Board Book
April 19, 2018

MISSISSIPPI BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING
MEETINGS SCHEDULE

Academic Affairs Committee | April 18, 2018, 3:00p | IHL Board Room
Health Affairs Committee | April 18, 2018, Immediately Following | IHL Board Room
IHL Board Meeting | April 19, 2018, 9:00a | IHL Board Room

CALL TO ORDER

Trustee C.D. Smith

INVOCATION

Trustee C.D. Smith

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Trustee C.D. Smith

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ADJOURNMENT
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2018

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 2:00 p.m., and pursuant to notice in writing, to each and every member of said Board, said date being at least five days prior to this March 21, 2018 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to enter into Executive Session for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at the Board Office.

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

On motion by Trustee Dye, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to appoint Dr. Al Rankins, President of Alcorn State University, as Commissioner of Higher Education at a salary of $358,312.50 annually, to grant him a four-year contract beginning July 1, 2018 to include incidental expenses and other matters as necessary.

On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Dye, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to adjourn the meeting.

_____________________________________________________________
President, Board of Trustees of State Institutions of Higher Learning

_____________________________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 28, 2017, to each and every member of said Board, said date being at least five days prior to this March 22, 2018 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by C.D. Smith, President. Trustee Rouse introduced Mr. Marcus Thompson, IHL Chief Administrative Officer, to provide the invocation.

INTRODUCTION OF GUESTS

- President Smith welcomed Cameron Cloud, SGA President at the University of Southern Mississippi.
- Dr. William Bynum, President of Jackson State University, introduced Dr. Linda Brown-Wright the new Provost and Vice President of Academic Affairs.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 15, 2018.

CONSENT AGENDAS

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

FINANCE

1. SYSTEM – Approved the request to engage the following CPA firms to conduct annual audits for fiscal/calendar year 2018 in accordance with Board Policy 301.0806 University Foundation/Affiliated Entity Activities Subsection D General Requirements of Affiliation Agreements.

<table>
<thead>
<tr>
<th>University Affiliated Entity</th>
<th>CPA Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi State University Foundation</td>
<td>KPMG, LLP</td>
</tr>
<tr>
<td>The Bulldog Club (MSU)</td>
<td>T.E. Lott &amp; Co.</td>
</tr>
<tr>
<td>MSU Research &amp; Technology Corporation</td>
<td>T.E. Lott &amp; Co.</td>
</tr>
<tr>
<td>Mississippi State University Alumni Association</td>
<td>T.E. Lott &amp; Co.</td>
</tr>
<tr>
<td>ASSURE Research and Development Corporation</td>
<td>T.E. Lott &amp; Co.</td>
</tr>
<tr>
<td>Mississippi University for Women Foundation</td>
<td>Grantham, Poole, Randall, Reitano, Arrington &amp; Cunningham, PLLC</td>
</tr>
</tbody>
</table>
2. **MSU** – Approved the request to enter into a Master Sales Agreement with Twilio, Inc. for a communication as a service (CAAS) platform to integrate with the existing and future NSPARC software development projects. MSU released RFP #18-03 seeking to retain the services of a CAAS vendor. Twilio was the lone proposal received related to the RFP. The term of this Agreement will commence on the Effective Date and continue for 36 months. Notwithstanding the foregoing, if there are any Order Forms in effect, then the Agreement will not terminate until all such Order Forms have expired or been terminated in accordance with the terms therein. The total contract cost is $800,000. It is estimated the annual costs will be $266,667. Payment will be issued on a monthly basis upon receipt of an invoice based on actual services rendered. No matching or non-state funds will be used for this service. MSU will use its NSPARC Service Center to pay for this service. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

3. **MVSU** – Approved the request to enter into an agreement with Apogee Telecom, Inc. for cable television services to six residence halls on campus. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the prepayment of the services provided. The term of the agreement is five (5) years, April 1, 2018 through March 31, 2023. The total estimated annual cost of the agreement is $58,686.72 resulting in a total estimated cost of $293,433.60. Charges for the services will be billed monthly prior to the performance of the work. The agreement will be funded by Auxiliary funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

4. **UM** – Approved the request for the Athletic Department to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services for the 2018 football season. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the prepayment prior to the flights which is very common and most often required in this industry. The contract will begin on August 31, 2018 and end on November 10, 2018. The contract amount is $542,700 which is paid in two installments. The funding source for this contract is the Athletics Department Operating Funds. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.
5. UM – Approved the request to escalate its Auxiliary Enterprises Budget for FY 2018. The escalation is requested to realign spending authority within Athletics, Parking and Transportation, Contractual Services, Ole Miss Bookstore, and the Golf Course to provide spending authority for additional revenues in Athletics and Parking and Transportation.

