the 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 is from July 1, 2020 to June 30, 2021. The blended hourly rate under the contract will be \$295.00 per hour for all attorneys, including patent work and \$95.00 per hour for all legal assistants. These rates are the same as those approved last year and are competitive with or less than those charged by similarly qualified attorneys. Total expenditures will not exceed \$100,000. Butler Snow carries professional liability insurance coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million.
33. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the 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

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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, 2020 to June 30, 2021. The proposed hourly rates are the same as those approved last year, with partners ranging from \$265 to \$295 per hour, associates from \$175 to \$225 per hour, and paralegal services from \$95 to \$110 per hour. The maximum amount payable under the contract will be \$40,000. Evans Petree carries professional liability insurance coverage in the amount of \$20,000,000 per claim with an annual aggregate of \$20,000,000.

34. **UM** – Pending approval by the Attorney General, the Board approved the request to amend the existing legal services agreement with the law firm of Hershkovitz & Associates PLLC, who provides legal services in the area of intellectual property matters. Under the parties' existing legal services agreement, the total expenditures for FY 2020 may not exceed \$150,000. The amendment will increase the allowable expenditures for FY 2020 by an additional \$50,000, for a total of \$200,000 in allowable expenditures. This increase is necessary because one of the university's commercialization partners has chosen to pursue patent protection in more countries than initially anticipated and two prosecutions in the United States have been completed faster than originally anticipated. All other remaining provisions of the parties' current legal services agreement remain the same. Specifically, the term of the agreement remains July 1, 2019 through June 30, 2020. The blended hourly rate under the agreement remains at \$595.00 per hour for all attorneys, including patent work and \$75.00 per hour for all paralegals. These rates are unchanged from last fiscal year and are competitive with or less than those charged by similarly qualified attorneys. Hershkovitz & Associates, PLLC carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.
35. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional services with the law firm of Hershkovitz & Associates, PLLC 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 approved for last year and is comparable to similarly qualified and experienced patent counsel. The term of the proposed contract is from July 1, 2020 to June 30, 2021. Total expenditures will not exceed \$150,000. Hershkovitz & Associates, PLLC carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.
36. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional services with the law firm of Hogan Lovells, so that the firm can continue to provide legal advice and counsel regarding the various international laws, privacy, tax, and compliance requirements attendant to the University of Mississippi offering online educational programs in various international markets. The term of the legal services contract is July 1, 2020 to June 30, 2021. The hourly rate will be \$795 per

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hour for Hogan Lovells partner William Ferreira and \$470 per hour for Hogan Lovells associate Adeline Rosales, with a maximum amount payable under the contract of \$35,000. This firm carries professional liability insurance coverage in the amount of \$27,531,385 per claim with an annual aggregate of \$82,593,131.

37. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional services with the law firm of Holland & Knight LLP in the area of Title IX risk management and regulatory compliance, including athletic equity in intercollegiate athletics. Partner Janet P. Judge will be the primary attorney performing work for the University. The term of the proposed contract is from June 1, 2020 to June 30, 2021. Ms. Judge is a Title IX subject matter expert with more than thirty years of experience in higher education and intercollegiate sports. Ms. Judge is offering her legal services at a discounted rate of \$525.00 per hour, which is comparable to similarly qualified Title IX counsel with her wealth of experience. Total expenditures will not exceed \$40,000. Holland & Knight carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$20,000,000.
38. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the 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 a litigated matter, *In Re Estate of Blackburn*. The firm will also assist the University with real estate matters, compliance, the management of e-discovery, internal investigations, and other legal matters as assigned. The hourly rate for the firm’s legal services on the Blackburn matter will remain the same at \$165 per hour for partners, \$135 per hour for associates, and \$65.00 per hour for legal assistants. The hourly rate for the firm’s legal services on all other matters will be \$200.00 per hour for partners, \$200 for per hour for associates, and \$95.00 per hour for legal assistants. These rates are competitive with or less than those charged by similarly qualified attorneys. The term of the proposed contract is from July 1, 2020 to June 30, 2021. Total expenditures will remain the same as last year and not exceed \$60,000. Mayo Mallette carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000.
39. **UM** – Pending approval by the Attorney General, the Board approved the request to enter into an agreement for professional services with the law firm of Phelps Dunbar LLP as outside counsel for the provision of legal services in the areas of labor and employment. Partner W. Thomas Siler, Jr. will be the primary attorney performing work for the University. The term of the proposed contract is from July 1, 2020 to June 30, 2021. The hourly rate is \$360. Total expenditures will not exceed \$35,000. Phelps Dunbar carries professional liability insurance coverage in the amount of \$30,000,000 per claim with an annual aggregate of \$60,000,000.
40. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional services with the law firm of Ware | Immigration as outside counsel to provide services as needed regarding immigration matters, including but not limited to the preparation of labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing,

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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 term of the proposed contract is from July 1, 2020 to June 30, 2021. Total expenditures will not exceed \$100,000 during the contract term. The fees for these services are listed in the "Schedule of Legal Fees for Academia," provided below. All services not included in the below fee schedule will be provided at the following hourly rates: David Ware \$350; Partners \$250, Associates \$175, and Paralegals \$100.

**Schedule of Legal Fees for Academia**

Nonimmigrant Petitions and Processes

H-1B petition	\$1500.00
H-1B extension or amendment petitions (we handled original petition)	\$1000.00
TN petition or border/consulate processing	\$1500.00
TN extension petition (we handled original)	\$1000.00
E-3 petition or consular processing	\$1500.00
E-3 extension petition (we handled original)	\$1000.00
O-1 petition	\$4000.00
O-1 extension or amendment petition (we handled original)	\$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

Special Handling labor certification	\$2000.00
(If position must be readvertised)	\$2500.00
Additional fee if audited	\$500-1500.00
Immigrant petition	\$2500.00

Permanent Residence Process with Labor Certification: Non-Faculty

Labor certification	\$4000.00
Additional fee if audited	\$500-1500.00
Additional fee if subject to supervised recruitment	\$2500.00
Immigrant petition	\$2500.00

Permanent Residence Process: Outstanding Professors and Researchers

Immigrant petition	\$6000.00
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Permanent Residence Process: National Interest Waiver

Immigrant petition	\$6000.00
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Adjustment of Status (any Employment-Based Permanent Residence Matter)

Adjustment of status and related applications (I-765, I-131, etc.), principal	\$2000.00
Standalone AOS and related applications, principal	\$2500.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1000.00
Adjustment of status of each child, concurrent with I 140	\$750.00
"Standalone" adjustment of status, spouse (not concurrent with I 140)	\$1500.00
"Standalone" adjustment of status, child	\$1000.00

Employment Authorization and Advance Parole Renewal

Employment Authorization Renewal per individual	\$500.00
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Advance Parole Renewal per individual

