

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 17, 2016**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 23, 2015, to each and every member of said Board, said date being at least five days prior to this March 17, 2016 meeting. At the above-named place there were present the following members to wit: Mrs. Karen L. Cummins, Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. Hal Parker and Dr. J. Walt Starr were absent. The meeting was called to order by Mr. Alan Perry, President. Trustee Smith introduced Dr. Jesse Smith, President of Jones County Junior College, who opened the meeting with prayer.

INTRODUCTION OF GUESTS

- President Perry welcomed Channing Hooper, Trustee Shane Hooper's son.
- Dr. Rodney Bennett, President of the University of Mississippi, introduced Mr. Robert Golson who was recently hired as general counsel.
- Dr. Al Rankins, President of Alcorn State University, introduced Mr. Tracy Cook who was recently hired as the chief of staff.

PRESENTATION

- The Board received an update on the UMMC Quality Program 2016 from Dr. Mike Henderson, Chief Medical Officer at the University of Mississippi Medical Center. President Perry commended UMMC for its efforts to promote transparency.

APPROVAL OF THE MINUTES

On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 18, 2016.

CONSENT AGENDA

By consensus, the Board moved items #6 - #10 from the Consent Finance Agenda to the Regular Finance Agenda for consideration. On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda, as amended.

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FINANCE

1. **MSU** – Approved the request to engage the following CPA firms to conduct annual audits for university affiliated entities for fiscal/calendar year 2016.

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

2. **MUW** – Approved the request to engage Grantham Poole CPA to conduct the annual audit for the MUW Foundation, Inc. for the year ending June 30, 2016.
3. **MVSU** - Approved the request to waive Board Policy 301.0806 University Foundation/Affiliated Entity Activities subsection D. General Requirements of Affiliation Agreements (9) which requires an annual audit of MVSU National Alumni Association (Association) for the fiscal year ending December 31, 2015. In lieu of the annual audit, the Board granted the Association’s request to conduct a bi-annual audit for the 2015 and 2016 reporting periods. The two-year audit will be due by June 1, 2017. The justification for the waiver request is based solely on an economic desire to reduce administrative expenses. On December 31, 2015, the Association held total assets of \$219,231, forty-three (43%) percent of which were fixed assets (unaudited). It has a \$17,000 bank note, to which \$7,547 in principal payments, are due annually, maturing August 2018. The \$4,000 – \$5,500 estimated cost of contracting for the annual audit is not cost-beneficial to the organization at this time.
4. **UM** – Approved the request to enter into an agreement with Gameday Daily Services, LLC for daily cleaning services in The Pavilion at Ole Miss. This will be a one (1) year service agreement that can be renewed for additional one (1) year periods up to five (5) years in total. The cost of this agreement is billed on a monthly rate with additional fees for working extra events by Gameday Daily Services, LLC. The estimated yearly cost would be approximately \$183,600 per year for a total of \$918,000 if all five years are extended. This contract will be funded by the University of Mississippi Athletics Department operating funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office.
5. **UMMC** – Approved the request to enter into an agreement with Covidien Sales, LLC for the purchase of certain products with radio frequency identification (RFID) technology that will be used in surgical procedures to treat adult and pediatric patients throughout the organization. These products include 1) sterile and unsterile cotton products, such as laparotomy sponges, surgical gauzes, towels, vaginal packing, and perineal packing; and 2) RFID consoles, body scanners, and wands used in conjunction with the cotton products. The term of the agreement is for two (2) years, four (4) months - April 1, 2016 through July 31, 2018. The total estimated cost of the agreement is \$1,111,987. A breakdown of the annual cost follows: Year 1 \$414,920; Year 2 \$497,905; and Year 3 \$199,162. Note: year 3 is less since the agreement expires after month four of that year. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office.
6. **UMMC** – Request approval of Amendment 8 to its current license and support agreement with Epic Systems Corporation. The amendment decreases the licensed volume of program property that was increased through Amendment 7 and elects participation in Epic’s Boost program. Amendment 7 provided, in part, for an increase to UMMC’s licensed volume of program

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property from 250,000 annual inpatient days to 260,000 annual inpatient days. Due to changed circumstances, UMMC is now opting to reduce the increased license volume thereby decreasing the cost of license fees and related maintenance. Under the Boost program, Epic will provide, as needed, dedicated employees to perform the duties of an analyst or project manager. The term of amendment 8 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is \$2,301,800 which increases the total estimated cost of the agreement to \$65,456,898.01. A breakdown of costs follows: licensed volume fee decrease (\$698,200) and the Boost Program \$3million. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)**

7. **UMMC** – Request approval of Amendment 9 to its current license and support agreement with Epic Systems Corporation. This amendment adds subscription licenses for Push Notifications to the program property which allows UMMC to receive and transmit information to other organizations. The term of amendment 9 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment. The total estimated cost of the amended agreement is \$65,456,898.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)**
8. **UMMC** – Request approval of Amendment 10 to its current license and support agreement with Epic Systems Corporation. In the original agreement and subsequent amendments, Epic licensed individual copies of Epic interfaces as individual items of Program Property. This amendment makes available a new licensing structure that will bundle certain interfaces, which will slightly reduce costs and administrative burden on both parties with regard to interface licensing. The term of amendment 10 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment. The total estimated cost of the amended agreement is \$65,456,898.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)**
9. **UMMC** – Request to approve an Implementation Service Request related to its current license and support agreement with Epic Systems Corporation. The term of the request is for approximately three (3) to six (6) months beginning on or about April 1, 2016. The estimated cost of the request is \$56,250 which combined with the cost of Amendment 8 increases the total estimated cost of the agreement to \$65,513,148.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)**

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10. **UMMC** – Request to enter into a new subscription and support agreement and subsequent work order with Halogen Software, Inc. to replace the current support agreement. This will allow UMMC to continue to conduct employee performance assessments to remain in compliance with healthcare regulators and best practices. The Halogen eAppraisal system is an electronic tool to manage talent across an organization through its ability to formalize and streamline competencies and performance assessment criteria based on job expectations; to set up, manage, and report data for specific performance evaluation cycles; and, to store performance-related data such as performance notes, certificates and licenses, awards and achievements, and previous performance evaluation information for easy access. The term of this agreement is for four (4) years and eight (8) months beginning June 28, 2016 and ending February 28, 2021. The total estimated cost of this agreement is \$655,840. A breakdown of costs is included in the bound *March 17, 2016 Board Working File*. The contract will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)**
11. **UMMC** – Approved the request to enter into a lease agreement with Jackson Medical Mall Foundation (JMM) for the rental of 6,745 square feet of clinic space in the Jackson Medical Mall, Jackson, Mississippi. The space will be used for the provision of outpatient pediatric care. This agreement will be for a term of five (5) years beginning April 1, 2016 and expiring March 31, 2021. The total amount of the lease will be \$537,913.75 over the 60 month period of the lease. A breakdown of costs is included in the bound *March 17, 2016 Board Working File*. The contract will be funded by the patient revenue. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office.
12. **UMMC** – Approved the request to enter into a service agreement with OEC Medical Systems, Inc. to provide service and maintenance of the C-arm radiological equipment. The term of this agreement is for five (5) years beginning April 1, 2016 and ending March 31, 2021. The total estimated cost of this agreement is \$896,220. A breakdown of costs is included in the bound *March 17, 2016 Board Working File*. The contract will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office.
13. **UMMC** – Approved the request to enter into a new lease schedule agreement and subsequent service agreement with Olympus America, Inc. for the lease of endoscopes for gastric and pulmonary procedures, bronchoscopes, endoscope storage cabinets, monitors, workstations, and printers. The equipment will be used to diagnose and screen adult patients for variable gastric and pulmonary diseases. This schedule will be governed by the master agreement that was approved by the Board in October of 2012. The term of this schedule will be thirty-six (36) months beginning on April 1, 2016 and ending March 30, 2019. The total cost of this agreement is \$1,663,701.48. A breakdown of costs is included in the bound *March 17, 2016 Board Working File*. This agreement will be paid for by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the IHL Board Office.
14. **USM** – Approved the request to enter into an agreement for campus television services with Comcast of Southern Mississippi, Inc., (Comcast). This agreement provides television services for a current count of 2,658 units including dormitory rooms, fraternity and sorority rooms, general lobbies, on-campus apartments, and other non-residential spaces used for academics,

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administration, athletics, and other facilities. This agreement includes multichannel video services in both coaxial and internet protocol formats. This agreement has an initial term of one year beginning May 15, 2016 and ending May 14, 2017. The agreement will automatically renew for four successive periods of one year each unless either party gives 60 days' notice of its intention not to renew. The total cost of the contact, if automatically renewed for five years, is \$1,097,222.40 before any addition or subtraction of units. The annual cost is estimated at \$219,444.48 before additions or subtractions of units. Payment will be issued on a monthly basis upon receipt of invoice for services rendered. The RFP originally estimated the units at 2,492 but after selection of Comcast as low bidder, a revised inventory count increased the number of units to 2,658, thereby increasing the total estimated amount due under the contract; however, the unit pricing will remain the same as what was bid. Comcast, as an additional benefit, will commit a total of \$125,000 to be paid to USM in equal annual installments totaling \$25,000 each in years one through five. The installment will be made in two payments of \$10,000 and \$15,000 each year. The \$10,000 annual payments shall be allocated to support USM's annual golf tournament and the \$15,000 annual payments shall be allocated for sponsorship as USM and Comcast mutually agree. The first \$25,000 payment shall be made within 30 days of the effective date of the Agreement and thereafter, the remaining installments shall be paid on the anniversary of the Effective date. The contact will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office.

15. **USM** – Approved the request to engage the following CPA firms to conduct annual audits for university affiliated entities for fiscal/calendar year 2016.

University Affiliated Entity	CPA Firm
University of Southern Mississippi Foundation	KPMG, LLP
University of Southern Mississippi Athletic Foundation	Horne, LLP
University of Southern Mississippi Alumni Association	Grantham Poole, CPAs

REAL ESTATE

16. **MUW** – Approved the appointment of Pryor & Morrow as the design professional for **GS 104-187, Demonstration School Renovation**. The university used the “Request for Qualifications” (RFQ) selection process. The building has been vacant since FY 2005 and is in need of interior and exterior renovation to bring it into compliance with local, state, and federal agencies and assist the university in coordination of the campus master plan. The interior renovations include the upgrade of building systems and interior finishes. Exterior renovations include building stabilization, waterproofing, tuckpointing, site drainage and upgrade of building systems. This project will also include asbestos and lead paint surveys as well as any necessary abatement. All applicable codes, including ADA (elevator need) will be addressed. The estimated project budget is \$250,000. Funds are available from SB 2906, Laws of 2015 (\$250,000).
17. **MUW** – Approved the appointment of JBHM as the design professional for **GS 104-188, Culinary Arts Pre-Plan**. The university used the “Request for Qualifications” (RFQ) selection process. The project involves the complete construction of a new 50,000 square foot building to house the university's premier culinary arts program and provide adequate parking space. The project includes adequate kitchen space, restaurant dining, classrooms, office space, and conference/meeting rooms. The project would address building systems, site drainage, etc.

