

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2021**

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 January 6, 2021, to each and every member of said Board said date being at least five days prior to this November 18, 2021 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Mr. Gregg Rader. Dr. J. Walt Starr was absent. The meeting was called to order by Mr. Tom Duff, Vice President. Trustee Bruce Martin introduced Reverend Morris Thompson, pastor of the Episcopal Church of the Mediator in Meridian, MS, who provided the invocation.

Members of the Board participated in the meeting in person or via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Board.**

APPROVAL OF THE MINUTES

On motion by Trustee Cunningham, seconded by Trustee Ogletree, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the amended Minutes of the Board meeting held on October 21, 2021, and the October 25, 2021 minutes.

CONSENT AGENDAS

On motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

ACADEMIC AFFAIRS

1. **DSU** – Approved the modification to an existing academic program.
Deletion
Program Title: Master of Education (MEd) in Special Education
CIP Code, Sequence: 13.1001, 4007
Total credit hours: 30-33
Effective date: January 2022
2. **SYSTEM** – Approved the degrees to be conferred in November and December 2021 provided each candidate has met all requirements for the degree.

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Institution	Degree to be Conferred	Number	Subtotal	Total
Alcorn State University				
	<i>Undergraduate</i>		198	
	Bachelor of Science	140		
	Bachelor of Arts	42		
	Bachelor of Music	4		
	Bachelor of Social Work	12		
	<i>Graduate</i>		75	
	Master of Arts in Teaching	8		
	Master of Business Administration	3		
	Master of Liberal Arts	1		
	Master of Science in Agriculture	8		
	Master of Science in Applied Science and Technology	8		
	Master of Science in Biology	16		
	Master of Science in Biotechnology	4		
	Master of Science in Computer and Information Science	3		
	Master of Science in Secondary Education	16		
	Master of Science in Workforce Education Leadership	9		
	Total Undergraduate Degrees		198	
	Total Graduate Degrees		75	
	Total Degrees			273
Delta State University				
	<i>College of Arts and Sciences</i>		53	
	Bachelor of Arts	8		
	Bachelor of Fine Arts	8		
	Bachelor of Music	1		
	Bachelor of Music Education	2		
	Bachelor of Science	18		
	Bachelor of Science in Education	3		
	Bachelor of Science in Social Justice & Criminology	2		
	Bachelor of Science in Interdisciplinary Studies	3		
	Bachelor of University Studies	8		
	<i>College of Business and Aviation</i>		35	
	Bachelor of Business Administration	23		
	Bachelor of Commercial Aviation	12		
	<i>College of Education and Human Sciences</i>		68	
	Bachelor of Arts	11		
	Bachelor of Science	27		
	Bachelor of Science in Education	30		
	<i>School of Nursing</i>		34	
	Bachelor of Science in Nursing	34		
	<i>School of Graduate Studies</i>		151	

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Applied Science	3		
	Master of Arts in Liberal Studies	3		
	Master of Arts in Teaching	9		
	Master of Business Administration	46		
	Master of Commercial Aviation	13		
	Master of Education	35		
	Master of Professional Accountancy	1		
	Master of Science in Sport and Human Performance	10		
	Educational Specialist	19		
	Doctor of Education	3		
	Doctor of Nursing Practice	6		
	Total Undergraduate Degrees		190	
	Total Graduate Degrees		151	
	Total Degrees			341
Jackson State University				
	Undergraduate		434	
	Bachelor of Arts	12		
	Bachelor of Business Administration	47		
	Bachelor of Music	2		
	Bachelor of Music Education	9		
	Bachelor of Science	297		
	Bachelor of Science Education	25		
	Bachelor of Social Work	42		
	Graduate		148	
	Master of Arts	7		
	Master of Arts in Teaching	9		
	Master of Business Administration	10		
	Master of Music Education	1		
	Master of Professional Accountancy	3		
	Master of Public Health	14		
	Master of Public Policy and Administration	8		
	Master of Science	33		
	Master of Science in Education	14		
	Master of Social Work	4		
	Specialist in Education	19		
	Doctor of Education	3		
	Doctor of Philosophy	22		
	Doctor of Public Health	1		
	Total Undergraduate Degrees		434	
	Total Graduate Degrees		148	
	Total Degrees			582

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Institution	Degree to be Conferred	Number	Subtotal	Total
Mississippi State University				
	<i>College of Agriculture and Life Sciences</i>		153	
	Bachelor of Science	105		
	Bachelor of Landscape Architecture	1		
	Master of Science	27		
	Doctor of Philosophy	10		
	<i>College of Architecture, Art, and Design</i>		14	
	Bachelor of Fine Arts	10		
	Bachelor of Science	4		
	<i>College of Arts and Sciences</i>		382	
	Bachelor of Arts	113		
	Bachelor of Science	204		
	Bachelor of Applied Technology	2		
	Bachelor of Social Work	12		
	Master of Arts	7		
	Master of Science	29		
	Master of Public Policy and Administration	8		
	Doctor of Philosophy	7		
	<i>College of Business</i>		227	
	Bachelor of Business Administration	181		
	Master of Business Administration	46		
	<i>College of Education</i>		298	
	Bachelor of Music Education	6		
	Bachelor of Science	176		
	Master of Arts in Teaching	2		
	Master of Music Education	2		
	Master of Arts in Teaching Secondary	35		
	Master of Arts in Teaching Special	39		
	Master of Science	39		
	Education Specialist	12		
	Doctor of Philosophy	7		
	<i>College of Engineering</i>		316	
	Bachelor of Science	227		
	Master of Science	73		
	Master of Engineering	3		
	Doctor of Philosophy	13		
	<i>College of Forest Resources</i>		31	
	Bachelor of Science	27		
	Master of Science	4		
	<i>School of Accountancy</i>		35	
	Bachelor of Accountancy	29		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Professional Accountancy	4		
	Master of Taxation	2		
	<i>College of Veterinary Medicine</i>		1	
	Master of Science	1		
	<i>Academic Affairs</i>		27	
	Bachelor of University Studies – C2C	13		
	Bachelor of Applied Science	14		
	<i>Total Undergraduate Degrees</i>		1161	
	<i>Total Graduate Degrees</i>		313	
	<i>Total Degrees</i>			1474
Mississippi University for Women				
	<i>Undergraduate</i>		149	
	Bachelor of Applied Science	18		
	Bachelor of Art	4		
	Bachelor of Business Administration	27		
	Bachelor of Fine Art	1		
	Bachelor of Music	3		
	Bachelor of Professional Studies	8		
	Bachelor of Science	77		
	Bachelor of Science in Nursing	10		
	Bachelor of University Studies	1		
	<i>Graduate</i>		12	
	Master of Art	1		
	Master of Art in Teaching	1		
	Master of Business Administration	3		
	Master of Education	1		
	Master of Fine Art	3		
	Master of Public Health	2		
	Doctor of Nursing Practice	1		
	<i>Total Undergraduate Degrees</i>		149	
	<i>Total Graduate Degrees</i>		12	
	<i>Total Degrees</i>			161
Mississippi Valley State University				
	<i>Undergraduate</i>		87	
	Bachelor of Arts	17		
	Bachelor of Science	57		
	Bachelor of Secondary Education	3		
	Bachelor of Social Work	10		
	<i>Graduate</i>		22	
	Master of Art	5		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Business Administration	14		
	Master of Science	3		
	<i>Total Undergraduate Degrees</i>		87	
	<i>Total Graduate Degrees</i>		22	
	<i>Total Degrees</i>			109
University of Mississippi				
	<i>College of Liberal Arts</i>		141	
	Bachelor of Arts	122		
	Bachelor of Fine Arts	6		
	Bachelor of Music	1		
	Bachelor of Science	12		
	<i>School of Engineering</i>		20	
	Bachelor of Engineering	3		
	Bachelor of Science in Civil Engineering	1		
	Bachelor of Science in Computer Engineering	1		
	Bachelor of Science in Computer Science	6		
	Bachelor of Science in Electrical Engineering	2		
	Bachelor of Science in Geological Engineering	2		
	Bachelor of Science in Geology	1		
	Bachelor of Science in Mechanical Engineering	4		
	<i>School of Business</i>		107	
	Bachelor of Business Administration	107		
	<i>School of Accountancy</i>		31	
	Bachelor of Accountancy	31		
	<i>School of Applied Sciences</i>		79	
	Bachelor of Arts in Sport and Recreation Administration	5		
	Bachelor of Science	23		
	Bachelor of Science in Criminal Justice	23		
	Bachelor of Science in Exercise Science	15		
	Bachelor of Science in Public Health & Health Sciences	1		
	Bachelor of Social Work	10		
	Bachelor of Science in Law Studies	2		
	<i>School of Journalism and New Media</i>		34	
	Bachelor of Arts in Journalism	5		
	Bachelor of Science (IMC)	29		
	<i>General Studies</i>		56	
	Bachelor of Multi-Disciplinary Studies	40		
	Bachelor of University Studies	16		
	<i>Graduate School</i>		140	
	Master of Accountancy	4		
	Master of Accountancy and Data Analytics	1		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Arts	18		
	Master of Business Administration	10		
	Master of Criminal Justice	12		
	Master of Education	12		
	Master of Fine Arts	2		
	Master of Music	3		
	Master of Science	37		
	Master of Social Work	2		
	Master of Taxation and Data Analytics	1		
	Specialist in Education	6		
	Doctor of Philosophy	28		
	Certificate in Intercollegiate Athletic Administration	4		
	<i>Law School</i>		14	
	Juris Doctor	14		
	<i>Total Undergraduate Degrees</i>		468	
	<i>Total Graduate/Professional Degrees</i>		154	
	<i>Total Certificates</i>		4	
	<i>Total Degrees</i>			622
	<i>Total Degrees and Certificates</i>			626
University of Mississippi Medical Center				
	<i>Undergraduate</i>		94	
	Bachelor of Science in Nursing	94		
	<i>Graduate/Professional</i>		42	
	Master of Health Informatics and Information Management	1		
	Master of Science in Biomedical Sciences	12		
	Master of Science in Nursing	12		
	Doctor of Health Administration	2		
	Doctor of Nursing Practice	6		
	Doctor of Dental Medicine	1		
	Doctor of Medicine	3		
	Doctor of Philosophy	5		
	<i>Total Undergraduate Degrees</i>		94	
	<i>Total Graduate/Professional Degrees</i>		42	
	<i>Total Degrees</i>			136
University of Southern Mississippi				
	<i>College of Arts and Sciences</i>		400	
	Bachelor of Arts	109		
	Bachelor of Fine Arts	5		
	Bachelor of Interdisciplinary Studies	1		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Bachelor of Liberal Studies	35		
	Bachelor of Music	6		
	Bachelor of Music Education	7		
	Bachelor of Science	145		
	Bachelor of University Studies	17		
	Master of Arts	6		
	Master of the Arts in Teaching of Language	10		
	Master of Music	1		
	Master of Music Education	2		
	Master of Science	29		
	Doctor of Musical Arts	5		
	Doctor of Philosophy	22		
	<i>College of Business and Economic Development</i>		241	
	Bachelor of Applied Science	2		
	Bachelor of Science	27		
	Bachelor of Science in Business Administration	142		
	Master of Business Administration	36		
	Master of Professional Accountancy	7		
	Master of Science	19		
	Doctor of Philosophy	8		
	<i>College of Education and Human Sciences</i>		277	
	Bachelor of Arts	6		
	Bachelor of Science	150		
	Bachelor of Social Work	27		
	Master of Arts	1		
	Master of Arts in Teaching	3		
	Master of Education	34		
	Master of Library and Information Science	29		
	Master of Science	12		
	Specialist in Education	5		
	Doctor of Education	4		
	Doctor of Philosophy	6		
	<i>College of Nursing and Health Professions</i>		192	
	Bachelor of Arts	29		
	Bachelor of Science	30		
	Bachelor of Science in Nursing	65		
	Master of Public Health	39		
	Doctor of Nursing Practice	27		
	Doctor of Philosophy	2		
	<i>Total Undergraduate Degrees</i>		803	
	<i>Total Graduate Degrees</i>		307	
	<i>Total Degrees</i>			1110

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Institution	Degree to be Conferred	Number	Subtotal	Total
<i>System Degrees</i>				
	<i>Total Undergraduate Degrees</i>		3584	
	<i>Total Graduate Degrees</i>		1224	
				4808

*Note: System Total for fall 2021 represents a decrease of 92 from fall 2020's total of 4,900.