<table>
<thead>
<tr>
<th>University of Mississippi</th>
<th>FY 2018 Auxiliary Enterprises Budget by Major Object</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Original FY 2018 Operating Budget</td>
</tr>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>$45,357,828</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>7,292,724</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>47,798,937</td>
</tr>
<tr>
<td>Commodities</td>
<td>16,043,246</td>
</tr>
<tr>
<td>Capital Outlay: Non-Equipment</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>1,990,782</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>18,342,009</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>14,819,578</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$151,645,104</td>
</tr>
</tbody>
</table>

6. UMMC – Approved the request to enter into an agreement with ABIOMED, Inc. for the purchase of cardiac surgical devices and accessories. The purpose of the agreement is for the purchase of Impella Circulatory Support Catheters and accessories. The Impella devices are used in high-risk coronary interventions, as well as myocardial infarction patients, as a means of emergency cardiac recovery. The term of the agreement is two (2) years, April 1, 2018 through March 31, 2020. The total estimated contract amount for the two (2) year term is $1,000,000. Pricing is firm for the term of the agreement. The current agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

7. UMMC – Approved Amendment 3 to the current Pricing Agreement with Edwards Lifesciences, LLC (Edwards). The amendment will delete original Schedule A (Products and Pricing: Transcatheter Heart Valves) and Schedule B (Accessory Components: Transcatheter Heart Valves) and to replace them with new schedules which add new products for purchase under the current Pricing Agreement. The purpose of the original Consignment and Pricing Agreements is to set pricing and consignment terms for transcatheter aortic valve replacement systems and other accessories related to the transcatheter valves provided by Edwards. The term of the amendment is twenty (20) months, from approximately April 1, 2018 and continuing through the remainder of the original contract term or November 30, 2019. There is no additional cost associated with the amendment. The total estimated cost of the agreement will remain at $6,987,500. The current agreement will be funded by hospital patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

8. UMMC – Approved the request to enter into a Management Services Agreement with Impact Healthcare Management LLC (Impact) to provide for the development and ongoing management
of a program that offers medical withdrawal stabilization services for patients with drug or alcohol addiction at UMMC’s Grenada location. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the prepayment of the implementation and training fee upon commencement of the agreement, as well as the monthly fee on the first day of each month in which service are to be performed. Through partnering with Impact, UMMC is attempting to respond to state and national campaigns that address the growing drug addiction epidemic. Together, UMMC and Impact, will provide the full continuum of care for the patient. The term of the agreement is three (3) years and two (2) months, from April 1, 2018, through May 31, 2021. The total estimated cost of the agreement is $788,600. UMMC has included potential costs of additional personnel, additional travel, and advertising costs. A breakdown of costs is included in the bound March 22, 2018 Board Working File. This agreement will be funded by hospital patient revenue. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

9. UMMC – Approved the request to enter into a Master Agreement and Pricing Supplement with Omnicell, Inc. to provide the general terms and conditions for future purchases. The purpose of the Pricing Supplement is to purchase automated pharmacy dispensing cabinets, as well as maintenance and service of the cabinets and related software. The automated pharmacy dispensing cabinets and technology include the ability to secure and dispense Schedule II-V narcotics while providing real time data of the dispensing and administration of these events. The term of the Corporate Master Agreement will begin March 26, 2018 and will remain in effect for so long as a Pricing Supplement, Schedule, attachment and/or exhibit remains in effect. Schedule G to the Corporate Master Agreement is for a term of five (5) years, from March 26, 2018, through March 25, 2023. The total term of the Pricing Supplement is approximately five (5) years and nine (9) months, from March 26, 2018, through five (5) years from the date of installation of the equipment, which is anticipated to be December 2018. Within the Pricing Supplement, the term of the Training Subscription is eighteen (18) months, from March 26, 2018, through September 25, 2019. The Support Services and Analytics Subscription will commence upon installation of the equipment and extend for five (5) years. Installation is anticipated to begin in September 2018 and be completed in December 2018. The total cost of the agreement is $6,273,190.93 over the five (5) year term. This amount includes initial equipment purchases, installation, training, software subscriptions, equipment and software support services, and shipping. A breakdown of costs is included in the bound March 22, 2018 Board Working File. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the IHL Associate Commissioner for Legal Affairs prior to the Board’s approval of this item, is on file in the Board Office.