\$500.00

41. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter into a contract with Waller, Lansden, Dortch and Davis 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, 2020 through June 30, 2021. The rate will be \$295 per hour with a maximum amount payable under this contract term of \$50,000. Waller Lansden carries professional liability insurance coverage in the amount of \$30,000,000 per claim with an annual aggregate of \$60,000,000.
42. **MSU** – Approved an agreement between the university and 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 (self-generated funds). The Attorney General’s Office reviewed the contract and found same to be compliant with applicable law and Board Policy. In accordance with Board Policy 201.0506 Political Activity, Cornerstone’s client list and proposed agreement are included in the bound *June 18, 2020 Board Working File*.
43. **MUW** – Approved a one-year contract between the university and 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 (self-generated funds). The Attorney General’s Office reviewed the contract and found same to be compliant with applicable law and Board Policy. In accordance with Board Policy 201.0506 Political Activity, CRM’s client list and proposed agreement are included in the bound *June 18, 2020 Board Working File*.
44. **UMMC** – Approved a contract between the institution and Butler Snow, LLP, to provide in-state lobbying and government relations consulting services. The contractual flat fee is \$60,000 (payable \$5,000.00 per month) and reimbursement of reasonable expenses. The fee will be paid with self-generated funds. The term of the agreement is July 1, 2020, through June 30, 2021. The Attorney General’s Office reviewed the contract and found same to be compliant with applicable law and Board Policy. In accordance with Board Policy 201.0506 Political Activity, Butler Snow’s client list and proposed agreement are included in the bound *June 18, 2020 Board Working File*.
45. **USM** – Approved the request to continue the agreement between the university and Capitol Resources LLC, in Jackson, MS, to provide state lobbying and government relations and consulting services in Mississippi from July 1, 2020 through June 30, 2021. Capitol Resources will be compensated in the amount of \$48,000 annually, payable in monthly installments of \$4,000 per month, plus reasonable reimbursement of travel expenses, funded by self-generated funds. The Attorney General’s Office reviewed the contract and found same to be compliant with applicable law and Board Policy. In accordance with Board Policy 201.0506 Political Activity, Capitol Resource’s client list and proposed agreement are included in the bound *June 18, 2020 Board Working File*.



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46. **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.
47. **UM** – Approved the request for BGR Governmental Affairs, LLC, a Washington, D.C. based firm, to continue to assist in managing the university’s federal governmental affairs and to represent its interests before federal executive branch agencies and congressional offices and committees in accordance with Board Policy 201.0506 Political Activity.
48. **USM** – Approved the request to continue the agreement between the university and Cassidy & Associates, Inc., in Washington, DC, to provide federal relations services to obtain federal funding to support the infrastructure and research programs and to provide consultation, advice and assistance with the annual federal appropriations requests in accordance with Board Policy 201.0506 Political Activity.
49. **ASU** – Approved Dr. Felecia M. Nave as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
50. **ASU** – Approved Marcus D. Ward as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
51. **DSU** – Approved Dr. Rick Munroe as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
52. **MSU** – Approved Lee Weiskopf as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
53. **MUW** – Approved Karen Clay as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
54. **MVSU** – Approved Dr. Jerryl Briggs as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
55. **MVSU** – Approved La Shon F. Brooks as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
56. **UM** – Approved Perry Sansing as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
57. **UMMC** – Approved Kristy Simms as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
58. **USM** – Approved Chad Driskell as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
59. **SYSTEM** – Approved Dr. Alfred Rankins, Jr. as one of the Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
60. **SYSTEM** – Approved Kim Gallaspy as one of the Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
61. **SYSTEM** – Approved Angelique Lee as one of the Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
62. **UMMC** – Approved the request to amend and restate the Articles of Incorporation for the UMMC Research and Development Foundation (RDF). The current Articles of Incorporation, adopted by the RDF in December 2000, require IHL Board approval for any amendments made thereto. IHL Board Policy 301.0806 University Foundation/Affiliated Entity Activities does not require that the IHL Board of Trustees approve the articles of incorporation or amendments thereto for university affiliated entities nor does the

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affiliation agreement between UMMC and RDF contain such a requirement. The revision will amend the current articles of incorporation to remove this requirement and to make additional updates to the articles. Specifically, those updates include various statutory references, the addition of UMMC's purpose, amendments to the RDF's purposes to better align with their function, the removal of unnecessary language regarding assets/earnings, updating the membership language to align with 501c3 operations, updating board of directors and registered agent information, and updating bylaw language. The Attorney General's Office reviewed the document and found same to be compliant with applicable law and Board Policy. A copy of the Amended and Restated Articles of Incorporation is included in the bound *June 18, 2020 Board Working File*.

63. **USM** – Approved the request to enter into a proposed Twelfth Circuit Court Task Force Interlocal Agreement. Other parties to the proposed interlocal agreement include, the Board of Supervisors of Forrest County, the Sheriff of Forrest County, the Board of Supervisors of Perry County, the Sheriff of Perry County, the City of Hattiesburg and its Police Department, the City of Petal and its Police Department, and the District Attorney for the Twelfth Circuit Court District. The purpose of the agreement is to establish a joint, cooperative effort to pursue individuals and violent gangs through sustained, proactive, coordinated investigations, to obtain prosecutions on violations such as racketeering, drug conspiracy, violations of the controlled substances laws, and firearms violations. USM will not supply agents or resources as part of the agreement but is joining the agreement in an advisory role and to share information. Pursuant to the agreement, since USM is not supplying agent(s), it will not receive distribution of forfeited money related to the task force activity. The agreement shall be effective upon the approval of the Attorney General of Mississippi and will terminate upon all parties terminating the agreement. Any party may terminate its participation in the agreement upon giving written notice of such termination to all other parties to the agreement. Each party to the agreement shall pay its own expenses associated with the agreement. The Attorney General's Office reviewed the agreement and found same to be compliant with applicable law and Board Policy. A copy of the agreement is included in the bound *June 18, 2020 Board Working File*.

**PERSONNEL REPORT**

64. **Employment**

**Delta State University**

- Elizabeth Belenchia; *rehired retiree*; Part-time Instructor in Teacher Education, Leadership, and Research; salary \$29,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2020
- Diana Ezell; *rehired retiree*; Coordinator of Educational Administration Programs and part-time Instructor in Teacher Education, Leadership, and Research; salary \$45,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2020

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- Beverly Johnston; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$25,000 per annum, pro rata; Fund 20 funds; 12-month contract; effective July 1, 2020
- Maud Kuykendall; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$30,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2020
- Kathleen Lott; *rehired retiree*; Advisor and Coordinator of Educational Administration and Supervision and part-time Instructor in Teacher Education, Leadership, and Research; salary \$29,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2020
- Dorothy Sykes; *rehired retiree*; Director of the World Class Teaching Program and part-time Instructor in Teacher Education, Leadership, and Research; salary \$35,000 per annum, pro rata; Grant funds and Fund 10 funds; 12-month contract; effective July 1, 2020
- Dianne Thomas; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$20,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2020
- Kent Wyatt; *rehired retiree*; President Emeritus; salary \$59,000 per annum; Fund 10 funds; 12-month contract; effective July 1, 2020