FINANCE

3. **SYSTEM** – Approved the request for a budget escalation within the *Ayers* Endowment Diversity programs for Jackson State University and Mississippi Valley State University. The original budgets were approved at the June 2021 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown below. All funds budgeted within these programs were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.
Jackson State University

Object of Expenditure	Current Budget FY 2022	Budget Revision	Revised Budget FY 2022
Salaries, Wages & Fringe Benefits	\$ 126,855		\$ 126,855
Travel			-
Contractual Services	825,000		825,000
Commodities			-
Capital Outlay:			-
Equipment			-
Library Resources			-
Student Aid	484,875	1,105,736	1,590,611
Total	\$ 1,436,730	\$ 1,105,736	\$ 2,542,466

Mississippi Valley State University

Object of Expenditure	Current Budget FY 2022	Budget Revision	Revised Budget FY 2022
Salaries, Wages & Fringe Benefits	\$ 67,246		\$ 67,246
Travel	6,000		6,000
Contractual Services	286,286		286,286
Commodities	29,000	2,902	31,902
Capital Outlay:		23,000	23,000
Equipment	-		-
Library Resources	-		-
Student Aid	461,348		461,348
Total	\$ 849,880	\$ 25,902	\$ 875,782

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4. **SYSTEM** – Approved the proposed amendment to Board Policy 703 Institutional Scholarships, Tuition Waivers, Assistantships, and Fellowships, specifically Policy 703.04 Policy Guidelines subsection C for final approval (**See Exhibit 1.**) The Board waived the requirement for a second reading of this revision as required by Board Policy 201.0302 Procedures for Changing Board Policies and Adopting New Policies. This change will allow compliance with the determination reached by the US Supreme Court in *Alston vs. NCAA*.
5. **MSU** – Approved the request to enter a new contract with Waste Pro of Mississippi, Inc. to provide waste and recycling collection and disposal services for the Starkville campus. The term of the contract is three years with the potential for three 24-month renewal periods by mutual agreement of both parties in writing. The University will pay Waste Pro on a per lift basis. The projected annual cost will be \$750,000; however, actual cost will be dependent upon campus waste/recycle stream volumes. The agreement 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.
6. **UM** – Approved the request for the University of Mississippi Department of Facilities Planning to amend the Services Agreement with Commissioner & Green Building Solutions, Inc. for the new Jim and Thomas Duff Center for Science and Technology Innovation (CSTI). This amendment adjusts the Commissioning Agent’s fees due to the excessive time extension from the original agreement. The fees will be adjusted based on the proposal dated September 08, 2021. The current duration of the Master Services Agreement is February 8, 2018 and ends when the warranty period of the STEM building construction contract ends. The contract amount per the current agreement is \$568,356.96 with an option for additional site visits in the amount of \$1,638.57 per visit and additional post-occupancy services in the amount of \$18,711.07 per year. The new contract total is \$619,858.02 with an option for additional post-occupancy services in the amount of \$22,226.79 per year. The agreement will be funded by HB1729, Laws of 2016; HB1649 Laws of 2018; Internal R&R funds; External UMEBC financing, and other sources. 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. **UM** – Approved the request to enter an Amended and Restated Use Agreement Among Mississippi Army National Guard, City of Oxford, Mississippi, The University of Mississippi through the Board of Trustees of State Institutions of Higher Learning, and Ole Miss Athletic Foundation for the use of the City of Oxford’s Rifle Range. This amendment clarifies how the operational, utility, maintenance and repair costs should be shared and desire to enter into an agreement to confirm the payment obligations for the next five fiscal years. The contract begins on August 15, 2001 and ends on August 15, 2056. The total contract amount over the next five fiscal years is \$305,000. The contract will be funded by 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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8. **UM** – Approved the request from the University of Mississippi Department of Facilities Planning to amend the Master Services Agreement with Hoar Program Management, LLC (HPM) for the new Jim and Thomas Duff Center for Science and Technology Innovation (CSTI). This amendment adjusts the Owner’s Representative responsibilities in the scope of work to reflect a Public Bid/Build delivery method and increase the fees. The original agreement was based on a CMAR delivery method. The University is no longer using the CMAR delivery method. This amendment will also increase the agreement duration for the new CSTI building to November 30, 2023. Revisions to the original agreement located in the agreement title; Paragraphs 1.2, 5.2, 8.1, 12.12, 13.1, and 13.2; Exhibit A; and Exhibit B. The current duration of the Master Services Agreement is February 16, 2018 – May 31, 2023. This Amended Master Services Agreement maintains the original agreement start date of February 16, 2018 and extends the duration of the Agreement to the updated anticipated completion of construction and close-out date of November 30, 2023. The contract amount per the current agreement is \$1,582,749.27. The additional fee for the adjusted responsibilities and services reflected in this amended agreement is \$248,909.30. The new contract total is \$1,831,658.57. This contract will be funded by HB1729, Laws of 2016; HB1649 Laws of 2018; Internal R&R funds; External UMEBC financing, and other sources. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
9. **UM** – Approved the request by the University of Mississippi Libraries to enter a contract with Taylor & Francis Group to secure perpetual access to specific electronic journal content for an unlimited number of authorized users, to expand the content available from this publisher through a subscription-only subject collection of journals, and to set the price of those journals for the next three years. The contract term will begin January 1, 2022 and end on December 31, 2024. The total amount for the contract over three years will be \$534,125.72. The exact amount for each year and for the final total will vary slightly depending on the exact mix of perpetual titles purchased each year. The costs for each year will be paid the preceding November. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the university to prepay the annual payment each year. Cost for this contract will be funded by the Libraries’ materials budget which is derived from educational and general funds and from specified endowments. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **UM** – Approved the request for the University of Mississippi Office of Technology Commercialization (OTC) to enter a lease with the University of Mississippi Research Foundation (Insight Park) for office space that is more convenient and accessible for hosting private sector partners and the community. The lease term is five years with the option to renew annually for three additional years for a total of eight years. The cost of the agreement is \$480,000 if all renewal options are exercised. 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. **UMMC** – Approved the request to enter a Positron Emission Tomography/Computed Tomography (PET/CT) Services Agreement with Alliance HealthCare Services, Inc. d/b/a Alliance HealthCare Radiology (Alliance) for use of technical personnel and a mobile PET/CT scanner at UMMC Grenada. Alliance will provide one technical personnel and maintain the mobile equipment and possess all federal and state radioactive materials licenses. Under the agreement, UMMC will obtain and maintain all required licenses and regulatory approvals needed to operate the equipment and provide a radiologist to provide interpretations of the PET/CT procedures. The term of the agreement is five (5) years, from December 1, 2021, through November 30, 2026. The total estimated cost of the agreement over the five (5) year term is \$575,000. Beginning in year two (2), UMMC has included a ten percent (10%) increase per year for potential volume increases. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to enter a Dialysis Products Purchase Agreement with Baxter Healthcare Corporation (Baxter) for the rental of dialyzer equipment used by patients on peritoneal dialysis (PD) equipment, as well as for the purchase of associated commodities. PD is a form of dialysis used to treat patients with severe chronic kidney disease. The Board approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total estimated cost of the agreement over three (3) years is \$6,825,000, including all rental fees and commodity purchases. UMMC has also included a twenty percent (20%) increase beginning in year two (2) to account for volume increases. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UMMC** – Approved the request to extend the term of the current Vizient Letter of Commitment (Agreement)) with Cardinal Health 200, LLC (Cardinal) for access to discount rate tiers and participation in the Supplier Services Agreement (Vizient Agreement) for freight management services utilizing its OptiFreight® Logistics. The Agreement provides UMMC access to nationally negotiated shipping/freight pricing, the ability to deal directly with the shipping/freight companies, and complete visibility and transparency for UMMC’s incoming shipping/freight charges. The extended term of the Agreement is fifty-five (55) months, beginning on November 1, 2017, and ending conterminously with the Vizient Agreement on May 31, 2022. The Board originally approved a contract term that aligned with the termination date of the Vizient Agreement, which at the time was November 30, 2021. However, the term as stated in the Agreement is that it expires upon the expiration or earlier termination of the Vizient Agreement. On August 28, 2020, Vizient and Cardinal entered an amendment extending the term of the Vizient Agreement to May 31, 2022. The estimated freight cost to be paid to Cardinal under the Agreement is \$4,700,000.00 based on UMMC’s historical shipping costs. UMMC estimates approximately \$2,161,300 in savings through the utilization of this program. This agreement will be funded by hospital patient revenue. Legal Staff has

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- 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 to enter a Master “Software as a Service” Managed Services Agreement Specialty Pharmacy (Agreement) with Cervey, Inc. (Cervey). This agreement will provide a specialty pharmacy Customer Relationship Management (CRM) web-based software model to be used by the specialty pharmacy program at UMMC. The platform is necessary for day-to-day operational and clinical activities and is required to obtain Utilization Review Accreditation Commission (URAC) accreditation for the specialty pharmacy program. This module will help UMMC streamline pharmacy operations and patient management, while reducing cost for its hospital-based specialty pharmacy. The term of the Agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total cost of the Agreement is \$545,000. Under the agreement the cost for implementation and license fees is \$437,544.20. The additional funds requested are for variable fees such as custom programming, claims adjudication, and training expenses. This agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 15. **UMMC** – Approved the request to enter an Agreement for Physician Locums Tenens Coverage with CHG Companies, Inc. d/b/a CompHealth (CompHealth) to provide temporary physician coverage to UMMC Grenada and UMMC Holmes County, as needed. The term of this agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total estimated cost of the agreement over three (3) years is \$3,500,000. Beginning in year two (2), UMMC has added a thirty five percent (35%) increase for potential volume increases. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 16. **UMMC** – Approved the request to enter an Agreement for Physician Locums Tenens Coverage with CHG Companies, Inc. d/b/a CompHealth (CompHealth) to provide temporary physician coverage on UMMC’s main campus in Jackson, as needed. The term of this agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total estimated cost of the agreement over three (3) years is \$3,500,000. Beginning in year two (2), UMMC has added a thirty-five percent (35%) increase each year for potential volume increases. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 17. **UMMC** – Approved the request to enter a Product Pricing Agreement with Chiesi USA, Inc. (Chiesi) to purchase Curosurf products, a pulmonary surfactant used to treat neonatal patients with, or at risk for, respiratory distress syndrome. The Board approved the request to allow the institution to add or remove products covered by the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total estimated cost over the three (3) year term is \$1,525,000. Chiesi may increase pricing up to nine and a half percent (9.5%) annually upon thirty (30) days’ prior written notice. In addition, beginning in year two (2), UMMC has included an annual

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fifteen percent (15%) increase for potential patient volume increases. The agreement will be funded through 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.

