

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
May 15, 2014**

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 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 26, 2013, to each and every member of said Board, said date being at least five days prior to this May 15, 2014 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Robin J. Robinson was absent. The meeting was called to order by Mr. Aubrey Patterson, President, and opened with prayer by Bishop Clay Lee.

INTRODUCTION OF GUESTS

- President Patterson welcomed the Student Government Association Officers: Zackeus Johnson, SGA President for Alcorn State University; Keonte Turner, SGA President for Jackson State University; Brett Harris, SGA President for Mississippi State University; Sade' Meeks, SGA President for Mississippi University for Women; Derrick Jones, SGA President for Mississippi Valley State University; and Jeffrey George, SGA President for University of Southern Mississippi.
- Dr. William Bynum, President of Mississippi Valley State University, introduced Dr. Constance Bland, the new Vice President of Academic Affairs.

APPROVAL OF THE MINUTES

On motion by Trustee Blakeslee, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on April 24, 2014.

CONSENT AGENDA

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

FINANCE

1. **MSU** – Pending receipt, review, and approval of the final agreement by the Attorney General's Office, the Board approved the request to lease approximately 6,146 square feet of space to the United States Postal Service (USPS) for a full-service, on-campus postal facility for an initial five-year term and any renewal terms provided there are no increases in leased space or

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decreases in rental payments in any subsequent terms. USPS can renew the agreement for two additional five-year terms. The agreement requires MSU to renovate the leased space prior to occupancy by USPS. Therefore, the start date and the end date of the agreement are dependent on completion of renovations to the leased space and occupancy of the leased space by USPS. USPS will pay MSU \$20,448 per year in equal monthly payments of \$1,704 for the term of the agreement. For a fifteen-year agreement, the revenue generated by the agreement will be \$306,720.

2. **MSU** – Exhibit 1 attached hereto represents approval by the Mississippi Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Mythics, Inc. for the provision of Oracle software licenses and related support services for MSU. The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The agreement is between Mythics, Inc. and MS-ITS on behalf of MSU. **(See Exhibit 1.)**
3. **MSU** – Approved the request to escalate the FY 2014 MSU On-Campus budget from \$259,815,785 to \$264,103,284. The increase of \$4,287,499 is primarily from non-resident tuition revenue realized above the original budget and is applied to instructional salaries and scholarships.

Categories	Original FY 2014 Operating Budget	Revisions/ Escalations	Revised FY 2014 Operating Budgets
Salaries, Wages, & Fringe Benefits	\$ 174,109,369	\$ 2,363,869	\$ 176,473,238
Travel & Subsistence	902,451	59,967	962,418
Contractual Services	72,570,619	(2,072,417)	70,498,202
Commodities	2,740,031	652,223	3,392,254
Capital Outlay:			
Other Than Equipment	2,198,522	(2,286)	2,196,236
Equipment	1,082,799	1,845,852	2,928,651
Transfers:			
Mandatory	54,435	30,489	84,924
Non-Mandatory	6,157,559	1,409,802	7,567,361
Increase in Fund Balance			
TOTAL	\$ 259,815,785	\$ 4,287,499	\$ 264,103,284

4. **UM** – Approved the request to rent twenty-seven copiers from Robert J. Young Company, Inc. d/b/a RJ Young Co, Inc. for use by the Athletics Department. The term of the agreement is sixty months starting on the date the agreement is signed by both parties. There are no automatic renewals and no options to purchase. The cost of the sixty-month agreement is \$497,442. UM will pay a rental payment of \$8,290.70 per month. This payment will include 188,000 black-and-white copies/prints per month. Black-and-white copies/prints in excess of 180,000 will be billed quarterly at .008 each. All color copies/prints will be billed quarterly at .0459 each. Due to increased purchasing power with Canon, this agreement will decrease the current cost per month

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by \$1,628.27. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

5. **UMMC** – Approved the request to modify the total expenditure amount applicable to its reagent rental agreement with Hologic, Inc. to purchase supplies and lease equipment for use in genetic serology screening for patients at risk for thrombosis. The rental cost for the equipment is included in the cost of the reagents. The term of the agreement remains at three (3) years – August 2, 2013 through August 1, 2016. The modified total estimated cost for the contract period is \$192,057.74 which is \$148,146.61 over the originally approved total. The originally approved cost was \$43,911.13. The request to spend additional funds is due to a rise in the volume of testing being performed. The agreement will be funded by patient revenues. A copy of the original agreement was reviewed and approved by the Attorney General's Office. No additional approval by the AG's Office is needed for the modification. The modified agreement is on file at the Board Office.
6. **UMMC** – Approved the request to enter into an agreement with Mississippi Blood Services, Inc., a non-profit organization, for the provision of blood and blood related products to patients at UMMC Grenada who require human blood and/or blood product transfusions. The term of the agreement is for five (5) years beginning on or about June 1, 2014 through May 31, 2019. The total estimated contract cost for the five (5) year contract term is \$1,802,807.97. Based on historical data, UMMC Grenada estimates spending \$23,000 per month for the first year of the agreement. Beginning in Year 2 of the agreement and each year thereafter, there is the potential for a monthly price increase based on increases in patient need and in the cost of blood processing fees. A breakdown of costs is included in the bound *May 15, 2014 Board Working File*. The agreement will be funded by patient revenues. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
7. **UMMC** – Approved the request to enter into a reagent rental agreement with Werfen USA, LLC. d/b/a Instrumentation Laboratory (IL) for blood gas testing equipment and supplies for the UMMC Hospital Clinical Laboratory. The contract term remains at five (5) years, beginning on or about June 1, 2014 through May 31, 2019. The total five (5) year cost is estimated to be \$2,378,767.89 for the cartridges and supplies that UMMC commits to purchase. Beginning June 1, 2017 and each June 1st thereafter for the term of the agreement, and upon thirty (30) days written notice, there may be an annual rate adjustment in an amount not to exceed the increase in the Consumer Price Index for All Urban Consumers, U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC estimates a maximum rate adjustment of 4% yearly in the event IL opts to impose a price adjustment on UMMC. A breakdown of the annual estimated costs including a potential 4% rate adjustment are included in the bound *May 15, 2014 Board Working File*. The agreement will be funded by patient revenues. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

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8. **UMMC** – Approved the request for the Friends of Children’s Hospital, an affiliated entity of the University of Mississippi Medical Center, to engage the Haddox, Reid, Eubank, Betts, LLP firm to conduct its annual audit for fiscal year 2014 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, D. General Requirements of Affiliation Agreements Subsection 9.
9. **UMMC** – Exhibit 2 attached hereto represents the agenda item submission prepared by the Mississippi Information Technology Services’ (MS-ITS) executive staff for its April 17, 2014 Board meeting. The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The agreement for Clinical Dialysis EHR software and billing services will be between Infian and MS-ITS on behalf of UMMC. **(See Exhibit 2.)**
10. **USM** – Exhibit 3 attached hereto represents approval by the Mississippi Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of licensing, hosting and services related to the Blackboard Learning Management System for USM. The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of USM. **(See Exhibit 3.)**
11. **USM** – Approved the request to renew a contract with United Healthcare Insurance Company for health insurance plans for graduate assistants, residence assistants, and international students. The contract is for one (1) year, August 15, 2014, through August 14, 2015, with options for mutually agreed upon annual renewals. The total premiums paid are dependent on the actual number of student participants. USM calculated a cost estimate based on prior participation rates and projected FY2015 enrollment in the program. It is estimated that the total cost for the one (1) year period will be approximately \$1,167,320 based on an enrollment of 770 students at a premium rate of \$1,516 per student. USM anticipates paying approximately \$576,000 toward the estimated total cost. The insurance program will be funded by several sources: institutional funds, direct billing of student accounts, and funds received on behalf of students from externally funded grants and contracts. Graduate assistant premiums are funded from a combination of all of the available sources and resident assistants are funded through auxiliary accounts, while premiums for international students are completely covered by direct billing to student accounts. A copy of the agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

REAL ESTATE

12. **MVSU** – Approved the initiation of **GS 106-253, College Hall I Renovations**, and the appointment of the design professional using the “Request for Qualifications” method. College Hall I is a two story, 33,400 square foot building that was constructed in 1964. In mid-2004, the building suffered fire damage has not been occupied since that time. The proposed renovation project will consist of abatement and demolition of existing finishes, replacement of all building systems with energy efficient equipment, installation of an elevator, back-up generator,

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replacement of interior finishes, signage, furniture and installation of equipment. The project will also include the installation of new sidewalks, exterior lighting, signage and seating areas outside the residence hall. The proposed project budget is \$4,750,000. Funds are available from H.B. 787, Laws of 2014 (\$4,500,000) and Bureau of Building Discretionary Funds (\$250,000).

