

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
May 16, 2019**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 19, 2018, to each and every member of said Board, said date being at least five days prior to this May 16, 2019 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham (by phone), Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. The meeting was called to order by Hal Parker, President, with Trustee Duff providing the invocation.

INTRODUCTION OF GUESTS

- President Parker welcomed the Student Government Association Officers: James Stirgus, SGA President at Alcorn State University; Elizabeth Swindle, SGA President at Delta State University; Jordan Jefferson, SGA President at Jackson State University; Jake Manning, SGA President at Mississippi State University; John Jacob Miller, SGA President at Mississippi University for Women; Barron Mayfield, SGA President of the University of Mississippi; and Blake Johns, SGA President of the University of Mississippi Medical Center.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Ogletree, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on April 18, 2019; April 22, 2019; April 24, 2019; and May 7, 2019.

CONSENT AGENDAS

Trustee Duff moved Finance Consent Agenda items #1, #3, and #16 to the Finance Regular Agenda and the Personnel Consent Agenda item for John Michael Thomas to the Personnel Regular Agenda for consideration. On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas as amended.

FINANCE

1. **SYSTEM** – Request for the Mississippi Institutions of Higher Learning’s Executive Office (IHL) to purchase cyber liability and incident response insurance coverage with Lloyds of London – Beazley Syndicate (Beazley). Beazley will provide the cyber coverage and breach response services for the system. Cyber liability insurance will cover various cyber-related losses, including third party liability, first party loss, costs related to investigation

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and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber incident. Purchase of the insurance also includes expert assistance from the insurers breach response team. The purchased policy will be primary to other insurance so that it will protect the IHL Self-Insured Tort Plan in the instances where coverages overlap. This renewal adds new sub-limited coverages, including Contingent Bodily Injury, Computer Hardware Replacement Cost, Criminal Reward, Fraudulent Instruction, Funds Transfer Fraud, and Telephone Fraud. The contract is a one-year insurance policy beginning May 26, 2019 and terminating May 26, 2020. The cost will be approximately \$265,444 for the one-year policy. The IHL Self-Insured Tort Plan will pay the premium and allocate an appropriate premium share to each insured participant. The share for each participant other than UMMC will be built into the annual assessment of the Tort Plan. The Tort Plan will invoice UMMC for its share. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

2. **IHL EXECUTIVE OFFICE** – Approved the request to amend the total expenditure amount applicable to its agreement with Leon Consulting, LLC d/b/a LK Marketing Services for the program management, marketing and system services for Mississippi's Complete 2 Compete initiative. The services are to support IHL along with the Mississippi Community College Board, the 8 public universities and the 15 community/junior colleges with the services needed within the Complete 2 Compete project, including the direct outreach, the triage of responses and the reporting of data. The approved term of the agreement was for 3 years beginning April 21, 2017 and ending April 20, 2020. Due to the ending date of the funding source, the amended agreement end date will be December 31, 2019. The total estimated cost of the original contract was \$1,333,418. The Board approved the request to add an additional \$415,819. The new total estimated cost for the agreement is \$1,750,000. Funds are available from the Mississippi Department of Human Services MOA for Complete 2 Compete. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **MSU** – Request to enter into a new contract with Nelnet Campus Commerce to continue providing an inbound payment solution (credit card, debit card, eChecks, mobile payments, etc.). The current contract expires on June 30, 2019. The term of the contract is five (5) years with the option to extend an additional five (5) years. MSU anticipates the expenditure of \$2,375,500 over the next 10 years, broken down as follows: for the original 5-year contract - \$655,000; and \$720,500 for an extended 5-year period, plus an additional \$1,000,000 for contingency. Over 100 departments that utilize the system for payment processing purposes will provide funding for the system. These costs are built into the cost of good/services rendered by the various departments. Any remaining system costs not covered in this manner will be funded via investment income. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

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4. **MSU** – Approved the request to enter into a new contract with NextGen Healthcare to provide an Electronic Health Record (EHR) and Integrated Practice Management (PM) system. This new software system is needed as the current EHR/PM system will reach the end of its contract period on July 31, 2019. Allscripts PM, in its current form, is outdated and approaching the end of its contract life. Replacing the software system will enable MSU to utilize up-to-date software architectures and efficiencies while also implementing software that incorporates best practices. The software maintenance agreement will commence on the Effective Date (date of the first Order From) and continue until December 31, 2019. It can be renewed upon the written approval of both parties for up to 8 additional 1-year periods. The nine-year contract cost is \$894,009. The CP-1 was approved for up to \$600,000. Because the contract is for a one-year term with yearly renewals, our intent is to continue to renew, providing the product remains acceptable, up until we reach the \$600,000 mark. At that point the university will go back to Mississippi Department of Information Technology Services (MDITS) for an extension of the CP-1 amount. If that request is denied, the university will discontinue use of the contract and will begin a new RFP process. Funds are available from Student Health Center funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **MSU** – Approved the request to enter into a new contract with SirsiDynix. SirsiDynix provides specialized library software and services for the members of the Mississippi Library Partnership. The SirsiDynix Library Automation System is the software used by the libraries to manage their collections including providing an online catalog, and the modules required to manage the collections (i.e. circulation, cataloging, acquisitions, serials control, reporting). Member institutions include Mississippi University for Women; Tombigbee Regional Library System; East Mississippi Community College Library System; Hinds Community College; Starkville-Oktibbeha County Public Library System; Columbus-Lowndes Public Library System; Mid-Mississippi Regional Library System; First Regional Library System; and Lee-Itawamba Library System. The term of the contract is July 1, 2019 – June 30, 2022. The total 3-year cost of the agreement is anticipated to be \$ 861,854. This contract has been submitted to the Mississippi Department of Information Technology Services (MDITS). The MDITS Board will review the project on April 18, 2019. MSU will not sign an agreement unless and until approved by both IHL and MDITS. During the life of the contract it is anticipated that member libraries will request to add additional modules and other libraries may request to become a member of the Partnership, both incurring additional costs. Due to these foreseeable changes, the Board approved the request to make revisions to this contract which could include adding modules and/or additional libraries up to the approved MDITS CP-1 approved amount of \$1.5 million. Each member of the Mississippi Library Partnership pays Mississippi State University Library for a portion of their overall contract fee. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **MSU** – Approved the request to subscribe to electronic journals from Springer Nature Customer Service Center, LLC. These research-oriented journals are used by MSU faculty, staff and students for educational and research purposes. The start date of the contract will

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be May 17, 2019 with an end date of December 31, 2019. The total amount of the contract is \$255,805.07 which will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

7. **MSU** – Approved the request to enter into a new contract with Terra Dotta, LLC, to provide International Education application software, services, and maintenance. This new software system is needed to meet updated contractual requirements for our existing study abroad management tool and to support additional international education information management needs. The agreement shall commence on May 19, 2019 and continue until June 30, 2024 with the option to renew for two additional one-year periods for a total contract life of approximately seven years. The total amount of the contract is \$443,309.75. The costs broken down by year are: Year 1 (13.5 months) - \$102,238.75; Year 2 - \$80,319; Year 3 - \$83,532; Year 4 - \$86,873; Year 5 - \$90,347. All annual recurring fees are subject to change; provided that Terra Dotta will not increase fees during any annual period by more than 5% from the previous year. Additional fees will be charged if we should exceed 600 students per year. We are requesting approval for up to \$625,000.00 which is the amount approved by MDITS on CP-1 20190176 to account for these potential increases. Funds are available from MSU general funds and revenues in the department from fees. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **MSU** – Approved the request to escalate the educational and general budget of the Mississippi State Chemical Laboratory for FY 2019. The escalation is requested to procure new equipment necessary for continued support of state regulatory programs and to improve the laboratory’s turnaround time. The Board approved additional budget authority to procure maintenance/service contracts to ensure proper operation of instrumentation necessary to meet regulatory obligations. Fund balance reserves will provide the source of funds.

Mississippi State University FY 2019 Mississippi State Chemical Laboratory Budget by Major Object			
Category	Original FY 2019 Operating Budget	Revision/ Escalation	Revised FY 2019 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 1,768,002	\$ -	\$ 1,768,002
Travel and Subsistence	10,000	-	10,000
Contractual Services	61,126	70,000	131,126
Commodities	207,233	-	207,233
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	75,000	500,000	575,000
Mandatory Transfers	39,000	-	39,000
Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
Total	\$ 2,160,361	\$ 570,000	\$ 2,730,361