18. **UMMC** – Approved the request to enter Amendment Two (2) to the Educational License Agreement with Citrix Systems, Inc. (Citrix) to extend the term of the current license agreement for an additional three (3) years. This agreement will allow Citrix to provide a hybrid model for software, maintenance, and technical support provided on UMMC’s existing on-premise Citrix XenDesktop infrastructure. The software and services under this agreement serve as a gateway for UMMC users to access approximately 200 applications used across the institution. This gateway essentially “virtualizes” UMMC’s software applications. The term of Amendment Two (2) is three (3) years, from December 13, 2021, through December 12, 2024. The total term of the amended agreement is six (6) years, from December 13, 2018, through December 12, 2024. The estimated total cost of Amendment Two (2) is \$2,708,663.10. This cost includes a ten (10%) increase over the total cost to account for any potential increase in licenses during the term of the amendment. The total cost of the amended agreement is \$5,335.513. This contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
19. **UMMC** – Approved the request to enter a Memorandum of Understanding (MOU) with MoreDirect, Inc. d/b/a Connection (Connection) for Cisco Systems, Inc. (Cisco) to provide its Digital Network Architecture (DNA) licenses and Security suites. UMMC currently utilizes Cisco networking equipment throughout the institution. These licenses and products are used on the equipment to make up UMMC’s network infrastructure. This MOU will allow UMMC to purchase the needed licenses and services on a subscription basis, which is a more cost-effective solution and enhances the overall operations of the network through industry standard enhanced security software on the wireless infrastructure platform. The subscription-based solution will allow UMMC to replace an aging wireless network architecture to adapt to a more mobile workforce. The term of the MOU is thirty-six (36) months and seven (7) days, from November 24, 2021, through November 30, 2024. The total cost of the MOU is \$2,190,000.00, which includes current licenses as well as potential future needs. UMMC has included a ten percent (10%) overage to cover potential future needs. This 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.
20. **UMMC** – Approved the request to enter Amendment 2 to the License Agreement with Intelligent Medical Objects, Inc. (IMO) to update the license solution to IMO Core, add information security requirements, and extend the term of the agreement. Under the Core solution, UMMC will receive the current Intelligent Problem List (ProblemIT), Problem List Management, Problem-oriented Filtering, Content Management Portal, and Billing code set and data. The ProblemIT and Problem oriented Filtering products assists clinicians by organizing a patient’s problems into a clearer, more clinically oriented snapshot of the patient’s current overall condition. The Content Management Portal will

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allow UMMC staff to update the IMO content in its electronic health record, Epic, in a more efficient manner. The term of Amendment 2 is approximately thirty-one (31) months, from February 1, 2022, through August 23, 2024. The total term of the amended License Agreement is seven (7) years and seven (7) months, from February 1, 2017, through August 23, 2024. The cost of Amendment 2 is \$448,287.67. If UMMC executes Amendment 2 prior to November 30, 2021, IMO will provide a credit of \$97,274 during the first year of the extension, for a remaining Amendment 2 cost of \$351,013.67. The total cost of the amended License Agreement is \$792,222.04, after the credit is applied. This agreement is 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.

21. **UMMC** – Approved the request to enter Statement of Work No. 3 (SOW3) and No. 4 (SOW4) to the Master Services Agreement with Kaufman, Hall & Associates, LLC (Kaufman Hall) to support UMMC’s ongoing clinical investment integrated planning. The purpose of the agreement is to seek outside financial and capital planning guidance for UMMC. The engagement will define opportunities for clinical expansion relative to UMMC’s existing assets, local market conditions, and strategies pursued by academic medical centers across the country. The total anticipated term of the Master Services Agreement, including all SOW, is one (1) year and approximately one (1) month, from March 3, 2021, through April 30, 2022. The term of the Master Services Agreement extends through the last expiration date of any attached statement of work. The term of SOW3 is November 19, 2021, through December 31, 2021. The term of SOW4 is January 1, 2022, through April 30, 2022. The total cost of the Master Services Agreement, including SOW1 through SOW4, is \$1,095,250. There is no cost to the Master Services Agreement. The estimated cost of SOW3 is \$205,300, including professional and administrative fees, as well as potential travel and other expenses. The estimated cost of SOW4 is \$382,950, including professional and administrative fees, as well as potential travel and other expenses. 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.
22. **UMMC** – Approved the request to enter a Security Services Agreement with Mall Services, LLC (MALL) for the provision of armed security services at the Jackson Medical Mall (Medical Mall), located at 350 Woodrow Wilson Drive, Jackson, MS 39213. The term of the agreement is three (3) years, from December 1, 2021, through November 30, 2024. The total estimated cost of the agreement is \$455,000 over the three (3) year term. The cost is based upon the actual number of hours that security officers man three (3) designated guard stations. The initial hourly rate is \$16.70 with an annual cost increase up to five percent (5%); the estimated number of man-hours per week is 165. 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.
23. **UMMC** – Approved the request to amend its Purchase Agreement with Medtronic USA, Inc. (Medtronic) to extend the term of the agreement, add information security language and additional products, and revise the returned goods policy. The agreement is to

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purchase supplies, disposables, and implants to be used in neurosurgical procedures. These supplies include valves, shunt kits, catheters, bur hole covers, and other items for use with Midas Rex drills, StealthStation navigation Systems, and Fusion navigation systems UMMC currently owns. The term of the amended agreement is five (5) years, from January 1, 2019, through December 31, 2023. The original agreement was for a term of three (3) years beginning January 1, 2019. The amendment extends the term for an additional two (2) years through December 31, 2023. The total amended over the extended term is \$3,525,000. The total approved cost of the original agreement was \$2,424,925. The first amendment will add \$1,100,075. The contract 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.

24. **UMMC** – Approved the request to enter a CryoConsole Product Sale Agreement with Medtronic USA, Inc. (Medtronic) for the purchase of two (2) GenVRoHS 106A3 CryoConsoles used as a safety mechanism to ablate accessory to freeze the accessory pathway without the fear of causing a heart block to the patient. The ability to use cryoablation must be available during each patient’s electrophysiology study. UMMC will also trade-in two (2) UMMC-owned Medtronic Gen V Universal 106A3 consoles that are at end of life. The term of the agreement is one (1) year and two (2) weeks, from December 1, 2021, through December 14, 2022, which is one (1) year following the expected installation date of the consoles. The anticipated installation date will be on or about two (2) weeks after the effective date of the Agreement. The total estimated cost of the agreement over the one (1) year and two (2) week term is \$300,000. This includes the purchase of the two (2) new CryoConsoles, after the pricing discount is applied. UMMC will also receive a \$30,000 credit for the trade-in of the two (2) end of life consoles. 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.
25. **UMMC** – Approved the request to enter a Memorandum of Understanding (MOU) with MoreDirect, Inc. d/b/a Connection (Connection) for Cisco Systems, Inc. (Cisco) to provide software and services under its Collaboration Flex Plan for applications including WebEx web-hosted meetings, Voice over IP (VoIP) phone system, instant messaging, and the unified communication contact center. These components make up the unified communication system at UMMC which integrates voice, video, voicemail, and chat functionalities into one (1) platform. The MOU allows UMMC to bundle licensed products for a more cost-effective licensing and maintenance structure. The term of the Agreement is thirty-six (36) months and seven (7) days, from November 24, 2021, through November 30, 2024. The total cost of the MOU is \$2,150,000.00, which includes current licenses as well as potential future needs. Beginning in year two (2), UMMC has included an additional ten percent (10%) each year to account for potential growth in required licenses. This contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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26. **UMMC** – Approved the request to enter a new Lease Agreement with OBE, LLC d/b/a Cups an Espresso Café (Cups) for the purpose of providing coffee services to patients, staff, and visitors in the University Hospital and the Kathy and Joe F. Sanderson Tower at Children’s of Mississippi. The term of the agreement is five (5) years, commencing on the earlier of (i) the date Cups opens the premises to the public for business or (ii) sixty (60) days after delivery of possession occurs and expiring sixty (60) months later. The commencement date shall be no later than January 19, 2022. The Lease Agreement is estimated to earn approximately \$333,000 over the five (5) year term. Rent is \$3,500 per month for the Main Coffee Shop in University Hospital and \$1,750 per month for the Children’s Coffee Shop in Kathy and Joe F. Sanderson Tower at Children’s of Mississippi. Cups will also pay \$1,800 per year per location for use of UMMC’s point of sale badge swipe system. 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.
27. **UMMC** – Approved the request to amend the agreement with Ovid Technologies, Inc. (Ovid) to extend the expiration of the Order forms for the Lippincott Williams & Wilkins (LWW) Total Access Collection journal package. These journals are necessary to support all three missions of UMMC: education, research, and healthcare. The term of the Master License Agreement began on December 1, 2018 and continues until the expiration of the last effective Order. The term of each Order or Quote is one (1) year; however, the amendment extends the original Orders for a total of three (3) years and ten (10) months. The effective date of each subscribed product is based on publication of the journal. Various products under the amended agreement have one-year terms that span from November 30, 2018, through August 31, 2025. The total estimated cost over the amended term is \$2,250,000. The agreement 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.
28. **UMMC** – Approved the request to enter a Services Agreement with Vanderbilt Health Rx Solutions, LLC (VHRxS) to support UMMC’s specialty pharmacy program, including implementation services, project oversight, and planning of key efforts intended to maintain and grow the program at UMMC. The term of the agreement is two (2) years, from December 1, 2021, through November 30, 2023. The total estimated cost of the agreement over the two (2) year term is \$1,300,000, which includes professional fees, travel, and expenses. 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.
29. **USM** – Approved the request to enter a five-year contract with T2 Systems, Inc. for a Parking Management system which includes hosted software licensing, professional services for implementation, software maintenance services, equipment purchase, migration of existing parking data, and integration with many third-party products currently being used by the University. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request for the institution to make the annual payments at the beginning of each fiscal year as required by the contract. The term of this contract is five (5) years beginning December 1, 2021 and ending

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November 30, 2026. The total amount of the contract for the five (5) year period will be \$347,325.23 which includes all product licenses, equipment, hosting, and support costs. These costs are broken down as: one time implementation, equipment, and travel costs of \$97,891.20. Recurring annual costs for licensing, hosting, and support with a 5-year total of \$249,434.03. The licensing, hosting, and support fees will be paid annually on the anniversary date of the contract, as well as at the beginning of the contract. The contract will be funded by auxiliary funds from Parking and Transit Services. 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

30. **JSU** – Approved the initiation of GS 103-306, College of Education & J.Y. Woodard Roof Replacement, and the appointment of Vernell Barnes Architect, PLLC as the design professional. The roofs of the College of Education (COE) and the J.Y. Woodward building are passed their life expectancy and need replacement. The COE roof is approximately 21 years old and J.Y. Woodard, is approximately 26 years old. Although both roofs have been generally maintained and were in fair to good condition, based on the CJC Roof Survey Report (GS#503-117) completed in 2011, natural deterioration has occurred. The proposed project budget is \$1.1 million. Funds are available from SB 3065, Laws of 2019 (\$1,000,000) and HB 1649, Laws of 2018 (\$100,000).
31. **ASU** – Approved the appointment of WGK, Inc. as the design professional for IHL 201-256, MDOT Transportation Alternatives Project. The project will provide improvements to the bicycle trail including paving, lighting, and other improvements. Appointing a professional will allow the university to proceed with the design of the project. The proposed project budget is \$1,661,384.93. Funds are available from Federal Transportation Alternatives Grant Funds (\$1,384,487.44) and University Plant Funds (\$276,897.49).
32. **MVSU** – Approved the request to increase the project budget for GS 106-269, Jacob Aron Student Union Expansion and Renovation, from a pre-planning budget of \$375,000 to a construction budget of \$19,755,000 for an increase of \$19,380,000 and to add HB 1730, Laws of 2020, as a funding source for the project. The scope of this project includes construction of an adjacent expansion to house student service activities, large scale meeting room functions and student recreational activities with adequate seating capacity for attending audiences. Renovations will also include expanded student support spaces, post office, print shop and bookstore. Finally, this project will address remediation of the existing mechanical systems and the renovation of the interior and address all life safety issues and ADA compliance. Funds are available from SB 3065, Laws of 2019 (\$6,320,000) and HB 1730, Laws of 2020 (\$13,435,000).
33. **MSU** – Approved the exterior design for the Walker Engineering Annex Renovation. The rendering is included in the *November 18, 2021 Board Working File*. This project is funded by the MSU Foundation. The project will involve the creation of a new Student Engineering Center for the Bagley College of Engineering. A portion of this project will be in a renovated existing historic structure known as the “Materials Testing Laboratory”. The existing building is a two (2) story brick building originally constructed in 1906. The existing building will be comprised of a new Maker Space on the ground floor with office

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and meeting spaces on the new second floor. An addition will be constructed to the rear of the existing building. The new addition will house modern facilities required in an academic facility such as an elevator, fire stairs, restroom with ADA fixtures, a break area, and a new mechanical, electrical, and telecommunications building. The existing paved area between Walker Hall and McCain Hall will be paved with campus standard brick and concrete paving.