13. **MSU** – Approved the initiation of **IHL 205-276, New Residence Halls North**, to construct two new residence halls on the north side of campus and the appointment of The McCarty Company Design Group, P.A. as the design professional. The Board also granted permission to demolish the existing Evans Hall to allow for the site of the new residence halls and the Sonny Montgomery Center for America’s Veterans. Each of the residence halls will consist of approximately 122,000 sq. ft. and provide approximately 356 beds. The project will also include an additional 10,000 sq. ft. facility to house the Sonny Montgomery Center for America’s Veterans which will either be incorporated in to the residence hall facility or stand alone on the residence hall site. The proposed project budget is \$60,500,000. Funds are available from MSU EBC Bonds/Commercial Paper (\$58,000,000) and MSU Foundation Funds (\$2,500,000).
14. **MSU** – Approved the request to increase the project budget for **IHL 205-231, MSU South Entrance Road**, from \$5,000,000 to \$ 18,700,000, an increase of \$13,700,000. The Board also approved the request to add funding sources: \$15,200,000 of MDOT funds and \$3,500,000 of MSU Designated Funds. The project is currently in the design phase. This is the first budget escalation for the project by the university. The escalation in the project budget is required based on the design professional’s latest estimate of cost. The current budget was an estimate of project costs that was established in 2009 once the design professional was appointed and has since been updated to reflect more accurate market costs. The project will construct a new entrance road along the east boundary of the South Farm connecting Poorhouse Road to Stone Blvd. Funds are available from MDOT (\$15,200,000) and MSU Designated Funds (\$3,500,000).
15. **MSU** – Approval by the Attorney General’s Office is contingent upon MSU providing the Research and Technology Corporation with notice of the binding successor doctrine prior to the execution of the Agreement, the Board approved the request to enter into a Master Option to Lease and Ground Lease Agreement with MSU’s affiliated Research Corporation, the Mississippi State University Research and Technology Corporation (MSU-RTC), for the development of Phase II of the Thad Cochran Research, Technology and Economic Development Park. Through the Option and Lease Agreement, MSU will grant MSU-RTC an option to lease any portion of the land consisting of Phase II of the Research Park. When research and economic opportunities arise, MSU-RTC will exercise the option or “takedown” portions of the premises that are needed for a particular project by providing a Notice of Exercise to MSU. The Notice of Exercise will include the parcel size and description, the annual rental amount, the terms of the lease, and other conditions. Upon submission of a Notice to Exercise, the portion of Phase II covered by the Notice will be deemed leased and available for sublease to a third party. MSU will receive all net revenues generated by MSU-RTC’s subleases of the land. MSU-RTC will retain a five (5) percent management fee from rent proceeds. Upon execution of

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the Option and Lease Agreement, two appraisals will be obtained to establish the fair market rental value of the property. The average of the two appraisals will set the base rental amount for any sublease of the property. The base rental amount will increase based on CPI index formula each year. The property will be reappraised every ten (10) years to re-establish the base rent. The Option and Lease Agreement will be between MSU and MSU-RTC. The Option and Lease Agreement is needed so that MSU can have a legal framework in place to effectively and efficiently capitalize on opportunities for growth in Phase II of the Research Park. The leased premises will consist of Phase II of the Research Park, which is approximately 41 acres. The start date of the agreement will be upon execution. MSU will have the right to terminate the Option and Lease Agreement upon 120 days' notice for any portions of the property in which MSU-RTC has not previously exercised the option and entered into a sublease with a third party. For those portions of the premises in which MSU-RTC has already exercised its option and entered into a sublease, the total term of sublease cannot exceed 99 years (including any renewal terms.) The Attorney General's Office has reviewed and approved this item contingent upon MSU providing the RTC with notice of the binding successor doctrine prior to the execution of the Agreement.

16. **USM** – Approved the request to grant a grading and slope easement to Lake Forgetful of Mississippi, LLC. Lake Forgetful of Mississippi, LLC is planning to develop property adjacent to the university's forty (40) acre tract of land located approximately three (3) miles from the university's main campus. The easement shall not exceed 0.94 acres of that portion of Grantor's property which is located on or within the areas labeled "Grading and Slope Easement Area". The slope and grading improvements have been designed and engineered to such elevations and at such rates of slope as determined by a Professional Engineer and selected and paid by the Grantee or its successors and assigns to design and determine adequate performance, integrity and stability of the easement and proposed retaining wall area. Grantee shall submit the construction plans and specifications of the Grading and Slope Easement Area for review and written approval of the Grantor. Should Grantor not submit in writing any objections to said plans and specifications within fifteen (15) days after submittal by Grantee to Grantor, the plans and specifications shall be deemed approved by the Grantor. Should Grantor object in writing to said plans or specifications, the parties agree to use all commercially reasonable efforts to resolve any issues within thirty (30) days after written notice by Grantor. Should the parties not reach an agreement within said thirty (30) day period, either party may terminate this Grading and Slope Easement by written notice. The Attorney General's Office has reviewed and approved this item.
17. **USM** – Approved the request to delete Buildings #233 and #234 from inventory and demolish them. Building #233 is located at 3701 Pearl Street and is a recently purchased residence. Building #234 is located at 3703 Pearl Street and is an efficiency apartment. These buildings are located next to each other on the same lot and are in a state of disrepair. The buildings do not serve the mission of the university and will allow for a more visually appealing entrance to

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campus from the West as well as allow for future expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

18. **USM – GCRL** – Approved the request to delete from inventory and demolish Building #33, Gulf Coast Geospatial Center Modular Unit, located on the Halstead Road site at the Gulf Coast Research Lab. The modular unit was purchased in 2003 and initially housed the Gulf Coast Geospatial Center. Due to the condition of the unit, it was abandoned in October 2013 and has no further use to the university. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
19. **USM** – Approved the request to amend the terms under which the university would propose to sell the remaining forty-one (41) residential properties out of the original forty-seven (47) residential properties approved for sale under the Neighborhood Stabilization Program (NSP). The amendment will allow the university to sell the remaining homes under the NSP for the lesser of the contract price (as set by the university’s appraisal), Lender’s appraised value or the university’s total development costs of the property. The Board also granted retroactive approval for the sale of 4755 Satinwood Road and 2935 Marwood Drive at the contract sales price. These properties were sold for the contract sales price per the requirements of Mississippi Development Authority (MDA) instead of the higher lender appraised price as approved by the Board in June 2013 and January 2014. Currently, the university has sold six homes and is actively marketing the remaining forty-one (41) homes. As long as the homes are sold for the lesser of the total development costs, or the appraised value, the sale will meet the requirements of the NSP program. The university was authorized by the legislature to sell these homes under the terms and conditions as provided by the NSP subgrant from MDA. MDA requires the university to sell the homes for the lower of the two appraisals. As long as the homes are sold for no more than the cost of the home plus the renovation costs incurred in rehabbing the homes, the sale will meet the requirements of the NSP program.

LEGAL

20. **MSU** – Approved the request to modify/renew a contract with Julie W. Brown as outside counsel to provide services necessary in assisting the university with real estate matters. Modification #2 will extend the term of the contract for one (1) year or until May 16, 2015. The hourly rate to be paid will be \$165, which is the same rate agreed to in the prior contract with this firm. The maximum amount payable under the contract will be \$10,000. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect. The Attorney General has approved this request.
21. **UMMC** – Approved the request to renew the contract with David Ware and Associates as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual

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agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is \$50,000. The fees payable under the contract would be as follows: \$2,000 – special handling labor certification, no re-advertisement required; \$2,500 – special handling labor certification, re-advertisement required; and \$3,000 – non-teaching labor certification. Advertisement for special handling will be about \$500; for regular about \$1000. EB1 is \$4,500 for the petition plus \$475 filing fee. Adjustment of status is \$1,500 for the principal and \$750 for each dependent. Exclusive of filing and fees and medical which for one adult would be approximately \$1,485 plus \$150. The Attorney General has approved this request.

22. **UMMC** – Approved the request to hire Barry J. Walker of Walker & Ungo Immigration Law Firm as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is \$50,000. The fees payable under the contract would be as follows:

PERM

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

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

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

The Attorney General has approved this request.

23. **UMMC** – Approved the request to contract with Kitchens, Hardwick & Whitfield, PLLC as outside counsel to provide legal services related to personnel matters. The term of the contract will be July 1, 2014 through June 30, 2015. The rate of pay is \$165 per hour with a do not exceed amount of \$50,000. The Attorney General has approved this request.
24. **UMMC** – Approved the request to contract with William Smith, III of the firm Watkins and Eager, PLLC to provide legal services as real estate counsel. The term of the contract will be from July 1, 2014 through June 30, 2015. The rate of pay is \$165 per hour with a do not exceed amount of \$200,000. The Attorney General has approved this request.

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25. **USM** – Approved the request to increase the total amount payable under the previously approved contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP to \$95,000. The Board previously approved a contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP as outside counsel to assist the university in various legal matters. The approval was for a term of one year from July 1, 2013, through June 30, 2014, with a total amount payable under the arrangement not to exceed \$60,000 for attorneys’ fees. Due to several decisions by the Office of Inspector General and FEMA following approval of the original employment agreement relating to Katrina damage at Gulf Coast properties, the university is involved in appeals opposing those decisions. The university also requested and received legal opinions on matters originating after the approval of the current contract. As a result, amounts which are expected to be billed will exceed \$60,000. The Attorney General has approved this request.

26. PERSONNEL REPORT

EMPLOYMENT

Mississippi Valley State University

- Rita Myers; Dean of University College; salary of \$75,000, per annum, pro rata; Title III funds and E&G funds effective April 1, 2014

University of Mississippi

(Also reported in the Tenure section below.)

- Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; salary of \$350,000 per annum, pro rata; E&G funds; *hired with tenure*; twelve-month contract; effective July 1, 2014

CHANGE OF STATUS

Mississippi University for Women

- Tom Richardson, *from* Dean of Arts and Sciences; salary of \$127,120 per annum, pro rata; E&G funds; *to* Interim Provost and Vice President of Academic Affairs and Dean of Arts and Sciences; salary of \$177,000 prorated; E&G funds; effective May 12, 2014
- Dan Heimmermann, *from* Provost and Vice President of Academic Affairs; salary of \$165,000 per annum, pro rata; E&G funds; *to* Special Assistant to the President; no salary change; effective May 12, 2014

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SEPARATION OF EMPLOYMENT

Mississippi University for Women

- Dan Heimmermann; Special Assistant to the President; effective June 2, 2014, resignation

TENURE

(Promotions where noted.)

Alcorn State University

(Nine – month contracts effective August 19, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.)