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9. **UM** – Approved the following: (i) an assignment and assumption of lease between Epsilon Zeta House Corporation of Kappa Alpha Theta (“KAT House Corporation”) and Kappa Alpha Theta Fraternity, Inc. (“KAT”), and (ii) a sublease between KAT and the Delta Rho Chapter House Association of Kappa Kappa Gamma/Fraternity (“KKG House Association”). Because the Epsilon Zeta Chapter of Kappa Alpha Theta Fraternity, Inc. ceased its chapter operations on UM’s campus in December 2018, the house corporation affiliated with the sorority – the KAT House Corporation – will be dissolved and will cease to exist as a going concern. Before its dissolution, the KAT House Corporation seeks to assign and convey all of its rights, title and interest in its primary lease with IHL to KAT, the national fraternity with which the Epsilon Zeta Chapter and the KAT House Corporation are affiliated. Moreover, because the sorority residential facility occupied by the Epsilon Zeta Chapter will be vacant as of May 2019, the KAT House Corporation (through its assignee KAT) seeks to sublease the facility to the Delta Rho Chapter House Association of Kappa Kappa Gamma/Fraternity. IHL’s approval of the Assignment and Assumption of Lease and the Sublease is necessary because the primary lease between the KAT House Corporation and IHL expressly provides that the KAT House Corporation may not sublease the property, or sell, assign, or mortgage the leasehold estate to any person, corporation, society, or body without the consent of IHL in writing. The primary lease between IHL/UM and KAT House Corporation is for a fifty-year term, from May 21, 1979 to May 20, 2029. The primary lease contains an option to renew the lease for an additional twenty-five years, thereby extending the lease term to year 2054, if the option is exercised. The assignment and assumption of lease between KAT House Corporation and KAT is permanent and has no term. The term of the sublease between KAT and KKG House Association is for one year. The primary lease between IHL/UM and KAT House Corporation imposes an annual \$50 lease payment to UM. The base rent under the sublease between KAT and KKG House Association is \$135,000 per year, payable in equal monthly installments, plus a one-time \$11,250 security deposit. Legal Staff has reviewed this item for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **UM** – Approved the request to enter into an agreement with RJ Young Company for the departmental rental of twenty-nine (29) copiers. The rental terms of this contract will also include one hundred and eighty-eight thousand (188,000) black and white copies/prints per month. This contract will supply the Athletics Department with twenty-nine (29) new copiers, a set amount of copies/prints per month, and standard maintenance of the rental equipment for the use in day-to-day operations. The term of this contract will be for sixty (60) months. The contract becomes effective upon signature by the University and RJ Young Company. This contract amount will be \$8,055.62 per month for sixty (60) months for a total of \$483,337.20 over the life of the contract. Although not a contractually obligated amount, the expenses for color copies will annually fall in the range of \$22,000 - \$28,000 for a five-year maximum additional expense of \$140,000. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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11. **UM** – Approved the request of the University of Mississippi Office of Admissions to amend a contract with Ruffalo Noel Levitz, LLC (“RNL”). The original agreement provided consulting services with respect to recruitment strategies for transfers, high school students, and their parents. These services include the design, creation and implementation of a marketing campaign for student recruitment. The amendment to the contract will increase the services provided by RNL in response to an increase in search records (name buys) and revise the services with regards to Direct Mail Volume and Digital Advertising Impressions. The initial term of the Agreement is in effect from February 16, 2018 through June 30, 2019 for Statement of Work 1, in effect from September 1, 2018 through August 31, 2019 for Statement of Work 2, and in effect from February 16, 2018 through December 31, 2018 for Statement of Work 3. Each Statement of Work may be renewed for two separate one-year terms at the same price as the initial term. Annual renewals are contingent upon the University’s satisfaction with the services performed and the need to continue services. The contract amendment results in an increase of \$245,750 in the contract amount for the initial term of Statement of Work 1. This increase reflects an additional \$187,000 in service fees and \$58,750 in estimated postage fees. If both options to renew the Statement of Work 1 are exercised, the total increase in contract amount would be \$737,250 which would result in a new contract grand total of \$1,735,800 if all renewal options are exercised. Annual renewals are contingent upon the University’s satisfaction with the services performed and the need to continue services. The contract will be funded by E&G sources. Legal Staff has reviewed the proposed amendment to the agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to enter into a Capital Equipment Purchase Agreement with B. Braun Medical Inc. for the purchase of forty-two (42) Dialog[®] “*EVOLUTION*” hemodialysis systems, including the related parts, accessories, components and training. These hemodialysis machines and supporting equipment will replace the existing outdated equipment currently used at the UMMC Jackson Medical Mall outpatient dialysis facility. This is a one-time purchase agreement that includes a one (1) year warranty. The warranty will end one (1) year from the date of installation of the equipment. Installation is expected on or about July 30, 2019. The term of the warranty will be on or about July 30, 2019, through July 29, 2020. The total cost of the agreement is \$566,580.00, which includes forty-two (42) Hemodialysis machines and equipment, one (1) year warranty, freight, and training costs. The current agreement will be funded by hospital patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UMMC** – Approved the request to enter into a Purchase Agreement with B. Braun Medical Inc. to purchase solutions and disposables required to perform dialysis on the B. Braun Dialog[®] “*EVOLUTION*” hemodialysis systems. The Board also approved the request to substitute, add, or remove products covered by the agreement without requiring prior submission for Board approval, so long as there is adequate funding remaining. The term of the agreement is three (3) years, from June 1, 2019, through May 31, 2022. The total cost of the agreement is \$566,580.00, which includes forty-two (42) Hemodialysis machines and equipment, one (1) year warranty, freight, and training costs. The current

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

14. **UMMC** – Approved the request for additional funding for the Laboratory Services Agreement with GeneDx, Inc. for the provision of outside reference laboratory services at discounted pricing. The testing that GeneDx performs under this Agreement is used for rare, hereditary disorders and ordered when conditions cannot be diagnosed with routine genetic tests. In June 2018, UMMC began sending Chromosomal Microarray testing to GeneDx, which has precipitated the need for additional funding under the agreement. Chromosomal Microarray is a primary screening test for the diagnosis of persons with birth defects, intellectual disability, developmental delay, etc. Due to the increased test volume sent to GeneDx for the Chromosomal Microarray, UMMC needs additional funds to continue to send tests to GeneDx for the remainder of the agreement term. The term of the agreement remains three (3) years- September 1, 2017 through August 31, 2020. The revised estimated cost over the three (3) year term of the agreement is \$3,330,281.93. The original cost of the agreement was estimated to be \$1,871,846.33. UMMC anticipates the need for an additional \$1,458,435.60 for the remainder of the term. Each January, GeneDx may increase pricing up to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U). UMMC has calculated an annual increase of three percent (3%) for the potential price increase and an annual increase of twenty percent (20%) for patient/testing volume growth. The agreement will be funded by patient revenues. As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Legal Staff is required.
15. **UMMC** – Approved the request to amend its current Pricing Contract (Agreement) with Inspire Medical Systems, Inc. (Inspire) to extend the term of the Agreement, update the products available for purchase under the Agreement, and add required terms and conditions. The Board also approved the request to amend the Agreement as needed to adjust items for purchase without prior Board approval, so long as the total agreement cost does not exceed the approved total cost. The purpose of the Agreement is to allow UMMC to purchase implants to treat sleep apnea at a discounted rate, including, but not limited to, generators, leads, remotes, and programmers. The term of the amended Agreement is five (5) years, from June 1, 2016, through May 31, 2021. The original Agreement was for a term of three (3) years. The amendment extends the term for an additional two (2) years. There is no additional cost for the amendment. The total estimated cost of the Agreement remains \$658,275.00. UMMC will continue to purchase the units on an as needed basis. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed amended agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UMMC** – Request to enter into a product agreement with Johnson & Johnson Health Care Systems, Inc. (Johnson) to purchase reprocessed external fixation equipment reprocessed by Johnson’s affiliate, Sterilmed, Inc. Reprocessing allows equipment to be resold and used for multiple purposes; reprocessing includes refurbishing, cleaning, sterile packaging, sterilization, and high-level disinfection for the equipment. The cost of reprocessed equipment is discounted greatly from the original price as a new item. The external fixation

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equipment is used to externally stabilize long bones, tubular bones, and pelvic ring fractures, as well as arthrodesis and osteotomies for pediatric and adult populations at UMMC's Jackson and Grenada campuses. The Board also approved the request to enter into Amendment #2 to the Master IDN Agreement with Johnson to revise the indemnification requirements therein. The term of the Product Agreement is three (3) years, from June 1, 2019, through May 31, 2022. The estimated total cost of the Product Agreement over the three (3) year term is \$994,946.05. UMMC has included a ten percent (10%) annual increase beginning in Year 2 for potential patient volume increases. The Product Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

17. **UMMC** – Approved the request to extend the current renewal term by one (1) year and add funds for the existing Schedule 12231 to the Master Agreement with Roche Diagnostics Corporation. The current Schedule 12231, as amended, allows the Schedule to be extended on a month-to-month basis. With the month-to-month extension included in the amended Schedule 12231, no further amendment is needed to extend the term. The Board approved the additional month-to-month renewal period beyond May 21, 2019. Extending the month-to-month for one year and adding funds will allow UMMC to continue to purchase reagents and rent laboratory equipment while working on a new agreement for updated equipment and reagents. This time frame includes contract negotiation, approval, equipment build, and installation time. The term of the amended Schedule 12231 is eight (8) years, commencing May 22, 2013, and ending May 21, 2020. This request extends the month-to-month renewal option for one (1) year, through May 21, 2020. The estimated cost over the eight (8) year term of Schedule 12231 is \$17,469,918.90. The Board previously approved up to \$14,753,861.81 over six (6) years through May 21, 2019. UMMC anticipates the need for an additional \$2,716,057.09 for the additional one (1) year. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
18. **UMMC** – Approved the request to enter into a Services Agreement with SSI Management Services, LLC d/b/a Hritz Management Services (Hritz) to assess, advise, and lead improvement efforts for revenue cycle operations at UMMC. The Services Agreement includes an overarching Statement of Work (SOW1) for the entire phased project, as well as two Statements of Work (SOW2 and SOW3, respectively) for specific interim leadership to be provided at the outset of the agreement. The Board approved the request to execute future Statements of Work that fit within the framework established by SOW1, so long as the total cost does not exceed the total requested herein. The term of the agreement begins June 1, 2019 and continues through the last effective Statement of Work. The terms of SOW2 and SOW3 are two (2) years, from June 1, 2019, through May 31, 2021. SOW1 estimates that the entire project will take approximately three (3) years, or through May 31, 2022. The total estimated cost of the entire agreement, as described in SOW1, is \$4,000,000, which includes professional fees, travel, and expenses. The total cost of SOW2 is \$1,164,000. The total cost of SOW3 is \$732,000. The amount remaining for