34. **MSU** – Approved the request to convey a 0.9 +/- acre tract of land on East Lee Boulevard in Oktibbeha County to Clayton Village Water Association (CVWA) in exchange for CVWA conveying to MSU an equivalent size tract of land on Montgomery Hill Road immediately adjacent to the MSU campus in Oktibbeha County, Mississippi. MSU desires to exchange tracts of unimproved land with CVWA because the property MSU will acquire from CVWA is closer in proximity to the central part of MSU’s Starkville campus than the property MSU will convey to CVWA, which will allow for contiguous development as future needs arise. Furthermore, CVWA intended to construct a water tower on the tract of land that it currently owns adjacent to the MSU campus, which could impede the future growth path of the University and present aesthetic and logistical challenges for MSU in the future if a water tower is erected on the site. The University received two independent property appraisals for the property to be acquired and two independent property appraisals for the property to be conveyed to CVWA. The first appraisal for the property on East Lee Blvd that MSU currently owns and seeks to convey was in the amount of \$80,000. The second appraisal for the East Lee Blvd property was in the amount of \$75,000. The average of the two appraisals for the East Lee Blvd property that MSU is seeking to convey was \$77,500. The University is seeking to acquire the Montgomery Hill property owned by Clayton Village Water Association. The first appraisal for the property on Montgomery Hill that MSU seeks to acquire was in the amount of \$80,000. The second appraisal for the Montgomery Hill property was in the amount of \$75,000. The average of the two appraisals for the Montgomery Hill property that MSU is seeking to acquire was \$77,500. Both properties in this proposed land exchange are 0.9-acre tracts of land and both tracts of land appraise for the same value. Therefore, MSU is in compliance with Board Policy that requires the sale price of property shall not be below the average of the two appraisals and that the purchase price of the property shall not exceed the average of the two appraisals. The property descriptions are as follows. Clayton Village Water Association to Convey to MSU – Parcel #117O-36-003.00: This property is a 0.91-acre tract of land on the west side of Montgomery Hill Road and commences at a concrete monument with a brass disk located at the SW Corner of the SE ¼ of the SW ¼ of Section 36, Township 19 North, Range 14 East, Oktibbeha County, Mississippi. MSU to Convey to Clayton Village Water Association – Parcel #117P-36-002.00: This property is a 0.92-acre tract of land on the West side of East Lee Blvd. and commences at an angle iron found at the NE Corner of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 36, Township 19 North, Range 14 East, Oktibbeha County, Mississippi. MSU seeks to exchange .9 +/- acre of real property at no cost to either party. Closing will take place on or before December 31, 2021. Within thirty (30 days) after full execution of the contract, each party shall provide the other at their own expense a certificate of title from an attorney whose title opinions are accepted by a title insurance company acceptable to the other. Conveyances shall be by

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special warranty deed. Each party shall prepare its deed and shall submit same to the other party for approval not less than seven (7) days prior to closing. The parties agree that certain easements are necessary for each party to have the full and complete enjoyment of their respective parcels of land for their intended purposes. The parties agree to execute a right of first refusal at closing for the parcel of land they are receiving. Should either party desire to sell the parcel of land they are receiving, the right of first refusal will allow the other party the first option to purchase the respective parcel of land for the then current appraised value. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. The Phase I report was performed on the 0.91-acre tract of land located between Montgomery Hill Road and George Perry Street that MSU would acquire from the Clayton Village Water Association. No recognized environmental conditions were identified in connection with the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

35. **MSU** – Approved the purchase of a 3.28-acre tract of land located adjacent to the MSU campus in Oktibbeha County, Mississippi from VanLandingham Company, LLC for a sale price of \$1,800,000. This purchase will allow future development and ensure the property is available at the time of future needs. Furthermore, if another party were to purchase this land, the University could be faced with undesirable development adjacent to campus. The University received two independent property appraisals for the property. The first appraisal was in the amount of \$1,670,000. The second appraisal was in the amount of \$2,000,000. The average of the two appraisals was \$1,835,500. The purchase price of the property is \$1,800,000 which is below the average of the two appraisals. The subject property, as referenced above, is located on Lots 3 and 4 of R.H. Means Subdivision of all that part of North $\frac{3}{4}$ of East $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 36, Township 19 North, Range 14 East, lying South of U.S. Highway 82. The subject property is located at 10944 MS Highway 182, Oktibbeha County, Mississippi and consists of 3.28 acres +/- . The subject improvements on the property include a single-family residence and an auxiliary structure that serves as a guest house. The residence is approximately 4,800 GSF and contains 3 bedrooms, 3 full baths, and 2 half baths along with a kitchen, dining room, living room, family room and sunroom. The guest house is approximately 1,000 GSF and contains a bedroom, living room, and a bath. The closing date shall be on or before, December 31, 2021, or as otherwise mutually agreed upon in writing by the parties involved. All special assessments, taxes, and other like governmental fees which are assessed for the calendar year of the closing date shall be paid in full by the Seller. Seller shall furnish the Warranty Deed from a reputable attorney with a property description and a Certificate of Title to the date and time of closing. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. The Phase I report was performed on the 3.28-acre tract of land located at 10944, Highway 182, Starkville, MS. No recognized environmental conditions were identified in connection with the subject property. However, the approximately 4,500 square foot house that sits on the property had the presence of asbestos and led based paint found during the field inspection. MSU will hire an abatement company to remove the asbestos and led based paint in accordance with proper guidelines before demolishing this

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property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

36. **UM** – Approved the termination of a lease between IHL and Kappa Alpha Theta Fraternity, Inc., successor-in-interest to Epsilon Zeta House Corporation of Kappa Alpha Theta. 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 – was dissolved. Before its dissolution, the KAT House Corporation assigned and conveyed all its rights, title, and interest in its primary lease with the IHL to KAT, the national fraternity with which the Epsilon Zeta Chapter and the KAT House Corporation are affiliated. Terminating the primary lease between IHL and KAT will allow IHL to enter a new lease with Alpha Chi Omega National Housing Corporation (Alpha Chi) which will allow it to establish a chapter on UM's Oxford campus. This is a termination of the lease for a residential facility on sorority lot #252 on the University of Mississippi's Oxford campus that was erected on May 21, 1979, by the Epsilon Zeta House Corporation of Kappa Alpha Theta ("the KAT House Corporation"). The primary lease between the IHL/UM and KAT (assignee of the 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 that were previously approved between the KAT House Corporation and KAT is permanent and has no term. There is a sublease in effect between KAT and Tau of Chi Omega Fraternity House Corporation ("Chi Omega") through May 31, 2022. The Board also approved a new lease with Alpha Chi and a new sublease between Alpha Chi and Chi Omega as shown in items #38 and #39 below. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
37. **UM** – Approved the request to terminate the sublease between Kappa Alpha Theta Fraternity, Inc. ("KAT") and Tau of Chi Omega Fraternity House Corporation ("Chi Omega") and authorize the University Chancellor to execute the Prime Landlord's Consent on behalf of the Board of Trustees of State Institutions of Higher Learning. 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 – was dissolved. Before its dissolution, the KAT House Corporation assigned and conveyed all its rights, title and interest in its primary lease with the IHL to KAT, the national fraternity with which the Epsilon Zeta Chapter and the KAT House Corporation are affiliated. Because the sorority residential facility was vacant, the KAT House Corporation (through its assignee KAT) subleased the facility to Chi Omega. The IHL's approval of the Assignment and Assumption of Lease and the Sublease was necessary because the primary lease between the KAT House Corporation and IHL expressly provided 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 the IHL in writing. This is a termination of the lease for a residential facility on sorority lot #252 on the University of Mississippi's Oxford campus that was erected on May 21, 1979, by the Epsilon Zeta House Corporation of Kappa Alpha Theta

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(“the KAT House Corporation”). The primary lease between the IHL/UM and KAT (assignee of the 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 that was previously approved between the KAT House Corporation and KAT is permanent and has no term. There is a sublease in effect between KAT and Tau of Chi Omega Fraternity House Corporation (“Chi Omega”) through May 31, 2022. The Board also approved a new lease with Alpha Chi and a new sublease between Alpha Chi and Chi Omega as shown in item #38 and #39 below. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.

38. **UM** – Approved the lease between IHL/UM and Alpha Chi Omega National Housing Corporation (the “House Corporation”). The terms of the lease will be for fifty (50) years for Lot #252 from December 1, 2021, to December 21, 2071. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
39. **UM** – Approved the sublease between Alpha Chi Omega National Housing Corporation (“Alpha Chi”) and Tau of Chi Omega Fraternity House Corporation (“Chi Omega”) and authorize the University Chancellor to execute the Prime Landlord’s Consent on behalf of the Board of Trustees of State Institutions of Higher Learning. 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 – Epsilon Zeta House Corporation of Kappa Alpha Theta (“KAT House Corporation”) – was dissolved. Before its dissolution, the KAT House Corporation assigned and conveyed all its rights, title and interest in its primary lease with the IHL to Kappa Alpha Theta Fraternity, Inc. (“KAT”), the national fraternity with which the Epsilon Zeta Chapter and the KAT House Corporation are affiliated. Because the sorority residential facility was vacant, the KAT House Corporation (through its assignee KAT) subleased the facility to Chi Omega. The IHL’s approval of the Assignment and Assumption of Lease and the Sublease was necessary because the primary lease between the KAT House Corporation and IHL expressly provided 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 the IHL in writing. This is a sublease for a residential facility on sorority lot #252 on the University of Mississippi’s Oxford campus that was erected on May 21, 1979 by the Epsilon Zeta House Corporation of Kappa Alpha Theta (“the KAT House Corporation”). The primary lease between the IHL/UM and Alpha Chi will be for a fifty-year term, from December 1, 2021, to December 31, 2071. The primary lease between the IHL/UM and Alpha Chi imposes an annual \$50 lease payment to UM. The term of the sublease between Alpha Chi and Chi Omega is for a term from December 1, 2021, to December 31, 2022, with an option to extend up to five additional months. The base rent under the sublease between Alpha Chi and Chi Omega is monthly rental amount of \$13,500.00 from December 1, 2021, to May 31, 2022, and monthly rental amount of \$10,000.00 from June 1, 2022, to December 31, 2022, and for each of the five months

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following the initial term if needed. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

40. **UMMC** – Approved the request to purchase a 36-acre tract of land located in Madison County, Mississippi from Kerioth Realty Company, LLC for a sale price of \$14,253,045. As previously discussed with the Board, surgical capacity at the UMMC main campus is quite limited, which also constrains teaching opportunities. The proposed purchase will allow UMMC the opportunity to develop the property as a means to increase academic opportunities for students and trainees (physician residents and fellows) in facilities with healthcare settings that more closely match those of the providers in which many will eventually be employed, outside the academic medical center (AMC) setting. The University of Mississippi Medical Center received two independent property appraisals for the property. The first appraisal was in the amount of \$14,300,000. The second appraisal was in the amount of \$15,040,000. The average of the two appraisals was \$14,670,000. The University of Mississippi Medical Center is purchasing the property for \$14,253,045.00 which is equal to or less than the average of the two appraisals. The subject property is an approximately 36-acre tract of land located in the northwest quadrant of the intersection of Colony Park Blvd. and I-55 North Frontage Road in Ridgeland, Mississippi. The closing date is proposed to be on or before January 6, 2022. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. A Phase I Environmental Site Assessment (ESA) has been conducted on the property listed above. Based on site inspection, current and past land use history, adjacent property inspections and record review, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL

41. **MSU** – Approved the request to enter a contract with the firm of Butler Snow, PLLC to provide services necessary in the practice areas of intellectual property, real estate, and commercial matters. The term of the contract is one-year effective October 17, 2021. The hourly rate for attorneys is \$295 and \$95 per hour for paralegal services, with a maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$20,000,000 per claim with an annual aggregate of \$40,000,000. This request has been approved by the Office of the Attorney General.
42. **UM** – Approved the request to enter an Interlocal Agreement with Lafayette County, Mississippi (County) and the City of Oxford, Mississippi (City) for the operation of a Drug Enforcement Unit under the direct operational control of a Control Group designed to create a cooperative law enforcement effort to concentrate and focus drug enforcement efforts in Lafayette County, Mississippi. The Board also approved the request to pay \$150,000 for the use and benefit of the Task Force on an annual fiscal year basis. The term of this Agreement is one year effective upon approval and execution. This request has been approval of the Office of the Attorney General. A copy of the agreement is included in the bound *November 17, 2021 Board Working File*.