- John Adjaye, *promotion* to Associate Professor, Department of Advanced Technologies
- Robert Carr, *promotion* to Professor, School of Education and Psychology (*twelve-month contract*)
- Robin Christian, *promotion* to Associate Professor, Department of Graduate Nursing (*twelve-month contract*)
- Akash Dania, *promotion* to Associate Professor, School of Business
- Jyotirmay Gadewadikar, *promotion* to Associate Professor, Department of Advanced Technologies
- Gayle Hathcox, Assistant Professor, Department of Baccalaureate Nursing
- Erol Sarigul, *promotion* to Associate Professor, Department of Advanced Technologies

Delta State University

(All on nine-month contracts effective August 18, 2014.)

- Nathaniel Hein, Associate Professor, Department of Art
- Dr. Deborah Myers, Associate Professor, Division of Health, Physical Education and Recreation

Jackson State University

(Nine – month contracts effective August 14, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.)

- Wayne Nix, *promotion* to Associate Professor, Department of Accounting
- Stephanie Davidson, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education
- Evornia Kincaid, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education
- Lakita Johnson, *promotion* to Associate Professor, Department of School, Community and Rehabilitation Counseling
- Ingrad Smith, *promotion* to Professor, Department of Educational Leadership (*twelve-month contract*)
- Thomas Kersen, *promotion* to Associate Professor, Department of Criminal Justice and Sociology

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- Everett Neasman, *promotion* to Associate Professor, Department of English and Modern Foreign Languages
- Kenyatta Stewart, *promotion* to Associate Professor, Department of Art
- Evandro Santos, *promotion* to Associate Professor, Department of Urban and Regional Planning
- Julie Schroeder, *promotion* to Professor, School of Social Work – Master of Social Work Program
- Hingmanshu Das, *promotion* to Associate Professor, Department of Civil and Environmental Engineering
- Dr. Serguei Goupalov, *promotion* to Associate Professor, Department of Physics, Atmospheric Science and Geosciences

Mississippi University for Women

(All on nine-month contracts effective August 18, 2014.)

- Dr. Nora Corrigan, *promotion* to Associate Professor of English, College of Arts and Sciences
- Dr. Joshua Hanes, *promotion* to Associate Professor of Mathematics, College of Arts and Sciences
- Dr. Ghanshyam Heda, *promotion* to Associate Professor of Biology, College of Arts and Sciences
- Dr. Erin Kempker, *promotion* to Associate Professor of History, College of Arts and Sciences
- Dr. R. Andrew Luccasen, *promotion* to Associate Professor of Finance and Economics, College of Business and Professional Studies
- Dr. Deborah Miranda, *promotion* to Professor of Nursing, BSN, College of Nursing and Speech-Language Pathology

University of Mississippi

(Nine -month contracts effective and twelve-month contracts effective August 20, 2014. All are nine-month contracts unless otherwise noted.)

- Emanuele Berti, *promotion* to Associate Professor of Physics and Astronomy, College of Liberal Arts
- Lauren Smythe Bloodworth, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy *(twelve-month contract)*
- Kendall Owen Bowlin, *promotion* to Associate Professor of Accountancy Instruction, School of Accountancy
- Hank R. Buchanan, *promotion* to Research and Development Engineer I, NCPA *(twelve-month contract)*
- Mercer E. Bullard, *promotion* to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law
- Wayne O. Carpenter Jr., *promotion* to Senior Research and Development Engineer, NCPA *(twelve-month)*
- Suman Chandra, *promotion* to Senior Research Scientist, NCNPR *(twelve-month contract)*
- James V. Cizdziel, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

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- Alakabha Datta, *promotion* to Associate Professor of Physics and Astronomy, College of Liberal Arts
- Erwin Mina Diaz, *promotion* to Associate Professor of Mathematics, College of Liberal Arts
- Mark Vincent Frezzo, *promotion* to Associate Professor of Sociology, College of Liberal Arts
- Thomas A. Garrett, Associate Professor of Economics, College of Liberal Arts
- Kerry P. Holmes, *promotion* to Professor of Elementary Education, School of Education
- Erin Renee Holmes, *promotion* to Associate Professor of Pharmacy Administration and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy (*twelve-month contract*)
- Robert M. Holt, *promotion* to Professor of Geology and Geological Engineering, School of Engineering
- Amanda Jane Johnston, *promotion* to Associate Professor of Music, College of Liberal Arts
- Steven Justice, Professor of Medieval History, College of Liberal Arts
- Daniel E. Kleinert Jr., *promotion* to Senior Research and Development Engineer, NCPA (*twelve-month contract*)
- Rory Ledbetter, *promotion* to Associate Professor of Theatre Arts, College of Liberal Arts
- Gregory J. Love, *promotion* to Associate Professor of Political Science, College of Liberal Arts
- Walter J. Mayer, *promotion* to Professor of Economics, College of Liberal Arts
- Katie S. McClendon, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy (*twelve-month contract*)
- Micah Baruch Milinovich, *promotion* to Associate Professor of Mathematics, College of Liberal Arts
- Ann Elizabeth Monroe, *promotion* to Associate Professor of Education & Coordinator of Elementary Education, School of Education
- Brice Noonan, *promotion* to Associate Professor of Biology, College of Liberal Arts
- Timothy W. Nordstrom, *promotion* to Professor of Political Science, College of Liberal Arts
- Clifford A. Ochs, *promotion* to Professor of Biology, College of Liberal Arts
- Scott G. Owens, *promotion* to Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences
- Patrick F. Pace, *promotion* to Senior Research Scientist in the Research Institute of Pharmaceutical Sciences and Associate Professor of Pharmacy Administration, School of Pharmacy (*twelve-month contract*)
- E. Farish Percy, *promotion* to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law
- Corina Liliana Petrescu, *promotion* to Associate Professor of Modern Languages, College of Liberal Arts
- Jarod Heath Roll, Associate Professor of History, College of Liberal Arts
- Michael T. Rowlett, *promotion* to Associate Professor of Music, College of Liberal Arts
- Lisa Shaw Roy, *promotion* to Professor of Law, School of Law
- Amala Dass Antony Samy, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

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- Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; *hired with tenure; twelve-month contract; effective July 1, 2014*
- Bradley E. Schultz, *promotion* to Professor of Journalism, Meek School of Journalism and New Media
- Christian Sellar, *promotion* to Associate Professor of Public Policy Leadership, College of Liberal Arts
- Todd A. Smitherman, *promotion* to Associate Professor of Psychology, College of Liberal Arts
- Jason David Solinger, *promotion* to Associate Professor of English, College of Liberal Arts
- Alex Phillip Watson, *promotion* to Reference Librarian and Associate Professor, General Library (*twelve-month contract*)
- Desiree Stepteau Watson, *promotion* to Associate Professor of Social Work, School of Applied Sciences
- Roger M. Waxler, *promotion* to Senior Research Scientist II and Research Associate Professor of Physics and Astronomy, NCPA (*twelve-month contract*)
- Bing Wei, *promotion* to Professor of Mathematics, College of Liberal Arts
- Noell Rebecca-Howell Wilson, *promotion* to Croft Associate Professor of History and International Studies, College of Liberal Arts
- Henrietta Shu-Fen Yang, Croft Associate Professor of Chinese and Co-Director of the Chinese Language Flagship Program, College of Liberal Arts
- John N. Young, *promotion* to Associate Professor of Psychology, College of Liberal Arts

University of Mississippi Medical Center

(All on twelve-month contracts effective July 1, 2014.)

School of Medicine

- Istvan Arany, Professor of Pediatrics
- Bettina Beech, Professor of Family Medicine
- Kim L. Gratz, *promotion* to Professor of Psychiatry and Human Behavior
- Edward D. Green, Associate Professor of Radiology
- Jonathan S. Jones, Associate Professor of Radiology
- Luis Juncos, Professor of Medicine
- Majid A. Khan, Associate Professor of Radiology
- John T. Lam, Associate Professor of Pathology
- Birdie B. Lamarca, Associate Professor of Pharmacology and Toxicology
- Gustavo D. Luzardo, Associate Professor of Neurosurgery
- Yin-Yuan Mo, Professor of Pharmacology and Toxicology
- Damien Romero, *promotion* to Associate Professor of Biochemistry
- Bruce N. Schlakman, Associate Professor of Radiology
- Matthew Tull, Associate Professor of Psychiatry and Human Behavior
- Kounosuke Watabe, Professor of Microbiology

School of Health Related Professions

- Stacy Vance, Associate Professor of Health Related Professions

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School of Nursing

- Mary Stewart, *promotion* to Professor of Nursing

University of Southern Mississippi

(Nine-month contracts effective August 18, 2014, and twelve-month contracts effective July 1, 2014. All are nine-month contracts unless otherwise noted.)