10. USM – Approved the request to enter into a Laundry Services agreement with CSC ServiceWorks, Inc. (CSC) that will provide a comprehensive unlimited laundry program for resident undergraduate students. The contract provides cashless washers and dryers for undergraduate students who live on the Hattiesburg campus by providing access to laundry rooms in the residence halls, sorority houses, and fraternity houses. The term of the contract is May 21, 2018 through June 30, 2025. The contract may be renewed for one additional five-year period upon written agreement of both parties. No revenue will be generated by the contract. The total contract cost is $771,641 for the initial seven (7) year period, and if renewed for the additional five (5) year period, an estimated additional cost will be $587,417 for an approximate total of $1,359,058. The five-year renewal estimate is based on a one percent increase in each of the five years of the
renewal. This is the estimated total, provided that all other terms and conditions of the agreement remain the same. Payment will be issued on a biannual basis and based on the number of residents living on campus. The contract will be funded by auxiliary funds. The contracted per resident cost will be included in the semester campus housing rate paid by each student resident of the residence halls, sorority houses, and fraternity houses. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

11. USM – Approved the request to enter into Lease Agreement for the Construction and Lease of Port Facilities between the USM and Mississippi Development Authority (MDA) and the Mississippi State Port Authority at Gulfport (together with MDA, the “Port Authority”). The premises at this marine research facility means the real property, including the improvements and equipment constructed or to be constructed thereon, located on a portion of the Port Facility, as more specifically depicted in Exhibit A to the Lease Agreement. The square footage of the heated and cooled building space is approximately 18,000 square feet and the warehouse space is approximately 5,000 square feet. This facility will support several activities for USM that are currently unsupported or inadequately provisioned elsewhere. These activities include: 1) Shore facility support for the Research Vessel Point Sur including crew work spaces, equipment storage and maintenance shops; 2) Laboratory, fabrication and office spaces for USM Ocean Engineering Research programs; 3) Academic spaces for Ocean Engineering and Unmanned Maritime Systems programs as well as other degree programs offered under the SOST along the coast; and 4) USM small boat maintenance and repair shop. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay the lease payments under the terms and conditions of the lease. The purpose of the Lease Agreement is to provide USM with classroom space located at the Port of Gulfport for use mainly with USM’s Marine Science students. USM will also lease the pier at the Port for USM’s marine vessels especially the Point Sur. Leasing at the Port provides USM safe and secure storage areas and gives USM access to a deep-water Port for loading and unloading heavy equipment from USM vessels. The term of the Lease Agreement shall commence on the Effective Date under the Lease Agreement and shall expire on the tenth (10th) anniversary of the Occupancy Date. USM shall have the right to extend the Lease Agreement for an additional ten (10) year term upon six (6) months written notice to the Port Authority. USM shall pay rent in the amount of $250,000 for each year of the initial ten (10) year term of the Lease Agreement. During the extended ten (10) year term, if elected by USM, USM will pay rent in the amount of $250,000 plus an additional amount of rent increase for the extended term as calculated by the CPI increase effective after the 10th Anniversary of the Occupancy Date. The total contract amount to be paid by USM including the extended term shall be $5,000,000 plus an estimated amount for the calculated CPI increase. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