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future Statements of Work is \$2,104,000. The Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

19. **UMMC** – Approved the request to enter into a Pricing Agreement with W. L. Gore and Associates, Inc. (Gore) for the purchase of GORE® VIABAHN® Endoprosthesis, VBX Expandable Endoprosthesis and TIGRIS® Vascular Stent products. These products are for the treatment of complex arterial and vascular stenosis in adult and pediatric patients. The Board approved the request to add or remove products covered by the agreement without requiring prior submission for Board approval, so long as there is adequate funding remaining. The term of the agreement is three (3) years, from June 1, 2019, through May 31, 2022. The total estimated cost over the three (3) year term is \$1,586,694.23. UMMC has included a projected ten percent (10%) annual growth in volume for years two and three and a two and a half percent (2.5%) price increase in year three. The Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REAL ESTATE

20. **MSU** – Approved the request to delete the EBC funds in the **GS 105-355, Engineering and Science Complex** project, and to increase the MSU Funds from \$4 million to \$8 million. The project shall consist of approximately 70,000 square feet of new construction which will house classrooms, offices, teaching labs, research labs, chemistry labs, support space, and high bay areas. This facility is the first building for the proposed Engineering and Science Complex. Funds are available from SB 2906, Laws of 2015 (\$13,000,000); SB 2844, Laws of 2015 (\$1,000,000); MSU Foundation Funds (\$12,000,000); and MSU Funds (\$8,000,000).
21. **MSU** – Approved the request to rename the project from GS 105-337, Pre-Plan Music Building to **GS 105-337, Music Building**; to increase the budget from \$700,000 to \$17 million, an increase of \$16.3 million; to add MSU Funds as a funding source to the project; and to approve the exterior design of the Music Building. A rendering of the building is included in the bound *May 16, 2019 Board Working File*. This project will include architectural, structural, mechanical, plumbing, electrical and required furnishings. The project will consist of approximately 37,000 square feet. Funds are available from HB 1729, Laws of 2016 (\$14,000,000) and MSU Funds (\$3,000,000).

PERSONNEL REPORT

22. **EMPLOYMENT**

Mississippi State University

Darrin Dodds; *hired with tenure*; Professor and Head of the Department of Plant and Soil Science; salary \$175,000 per annum, pro rata; E & G Funds; 12-month contract; effective April 1, 2019

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Mississippi Valley State University

- Arthur Cartlidge; *rehired retiree*; Site Coordinator, Greenville Higher Education Center; salary of \$20,000 per annum, pro rata; E&G Funds; 12-month contract; effective March 1, 2019
- Willie Totten; *rehired retiree*; Assistant Football Coach, Department of Athletics; salary of \$30,000 per annum, pro rata; E&G Funds; 12-month contract; effective April 1, 2019

University of Mississippi

Deanna Kreisel; *hired with tenure*; Associate Professor of English; Department of English; salary of \$85,000 per annum, pro rata; E&G Funds; 9-month contract; effective July 1, 2019

University of Southern Mississippi

Brett Becton, *hired with tenure*, Dean of College of Business and Economic Development; salary \$255,000 per annum, pro rata; E&G funds; 12-month contract; effective July 1, 2019

23. **CHANGE OF STATUS**

Jackson State University

Mohammad Shahbazi; *from* Professor and Interim Dean, School of Public Health; salary \$140,000 per annum, pro rata; E&G Funds; 12-month contract ending June 30, 2019; *to* Professor for Behavioral and Environmental Health; salary \$82,756; 9-month contract; E&G Funds; effective August 16, 2019

Mississippi State University

- Donna K. Brocato; Associate Professor *with tenure* for Counseling, Educational Psychology and Foundations; salary \$67,672.00 per annum, pro rata; E&G Funds; 9-month contract; termination effective March 22, 2019
- Reuben Moore; *from* Associate Director/Extension Research Professor/Interim Director; MAFES Administration; salary \$215,209 per annum, pro rata; E&G Funds; 12-month contract; *to* Interim Vice President and Extension Research Professor; Division of Agriculture, Forestry, and Veterinary Medicine; salary \$265,209 per annum, pro rata; E&G Funds; 12-month contract; effective date pending approval

University of Mississippi Medical Center

Mary W. Stewart; *from* Professor of Nursing, Assistant Dean for Academic Program Development, and Director of PhD in Nursing program; salary \$140,000 per annum, pro rata; E&G funds; 12-month contract; *to* Professor of Nursing, Interim Dean, Assistant Dean for Academic Program Development, and Director of PhD in Nursing program; salary \$225,000 per annum, pro rata; E&G funds; 12 month contract, effective December 16, 2018

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24. **SABBATICAL**

Jackson State University

- Mark Bernhardt; Professor of History; *from* \$58,796 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$29,398 for sabbatical period; E&G Funds; effective August 16, 2019 to December 12, 2019; professional development
- Mohammad Shahbazi; Professor of Behavioral and Environmental Health; *from* salary \$82,756 per annum, pro rata; Ayers Funds; 9-month contract; *to* salary \$41,378 for sabbatical period; Ayers Funds; effective August 16, 2019 to December 31, 2019; professional development

Mississippi State University

FROM: Jeffrey Haupt; Professor, Art; *from* salary of \$72,132.00 per annum, pro rata; 9-month contract; E&G Funds; *to* salary of \$36,066.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development [Originally approved by IHL Board March 22, 2018.]

CORRECTED: Jeffrey Haupt; Professor, Art; *from* salary of \$73,214.00 per annum, pro rata; 9-month contract; E&G Funds; *to* salary of \$36,607.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2019 to December 31, 2019; professional development.

University of Mississippi Medical Center

- Brian M. Kirmse; Associate Professor of Pediatrics; *from* salary of \$242,725 per annum, pro rata; E&G Funds; 12-month contract; *to* salary of \$32,674.52 for sabbatical period; E&G Funds; effective June 15, 2019 to August 2, 2019; professional development

25. **TENURE**

Alcorn State University

- Ananda Nanjundaswamy; *promotion to* Associate Professor; Department of Agriculture; effective August 13, 2019

Delta State University

- Joshua Armstrong; *promotion to* Associate Professor; Department of Music; effective August 19, 2019
- Liza Bondurant; *promotion to* Associate Professor; Division of Mathematics and Sciences; effective August 19, 2019
- Melody Fortune; *promotion to* Associate Professor; Division of Management, Marketing, and Business Administration; effective August 19, 2019
- James Gerald; *promotion to* Associate Professor; Division of Mathematics and Sciences; effective August 19, 2019

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- Tomeka Harbin; *promotion* to Associate Professor; Division of Management, Marketing, and Business Administration; effective August 19, 2019
- Addie Herrod; Associate Professor; Robert E. Smith School of Nursing; effective August 19, 2019
- Christopher Jurgenson; *promotion* to Associate Professor; Division of Mathematics and Sciences; effective August 19, 2019
- Michael Stanley; *promotion* to Associate Professor; Department of Art; effective August 19, 2019
- Merideth Van Namen; *promotion* to Associate Professor; Division of Teacher Education, Leadership, and Research; effective August 19, 2019
- Franco Zengaro; *promotion* to Associate Professor; Division of Health, Physical Education, and Recreation; effective August 19, 2019

Mississippi University for Women

- Chrystal Hodges; *promotion* to Associate Professor; Department of Education; effective August 19, 2019
- Brandy Larmon; *promotion* to Professor; Department of Associate Nursing; effective July 1, 2019
- Timothy Chad Murphy; *promotion* to Associate Professor; Department of Health and Kinesiology; effective August 19, 2019
- Hillary Richardson; *promotion* to Associate Professor; Department of Library Services; effective July 1, 2019
- Clara Rustin; *promotion* to Professor; Department of Associate Nursing; effective July 1, 2019
- Maria Scott; *promotion* to Professor; Department of Baccalaureate Nursing; effective July 1, 2019
- Phillip Stockton; *promotion* to Associate Professor; Department of Music; effective August 19, 2019

University of Mississippi

- Kris Belden-Adams; *promotion to* Associate Professor; Department of Art and Art History; effective July 1, 2019
- Lindy Mae Brady; *promotion to* Associate Professor; Department of English; effective July 1, 2019
- Melissa Demetria Cinelli; *promotion to* Associate Professor; Department of Marketing; effective July 1, 2019
- David A. Colby; Associate Professor and Research Associate Professor; Department of BioMolecular Sciences; effective July 1, 2019
- Renee Cunningham; *promotion to* Associate Professor; Department of Teacher Education; effective July 1, 2019