- Carmen Carracelas-Juncal, *promotion* to Associate Professor, Department of Foreign Languages and Literatures
- Monika Gehlawat, *promotion* to Associate Professor, Department of English
- Cheryl D. Jenkins, *promotion* to Associate Professor, Department of Mass Communication and Journalism
- Kelly Ferris Lester, *promotion* to Associate Professor, Department of Dance
- Julie A. Reid, *promotion* to Associate Professor, Department of Anthropology and Sociology
- Amy Slagle, *promotion* to Associate Professor, Department of Philosophy and Religion
- Heather Marie Stur, Associate Professor, Department of History
- Kenneth Swope, Professor, Department of History
- Brian Collins, *promotion* to Associate Professor, Department of Management and International Business
- Barry Cumbie, *promotion* to Associate Professor, Department of Management and International Business
- SherRhonda Gibbs, *promotion* to Associate Professor, Department of Management and International Business
- Kimberly Goodwin, *promotion* to Associate Professor, Department of Finance, Real Estate and Business Law
- Paula Parker, *promotion* to Associate Professor, School of Accountancy
- Marco Wolf, *promotion* to Associate Professor, Department of Marketing and Merchandising
- Alan Hajnal, *promotion* to Associate Professor, Department of Psychology
- Michael Mong, *promotion* to Associate Professor, Department of Psychology
- Kenji Noguchi, *promotion* to Associate Professor, Department of Psychology
- Stacy R. Reeves, Associate Professor, Department of Curriculum, Instruction and Special Education
- Edward Goshorn, Associate Professor, Department of Speech and Hearing Sciences
- Bill Holcomb, Associate Professor, Department of Human Performance and Recreation
- Melissa Murray, *promotion* to Associate Professor, Department of Human Performance and Recreation
- Christina Perigoe, Associate Professor, Department of Speech and Hearing Sciences
- Rowena Elliott, Associate Professor, Nursing/Advanced Practice
- Melanie Gilmore, *promotion* to Associate Professor, Nursing/Advanced Practice
- Greg Carter, Associate Professor, Department of Geography and Geology
- Amer Dawoud, Associate Professor, Department of Computing
- Joe Griffitt, *promotion* to Associate Professor, Department of Coastal Sciences
- Bandana Kar, *promotion* to Associate Professor, Department of Geography and Geology

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- Jeremy Lyle, *promotion* to Associate Professor, Department of Mathematics
- Derek Patton, *promotion* to Associate Professor, School of Polymers and High Performance Materials
- Vijay Rangachari, *promotion* to Associate Professor, Department of Chemistry
- Eric Saillant, *promotion* to Associate Professor, Department of Coastal Sciences
- Daniel Savin, *promotion* to Associate Professor, School of Polymers and High Performance Materials
- Nan Wang, *promotion* to Associate Professor, Department of Computing
- Jorge E. Brown, *promotion* to Associate Professor, University Libraries (*twelve-month contract*)
- Peter R. Dean, *promotion* to Associate Professor, University Libraries (*twelve-month contract*)

EMERITUS STATUS

Alcorn State University

- Alpha Morris, Professor of Social Sciences

RETROACTIVE APPROVAL GRANTED TO THE FOLLOWING ITEMS

EMPLOYMENT

University of Mississippi Medical Center

- Janice Lage, M.D.; Chair and Professor of Pathology; salary of \$585,000, per annum, pro rata; E&G funds; *hired with tenure*; effective February 3, 2013 (*Also reported in the Tenure section below.*)

TENURE

University of Mississippi Medical Center

- Janice Lage, M.D.; Chair and Professor of Pathology; salary of \$585,000, per annum, pro rata; E&G funds; *hired with tenure*; effective February 3, 2013

ADMINISTRATION/POLICY

27. **ASU** – Approved the request to bestow one honorary degree at its May 2014 commencement ceremony. Supporting documents are on file at the Board Office.
28. **System** – Approved the amendments to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines. The amended SMART Business Act guidelines will be submitted to the Mississippi Secretary of State’s Office in accordance with the Administrative Procedures Act. **(See Exhibit 4.)**

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ACADEMIC AFFAIRS

Presented by Trustee Ford Dye, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **State** - Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, the Board approved the accreditation of the Mississippi Nursing Degree Programs as shown below.

SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Alcorn State University	ADN BSN MSN School	Continuing Accreditation with Conditions ¹ Continuing Accreditation Continuing Accreditations with Conditions ¹ Continuing Accreditations with Conditions ¹
Coahoma Community College	ADN	Initial Accreditation
Copiah-Lincoln Community College	ADN	Continuing Accreditation
Delta State University	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Initial Accreditation
East Central Community College	ADN	Continuing Accreditation
East Mississippi Community College	ADN	Continuing Accreditation
Hinds Community College	ADN	Continuing Accreditation
Holmes Community College	ADN	Continuing Accreditation
Itawamba Community College	ADN	Continuing Accreditation with Conditions ²
Jones County Junior College	ADN	Continuing Accreditation
Meridian Community College	ADN	Continuing Accreditation
Mississippi College	BSN	Continuing Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation with Conditions ³
Mississippi Educational Consortium for Specialized Advanced Practice Nursing (MECSAPN) - ASU, DSU, MUW, UMMC, & USM	MSN Gerontological & Psychiatric Mental Health Nurse Practitioner	Full Accreditation
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation with Conditions ⁴
Mississippi University for Women	ADN BSN MSN DNP	Continuing Accreditation Continuing Accreditation Continuing Accreditation Initial Accreditation
Northeast Mississippi Community College	ADN	Continuing Accreditation
Northwest Mississippi Community College	ADN	Continuing Accreditation
Pearl River Community College	ADN	Continuing Accreditation
Southwest Mississippi Community College	ADN	Continuing Accreditation with Conditions ⁵
University of Mississippi Medical Center	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation
University of Southern Mississippi	BSN	Continuing Accreditation

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	MSN DNP	Continuing Accreditation Full Accreditation
William Carey University	BSN MSN	Continuing Accreditation Continuing Accreditation

¹**Alcorn State University**

- REASON: ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required; ADN program pass rate **78.59%**
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**
- REASON: MSN program non-compliant with one out of six ACEN Accreditation Standards: Standard 4. Curriculum
- **CONDITION: must submit a follow-up report to ACEN in spring 2015**
REASON: School non-compliant with IHL Standard I. Mission and Administrative Organization. State Specific Requirements 2. b. unencumbered current license to practice in Mississippi
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**

²**Itawamba Community College**

- REASON: program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2014**

³**Mississippi Delta Community College**

- REASON: program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2015**

⁴**Mississippi Gulf Coast Community College**

- REASON: program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.a. master's degree with a major in nursing
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**

⁵**Southwest Mississippi Community College**

- REASON: program non-compliant with two out of six ACEN Accreditation Standards: Standard 4. Curriculum and Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2014**

FINANCE AGENDA

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. Agenda item #2 was removed from the agenda for further review. On motion by Trustee Perry, seconded by Trustee Smith, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3 as amended. On motion by Trustee Perry, seconded by Trustee Cummins, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by

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Trustee Perry, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #6.

1. **System** – Approved the request to renew its property insurance coverage with Affiliated FM Insurance Company and Axis Surplus Insurance Company. In 2009, the Board approved a system-wide approach to insuring the system’s buildings. Since 2012, all campus buildings have been covered through this program. Affiliated FM Insurance Company has provided the primary property coverage and Axis Surplus Insurance Company has provided necessary Wind and Flood coverage. Due to a reduction in the average premium rate, this renewal will cover approximately five percent more property value while costing approximately three percent more in premium. The contract is a one-year insurance policy beginning May 31, 2014, and terminating May 31, 2015. The premium is approximately \$6,555,886, subject to increase or decrease through the term of the policy as universities add or decrease coverage. Each university and the Board Office will pay its respective share of the premium which is billed and paid directly between the insurance company and the insured.
2. **System** – Request approval of FY 2016 Proposed Funding Priorities as required for the 2015 Legislative Budget Request. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
3. **System** – Approved new Board Policy 707.03 Approval of Prepayment for Goods or Services for first reading as amended to include the provision that this policy is subject to the requirements as set forth in Board Policy 707.01 Land, Property, and Service Contracts.

707.03 APPROVAL OF PREPAYMENT FOR GOODS OR SERVICES

Pursuant to Miss. Code Ann. § 7-7-27 (1972), as amended, the Board of Trustees of State Institutions of Higher Learning (IHL) may permit prepayment for goods or services not yet received. The procedures regarding such waivers applicable to the IHL Executive Office and the various state universities are:

- 1) The Commissioner is delegated the authority to approve such prepayment/waivers on behalf of the Board.
 - 2) Written permission from the Commissioner must be obtained prior to making prepayment or contracting to make prepayment of goods or services before such goods or services are received.
 - 3) The requestor must submit a written request to the Commissioner explaining the circumstances or reasons why the waiver is being sought. A copy of the invoice or contract showing the prepayment terms must be attached to the request.
 - 4) Registration fees for conventions and conferences and deposits for hotel fees may be paid in advance and do not require permission/waiver by the Commissioner
 - 5) If federal funds are to be used to prepay multi-year services or licensing, the requestor must ensure that the prepayment conforms to the federal grant regulations and requirements. The requestor must provide documentation to the Commissioner, as part of the written request for a waiver, indicating that the prepayment conforms to the federal grant regulations and requirements.
 - 6) A waiver from the Commissioner is not required in order to pre-pay a single payment within a fiscal year for the rental of a post office box, membership dues, subscriptions and software maintenance fees.
 - 7) A waiver from the Commissioner is not required in order to pre-pay up to twelve monthly payments in a fiscal year for rent (i.e., land, buildings, office space, office equipment, etc.), maintenance fees, operating fees, (i.e., application service provider [ASP] fees) and leases (i.e., vehicle or equipment).
 - 8) All multi-year prepayments require a waiver granted by the Commissioner.
4. **DSU** – Approved the request to restate and extend the existing contract with Aramark Educational Services, LLC, for the food service management agreement. The purpose of this amendment is to maintain uninterrupted food services on DSU’s Cleveland campus, while obtaining additional financial commitments from Aramark in the form of capital investments,

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scholarships, catering credits, meal allowances, etc. The contract extension is for five (5) years, beginning July 1, 2014, and ending June 30, 2019. This is a revenue producing contract for DSU. It is estimated that the university could receive \$5.3 million in revenue benefits over the course of the 5-year extension. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