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- Surveys/abatement and all applicable codes will be addressed. The estimated project budget is \$250,000. Funds are available from SB 2906, Laws of 2015 (\$250,000).
18. **UM** – Approved the appointment of Cooke Douglas Farr Lemons, LTD as the design professional for **IHL 207-411, Oxford-University Stadium (Swayze Field) – Addition & Renovations**. The scope of this project includes additions and renovations to the existing baseball facility as follows: 1) Performance/Operations Center - A two-story, roughly 45,000 square foot addition housing equipment & laundry rooms, players’ locker room, training room, pro/alumni locker room, player lounge, team meeting room, coaches’ locker room, and weight training/plyometrics. The addition will include an outdoor plaza. 2) Field Club – Renovation of the roughly 7,500 square foot area under the stadium seating behind home plate. This area will become a field club area including restrooms and the officials’ locker room. 3) Third Base Club – Renovation of the third base seating area to add seating, concessions, restrooms, play area, and circulation space on the third base line. 4) Outfield Terrace – Renovation of the left field lounge to add seating. The estimated project budget is \$1 million. Funds are available from Self-Generated Athletic Revenues (\$1,000,000).
 19. **UM** – Approved the initiation of **IHL 207-416, Connor Hall – School of Accountancy Expansion**, and the appointment of the design professional using the “Request for Qualifications Method (RFQ). The School of Accountancy resides in Connor Hall which is a 4-story, 42,578 gross square foot concrete frame building built in 1961. The design professional will assist with determining the project scope, site, and budget and then produce design/construction documents for the scope determined. The University will submit a subsequent Board item to confirm the design professional after the selection process and to increase the budget as required to reflect the established scope of work. The estimated project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
 20. **UM** – Approved the initiation of **IHL 207-417, Farley Hall –School of Journalism Expansion**, and the appointment of design professional using the “Request for Qualifications Method (RFQ). The School of Journalism resides in Farley Hall which is a 3-story, 50,991 gross square foot concrete frame building built in 1929. The design professional will assist the University in determining the project scope, site, and budget and then produce design/construction documents for the scope determined. The University will submit a subsequent Board item to confirm the design professional after the selection process and to increase the budget as required to reflect the established scope of work. The estimated project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
 21. **UMMC** – Approved the initiation of **IHL 209-554, 2016 Master Plan**, and the appointment of Cannon Design Architecture and Engineering, P.C. as the design professional. This project will update the current master plan as well as incorporate UMMC’s satellite facilities into the revised master plan. The planning effort will include projecting growth for UMMC over a 5, 10, and 25 year period; analyzing campus access and green space; providing an infrastructure study; analyzing space adjacencies and use; and recommended design parameters. The previous master plan was presented to the Board of Trustees in 2011. The estimated project budget is \$1 million. Funds are available from General Funds (\$1,000,000).
 22. **USM** – Approved the request to increase the project budget for **GS 108-279, Lucas Administration Envelope Repairs**, from \$3,000,000 to \$ 3,300,000, for an increase of \$300,000. The Board also approved the request to add internal university funds as a funding source to cover the budget increase and to modify the scope of the project to include adding new

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HVAC work to the existing construction contract. The project is currently in the construction phase. The original scope of the project included exterior repairs to the building. Funds are available from IHL 2007 R&R (\$21,554.25); HB 1641, Laws of 2008 (\$66,267.99); HB 1722, Laws of 2009 (\$465,763.85); HB 1701, Laws of 2010 (\$38,375.72); SB 3100, Laws of 2011 (\$1,570,788.65); Institutional Funds (\$837,249.54); and University Designated Fund Reserves (\$300,000).

23. **USM** – Approved the request to change the project number for the **Bolton Hall Renovation** from **IHL #208-327 to GS #108-283** due to the project being funded with state bond funds. The Board approved the request to increase the project budget from \$40,000 (design fees only) to \$3,200,000, an increase of \$3,160,000. The Board approved the request to modify the funding source for this project to include \$1,500,000 from SB 2906, Laws of 2015, and \$1,700,000 from HB 787, Laws of 2014. The Board also approved the exterior design of Bolton Hall as a result of the renovation improvements being made to the exterior of the building. A copy of the rendering is included in the bound *March 17, 2016 Board Working File*. The project is currently in the design phase. This project will renovate Bolton Hall to provide a temporary home for the Army ROTC and the Mathematics Department. Funds are available from SB 2906, Laws of 2015 (\$1,500,000) and HB 787, Laws of 2014 (\$1,700,000).
24. **MSU** – Approved the exterior design of the Women’s Soccer Fieldhouse. This project is fully funded as a Bulldog Club project. A copy of the rendering is included in the bound *March 17, 2016 Board Working File*.
25. **MSU** – Approved the request to name the G.V. “Sonny” Montgomery Center for America’s Veterans as “Nusz Hall”. This building is currently under construction. The proposed naming is in recognition of Tommy and Terri Nusz of Houston, Texas, who in 2013 contributed the lead gift that helped make possible the new facility to serve the university’s veterans community.
26. **MSU** – Approved the request to name the new Azalea North residence hall as the “Earnest W. and Mary Ann Deavenport Hall”. This building is currently under construction. The Deavenports, both Mississippi natives, are current residents of Kiawah Island, S.C. They have recently committed an additional \$3 million to previous scholarship endowments at the university. Total contributions exceed \$8 million. Mr. Deavenport is a previous national Alumnus of the Year and received an honorary doctorate from MSU in 2011. He is the current Chair of the MSU Foundation.
27. **UM** – Approved the exterior design of **IHL 207-376, STEM Building**, a new 5-story building in the Science District on campus. The building is currently being programmed at approximately 207,000 gross square feet. The project will not move beyond the site preparation projects and the design stage of the STEM Building until the University returns to the IHL Board of Trustees for approval to issue UMEBC bonds for the full cost of the project. The proposed project budget is \$8.7 million. Funds are available from Internal R&R Funds (\$8,700,000). A copy of the rendering is included in the bound *March 17, 2016 Board Working File*.
28. **UMMC** – Contingent upon approval by the Attorney General’s Office, the Board approved the request to grant a permanent right-of-way easement to Entergy Mississippi for the purpose of constructing a 230kV transmission line in Madison and Hinds counties. The transmission line project is designed to serve existing load and projected load growth. Entergy has submitted an offer of \$88,636.00 as payment for the permanent easement. The newly requested easement will add 60’ to the existing 200’ wide easement. A description of the property is included in the bound *March 17, 2016 Board Working File*. Grantor grants to Grantee the rights of ingress and

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egress at any time, without notice, to, from, or along said right-of-way across the adjoining land of the Grantor, including, but not limited to, the passage of vehicles and equipment upon said right-of-way; and the right of Grantee to assign, license, and otherwise permit others to use in whole or part any or all of the rights, easements, servitudes, privileges or appurtenances granted herein. Grantee shall have the full and continuing right, without further compensation, to clear and keep clear vegetation within or growing into said right-of-way and the further right to remove or modify from time to time trees, limbs, and/or vegetation outside the said right of way which Grantee considers a hazard to any of Grantee's facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry. As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Payment for the first cutting of trees, limbs, and other vegetation outside of the right-of-way is included in the initial consideration paid to Grantor. Grantee shall pay to Grantor, or Grantor's successor in title, the reasonable market value, as timber, of such trees when removed in the future outside of the said right-of-way. Grantee shall pay Grantor for physical damages to Grantor's buildings or other structures located outside said right-of-way and to Grantor's growing annual crops, road, bridges and fences caused by the construction and maintenance of Grantee's facilities. Grantor retains the right to use for Grantor's own purposes the land covered by the said right-of-way so long as such use does not interfere with Grantee's use of said right-of-way and other rights herein granted. Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool water impoundment, excavation or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electrical Safety Code. The Attorney General's Office has reviewed and approved this item contingent upon the approval of the Mississippi Secretary of State, as required by Miss. Code Ann. §29-1-1(3).

LEGAL

29. **MSU** – Approved the request to modify a contract with the firm of Stites & Harbison, PLLC, to provide services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with the University. The purpose of Modification #1 is to remove Connie Ding as an approved attorney and add Sean Ritchie as her replacement, at a rate of \$240 per hour. All other provisions of the Agreement for Legal Services dated July 1, 2015, shall remain in effect with hourly rates ranging from \$95 - \$320, and the total amount payable shall not exceed \$100,000. This modification has been approved by the Office of the Attorney General.

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PERSONNEL REPORT

30. **EMPLOYMENT**

Delta State University

Mr. James Rutledge; Interim Vice President of Finance & Administration; salary of \$135,091 per annum, pro rata; E&G funds; effective March 1, 2016

31. **CHANGE OF STATUS**

Mississippi State University

- Ricky L. Travis; *from* Associate Dean and Professor, College of Arts and Sciences; salary of \$148,000 per annum, pro rata; E&G Funds; *to* Interim Dean and Professor, College of Arts and Sciences; salary of \$180,000 per annum, pro rata; E&G funds; effective April 1, 2016

Mississippi University for Women

- Dr. Tom Richardson; *from* Interim Provost and Vice President for Academic Affairs and Eudora Welty Chair and Professor of English; salary of \$177,000 per annum, pro rata; E&G Funds; *to* Provost and Vice President for Academic Affairs and Eudora Welty Chair and Professor of English; no salary change; effective March 17, 2016

32. **SABBATICAL LEAVE**

Mississippi State University

- Shrinidhi S. Ambinakudige; Assistant Professor of Geosciences; *from* salary of \$65,612 per annum, pro rata; E&G Funds; *to* salary of \$32,806 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Barry Joe Barnett; Professor of Agricultural Economics; *from* salary of \$118,500 per annum, pro rata; E&G Funds; *to* salary of \$59,259 for sabbatical period; E&G Funds; effective August 16, 2016 to May 15, 2017; professional development.
- John William Bickle, Jr.; Professor and Head, Philosophy and Religion; *from* salary of \$138,000 per annum, pro rata; E&G Funds; *to* salary of \$51,750 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Thomas Brent Funderburk; Professor of Art; *from* salary of \$87,322 per annum, pro rata; E&G Funds; *to* salary of \$43,661 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Sally H. Gray; Associate Professor of Classical and Modern Languages and Literature; *from* salary of \$56,954 per annum, pro rata; E&G Funds; *to* salary of \$28,477 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.