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- Jared Heath Delcamp; *promotion to* Associate Professor; Department of Chemistry and Biochemistry; effective July 1, 2019
- Simone P. Delerme; *promotion to* Associate Professor of Sociology and Anthropology and McMullan Associate Professor of Southern Studies; Department of Sociology and Anthropology; effective July 1, 2019
- Antonia L. Eliason; *promotion to* Associate Professor; School of Law; effective July 1, 2019
- Adam J. Estes; *promotion to* Associate Professor; Department of Music; effective July 1, 2019
- Carolyn R. Freiwald; *promotion to* Associate Professor of Anthropology; Department of Sociology and Anthropology; effective July 1, 2019
- Michael Charles Gardiner; *promotion to* Associate Professor; Department of Music; effective July 1, 2019
- Shennette Monique Garrett-Scott; *promotion to* Associate Professor of History and African American Studies; Department of History; effective July 1, 2019
- Selim Giray; *promotion to* Associate Professor; Department of Music; effective July 1, 2019
- Vanessa Gregory; *promotion to* Associate Professor; School of Journalism; effective July 1, 2019
- Toshikazu Ikuta; *promotion to* Associate Professor; Department of Communication Sciences and Disorders; effective July 1, 2019
- Hyunwoo Joung; *promotion to* Associate Professor; Department of Nutrition and Hospitality Management; effective July 1, 2019
- Stacey M. Lantagne; *promotion to* Associate Professor; School of Law; effective July 1, 2019
- Martial Longla; *promotion to* Associate Professor; Department of Mathematics; effective July 1, 2019
- Marcos Alexander Mendoza; *promotion to* Associate Professor of Anthropology; Department of Sociology and Anthropology; effective July 1, 2019
- Maureen S. Meyers; *promotion to* Associate Professor of Anthropology; Department of Sociology and Anthropology; effective July 1, 2019
- Rachna Prakash; *promotion to* Associate Professor; Patterson School of Accountancy; effective July 1, 2019
- Joshua S. Sharp; *promotion to* Associate Professor and Research Associate Professor; Department of BioMolecular Sciences; effective July 1, 2019
- Denise A Soares; Associate Professor; Department of Teacher Education; effective July 1, 2019
- Chalet Tan; Associate Professor and Research Associate Professor; Department of Pharmaceuticals and Drug Delivery; effective July 1, 2019
- James Michael Thomas; *promotion to* Associate Professor of Sociology; Department of Sociology and Anthropology; effective July 1, 2019 **(THIS ITEM WAS MOVED TO THE PERSONNEL REGULAR AGENDA FOR CONSIDERATION.)**

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- Ian Whittington; *promotion to* Associate Professor; Department of English; effective July 1, 2019
- Caroline H. Wigginton; *promotion to* Associate Professor; Department of English; effective July 1, 2019
- Amanda M. Winburn; *promotion to* Associate Professor; Department of Leadership and Counselor Education; effective July 1, 2019

University of Mississippi Medical Center

- Mary Fouquier; *promotion to* Professor; School of Nursing; effective July 1, 2019
- Michael Hall; Associate Professor; Department of Medicine; effective July 1, 2019
- Marilyn Harrington; Associate Professor; School of Nursing; effective July 1, 2019
- Juebin Huang; Associate Professor; Department of Neurology; effective July 1, 2019
- Scott Rodgers; Professor; Department of Psychiatry and Human Behavior; effective July 1, 2019
- Niping Wang; *promotion to* Associate Professor; Department of Periodontics and Preventive Sciences; effective July 1, 2019
- Shou-Ching Tang; Professor; Department of Medicine; effective July 1, 2019
- Tony Wen; Professor; Department of Obstetrics and Gynecology; effective July 1, 2019

University of Southern Mississippi

- Joy Anestis; *promotion to* Associate Professor; School of Psychology; College of Education and Human Sciences; effective August 19, 2019
- Katie Angus; *promotion to* Associate Professor; School of Social Science and Global Studies; College of Arts and Sciences; effective August 19, 2019
- Joel Bolton; *promotion to* Associate Professor; School of Management; College of Business and Economic Development; effective August 19, 2019
- Carey Craig; *promotion to* Associate Professor; School of Humanities; College of Arts and Sciences; effective August 19, 2019
- Jennifer Courts; *promotion to* Associate Professor; School of Performing and Visual Arts; College of Arts and Sciences; effective August 19, 2019
- Matthew Donahue; *promotion to* Associate Professor; School of Mathematics and Natural Sciences; College of Arts and Sciences; effective August 19, 2019
- Ellen Elder; *promotion to* Associate Professor; School of Music; College of Arts and Sciences; effective August 19, 2019
- Alex Flynt; *promotion to* Associate Professor; School of Biological, Environmental, and Earth Sciences; College of Arts and Sciences; effective August 19, 2019
- Matthew Griffis; *promotion to* Associate Professor; School of Library and Information Science; College of Education and Human Sciences; effective August 19, 2019
- Tamara Hurst; *promotion to* Associate Professor; School of Social Work; College of Education and Human Sciences; effective August 19, 2019
- Joyce Inman; *promotion to* Associate Professor; School of Humanities; College of Arts and Sciences; effective August 19, 2019

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- Michelle Jeanfreau; *promotion* to Associate Professor; School of Child and Family Sciences; College of Education and Human Sciences; effective August 19, 2019
- Susan Mayfield-Johnson; *promotion* to Associate Professor; School of Health Professions; College of Nursing and Health Professions; effective August 19, 2019
- Wonryull Koh; *promotion* to Associate Professor; School of Computing Sciences and Computer Engineering; College of Arts and Sciences; effective August 19, 2019
- Robert Leaf; *promotion* to Associate Professor; School of Ocean Science and Engineering; College of Arts and Sciences; effective August 19, 2019
- Dmitri Mavrodi; *promotion* to Associate Professor; School of Biological, Environmental, and Earth Sciences; College of Arts and Sciences; effective August 19, 2019
- Colin McKenzie; Associate Professor; School of Music; College of Arts and Sciences; effective July 1, 2019
- Laura Richard; *promotion* to Associate Professor; School of Social Work; College of Education and Human Sciences; effective August 19, 2019
- Elena Stepanova; *promotion* to Associate Professor; School of Psychology; College of Education and Human Sciences; effective August 19, 2019
- Rebecca Tuuri; *promotion* to Associate Professor; School of Humanities; College of Arts and Sciences; effective August 19, 2019
- Davin Wallace; *promotion* to Associate Professor; School of Ocean Science and Engineering; College of Arts and Sciences; effective August 19, 2019
- Kimberly Ward; *promotion* to Associate Professor; School of Speech and Hearing Sciences; College of Nursing and Health Professions; effective August 19, 2019
- Matt Ward; *promotion* to Associate Professor; School of Social Science and Global Studies; College of Arts and Sciences; effective August 19, 2019

ACADEMIC AFFAIRS

Presented by Trustee Alfred McNair, Chair

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve 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	Continuing Accreditation
	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Initial Accreditation
Belhaven University	BSN	Continuing Accreditation
Coahoma Community College	ADN	Continuing Accreditation

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SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Copiah-Lincoln Community College	ADN	Continuing Accreditation with Conditions¹
Delta State University	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Full 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 Conditions²
Jones County Junior College	ADN	Continuing Accreditation with Conditions³
Meridian Community College	ADN	Continuing Accreditation
Mississippi College	BSN	Continuing Accreditation
	MSN	Initial Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation with Conditions⁴
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation
Mississippi University for Women	ADN	Continuing Accreditation
	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Full Accreditation
Northeast Mississippi Community College	ADN	Continuing Accreditation
Northwest Mississippi Community College	ADN	Continuing Accreditation with Conditions⁵
Pearl River Community College	ADN	Continuing Accreditation
Southwest Mississippi Community College	ADN	Continuing Accreditation
University of Mississippi Medical Center	BSN	Continuing Accreditation with Conditions⁶
	MSN	Continuing Accreditation
	DNP	Continuing Accreditation
University of Southern Mississippi	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Continuing Accreditation
William Carey University	BSN	Continuing Accreditation
	MSN	Continuing Accreditation

¹**Copiah Lincoln Community College**

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. b. Degree Completion Rate **51.66% or above** over a three-year period; ADN program degree completion rate for three-year period **49.37%** (2015/16 – 52.94%; 2016/17 – 46.94%; 2017/18 – 46.34%).
CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/19.
- **REASON:** ADN 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 spring 2020.

²**Itawamba Community College**

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. b. Degree Completion Rate **60% or above** over a three-year period; ADN program degree completion rate for three-year period **56.53%** (2015/16 – 56.89%; 2016/17 – 52.41%; 2017/18 – 60.51%). Second three-year period non-compliant.

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CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan progress report by 6/30/19.

³**Jones County Community College**

- **REASON:** ADN program non-compliant with IHL Standard III. Students. State Specific Requirements 2. a. Minimum admission criteria for associate degree nursing programs: 3. All students must satisfy a criminal history background check (and LPN license required for admission to LPN to RN Advanced Placement Option).

CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/19.

⁴**Mississippi Delta Community College**

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. b. Degree Completion Rate **61.33% or above** over a three-year period; ADN program degree completion rate for three-year period **59.90%** (2015/16 – 60.27%; 2016/17 – 71.11%; 2017/18 – 52.70%).

CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/19.

⁵**Northwest Mississippi Community College**

- **REASON:** ADN program non-compliant with IHL Standard IV. Curriculum. State Specific Requirements 2.c. Undergraduate Simulation Clinical Hours: 26% up to 50% of traditional clinical hours substituted with simulation clinical hours in each individual clinical course requires approval (1:1 ratio substitution).

CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/19.

- **REASON:** ADN 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 2019.

⁶**University of Mississippi Medical Center**

- **REASON:** BSN program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.a. All nursing faculty (fulltime, part-time, and adjunct) in nursing programs must have a minimum of 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 6/30/19.

PERSONNEL AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Duff, seconded by Trustee Dye, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda for consideration.