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43. **UMMC** – Approved the request to enter a contract with Foreman Watkins & Krutz, LLP as outside counsel to provide legal services related to personnel matters. The term of the agreement is December 1, 2021 through June 30, 2023. The hourly rate for attorneys is \$225 with a maximum amount payable of \$300,000 over the term of the agreement. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$20,000,000. This request has been approved by the Office of the Attorney General.

ADMINISTRATION/POLICY

44. **ASU** – Approved the request to bestow one honorary degree at its 2021 Fall commencement ceremony. Supporting documents are on file at the Board Office.
45. **MSU** – Approved the request to bestow one honorary degree at its 2021 Fall commencement ceremony. Supporting documents are on file at the Board Office.

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Cunningham, seconded by McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2.

1. **SYSTEM** – Approved the request to add the following new institutes or centers in accordance with Board Policy 502 New Academic Programs and Units.
 - a. **MSU** – Mississippi Institute on Disabilities (MIoD)
Location: College of Education
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: January 2022
 - b. **USM** – Center for Digital Humanities (CDH)
Location: School of Humanities
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: November 2021
2. **SYSTEM** – Approved the following recommended actions based on the Academic Productivity Reviews.
 - a. Continue with Stipulation
The following 19 academic programs are subject to additional review by the IHL Office of Academic and Student Affairs (OASA) for two years to assess progress toward future productivity.

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ASU – BS in Robotics and Automation Technology (CIP Code, Sequence: 150405, 5791)

DSU – MALS in Liberal Studies (CIP Code, Sequence: 24.0101, 4560)

JSU – MA in Political Science (CIP Code, Sequence: 45.1001, 4061)

JSU – MA in Sociology (CIP Code, Sequence: 45.1101, 4062)

JSU – MA in Criminology and Justice Services (CIP Code, Sequence: 43.0104, 4420)

MSU – MS in Biological Engineering (CIP Code, Sequence: 14.0501, 4434)

MSU – MS in Chemical Engineering (CIP Code, Sequence: 14.0701, 4119)

MSU – MS in Computational Engineering (CIP Code, Sequence: 14.9999, 4494)

MSU – MA in Political Science (CIP Code, Sequence: 45.1001, 4160)

MSU – PhD in Molecular Biology (CIP Code, Sequence: 26.0204, 1163)

MVSU – BA in Art (CIP Code, Sequence: 50.0101, 5397)

UM – MS in Hospitality Management (CIP Code, Sequence: 52.0901, 4589)

UM – MA in Interdisciplinary Studies (CIP Code, Sequence: 30.0000, 4567)

UM – MS in Interdisciplinary Studies (CIP Code, Sequence: 30.0000, 4568)

UM – MEd in Literacy Education (CIP Code, Sequence: 13.1315, 4540)

UM – DA in Chemistry (CIP Code, Sequence: 40.0501, 1047)

UM – PhD in Political Science (CIP Code, Sequence: 45.1001, 1054)

USM – MS in Geography (CIP Code, Sequence: 45.0701, 4393)

b. Delete

DSU – MEd in Health, Physical Education and Recreation (CIP Code, Sequence:13.1314, 4016)

DSU – MEd in Secondary Education (CIP Code, Sequence: 13.1205, 4511)

JSU – MST in Science and Mathematics Teaching (CIP Code, Sequence:13.9999, 4523)

MSU – MA in Economics (CIP Code, Sequence: 52.0601, 4487)

MVSU – BA in Sociology (CIP Code, Sequence: 45.1101, 5396)

MVSU – BS in Environmental Health (CIP Code, Sequence: 51.2202, 5740)

UMMC – PhD in Pathology (CIP Code, Sequence: 26.0910, 1200)

c. Suspend

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be deleted or removed from suspension within three (3) academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory. Unless a request is made by the institution, this program will be recommended for deletion in October 2024.

MSU – MA in Economics (CIP Code, Sequence: 52.0601, 4487)

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FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

Trustee Gee Ogletree recused himself from discussing or voting on item #1 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Martin, seconded by Trustee Cunningham, with Trustees Ogletree and Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Ogletree returned to the room following the discussion and vote on item #1 on the Finance Agenda. On motion by Trustee Rader, seconded by Trustee Martin, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #2 & #3.

1. **UMMC** – Approved the request to enter a new Customer Agreement with Iron Mountain Information Management, LLC (Iron Mountain) for shredding services at all UMMC facilities, including hospitals and clinics located throughout the State. Shredding services include destruction of all paper-based materials and non-paper-based materials such as media and binding material. The term of the agreement is five (5) years, from December 1, 2021, through November 30, 2026. The estimated total cost of the contract over the five (5) year term is \$1,050,000.00. Pricing is fixed for the first year, beginning in Year 2 of the Agreement rates will increase by three percent (3%) each year. UMMC has also factored in an annual volume growth of fifteen percent (15%) to account for new sites added during the term, as well as for potential increases in pick-up frequency for existing sites. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **UMMC** – Approved the request to enter a Sales Agreement with One Lambda, Inc. (One Lambda) for the purchase of reagents and consumables for use in UMMC’s Human leukocyte antigen (HLA) laboratory. These reagents and consumables are used together with One Lambda’s HLA Fusion analysis software that UMMC currently owns. As the only HLA laboratory in the state of Mississippi, the UMMC HLA laboratory provides all the tissue typing and antibody screening services for the UMMC Transplant Center and the Mississippi Organ Recovery Agency. The HLA laboratory also performs HLA typing for the Bone Marrow Transplant Program and for various disease associations, including ankylosing spondylitis, celiac disease, and abacavir hypersensitivity (for HIV treatment). The Board approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is five (5) years, from January 1, 2021, through December 31, 2026. The total estimated cost over the five (5) year term is \$14,225,000. Beginning in year two (2), UMMC has included an annual twenty percent (20%) increase for potential price and volume increases. Beginning January 1, 2023, One Lambda may increase prices annually by up to three percent (3%). The agreement will be funded by hospital patient revenue. 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.

3. **UM** – Approved the request to issue through the University of Mississippi Educational Building Corporation (UMEBC) up to \$75,255,000 par value in fixed rate revenue refunding bonds in one or more taxable and/or tax-exempt series to finance the costs of the current and/or advance refunding and defeasance of all or a portion of 1) The UMEBC revenue bonds, Series 2015A Bonds, not to exceed \$14,670,000; 2) The UMEBC revenue bonds, Series 2015B Bonds, not to exceed \$4,360,000; 3) The UMEBC revenue bonds, Series 2015C Bonds, not to exceed \$29,350,000; (4) The UMEBC revenues bonds, Series 2015D Bonds, not to exceed \$12,085,000; and (5) The UM EBC revenue bonds, Series 2016A Bonds, not to exceed \$14,790,000. The Board also approved the request to pay the costs of issuance, sale, and delivery of the bonds and other necessary bond documents. Butler, Snow LLP will serve as the bond counsel. Raymond James & Associates, Inc. will serve as the senior underwriter. Hilltop Securities is the financial advisor. These bonds will be issued at fixed rates with a term that will closely mirror the existing remaining amortization schedules and monthly payments to semi-annual/annual payments. The bonds will be repaid with various athletic revenues, including annual seat donations, capital gift agreements, philanthropic athletic gifts, and other internally generated auxiliary revenues. Legal Staff has reviewed the documents for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL AGENDA

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to move items #1 - #4 to the Executive Session Agenda.

1. **ASU** – Settlement of IHL Self-Insured Workers’ Compensation Claims Nos. 55-38711-1 and 55-43855-1. **(THIS ITEM WAS MOVED TO THE CONSENT AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of Tort Claim No. 3266. **(THIS ITEM WAS MOVED TO THE CONSENT AGENDA FOR CONSIDERATION.)**
3. **UMMC** – Settlement of Tort Claim No. 3456. **(THIS ITEM WAS MOVED TO THE CONSENT AGENDA FOR CONSIDERATION.)**
4. **UMMC** – Settlement of Tort Claim No. 3107. **(THIS ITEM WAS MOVED TO THE CONSENT AGENDA FOR CONSIDERATION.)**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and

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participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the Board meeting dates and locations for January through December 2022 as follows.

Thursday, January 20, 2022	<i>Board Office</i>
Thursday, February 17, 2022	<i>Board Office</i>
Thursday, March 17, 2022	<i>Board Office</i>
Thursday, April 21, 2022	<i>University of Southern Mississippi</i>
Thursday, May 19, 2022	<i>Board Office</i>
Thursday, June 16, 2022	<i>Board Office</i>
Thursday, July 21, 2022	<i>Subject to Call</i>
Thursday, August 18, 2022	<i>Board Office</i>
Thursday, September 15, 2022	<i>Board Retreat</i>
Thursday, October 20, 2022	<i>University of Mississippi</i>
Thursday, November 17, 2022	<i>Board Office</i>
Thursday, December 15, 2022	<i>Subject to Call</i>

Should committee meetings be held, they will most likely occur on the Wednesday prior to the Board meeting dates shown above.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **JSU** – Intent to offer existing degree programs by distance learning.
 - a. Master of Arts (MA) in Political Science
CIP Code, Sequence: 45.1001, 4061
Cost to offer by distance learning: \$0
Effective date: August 2022
 - b. Master of Public Accountancy (MPA) in Accounting
CIP Code, Sequence: 52.0301, 4029
Cost to offer by distance learning: \$0
Effective date: August 2022
2. **SYSTEM** – Intent to offer certificate programs.
 - a. **JSU** – Program title: Accounting Certificate
Responsible academic unit: College of Business, Department of Accounting, Finance, & Entrepreneurship
Level: Post-baccalaureate
Type certificate: vocational, credit-bearing program
Total credit hours: 18
CIP code: 52.0301
Effective date: January 2022
 - b. **MSU** – Program title: General Biology Certificate
Responsible academic unit: Department of Biological Sciences, College of Arts and Sciences
Level: Post-baccalaureate

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Type certificate: vocational, credit-bearing program

Total credit hours: 18

CIP code: 26.0101

Effective date: January 2022

- c. **MSU** – Program title: Gerontology Certificate
Responsible academic unit: School of Human Sciences, College of Agriculture and Life Sciences
Level: Post-baccalaureate
Total credit hours: 12 (minimum)
CIP code: 30.1101
Effective date: January 2022
- d. **MSU** – Program title: Precision Agriculture Certificate
Responsible academic unit: Plant and Soil Sciences, Agricultural and Biological Engineering
Level: Post-Baccalaureate and Post-Master’s
Type certificate: vocational, credit-bearing program
Total credit hours: 16
CIP code: 01.1101
Effective date: January 2022
- e. **MSU** – Program title: Trauma-Informed Child Advocacy Certificate
Responsible academic unit: School of Human Sciences, College of Agriculture and Life Sciences
Level: Post-baccalaureate
Total credit hours: 12 (minimum)
CIP code: 19.0708
Effective date: January 2022

- 3. **SYSTEM** – The Board received the annual report of winners of the Halbrook Awards for Academic Achievement Among Athletes for 2020-2021.