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- Zahur Zee Haque; Professor of Food Science, Nutrition and Health Promotion ; *from* salary of \$104,718 per annum, pro rata; E&G Funds; *to* salary of \$39,269 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- James Emery Henderson; Associate Extension Professor Forestry; *from* salary of \$96,720 per annum, pro rata; E&G Funds; *to* salary of \$36,270 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Mark D. Hersey; Associate Professor of History; *from* salary of \$70,655 per annum, pro rata; E&G Funds; *to* salary of \$35,327.50 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- David M. Hoffman; Associate Professor of Anthropology and Middle Eastern Cultures; *from* salary of \$71,295 per annum, pro rata; E&G Funds; *to* salary of \$35,648 for sabbatical period; E&G Funds; effective August 16, 2016 to May 15, 2017; professional development.
- Seongjai Kim; Professor of Mathematics and Statistics; *from* salary of \$89,218 per annum, pro rata; E&G Funds; *to* salary of \$44,609 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Sundar Rajan Krishnan; Associate Professor of Mechanical Engineering ; *from* salary of \$94,976 per annum, pro rata; E&G Funds; *to* salary of \$47,310 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- David J. Lang; Professor of Plant and Soil Services ; *from* salary of \$87,512 per annum, pro rata; E&G Funds; *to* salary of \$32,817 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Matthew Lavine; Associate Professor of History ; *from* salary of \$67,772 per annum, pro rata; E&G Funds; *to* salary of \$33,886 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Matthew Wood Little; Associate Professor of English ; *from* salary of \$80,546 per annum, pro rata; E&G Funds; *to* salary of \$40,273 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Kelly Marsh; Associate Professor of English ; *from* salary of \$64,662 per annum, pro rata; E&G Funds; *to* salary of \$32,331 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Stephen Middleton; Professor of History ; *from* salary of \$132,786 per annum, pro rata; E&G Funds; *to* salary of \$49,795 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Jamie B. Mixon; Professor of Art ; *from* salary of \$73,543 per annum, pro rata; E&G Funds; *to* salary of \$36,772 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.

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- Mark A. Novotny; Professor and Head, Physics and Astronomy ; *from* salary of \$163,500 per annum, pro rata; E&G Funds; *to* salary of \$61,313 for sabbatical period; E&G Funds; effective August 16, 2016 to May 15, 2017; professional development.
- Bonnie Carr O’Neill; Associate Professor of English ; *from* salary of \$59,486 per annum, pro rata; E&G Funds; *to* salary of \$29,743 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Gautam Rupak Lan Tai Moong; Associate Professor of Physics and Astronomy ; *from* salary of \$72, 866 per annum, pro rata; E&G Funds; *to* salary of \$36,433 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.
- Timothy J. Schauwecker; Associate Professor of Landscape Architecture ; *from* salary of \$92,902 per annum, pro rata; E&G Funds; *to* salary of \$34,838.25 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Guiming Wang; Associate Professor of Wildlife, Fisheries and Aquaculture ; *from* salary of \$83,596 per annum, pro rata; E&G Funds; *to* salary of \$31,349 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development.
- Daniel W. Wong; Professor of Counseling, Educational Psychology and Foundations ; *from* salary of \$103,726 per annum, pro rata; E&G Funds; *to* salary of \$51,863 for sabbatical period; E&G Funds; effective January 1, 2017 to May 15, 2017; professional development.

University of Southern Mississippi

- Linda Allen; Associate Professor of English; *from* salary of \$55,582 per annum, pro rata; E&G Funds; *to* salary of \$24,703 for sabbatical period; E&G Funds; effective August 22, 2016 to December 31, 2016; professional development.
- Max Grivno; Associate Professor of History; *from* salary of \$58,250 per annum, pro rata; E&G Funds; *to* salary of \$25,889 for sabbatical period; E&G Funds; effective August 22, 2016 to December 31, 2016; professional development.
- Bridget Hayden; Associate Professor of Anthropology and Sociology; *from* salary of \$53,632 per annum, pro rata; E&G Funds; *to* salary of \$23,836 for sabbatical period; E&G Funds; effective August 22, 2016 to December 31, 2016; professional development.
- Thomas O’Brien; Professor of Educational Studies and Research; *from* salary of \$92,500 per annum, pro rata; E&G Funds; *to* salary of \$51,389 for sabbatical period; E&G Funds; effective January 13, 2017 to May 18, 2017; professional development.
- Mary Sheffer; Associate Professor of Mass Communication and Journalism; *from* salary of \$67,815 per annum, pro rata; E&G Funds; *to* salary of \$30,140 for sabbatical period; E&G Funds; effective August 22, 2016 to December 31, 2016; professional development.
- Andrew Wiest; Professor of History; *from* salary of \$122,354 per annum, pro rata; E&G Funds; *to* salary of \$67,974 for sabbatical period; E&G Funds; effective January 13, 2017 to May 18, 2017; professional development.

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ADMINISTRATION/POLICY

33. **ASU** – Approved the request to bestow one honorary degree at its May 2016 commencement ceremony. Supporting documents are on file at the Board Office.
34. **JSU** – Approved the request to bestow two honorary degrees at its May 2016 commencement ceremony. Supporting documents are on file at the Board Office.
35. **MSU** – Approved the request to bestow two honorary degrees at its May 2016 commencement ceremony. Supporting documents are on file at the Board Office.
36. **MUW** – Approved the request to bestow one honorary degree at its May 2016 commencement ceremony. Supporting documents are on file at the Board Office.

FINANCE AGENDA

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee Cummins, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Pickering, seconded by Trustee Smith, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #5 - #8. On motion by Trustee Pickering, seconded by Trustee Smith, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #9.

1. **SYSTEM** – Approved for final reading the proposed changes to Board Policy 906 Educational Building Corporations. The change will remove the subsequent meeting requirement for bond refundings and defeasements and add continuing disclosure procedures. **(See Exhibit 1.)**
2. **MSU** – Approved the request to modify the existing policy for granting waivers of out-of-state tuition to include MSU students located in four southwest Alabama counties who enroll in MSU Engineering bachelor's degree programs on the Coast. This policy is implemented to include out-of-state tuition waivers as authorized through the amendment to Miss. Code Ann. § 37-103-25 (3) and shall be effective upon approval by IHL and MSU, with individual waivers becoming applicable as of the date approved by the MSU President, unless a later time is indicated below. This policy conforms with the Board's *Policies and Bylaws*. The following out-of-state waiver is authorized, on a case-by-case basis, in addition to those in existence by virtue of prior statutory law and Board Policy. Waivers are contingent upon the student's submission to MSU of timely (before the start of the applicable semester) and adequate proof of having met the applicable criteria. To be eligible for out-of-state tuition waivers, applicants must meet admissions requirements for the initial award and maintain satisfactory academic progress for continued eligibility. For the purpose of offering enhanced access to MSU Engineering on the Coast Bachelor of Science degrees through a collaboration with Mississippi Gulf Coast Community College to students who live within close geographic proximity of the campus, MSU

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Engineering on the Coast may waive out-of-state tuition for non-resident students who reside in Mobile, Baldwin, Washington, and Escambia counties of the State of Alabama. This waiver will become effective for the 2016-17 academic year. MSU estimates the financial impact of this waiver will increase tuition revenue by an additional \$350,000 to \$400,000 over current collections over a five-year period. This waiver would apply to newly enrolled students from Alabama who reside in Mobile, Baldwin, Washington and Escambia counties. The Attorney General's Office reviewed the proposed policy.

3. **UMMC** – Approved the request to enter into a letter of participation local market agreement with Johnson & Johnson Health Care Systems, Inc. to purchase orthopedic trauma implants to be used in surgical procedures on pediatric and adult patients at its Jackson and Grenada campuses. This agreement gives additional discounted pricing from what is currently offered through the Novation contract. The term of this agreement is for a period of two (2) years, beginning on or about April 1, 2016. The estimated cost of this agreement is \$13,009,442.75. The estimated total cost breakdown is included in the bound *March 17, 2016 Board Working File*. The contract will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
4. **UMMC** – Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of cardiac resynchronization devices and the associated supplies used in the implementation of the devices. These products are used in the treatment of patients with cardiac rhythm management issues. The term of the agreement is for three (3) years beginning on or about April 1, 2016. The total estimated contract cost for the three (3) year term is \$10,000,000; however, products will be purchased on an "as needed" basis with no minimum purchase required. This cost is based on historical numbers and allows for anticipated growth in the cardiovascular program. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
5. **UMMC** – Approved Amendment 8 to its current license and support agreement with Epic Systems Corporation. The amendment decreases the licensed volume of program property that was increased through Amendment 7 and elects participation in Epic's Boost program. Amendment 7 provided, in part, for an increase to UMMC's licensed volume of program property from 250,000 annual inpatient days to 260,000 annual inpatient days. Due to changed circumstances, UMMC is now opting to reduce the increased license volume thereby decreasing the cost of license fees and related maintenance. Under the Boost program, Epic will provide, as needed, dedicated employees to perform the duties of an analyst or project manager. The term of amendment 8 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is \$2,301,800 which increases the total estimated cost of the agreement to \$65,456,898.01. A breakdown of costs follows: licensed volume fee decrease (\$698,200) and the Boost Program \$3million. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED FROM THE CONSENT FINANCE AGENDA FOR CONSIDERATION.)**
6. **UMMC** – Approved Amendment 9 to its current license and support agreement with Epic Systems Corporation. This amendment adds subscription licenses for Push Notifications to the program property which allows UMMC to receive and transmit information to other

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organizations. The term of amendment 9 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment. The total estimated cost of the amended agreement is \$65,456,898.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED FROM THE CONSENT FINANCE AGENDA FOR CONSIDERATION.)**

7. **UMMC** – Approved Amendment 10 to its current license and support agreement with Epic Systems Corporation. In the original agreement and subsequent amendments, Epic licensed individual copies of Epic interfaces as individual items of Program Property. This amendment makes available a new licensing structure that will bundle certain interfaces, which will slightly reduce costs and administrative burden on both parties with regard to interface licensing. The term of amendment 10 will begin on or about April 1, 2016, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment. The total estimated cost of the amended agreement is \$65,456,898.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED FROM THE CONSENT FINANCE AGENDA FOR CONSIDERATION.)**
8. **UMMC** – Approved an Implementation Service Request related to its current license and support agreement with Epic Systems Corporation. The term of the request is for approximately three (3) to six (6) months beginning on or about April 1, 2016. The estimated cost of the request is \$56,250 which combined with the cost of Amendment 8 increases the total estimated cost of the agreement to \$65,513,148.01. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED FROM THE CONSENT FINANCE AGENDA FOR CONSIDERATION.)**
9. **UMMC** – Approved the request to enter into a new subscription and support agreement and subsequent work order with Halogen Software, Inc. to replace the current support agreement. This will allow UMMC to continue to conduct employee performance assessments to remain in compliance with healthcare regulators and best practices. The Halogen eAppraisal system is an electronic tool to manage talent across an organization through its ability to formalize and streamline competencies and performance assessment criteria based on job expectations; to set up, manage, and report data for specific performance evaluation cycles; and, to store performance-related data such as performance notes, certificates and licenses, awards and achievements, and previous performance evaluation information for easy access. The term of this agreement is for four (4) years and eight (8) months beginning June 28, 2016 and ending February 28, 2021. The total estimated cost of this agreement is \$655,840. A breakdown of costs is included in the bound *March 17, 2016 Board Working File*. The contract will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the IHL Board Office. **(THIS ITEM WAS MOVED FROM THE CONSENT FINANCE AGENDA FOR CONSIDERATION.)**

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LEGAL AGENDA

Presented by Trustee Hal Parker, Chair

By consensus, the Board held this item for further review and consideration.