1. **UM** – Request for approval of tenure for James Michael Thomas and *promotion to Associate Professor of Sociology; Department of Sociology and Anthropology; effective July 1, 2019 (THIS ITEM WAS MOVED FROM THE CONSENT PERSONNEL AGENDA THEN TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)*

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FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Hooper, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1. On motion by Trustee Duff, seconded by Trustee Starr, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2. Trustee Gee Ogletree recused himself from voting on items #3 - #10 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. After Trustee Ogletree left the room, on motion by Trustee Duff, seconded by Trustee Dye, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #3. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee McNair, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #4. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Hooper, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #5. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Hooper, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #6. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Dye, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #7. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Starr, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #8. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Lamar, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #9. With Trustee Ogletree out of the room, on motion by Trustee Duff, seconded by Trustee Lamar, with Trustees Cunningham and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #10. Trustee Ogletree returned to the room following the conclusion of the discussion and vote on items #3 - #10.

1. **DSU** – Approved the request to enter into a professional services agreement with Sodexo Operations, LLC (Sodexo) to provide dining, catering, and concession management services for its food service operations. The Board also approved the request to increase the 2019-2020 faculty staff block 50 +\$100 meal plan per semester from \$408.00 to \$608.00, for the fall and spring semesters combined (\$304 per semester for FY20) as reflected in the agreement. The term of the contract is five years, commencing on July 1, 2019 and continuing through June 30, 2024, and shall be subject to renewal for one (1) additional two (2) year term upon approval by the IHL Board. The Board approved the contract term of seven years. The contract is estimated to produce \$6,709,406 in revenue, including a capital investment \$2,000,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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2. **MSU** – Approved the request to enter into a contract with Dyehard Fan Supply, LLC, for the purpose of providing In-venue Athletics Apparel and Novelties. The contractor will provide retail sales of athletic apparel and novelties within the various athletic venues to provide fans with easy access to desired items and increase revenue to MSU. The contract shall commence on the date the last party executes the contract and expires on June 30, 2024 with the option of renewing for three (3) additional five (5) year periods. MSU will share in the revenue and benefits. Dyehard Fan Supply will partner with the University as the official merchandise and retail provider at-event/game day only as follows:

Year	Guarantee		Royalty on Sales	
			Up to \$500,000	Over \$500,000
Year 1			18%	20%
Year 2	>of \$25,000	or	20%	22%
Year 3	>of \$25,000	or	22%	24%
Year 4 -5	>of \$25,000	or	24%	26%
Year 6 - 10	>of \$25,000	or	26%	28%

Dyehard Fan Supply will provide a CapEx commitment of \$75,000 for the 5-year agreement, give the University Annual Trade Credit of \$10,000, give the University a signing bonus of \$5,000, and commit to a minimum annual spend of \$5,000 on in venue advertising. The total estimated 5-year revenue for the contract is \$291,702. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

3. **SYSTEM** – Approved the request to renew its property insurance coverage with Affiliated FM Insurance Company (AFM). Additionally, the wind and flood coverage for the gulf coast includes a number of markets which share the risk. Those are Axis Surplus Insurance Company (Axis); Colony Insurance Company (Colony); Evanston Insurance Company (Evanston); Landmark American Insurance Company (Landmark); Hallmark Specialty Insurance Company (Hallmark); and Lloyds of London (Lloyds). The purpose of the contract is to insure the system’s properties in the most cost effective manner while meeting each university’s individual coverage needs. This will be a one-year insurance policy for May 31, 2019 to May 31, 2020. The combined premium is approximately \$7,388,560 for 2019-2020 but may increase or decrease through the term of the policy as universities add or decrease their insured values. An option which would decrease coverage limits to \$500 million for the larger universities would result in an overall premium of \$7,173,180. Each university and the Board Office pays its respective share of the premium which is billed and paid directly between the insurance company and the insured. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **MSU** – Approved the request to amend the food service contract with Aramark Educational Services, LLC on the MSU campus. The term of the contract amendment is July 1, 2019 to June 30, 2025. Aramark will pay up to \$750,000 toward the conversion of Burger King into a Steak ‘n Shake. MSU agreed to increase the Flex dollars on the Greek meal plan \$150 each semester. Aramark will pay for the facility renovations. MSU agreed to amortize the cost over the life of the contract and reimburse Aramark for any unamortized costs if the contract ends early. Legal Staff has reviewed the proposed agreement for

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compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **UMMC** – Approved the request to enter into a Participation Agreement with Cardinal Health 110, LLC and Cardinal Health 112, LLC (collectively, Cardinal) for pharmaceutical distribution services in support of UMMC Specialty Pharmacy’s 340b contract pharmacy business. The term of the agreement is five (5) years, from June 1, 2019, through May 31, 2024. The estimated cost of the agreement over the five (5) year term is \$22,889,220. This projection is based on current volumes of UMMC-prescribed specialty prescriptions that are filled by third-party contract pharmacies. Wholesale distribution costs are based on a markup established between the provider and the distributor. Markups, in the wholesale pharmaceutical industry, means the percentage of available discounts a provider can achieve based upon the provider’s purchase volume of pharmaceutical products. The more a provider spends on pharmaceuticals, in total, the greater the percentage discount or markup the provider will receive. The estimated cost of this agreement is dependent upon several variable factors, which include but are not limited to UMMC’s average monthly purchase volume, increase in the number of contract pharmacy locations, drug availability, variance in the cost of manufacturing, and number of emergency deliveries incurred for each location. Costs incurred under this drug wholesaler agreement will be directly linked to revenues at the individual prescription level; only those claims which result in positive net revenue (after drug costs and fees) will be processed. The agreement will be funded directly through revenues generated by the contract pharmacy business. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UMMC** – Approved the request for additional funding for its current agreement with Morris & Dickson Co., LLC and Novation, LLC (now Vizient) for wholesale pharmacy distribution services. Additional funds are needed due to an increase in national drug costs, as well as an increase in UMMC’s patient volumes in the areas of cancer, transplant, and outpatient infusion therapies, all of which have led to higher than expected expenditures. This increase in cost reflects national trends. The term of the agreement remains five (5) years, from May 1, 2015, through April 30, 2020. The revised estimated cost over the five (5) year term of the agreement is \$517,373,908.62. The original cost of the five (5) year agreement was estimated to be \$457,373,908.62. UMMC anticipates the need for an additional \$60,000,000.00 for the remainder of the term. The agreement will be funded by patient revenues. As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Legal Staff is required.
7. **UMMC** – Approved the request to enter into a Medical Office Building Lease with Baker-Hardy Real Estate, L.P. (Baker-Hardy) for 3,000 square feet of clinic space located at 2109 Hardy Street, Hattiesburg, MS. The space will be utilized by UMMC Children’s of Mississippi for a pediatric clinic, including various specialty services. The Board also approved the request to prepay monthly rent pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services. The term of the agreement is three (3) years, from July 1, 2019, through June 30, 2022. The total potential cost of the lease is \$219,600.00 over the three (3) year term. UMMC’s initial base rent is approximately \$24.00 per square foot, which remains firm throughout the term of the lease. UMMC has included additional

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potential costs for increases in operating costs up to five percent (5%) each year. The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **SYSTEM** – Approved the request for the Mississippi Institutions of Higher Learning’s Executive Office (IHL) to purchase cyber liability and incident response insurance coverage with Lloyds of London – Beazley Syndicate (Beazley). Beazley will provide the cyber coverage and breach response services for the system. Cyber liability insurance will cover various cyber-related losses, including third party liability, first party loss, costs related to investigation and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber incident. Purchase of the insurance also includes expert assistance from the insurers breach response team. The purchased policy will be primary to other insurance so that it will protect the IHL Self-Insured Tort Plan in the instances where coverages overlap. This renewal adds new sub-limited coverages, including Contingent Bodily Injury, Computer Hardware Replacement Cost, Criminal Reward, Fraudulent Instruction, Funds Transfer Fraud, and Telephone Fraud. The contract is a one-year insurance policy beginning May 26, 2019 and terminating May 26, 2020. The cost will be approximately \$265,444 for the one-year policy. The IHL Self-Insured Tort Plan will pay the premium and allocate an appropriate premium share to each insured participant. The share for each participant other than UMMC will be built into the annual assessment of the Tort Plan. The Tort Plan will invoice UMMC for its share. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**
9. **MSU** – Approved the request to enter into a new contract with Nelnet Campus Commerce to continue providing an inbound payment solution (credit card, debit card, eChecks, mobile payments, etc.). The current contract expires on June 30, 2019. The term of the contract is five (5) years with the option to extend an additional five (5) years. MSU anticipates the expenditure of \$2,375,500 over the next 10 years, broken down as follows: for the original 5-year contract - \$655,000; and \$720,500 for an extended 5-year period, plus an additional \$1,000,000 for contingency. Over 100 departments that utilize the system for payment processing purposes will provide funding for the system. These costs are built into the cost of good/services rendered by the various departments. Any remaining system costs not covered in this manner will be funded via investment income. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**
10. **UMMC** – Approved the request to enter into a product agreement with Johnson & Johnson Health Care Systems, Inc. (Johnson) to purchase reprocessed external fixation equipment reprocessed by Johnson’s affiliate, Sterilmed, Inc. Reprocessing allows equipment to be resold and used for multiple purposes; reprocessing includes refurbishing, cleaning, sterile packaging, sterilization, and high-level disinfection for the equipment. The cost of reprocessed equipment is discounted greatly from the original price as a new item. The external fixation equipment is used to externally stabilize long bones, tubular bones, and

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pelvic ring fractures, as well as arthrodesis and osteotomies for pediatric and adult populations at UMMC's Jackson and Grenada campuses. The Board also approved the request to enter into Amendment #2 to the Master IDN Agreement with Johnson to revise the indemnification requirements therein. The term of the Product Agreement is three (3) years, from June 1, 2019, through May 31, 2022. The estimated total cost of the Product Agreement over the three (3) year term is \$994,946.05. UMMC has included a ten percent (10%) annual increase beginning in Year 2 for potential patient volume increases. The Product Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**

REAL ESTATE AGENDA

Presented by Trustee Hal Parker, Chair

Trustee Shane Hooper recused himself from voting on items #1 & #2 on the Real Estate Agenda by leaving the room before there was any discussion or vote regarding the same. After Trustee Hooper left the room, on motion by Trustee Duff, seconded by Trustee Dye, with Trustees Cunningham and Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Real Estate Agenda. With Trustee Hooper out of the room, on motion by Trustee Dye, seconded by Trustee McNair, with Trustees Cunningham and Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2. Trustee Hooper returned to the room following the conclusion of the discussion and vote on items #1 and #2.