**Jackson State University**

- Alisa Mosley; *hired with tenure*; Interim Provost and Vice President for Academic Affairs and Professor of Management; Department of Management, College of Business; salary \$200,000 per annum, pro rata; E&G Funds; 12-month contract; effective June 1, 2020

**Mississippi State University**

- Samee Khan; *hired with tenure*; Professor and Head and Endowed Chair of the Department of Electrical and Computer Engineering; salary \$224,000 per annum, pro rata; E & G Funds; Designated Funds and Restricted Funds; 12-month contract; effective August 1, 2020
- John Alexander Thomasson; *hired with tenure*; Professor and Head and Endowed Chair of the Department of Agricultural and Biological Engineering; salary \$230,000 per annum, pro rata; E & G Funds; Designated Funds and Restricted Funds; 12-month contract; effective July 1, 2020

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**University of Mississippi**

- Gary K. Hunter; *hired with tenure*; Associate Professor of Marketing and holder of the Founders Chair in Marketing/Data Analytics; School of Business Administration, Department of Marketing; salary \$200,000 per annum, pro rata; E&G Funds; 9-month contract; effective July 1, 2020

65. **Change of Status**

**Jackson State University**

- Lynda Brown-Wright; *from* Provost and Vice President/Professor of Psychology with tenure, Division of Academic Affairs; salary \$200,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Special Assistant for Academic Enhancement & Strategic Initiatives/Professor of Psychology with tenure, Division of Academic Affairs; salary \$150,000 per annum, pro rata; E&G Funds; 6-month contract; effective June 1, 2020

**Mississippi State University**

- Kari L. Reeves; *from* Associate Dean and Professor and Interim Head of Department of Industrial and Systems Engineering; salary \$210,000 per annum, pro rata; E & G Funds; Designated Funds and Restricted Funds; 12-month contract; *to* Professor and Head and Endowed Professorship *with tenure*; Department of Industrial and Systems Engineering; salary \$210,000 per annum, pro rata; E & G Funds; Designated Funds and Restricted Funds; 12 month contract; effective July 1, 2020
- Peter L. Ryan; *from* Associate Provost for Academic Affairs; Interim Dean for Graduate School; Professor, Animal and Dairy Science; salary \$279,000 per annum, pro rata; E & G Funds; 12 month contract; *to* Executive Vice Provost for Academic Affairs; Dean for Graduate School; salary \$279,000 per annum, pro rata; E & G Funds; 12-month contract; effective April 16, 2020

66. **Tenure**

**Jackson State University**

- Lolita D. Gray; *promotion to* Associate Professor; Department of Political Science College of Liberal Arts; effective, August 12, 2020
- Brian Phillips, *promotion to* Associate Professor; Department of English, Modern Foreign Languages, and Speech Communications; College of Liberal Arts; effective, August 12, 2020
- Gloria J. Stamps-Smith, *promotion to* Associate Professor; Department Professional Interdisciplinary Studies; School of Lifelong Learning College of Education and Human Development; effective, July 1, 2020

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- Deidre L. Wheaton, *promotion to* Associate Professor; Department Educational, Multicultural, and Exceptional Studies; College of Education and Human Development; effective, August 12, 2020
- Carlos Wilson, *promotion to* Associate Professor; Department of Professional Interdisciplinary Studies; School of Lifelong Learning; College of Education and Human Development; effective, July 1, 2020
- Shan Yang, *promotion to* Associate Professor; Department of Chemistry, Physics and Atmospheric Sciences; College of Science, Engineering, and Technology; effective, August 12, 2020

**University of Mississippi**

- Sasan Nouranian, *promotion to* Associate Professor; Department of Chemical Engineering; effective July 1, 2020

**67. Sabbatical**

**University of Southern Mississippi**

- FROM: Robin Aronson; Professor of Theatre; *from* salary of \$64,123 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,061 for sabbatical period; E&G Funds; effective January 4, 2021 to May 14, 2021; professional development  
*[Originally approved by IHL Board March 19, 2020]*  
CORRECTED: Robin Aronson; Professor of Theatre; *from* salary of \$64,123 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,061 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development
- FROM: Jonathan Barron; Professor of English; *from* salary of \$75,330 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$37,665 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development  
*[Originally approved by IHL Board March 19, 2020]*  
CORRECTED: Jonathan Barron; Professor of English; *from* salary of \$75,330 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$37,665 for sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development
- FROM: Jennifer Brannock; Professor of Special Collections; *from* salary of \$61,509 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$30,754 for sabbatical period; E&G Funds; effective January 4, 2021 to May 14, 2021; professional development  
*[Originally approved by IHL Board March 19, 2020]*

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CORRECTED: Jennifer Brannock; Professor of Special Collections; *from* salary of \$61,509 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$30,754 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

- FROM: Douglas Bristol; Associate Professor of History; *from* salary of \$64,442 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,221 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Douglas Bristol; Associate Professor of History; *from* salary of \$64,442 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,221 for sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development

- FROM: Ching-Shyang Chen; Professor of Mathematics; *from* salary of \$104,118 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$52,059 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Ching-Shyang Chen; Professor of Mathematics; *from* salary of \$104,118 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$52,059 for sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development

- FROM: Westley Follett; Associate Professor of History; *from* salary of \$59,416 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$29,708 for sabbatical period; E&G Funds; effective January 4, 2021 to May 14, 2021; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Westley Follett; Associate Professor of History; *from* salary of \$59,416 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$29,708 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

- FROM: Janet Gorzegno; Professor of Art and Design; *from* salary of \$67,034 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$33,517 for sabbatical period; E&G Funds; effective August 17, 2020 to May 14, 2021; professional development

*[Originally approved by IHL Board March 19, 2020]*

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CORRECTED: Janet Gorzegno; Professor of Art and Design; *from* salary of \$67,034 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$33,517 for sabbatical period; E&G Funds; effective August 16, 2021 to May 13, 2022; professional development

- FROM: Edward Hafer; Associate Professor of Music; *from* salary of \$57,104 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$28,552 for sabbatical period; E&G Funds; effective January 4, 2021 to May 14, 2021; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Edward Hafer; Associate Professor of Music; *from* salary of \$57,104 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$28,552 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

- FROM: Luis Iglesias; Associate Professor of English; *from* salary of \$80,000 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$40,000 for sabbatical period; E&G Funds; effective January 4, 2021 to May 14, 2021; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Luis Iglesias; Associate Professor of English; *from* salary of \$80,000 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$40,000 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

- FROM: Hao Xu; Associate Professor of Cellular and Molecular Biology; *from* salary of \$64,223 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,111 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development

*[Originally approved by IHL Board March 19, 2020]*

CORRECTED: Hao Xu; Associate Professor of Cellular and Molecular Biology; *from* salary of \$64,223 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,111 for sabbatical period; E&G Funds; effective August 17, 2021 to December 31, 2021; professional development

#### **ADMINISTRATION/POLICY**

68. JSU – Approved the request to revise the university’s mission statement as follows:

The mission of Jackson State University, an HBCU and comprehensive urban research university, is to provide quality teaching, research and service at the baccalaureate, masters, specialist, and doctoral levels to diverse populations of students and communities using various modalities to ensure that they are technologically-advanced, ethical, global leaders who think critically and can address societal problems and compete effectively.