1. **SYSTEM** – Proposed amendment to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading. (See Exhibit 2.) (THIS ITEM WAS HELD FOR FURTHER REVIEW.)
2. **SYSTEM** – Election of Vice President of the Board of Trustees for the Term Beginning May 8, 2016. President Perry opened the floor for nominations for the office of Vice President of the Board. Trustee Doug Rouse nominated Trustee C.D. Smith. There being no further nominations, the nominations were closed. On motion by Trustee Rouse, seconded by Trustee Rouse, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted in the affirmative, therefore, it was

RESOLVED, that Trustee C.D. Smith was elected as Vice President of the Board for a one-year term, beginning May 8, 2016 and ending May 7, 2016.

At the January 22, 2015 meeting, the Board voted unanimously to temporarily suspend the presidential term length requirements set forth in Board Bylaw 301.01 Officers of the Board pursuant to Bylaw 301.0510 Meeting Rules of Order subsection (d) Motion to Suspend Policies, Bylaws or Rules and to approve the presidential term lengths of the trustees elected to serve as president of the Board for the two terms following that of Trustee Alan Perry be one year each in length.

INFORMATION AGENDA

Presented by Commissioner Glenn F. Boyce

ACADEMIC AFFAIRS

1. **SYSTEM** – The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 2, 2016 at the Jackson Marriott, where Mr. Sean Suggs, Vice President, Toyota Motor Manufacturing Mississippi, Inc. was the guest speaker. System honorees for 2016 are listed below.

INSTITUTION	STUDENT HONOREE	FACULTY HONOREE
ASU	Nanatte Patrice Boyd	Lixin Yu
DSU	Mikel Debarcus Sykes	Ethan A. Schmidt (In Memorium)
JSU	Anthony Charles Keyes Jr.	Fengxiang X. Han
MSU	Joseph Monroe Dodd	Cody P. Coyne
MUW	Brianna Elizabeth Warner	Kim Whitehead
MVSU	Toney Aaron Williams	Xiaoqin Paul Wu

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UM	Roderick Rhodes Bridges, III	Robert D. Brown
UMMC	Ellen Elizabeth Gillis	Thomas Harvey Adair
USM	John Davenport	Elaine Fontenot Molaison

2. **SYSTEM** – 2016 Improving Teacher Quality Awards. Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an “Improving Teacher Quality” competitive grant program. The institutions below were awarded Title II federal grant funds for March 15, 2016 through April 30, 2017.

INSTITUTION	DISCIPLINE	AMOUNT
Alcorn State University	Science	\$91,901.25
Delta State University	Content Area Literacy	\$89,889.00
Mississippi State University	Science and Social Studies	\$90,000.00
Mississippi State University	Technology Integration	\$90,000.00
Mississippi State University	Mathematics	\$89,999.00
Mississippi State University (M)	Literacy	\$90,000.00
Mississippi University for Women	Mathematics	\$90,000.00
Mississippi Valley State University	Reading	\$90,000.00
University of Mississippi	Literacy Integration	\$90,000.00
University of Southern Mississippi	Language Arts	\$92,960.00
University of Southern Mississippi	Mathematics	\$90,000.00
William Carey University	Teacher Leadership	\$90,000.00
MS Council on Economic Education	ELA and Economics Standards	\$90,000.00
Total Awarded		\$1,174,749.25

3. **SYSTEM** – 2015 Annual Performance Report for Mississippi Teacher Preparation Programs.

TEACHER EDUCATION PROGRAM	ASU	DSU	JSU	MSU	MUW	MVSU	UM	USM
NCATE/CAEP Accreditation Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Next CAEP Accreditation Visit	Fall 2021	Fall 2020	Fall 2021	Spring 2021	Fall 2019	Fall 2020	Spring 2021	Spring 2019
Program Completers 2014-15	8	67	38	251	30	5	279	255
Total Program Completers 2014-2015:								933

4. **SYSTEM** – Report on Existing Programs Now Offered Online.
- ASU** is offering the Bachelor of Science Degree in Child Development and Family Studies.
 - UM** – is offering the Master of Education Degree in Early Childhood Education.

FINANCE

5. **UMMC** – In accordance with Board Policy 707.1 Land Property, and Service Contracts, UMMC submitted and the Board approved, at its June 18, 2015 meeting, a request to enter into an agreement with First Southwest Company, LLC (FSC) for the provision of financial advisory services. The contract was approved for a term of five (5) years from July 1, 2015 through June 30, 2020, at a cost of \$275,000 over the term. UMMC was notified by First Southwest that it had merged with and into its common control affiliate, Hilltop Securities, Inc. Under the current

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agreement, assignment can only be made by consent of the non-assigning party. The new name of the company will be FirstSouthwest, a Division of Hilltop Securities, Inc.

6. **USM** – At the February 2015 Board meeting, the Board approved a resolution for the University of Southern Mississippi to issue, through the S.M. Educational Building Corporation (EBC), a maximum of \$140,000,000 revenue refunding bonds in one or more taxable and/or tax exempt series for the purpose of advance refunding and defeasing all or a portion of the EBC’s
- a. S.M. Educational Building Corporation Revenue Refunding Bonds, Series 2006A, issued in the original principal amount of \$24,855,000 (the “2006A Bonds”);
 - b. S.M. Educational Building Corporation Revenue Bonds, Series 2006B (Village Project), issued in the or principal amount of \$18,725,000 (the “2006B Bonds”);
 - c. S.M. Educational Building Corporation Revenue Bonds, Series 2007 (Athletics Facilities Improvements Project), issued in the original principal amount of \$27,190,000 (the “2007 Bonds”);
 - d. S.M. Educational Building Corporation Revenue Bonds, Series 2009 (Campus Facilities Improvements Project), issued in the original principal amount of \$49,900,000 (the “2009 Bonds”); and
 - e. Certificates Of Participation (University of Southern Mississippi Parking Facilities Construction Project), Series 2009, issued in the original principal amount of \$15,520,000 (the “2009 COPs,” and together with the 2006A Bonds, 2006B Bonds, 2007 Bonds, 2009 Bonds, and the 2009 COPS, the “Refunded Bonds”) by the University of Southern Mississippi (the “University”) and the University of Southern Mississippi Real Estate Foundation, Inc. (the “Foundation”), to finance the construction and financing of a parking garage; acquiring from the Foundation that certain parking facility financed with the 2009 COPs; approving various documents related to the proposed bond issue and paying the issuance costs of the Bonds.

On March 31, 2015, USM sold bonds to refund Series 2006A, Series 2006B, and Series 2007, and on January 20, 2016, USM sold bonds to refund Series 2009 and Series 2009 COPs. A summary of the original report from the Financial Advisor, dated January 15, 2015, and the actual results of sale included in the bound *March 17, 2016 Board Working File*. Documentation of results is on file in the IHL Office of Finance and Administration.

REAL ESTATE

7. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the February 18, 2016 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 3.**)

LEGAL

8. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 4.**)

ADMINISTRATION/POLICY

9. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
- a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral

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leases in an amount equal to or less than \$100,000.” In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers for goods or services not yet received on behalf of the Board. On February 25, 2016, Commissioner Glenn F. Boyce approved the request to renew a lease agreement and prepay the monthly payments to the Jackson Medical Mall Foundation for the lease of approximately 2,930 square feet of space in Suite 480 of the Jackson Medical Mall for use as the Resource and Referral site by The Early Years Network. The contract renewal period is from April 1, 2016 through March 31, 2017 at a cost of \$2,752.98 per month plus a common area maintenance fee of \$3.30 per square foot (\$805.75/month). The total yearly cost will be \$42,704.76. The contract will be funded through the Mississippi Childhood Service System (The Early Years Network) grant which is funded by the Division of Early Childhood Care and Development, a division of the Mississippi Department of Human Services. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers for goods or services not yet received on behalf of the Board. On March 7, 2016, Dr. Glenn F. Boyce, Commissioner of Higher Education, approved the request to renew a Lease Agreement with the Biloxi Housing Authority for the lease of approximately 2,600 square feet of office space located at 769 Howard Avenue in Biloxi, Mississippi to be used for the Gulf Coast Community Design Studio. The lease amount is \$2,500 per month, pursuant to the following described terms and conditions: 1) \$1,000 per month to be prepaid on or before the first of each month and 2) plus in-kind services valued at \$1,500 per month to be provided by MSU as set out in the Contract for MSU to Obtain Services. The lease will be paid from research overhead funds. The term of the Lease Agreement is for a period of five (5) years beginning April 1, 2016 and ending March 31, 2021. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- c. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers for goods or services not yet received on behalf of the Board. On March 3, 2016, Dr. Glenn F. Boyce, Commissioner of Higher Education, approved the Lease Agreement between UMMC and Airbus Helicopters, Inc. (AHI) for the sublease of space at the Golden Triangle Regional Airport in Columbus, MS. AHI is a lessee of this space under a superior lease agreement with Golden Triangle

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Regional Airport Authority. The term of the contract is for one year beginning March 1, 2016 with the option, upon mutual agreement, to renew for up to two consecutive years. The lease amount is \$2,400 per month for one year or \$86,400 over the entire three-year term. The contract will be funded by patient revenues. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- d. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” In accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers for goods or services not yet received on behalf of the Board. On March 7, 2016, Dr. Glenn F. Boyce, Commissioner of Higher Education, approved the request to enter into a Lease Agreement with Reactive Surfaces, Ltd. for approximately 765 square feet of laboratory and equipment space at USM’s Accelerator for annual rent in the amount of \$17,580 to be prepaid in quarterly installments of \$4,395 due on or before the first day of each quarter of the term of the lease. Total rent for the initial terms and renewals is \$87,900. The initial term of the lease is one year beginning upon approval and execution of the Lease Agreement and will automatically renew for four (4) consecutive one (1) year terms, unless terminated in writing. The Accelerator building was constructed with federal grant funds. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

ANNOUNCEMENTS

- President Perry invited the university presidents to report on current activities on their campuses.
- President Perry expressed his appreciation for the prep work that is conducted prior to the Board meeting each month.

EXECUTIVE SESSION

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

Discussion of a personnel matter at one of the state universities.

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

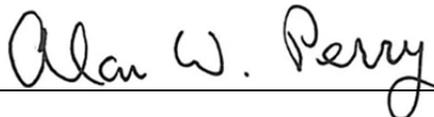
The Board discussed and deliberated over a request for the Board to review the termination of Dr. Neva Eklund, a tenured faculty member at the University of Mississippi Medical Center. After considerable discussion, a motion was made by Trustee McNair, to grant the request for the Board to review the record of termination. The motion was seconded by Trustee Hooper, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve the motion.