1. **UM** – Approved the request to initiate **IHL 207-453, South Oxford Center – Film Studio**, and the appointment of McCarty Architects, P.A. as design professional. This project will renovate the former central storage area and tangential facilities at the South Oxford Center [former Baptist Hospital] into usable space for the new Bachelor of Fine Arts in film production program. This requires building two sound stages, an editing classroom, two editing rooms, Foley sound room, control room, green room, equipment storage and check-out cage, and four faculty offices. The proposed project budget is \$1.5 million. Funds are available from Internal R&R Funds (\$1,500,000).
2. **UM** – Approved the request to increase the budget for **IHL 207-444, South Oxford Center – Communication Science Disorders Relocation**, from \$2,000,000 to \$2,100,000, an increase of \$100,000. The requested project will renovate approximately 40,000 square feet of the recently purchased South Oxford Center (the old Baptist Hospital Building) for much needed clinic space, observation and therapy rooms, labs, audiology booths, offices, and academic spaces for the School of Applied Sciences' Department of Communication Sciences and Disorders (DCSD). DCSD's current facility is increasingly incapable of meeting the academic needs, accreditation criteria, and HIPPA provision requirements. The completion of this project is essential to the reaccreditation of the DCSD. Funds are available from Internal R&R (\$2,100,000).

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ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Duff, seconded by Trustee Martin, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda. On motion by Trustee Dye, seconded by Trustee McNair, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2.

1. **SYSTEM** – Approved the appointment of Dr. William Bynum, President of Jackson State University, as the IHL Board’s representative on the Mississippi Authority for Educational Television A.K.A. Mississippi Public Broadcasting (MPB) Board pending approval by the Senate at its next Legislative session. His term will be four-years from July 1, 2019 through June 30, 2023.

2. **SYSTEM** – Approved the following committee appointments by President Hal Parker:
STANDING COMMITTEES

Academic Affairs

1. Dr. Alfred McNair, Jr., Chair
2. Dr. Ford Dye
3. Shane Hooper
4. Ann Lamar
5. Jeanne Luckey

Legal

1. Ann Lamar, Chair
2. Shane Hooper
3. Chip Morgan
4. Gee Ogletree

Finance

1. Tom Duff, Chair
2. Ann Lamar
3. Jeanne Luckey
4. Chip Morgan
5. Gee Ogletree

Real Estate

1. Bruce Martin, Chair
2. Dr. Steven Cunningham
3. Dr. Ford Dye
4. Tom Duff
5. Jeanne Luckey

Health Affairs

1. Dr. Walt Starr, Chair
2. Dr. Ford Dye
3. Ann Lamar
4. Dr. Alfred McNair, Jr.
5. Chip Morgan
6. Gee Ogletree

AD HOC COMMITTEES

Ayers Endowment Management

1. Chip Morgan, Chair
2. Hal Parker, Board President
3. Dr. Alfred Rankins, Commissioner
4. Dr. Felicia Nave, ASU Incoming President
5. Dr. William Bynum, JSU President
6. Dr. Jerryl Briggs, MVSU President
7. Shane Hooper

Diversity

1. Dr. Steven Cunningham, Chair
2. Jeanne Luckey
3. Bruce Martin
4. Dr. Alfred McNair, Jr.

NOTE: The President is an Ex-Officio member of all committees.

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INFORMATION AGENDA

Presented by Commissioner Alfred Rankins, Jr.

FINANCE

1. **SYSTEM** – The following document represents the approval of MS-ITS for The University of Mississippi Medical Center (UMMC) to enter into Amendment #1 to its Software Subscription Agreement with AutoGov to change the licensor’s name in the Agreement from AutoGov to CoverMe Services, Inc. and to add the Retrocheck software application. The Retrocheck application allows UMMC to screen self-pay patients for financial assistance, charitable, or other assistance programs such as Presumptive Medicaid eligibility. The Attorney General’s staff assigned to the MS-ITS reviewed the amendment prior to execution. The Software Subscription Agreement and related amendment are between AutoGov and MS-ITS behalf of UMMC.

REAL ESTATE

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 18, 2019 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

LEGAL

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

ADMINISTRATION/POLICY

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **MSU** – On April 22, 2019, Commissioner Alfred Rankins, Jr., approved the Rental Agreement between Mississippi State University and S. Everett Rushing for approximately 1,368 square feet of office space located at 2654 Ridgewood Road, Suite B., Jackson, MS, for use by employees of the Office of Nutrition Education. The term of the lease is 3 years beginning upon execution of the agreement at a cost of \$1,750 per month, payable in advance on or before the 7th of each month, for a total cost of \$63,000 for the term of the Lease. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and with Policy 707.03 Approval for Prepayment for Goods or Services.
 - b. **UM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On April 16, 2019, Commissioner Alfred Rankins, Jr., approved the revisions to the On Campus Budget, Off Campus Budget, Mississippi Law Research Institute Budget, Mississippi Mineral Resources Institute Budget, Research Institute of Pharmaceutical Sciences Budget, Super Computer Budget, Small Business

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- Development Center Budget, Center for Manufacturing Excellence Budget, and State Court Education Program Budget for Fiscal Year 2019. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- c. **UMMC** – On April 22, 2019 Commissioner Alfred Rankins, Jr., approved the Rental Agreement between the University of Mississippi Medical Center and the Mississippi Fair Commission for the use of the Mississippi Coliseum at which to hold its 2019 commencement ceremony. The term of the Lease is three days beginning May 22, 2019 through May 24, 2019 at a one-time cost of \$9,192.20. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
 - d. **UMMC** – On April 22, 2019 Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi Medical Center and Mississippi Methodist Hospital and Rehabilitation Center, Inc. for approximately 1,545 square feet of medical office space in the Methodist Rehabilitation Center in Jackson. The term of the Lease is 1 year beginning May 1, 2019 through April 30, 2020, at a cost of \$2,446.25 per month payable in monthly installments in advance as set out in Paragraph 4.1 of the agreement. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and with Policy 707.03 Approval for Prepayment for Goods or Services.
 - e. **UMMC** – On April 25, 2019 Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi Medical Center and Pitney Bowes, Inc. for the rental of a postage meter at the Grenada campus. The term of the Lease is 60 months beginning on or about May 1, 2019 through April 30, 2024, at a cost of \$277.65 per month as set out in Exhibit A of the Lease Agreement. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
 - f. **UMMC** – On April 25, 2019 Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi Medical Center and Pitney Bowes, Inc. for the rental of a postage meter at the UMMC main campus in Jackson, MS. The term of the Lease is 60 months beginning on or about July 1, 2019 through June 30, 2024, at a cost of \$1,058.71 per month as set out in Exhibit A of the Lease Agreement. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, May 15, 2019**

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

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1. The Committee received an update on the quarterly clinical quality and FY2019 financial status. **No action was taken.**

2. Executive Session

On motion by Trustee McNair, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee McNair, all Committee members legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of the strategic business plans related to a public hospital.

During Executive Session, the following matter was discussed:

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

On motion by Trustee Starr, seconded by Trustee McNair, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Lamar, seconded by Trustee McNair, all Committee members legally present and participating voted unanimously to adjourn at approximately 3:40 p.m.

The following Committee members were present: Dr. Ford Dye (Chair), Mr. Chip Morgan (Vice-Chair), Ms. Ann Lamar, Dr. Alfred McNair, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. Walt Starr.

ANNOUNCEMENTS

- President Hal Parker invited the university presidents to report on current activities on their campuses.
- President Parker then announced that the June 20th Board meeting will be in Jackson.
- He thanked Dr. Jerryl Briggs, President of Mississippi Valley State University, for agreeing to host the October 17th meeting on the MVSU campus.

EXECUTIVE SESSION

On motion by Trustee Starr, with Trustee Cunningham joining by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Dye, seconded by Trustee Duff, with Trustee Cunningham joining by phone, all Trustees legally present and participating voted unanimously to enter into Executive session for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at the University of Mississippi (“UM”).

During Executive Session, the following matter was discussed and/or voted upon:

The Board engaged in discussions regarding whether to grant tenure to UM Professor James M. Thomas. Attorney Mark Waggoner, engaged by the Board as a First Amendment subject matter expert, was present. The Interim Chancellor and Provost of UM were also present for part of the discussions.