12. USM – Approved the Host Tenant Agreement and Use Permit which are related subsidiary documents to the Reimbursable Space Act Agreement between The National Aeronautics and Space Administration John H. Stennis Space Center (NASA) and the Board of Trustees of Mississippi Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (CHL). Under the terms of the Space Act Agreement, Host Tenant Agreement and Use Permit, NASA provides space for IHL through the Center of Higher Learning to facilitate the continued education of the NASA workforce. This Agreement further addresses
the terms and conditions for non-academic activities which the IHL has authorized, pursuant to approval by NASA. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved USM’s request to pay services in advance. The purpose of this Agreement is to define the relationship between NASA and CHL for the continued provision of academic and non-academic programs through the CHL at Stennis Space Center (SSC). Such programs, conducted by the CHL and associated institutions, are designed to meet the present and future higher education needs of SSC employees and persons from surrounding communities. The Stennis Space Center Policy Board on Higher Education is an advisory body appointed by the NASA / Stennis Center Director to provide broad oversight to CHL. The SSC Policy Board approves all new academic degree programs offered at the Stennis Space Center by the Center of Higher Learning and their associated institutions; the list of proposed program offerings in Appendix A of the Space Act Agreement reflects previously-approved degree programs by the Policy Board. The Space Act Agreement is a precursor to the Host-Tenant Agreement and Use Permit Agreement that stipulate specifics as to pricing and space usage. This Agreement will be effective upon the date of the latest party’s signature and will expire upon either one year’s written notice of termination by either party or until the completion of all obligations of the parties or termination of the Space Act Agreement, whichever comes first, unless otherwise extended. In accordance with the terms of the Agreement, IHL shall reimburse NASA an estimated cost totaling up to approximately $3,575,875 for NASA to carry out its responsibilities over the term of the Agreements. This estimated total cost is based on the historical costs for the last five years of the Agreement and reflects expenditures by both the Center of Higher Learning and the USM Division of Marine Science. These expenditures are for floor space, utilities, badging and security, telecommunications and other costs associated with being a tenant at the Stennis Space Center. A table of historical costs for the last five years is included in the bound March 22, 2018 Board Working File. Funds are available from the State of Mississippi Appropriations for Center of Higher Learning and Education and General funds for the Department of Marine Sciences. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

13. UMMC – The Mississippi Information Technology Services (MS-ITS) Board approved the request for UMMC to purchase one (1) additional Point to Point Circuit, a networking-single pathway for the circuit and, to pay the monthly charges for power and equipment for the networked circuit. The Attorney General’s staff assigned to the MS-ITS reviewed the supplement prior to execution. The Supplement is between C Spire and MS-ITS on behalf of UMMC. A copy of the approval document is included in the bound March 22, 2018 Board Working File.

14. UMMC – The Mississippi Information Technology Services (MS-ITS) Board approved the request for UMMC to acquire SPSS software licenses and support services. SPSS is a statistical software package used by UMMC for its data analytics and mining solution. The Attorney General’s staff assigned to the MS-ITS reviewed the supplement prior to execution. The Supplement is between IBM Corporation and MS-ITS on behalf of UMMC. A copy of the approval document is included in the bound March 22, 2018 Board Working File.

15. UMMC – The Mississippi Information Technology Services (MS-ITS) Board approved the request for UMMC to enter into a Consent, Assignment, and Assumption of the Professional Services Agreement between nThrive and ITS, which the IHL Board approved on January 18, 2018. The agreement will allow nThrive to assign all of its rights, title, interests, and liabilities in the Professional Services Agreement to Apex Print Technologies, LLC, formerly LetterLogic,
LLC (Apex). This assignment will allow Apex to provide patient statement printing and skip tracing services as originally contracted for by nThrive. The Attorney General’s staff assigned to the MS-ITS reviewed the agreement prior to execution. The Agreement is between nThrive, Inc., Apex Print Technologies, LLC and MS-ITS on behalf of UMMC. A copy of the approval document is included in the bound March 22, 2018 Board Working File.

REAL ESTATE
16. MSU – Approved the initiation of IHL 205-290, Painting and Carpeting of Ruby Hall, and the appointment of Architectural South, P.A. as the design professional. The project originally had a budget of $500,000. The project was advertised, and bids were received by the university. The low bid exceeded the available funding. The university chose to reject all bids and to initiate the project with IHL as a project exceeding the $1M threshold as required by the Board. The proposed project budget is $1,597,740. Funds are available from University Funds [Housing Department] ($1,597,740).