The Board then discussed and deliberated regarding the institutional record and issues raised by Dr. Eklund in conducting its review of her proposed termination by UMMC. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustees Parker and Starr absent and not voting, all Trustees legally present and participating voted unanimously to direct the University of Mississippi Medical Center to provide the following to the above mentioned employee: an additional due process hearing with the right of confrontation, to deliver advance notice of documents to be used in the hearing as well as copies of such documents in advance of the hearing, a hearing officer who is either knowledgeable in due process matters or has access to legal counsel during the course of the hearing to ensure an impartial and fair hearing, and to have the University consider all other of the issues raised by Dr. Eklund and any appropriate course of action.

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

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Proposed changes to Board Policy 906 Educational Building Corporations for final reading.

- Exhibit 2 Proposed amendment to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading

- Exhibit 3 Real Estate items that were approved by the IHL Board staff subsequent to the February 18, 2016 Board meeting.

- Exhibit 4 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

March 17, 2016

SYSTEM – PROPOSED REVISIONS TO BOARD POLICY 906 TO REMOVE SUBSEQUENT MEETING REQUIREMENT FOR BOND REFUNDINGS AND DEFEASEMENTS AND TO ADD CONTINUING DISCLOSURE PROCEDURES FOR FINAL READING

906 EDUCATIONAL BUILDING CORPORATIONS

Authority. Miss. Code Ann., Sections 37-101-61, and 37-101-63 (1972), as amended, grants the state institutions of higher learning the authority to form nonprofit corporations for the purpose of acquiring, or maintaining, equipping, improving or constructing facilities for use by the institution. These educational building corporations are granted the authority to issue bonds or other forms of debt obligations (if required for the type of debt to be issued) for the construction and renovation of facilities.

Financial Advisor. Prior to Board consideration of an institution's request to issue debt ~~by~~ of the educational building corporation for the construction, maintenance, equipping, acquisition, and renovation of facilities or to refinance outstanding debt, Board staff, in conjunction with institutional staff, must select a financial advisor(s) to represent the interests of the Board, the educational building corporation and the institution ~~to provide the Board with an independent analysis of the institution's financial condition, to verify that proposed revenue stream(s) are sufficient to repay the debt service and to recommend the project's viability.~~ If the educational building corporation will issue commercial paper, the financial advisor shall also calculate an opinion of the breakeven interest rate to long term bonds to justify the use of commercial paper. The financial advisor(s) shall meet such qualifications and perform such services as may be prescribed by the institution, the Board or its staff.

Payment to the financial advisor(s) shall be made by the institution, or the institution's educational building corporation, without regard for whether the Board approves the construction or renovation or whether the institution or educational building corporation constructs the project, or in the case of refinancing, whether the debt is refinanced.

Financing Projects. Prior to Board consideration of an institution's request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition or renovation of facilities, the financial advisor must provide the Board with an independent analysis of the institution's financial condition, to verify that proposed revenue stream(s) are sufficient to repay the debt service and to recommend the project's viability. If the educational building corporation will issue commercial paper, the financial advisor shall also calculate an opinion of the breakeven interest rate to long term bonds to justify the use of commercial paper. The institution shall submit the report of the financial advisor(s) and the request for a project initiation to the Board for approval. The request must state the institution's intent, justify the need for the project and give an estimate of the total construction budget. The request must also include naming the

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design professionals, bond counsel and senior underwriter(s) selected by the board of the educational building corporation.

~~Any selection of a financial institution to serve as trustee under a trust indenture, as escrow agent under an escrow agreement, or as a lender to an educational building corporation, either directly or through the purchase of obligations of the educational building corporation, shall be made by the educational building corporation in its sole discretion and shall not be subject to approval by the Board.~~

Following the Board's approval of the project initiation, the institution shall return to the Board at a subsequent meeting and present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations for the specific project, ~~and for approval of the following documents to which the Board will be a party: the lease, the ground lease, the preliminary official statement (if required for the type of debt to be issued), and the continuing disclosure agreement (if required for the type of debt to be issued).~~ The resolution also grants permission for the documents to be executed. In no case shall the educational building corporation issue bonds or other forms of debt obligations without specific approval of the debt obligations from the Board for specific projects. ~~Unless the Board approves otherwise, obligations shall be offered and sold through a competitive sale process or, alternatively, on a negotiated basis to an underwriter, in the case of bonds, or a dealer, in the case of commercial paper.~~

Refinancing or Defeasing of Outstanding Debt. Outstanding debt of the educational building corporation may be refinanced in accordance with the provisions of this policy. Prior to Board consideration of an institution's request to issue debt of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, the financial advisor must provide the Board with an independent analysis showing potential net present value (NPV) savings based on current market conditions. The institution's request must include naming the bond counsel and senior underwriter(s) selected by the board of the educational building corporation. After consideration of the financial advisor's analysis and other factors that the Board deems material, the Board may approve the issuance of debt by the educational building corporation, in the discretion of the authorized representatives of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, which authorization may be conditioned on the specific level of NPV savings being achieved. Refinancing or defeasing of debt does not require a subsequent meeting of the Board of Trustees provided the financial advisor has provided a report demonstrating adequate net present value savings and the bond resolution and form of bond documents have been presented to and approved by the Board.

Review and Approval of Documents. In connection with the issuance of debt for any purpose, the institution shall present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations and for approval of the following documents to which the Board will be a party: the lease, the ground lease, the preliminary official statement (if required for the type of debt to be issued), and the

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continuing disclosure agreement (if required for the type of debt to be issued). The resolution shall also authorize representatives of the Board to execute such documents. Prior to the approval of the resolution by the Board, the educational building corporation ~~should~~ shall submit to the Board staff, for informational purposes only, the form of any documents that are to be entered into by the educational building corporation in connection with the issuance of bonds or other debt, but to which the Board is not a party.

Method of Sale. Unless the Board approves otherwise, obligations shall be offered and sold through a competitive sale process or, alternatively, on a negotiated basis to an underwriter, in the case of bonds, or a dealer, in the case of commercial paper.

Selection of Financial Institution Participants. Any selection of a financial institution to serve as trustee under a trust indenture, as escrow agent under an escrow agreement, or as a lender to an educational building corporation, either directly or through the purchase of obligations of the educational building corporation, shall be made by the educational building corporation in its sole discretion and shall not be subject to approval by the Board.

Continuing Disclosure Obligations. Securities and Exchange Commission Rule 15c2-12 generally provides that an underwriter cannot sell governmental bonds unless an “obligated person” with respect to the bonds enters into a “Continuing Disclosure Agreement” (CDA) agrees to submit annually audited financial statements of the obligated person and other information as set forth in the CDA and notices of specified material events. With respect to the issuance of bonds by educational building corporations, the Board is an “obligated person” and the CDA will typically require audited financial statements and operating data for the entire IHL system to be submitted annually, rather than information on individual institutions. The material events specified in the CDA also typically relate to the entire IHL system.

To facilitate uniformity, efficiency and timeliness in complying with the requirements of Rule 15c2-12 relating to bonds issued by an educational building corporation, the Board, rather than the educational building corporation, will enter into the CDA and undertake to provide the annual disclosures and material event notices. The Board will hire an independent agent to assist with compliance with its obligations under CDA(s), as well as, compliance by educational building corporations under CDA(s) entered into by educational building corporations prior to the adoption of this policy upon approval by the Board. The Board, and/or its dissemination agent, will also sign up for the EMMA tickler system reminders.

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SYSTEM – PROPOSED AMENDMENT TO BOARD POLICY 301.0806 UNIVERSITY FOUNDATION / AFFILIATED ENTITY ACTIVITIES FOR FIRST READING

Board approval for first reading is requested regarding the below proposed amendment to Board Policy 301.0806 University Foundation / Affiliated Entity Activities. The following amendment is proposed in order to require university and IHL Board approval prior to any affiliated entity purchasing or leasing real property or executing a contract for improvements to real property.

301.0806 UNIVERSITY FOUNDATION/AFFILIATED ENTITY ACTIVITIES

A. Purpose of Foundations and Similar University Affiliated Entities:

This policy shall apply to the relationship between Mississippi public universities (“universities”) and university development foundations, research foundations, athletics foundations, alumni associations and all other similar entities affiliated with any of the eight state universities (collectively referred to as the “Foundation/ Affiliated Entities” or “Entities”).

The Board of Trustees (hereinafter “Board” or “IHL”) recognizes that such Entities have played and continue to play an important role in providing financial and other support for its institutions. This support has assisted the institutions in achieving a level of excellence not possible through state funding and tuition alone. While the Board of Trustees recognizes and appreciates the contributions made to higher education by such foundations and similar entities, the Board of Trustees reaffirms that the goal of the Entities is not to replace necessary support from the state.

The Board of Trustees also acknowledges that the independent nature of the Entities provides flexibility to state universities in fiscal management and responsiveness.

The primary purpose of the foundations and other entities affiliated with the state universities is to engage in raising and managing funds and/or other activities consistent with the mission and priorities of their respective affiliated institutions, as determined by the Institutional Executive Officer (the “IEO”) of each. Each Entity is expected to have a mission statement relevant to this purpose and to adopt policies, plans, and budgets designed to achieve that mission.

The Board fully recognizes the importance to the universities and to the Entities of preserving the confidentiality of information related to donors or potential donors. Providing appropriate confidential treatment for information related to donors who have voluntarily provided funds to support the state universities is in the best interests of this state and its citizens. Thus, it is the policy of the Board that its oversight of the relationship between the foundations and the universities shall be accomplished in a manner that will effectively and appropriately preserve and protect the confidentiality of such information to the fullest extent possible which is consistent with the duty of the universities and the IHL to assure that assets

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intended to benefit the state universities are appropriately and effectively managed and utilized.

B. Relationship Between Board And Affiliated Entities

As provided in Miss. Const. Art. 8, Section 213-A and Section 31-101-1 of the Miss. Code Ann. of 1972, as amended (the "Miss Code"), the Board of Trustees has governing authority over the eight state universities. Under such authority, the Board of Trustees has responsibility for ensuring that the public interest is served by any individual or organization that is established to support one of the eight state universities.

The Board recognizes that the Entities are not state agencies. The Entities have their own governing authorities. The Board recognizes that it does not have the power to exercise governing control over the Entities.

While the Board of Trustees does not have the power or authority to exercise governing control over the Entities, the Board has the full authority to establish the terms under which state universities will contract with private organizations. That is particularly necessary with respect to these Entities, since they, or some of them, will solicit and manage funds on behalf of and for the benefit of the state universities, and may use the name, logo, or other insignia identified with the state universities. The Board has the authority to require that any organization that manages funds for any state university, or whose name is associated with a state university under the governance of the Board, must adhere to ethical standards appropriate for such organizations and must properly manage, utilize and account for funds contributed to or for the benefit of the universities.