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It was discussed that Professor Thomas is a prolific tweeter on social media; that Professor Thomas links his tweets to his personal website which includes his CV; that he tweets as a professor at the University of Mississippi and as an outspoken and adamant commentator on University administrative affairs; and that Professor Thomas often tweets about his course content and his daily classroom discussions. Some Trustees expressed concerns about some of Professor Thomas' tweets, most notably, one from January 19, 2019. In response to a tweet from another individual where a statement was made that "There are only 3, maybe 4, professors there [Ole Miss] that are conservative," Professor Thomas tweeted the following:

The truth is there used to be three or four conservative professors at UM. But we used two for a blood sacrifice to the ghost of Eugene Debs, another we forced to watch and she was subsequently converted, and I ate the fourth because his tears tasted like candy.

The question before the Board is whether the actions of Professor Thomas violated IHL Policy, UM Policy and the UM Statement Concerning Academic Freedom, and what impact any such violations should have on the decision to grant or deny tenure to Professor Thomas. The Board reviewed the requirements for tenure set out in IHL Policies 402.03 and 403.0101 which require, in part, that the Board and heads of institutions consider a candidate's effectiveness in interpersonal relationships, including professional ethics and cooperativeness in making decisions regarding tenure.

The Board also discussed the University's "Statement Concerning Academic Freedom," which states in part: "As a person of learning and an educational officer, he/she should remember that the public may judge his/her profession and his/her institution by his/her utterances. Hence, he/she should strive at all times to be accurate, should exercise appropriate restraint, should show respect for the opinions of others..." It was further discussed that UM's Statement Concerning Academic Freedom is derived from the 1940 Statement of Academic Freedom and Tenure of the American Association of University Professors (AAUP) and since the guidance from the AAUP was written, it has been endorsed and adopted by hundreds of educational institutions and organizations world-wide.

Trustees discussed whether Thomas' January 19, 2019 tweet showed a lack of respect for the opinions of others, such as views of colleagues with whom he did not share the same opinions (political or otherwise), and whether it showed appropriate restraint and professionalism. Some Trustees expressed their view that this tweet did not reflect on a matter of public concern nor did it serve an academic purpose or contribute to public debate on any issue. Trustees recognized that the Board must at all times protect the academic freedom of the institutions and their ability to safely and effectively educate students but also recognized that there are limits to academic freedom.

In addition, there was much discussion regarding the several positive reasons for UM's tenure recommendation for Dr. Thomas including his evaluation at all levels of the process of seeking tenure and the recommendation of the University that he be awarded tenure. Following

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further discussion and some dissent, ultimately it was the recommendation in favor of tenure from the University of Mississippi that carried the greatest weight in the majority of the Board's decision to grant tenure to Professor Thomas.

A motion was made by Trustee Ogletree, seconded by Trustee Hooper, to approve tenure for James Michael Thomas; promotion to Associate Professor of Sociology; Department of Sociology and Anthropology; effective July 1, 2019. The motion passed on a 7 to 5 vote, with Trustee Cunningham joining by phone. Trustees voting for the motion were: Dr. Steven Cunningham, Mr. Shane Hooper, Mr. Bruce Martin, Dr. Alfred McNair, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. Walt Starr. Trustees voting against the motion were: Mr. Tom Duff, Dr. Ford Dye, Ms. Ann Lamar, Ms. Jeanne Luckey, and Mr. Chip Morgan.

On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Cunningham joining by phone, all Trustees legally present and participating voted unanimously to return to Open Session.

OTHER BUSINESS

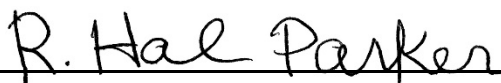
The Board discussed the release of the request for proposals for executive search firms to assist with the University of Mississippi Chancellor Search. **No action was taken.**

By consensus, the Board approved the appointment of Dr. Ford Dye as Chair of the University of Mississippi Board Search Committee with all other trustees serving as members of the committee.


President Parker noted that recommendations for the Campus Search Advisory Committee (CSAC) members are due and noted that the CSAC members will be requested to participate in the listening sessions.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Cunningham 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 Real Estate items that were approved by the IHL Board staff subsequent to the April 18, 2019 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

May 16, 2019

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE APRIL 18, 2019 BOARD MEETING SUBMISSION DEADLINE

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

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

DELTA STATE UNIVERSITY

1. DSU– GS 102-267 – Campus Roofing

NOTE: This is a Bureau of Building project

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on May 1, 2019 to approve the budget increase on the Campus Roofing project from \$1,000,000.00 to \$1,500,000.00, for an increase of \$500,000.00. This increase will be funded from HB 1649, Laws of 2018. The total project budget is \$1,500,000.00.

Interim Approval Status & Date: APPROVED, May 1, 2019

Approval Request #2: REBID

Board staff approved REBID of the Campus Roofing project as submitted by Burris/Wagnon.

Approval Status & Date: APPROVED, April 26, 2019

Project Initiation Date: January 17, 2019

Design Professional: Burris/Wagnon

General Contractor: TBD

Total Project Budget: \$1,500,000.00

JACKSON STATE UNIVERSITY

2. JSU– GS 103-286 – Stewart Hall Renovations

NOTE: This is a Bureau of Building project

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$6,134,000.00 to the apparent low bidder, Diversified Construction Services, Inc.

Approval Status & Date: APPROVED, April 4, 2019

EXHIBIT 1

May 16, 2019

Project Initiation Date: November 17, 2016
Design Professional: Foil Wyatt Architects & Planners
General Contractor: Diversified Construction Services, Inc.
Total Project Budget: \$8,486,626.47

MISSISSIPPI STATE UNIVERSITY

3. **MSU- GS 105-355 – Engineering & Science Complex**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$358,975.39 and thirty-three (33) additional days to the contract of West Brothers Construction, Inc.

Approval Status & Date: APPROVED, April 16, 2019

Change Order Description: Change Order #1 includes the following items: Demolish and relocate the cold water & hot water lines; install and remove the temporary fences; replace the sidewalks and curb & gutters; patch Morrill Road to the existing elevation; install and remove the temporary traffic signage; and thirty-three days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$358,975.39.

Project Initiation Date: August 17, 2017

Design Professional: Eley Guild Hardy Architects

General Contractor: West Brothers Construction, Inc.

Total Project Budget: \$34,000,000.00

4. **MSU- IHL 205-283 – Preplan - Addition and Renovation of Humphrey Coliseum**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dale Partners

Approval Status & Date: APPROVED, April 4, 2019

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners

General Contractor: TBD

Total Preplan Budget: \$200,000.00

5. **MSU- IHL 205-284 – Sand Creek and Catalpa Wastewater Lift Station**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Clearwater Consultants, Inc.

Approval Status & Date: APPROVED, April 4, 2019

Approval Request #2: Waiver of Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Clearwater Consultants, Inc.

Approval Status & Date: APPROVED, April 4, 2019

EXHIBIT 1

May 16, 2019

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Clearwater Consultants, Inc.

Approval Status & Date: APPROVED, April 4, 2019

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 4, 2019

Project Initiation Date: November 15, 2018

Design Professional: Clearwater Consultants, Inc.

General Contractor: TBD

Total Project Budget: \$2,500,000.00

6. **MSU– IHL 205-287 – Parking Garage North**

Approval Request #1: Rebid

Board staff approved request for rebid as submitted by McCarty Architects

Approval Status & Date: APPROVED, April 16, 2019

Project Initiation Date: August 19, 2010

Design Professional: McCarty Architects & Engineers

General Contractor: TBD

Total Project Budget: \$16,000,000.00

7. **MSU– IHL 205-295 – Critz Parking Lot**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Garver Engineering, LLC.

Approval Status & Date: APPROVED, April 16, 2019

Approval Request #2: Waiver of Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Garver Engineering, LLC.

Approval Status & Date: APPROVED, April 16, 2019

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Garver Engineering, LLC

Approval Status & Date: APPROVED, April 17, 2019

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 17, 2019

Project Initiation Date: April 2, 2010

Design Professional: Garver Engineering, LLC

General Contractor: TBD

Total Project Budget: \$1,200,000.00

EXHIBIT 1

May 16, 2019

MISSISSIPPI VALLEY STATE UNIVERSITY

8. MVSU – GS 106-253 – College Hall I Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the credit amount of \$863.94 and seven (7) additional days to the contract of Century Construction Group, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 11, 2019

Change Order Description: Change Order #2 includes the following items: additional access doors in each room on the second floor; relocated the duct work between the second floor ceiling and the concrete roof deck; extended in depth; credit for the unused portion of the controls allowance; and seven (7) weather related days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$30,321.06.

Project Initiation Date: May 15, 2014

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

General Contractor: Century Construction Group, Inc.

Phased Project Budget: \$8,053,884.89

Total Project Budget: \$9,250,000.00

UNIVERSITY OF MISSISSIPPI

9. UM– IHL 207-424 – Faser Hall First floor Modifications

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$2,300.41 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, April 11, 2019

Change Order Description: Change Order #5 includes the following items: replaced the lamps in the existing light fixtures in five (5) rooms to T8 32w 3500K units; relocated the four LED fixtures that were removed the corridor to be used in a conference room; and added power to the west wall of a laboratory by adding wire mold with power and data along the bench top.

Change Order Justification: These changes were owner requested modifications.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$232,810.42.

Project Initiation Date: August 18, 2016

Design Professional: Cook Douglass Farr lemons, Architects & Engineers, P.A.

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$1,300,000.00

EXHIBIT 1

May 16, 2019

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

10. UMMC– IHL 209-555 – Children’s of Mississippi Medical Center

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of \$0.00 and zero (0) additional days to the contract of Brasfield & Gorrie General Contractors.