17. UMMC – Approved the initiation of IHL 209-565, Supply Chain Relocation, and the appointment of JBHM Architects, P.A. as the design professional. This project will relocate Supply Chain Management (Shipping and Receiving) to the existing laundry building. This relocation is necessary to facilitate the Sterile Processing relocation which will provide additional sterile processing space to consolidate the different sterile processing areas. The proposed project budget is $2,731,870. Funds are available from UMMC Shared Services Account [SSA] ($2,731,870).

18. JSU – Approved the request to increase the project budget for GS 103-283, Campus Mechanical Improvements, from $1,053,736.76 to $5,053,736.76, for an increase of $4,000,000 and to add SB 2857, Laws of 2014, in the amount of $1,000,000 and SB 2906, Laws of 2015, in the amount $3,000,000 to allow for the budget increase. The increase is necessary due to more buildings being added to the original scope of work and more units on the loop system deteriorating. This is the first budget escalation request for this project by the university. This project will provide newer energy efficient equipment and provide optimal service to campus facilities which include the following: replacement of chilled water loop pumps, boilers, cooling towers, starters, and other related mechanical systems. Funds are available from SB 2857, Laws of 2014 ($1,000,000); HB 1701, Laws of 2010 ($1,053,735.76); and SB 2906, Laws of 2015 ($3,000,000).

19. UM – Approved the request to increase the project budget for GS 107-308, Student Union Addition and Renovation, from $58,900,000 to $60,900,000, for an increase of $2,000,000. This is the second budget escalation request made for this project by the university. As construction on this complex renovation progressed, multiple concealed structural, utility, and hazardous material issues are adding cost to the project in excess of the planned contingency. These latent conditions and the possibility of other unforeseen circumstances prompt the university to request a budget increase to complete the project. The project reconfigures the Ole Miss Student Union with an addition to increase available space and a full renovation of the existing space. Funds are available from SB 3100, Laws of 2011, Bond Bill ($10,000,000); SB 3100, Laws of 2011, Bond Bill ($482,981); SB 2913, Laws of 2013, Bond Bill ($2,088,425); Internal R&R ($37,635,394.00); Auxiliary Vendor Payments ($1,500,000); Private Gifts ($551,200); and Student Capital Improvement Fee ($8,642,000).

20. USM – Approved the request to increase the project budget for GS 110-097, Campus Repairs & Renovations, from $2,000,000.00 to $2,144,736.72, for an increase of $144,736.72 and to add SB
3100, Laws of 2011, as a funding source to allow for the budget increase. This is the first budget escalation request made for this project by the university. The increase is necessary to allow the university to award alternate 3 (LED Light Package) back to the project for the Caylor Building. The project scope remains unchanged and includes renovations/repairs to various buildings located on the USM-Gulf Coast Research Lab-Halstead campus. Funds are available from SB 3100, Laws of 2011, Bond Bill ($144,736.72); SB 2844 & SB 2845, Laws of 2016-IHL Capital Expense Fund ($1,000,000); and HB 787, Laws of 2014 ($1,000,000).

21. **UMMC** – Approved the request to increase the project budget for **IHL 209-553, Interventional Radiology Renovation**, from $7,759,186 to $8,355,000, for an increase of $595,814. This is the second budget escalation request made for this project by the university. Two major storms hit Texas and Florida since the Design Development budget estimate. The requested escalation accounts for materials and labor which have increased due to the storms driving up both materials and labor costs. This project will involve renovations and relocation of the Interventional Radiology Department to the basement of the Cardiovascular Building. The project will replace one bi-plane IR suite, one single plane C-Arm, one new CT machine and renovation of associated areas such as holding bays, office space, and support space. It also includes two new single plane and CT hybrid pieces of equipment. Funds are available from UMMC Shared Services Account (SSA) -Building Improvements [SSA] ($8,355,000).

**LEGAL**

22. **MSU** – Approved the request to modify a contract with Brunini Grantham Grower & Hewes, PLLC, to provide services necessary to represent the University in the civil action styled **Harrell Contracting Group, LLC v. LPK Architects, P.A., et al.**, originally filed in the Circuit Court of Hinds County, Mississippi, First Judicial District, and has now been transferred to the Circuit Court of Oktibbeha County, Mississippi. The Payment Terms section is modified to reflect an increase from $200.00 to $250.00 per hour for Samuel Kelly, Cody Bailey, Jason McNeel, and other attorneys deemed necessary to the litigation and assigned by Samuel Kelly. All other provisions of the Agreement for Legal Services dated August 28, 2015 shall remain in effect. This Modification has been approved by the Office of Attorney General.