To ensure the independence of the affiliated Entities, no member or employee of the Board of Trustees of State Institutions of Higher Learning shall hold a voting position on an institutionally affiliated Entity board. The Board of Trustees may allow exceptions to this restriction if needed to comply with NCAA requirements or other proper purposes. Senior administrators of the institution should only participate on the Foundation/ Affiliated Entity's board in an ex-officio capacity.

C. Affiliation Agreements Required

Each university must enter into a formal contractual affiliation agreement (the "Affiliation Agreement") with its development foundation(s), research foundation(s), athletics foundation(s), alumni association(s) and any other similar university affiliated Entity in a form submitted to and approved by this Board. The Affiliation Agreement shall be reviewed for approval by the Board of Trustees at least every five (5) years, or whenever the Affiliation Agreement is changed (other than changes for non-substantive, conforming or purely administrative matters).

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Each university shall submit all existing or amended Affiliation Agreements to the Board for approval on or before June 30, 2010, in a form that the university believes will fully comply with the requirements of this policy as amended.

In order to appropriately conserve the resources of the universities and the IHL, and to expedite the Board's review of the proposed Affiliation Agreements within the time period set forth above, the IEO's of the universities are expected to direct the resources of their university to work in coordination with the other universities in developing and reviewing templates of proposed affiliation agreements to be used by all similar Entities and universities. Counsel for the Board will be directed to assist in that process. The universities are expected to use those templates insofar as practical, given the acknowledged differences between universities and the Entities, as the basis and pattern for preparing the proposed Affiliation Agreements which are required by this Policy.

D. General Requirements of Affiliation Agreements

The Affiliation Agreements for each Entity shall address and comply with the following general requirements and subjects:

1. Outlining the services and benefits the institution and the Entity are to provide to each other and the compensation or other requirements related thereto;
2. Describing the mechanisms by which the institution shall, through its IEO, keep the Entity apprised of the needs and priorities of the institution, and requiring that the Entity, in concert with donor intent or directives, if any, agree to consider and communicate to the university its ability and plans to fund university needs and priorities, as determined by the IEO;
3. Describing whether, and the terms under which, any institutional assets of the institution itself are to be managed by the Entity on behalf of the institution and providing for appropriate rights of inspection and auditing for such funds by the IHL and all appropriate state officials;
4. Delineation of the terms upon which the Entity is authorized to accept gifts, restricted and unrestricted, on behalf of or for the benefit of the institution;
5. Outlining the method under which all gifts, grants, endowments and other assets are accepted and accounted for by the Entity, the methods and procedures to be utilized in determining how the income related to those assets is to be computed and distributed to the universities, and the terms and conditions under which any portion of such assets or the income related thereto may be used for the operating or other expenses of the Entity;
6. Requiring that all gifts made to the university shall be accounted for and ownership maintained by that university, even though they may be managed by the Entity;
7. Requiring that the records of such Entity shall be maintained separately from the records of the respective affiliated institution;
8. Requiring maintenance of financial and accounting records in accordance with Generally Accepted Accounting Principles;
9. Requiring that the Entity must cause to be prepared annual financial statements of the condition of the Entity, which shall include such detail as the IHL Board may from time

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to time require; The Entity must also engage a Certified Public Accounting (CPA) firm to perform annual audits of the Entity's annual financial statements; The Entity shall submit the audited financial statements, along with a list of Entity officers, directors or trustees, not later than five months following the completion of the Entity's fiscal year, to the affiliated university's IEO and to IHL; However, the annual audited financial statements of some of the Entities will be required for inclusion in the State of Mississippi's Comprehensive Annual Financial Report (CAFR); Those Entities which will be required to submit annual audited financial statements for inclusion in the CAFR, as determined by the IHL Board's Deputy Commissioner of Finance and Administration and the external auditing firm hired to perform the annual IHL system audit, must submit annual audited financial statements to the affiliated university's IEO and to the IHL, along with a list of Entity officers, directors or trustees, by October 15 of each year; The IHL Board's Deputy Commissioner of Finance and Administration shall notify each such Entity of the applicability of the October 15 deadline to such Entity as far in advance of the deadline as possible each year; The CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity's fiscal year for which the audit will be conducted; Unless approval is specifically granted for multiple years, approval of a firm by the IHL Board for one year does not constitute approval for other years, and requests for approval of the CPA firm must be submitted on an annual basis; However, at the request of the Entity, the IEO of a university, with the approval of the IHL Board, may grant a request of the Entity to waive the requirement of an annual audit by a CPA firm on a showing of adequate grounds, such as a showing that the assets of the Entity are so limited as to make the expense of engaging a CPA firm to perform an audit financially burdensome to the Entity and unnecessary; Such a waiver may be conditioned upon such other review of the financial records of the Entity in lieu of an audit as the University and the IHL may deem feasible; Such a request for a waiver must be accompanied by (a) the most recent annual audited financial statements of the Entity (if any such statements exist), (b) the financial statements of the most recently completed fiscal year, (c) a written description of how the Entity anticipates that the year-end financial statements for the current year will differ from the financial statements as of the end of the most recently completed fiscal year, and (d) a good faith estimate of the cost of engaging an auditor with respect to the statements; The granting of any request to waive the requirement of an annual audit by a CPA firm approved by the IHL is within the sole discretion of the university and the IHL Board; Any waiver of the audit requirement will apply only for one year, and any request to waive the requirement for the next year should be submitted as outlined above;

10. Requiring that the Entity only accept or solicit gifts for the benefit of the university that are consistent with the university's mission, goals or objectives;
11. Requiring that the Entity manage all funds in its control in a fiscally sound and prudent manner;
12. Requiring that the Entity establish and maintain a conflict-of-interest policy that complies with all requirements of Miss. Code Ann. §79-11-269 (1972) as amended, entitled "Conflict of interest Transaction";

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13. Requiring that no form of additional compensation for an IEO or any IHL system office employee be underwritten or increased by the Entity without the prior approval of the Board; The request for approval shall come through the Commissioner to the IHL Board; As to other university employees, the Affiliation Agreement will provide that no form of additional compensation may be provided or paid by the Entity without the prior approval by the IEO; All such approvals by the IEO must be reported to the Board of Trustees at its next official meeting; This provision does not apply to transfers from the Entity to the supported university for items such as professorships, chairs, and other programmatic support that are paid directly to the university and included in its annual budget;
14. Requiring the Entity to submit to the IHL an annual report providing a detailed list of supplemental compensation provided to administrators, faculty, athletic staff, and other employees; provided however that the Affiliation Agreement may provide for appropriate exceptions for such compensation made by the institution out of funds routinely provided to the institution to be included in its budget; and,
15. Requiring compliance with all state and federal laws applicable to such organizations.
16. Establishing appropriate maximum limits on the period of time for which the Entity shall enter into contracts for professional, advisory, or other personal services.
17. Requiring that the provisions of the affiliation agreement shall apply to any and all entities owned or controlled by the affiliated Entity, with the exception of a special purpose entity created for the sole and specific purpose of utilization as a financing vehicle for the private financing of university auxiliary facilities by a private developer using the alternate dual-phase design-build privately financed construction method, as specially authorized by Miss. Code Ann. Section 37-101-41, et seq. (1972), as amended. If the use/purpose of any such special purpose entity ever changes, the special purpose entity would then be required to comply with any and all provisions of the affiliation agreement between the university and the Entity which owns or controls the special purpose entity.

E. Affiliation Agreements Shall Require Notice of Certain Events

In addition to the foregoing general requirements, the Affiliation Agreement shall contain provisions requiring that the IHL be notified of certain events or actions that may affect the operations, reputation, legal status, and assets of any entity or any university. The Affiliation Agreement shall require that the chief executive officer of the Entity and its other governing authorities will immediately notify the IEO and the IHL, in writing, if any of the following events (hereinafter "Reportable Events") occur:

1. The Entity has materially breached any of its contractual obligations under the Affiliation Agreement;
2. The Entity has materially failed to properly receive, apply, manage or disburse any funds or has materially failed to properly comply with any binding instructions from donors relating to those funds;
3. The Entity has engaged in any conduct that is prohibited or subject to sanction under state or federal law, including any and all requirements applicable to tax exempt organizations;

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4. There has been a failure by the Entity or any of its officers and directors to comply with any conflict of interest requirements created by applicable state or federal law or by the governing documents or procedures of the Entity;
5. Any state or federal regulatory body begins any investigation of any matter that may have a significant financial or regulatory effect on the Entity or upon its status as a tax exempt organization; or
6. The Entity has contracted with or entered into any business or pecuniary relationship with any of its board members, other than a full time employee of the Entity, or any Entity controlled directly or indirectly by the board member, which would reasonably be expected to provide for payment or benefits to that person exceeding the value of \$50,000 in any calendar year; The previous sentence creates a duty for the Entity to report any such transaction but does not suggest or imply that all such transactions are either prohibited or permitted.
7. The Entity intends to purchase or lease real property or execute a contract or contracts for improvements to real property. The Entity shall provide notice of this Reportable Event to the university IEO and to the IHL Board at least thirty days before the proposed purchase or transaction by the Entity. The Entity also agrees not to proceed with such purchase or transaction unless it receives written approval of same from the IEO of the associated university following approval by the IHL Board. Following notification of the reportable event concerning the proposed purchase(s)/transaction(s), the IHL Board shall take the matter up at its next scheduled meeting, or shall use reasonable efforts to call a special Board meeting to discuss same as expeditiously as possible as to prevent any unnecessary delay in the intended purchase or transaction.

The Affiliation Agreement shall require that the chief executive officer of the Entity shall submit to the IEO of the supported university and the IHL a signed certification statement annually, before January 31 of each year, which affirmatively states that the Entity has examined its donor records and business transactions occurring during its fiscal year ending within the prior calendar year, and that to the best of its knowledge, there is no evidence that any Reportable Events occurred, other than those which have been duly reported to the IEO and the IHL as required above. The chief executive officer of each Entity shall re-affirm that, in the event he/she becomes aware of any such Reportable Events, the chief executive officer will immediately notify, in writing, the IEO of the university.

F. Affiliation Agreements must Require Entity to Provide Certain Additional Information to IEO upon Request

In addition to the foregoing general requirements, the Affiliation Agreement of each Entity will contain provisions requiring that the Entity furnish to the IEO of the corresponding university, or such person as the IEO may designate, any and all information relating to the operation or management of the Entity or any funds contributed to, received by, expended by, or managed by the Entity.

It is the policy of the Board that to the extent that information is inspected, reviewed or received by the IEO or his designees with respect to the identity of donors who have

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expressly stated they wish to remain anonymous, or with respect to any information relating to the identification, cultivation and solicitation of donors, or with respect to personal information relating to a donor or his/her family business, such information shall be treated as confidential by the IEO and any designee who may acquire such information. The IEO is expected to take appropriate safeguards to assure that such information is utilized or disseminated only in a manner that is appropriate under the circumstances.