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69. **SYSTEM** – Approved the COVID-19 related adjustment to the Fall 2020 Academic Calendars.

**Whereas** the Mississippi Board of Trustees of State Institutions of Higher Learning holds the health and safety of its students and employees to be of paramount importance; and

**Whereas** the Mississippi Board of Trustees of State Institutions of Higher Learning recognizes that system university administrators must plan to avoid foreign and domestic travel to and from campuses as much as possible in order to protect the health and safety of students and employees; therefore,

**Be it resolved**, The Mississippi Board of Trustees of State Institutions of Higher Learning hereby declares that each public university under its governance, excluding the University of Mississippi Medical Center, shall conclude in-person classes at the start of the Thanksgiving holiday for the Fall 2020 semester.

**REGULAR AGENDAS**

**FINANCE AGENDA**

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 items #1 - #6 as submitted on the Finance Agenda. Trustee Gee Ogletree recused himself from voting on items #7 - #13 on the Finance Agenda by disconnecting from the call before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee Hooper, with Trustee Ogletree absent and not voting, all Trustees legally present and participated voted unanimously to approve items #7 - #13. Trustee Ogletree reconnected to the call following the conclusion of the discussion and vote on items #7 - #13 on the Finance Agenda.

1. **SYSTEM** - With the assumption that the Mississippi State Legislature will adopt a budget by June 30, 2020 for FY 2021, the Board approved the request to allocate FY 2021 state appropriations for Education and General Fund funding to the institutions. Appropriations will be allocated on a pro-rata basis for July and August 2020 with the same proportion that funds were distributed to the institutions in FY 2020, adjusted for any Legislatively directed line items.
2. **SYSTEM** – Approved the request that general salary increases *not* be given for FY 2021. Any FY 2021 salary increases should be carefully considered and justified based on one or more of the following: meritorious performance, market or equity adjustments, and faculty promotions. These decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses). These salary increase guidelines will apply to all university employees regardless of funding source or types of increases awarded.



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3. **SYSTEM** - With the assumption that the Mississippi State Legislature will adopt a budget by June 30, 2020 for FY 2021, the Board approved the request to operate all budgets at FY 2020 beginning budget levels for the months of July and August budget less a pro-rated reduction in expenditures should the Legislature reduce state appropriations for FY 2021. Approval of complete FY 2021 annual operating budgets will be deferred until funding from the Mississippi State Legislature is provided.
4. **SYSTEM** – Approved the FY2022 proposed funding priorities as required for the 2022 Legislative Budget Request (LBR).
5. **SYSTEM** – Approved the request to enter a master lease purchase series through the State Institutions of Higher Learning’s (IHL’s) master lease program, pursuant to Miss. Code Ann. Section 37-101-413. UMMC will be reimbursed for the purchase of a \$1.7 million linear accelerator and \$5.7 million in interventional radiology equipment during FY 2020 not to exceed \$7,500,000. UMMC’s participation in the IHL’s master lease program through its issuer HilltopSecurities, Inc. would enable it to meet its current need for clinical equipment. The anticipated interest rate is approximately between two and one-half percent (2.5%) and three and one-half percent (3.5%) over a five (5) year lease-purchase term. Bulter Snow will serve as outside counsel and Hilltop Securities will serve as financial advisor. The term of the lease purchase is 5 years. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UM** – Approved the request by the University of Mississippi Libraries to enter a service agreement with EBSCO Information Services. EBSCO would act as the agent for the Libraries in the ordering, invoicing, and paying for the journal and standing order subscriptions requested by the Libraries. EBSCO also helps resolve access or delivery problems and helps track available electronic access. The term of the contract will be five years beginning July 2020 and ending June 2025. The amount paid to EBSCO through the service charge is dependent on the amount of subscription business transacted through them. The base service charge will be 0.0%, and for certain publishers, the service charge will be 0.1%. Amounts will vary depending on the mix of subscriptions and other agreements with publishers. A breakdown of costs is included in the bound *June 18, 2020 Board Working File*. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to use the prepayment option described in the service agreement to put the expected amount for subscriptions in the following year on deposit with EBSCO prior to receiving the specific invoices. This prepayment will create an additional credit within the deposit, and the deposit assures that there are no delays in access to ordered content due to delayed payment. Subscription costs and service charges for this contract will be funded by the Library’s materials budget which is derived from educational and general funds and from specified endowments. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **SYSTEM** – Approved the request to renew the auto liability insurance coverage with Berkley Southeast Insurance Group (Berkley). Union Insurance Company is the issuing company, and both Union and Berkley are subsidiaries of W.R. Berkley Corporation. The program insures against auto liability risks arising outside of the Mississippi Tort Claims

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Act through an excess policy with Great American E&S Insurance Company (Great American). Both Berkley and Great American have an AM Best rating of A+ (Superior). The policy term will be July 1, 2020, to July 1, 2021, although this item includes two optional renewals at the same rate. If two renewals are selected, the third policy year will expire July 1, 2023. The combined premium is approximately \$818,026 for the 2020-2021 policy, and up to an aggregate of approximately \$2,454,078 if two renewals are elected. The final premium amounts may fluctuate based upon the number of owned vehicles in university fleets. The universities are billed directly for their share of the premium. There is a deductible of \$10,000 per occurrence (for property damage), and deductible amounts are paid from the Tort Plan. Legal Staff has reviewed the proposed documents for compliance with applicable law and finds same to be acceptable. The documents are on file in the Board Office.

8. **UMMC** – Approved the request to enter a Dialysis Products Purchase Agreement with Baxter Healthcare Corporation (Baxter) for the purchase of hemodialysis solutions, disposable products, and supplies 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, disposable products, and supplies are different in composition than those used in an outpatient setting or for intermittent dialysis. The Board approved the request to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is five (5) years, from July 1, 2020, through June 30, 2025. The estimated total cost of the agreement over the five (5) year term is \$3,525,000.00. UMMC has included an annual ten percent (10%) increase to account for potential price and patient volume increases. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
9. **UMMC** – Approved the request to enter into a locally negotiated agreement with Covidien Sales LLC, a Medtronic Company to purchase endomechanical and trocar products. These products include staplers, reloads, trocars, access devices, laparoscopic accessories, and closure devices used to provide an access port during surgery and closure devices to seal incisions post-surgery. The Board approved the request to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is three (3) years, from July 1, 2020, through June 30, 2023. The estimated cost of the agreement is \$7,825,000.00 over the three (3) year term. This includes an annual ten percent (10%) increase to allow for patient volume change. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **UMMC** – Approved the request to amend the agreement with INO Therapeutics, LLC d/b/a Mallinckrodt for the purchase of INOMAX medical-grade gas and use of INOtherapy systems. The Board also approved the request to amend the agreement without seeking prior Board approval to establish pricing for the fifth year of the Agreement, so long as adequate funds are available. The amendment establishes pricing for the fourth year of the