5. **UMMC** – Approved the request to amend the current lease agreement with Hertz Jackson Two, LLC (Hertz), successor to Parkway Joint Venture, LLC. The amendment is intended to increase the amount of leased space from 2,765 square feet to 5,796 square feet to accommodate the increase in the telehealth services (eICU, emergency telehealth and etc.) UMMC is providing to hospitals across the state and to exercise an opportunity to extend the general lease an additional five years. This amendment will start on June 1, 2014 through May 31, 2019. This will bring the total term of the agreement since inception (September 2009) to approximately ten (10) years. The estimated cost of the amendment will be \$557,575.20. The breakdown of cost is included in the bound *May 15, 2014 Board Working File*. The contract will be funded by patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
6. **UMMC** – Approved the request to enter into a ground lease with The Meridian at Fondren, LLC (“The Meridian”) for the development of a mixed use development, including residential apartments, retail, and office space. This is a new ground lease for the property known as “North Lakeland.” Currently, the property consists of seven (7) buildings containing UMMC clinics and department offices on approximately 4.4 acres. Under UMMC's Master Plan, these buildings would be replaced by a mixed use development. In June of 2012, UMMC began the process of selecting a developer for the mixed use development. SKD Development was chosen and consists primarily of Stewart Speed, Kassinger Development Group, State Street Group, Niles Bolton Associates, and Neel-Schaffer. SKD Development created the entity The Meridian at Fondren, LLC, to move forward with the project. The Meridian, UMMC, and the adjacent neighborhood have communicated and resolved all issues related to covenants or concerns. Due to concerns regarding the length of the total lease term, the Legislature passed Senate Bill No. 2803, 2014 Regular Session, which authorizes the Board to lease the property for a forty-year term with two optional twenty-year renewal periods. The first renewal period is at the option of the Lessee and the second renewal period is at the option of the Lessor. The bill was effective upon passage and was approved by the Governor. The total estimated revenue to be earned under the ground lease agreement is approximately \$9,480,140.00 before any deductions for credits for environmental hazards and geotechnical testing of an amount up to \$57,500. A breakdown of the costs is included in the bound *May 15, 2014 Board Working File*. A corresponding agenda item related to The Meridian at Fondren is on the Real Estate Regular Agenda. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

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REAL ESTATE AGENDA

Presented by Trustee C.D. Smith, Chair

On motion by Trustee Smith, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #1 and #2 as submitted on the Real Estate Agenda.

1. **UMMC** – Approved the request to delete Buildings LJ (768 Lakeland), LG, LE, LF (802 Lakeland), LC (828 Lakeland), LD (826 Lakeland), and LH (838R Lakeland) from inventory and demolish them. The seven existing buildings are located along the north side of Lakeland drive as part of the Meridian at Fondren Development Package. The development project will provide for the demolition of these buildings. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities. A corresponding agenda item related to The Meridian at Fondren is on the Finance Regular Agenda.
2. **UMMC** – Approved the exterior design of “The Meridian” project. The project is currently in the design phase. By a separate agenda item on the Finance Regular Agenda, it was approved for UMMC to enter into a ground lease with the Meridian at Fondren, LLC for the development of a mixed use development on the property north of Lakeland Drive. A copy of the rendering is included in the bound *May 15, 2014 Board Working File*.

LEGAL AGENDA

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, with Trustees Robinson absent and not voting, all Trustees legally present and participating voted unanimously to accept the recommendation of the Legal Committee to move agenda items #1 and #2 to the Executive Session Agenda.

1. **UMMC** – Settlement of Tort Claim No. 1947. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**
2. **UMMC** – Settlement of Tort Claims No. 1596 and 1596A. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

REAL ESTATE

1. **System** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 24, 2014 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 5.)**

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LEGAL

2. **System** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 6.)

ADMINISTRATION/POLICY

3. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 22, 2014, the Commissioner granted retroactive approval to amend a lease agreement with the United States of America (USA) acting by and through the Agricultural Research Service. MSU has stated that a period of staff transition in the department which originated the agreement caused the delay in submission of the agreement to IHL. This agreement is for the lease of approximately 30.7 acres of land on the McNeill sub-unit of MSU’s South Mississippi Branch Experiment Station, Coastal Research and Extension Center in Pearl River County, MS. The acreage will be used by the USA for the cultivation and research of small fruits, vegetables and ornamental vegetation. The annual lease renewal term will potentially run for a period of ten (10) years, October 1, 2013 through September 30, 2023. Annual renewal is available at the option of the USA/Lessee upon thirty (30) days notice to MSU and subsequent approval by the Commissioner. The USA will pay MSU a nominal rent fee of \$1 yearly and will maintain the cultivated acreage. The Executive Office legal staff have reviewed and approved the contract documents.
 - b. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 24, 2014, the Commissioner approved the request by MSU on behalf of its Delta Research and Extension Center (DREC) to enter into a lease agreement with Rex Livingston (Lessor). The agreement is for the lease of approximately 22 acres of land in Washington County, MS. The land, which is located adjacent to DREC, will be used to conduct row crop research. The primary lease term will commence upon execution by both parties and run through March 31, 2015. Upon mutual agreement of the parties, the lease will be renewed for a maximum of four (4) one year terms or through March 31, 2019. MSU will pay \$4,400 annually for the lease of the acreage. The total cost for the five (5) year lease term is \$22,000. In addition to rent costs, MSU will return the acreage to its prior condition at the conclusion of the lease term. This agreement is funded by Section 32 Funds. The Executive Office legal staff have reviewed and approved the contract documents.

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- c. **SYSTEM** - On April 24, 2014, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2014 and ending March 31, 2014. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

ANNOUNCEMENTS

- President Patterson noted the next Board meeting was originally scheduled to take place at Alcorn State University in Lorman, MS. The Board will now meet in Jackson on June 19 and at Alcorn on November 20. The Health Affairs Committee will meeting immediately following the Board meeting.

ACADEMIC AFFAIRS COMMITTEE REPORT

May 15, 2014

The Committee was brought to order by Chairman Ford Dye at 8:30 a.m. The following items were discussed:

1. On motion by Trustee Blakeslee, seconded by Trustee Smith, with Trustee Robinson absent and not voting, all Committee members legally present and participating voted unanimously to authorize the planning of the following new degree programs:
 - a. ASU – Bachelor of Arts in Music degree (CIP 50.0901)
 - b. DSU – Bachelor of Business Administration in Health Care Administration degree (CIP 51.0701)
 - c. DSU – Bachelor of Business Administration in Applied Business degree (CIP 52.0201)
 - d. MSU – Doctor of Philosophy in Kinesiology degree (CIP 31.0505)
 - e. MUW – Master of Fine Arts in Creative Writing degree (CIP 23.0501)
 - f. MVSU – Bachelor of Arts in General Studies degree (CIP 24.0102)
 - g. UM – Bachelor of Business Administration in General Business degree (CIP 52.0101)
 - h. UM – Bachelor of Arts in Arabic degree (CIP 16.1101)
 - i. UM – Bachelor of Arts in Sports Management and Recreation Administration (BASMRA) degree (CIP 31.0504)
 - j. UM – Doctor of Philosophy in Nutrition and Hospitality Management degree (CIP 52.0901)
2. On motion by Trustee Hooper, seconded by Trustee Blakeslee, with Trustee Robinson absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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The following Committee members were present: Dr. Ford Dye (Chair), Mr. Ed Blakeslee, Mr. Shane Hooper and Mr. C. D. Smith. Committee member Robin Robinson was absent. Other Board members attending the meeting were Mrs. Karen Cummins and Mr. Aubrey Patterson.

FIRST EXECUTIVE SESSION

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

Discussion of three state university litigations matters and
Discussion of one state university personnel matter.

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

On motion by Trustee Dye, seconded by Trustee Perry, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claims No. 1596 and 1596A styled as *Alicia Small and Kenyotta Johnson vs. UMMC et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1947 styled as *Nellie Taylor vs. UMMC, et al.*, as recommended by counsel.

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

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to **recess the Board meeting at 11:22 a.m.** to conduct the Health Affairs Committee meeting.

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HEALTH AFFAIRS COMMITTEE REPORT

May 15, 2014

The Committee was brought to order by Chairman Aubrey Patterson. The following items were discussed.

1. The Committee discussed the organizational chart and reporting structure of the University of Mississippi Medical Center. **No action was taken.**
2. The Committee discussed hospital records. **No action was taken.**
3. On motion by Trustee Dye, seconded by Trustee Smith, all Committee Members legally present and participating voted unanimously to approve the committee minutes for the meeting held on April 24, 2014.
4. On motion by Trustee Dye, seconded by Trustee Blakeslee, all Committee Members legally present and participating voted unanimously to adjourn.

The following Committee members were in attendance: Aubrey Patterson (Chair), Ed Blakeslee, Dr. Ford Dye, Shane Hooper, Alan Perry, and Dr. Doug Rouse. Other Trustees attending were Karen Cummins, Bob Owens, Hal Parker, Christy Pickering, and C.D. Smith.

AT 12:19 P.M. THE BOARD MEETING RECONVENED.

SECOND EXECUTIVE SESSION

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

Discussion of a state university personnel matter.

During Executive Session, the following matter was discussed:

The Board discussed a state university personnel matter. **No action was taken.**

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

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ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Memo representing approval by the Mississippi Information Technology Services Board of the continuation of a contractual agreement with Mythics, Inc. and MSU.
- Exhibit 2 Agenda item submission for an agreement on behalf of UMMC and prepared by the Mississippi Information Technology Services' executive staff for its April 17, 2014 Board meeting.
- Exhibit 3 Memo representing approval by the Mississippi Information Technology Services Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of licensing, hosting and services related to the Blackboard Learning Management System for USM.
- Exhibit 4 Amendments to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines.
- Exhibit 5 Real Estate items that were approved by the IHL Board staff subsequent to the April 24, 2014 Board meeting.
- Exhibit 6 Report of the payment of legal fees to outside counsel.

Memorandum

To: Craig P. Orgeron, Ph.D.

Date: March 7, 2014

Re: Recommendation for Project No. 41155 for the continuation of the Agreement with Mythics, Inc. for support of Oracle software licenses and services for **MISSISSIPPI STATE UNIVERSITY (MSU)**

I. BACKGROUND

On April 26, 2013, MSU received ITS Board approval for the selection of Oracle America, Inc. as the lowest vendor responding to Letter of Configuration (LOC) Number 40161 based on General RFP No. 3670 for the acquisition of an Oracle Software License and Services Agreement. The Board also gave approval for the State to negotiate a contract with Mythics, Inc. as the next lowest vendor in the event that contract negotiations with Oracle were unsuccessful. The State was not able to negotiate a contract with Oracle America, Inc. and the award to Oracle America Inc. was rescinded. Following successful negotiations, the State executed a contract with Mythics, Inc. at a three-year lifecycle cost of \$2,020,512.46. This cost was \$336,518.54 less than the \$2,357,031.00 cost originally proposed by Mythics and approved by the ITS Board.