23. **MSU** – Approved the request to modify a contract with Mendelsohn Dunlevy, P.C., to perform services necessary in the practice area of intellectual property and specifically concerning the filing and prosecution of patent applications. This contract originated May 1, 2016, renewed by Modification #1, extending the term for one (1) year or until April 30, 2018. Modification #2 will extend the term of the contract for one (1) year or until April 30, 2019. The total amount payable during the extension period shall not exceed $75,000. All other provisions of the Contractual Agreement for Legal Services effective May 1, 2016, shall remain in effect. This Modification has been approved by the Office of Attorney General.

24. **UMMC** – Approved the request to modify a contract with Butler Snow, LLP, for the provision of professional services in designated intellectual property matters, healthcare regulatory and compliance matters, healthcare administrative hearings, human resource issues and commercial and general matters. The term of the current contract began July 1, 2017 for one year. This modification #1 will increase the shall not exceed amount payable under the contract by $500,000.00 to a new maximum amount of $1,150,000.00. The hourly rate of $295 per hour and all other provisions of the original contract remain unchanged. This Modification has been approved by the Office of the Attorney General.
PERSONNEL REPORT

25. EMPLOYMENT

Mississippi University for Women
Maridith Geuder; rehired retiree; Project Director; University Relations; salary $57,182 per annum, pro rata; E&G Funds; reemployment period February 1, 2018 – June 30, 2018

Mississippi Valley State University
Sandra Course; rehired retiree; Instructor of Mathematics; salary $27,237 per annum, pro rata; Ayers Funds; contract reemployment period February 1, 2018 – May 7, 2018

University of Southern Mississippi
Deanna Anderson; Vice President for Student Affairs; salary $205,000 per annum, pro rata; E&G Funds; 12 month contract; effective April 16, 2018

26. CHANGE OF STATUS

Mississippi University for Women
Sheila Adams; Dean and Professor Emerita of Nursing; College of Nursing and Health Sciences, Department of Nursing; effective July 1, 2018

27. SABBATICAL

Mississippi State University
Anatoli Afanasjev; Professor, Physics and Astronomy; from salary of $94,941.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $47,470.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Raymond E Barranco; Assistant Professor, Sociology; from salary of $67,180.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $33,590.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Joanne Beriswill; Associate Professor, Instructional Systems & Workforce Development; from salary of $64,171.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $32,085.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Cindy L. Bethel; Associate Professor, Computer Science and Engineering; from salary of $123,330.00 per annum, pro rata; 9-month contract; Designated, E&G and Gift and Grants Funds; to salary of $61,665.00 per annum, pro rata for sabbatical period; Designated, E&G and Gift and Grants Funds; effective January 1, 2019 to May 15, 2019; professional development

Jack Blendinger; Professor, Educational Leadership; from salary of $93,971.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $46,985.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development
Joel E. Collier; Professor, Marketing, Quantitative Analysis & Business Law; from salary of $149,218.00 per annum, pro rata; 9-month contract; E&G and Gift and Grants Funds; to salary of $74,609.00 per annum, pro rata for sabbatical period; E&G and Gift and Grant Funds; effective August 16, 2018 to December 31, 2018; professional development

William H. Cooke, III; Professor, Geosciences; from salary of $111,161.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $55,580.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Ronald E. Cossman; Research Professor, Social Science Research Center; from salary of $99,122.00 per annum, pro rata; 12-month contract; E&G and MAFES Funds; to salary of $37,171.00 per annum, pro rata for sabbatical period; E&G and MAFES Funds; effective August 16, 2018 to May 15, 2019; professional development

Robert J. Damm; Professor, Music, Social Science Research Center; from salary of $74,940.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $37,470.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Sandra Davis Devlin; Professor, Curriculum, Instruction, and Special Education; from salary of $91,809.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $45,904.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