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Agreement, updates Mallinckrodt's notice address, includes Information Security Program provisions, and amends an early termination provision. 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 term of the Agreement is unchanged with the amendment. The term remains five (5) years from July 1, 2017, through June 30, 2022. The total estimated cost of the Agreement over the five (5) year term remains unchanged at \$19,253,451.20. Pricing for the fourth year has decreased from prior years; UMMC shall pay a flat monthly rate for an allotted 24,000 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. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

11. **UMMC** – Approved the request to enter Service Schedule No. 1-SENG6U with Siemens Medical Solutions USA, Inc. to provide for planned maintenance inspections as well as unscheduled repair services for the equipment currently owned by UMMC. The Board also approved the request to add or remove equipment covered by the Schedule as needed without requiring prior submission for Board approval provided the total contract amount does not increase. The term of the Service Schedule No. 1-SENG6U is fifty-four (54) months, from July 1, 2020, through December 31, 2024. The total estimated cost of the Service Schedule over term is \$1,100,000.00. The cost of service on the equipment is \$676,274.02 to be paid in monthly installments over the term of the Schedule. The monthly installments vary based on the equipment in service and the potential for annual price increases. UMMC has also included an additional fifteen percent (15%) per year, or \$402,575.79, for potential price increases and variable fees for service required but not included in the service plan, such as after-hours coverage, special handling fees, and accessories. The Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to enter Service Schedule No. 1-SHDOFJ with Siemens Medical Solutions USA, Inc. to provide service and maintenance repair for new imaging equipment to be installed in the Children's Expansion. The equipment has been purchased separately and did not require a contract. The Schedule will allow for planned maintenance inspections as well as unscheduled repair services for the equipment. The Board also approved the request to add or remove equipment covered by the Schedule as needed without requiring prior submission for Board approval provided the total contract amount does not increase. The term of the Service Schedule No. 1-SHDOFJ is five (5) years, from on or about July 22, 2020, through June 21, 2025. The one (1) year warranty period will begin upon installation of the equipment, which is estimated to be on or about July 22, 2020. The four (4) year service period will begin upon the warranty expiration. The total estimated cost of the Service Schedule over the five (5) year term is \$700,000.00. The cost of service on the equipment is \$486,576.00 to be paid in monthly installments over the

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term of the Schedule. The monthly installments vary based on the equipment in service and the potential for annual price increases. UMMC has also included an additional fifteen percent (15%) per year, or \$211,950.00 for potential cost increases and variable fees for services required but not included in the service plan, such as after-hours coverage, special handling fees, and accessories. The Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

13. **USM** – Approved the request to execute a service contract with David Lee Enterprises, Inc. d/b/a ServiceMaster Cleaning Alternatives for custodial services for the Union Complex on the Hattiesburg campus that will include the Thad Cochran Center, R.C. Cook Union, The Hub, and the Danforth Chapel. The initial term of the contract is for three years from July 1, 2020 through June 30, 2023 and includes an option to extend the contract for two additional one-year periods for a possible total term of five years. The base cost for the Union Complex contract will be \$25,479 monthly or \$305,748 yearly. With additional services included, the yearly cost is estimated at \$335,748 with a three-year contract total of \$1,007,244. By adding an estimated \$30,000 per year contingency for unseen occurrences and any price escalations in the renewal periods, our estimated total is \$1,678,740 for the full five years (if the two extensions are exercised). Self-generated funds from Union Complex operations will be used to fund this contract. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Ann Lamar, Chair

On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to move items #1 and #2 to the Executive Session Agenda.

1. **UM** – Settlement of IHL Self Self-Insured Workers' Compensation Claim No. 55-37356-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of Tort Claim No. 3289. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda. On motion by Trustee McNair, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve item #2.

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1. **SYSTEM** – Approved the appointment of Mrs. Nora Miller, President of the Mississippi University for Women, to serve as the Commissioner’s designee on the University Press of Mississippi Board of Directors for the term July 1, 2020 – June 30, 2024.
2. **SYSTEM** – Approved the appointment of Dr. Felecia Nave, President of Alcorn State University, to replace Dr. William Bynum, former president of Jackson State University, as one of the institutional representatives on the Education Achievement Council. There is no term length for appointees.

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Certificate Programs

Intent to Offer

- a. **MSU** – Program title: Environment and Sustainability Certificate  
Responsible academic unit: College of Agriculture and Life Sciences  
Level: Post-baccalaureate  
Total credit hours: 17  
CIP code: 03.0103  
Effective date: August 2020
- b. **USM** – Program title: Unmanned Maritime Systems Operator Certificate  
Responsible academic unit: School of Ocean Science and Engineering  
Level: Pre-baccalaureate  
Total credit hours: 12  
CIP code: 29.0306  
Effective date: August 2020

Modify

- c. **UMMC** – Program title: Medical Scribe Specialist  
Responsible academic unit: Department of Health Sciences, School of Health Related Professions  
Current level: Post-Baccalaureate  
Proposed level: Other  
Total credit hours: 18  
CIP code, sequence: 51.9999, 8100  
Effective date: June 2021

Delete

- d. **USM** – Program title: Family Psychiatric-Mental Health Nurse Practitioner  
Responsible academic unit: School of Leadership and Advanced Nursing Practice  
Level: Post-master’s  
Total credit hours: 18  
CIP code, sequence: 42.0101, 4383  
Effective date: Fall 2020

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2. **SYSTEM** – Intent to offer an existing degree program by distance learning
  - a. **MSU** – Bachelor of Arts (BA) in Communication
    - Total credit hours: 124
    - CIP code, sequence: 9.0101, 5204
    - Cost to offer by distance learning: \$55,000
    - Number of students expected to enroll in first six years: 80
    - Number of students expected to graduate in first six years: 33
    - Effective date: August 2021
  - b. **MSU** – Bachelor of Science (BS) in Educational Psychology
    - Total credit hours: 124
    - CIP code, sequence: 42.2806, 5208
    - Cost to offer by distance learning: \$17,000
    - Number of students expected to enroll in first six years: 110
    - Number of students expected to graduate in first six years: 70
    - Effective date: August 2020
  - c. **MSU** – Doctor of Philosophy (PhD) in Chemical Engineering
    - Total credit hours: 56 direct admit; 33 with master’s degree
    - CIP code, sequence: 14.0001, 1013
    - Cost to offer by distance learning: \$10,000
    - Number of students expected to enroll in first six years: 34
    - Number of students expected to graduate in first six years: 6
    - Effective date: August 2020
  - d. **MSU** – Doctor of Philosophy (PhD) in Instructional Systems and Workforce Development
    - Total credit hours: 90 hours (after bachelor’s degree)
    - CIP code, sequence: 13.1399, 1218
    - Cost to offer by distance learning: Minimal
    - Number of students expected to enroll in first six years: 30
    - Number of students expected to graduate in first six years: 15
    - Effective date: April 2020