Historically, Oracle has not allowed resellers to extend contract terms to be longer than three years. Mythics recently informed the State that for a limited time Oracle is offering longer term, multi-year support agreements. Mythics has proposed to extend MSU's current support agreement, capping the cost for Years 4, 5, and 6 at the Year 3 cost of \$620,419.35. The table below compares current yearly costs, assuming Mythics' standard annual 3% increase, against the cost of the proposed multi-year renewal. The table also shows the annual savings should MSU proceed with this renegotiated multi-year renewal.

Year of Support	Current Support with 3% Increase	Support on Multi-Year Renewal	Savings from Multi-Year Renewal
Year 4	\$639,031.93	\$620,419.35	\$18,612.58
Year 5	\$658,202.89	\$620,419.35	\$37,783.54
Year 6	\$677,948.98	\$620,419.35	\$57,529.63
Totals	\$1,975,183.79	\$1,861,258.05	\$113,925.74

II. RECOMMENDATION

The staffs of ITS and MSU jointly recommend approval of the continuation of this Agreement with Mythics, Inc. through June 30, 2019, in an amount not to exceed \$1,861,258.05 for support on Oracle software licenses and services. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$3,881,770.51.

III. SOURCE OF FUNDS

Funding will come from the MSU Education and General Fund.

Tangela Harrion, Technology Consultant

DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BOARD MEETING AGENDA

Location: ITS Board Room
ITS Office Building
3771 Eastwood Drive
Jackson, Mississippi 39211

Date: Thursday, April 17, 2014

Time: 11:00 A.M.

Agenda:

- Call to Order
- Introduction of Guests
- Agenda Item No. 1: Approval of March 20, 2014 minutes

Project for Preliminary Approval of Technology Plan and Procurement Approach, Exemptions, and Planned Purchase Requests is as follows:

- Agenda Item No. 2: Jill Chastant and Mark Allen, CSIO will present an overview and request to issue Letter of Configuration (LOC) Number 41118, based on General RFP No. 3742, for the acquisition of project management services for the **MISSISSIPPI DEPARTMENT OF HUMAN SERVICES (MDHS)**. The staffs of ITS and MDHS jointly request approval to publish LOC No. 41118 for the acquisition of project management services for the MDHS.

Projects for Approval of the Recommended Selection/Award are as follows:

- Agenda Item No. 3: Curtis Ritchey and Dr. Luis Juncos, Professor School of Medicine will present the evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the **UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)**. The staffs of ITS and UMMC jointly recommend the selection of Infian, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of \$ 1,439,835.20.
- Agenda Item No. 4: Patti Irgens and Clay Johnston, MIS Director, will present the recommendation for Project No. 41112 for the continuation of the Agreement with Chop on the Lake Productions for software support and customization for the **MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY (MDPS)**. The staffs of ITS, DFA and MDPS jointly recommend approval of the continuation of this Agreement with Chop on the Lake Productions, Inc. through June 30, 2015, in an amount not to exceed \$26,800.00 for SFAS software support and customization. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$526,009.00.
- Agenda Item No. 5: Kenny Wilson and Rita Rutland, Chief Systems Information Officer (CSIO), will present the recommendation for Project No. 41239 for the continuation of the

Memorandum

To: Craig P. Orgeron, Ph.D.

Date: April 15, 2014

Re: Evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)

I. BACKGROUND

The University of Mississippi Medical Center is an 837 bed acute care facility located on a 164-acre campus in Jackson, Mississippi. At the Jackson campus, UMMC operates one general acute teaching hospital and three specialty teaching hospitals. This RFP is for services at the three Outpatient Renal Dialysis Centers, one of which is located at the UMMC Campus and two centers which are located at the Jackson Medical Mall, 350 West Woodrow Wilson Avenue, Jackson, MS

The proposed Clinical Dialysis Electronic Health Records (EHR) software will need to support three outpatient dialysis centers and a total of 41 in-unit dialysis stations and 78 home dialysis units. This encompasses a patient load of approximately 160 in-center patients and approximately 80 home dialysis patients. There are currently eight nephrologists, eight Fellows (Residents) and four nurse practitioners handling the patient load. Yearly growth is expected to be 10 home dialysis patients and 1 physician per year. There are currently 10 personal computers monitoring the in-center dialysis stations which are also used for data entry. There is no remote monitoring of home dialysis units.

Billing services were also requested from all vendors as this functionality is provided by the current vendor.

II. PROPOSAL RESULTS

The release of RFP No. 3711 was approved by the ITS Board on February 21, 2013, and published May 9, 2013. Proposals were due on June 10, 2013. UMMC received 1 proposal from Infian. The vendor's proposal was rejected because they took exception to a mandatory requirement.

RFP No. 3729 was published September 17, 2013, and proposals were due on October 25, 2013. UMMC received proposals from 5 vendors: Cyberplus Medical Ltd, Gaia Software LLC, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Four of the vendor's proposals were rejected because they did not meet all the mandatory requirements. The other vendor was rejected by UMMC as being unacceptable.

RFP No. 3743 was published December 4, 2013, and proposals were due on January 21, 2014. UMMC received proposals from 6 vendors: Cybernius Medical Ltd, Gaia Software LLC, Infian, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Proposals were evaluated by UMMC and ITS staff and one vendor's proposal was rejected for not meeting the 80% Technical Gate.

A Best and Final Offer (BAFO) request with additional requirements was issued to the 5 remaining vendors. The BAFOs were due on March 25, 2014, and all 5 vendors responded. Three vendors were eliminated for not meeting the Meaningful Use requirement. UMMC reserved the right to eliminate vendors who did not meet this requirement.

The remaining two proposals were evaluated by UMMC and ITS staff, and the results are summarized below.

Category Description	Cost	Vendor Requirements	Vendor Hosted Requirements	Clinical Software Requirements	Billing	Cost	Sub-Total	Value Add	Total
Possible Points		4	3	28	20	45	100	5	105
Scoring for Each Vendor									
Cybernius	\$1,750,453.00	3.23	1.80	23.85	18.00	35.29	81.97	0	81.97
Infian	\$1,439,835.20	2.60	2.70	22.40	16.67	45.00	89.37	0	89.37

III. RECOMMENDATION

The staffs of ITS and UMMC jointly recommend the selection of Infian, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of \$ 1,439,835.20.

IV. SOURCE OF FUNDS

The funding source is the Clinical SOM-Medicine-NEPHROL Department.



 Curtis Ritchey, Technology Consultant

Attachment: Project Proposal and Business Case

PROJECT PROPOSAL AND BUSINESS CASE

PROJECT IDENTIFICATION

Agency/Division/Program Area	University of Mississippi Medical Center
Project Manager	Rick Whitehead, rwhitehead2@umc.edu , 601-815-9940
Name of Project	Dialysis Billing System
IT Plan Project Number	150120
Date Prepared	April 10, 2014

CURRENT SITUATION AND BUSINESS NEED FOR THE PROJECT

The University of Mississippi Medical Center's (UMMC) current Dialysis Billing System is inadequate to meet the current needs of the Dialysis Centers and is not being maintained to acceptable levels by the vendor.

PROJECT GOALS AND OBJECTIVES

UMMC is seeking a Dialysis Billing System to be utilized by the hospital's three dialysis centers to provide clinical monitoring and record keeping of dialysis machines, billing for services, medication tracking, laboratory tracking and billing, and automated reporting to government agencies databases.

- **BUSINESS DRIVERS/AGENCY PRIORITY**
 - Dialysis specific Electronic Health Records
 - Direct interface to Dialysis Lab
 - Flexibility in billing software and billing company
 - Compliance with HIPAA, CMS and JCAHO standards
 - Anticipated lifespan of 5+ years before replacement or major upgrade
- **ANTICIPATED BENEFITS:**
 - Lower billing costs due to enhanced billing software
 - Higher patient care quality and safety
 - Increase in staff efficiencies
 - Reduced time for ordering supplies
 - Reduced time for scheduling services
 - Ability to reduce or redirect staff
 - Cost avoidance and/or reduction
 - Increase in collections
 - Improved fraud detection/prevention
 - Reduced billing errors
 - Soft Benefits
 - Additional services provided
 - Increased quality of service
 - Improved decision support

- Meet Statutory Requirements
- Compliance with HIPAA, CMS and TJC standards
- Compliance with Crown Web reporting

PROPOSED SOLUTION

Issue an RFP for a new Dialysis Billing System to replace the current system.

CRITICAL SUCCESS FACTORS

- Provides clinical monitoring and record keeping of dialysis machines
- Billing for services
- Medication tracking
- Laboratory tracking and billing
- Automated reporting to government agencies

RISKS

- Lower patient care quality and safety
- Higher operating costs due to extra time spent on billing and laboratory tasks
- Higher billing costs due to lack of flexibility in vendors
- Lack of compliance with statutory requirements resulting in non-reimbursements
- Delayed purchases of patient-care supplies

ASSUMPTIONS

- The budget allocation is sufficient to fund all costs of the project
 - The funding source is the Clinical SOM-Medicine-NEPHROL Department
- Resources are available and will be scheduled to ensure deadlines are met

DEPENDENCIES

N/A

COLLABORATION

N/A

IMPACT IF NO ACTION TAKEN

- Hamper patient care
- Put patients at risk
- Puts staff and hospital at risk

TECHNICAL ENVIRONMENT AND HOSTING

The Data Center will provide the following functions and services:

- Medical record repository
- Medical Record/software licenses
- Data Center / RDBMS operation (HIPAA compliant)
- Help desk / pager service (24x7)
- Firewall/VPN operation
- Encrypted/secure communications
- Nightly backup
- Automated off-site backup storage
- Disaster recovery plan/facilities

INFORMATION TECHNOLOGY SECURITY

UMMC policies are compliant with HIPAA, CMS and JCAHO standards. All UMMC employees must follow these procedures to access data.