The IEO shall promptly notify the Board and Commissioner of Higher Education if the Entity refuses or fails to produce any information requested by the IEO.

G. Affiliation Agreement must Provide for Right of Board to Require Information from Entity or to Examine Records of Entity

Ordinarily, the Board will not request information from any Entity and will allow the IEO to oversee the compliance by the Entity with the Affiliation Agreement and to determine that funds are being appropriately received, managed, and expended. In some circumstances, however, the Board may determine it to be necessary to secure additional information from the Entity or to review appropriate records of the Entity. The Entities hold funds that are intended to benefit the institutions of the state, and the Board has an interest in the proper administration of those funds. Thus, the Affiliation Agreement will provide that the Board may require the Entity to provide information or allow inspection of its records as required by the Board to determine that the Entity is in compliance with the Affiliation Agreement and that the funds held for the institution or for its benefit are appropriately utilized and protected. No such request for information will be made by individual Board members to any Entity or to any IEO.

As a matter of general policy, the Board will attempt, when appropriate, to resolve any issues or concerns about the activities of any Entity informally. Examples of such informal methods include responses by the Entities to requests from the auditors employed by the Board or a report from an accounting firm approved by the Board to review records related to the matters at issue. The decision of any entity as to whether and how to comply with such informal requests is within the discretion of the governing authorities of the entities. The Board anticipates that, normally, any questions related to the Entities can be resolved through such informal procedures.

The Affiliation Agreement shall provide, however, that the Board may determine by appropriate action, at a duly called meeting of the Board, that informal measures are or will be untimely, insufficient, or inappropriate to secure information necessary to allow the Board to determine that the Entity is appropriately complying with the Affiliation Agreement and that funds intended to be used for the benefit of the institution are appropriately maintained and expended. The Affiliation Agreement will provide that, if the Board makes such a finding, the Entity will permit an audit, inspection or review of the financial and other records of the entity by persons selected by the Board, which persons shall have the power to determine the appropriate scope of the investigation and the records to be examined, and that the Entity will fully cooperate with any such inquiries.

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As noted above, it is the policy of the Board that it will not unnecessarily disclose or disseminate any information relating to the Entities, and in particular, any information related to donors to the Entity. In some circumstances, however, such as those involving alleged misuse or misappropriation of funds, appropriately limited disclosure of information related to donors may be necessary in order to conduct the investigation and to recover the funds, or to allow prosecution with respect to any misappropriation of funds. Thus, the Affiliation Agreement must specifically recognize that the final determination as to the appropriate extent of any disclosure or other use of the information is in the discretion of the Board. Any decision to release any information that would identify any particular donor shall be made by the Board. No individual Board member or employee of the IHL will release such information without authorization from the Board.

H. Required Termination Provisions to Be Included in Affiliation Agreement

The Affiliation Agreement will provide that the Affiliation Agreement may be terminated by the IEO, with the prior approval of the IHL, for cause with no notice or without cause upon thirty days notice. Upon termination, (1) the Entity shall cease to use and shall not assign or delegate the authority to use the respective university's name or registered marks or logos to any person or entity without the written approval of the IEO, (2) the Entity shall remit any and all unrestricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (3) the Entity shall work in concert with its donors, to the extent practicable and allowed by law, to move any restricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (4) the Entity shall work in concert with persons or entities with which it had contractual relations to the extent practical and allowed by law, to assign any contracts to such entity as designated by the university IEO; and (5) the Entity shall work in concert with the university to provide the university or its designee with records and materials of the Entity as are necessary to continue the business and/or wind up the affairs of the Entity.

Because an Entity may hold assets intended to benefit the universities, the Affiliation Agreement will provide that the Entity will have no right to terminate the Affiliation Agreement without the consent of the IEO and the Board.

I. Restructuring Relationship in Event of Irreconcilable Differences

The Board expects there to exist a cooperative relationship between the Entities and the universities. The Board is aware of situations in other states where foundations have attempted to use the leverage provided by control of funds contributed for the benefit of the universities to require the university to take action desired by the foundation. Exercise of such power would interfere with the power of the IEO's and, ultimately, the power of the Board. To provide for the eventuality in which it appears that the IEO and the Entity have irreconcilable differences that interfere with the Entity serving the purposes for which it is intended, the Affiliation Agreement must provide for some mechanism to allow a resumption of normal relationships to benefit the university. In such a case, it would be detrimental to

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the university to allow the Entity to simply terminate the relationship – since it may hold funds and other assets intended for the benefit of the university. Thus the Affiliation Agreement shall provide for a mechanism to deal with that possibility that will effectively accomplish the purpose of insuring that the Entity's goals remain appropriately aligned with those of the university.

The Affiliation Agreement must therefore provide for such a mechanism. The universities are expected to finalize the relationship with the Entities to accomplish the purpose on or before December 31, 2010.

Any university, after consultation with an affiliated Entity, may propose, on or before December 31, 2009, to include an appropriate plan to accomplish this purpose in the Affiliation Agreement for that Entity.

For example, a university may choose to propose a mechanism to allow the Entity to restructure its governing board. As an illustration of such a mechanism, such a plan might provide as follows:

In the event that the IEO notifies the IHL that the relationship between the IEO and the Entity's governing authorities is detrimental to the well being of the university, then IHL shall attempt to reconcile the parties. However, if the IHL determines that it is in the best interests of the university to substitute new governing authorities of the Entity, and unless the matters are resolved, the IHL Board may direct, in its sole discretion, that at the expiration of a 90 days notice period, the terms of office of the then existing board of directors of the affiliated Entity (or the persons serving that role in governance of the Entity, regardless of title) shall be deemed to have expired. Those persons shall be replaced by a nine member board selected by the following persons: 1) one member appointed by the mayor of the municipality in which the subject university is located or to which it is nearest, 2) one member appointed by the subject university's IEO, 3) one member appointed by the subject university's chief academic officer, 4) one member appointed by the president of the board of supervisors of the county in which the subject university is located, 5) one member appointed by the governor, 6) one member appointed by the Commissioner of Higher Education, 7) such other person, as the Affiliation Agreement may provide, who is affiliated with another Entity associated with the affected university; 8) one member appointed by the current president of the subject university's student body, and 9) one member appointed by the most recent past president of the subject university's student body.

However, each university and Entity may choose to agree upon some different arrangement which would accomplish the same end. Because of the differences in the various Entities, the types and amounts of assets held by the Entities, the debt obligations of some Entities, ongoing contractual obligations, and other similar factors, the Board will address such proposals on an individual basis to determine their effectiveness, feasibility and practicality. Any such proposal must be submitted with all of the information necessary to fully evaluate the proposal. The exact language of all documents required to implement such a proposal shall be included in the submission to the Board.

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Any such proposals will be considered by the Board and acted upon before March 31, 2010. Failure to submit sufficient information to allow a full understanding as to the effectiveness and practicality of such a plan will prevent the Board from considering the proposal. In the absence of approval by the Board of some other alternative provisions to accomplish such purpose by March 31, 2010, or any extension granted by the Board, it is expected that each university will enter into a contract with all related Entities under terms similar to those in the illustration set out above.

If the Entity is a university research foundation formed pursuant to Miss. Code Ann. Section 37-147-15 (1972), as amended, the new board of directors shall be appointed by the subject university's IEO, in accordance with applicable state law.

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SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE February 18, 2016 BOARD MEETING SUBMISSION DEADLINE

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

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

DELTA STATE UNIVERSITY

1. DSU– GS 102-257 – Residence Hall Fire Suppression

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$17,978.40 and eleven (11) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, January 27, 2016

Change Order Description: Change Order #2 includes the following items: add new addressable smoke detectors with sounder base in the second floor corridor at the tip of the stairway in 46 apartments; and eleven (11) additional days to the contract..

Change Order Justification: Fire alarm devices had to be added in hall corridors from recommendation of the Fire Marshal; additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$51,599.52.

Project Initiation Date: September 18, 2014

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Sullivan Enterprises, Inc.

Project Budget: \$2,250,000.00

JACKSON STATE UNIVERSITY

2. JSU– GS 103-267 – Alexander Center Renovation Phase I

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the credit amount of \$690.00 and zero (0) additional days to the contract of Coleman Hammons Construction Company, Inc.

EXHIBIT 3

March 17, 2016

Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, January 27, 2016

Change Order Description: Change Order #5 includes the following items: deduct the difference between the controls allowance and the actual cost.

Change Order Justification: Credit is due for the difference between the controls allowance amount and the actual cost proposal for the controls work.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$653,698.11.

Project Initiation Date: June 16, 2011

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$7,684,000.00

MISSISSIPPI STATE UNIVERSITY

3. MSU– IHL 205-267 – MSU Fresh Food Company Residential Dining Facility Phase II

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$63,400.42 and zero (0) additional days to the contract of JESCO, Inc.

Approval Status & Date: APPROVED, January 29, 2016

Change Order Description: Change Order #5 includes the following items: add a refrigerated base; ductile iron piping; dry type fire protection; temporary fencing; added CAT 6 cables; auto operator at the front door; restroom light; grease duct wrap; VAV catwalk; ladder; colored concrete plaza; plaque; handrails; faucets; handicap ramps; power to gate at the plaza; tile at the knee wall; elevator shunt; GFCI at the oven; and louvers at the cabinets.

Change Order Justification: Changes in requirements or recommendation by governmental agencies; errors and omissions in the plans and specifications, latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$70,226.47.

Project Initiation Date: September 11, 2012

Design Professional: JH&H Architects/Planners/Interiors, P.A.

General Contractor: JESCO, Inc.

Phased Project Budget: \$13,062,827.00

Project Budget: \$14,400,000.00

4. MSU– IHL 205-276 – Residence Hall North

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$420,282.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, February 8, 2016

EXHIBIT 3

March 17, 2016

Change Order Description: Change Order #2 includes the following items: supply electrical feed to Giles Hall from the medium voltage switch on the Residence Hall site; add site retaining walls north of Butler Hall; added louvers, dampers and sump pumps at the elevator shafts; remove & replace unsuitable soil at the south building elevator pit; provide standing seam metal roofing at all three (3) buildings in lieu of asphalt shingles; and add a multi-piece shower unit at the location of the drain/structure conflict.

Change Order Justification: Changes in requirements or recommendation by governmental agencies; errors and omissions in plans & specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$593,898.00.

Project Initiation Date: May 15, 2014

Design Professional: McCarty Company/Hanbury Evans

General Contractor: W.G. Yates & Sons Construction Company

Project Budget: \$60,500,000.00

UNIVERSITY OF MISSISSIPPI

5. UM – IHL 207-354 – Honors College Renovation and Addition

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$27,329.10 and twenty-four (24) additional days to the contract of Hooker Construction, Inc.