**FINANCE**

3. **SYSTEM** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 1 to the Software License and Maintenance Agreement with Regional Economic Models, Inc. (REMI) on behalf of the IHL Executive Office, JSU, MSU UM and USM (System). The purpose of Amendment 1 is to renew the agreement, modify the payment arrangements and to make a revision to the Notice provision of the agreement. The Attorney General’s staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between REMI and MS-ITS on behalf of the System.
4. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 1 to the Renewal Content License Order Form with International Business Systems Corporation formerly Truven Health Analytics, LLC. (IBM) on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Amendment 1 is to

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- assign the agreement to IBM from Truven. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between IBM and MS-ITS on behalf of UMMC.
5. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved for the University of Mississippi Medical Center (UMMC) to enter into a Master Agreement with MModal Services, LTD for dictation and transcription services, software licenses, software maintenance and support, cloud hosting services, and support and training if needed. The Attorney General's staff assigned to the MS-ITS reviewed the agreement prior to execution. The agreement is between MModal Services, LTD and MS-ITS on behalf of UMMC.
  6. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved for the University of Mississippi Medical Center (UMMC) to enter into a Service Agreement Terms and Conditions with Philips North America, LLC for software evolution services, advanced technology services with onsite patching, and clinical implementation services. The agreement allows Philips to perform services on UMMC telemetry system network to ensure optimal up-time and up to date security patches. The Attorney General's staff assigned to the MS-ITS reviewed the agreement prior to execution. The agreement is between Philips North America, LLC and MS-ITS on behalf of UMMC.
  7. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 2 to the Dedicated Internet Access Services Agreement with Telepak Networks, Inc. (Telepak) on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Amendment 2 is to extend the term of the agreement for one (1) year to continue providing dedicated internet access to UMMC. The provider shall provide secondary dedicated Internet Access to UMMC's main campus and the Jackson Medical Mall with redundant WAN connectivity for UMMC's remote locations. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between Telepak and MS-ITS on behalf of UMMC.
  8. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved the Master Lease between UMMC and the Jackson Medical Mall Foundation (JMMF). On October 20, 2016, the Board approved UMMC's request to amend Exhibit H to the Master Lease as needed for construction allowances, rent rate adjustments, or the addition of space without prior Board approval up to the previously approved total lease cost. In January 2018, UMMC and JMMF amended Exhibit H to the Master Lease for construction allowances to existing leased space. In February 2019, UMMC and JMMF amended Exhibit H for additional construction allowances to existing leased space. On February 26, 2020, UMMC and JMMF amended Exhibit H to the Master Lease for construction allowances to existing leased space. No other term and conditions of the Master Lease were changed.

**REAL ESTATE**

9. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the May 21, 2020 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 2.)**

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**LEGAL**

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

**ADMINISTRATION/POLICY**

11. **SYSTEM** – Commissioner of Higher Education Dr. Alfred Rankins Jr. established the Safe Start Task Force for the Mississippi public university system. The task force was charged with crafting a system-level plan for starting and completing the fall 2020 semester in the safest and most effective way, so that students and universities can achieve the best possible outcomes, regardless of the challenging circumstances. The baseline practices and recommendations were presented in a report dated May 23, 2020. The report is included in the *June 18, 2020 Board Working File*.
12. **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 May 11, 2020, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2020 *Ayers* academic programs budgets. It appears that these revisions were necessary to align 2020 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets 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 May 11, 2020, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2020 *Ayers* academic programs budgets. It appears that these revisions were necessary to align 2020 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.



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- c. **MVSU** – 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 May 11, 2020, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2020 *Ayers* academic programs budgets. It appears that these revisions were necessary to align 2020 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

**FINANCE COMMITTEE REPORT**

Wednesday, June 17, 2020

The meeting was called to order by Chairman Tom Duff at approximately 2:00 p.m. via teleconference. Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via teleconference. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The committee met to discuss university finance issues.**

The following items were discussed.

1. The Committee discussed FY 2021 & FY 2022 budget update and related items to be voted on at the meeting tomorrow. **No action was taken.**
2. The Committee discussed a revision to Board Policy 707.01 Land, Property, and Service Contracts. **No action was taken.**

On motion by Trustee Duff, seconded by Trustee Cunningham, all Committee members legally present and participating voted unanimously to adjourn at approximately 3 pm. The following Committee members participated: Dr. Steven Cunningham (by phone), Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Mr. Shane Hooper (by phone), Ms. Ann H. Lamar (by phone), Ms. Jeanne Carter Luckey (by phone), Mr. Bruce Martin (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Gee Ogletree (by phone), Mr. Hal Parker (by phone), and Dr. J. Walt Starr (by phone).

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 18, 2020**

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, June 17, 2020

The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. via teleconference. Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via teleconference. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The committee met to discuss University of Mississippi Medical Center projects and priorities.**

The following items were discussed.

1. The Committee discussed expected enrollment by school, class accommodations and safety, recent research grant awards, and clinical trials status. **No action was taken.**
2. Announcement – Trustee Starr commended the UMMC team for doing an outstanding job during the COVID-19 pandemic.
3. Executive Session

On motion by Trustee Duff, with Trustees Hooper, Lamar, and McNair absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustees Duff and Hooper absent and not voting, all Committee members 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 related to a public hospital.

**During Executive Session, the following matters were discussed:**

The Committee discussed the strategic business plans related to a public hospital. **No action was taken.**

On motion by Trustee Duff, seconded by Trustee Martin, with Trustee Hooper absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee McNair, seconded by Trustee Lamar, with Trustee Hooper absent and not voting, all Committee members legally present and participating voted unanimously to adjourn at approximately 5 p.m.

The following Committee members participated: Dr. Steven Cunningham (by phone), Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Mr. Shane Hooper (by phone), Ms. Ann H. Lamar (by phone), Ms. Jeanne Carter Luckey (by phone), Mr. Bruce Martin (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Gee Ogletree (by phone), Mr. Hal Parker (by phone), and Dr. J. Walt Starr (by phone).