David C. Halbrook Awards for Academic Achievement Among Athletes^a			
Public University Division – Men		Alcorn State University	
Public University Division – Women (tie)		Mississippi State University University of Southern Mississippi	
Independent College Division Overall		Mississippi College	
Community and Junior College Division Overall		Mississippi Gulf Coast Community College	
John C. and Ernestine McCall Halbrook Improvement Award^b		Rust College	
David M. Halbrook Certificate Award for Academic Achievement Among Athletes^c			
	Institution	Male Recipient	Female Recipient
Public Division	Alcorn State University	Jarius Colley (<i>Agribusiness Mgmt</i>)	Kiana Allen (<i>Biology</i>)
	Delta State University	Giulo Brugnoli (<i>Mgmt & Marketi</i>)	Lucia Martelli (<i>Sports Mgmt; Bus</i>)
	Jackson State University	Charles C. McClelland (<i>Business A</i>)	Kayla Owens (<i>Biomedical Eng.</i>)
	Mississippi State University	Gary Griffin Agent (<i>Business Adm</i>)	Elanor Grimwood (<i>History; Psych</i>)
	Mississippi University for Wome	Coleman Suber (<i>Kinesiology</i>)	Anna Kate O’Bryant (<i>Business Ad</i>)
	Mississippi Valley State Univ.	Mychael Jamison (<i>History</i>)	Tiara DeRosa (<i>Comp Science & M</i>)
	University of Mississippi	Tim Elko (<i>Exercise Science</i>)	Madeleine King (<i>Accountancy</i>)

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	Institution	Male Recipient	Female Recipient
	University of Southern Mississippi	Swayze Bozeman (<i>Exercise Science</i>)	JoAnnie Ramos Aleman (<i>Nursing</i>)
Ind. Division	Belhaven University	Reed Vincent (<i>Sports Medicine</i>)	Ellie Brooker (<i>Creative Writing</i>)
	Blue Mountain College	Owen J. Hill (<i>Biology (Edu)</i>)	Annie Lusby (<i>Social Science (Edu)</i>)
	Millsaps College	Newlon Gillihan (<i>Biology</i>)	Katelyn Norse (<i>Neuroscience</i>)
	Mississippi College	Zach Jones (<i>Kinesiology</i>)	Alexa Laurendine (<i>Kinesiology</i>)
	Rust College	Saul Gonzaez-Nucete (<i>Biology</i>)	Tianna Smith (<i>Biology</i>)
	Tougaloo College	Tyler Hickman (<i>Mathematics</i>)	Morgan Hunter (<i>Health & Recreation</i>)
	William Carey University	Magruder O'Bannon (<i>Biol Science</i>)	McKinley Seal (<i>Biology</i>)
Comm. College Division	Coahoma Community College	Charles Yates	Millay Lambert
	Copiah-Lincoln Community College	William Lawson Harkins	Morgan Alexandria McCray
	East Central Community College	Robert Jonathan Holifield	Sidney Elaine Rone
	East Miss. Community College	Ian Richard	Lillian Ramsey
	Hinds Community College	Ethan Thomas Boyd	Rebecca Anne Blackwell
	Holmes Community College	Edwin Herard	Laney Smith
	Itawamba Community College	Noah Locastro	Hannah Henry
	Jones College	Zachary Diaz	Katherine Wallace
	Meridian Community College	John Etheridge	Sophie Roberts
	Miss. Delta Community College	Tailor Anderson	Danielle Tedder
	Miss. Gulf Coast Comm. College	Deon Travis	Kristina Georgieva
	Northeast Miss. Comm. College	Austin Shaw	Williette Kingdom
	Northwest Miss. Comm. College	Ryan Cade Spratlin	Katelyn Rock
	Pearl River Community College	Graham Crawford	Sydney Runnels
Southwest Miss. Comm. College	Joshua Thomas Bailey	Anna Claire Crow	

^a Trophy award to institution with the highest percentage of graduating student athletes.

^b Cash award to institution with greatest improvement in percentage of student athletes graduating.

^c Certificate awarded to student athletes who have excelled in academics, leadership, and/or service.

FINANCE

4. **SYSTEM** – As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The *Ayers* Investment Report summarizes the activity in the endowment accounts for FY 2021. The report is on file in the Board Office.
5. **SYSTEM** – The Mississippi Department of Information Technology Services approved the continued use of Internet2's connector site in Jackson, Mississippi for the Institutions of Higher Learning (IHL) and four research institutions in the state. Jackson State University, Mississippi State University, the University of Mississippi, including the

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University of Mississippi Medical Center, and the University of Southern Mississippi use the high bandwidth optical network to share research material and data with other member universities and research institutions in the networking consortium. The Attorney General's staff assigned to the MS-ITS reviewed the agreement prior to execution. The Agreement is between Internet2 and MS-ITS on behalf of IHL.

6. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered Assignment and Amendment #1 to the Pager Agreement with Critical Alert to assign the agreement to American Messaging Services, LLC, to extend the term of the agreement for an additional three (3) years, to adjust the annual fees, and to update the notice provision section. The agreement provides pagers and associated services for UMMC employees and clinicians to be contacted twenty-four (24) hours a day, seven (7) days a week via pager. The total term of the amended Pager Agreement is now seven (7) years and six (6) months, from March 13, 2017, through September 30, 2024. The cost of Assignment and Amendment #1 is \$488,743.20. The total cost of the amended Pager Agreement is \$1,769,743.20.
7. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered Order Form 00245303.0 under the current Master Subscription Agreement with Workday, Inc. (Workday) for the purchase of training credits. Training credits are used for Workday training classes for UMMC's analyst and functional team leaders who support the application. The term of the Order Form 00245303.0 is one (1) year, from April 20, 2021, through April 19, 2022. The cost for Order Form 00245303.0 is \$54,800.00. The total cost of the Master Subscription Agreement is \$11,374,757.00.
8. **MVSU** – The University entered into a purchasing agreement with Mythics, Inc. for the acquisition of Oracle software support. MVSU entered into a mutual agreement with Mythics, Inc. that began on July 31, 2015 and ended July 30, 2018. Thereafter, MVSU submitted Form CP1 to extend the services through November 2018. MVSU entered into another mutual agreement with Mythics, Inc. that began December 1, 2018 and ends November 30, 2021. The purpose of this contract is to provide maintenance and support to the University's administrative software package, commonly known as Banner and Oracle database. The agreement will continue to provide maintenance to allow the user to keep the administrative system current and assist with troubleshooting when needed. The term of the contract begins December 1, 2021 and ends November 30, 2024. However, the period of performance of Oracle software support under this Agreement shall begin on the date it is signed by all parties and will continue through the close of business on November 30, 2024 as stated on page 1, Article 1 Term of Agreement section of the contract. The Mississippi Department of Information Technology Services (ITS) vetted and received approval from the Mississippi Department of Finance and Administration to reuse the Omnia Partners Region 4 Education Service Center RFP #19-08 for the establishment of an actual cooperative contract for the acquisition of Oracle products and services. Through this process, Mythics, Inc. was the successful proposer on an open, fair, and competitive procurement process.

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REAL ESTATE

9. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 21, 2021 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 2.)**

LEGAL

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

ADMINISTRATION/POLICY

11. **SYSTEM** – 2021 Fall Commencement Schedules

Alcorn State University

Time/Date: 9:00 a.m., Saturday, December 11, 2021
Location: Jack Spinks and Marino Casem Stadium
Speaker: Dr. Dennis E. Thomas, Commissioner of the Mid-Eastern Athletic Conference

Delta State University

Graduate

Time/Date: 10:00 a.m., Friday, December 10, 2021
Location: Walter Sillers Coliseum
Speaker: Dr. Joseph Bentley, 2021 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Undergraduate

Time/Date: 2:00 p.m., Friday, December 10, 2021
Location: Walter Sillers Coliseum
Speaker: Dr. Joseph Bentley, 2021 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Jackson State University

Time/Date: 10:00 a.m., Friday, December 10, 2021
Location: Lee E. Williams Athletics and Assembly Center
Speaker: Dr. Kristen Broady, '06, '11, Fellow in the Metropolitan Policy Program at the Brookings Institution

Mississippi State University

Meridian Campus

Time/Date: 11:00 a.m., Thursday, December 9, 2021
Location: MSU Riley Center
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Starkville Campus

College of Architecture, Art and Design; College of Arts and Sciences, College of Education; and Academic Affairs

Time/Date: 9:00 a.m., Friday, December 10, 2021
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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College of Agriculture and Life Sciences; College of Business; Bagley College of Engineering; College of Forest Resources; and College of Veterinary Medicine

Time/Date: 3:00 p.m., Friday, December 10, 2021
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Mississippi University for Women

College of Business and Professional Studies and School of Education

Time/Date: 1:00 p.m., Friday, December 3, 2021
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

College of Arts and Sciences and College of Nursing and Health Sciences

Time/Date: 3:00 p.m., Friday, December 3, 2021
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

Mississippi Valley State University

Time/Date: 8:00 a.m., Tuesday, November 23, 2021
Location: Rice-Totten Stadium
Speaker: Dr. Shaesse J. Spratt, M.D., a PGY-1 Emergency Medicine resident at Magnolia Regional Health Center in Corinth, MS

The University of Southern Mississippi

All ceremonies are open to graduates from Summer and Fall 2021.

Graduate Students – All Colleges

Time/Date: 6:00 p.m., Thursday, December 9, 2021
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Undergraduates – College of Arts and Sciences

Time/Date: 9:00 a.m., Friday, December 10, 2021
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Undergraduates – College of Business and Economic Development; College of Education and Human Sciences; College of Nursing and Health Professions

Time/Date: 2:00 p.m., Friday December 10, 2021
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

12. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.

- a. **MUW** – On October 27, 2021, Commissioner Alfred Rankins, Jr., approved the Facilities Lease Agreement between the Mississippi University for Women and the Columbus Educational Foundation, Inc. d/b/a Heritage Academy for use of Heritage Academy's baseball field, indoor baseball facility and certain related athletic facilities. The term of the lease begins upon approval and execution and shall terminate on June 30, 2022, with an option for the parties to renew in writing

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for up to three (3) successive renewal terms commencing September 15 through June 30 of each year. The cost for the initial term of the agreement is \$10,000, payable within thirty (30) days of approval and execution of the agreement. It should be noted that Mrs. Nora Miller, President of MUW, acknowledges the business risk under the terms of the lease. The Attorney General's Office has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

- b. **USM** – On October 18, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Southern Mississippi and CB Technical Services, LLC for approximately 162 square feet of lab space in USM's Accelerator building. This is a revenue generating lease with a term of one year with up to four one-year renewal periods. CB Technical Services will pay annual rent in the amount of \$4,860 for the initial term and for each renewal term for a total potential revenue of \$24,300. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
 - c. **USM** – On October 18, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Southern Mississippi and Chromis Fiberoptics, Inc. d/b/a Chromis Technologies for approximately 614 square feet of lab space in USM's Accelerator building. This is a revenue generating lease with a term of one year with up to four one-year renewal periods. Chromis Fiberoptics will pay annual rent in the amount of \$18,420 for the initial term and for each renewal term for a total potential revenue of \$92,100. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
 - d. **SYSTEM** – On October 11, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports (FY22 Q1) which lists all hires and all separations for the period beginning July 1, 2021 and ending September 30, 2021. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration.
13. **SYSTEM** – On August 19, 2021, the IHL Board granted all institutions through December 31, 2021 temporary relief and waiver of requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01 Land, Property, and Service Contracts; 707.02 Other Official Documents, and 707.03 Approval of Prepayment for Goods or Services) and Board Policy 905 Real Estate Management, when compliance with the Board approval requirements of these policies would impede the institution's ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing

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with the Covid-19 pandemic. This request is for a temporary period through December 31, 2021, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. Previously, the Board approved this waiver for UMMC effective March 19, 2020. This waiver was expanded to all institutions on September 4, 2020 with an original expiration date of December 31, 2020. At the November 19, 2020 meeting, this waiver was extended through May 31, 2021. On May 31, 2021 the temporary waiver expired for all institutions. Board Policy 707 Contracts governs, among other things, the contracts and leases entered by the institutions. Specifically, it requires, in part, that any land acquisitions exceeding \$100,000, any leases in an amount greater than \$100,000, and all other land, personal property, and services contracts requiring an aggregate expenditure of more than \$250,000 require approval by the Board of Trustees. This policy also governs approvals required for prepayments and for some revenue contracts. Board Policy 905 Real Estate Management further governs, among other things, the purchase and sale of land and leases of property and requires a Phase I or more detailed Environmental Report. The Board also approved the request that authority be delegated to the Commissioner, through December 31, 2021, to approve waivers on behalf of the Board of any other Board policy or practice requirements to enable the institutions to promptly and effectively deal with any issues related to the COVID-19 pandemic and to allow them to operate more efficiently during this public health crisis. A summary of the items that have been submitted for reporting to the Board is as follows:

- a. **UMMC** – With the Commissioner’s approval, on August 11, 2021, UMMC entered a rental agreement with Mississippi Tent & Party Rental, LLC (MS Tent) to rent items needed to set up a temporary site located in Garage B for a field hospital in response to the COVID-19 pandemic and in order to provide medical care to UMMC’s patients. In conjunction with the Disaster Medical Assistance Team deployed by the US Department of Health and Human Services, it was necessary to rent the tent and related items to set up and operate a field hospital as soon as possible to respond to the latest wave of cases in the COVID-19 pandemic. Upon delivery of the items and set up of the temporary site, it was determined additional items were needed. Thus, on August 20, 2021, UMMC and MS Tent entered an amendment to adjust the items to be included under the agreement, which increased the total projected cost of the rental agreement. The initial term of the rental agreement was one (1) month beginning August 11, 2021, with monthly extensions thereafter if circumstances require continued operation at this location. To date, UMMC continues to operate at this location in the temporary clinic site. The agreement may be terminated by UMMC upon 30 days’ notice. The initial cost of the rental agreement for two (2) months was \$90,000. UMMC anticipates the amended agreement may cost up to \$300,000.00 with the additional items and potential extension. The agreement will be funded by general funds. UMMC’s Office of General Counsel reviewed the amendment to the agreement for compliance with applicable law and found the same to be acceptable.
- b. **USM** – On September 15, 2021, the UMMC entered an agreement with Cepheid US (Cepheid) to purchase reagent kits used to perform molecular tests to identify SARS-CoV-2, the virus that causes COVID-19. COVID-19 is a highly contagious

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and sometimes fatal respiratory illness. These supplies will allow UMMC's Clinical Laboratory to test patients who are symptomatic and asymptomatic for COVID-19. One of the molecular tests also checks for RSV and Flu. Given the ongoing unpredictability of the COVID-19 virus, UMMC testing volumes continue to fluctuate and require the laboratory to be flexible to ensure that reagents and quality control products are available allowing COVID testing to be completed quickly and efficiently. Cepheid offers the only rapid automated PCR test available on the market; therefore, they are inundated with customers leading to delays in receiving quotes and finalizing required purchase documents. Consequently, UMMC has not been able to contract well in advance for these items. UMMC needed to enter this agreement as soon as possible to allow its clinical laboratory to be able to respond timely to the rapidly changing testing volumes. The term of the agreement is twelve (12) months, from September 15, 2021, through September 14, 2022. The total estimated cost of the agreement is \$3,825,000. The contract will be funded by hospital patient revenue. UMMC's Office of General Counsel reviewed the Cepheid Sales Quote #0020075641 for compliance with applicable law and found the same to be acceptable.

- c. **USM** – On August 23, 2021, UMMC entered a Purchase Agreement with Inari Medical, Inc. (Inari) for the purchase of ClotTrier and FlowTrier products and accessories for the treatment of blood clots in patients. The ClotTrier is a mechanical thrombectomy system designed to remove large clots from vessels in a single session, without the need for thrombolytic drugs or consequent stays in the Intensive Care Unit (ICU). The FlowTrier is the first mechanical thrombectomy device FDA indicated and built to treat blood clots in the lungs, and Clots In Transit (CIT) by removing large clots from vessels which immediately restores blood flow and relieves right heart strain without the need for thrombolytic drugs or stays in the ICU. Doctors have found that people with COVID-19 have an increased risk of developing blood clots, including blood clots in the lungs called pulmonary emboli. When blood clots block the blood flow in the lungs, it puts pressure on the heart to pump against the resistance from the clots. Cardiologists, pulmonologists, and intensivists at UMMC and other facilities have determined that removing the large clots in the lungs of COVID-19 patients may reduce the chance of the patient requiring a ventilator or mechanical circulatory support as the heart function declines due to the increased pressure. For that reason, UMMC is aggressively trying to treat COVID-19 patients with blood clots in their lungs by removing the clots as soon as possible. UMMC currently has all the ECMO equipment that provide circulatory support in use, and ventilators are in short supply. Therefore, as the COVID-19 patient volume continues to remain high at UMMC, the FlowTrier will allow UMMC physicians to treat COVID-19 patients who would otherwise need to be on a ventilator or ECMO, as well as conserve ICU space. The term of the Agreement is three (3) years, from August 23, 2021, through August 22, 2024. The total cost of the agreement over the three (3) year term is \$2,400,000. UMMC has included a ten percent (10%) volume increase beginning in year two (2) for potential volume growth. The agreement will be funded by hospital patient

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revenue. UMMC's Office of General Counsel reviewed the agreement for compliance with applicable law and found the same to be acceptable.

PERSONNEL

14. SABBATICAL

Mississippi State University

FROM: Prakash N. Patil; Professor of Mathematics and Statistics; salary \$94,221.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development.

[Originally approved by IHL Board March 18, 2021]

CORRECTED: This item was rescinded.

FROM: Chuanxi Qian; Professor of Mathematics and Statistics; salary of \$98,787.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2022 to May 15, 2022; professional development.

[Originally approved by IHL Board March 10, 2020; Revisions approved March 18, 2021 and June 17, 2021.]

CORRECTED: This item was rescinded.

University of Mississippi

FROM: Kate Centellas; Croft Associate Professor of Anthropology; salary \$69,529 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 24, 2022 to May 14, 2022; professional development

[Originally approved by IHL Board March 18, 2021]

CORRECTED: This item was rescinded.

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, November 17, 2021**

Committee members participated in the meeting in person or via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Health Affairs Committee.** The meeting was called to order by Chairman Alfred McNair at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed received an update on COVID-19 matters and a quality update. **No action was taken.**
2. Executive Session
On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustees Cummings, Martin, Parker, and Starr absent and not voting and Trustee Luckey participating via Zoom, 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

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Cunningham, seconded by Trustee Ogletree, with Trustees Cummings, Martin, Parker, and Starr absent and not voting and Trustee Luckey participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

During Executive Session, the following matters were discussed:

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

On motion by Trustee Duff, seconded by Trustee Rader, with Trustees Cummings, Ogletree, Parker, and Starr absent and not voting and Trustees Luckey and Martin participating via Zoom, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Duff, seconded by Trustee Hubbard, with Trustees Cummings, Martin, Ogletree, Parker, and Starr absent and not voting and Trustee Luckey participating via Zoom, all Committee members legally present and participating voted unanimously to adjourn at approximately 5:15 p.m.

The following Committee members were present: Dr. Alfred McNair (Chair), Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Luckey (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Gregg Rader, and Dr. Ormella Cummings, Mr. Bruce Martin, Mr. Hal Parker, and Dr. Walt Starr were absent.

ANNOUNCEMENTS

- Vice President Duff announced the December 2021 meeting remains subject to call. The next meeting is scheduled for January 20, 2022 at the Board Office.
- Vice President Duff invited the university presidents to report on current activities on their campuses.

EXECUTIVE SESSION

On motion by Trustee Cummings, seconded by Trustee Cunningham, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustees Cummings and Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously **to enter 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 Southern Mississippi.

Discussion of 3 litigation matters at the University of Mississippi Medical Center.

Discussion of a litigation matter at Alcorn State University.

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

The Board discussed a personnel matter at the University of Southern Mississippi. **No action was taken.**

On motion by Trustee Rader, seconded by Trustee McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3266, styled as *Robert Edwards and Teresa Edwards, parents of a minor child, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3456, styled as *Billy Ables, widower of Sandra Ables, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

On motion by Trustee Cummings, seconded by Trustee McNair, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3107, styled as *Earnestine Tatum, parent of a minor child, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self-Insured Workers' Compensation Claims Nos. 55-38711-1 and 55-43855-1, styled as *Rubin Banks vs. Alcorn State University, et al.*, as recommended by counsel.

The Board discussed a personnel matter at the University of Mississippi. **No action was taken.**

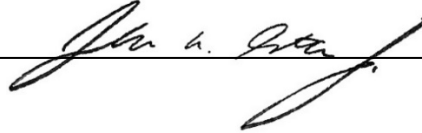
On motion by Trustee Martin, seconded by Trustee Rader, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.

In light of the one-time state-level American Rescue Plan Act (ARPA) funds that will be appropriated by the Mississippi Legislature during the 2022 session, Trustee Duff made a motion to delegate authority to the Commissioner to amend the system appropriation request based on needs across the system that align with the criteria for the additional funds. The motion was seconded by Trustee Ogletree, with Trustee Starr absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve this motion.

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ADJOURNMENT

There being no further business, the Board adjourned by consensus.



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Proposed amendment to Board Policy 703 Institutional Scholarships, Tuition Waivers, Assistantships, and Fellowships specifically Policy 703.04 Policy Guidelines subsection C for final approval.
- Exhibit 2 Real Estate items that were approved by the IHL Board staff subsequent to the October 21, 2021 Board meeting.
- Exhibit 3 Report of the payment of legal fees to outside counsel.

Exhibit 1

November 18, 2021

SYSTEM – PROPOSED AMENDMENT TO BOARD POLICY 703 INSTITUTIONAL SCHOLARSHIPS, TUITION WAIVERS, ASSISTANTSHIPS, AND FELLOWSHIPS SPECIFICALLY TO 703.04 POLICY GUIDELINES SUBSECTION C

703.04 POLICY GUIDELINES

- A. Each Mississippi Institution of Higher Learning shall develop institutional policy guidelines for institutional financial support of both undergraduate and graduate students. The policy guidelines should explicitly include the following elements:
1. Criteria for the inclusion of mission-related awards.
 2. Criteria for awards to part-time and full-time, resident and non-resident students based on need, academic merit, service or special talent --- (artistic, musical, and/or athletic), or a combination of either.
 3. Criteria for awards to students who transfer from Mississippi community colleges, from other Mississippi public four-year institutions, and from non-Mississippi institutions.
 4. Criteria for continued eligibility including reasonable academic progress, an appropriate probationary period, and a campus appeals policy.
 5. Criteria for relating institutional financial aid policies to recruiting practices.
 6. Criteria for establishing an “Annual Scholarships and Fellowships Operating Budget Plan” with specific strategies to reallocate and/or reduce expenditures to address Board or institutional priorities or concerns.
- B. The total annual expenditures for Scholarships, Tuition Waivers, Assistantships and Fellowships from institutional E&G funds shall be limited to the amount approved by the Board.
- C. If any E&G funds are used to scholarship a student, the total amount awarded to the student shall not exceed the “Cost of Attendance.” For individual students with scholarships from multiple sources; awards from sources other than E&G funds shall be applied to the student’s “Financial Aid Budget” first, and the institutional award(s) from E&G funds shall be applied last. This policy shall not supersede any Federal, State, NCAA, or athletic conference regulations. This policy shall not apply to student-athletes for scholarships to attend vocational or graduate schools, for student-athletes’ academic or graduation awards or incentives, or for other student-athlete benefits permitted by NCAA rules or applicable court orders.
- D. Institutional policy guidelines developed in response to this Board policy shall be placed on file with the Commissioner on schedule and in the prescribed format. Any changes in institutional policy guidelines must be reported to the Commissioner prior to implementation.