Access to the medical record is first governed by two logon processes, one at the operating system level, the second at the user level. A user must have an account and password for both the operating system and the medical record.

Within the medical record, access is governed by the role/clinical discipline of the user, which provides default data access (access to specific medical record-keeping areas) as well as clinical function access (access to specific medical record-keeping functions, e.g. medication order administration). Data access is provided to individual users on four levels: view, create, modify and discard.

Access to individual screens is defined by data level access; access to modify individual fields on a given screen is defined by clinical function based access.

DISASTER RECOVERY / BUSINESS CONTINUITY

UMMC has a Disaster Recovery Plan to prepare UMMC in the event of disruptions affecting corporate local area networks (LAN), wide area networks (WAN), Internet access and wireless network services due to factors beyond our control (e.g., natural disasters or man-made events). This plan will also guide restoration of network integrity and normal operations to the widest extent possible in a minimum time frame. All UMMC locations that are connected to the WAN are expected to implement preventive measures whenever possible to minimize operational disruptions and to recover as rapidly as possible when an incident occurs.

This plan identifies vulnerabilities and recommends necessary measures to prevent extended network outages. It is a plan that encompasses all UMMC network operations in all locations.

This plan identifies vulnerabilities and recommends measures to prevent extended network outages. All systems hosted by UMMC are backed up daily.

FUNDING

Based upon a three year contract with two additional years as an optional renewal, UMMC is partnering with a vendor that all software fees is equal to an anticipated range of 2.7% and 3% of gross collections, except for the initial start-up cost and \$5,000 per year support costs listed below.

PROJECT COST / RESOURCE ESTIMATE SUMMARY

Based upon a three year contract with two additional years as an optional renewal

LIFECYCLE COST ESTIMATE:

		Direct Costs	E- Prescribe	Fees and Support*	Total Cost per Year
Year 1	Start-Up Costs				
	Implementation	\$8,000			
	Onsite Initial Training	\$12,000			
	Software Licensing	\$7,800			
	Hardware	\$15,755			
	On-going Training	\$13,200			
Year 1			\$16,900	\$243,000	\$316,655
Year 2			\$17,745	\$250,290	\$268,035
Year 3			\$18,590	\$257,799	\$276,389
Optional Year 4			\$19,435	\$265,532	\$284,967
Optional Year 5			\$20,280	\$273,510	\$293,790
	Total	\$56,755	\$92,950	\$1,290,130	

Five Year Grand Total as Projected:

\$1,439,835

*Fees based on 2.7% of gross collections

COST BENEFIT ANALYSIS / RETURN ON INVESTMENT

With the expected improvements in efficiency, gross collections are expected to increase by approximately 3% each year. While the corresponding software fees will also increase proportionately, each year's increase in gross collections will cover the fee costs and include an anticipated \$19,000 to \$22,000 surplus. In addition, the current billing system's fees are at 4%. With the new fee structure at 2.7%, there will be additional surplus anticipated between \$117,000 and \$131,000 annually.

The total 5-year fee surplus based on the new fee structure compared to the old fee structure is anticipated to be \$723,180. Subtracting the initial Implementation (\$56,755) and the 5-year cost for e-Prescribing (\$92,950) from the fee structure surplus results in an overall cost savings for this project of \$573,475 over 5 years.

Year	Gross Collections	Program Fees at 2.7%	Additional Collections	Savings compared to current 4%	Fee Surplus for Implementation of the New System
Year 1	\$9,000,000	\$243,000	\$262,136	\$117,000	\$136,136
Year 2	\$9,270,000	\$250,290	\$270,000	\$120,510	\$140,220

Year 3	\$9,548,100	\$257,799	\$278,100	\$124,125	\$144,427
Year 4	\$9,834,500	\$265,532	\$286,400	\$127,849	\$148,717
Year 5	\$10,130,000	\$273,510	\$295,500	\$131,690	\$153,680
Total over 5 Years		\$1,290,130	\$1,392,136	\$621,174	\$723,180

ALTERNATIVES TO THE PROPOSED SOLUTION

Other Options Considered	Reasons for Rejecting Alternative Solution
Use the current EPIC billing system	The current EPIC billing module was explored, but UMMC determined that it does not meet the unique needs of the Dialysis Centers, such as automated ordering of dialysis supplies and interfacing with dialysis laboratories. It also does not handle the required billing services.

Memorandum

To: Craig Orgeron, Ph.D.

Date: March 7, 2014

Re: Recommendation for Project No. 40758 for the continuation of the Agreement with Blackboard, Inc. for the acquisition of licensing, hosting, and services related to the Blackboard Learning Management System for the **UNIVERSITY OF SOUTHERN MISSISSIPPI (USM)**

I. HISTORY AND OVERVIEW OF ACQUISITION

WebCT was the university's Learning Management System until 2006 at which time it was purchased by Blackboard, Inc. In 2006, the university renewed its use of WebCT through Blackboard on an annual basis. At that time USM chose for Blackboard to host the software. Over time, additional storage and bandwidth was required increasing the costs to the university. The university has since purchased additional online services and products from third party vendors that have now been acquired by Blackboard. Currently, USM utilizes Blackboard as its Learning Management System and for managed hosting to deliver fully online, hybrid, and executive format classes.

As a result of RFP No. 3452, ITS entered into a Master Agreement with Blackboard, Inc. to provide Learning Management System services. In 2013, ITS issued USM a 3- month CP1 to pay for Blackboard services while a Supplement to the ITS Master was being negotiated. Following successful contract negotiations, USM elected to use the ITS Master Contract with Blackboard to sign a one-year Licensing Agreement. At the time of the 2013 Agreement, the Master Agreement was in the last year of its term. ITS has since renegotiated that Master Agreement and has secured guaranteed pricing through 2019. USM is now requesting to leverage the recently negotiated ITS Master Agreement to take advantage of the guaranteed multi-year pricing through September 30, 2019.

This contract will provide access to the Blackboard Learning Management System, also known as Blackboard Learn. Other course delivery tools include Blackboard Collaborate and Course Delivery. The contract also provides a staging server, additional storage, MATLIC Online (instructional and support materials), section merge tool, data integration between Blackboard and Peoplesoft, Mobile services, managed hosting, and platinum package support services.

II. RECOMMENDATION

The staffs of ITS and USM jointly recommend the approval of the continuation of this Agreement with Blackboard, Inc. through September 30, 2019, in an amount not to exceed \$2,596,009.73 to provide for the licensing, hosting, and services related to the Blackboard Learning Management System. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$3,106,612.69.

Ben Garrett, Technology Consultant

Attachment: Acquisition Analysis Summary

Attachment

Acquisition Analysis Summary: Project 40758

BUSINESS DRIVERS/AGENCY PRIORITY:

- USM's current Blackboard licensing expires on September 20, 2014
- USM has a continuous need for a university-wide Learning Management System.

ANTICIPATED BENEFITS:

USM will secure licensing for the next 5 years. Utilizing the ITS Master Agreement will alleviate the need for the university to procure Blackboard Licensing on an annual basis. The 5-year term will also allow the university to lock in pricing for that period.

RISKS:

There are no known risks associated with this Agreement.

LIFECYCLE COSTS:

Year 1	\$502,670.40
Year 2	\$512,306.00
Year 3	\$521,635.94
Year 4	\$527,146.95
Year 5	\$532,250.44
TOTAL:	\$2,596,009.73

EXHIBIT 4

May 15, 2014

SYSTEM – APPROVAL OF AMENDMENTS TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT (SMART BUSINESS ACT) GUIDELINES.

Section 1. Funding Opportunity Title

Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Rebate Applications

Section 2. Funding Opportunity Purpose/Description

The Strengthening Mississippi Academic Research Through Business Act (SMART Business Act), as established by Mississippi law, is intended to meet the following goals: stimulate private investment in research and development through partnerships with Mississippi public colleges/universities; increase the competitiveness of Mississippi companies; and improve the economy of the State of Mississippi.

Section 3. Eligibility Requirements

Any natural person, partnership, limited liability company, association, corporation, business trust or other business entity not formed for the specific purpose of acquiring the rebate offered, and which is subject to Mississippi income or franchise tax is eligible to apply (the “Applicant”).

Section 4. Application and Submission Information

1. Requesting an Application Package

Application information is available online at the Mississippi Institutions of Higher Learning’s (IHL) website (www.ihl.state.ms.us).

2. Content and Form of Application Submission

Application packages will be accepted online at www.ihl.state.ms.us and will at a minimum include the items listed below.

- Name, address and tax ID number for the Applicant (to document eligibility of the Applicant/Investor).
- A copy of a Research Agreement between the Applicant and a College or Research Corporation stating their intent to enter into a Research Agreement for Qualified Research with an attached research plan and budget approved by the College or Research corporation. The research agreement must also include an estimated date of completion.
- A statement/assurance that funds from the Applicant/Investor do not originate from any grant, contract or otherwise by another person or governmental entity.
- A letter from the Mississippi Department of Revenue stating that the applicant is subject to Mississippi income tax or franchise tax.

~~3. Submission Dates and Times~~

~~Applications may be submitted during one of two 60-day open enrollment periods that will be publicly announced on an annual basis. Additional open enrollment periods may be announced based on availability of funding.~~

EXHIBIT 4

May 15, 2014

Section 5. Application Review Information

Applications will be reviewed for compliance with ~~the legislation~~ Miss. Code Ann. § 37-148-1 through 37-148-9 and IHL Board Policy by the Office of the Commissioner of Higher Education or his designee.