Approval Status & Date: APPROVED, February 8, 2016

Change Order Description: Change Order #5 includes the following items: additional pipe and fittings to be made into an existing junction box and to re-route the line, along with a different tap into the new basin; unsuitable soil was removed, exported, and then replaced with compacted select fill; a section of buried concrete found in the proximity of an inlet had to be removed & exported off the site and backfilled with a select fill material; re-route the storm drain around a sewer line which was not able to be installed in the location as originally planned due to additional problems; and twenty-four (24) additional days to the contract..

Change Order Justification: All items of this change order were due to latent job site conditions. No fees are paid to design professional for correction of errors and omissions in the contract documents.

Total Project Change Orders and Amount: Fourteen (14) change orders for a total amount of \$531,156.13.

Project Initiation Date: November 17, 2011

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: Hooker construction, Inc.

Project Budget: \$6,900,000.00

EXHIBIT 3

March 17, 2016

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

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, February 11, 2016

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architecture, P.A.

General Contractor: TBD

Total Project Budget: \$32,000,000.00

7. **UM– IHL 207-387 – Track Facility Restoration**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$32,630.02 and four (4) additional days to the contract of Xcavators, Inc.

Approval Status & Date: APPROVED, February 8, 2016

Change Order Description: Change Order #1 includes the following items: saw cut the existing sidewalk; remove the concrete sidewalk; remove two (2) existing holly bushes; connect 10” HDPE into the existing inlets; locate the existing 12” water line; fill the exiting storm inlet with concrete to elevations shown on the drawing; install 240 linear feet of 10” HDPE storm drain; add temporary construction fencing; excavate existing subgrade for storm drainage installation; provide temporary grassing for the disturbed areas; provide trench box for excavation; replace the concrete sidewalk; plug the existing 18” HDPE storm drainage at each end with concrete fill and four (4) additional days to the contract.

Change Order Justification: This change order is necessary due to latent job site conditions and four (4) additional days were added for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$32,630.02.

Project Initiation Date: June 19, 2014

Design Professional: CHA Consulting, Inc.

General Contractor: Xcavators, Inc.

Total Project Budget: \$7,900,000.00

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

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$8,509.55 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 5, 2016

Change Order Description: Change Order #1 includes the following items: install a new floor drain & electrical circuit; modify the existing duct, and demolish the existing casework in the Starnes Building to facilitate the installation of a new ice machine.

Change Order Justification: This change order was requested by the user/owner agency.

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$16,985.54 and zero (0) additional days to the contract of Roy Anderson Corporation.

EXHIBIT 3

March 17, 2016

Approval Status & Date: APPROVED, February 11, 2016

Change Order Description: Change Order #2 includes the following items: install floor drains in the South End Zone to include trenching.

Change Order Justification: This change order was due to unforeseen job site conditions.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$25,495.09.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Project Budget: \$30,593,713.00

9. **UM- IHL 207-406 – All-American Drive Drainage Corrections**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$951,649.00 to the apparent low bidder, Encor, LLC.

Approval Status & Date: APPROVED, February 3, 2016

Project Initiation Date: October 15, 2015

Design Professional: Engineering Solutions, Inc.

General Contractor: Encor, LLC

Total Project Budget: \$1,600,000.00

10. **UM- IHL 207-409 – Croft Institute – Building Envelope Corrections**

Approval Request #1: Change Order #2 (Revised)

Board staff approved Change Order #2 in the amount of \$186,108.00 and forty-five (45) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, February 5, 2016

Change Order Description: Change Order #2 includes the following items: remove and rebuild the east brick wall utilizing concrete masonry unit brick & new facing brick; and forty-five (45) additional days to the contract.

Change Order Justification: This change order is necessary due to extensive deteriorations of mortar discovered at the inner wythes; and forty-five (45) additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$369,862.68.

Project Initiation Date: October 15, 2015

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Barnes & Brower, Inc.

Project Budget: \$1,250,000.00

11. **UM – IHL 207-413 – Greek Village Preliminary Lot Grading (Revised)**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Precision Engineers Corporation.

Approval Status & Date: APPROVED, February 2, 2016

Approval Request #2: Waiver of Design Development Documents

EXHIBIT 3

March 17, 2016

Board staff approved the Waiver of Design Development Documents as submitted by Precision Engineers Corporation.

Approval Status & Date: APPROVED, February 2, 2016

Project Initiation Date: December 17, 2015

Design Professional: Precision Engineers Corporation

General Contractor: TBD

Project Budget: \$1,933,636.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

12. UMMC– IHL 209-548 – School of Medicine Utilities

Approval Request #1: Change Order #9

Board staff approved Change Order #9 in the credit amount of \$4,124.10 and one hundred eighty-eight (188) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, February 1, 2016

Change Order Description: Change Order #9 includes the following items: remove a fire hydrant and regrade the area; repair the existing road in the construction access route; reconcile allowances for the gas regulators and irrigation; and one hundred eighty-eight (188) days to the contract.

Change Order Justification: The fire hydrant was left as part of the utility project; the road repair was caused by construction traffic on the campus; credit is due to reconcile the remaining project allowances that were not utilized in the project; and one hundred eighty-eight days for work as indicated herein.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$415,879.90.

Project Initiation Date: August 15, 2013

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A. + Eley Guild Hardy Architects, P.A. – A Joint Venture.

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$10,000,000.00

EDUCATION AND RESEARCH CENTER

1. ERC– GS 111-052 – Structural & Subsurface Repair

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the credit amount of \$4,330.00 and thirty (30) additional days to the contract of Gregory Construction Services.

Approval Status & Date: APPROVED, January 26, 2016

Change Order Description: Change Order #2 includes the following items: redesign the south courtyard for a more functional use; use exposed aggregate concrete in lieu of brick pavers; use a light weight concrete base and 4” concrete over east courtyard; and thirty (30) additional days to the contract.

EXHIBIT 3

March 17, 2016

Change Order Justification: This change order is necessary to redesign for functionality of surrounding tenants; the brick pavers would not fully prevent water penetration and aggregate concrete would be a cost savings; the basement ceiling exposed on the east courtyard could not handle the full weight of the concrete; and thirty (30) additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$145,670.00.

Project Initiation Date: November 21, 2013

Design Professional: JBHM Architecture

General Contractor: Gregory Construction Services

Project Budget: \$3,463,570.87

EXHIBIT 4

March 17, 2016

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 Evans Petree (statement dated 1/15/16) from the funds of the University of Mississippi. (This statement, in the amount of \$590.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 590.00

Payment of legal fees for professional services rendered by Jones Walker (statement dated 1/20/16) from the funds of the University of Mississippi. (This statement, in the amount of \$3,879.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,879.00

Payment of legal fees for professional services rendered by Mayo Mallette (statements dated 1/13/16 and 2/10/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,528.50 and \$5,563.40, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 8,091.90

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/1/15, 2/1/16 and 2/1/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$375.00, \$27.83 and \$90.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 492.83

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 12/8/15) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$7,489.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,489.00

Payment of legal fees for professional services rendered by Bradley Arant (statement dated 12/21/15) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$3,416.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,416.50

EXHIBIT 4

March 17, 2016

Payment of legal fees for professional services rendered by Butler Snow (statement dated 12/2/15) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$12,579.30, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 12,579.30

Payment of legal fees for professional services rendered by Watkins and Eager (statements dated 10/29/15 and 10/30/15) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$495.00 and \$528.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,023.00

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 12/9/15, 12/9/15, 1/4/16 and 1/4/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,035.00, \$8,147.68, \$8,464.50 and \$2,239.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 19,886.68

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 12/1/15, 12/1/15, 12/1/15, 12/1/15, 12/1/15, 12/1/15, 12/1/15, 1/4/16, 1/4/16, 1/4/16, 1/4/16, 1/4/16, 1/4/16, 2/1/16, 2/1/16, 2/1/16 and 2/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$29.28, \$41.22, \$37.00, \$40.72, \$15.81, \$39.42, \$13.41, \$25.54, \$1,500.00, \$48.90, \$28.38, \$16.08, \$19.68, \$1,500.00, \$19.68, \$12.14 and \$37.60, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 3,424.86

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

Payment of legal fees for professional services rendered by Butler Snow (statements dated 11/12/15, 1/12/16, 1/12/16, 1/12/16 and 1/15/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Cancer Therapeutic Use of Occidiofungin" - \$6,524.00; "Effective Oximes Patent Prosecution" - \$504.00; "Molecular Design and Chemical Synthesis of Pharmaceutical-Ligands and Analogs-MSU" - \$997.00; "Nematode-Upregulated Peroxidase Gene Promotor from Nematode-Resistant Maize Line" - \$1,890.00 and "Methods of Preparation of Live Attenuated Bacterial Vaccines by Alteration of DNA Adenine Methylase (DAM) Activity in those Bacteria" - \$400.00, respectively.)

TOTAL DUE.....\$ 10,315.00

EXHIBIT 4

March 17, 2016

Payment of legal fees for professional services rendered by Larry Schemmel (statement dated 2/5/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Southern Gardening Service Mark" - \$403.75.)

TOTAL DUE.....\$ 403.75

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/31/15, 12/31/15, 12/31/15, 1/31/16 and 1/31/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Methods of Synthesizing Graphene from a Lignin Source" - \$4,662.50; "Nano-Structured Catalysts for Methane Reforming" - \$3,172.50; "Process & Catalysts for Coverting Biomass" - \$38.00; "Process and Catalysts for Coverting Biomass" -\$786.00 and "Methods and Kits for Detecting Antigenic Drifts" - \$1,666.50, respectively.)

TOTAL DUE.....\$ 10,325.50

Payment of legal fees for professional services rendered by Valauskas Corder (statements dated 4/17/15, 4/17/15, 1/21/16, 1/21/16 and 1/21/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Bio-Oil Pretreatment" - \$145.00; "Blue Stain System" - \$187.50; "Bio-Oil Pretreatment" - \$85.00; "Blue Stain System" - \$1,417.50 and "Bio-Oil" - \$1,942.50, respectively.)

TOTAL DUE.....\$ 3,777.50

Payment of legal fees for professional services rendered by Armstrong Teasdale (statement dated 1/20/16) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Systems and Methods for Detecting Transient Acoustic Signals" - \$1,359.12.)

TOTAL DUE.....\$ 1,359.12

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/26/16, 1/29/16 and 2/4/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Compositions for Prevention/Prophylactic Treatment of Poison Ivy" - \$3,245.10; "Non-Peptide Small Molecule Agonist and Antagonist Original Leads" - \$175.00 and "Compositions for Prevention/Prophylactic Treatment of Poison Ivy" - \$16,574.05, respectively.)

TOTAL DUE.....\$ 19,994.15

EXHIBIT 4

March 17, 2016

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/31/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Delivery of Medicaments to the Nail” - \$160.00; “Methods for Detecting Humans” - \$72.91; “Stabilized Formulation of Triamcinolone” - \$1,150.00 and “Indolizine-Based Donors as Organic Sensitizers Components for Dye” - \$416.00.)

TOTAL DUE.....\$ 1,798.91

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/31/15) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$344.50, \$2,700.50, \$308.00, \$577.00 and \$9,121.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 13,051.00