Exhibit 1

November 18, 2021

- E. Institutional Executive Officers shall submit the Scholarships and Fellowships Operating Budget Plan including budgeted expenditures by subcategory with the annual operating budget in a format prescribed by the Commissioner. The Commissioner, after consultation with Institutional Executive Officers, shall prepare and submit for approval by the Board an annual Scholarships and Fellowships supplement supporting the budget requests that shall consider prior-year expenditures, enrollment, tuition and fees increases, peer group and regional expenditure comparisons, number of awards data, academic and accreditation requirements, inflationary indicators, State and Federal financial aid issues, and other appropriate criteria.
- F. To provide the necessary accountability, each Institutional Executive Officer shall submit a report of actual Scholarships and Fellowships expenditures in comparison to budgeted expenditures by category in a format and schedule prescribed by the Commissioner. The report shall include expenditures for the fall and spring terms.

EXHIBIT 2

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SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 21, 2021 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 102-276 – RESIDENCE HALL IMPROVEMENTS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$1,337.48 and zero (0) additional days to the contract of Conerly Construction, Inc.

Approval Status & Date: APPROVED, October 18, 2021

Change Order Description: Change Order #2 includes the following items: replaced two (2) water-damaged cabinet doors in a room at Cain; add breakers, wiring, and conduit for new 3-phase blower units.

Change Order Justification: These changes are necessary due to errors and omissions in plans and specifications and latent job site conditions.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$28,553.58.

Project Initiation Date: February 18, 2021

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

General Contractor: Conerly Construction, Inc.

Total Project Budget: \$2,186,092.77

MISSISSIPPI STATE UNIVERSITY

2. MSU- IHL 205-283 – ADDITION AND RENOVATION OF HUMPHREY COLISEUM PHASE ONE

Approval Request #1: (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on October 8, 2021 to change the scope of work

EXHIBIT 2

November 18, 2021

requesting that the use of Construction Manager at Risk be omitted, and that the project delivery method be a traditional design, bid, build project.

Approval Status & Date: APPROVED, October 8, 2021

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: TBD

Total Project Budget: \$50,000,000.00

3. **MSU- IHL 205-310 – HIGH PERFORMANCE COMPUTING AND DATA CENTER**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 25, 2021

Project Initiation Date: August 20, 2020

Design Professional: Dale Partners Architects, P.A.

General Contractor: TBD

Total Project Budget: \$30,000,000.00

4. **MSU- IHL 205-312 – LAKEVIEW DRIVE RELOCATION**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 25, 2021

Approval Request #2: Waiver Design Development Documents

Board staff approved the Design Development Documents as submitted by Smithers Engineers.

Approval Status & Date: APPROVED, October 20, 2021

Project Initiation Date: May 20, 2021

Design Professional: Smithers Engineers

General Contractor: TBD

Total Project Budget: \$2,900,000.00

5. **MSU- IHL 205-316– 2021 PARKING LOT IMPROVEMENTS**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$134,623.65 and zero (0) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, October 20, 2021

Change Order Description: Change Order #1 includes the following items: added full depth base repairs, milling, overlay, and striping to George Perry; added full depth base repairs and HMA leveling course at Bost and Fresh Food parking lots; added full depth base repairs at Bost Parking lot; base course asphalt added to HPCC to ensure sufficient asphalt base course depth to receive overlay; added striping to Bost and HPCC parking lots and full depth base repair at Dorman Hall parking lot.

EXHIBIT 2

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$134,623.65.

Approval Status & Date: APPROVED, October 20, 2021

Project Initiation Date: June 18, 2020

Design Professional: Neal-Schaffer, Inc.

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$1,200,000.00

UNIVERSITY OF MISSISSIPPI

6. UM- IHL 207-372.3 – SCRC FIELD LIGHTING

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 20, 2021

Approval Request #2: Waiver Design Development Documents

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

Approval Status & Date: APPROVED, October 20, 2021

Project Initiation Date: May 20, 2021

Design Professional: JBHM Architecture, P.A.

General Contractor: TBD

Total Phased Budget: \$593,100.00

Total Project Budget: \$33,250,000.00

7. UM- IHL 207-449– LYCEUM EXTERIOR WINDOW RESTORATION

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$17,256.00 and one hundred sixty-three (163) additional days to the contract of Tombigbee Contractors, LLC.

Approval Status & Date: APPROVED, October 21, 2021

Change Order Description: Change Order #2 includes the following items: added contract time due to COVID-19 protocols, investigations of west porch column capitals which impacted exterior repairs & painting, inclement weather; cost and time of separate phase for repairs & partial replacement of deteriorated capitals to be included in a future change order; added contract time for impact to the critical path of interior aluminum storm windows installation due to delay in shipping, storm window wood trim insulation; added interior wood standing and running trim repair and repainting; added wood windowsill spandrel panel repair and repainting; added interior plaster repair & repainting; added masonry restoration & cleaning; removed wallpaper, repaired plaster, primed & repainted walls in a reception area; and one hundred sixty-three days (163) to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$17,256.00.

Approval Status & Date: APPROVED, October 21, 2021

Project Initiation Date: February 21, 2019

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

General Contractor: Tombigbee Contractors, LLC

Total Project Budget: \$1,725,000.00

8. **UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG I MECHANICAL AND PLUMBING**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$952.45 and zero (0) additional days to the contract of Upchurch Plumbing.

Approval Status & Date: APPROVED, OCTOBER 25, 2021

Change Order Description: Change Order #2 includes the following items: a deduct for unused controls allowance; installed a utility sink and faucet; installed an air compressor; and installed a domestic water line to the dryer.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$2,499.681.

Project Initiation Date: February 21, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Upchurch Plumbing

Total Phased Budget: \$599,072.46

Total Project Budget: \$3,700,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

9. **UMMC- IHL 209-575– 6th FLOOR WEST RENOVATIONS**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$81,894.94 and eleven (11) additional days to the contract of Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, October 14, 2021

Change Order Description: Change Order #2 includes the following items: modifications made to some of the millwork and electrical in the nurses station; repairs made to the existing steam line; re-routed the existing mechanical and electrical in the penthouse; added a cased opening into the break room for the nurse's station; installed ParEx wall brackets; performed fire wall changes; installed tv mounts on patient room walls; performed miscellaneous work to prep the floor; hook up patient room tv cabling in

EXHIBIT 2

November 18, 2021

fourteen (14) patient rooms; investigate a leak in the existing steam line and cap the line; and eleven (11) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$193,319.52.

Project Initiation Date: July 23, 2020

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$4,466,600.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

10. USM- GS 114-023 – SCIENCE BUILDING INFILTRATION REPAIRS

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. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 8, 2021 to increase the project budget from \$2,700,000.00 to \$3,604,891.38, for an increase of \$904,891.30.

Approval Status & Date: APPROVED, November 8, 2021

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,968,000.00 to the apparent low bidder, Century Construction Group, Inc.

Approval Status & Date: APPROVED, November 8, 2021

Project Initiation Date: February 5, 2021

Design Professional: Shafer Zahner-Zahner

General Contractor: Century Construction Group, Inc.

Total Project Budget: \$3,604,891.38

EXHIBIT 3

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 10/1/21) from the funds of Mississippi State University. (This statement, in the amount of \$3,000.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 3,000.00

Payment of legal fees for professional services rendered by The Winfield Law firm, P.A. (statement dated 10/26/21) from the funds of Mississippi State University. (This statement, in the amount of \$799.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 799.50

Payment of legal fees for professional services rendered by Brunini (statements dated 8/25/21, 9/28/21 and 10/20/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,050.00, \$14,306.25 and \$750.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 18,106.25

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/14/21 and 10/21/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$7,068.50 and \$88.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,157.00

Payment of legal fees for professional services rendered by Jackson Lewis P.C. (statements dated 7/20/21 and 8/23/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$10,665.00 and \$362.32, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,027.32

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 12/21/20, 12/21/20, 12/21/20, 12/21/20, 12/21/20, 12/21/20, 12/21/20, 12/21/20 and 12/21/20) from the funds of the University of Mississippi. (These statements, in the amounts of \$66.19, \$2,087.05, \$41.25, \$2,100.00, \$4,500.00, \$57.47, \$27.44, \$34.83 and \$189.72, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 9,103.95

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Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/23/21, 9/16/21, 9/16/21, 10/18/21, 10/18/21 and 10/18/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$62,114.55, \$482.00, \$88,628.72, \$1,386.50, \$681.45 and \$5,450.75, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 158,743.97

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statement dated 9/10/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$5,247.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,247.00

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statement dated 9/27/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$82.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 82.50

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 9/15/21, 10/6/21, 10/6/21, 10/6/21, 10/6/21, 10/6/21, 10/6/21 and 10/6/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,687.90, \$921.70, \$243.40, \$14,416.50, \$ 158.81, \$2,617.25, \$1,009.60 and \$2,003.76, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 28,058.92

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 9/7/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$9,615.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 9,615.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statement dated 10/13/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$33.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 33.00

EXHIBIT 3

November 18, 2021

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statement dated 9/15/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$297.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 297.00

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 10/5/21, 10/5/21, 10/5/21, 10/5/21, 10/5/21, 10/5/21, 10/8/21, 10/8/21, 10/8/21, 10/8/21, 10/8/21, 10/8/21 and 10/8/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$553.50, \$351.00, \$924.00, \$577.50, \$1,161.00, \$654.00, \$229.50, \$459.00, \$81.00, \$4,912.50, \$379.50, \$256.50 and \$894.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,433.00

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statement dated 10/7/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$5,952.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,952.00

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 4/3/21, 10/3/21, 10/3/21 and 10/3/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$22,393.40, \$693.00, \$1,039.50 and \$4,746.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 28,871.90

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 10/12/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$5,498.30, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,498.30

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 10/7/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$7,541.20, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,541.20

EXHIBIT 3

November 18, 2021

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 10/6/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,515.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,515.50

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/21, 10/1/21, 10/1/21, 10/1/21, 10/1/21 and 10/1/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$67.74, \$26.94, \$81.28, \$2,250.00, \$3,000.00 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 7,925.96

Payment of legal fees for professional services rendered by Wise Carter (statement dated 10/20/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$468.51, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 468.51

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 (statement dated 10/22/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Imaging Probe Adapter CIP Utility" - \$4,322.80.)

TOTAL DUE.....\$ 4,322.80

Payment of legal fees for professional services rendered by Conley Rose (statements dated 10/6/21 and 10/6/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compositions and Methods for Use in Food Processing and Preservation" - \$290.00; and "System for Delivery of Biologics" - \$4,970.00.)

TOTAL DUE.....\$ 5,260.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 10/15/21 and 10/18/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin" - \$1,045.60; and "Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same" - \$9,277.00, respectively.)

TOTAL DUE.....\$ 10,322.60

EXHIBIT 3

November 18, 2021

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 10/21/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Fluoroalkylsilane-Modified Polystyrene-Coated Metal Electrodes for Sensitive Electrochemical Detection of Oil in Water" - \$6,368.50.)

TOTAL DUE.....\$ 6,368.50

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 10/22/21) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: "Polymergent, LLC License Agreement - \$1,032.50).

TOTAL DUE.....\$ 1,032.50