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 18, 2020**

**ANNOUNCEMENTS**

- Dr. Alfred Rankins, Jr., Commissioner of Higher Education, expressed his appreciation to the IHL Safe Start Task Force for the Mississippi public university system and commended them for their work. The task force was charged with crafting a system-level plan for starting and completing the fall 2020 semester in the safest and most effective way, so that students and universities can achieve the best possible outcomes, regardless of the challenging circumstances. The baseline practices and recommendations were presented in a report dated May 23, 2020. The members of the task force included: David R. Shaw (Chair), Mississippi State University; La Shon Brooks, Mississippi Valley State University; Sirena Cantrell, University of Southern Mississippi; Dorothy Davis, Alcorn State University; Joyce Dixon, Mississippi Valley State University; Regina Hyatt, Mississippi State University; Rusty Keyes, University of Southern Mississippi; Charles McAdams, Delta State University; Tammy McCoy, Mississippi University for Women; Keith McGee, Alcorn State University; Robin Pack, Jackson State University; Charlotte Pegues, University of Mississippi; Michelle Roberts, Delta State University; Larry Sparks, University of Mississippi; Jason Trufant, Mississippi University for Women; Carlos Wilson, Jackson State University; and Marcus Thompson, IHL Liaison.
- Dr. Rodney Bennett, President of the University of Southern Mississippi, applauded Commissioner Alfred Rankins, Jr. for his good work during this very difficult time of the pandemic and his dedication to higher education in Mississippi. He stated that Commissioner Rankins has been very present and engaging providing exceptional leadership to the institutional executive officers and campuses.
- President Dye announced the next meeting of the Board which is scheduled for July 16, 2020 remains subject to call.
- Trustee Walt Starr expressed gratitude to the institutional executive officers for their incredible leadership during the uncharted waters navigating the institutions through this global pandemic. President Dye echoed the same sentiment.

**EXECUTIVE SESSION**

**In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The meeting was held to discuss two litigation matters and a personnel matter.**

On motion by Trustee Hooper, seconded by Trustee Dye, 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 McNair, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a litigation matter at the University of Mississippi.

Discussion of a litigation matter at the University of Mississippi Medical Center.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 18, 2020**

Discussion of a personnel matter at Mississippi Valley State University.

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

On motion by Trustee Lamar, seconded by Trustee Cunningham, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self-Insured Workers' Compensation Claim No. 55-37356-1, styled as *Samuel Kendall vs. The University of Mississippi*, as recommended by counsel.

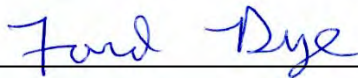
On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3289, styled as *Billie Corbin White vs. The University of Mississippi Medical Center*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Cunningham, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to grant Dr. Jerryl Briggs, President of Mississippi Valley State University, a new four-year contract and an increase of \$10,000 to the state salary bringing his annual state salary to \$235,000 with an effective date of July 1, 2020.


**On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustee Martin 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 McNair, seconded by Trustee Cunningham, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



\_\_\_\_\_  
President, Board of Trustees of State Institutions of Higher Learning



\_\_\_\_\_  
Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 18, 2020**

**EXHIBITS**

- Exhibit 1      The Mississippi Department of Archives and History Board of Trustees resolution regarding the Historic Monument relocation which was unanimously approved on December 5, 2019.
- Exhibit 2      Real Estate items that were approved by the IHL Board staff subsequent to the May 21, 2020 Board meeting.
- Exhibit 3      Report of the payment of legal fees to outside counsel.

# Exhibit 1

**RESOLUTION  
BOARD OF TRUSTEES  
MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY**

**WHEREAS**, the Mississippi Department of Archives and History has received a request from the University of Mississippi for a permit to move the Confederate Monument located on the Circle on the campus of the University of Mississippi in Oxford, Mississippi, to another location on campus; and

**WHEREAS**, pursuant to §39-7-22 of the Mississippi Code, a permit from the Board of Trustees of the Mississippi Department of Archives and History is required in the early stages of planning and before the letting of bids for public construction or improvement affecting Mississippi Landmarks; and

**WHEREAS**, the Circle at the University of Mississippi, including the Confederate Monument, was designated a Mississippi Landmark by the MDAH Board of Trustees April 15, 2011; and

**WHEREAS**, the staff of MDAH has reviewed such permit request, determined that the plans and specifications for the move comply with the Secretary of the Interior's Standards for Treatment of Historic Properties, and recommended to the Board of Trustees that a permit be granted for this action; and

**WHEREAS**, pursuant to §55-15-81 (2) of the Mississippi Code, the governing body of the entity which owns any of the items described in subsection (1) of such code section "may move the memorial to a more suitable location if it is determined that the location is appropriate to displaying the monument";

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Mississippi Department of Archives and History, assembled in Jackson, Mississippi, on December 6, 2019, that upon receipt of a request from the Mississippi Institutions of Higher Learning, the governing body referenced in §55-15-81 (2), MDAH will issue a permit for the relocation of the Confederate Monument to another site on the campus of the University of Mississippi.

  
Kane Ditto  
President, MDAH Board of Trustees

RECEIVED  
DEC 06 2019  
Department of  
Facilities Planning

# EXHIBIT 2

June 18, 2020

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MAY 21, 2020 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 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 \$2,746.08 and two (2) additional days to the contract of E. Cornell Malone.

Approval Status & Date: APPROVED, May 22, 2020

Change Order Description: Change Order #2 includes the following item: reconnect a section of piping previously disconnected; and two (2) days to the contract.

Change Order Justification: This change was necessary due to a section of the existing chill water piping that was found to be degrading and burst when the contractor reconnected the service after the new air handler installation. After inspection it was determined only that section that burst needed to be repaired; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$25,915.68.

Project Initiation Date: October 16, 2014

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

General Contractor: E Cornell Malone

Phased Project Budget: \$2,671,544.81

Total Project Budget: \$2,850,000.00

### **2. DSU- GS 102-267 – Campus Roofing (REBID)**

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

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

Board staff approved Change Order #2 in the amount of \$31,258.50 and one hundred twenty (120) additional days to the contract of Norman Enterprises, Inc.

Approval Status & Date: APPROVED, June 3, 2020

# EXHIBIT 2

June 18, 2020

Change Order Description: Change Order #2 includes the following item: replaced and reinforced rusted steel deck at extensive locations; and one hundred twenty (120) days to the contract.

Change Order Justification: This change was necessary due to a latent job site condition; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$44,192.10.

Project Initiation Date: January 17, 2019

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

General Contractor: Norman Enterprises, Inc.

Phased Project Budget: \$1,515,000.00

Total Project Budget: \$1,546,258.61

## MISSISSIPPI STATE UNIVERSITY

### 3. **MSU- IHL 205-302– CEF Sewer Force Main Replacement**

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

Board staff approved Change Order #2 in the amount of \$86,785.00 and zero (0) additional days to the contract of Eubank Construction Co., Inc.

Approval Status & Date: APPROVED, May 29, 2020

Change Order Description: Change Order #2 includes the following items: added 633-linear feet of 20” force main piping to the initial contract length; credit for slip-joint ductile iron force main; crushed stone bedding for pipe and fittings installed at greater than 12’ depth, 20-inch ductile iron piping 90 degree bend, 20-inch ductile iron piping, 20-inch ductile iron piping 11.25 degree bend, temporary and permanent sodding, and silt fencing.

Change Order Justification: These changes were necessary due to user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$92,169.62.

Project Initiation Date: December 10, 2019

Design Professional: Garver Engineering

General Contractor: Eubank Construction Co., Inc.

Total Project Budget: \$1,200,000.00

### 4. **MSU- IHL 405-002– Kinesiology Building Center for Student Support and Autism Services**

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

Board staff approved the Schematic Design Documents as submitted by Eley Guild Hardy/Dale Partners – A Joint Venture.