Section 6. Award Information

1. Funding Instrument

Rebate: An Investor (Applicant) incurring qualified research costs subject to a research agreement approved under this act is eligible for a rebate equal to twenty-five percent (25%) of the investor's qualified research costs.

2. Funds Available and Anticipated Number of Awards

The total funding support from the State of Mississippi is \$5,000,000 per fiscal year. Each investor incurring research costs approved under this act is limited to a rebate of twenty-five percent (25%) of the investor's qualified research costs not to exceed \$1,000,000 during any fiscal year.

Section 7. Award Administration Information

A formal notification in the form of a SMART Business Certificate (SBC) will be issued by the IHL to awarded/approved investors within 60 days of the ~~expiration of an open enrollment period.~~ receipt of an application. If approval is denied, formal notification including reason(s) for such action will be sent to an investor within the same 60 day period.

Section 8. Rebate Redemption

To claim a rebate, the investor must submit a rebate allocation claim to the Mississippi Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business certificate issued by the Mississippi Institutions of Higher Learning and proof of payment to the college or research corporation for qualified research conducted according to the research agreement. The IHL may set an expiration date for redemption of rebates with the Mississippi Department of Revenue.

Section 9. Definitions

"**College**" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

"**Investor**" means a natural person, partnership, Limited Liability Company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax or franchise tax.

"**Qualified research**" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research to the extent funded by any grant, contract or otherwise by another person or governmental entity.

EXHIBIT 4

May 15, 2014

"Research agreement" means a new written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research; however, all qualified research costs generating a rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

"Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by a college and all income and profits of the corporation inure to the benefit of the college.

"Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

"State" means the State of Mississippi or a governmental entity of the State of Mississippi.

"IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

"SMART Business Act" means Strengthening Mississippi Academic Research Through Business Act.

EXHIBIT 5

May 15, 2014

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE April 24, 2014 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.

1. ASU– GS 101-294 – Fire Sprinkler

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

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids**. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 9, 2014

Project Initiation Date: March 21, 2013

Design Professional: Atherton Engineers

General Contractor: TBD

Project Budget: \$2,292,079.00

2. MSU– GS 105-345 (GC002) – MSU Classroom Building with Parking (Mechanical)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$5,205.34 and eighty-five (85) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 1, 2014

Change Order Justification: **Change Order #1** is necessary to install flowable fill in the former diesel tunnel from the building to the end of the tunnel & waterproof, time extension for delayed HVAC submittals concerning the ice storage tanks, credit for eliminating backflow preventer, credit for eliminating piping no longer needed as part of the modified system and modification of hilti anchors needed for the support of the interior mezzanine.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$5,205.34.

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Upchurch Plumbing, Inc.

EXHIBIT 5

May 15, 2014

Project Budget: \$41,314,339.00

3. **MSU– GS 105-348 – EMC Implementation**

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Atwell & Gent, P.A.

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

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 16, 2014

Project Initiation Date: October 18, 2012

Design Professional: Atwell & Gent, P.A.

General Contractor: TBD

Project Budget: \$1,525,000.00

4. **MSU– IHL 205-272 (Phase One Base Building) – Campus Services Shop Building**

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Michael T. Muzzi, AIA, AUA, design professional.

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

Staff Approval Date: April 16, 2014

Project Initiation Date: October 17, 2013

Design Professional: Michael T. Muzzi, AIA, AUA

General Contractor: TBD

Project Budget: \$2,000,000.00

5. **MUW– GS 104-178 – Fant Library Renovation, Phase I**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$17,282.83 and thirty-one (31) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 11, 2014

Change Order Justification: **Change Order #8** is necessary to repair two HVAC units to be used for temporary air during the Phase 2 project, re-circuit & control the existing light pole at the NW corner of the site that was disrupted by revisions to the site drainage due to latent conditions, to compensate the steel supplier for additional detailing costs, and to add 15 days to the contract time due to weather delays.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$111,587.60.

Project Initiation Date: October 20, 2011

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

General Contractor: West Brothers Construction, Inc.

Project Budget: \$6,800,000.00

EXHIBIT 5

May 15, 2014

6. MVSU– GS 106-237 – Harrison Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$67,782.20 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 7, 2014

Change Order Justification: **Change Order #1** is necessary to switch from TPO to a modified bitumen roof and to switch from prefinished metal to masonry.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$67,782.20.

Project Initiation Date: January 20, 2011

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

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$17,775,000.00

7. UM – GS 107-308 – Union Addition & Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Eley Guild Hardy Architects. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 14, 2014

Project Initiation Date: August 186, 2011

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Project Budget: \$50,000,000.00

8. UM– IHL 207-361 – Lamar Hall Phase IIB

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$192,488.58 and thirty-nine (39) additional days to the contract of D. Carroll Construction, LLC.

Staff Approval Date: April 14, 2014

Change Order Justification: **Change Order #4** is necessary to repair the existing fire rated partitions that were not properly built/sealed during the original building construction, change carpet to match the existing finishes from the Phase I construction, additional sprinkler heads at the existing stairwells & abandoned elevator shafts per code, to extend the boiler stack above the existing stairwell walls per code, installing recessed can lights in the central monumental stair, install door & hardware between offices 253 & 252, and adding additional power/data to multiple locations, additional fire dampers at the Writing Center not shown on drawings, demolition of doors & walls at Suite B and at the third floor not show on drawings, additional data & power at classroom tech #368, relocation of VAV boxes from the corridor to rooms 205 & 275.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$544,261.93.

Project Initiation Date: August 16, 2012

Design Professional: Barlow Eddy Jenkins Architects, P.A.

EXHIBIT 5

May 15, 2014

General Contractor: D. Carroll Construction, LLC

Project Budget: \$7,800,000.00

9. UMMC – IHL 209-544 – Translational Research Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Foil Wyatt Architects and Planners.

Staff Approval Date: April 2, 2014

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects and Planners

General Contractor: TBD

Project Budget: \$43,032,000.00

10. UMMC – IHL 209-544A – Contract I – Site Work/Equipment Procurement – Translational Research Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Waiver of Design Development Documents** as submitted by Foil Wyatt Architects and Planners.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Foil Wyatt Architects and Planners, design professional.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: April 2, 2014

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects and Planners

General Contractor: TBD

Project Budget: \$43,032,000.00

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

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$6,082.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$4,551.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

Staff Approval Date: April 11, 2014

Change Order Justification: **Change Order #2** is necessary to change material for approximately 270 linear feet of underground, double-wall fuel oil piping to eliminate steel outer cladding, and to utilize the reinforced fiberglass for outer cladding material.

Change Order #3 is necessary to change material for all 3-in header piping, 2-in branch piping, valves, fittings, and specialties that are part of the water softener skid. The skid supports, hangers, and configuration will be modified to accommodate PVC piping.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$19,405.00.

EXHIBIT 5

May 15, 2014

Project Initiation Date: August 15, 2013

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

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$10,000,000.00

12. UMMC– IHL 209-550 – Wiser Women’s Urgent Care Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by The McCarty Company Design Group, P.A.

Staff Approval Date: April 16, 2014

Project Initiation Date: January 16, 2014

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

General Contractor: TBD

Project Budget: \$1,682,000.00

13. USM– GS 108-261 – School of Nursing Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 11, 2014

Project Initiation Date: September 17, 2009

Design Professional: Studio South/Eley Guild Hardy Architects

General Contractor: Hanco Corporation

Project Budget: \$30,000,000.00

14. USM– GS 108-267 – College of Business Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the amount of \$315,939.79 and ten (10) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 1, 2014

Change Order Justification: **Change Order #12** is necessary to change the cement terrazzo to epoxy terrazzo on the first floor, changing two marker boards to tempered glass visual display boards, electrical changes to the elevators that are required, providing additional steel to support architectural precast concrete at the west porch and electrical circuit changes that are required.

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$841,700.55.

Project Initiation Date: March 2, 2005

Design Professional: Studio South/Eley Guild Hardy Architects

General Contractor: Hanco Corporation

Project Budget: \$34,000,000.00

EXHIBIT 6

May 15, 2014

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 Shulman, Rogers, Gandal, Pordy & Ecker (statement dated 3/24/14) from the funds of Mississippi State University. (This statement, in the amount of \$422.24, represents services and expenses in connection with the Nextel/Spring Rebanding Project.)

TOTAL DUE.....\$ 422.24

Payment of legal fees for professional services rendered by Ware/Gasparian (statements dated 4/1/14 and 4/3/14) from the funds of Mississippi State University. (These statements, in the amounts of \$93.00 and \$2,000.00, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 2,093.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 3/20/14) from the funds of the University of Mississippi Medical Center. (This statement in the amount of \$7,640.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,640.00

Payment of legal fees for professional services rendered by Jones Walker (statements dated 3/3/14 and 3/21/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$143.50 and \$266.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 410.00

Payment of legal fees for professional services rendered by Kitchens, Hardwick & Ray (statements dated 4/5/14, 4/5/14, 4/5/14, 4/5/14, 4/7/14 and 4/7/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$1,699.50, \$6,022.50, \$891.00, \$660.00, \$1,105.50 and \$445.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,824.00.

EXHIBIT 6

May 15, 2014

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 3/24/14) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$15,670.88, \$1,206.60 and \$96.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 16,973.48

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 4/8/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$16.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 16.50

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

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/15/13, 11/15/13, 12/18/13, 1/14/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 3/17/14, 3/17/14, 3/17/14 and 3/17/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,615.00, \$5,956.00, \$3,729.50, \$50.00, \$435.00, \$560.50, \$3,017.50, \$303.00, \$570.00, \$543.00, \$28.50, \$74.00, \$38.00 and \$36.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 17,956.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 3/24/14) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: "Trademark Application for the Centennial Anniversary" - \$1,200.00.)

TOTAL DUE.....\$ 1,200.00