W. Cory Gallo; Associate Professor, Landscape Architecture; from salary of $74,109.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $37,054.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Alexis Denise Gregory; Associate Professor, School of Architecture; from salary of $71,900.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $35,545.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Jeffrey Haupt; Professor, Art; from salary of $72,132.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $36,066.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Stacy Hoskins Haynes; Associate Professor, Sociology; from salary of $78,580.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $39,290.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development
Wendy J. Herd; Associate Professor, English; from salary of $59,471.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $29,735.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development

Kimberly Kelly; Associate Professor Sociology; from salary of $86,076.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $43,038.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Satanu Kundu; Assistant Professor, Chemical Engineering; from salary of $88,562.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $44,281.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to May 15, 2019; professional development

Dominic Lippillo, III; Associate Professor, Art; from salary of $57,111.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $28,555.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Andrew Mercer; Associate Professor, Geosciences; from salary of $67,249.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $33,624.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Michael M. Neumann; Professor, Mathematics and Statistics; from salary of $123,308.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $61,654.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Melinda W. Pilkinton; Associate Professor, Sociology; from salary of $74,197.00 per annum, pro rata; 9-month contract; E&G and Designated Funds; to salary of $37,098.50 per annum, pro rata for sabbatical period; E&G and Designated Funds; effective August 16, 2018 to December 31, 2018; professional development

Lindon Ratliff; Associate Professor, Division of Education, Meridian Campus; from salary of $64,398.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $32,199.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Wendy Roussin; Associate Professor, Communication; from salary of $68,487.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $34,243.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Seungjae Shin; Professor, Division of Business, Meridian Campus; from salary of $132,870.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $66,435.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2019 to May 15, 2019; professional development
Chinling Wang; Associate Professor, Basic Sciences, Veterinary Medicine; from salary of $91,990.00 per annum, pro rata; 12-month contract; E&G Funds; to salary of $34,496.25 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Claudia R. Williamson; Associate Professor, Economics, Veterinary Medicine; from salary of $128,787.00 per annum, pro rata; 9-month contract; E&G and Gifts and Grants Funds; to salary of $64,393.50 per annum, pro rata for sabbatical period; E&G and Gifts and Grants Funds; effective August 16, 2018 to December 31, 2018; professional development

Jinwu Ye; Associate Professor, Physics and Astronomy; from salary of $69,267.00 per annum, pro rata; 9-month contract; E&G Funds; to salary of $34,633.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Jilei Zhang; Professor, Sustainable Bioproducts, Forest Resources; from salary of $102,831.00 per annum, pro rata; 12-month contract; E&G Funds; to salary of $38,561.63 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

Approved March 2017: Stanley P. Brown; Professor and Head, Kinesiology; from salary of $139,053.00 per annum, pro rata; 12-month contract; E&G Funds; to salary of $52,145.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2018 to May 15, 2018; professional development

CORRECTED: Stanley P. Brown; Professor and Head, Kinesiology; from salary of $139,053.00 per annum, pro rata; 12-month contract; E&G Funds; to salary of $52,144.88 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2018 to December 31, 2018; professional development

ADMINISTRATION/POLICY

28. MSU – Approved the request to bestow two honorary degrees at its May 2018 commencement ceremony. Supporting documents are on file at the Board Office.

ACADEMIC AFFAIRS

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to approve items #1 - #2 as submitted on the Academic Affairs Agenda.

1. SYSTEM – Approved for first reading the amendments to Board Policy 402.01 Faculty Defined as shown below:
402.01 FACULTY DEFINED

The teaching staff and those members of the administrative staff having academic rank in a college, university or other educational institution or one of its divisions. In all institutions the faculty will consist of the Corps of Instruction and the administrative officers with faculty rank.

A. Corps of Instruction:

Professors, associate professors, assistant professors, instructors, lecturers, and teaching personnel with such other titles as may be approved by the Board, shall be the Corps of Instruction. Research and extension personnel and duly certified librarians may be included in the Corps of Instruction on the basis of comparable training. Persons holding adjunct appointments or other honorary titles shall not be considered to be members of the faculty.

2. SYSTEM – Approved for first reading the amendments to Board Policy 509 Distance Learning Policy as shown below:

509 DISTANCE LEARNING POLICY

All distance learning courses and programs shall be in accord with Southern Association of Colleges and Schools (SACS), Commission on Colleges (SACSCOC) Principles of Accreditation and Southern Regional Education Board Principles of Good Practice. Council of Regional Accrediting Commissions Interregional Guidelines for the Evaluation of Distance Education.