Approval Status & Date: APPROVED, April 11, 2019

Change Order Description: Change Order #7 includes the following items: revised the door hardware and frames; revised electrical power risers for elevators at the existing Batson renovation area; added fiber optic cabling and routing to the low voltage rooms; provided electrical power to the new damper at an existing stair at the existing Batson renovation areas; added sound lagging at the ductwork above the PACU and operating rooms; provided a stone pad around the perimeter of the building to create access for loading and stocking of the new patient tower; a wye strainer was added to the cooling tower due to space constraints under the cooling tower limiting space for connections; provided power for the dock levelers and compactors at the loading dock area on a level.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$0.00.

Project Initiation Date: April 21, 2016

Design Professional: HDR Architecture

General Contractor: Brasfield & Gorrie General Contractors

Total Project Budget: \$180,000,000.00

11. UMMC– IHL 209-566 – Day Surgery & patient Care Units Expansion

Approval Request #1: Approval of Design Development Documents

Board staff approved the Design Development Documents as submitted by ESA Architects.

Approval Status & Date: APPROVED, April 25, 2019

Project Initiation Date: April 19, 2018

Design Professional: ESA Architects

General Contractor: TBD

Total Project Budget: \$12,733,495.00

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

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on April 25, 2019 to approve the initiation and appointment of the design professional for the MS Center for Medically Fragile Children project.

Approval Status & Date: APPROVED, April 25, 2019

Project Initiation Date: February 18, 2016

EXHIBIT 1

May 16, 2019

Design Professional: Eley/Barkley/Dale, a Joint Venture

General Contractor: TBD

Total Project Budget: \$12,500,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

13. USM- GS 108-281 - Greene Hall Renovations

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the amount of \$21,501.24 and thirty-five (35) additional days to the contract of B. W. Sullivan Building Contractor, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 25, 2019

Change Order Description: Change Order #8 includes the following items: modifications made to two (2) stainless steel countertops in a foods lab; changed the slide-in ranges; installed three (3) new sump pumps in three (3) rooms; additional changes made to the sidewalks on the south end; and thirty-five (35) days to the contract.

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

Total Project Change Orders and Amount: Eight (8) change orders for a total credit amount of \$239,169.98.

Project Initiation Date: September 18, 2014

Design Professional: Allred Architectural Group, P.A.

General Contractor: B. W. Sullivan Building Contractor, Inc.

Total Project Budget: \$13,000,000.00

EXHIBIT 2

May 16, 2019

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Baker Donelson Bearman Caldwell & Berkowitz, PC (statement dated 3/29/19) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of \$16,120.40, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 16,120.40

Payment of legal fees for professional services rendered by Hand Arendall Harrison Sale LLC (statement dated 4/10/19) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of \$10,800.76, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,800.76

Payment of legal fees for professional services rendered by Armstrong Law (statement dated 4/29/19) from the funds of Jackson State University. (This statement, in the amount of \$1,500.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 1,500.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 4/16/19) from the funds of Mississippi State University. (This statement, in the amount of \$687.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 687.50

Payment of legal fees for professional services rendered by the Winfield Law Firm (statement dated 4/15/19) from the funds of Mississippi State University. (This statement, in the amount of \$676.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 676.50

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 2/7/19, 2/7/19, 2/7/19, 2/7/19, 2/7/19, 3/7/19, 3/7/19, 3/7/19, 3/7/19, 4/5/19, 4/5/19 and 4/5/19) from the funds of the University of Mississippi. (These statements, in the amounts of \$120.00, \$3,952.24, \$2,360.00, \$2,510.00, \$7,774.50, \$192.50, \$851.00, \$3,211.60, \$3,248.00, \$5,622.00, \$1,916.50 and \$391.72, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 32,150.06

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Payment of legal fees for professional services rendered by Butler Snow (statements dated 2/12/19, 2/20/19, 3/11/19, 3/20/19, 4/12/19 and 4/18/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,806.10, \$7,042.60, \$1,818.40, \$32,675.80, \$383.50 and \$30,595.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 77,321.90

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino (two statements, each dated 2/27/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$7,012.50 and \$1,452.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,464.50

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 2/11/19, 3/14/19, 3/14/19 and 3/14/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,868.59, \$12.00, \$1,394.37 and \$593.07, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,868.03

Payment of legal fees for professional services rendered by Page Kruger & Holland (four statements, each dated 3/6/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$33.00, \$66.00, \$181.50 and \$4,657.30, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,937.80

Payment of legal fees for professional services rendered by Scott, Sullivan, Streetman & Fox, P.C. (statements dated 2/14/19, 2/14/19, 3/12/19, 3/12/19, 3/12/19, 3/12/19, 3/12/19 and 3/12/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$198.00, \$135.00, \$675.00, \$148.50, \$216.00, \$81.00, \$429.00 and \$175.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,058.00

Payment of legal fees for professional services rendered by Waller Landsden Dortch & Davis, LLPS (statement dated 4/5/19) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,504.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,504.50

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Payment of legal fees for professional services rendered by Watkins & Eager (statement dated 4/9/19) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$41,664.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 41,664.00

Payment of legal fees for professional services rendered by Whitfield Law Group (two statements, each dated 3/5/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,411.40 and \$808.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,219.90

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 4/5/19) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$604.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 604.50

Payment of legal fees for professional services rendered by Ware Immigration (six statements, each dated 4/1/19) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$41.77, \$1,500.00, \$500.00, \$28.16, \$21.80 and \$12.40, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 2,104.13

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

Payment of legal fees for professional services rendered by Butler Snow (statements dated 8/23/18, 8/23/18, 8/29/18, 3/7/19, 3/7/19, 3/7/19, 3/7/19, 3/29/19, 3/29/19, 3/29/19 and 4/19/19) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: Vibrio Assay Methods and Kits” - \$767.00; “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - \$177.00; “Sequence Specific Phage-Based Antimicrobials” - \$3,754.50; “Power Conversion Components, Systems and Methods” - \$940.00; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - \$3,597.50; “Novel Oximes for Reactivating Butyrylcholinesterase” - \$944.00; “Swiderski HCN4 Therapeutics for Breathing Disorders” - \$280.00; “Vibrio Assay Methods and Kits” - \$910.50; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - \$440.00; “Novel Oximes for Reactivating Butyrylcholinesterase” - \$858.00 and “Water Repellent Solids Non-Prov” - \$400.00.)

TOTAL DUE.....\$ 13,068.50

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Payment of legal fees for professional services rendered by Conley Rose (statement dated 2/28/19) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “6 Degrees of Freedom Motion Measurement and Emulation System” - \$1,140.00)

TOTAL DUE.....\$ 1,140.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 4/12/18, 4/12/18, 4/12/18, 12/5/18, 2/27/19, 2/27/19, 2/27/19, 2/27/19, 2/27/19, 3/1/19, 3/1/19, 3/1/19, 3/1/19 and 3/1/19) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$1,737.15; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$109.48; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$109.49; “Occidiofungin Formations and Uses Thereof” - \$529.75; Overseeing Validation of European Patents - \$975.00; “Agent Fee Validating European Patent in France” - \$75.00; “Agent Fee Validating European Patent in Germany” - \$75.00; “Agent Fee Validating European Patent in United Kingdom” - \$75.00; “Agent Fee for Validating the European Patent in Italy” - \$1,635.30; “Occidiofungin Formulations and Uses Thereof” - \$3,220.57; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$415.00; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$554.00; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$450.00; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$412.00; “Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$2,264.00, respectively.)

TOTAL DUE.....\$ 12,636.74

Payment of legal fees for professional services rendered by Armstrong|Teasdale (three statements, each dated 1/31/19) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals - \$150.00; “Systems and Methods for Detecting Transient Acoustic Signals” - \$60.00; Systems and Methods for Detecting Transient Acoustic Signals” - \$210.00)

TOTAL DUE.....\$ 420.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/22/19, 1/29/19, 1/30/19, 2/2/19, 2/8/19, 2/11/19, 2/16/19, 2/23/19, 2/26/19, 2/27/19 and 3/3/19) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - \$2,002.00; “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,782.00;

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“Biologically Active Cannabidiol” - \$636.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$278.00; “Potent Immunostimulants for Microalgae” - \$1,295.00; “Biologically Active Cannabidiol” - \$2,359.00; “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - \$980.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,254.00; “Biologically Active Cannabidiol” - \$3,115.00; “Compositions Containing Delta-9-THC-Amino Acids Esters and Process of Preparation” - \$682.80; “Biologically Active Cannabidiol” - \$686.00.)

TOTAL DUE.....\$ 15,069.80

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/30/19, 1/30/19, 1/30/19, 1/30/19, 2/25/19, 2/25/19 and 2/25/19) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Accessing the Skin Sensitization Potential of Chemicals” - \$498.00; “Indolizine-Based Donors as Organic Sensitizer Components for Dye-Sensitized Solar Cells” - \$38.00; “Gas Permeable Membranes” - \$199.50; “Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - \$4,042.00; “High Photovoltage per area by Sequential Series Tandem (SST) Stacked Device Architecture for Dye-Sensitized Solar Cells” - \$88.00; “Compositions Comprising Highly Purified Amphotericin B” - \$690.00; “Gas Separating Membranes” - \$85.50)

TOTAL DUE.....\$ 5,641.00

Payment of legal fees for professional services rendered by Stites & Harbison (six statements, each dated 3/22/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,587.52, \$1,088.00, \$1,570.00, \$38.00, \$47.50 and \$155.24, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 6,486.26