Approval Status & Date: APPROVED, May 29, 2020

Project Initiation Date: May 18, 2017

Design Professional: Eley Guild Hardy/Dale Partners - A Joint Venture

General Contractor: TBD



# EXHIBIT 2

June 18, 2020

Total Project Budget: \$900,000.00

## UNIVERSITY OF MISSISSIPPI

### 5. UM – IHL 207-455 – Jackson Avenue Center Reroof & Exterior Coating

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

Board staff approved Change Order #3 in the amount of \$3,433.00 and zero (0) additional days to the contract of Rowell Roofing, Inc.

Approval Status & Date: APPROVED, May 18, 2020

Change Order Description: Change Order #3 includes the following items: reworked the metal flashing joints on the two (2) large skylights on the main, upper roof section of the project; installed new butyl caulk, polyurethane caulk and fasteners as necessary at each of the metal flashing joints; and strip-in each joint and corner with 9” wide pressure-sensitive cured cover strip.

Change Order Justification: These changes were due to several joints in the metal flashing found detached and open to the weather requiring them to be replaced.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$21,953.00.

Project Initiation Date: June 20, 2019

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Rowell Roofing, Inc.

Total Project Budget: \$1,980,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 6. UMMC - GS #209-551- Main Pharmacy Renovations 2014

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

Board staff approved Change Order #4 in the amount of \$420,204.55 and one hundred eighty (180) additional days to the contract of Sunbelt General Contractors, Inc.

Approval Status & Date: APPROVED, June 1, 2020

Change Order Description: Change Order #4 includes the following items: installed backdraft dampers at two (2) relief fans; installed a separate chiller to control the water temperature serving the HVAC at the clean rooms; and one hundred eighty (180) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$1,147,910.51.

Project Initiation Date: January 22, 2015

Design Professional: McCarty Architects Professional Association

General Contractor: Sunbelt General Contractors, Inc.

Total Project Budget: \$3,848,518.00

# EXHIBIT 2

June 18, 2020

7. **UMMC- IHL 209-576– MS Center for Medically Fragile Children**

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

Board staff approved the Design Development Documents as submitted by Eley Guild Hardy/Dale Partners – A Joint Venture.

Approval Status & Date: APPROVED, June 1, 2020

Project Initiation Date: April 17, 2019

Design Professional: Eley Guild Hardy/Dale Partners - A Joint Venture

General Contractor: TBD

Total Project Budget: \$12,500,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

8. **USM- GS 108-285– Cook Library Renovation (Phase 2)**

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

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

Board staff approved Change Order #3 in the amount of \$84,466.00 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, May 22, 2020

Change Order Description: Change Order #3 includes the following items: revised the first floor plan to add an additional office in Student Support Services to include a door with a sidelite; access control systems to be installed for three (3) doors; access control rough-ins to be provided for six (6) doors; power for vending machines in a group study room; televisions to be provided in the elevator lobby area and group study rooms; additional power to be provided for a classroom and for the new office.

Change Order Justification: These changes were user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$62,991.00.

Project Initiation Date: January 18, 2018

Design Professional: Wier Boerner Allin Architecture

General Contractor: Codaray Construction, LLC

Phased Project Budget: \$9,807,980.01

Total Project Budget: \$12,132,980.00

# EXHIBIT 3

June 18, 2020

## 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 5/13/20) from the funds of Mississippi State University. (This statement, in the amount of \$14,718.75, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 14,718.75**

Payment of legal fees for professional services rendered by Butler Snow, LLP (statements dated 4/10/20, 4/13/20 and 4/21/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,947.00, \$590.00 and \$19,204.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 21,741.50**

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (two statements dated 4/9/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,006.50 and \$4,680.22, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,686.72**

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (three statements dated 3/27/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,103.90, \$1,023.00 and \$33.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,159.90**

Payment of legal fees for professional services rendered by Hogan|Lovells (statement dated 4/10/20) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$8,800.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,800.00**

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 3/20/20, 3/20/20, 3/30/20 and 4/1/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$49.50, \$198.00, \$74.25 and \$1,892.80, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 2,214.55**

# EXHIBIT 3

June 18, 2020

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 3/31/20, 4/13/20, 4/13/20 and 4/15/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,914.05, \$370.50, \$244.50 and \$6,096.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 13,625.05**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 4/7/20, 4/7/20, 4/7/20, 4/8/20, 4/8/20, 4/8/20 and 4/8/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,108.95, \$4,944.00, \$7,955.20, \$5,457.40, \$2,970.00, \$295.00 and \$8,125.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 30,855.55**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 5/11/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,535.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 2,535.00**

Payment of legal fees for professional services rendered by Butler Snow (statement dated 4/14/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,959.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,959.00**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 5/13/20 and 6/9/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,181.40 and \$5,974.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,155.90**

Payment of legal fees for professional services rendered by Richard & Thomas, PLLC (statement dated 5/27/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$828.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 828.00**

# EXHIBIT 3

June 18, 2020

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 2/1/20, 4/1/20, 4/1/20, 4/1/20, 4/1/20, 4/1/20, 4/1/20, 4/1/20, 5/1/20 and 5/1/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$156.13, \$1,500.00, \$2,500.00, \$4,000.00, \$1,500.00, \$1,500.00, \$44.49, \$2,500.00, \$42.87 and \$26.89, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 13,770.38**

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

Payment of legal fees for professional services rendered by Larry Schemmel (eight statements dated 4/22/20) from the funds of Mississippi State University. (These statements represent expense reimbursements in connection with the following patents or intellectual property matters: “Facemask and Helmet with Facemask” - \$1,350.00; “Passively Flushed Bearing for Cardiovascular Turbomachinery” - \$1,846.00; “Electret: A Novel Solution for Emerging Dielectric Challenges” - \$70.00; “Switchgrass Cultivar Panir” - \$350.00; “Common Mode EMI Modeling and Mitigation Techniques” - \$70.00; “Nano-Structured Catalysts” - \$675.00; “Compositions of Food Grade Coatings to Control Pest Infestations and Methods of Applications” - \$150.00; “Compositions and Methods for Use in Food Processing and Preservation” - \$865.00; “.)

**TOTAL DUE.....\$ 5,376.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/21/20 and 5/28/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Synthesis of Optically Active Indoline Derivatives via Ruthenium (II)-Catalyzed Enantioselective C-H” - \$2,063.50; and “Cottonseed Oil Polymer” - \$2,796.50.)

**TOTAL DUE.....\$ 4,860.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/15/19, 8/20/19, 3/26/20, 3/27/20, 3/27/20, 4/23/20, 4/23/20, 4/23/20, and 4/24/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$38.00, \$2,525.00, \$426.00, \$1,971.00, \$2,349.50, \$481.50, \$3,616.00, \$147.50, and \$1,019.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 12,574.00**

Payment of legal fees for professional services rendered by Workman Nydegger (statement dated 3/30/20) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$11,482.00, represents services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 11,482.00**