Unless otherwise provided, all Board and university policies, standards, and guidelines for on and off campus instruction apply to distance learning.

FINANCE AGENDA

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve item #2, as amended. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve item #3.

1. SYSTEM – Approved for final reading the new Board Policy 714 Origination, Expansion, or Acquisition of Business or Healthcare Enterprise. (See Exhibit 1.)

2. SYSTEM – Approved for final reading of the revisions to Board Policy 906 Educational Building Corporations as amended. (See Exhibit 2.)

3. DSU – Approved the request to contract with Bottling Group, LLC dba Pepsi Beverages Company “PBC” for beverage services. The term of the agreement is five years from April 1, 2018 to March 31, 2023, with the option to renew for two additional years upon mutual agreement. The Board approved the entire 7 years of the contract. DSU estimates to receive $472,700 over the term of the agreement. The financial proposal under this agreement is included in the bound March 22, 2018 Board Working File. In addition, Pepsi shall provide rebates each year throughout the term calculated under two tiers. Estimated rebates are valued at $173,600. If estimated rebates are achieved, the total estimated revenue over 7 years would be $646,300. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

4. Other Business – Trustee Pickering presented the agreed upon procedures document which will guide future audits. This is a targeted approach to conducting the audits in specified areas. This does not require Board approval.
LEGAL AGENDA
Presented by Trustee Alan Perry, Chair

By consensus, the Board moved agenda item #1 to the Executive Session Agenda.

1. UMMC – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-36040-1. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)

ADMINISTRATION/POLICY AGENDA
Presented by Commissioner Glenn F. Boyce

On motion by Trustee Perry, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to add item #1 to the Administration/Policy Agenda. On motion by Trustee Perry, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to approve item #1 for first reading.

1. SYSTEM - Approval for first reading of amendments to Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process and Board Policy 201.0510 Application by Interim Institutional Executive Officer for Institutional Executive Officer Position. (See Exhibit 3.)

INFORMATION AGENDA
Presented by Commissioner Glenn F. Boyce

FINANCE
1. UMMC – In March 2016, the Board approved a Letter of Participation – Local Market Agreement between UMMC and Johnson & Johnson Health Care Systems, Inc. (J & J), for the discounted purchase of orthopedic trauma implants. J & J also contracts with Vizient Supply LLC (Vizient), UMMC’s primary group purchasing organization (GPO), as an approved vendor. The agreement with J & J was approved for a two (2) year term, from approximately April 1, 2016 through March 31, 2018. The associated GPO Agreement also had an expiration date of March 31, 2018. In December 2017, the term of the GPO Agreement was extended through September 30, 2018. Under the current agreement between UMMC and J & J, the term of the contract may be extended to coincide with the extension of the GPO agreement. UMMC has submitted this information to reflect the fact that the term of its current contract with J & J will now continue through September 30, 2018. No other terms or conditions of the agreement were changed.

REAL ESTATE
2. SYSTEM – The Board received the Real Estate items that were approved by the Board staff subsequent to the February 15, 2018 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 4.)
LEGAL
3. SYSTEM – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 5.)

ADMINISTRATION/POLICY
4. SYSTEM – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
   a. ASU – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 13, 2018, Commissioner Glenn F. Boyce approved the revisions to the FY 2018 Ayers academic programs budgets to align budgets to individual program needs over the remaining months of the year. The requested revisions are below the salary/benefit line item and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
   b. JSU – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 13, 2018, Commissioner Glenn F. Boyce approved the revisions to the FY 2018 Ayers academic programs budgets to align budgets to individual program needs over the remaining months of the year. The requested revisions are below the salary/benefit line item and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
   c. MUW – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On February 21, 2018, Commissioner Glenn F. Boyce approved MUW’s Traffic and Parking Regulations. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the document.
   d. MVSU – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 13, 2018, Commissioner Glenn F. Boyce approved the revisions to the FY 2018 Ayers academic programs budgets to align budgets to individual program needs over the remaining months of the year. The requested revisions are below the salary/benefit line item and do not require pre-approval by the IHL Executive Office policy. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
e. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On February 21, 2018, Commissioner Glenn F. Boyce approved the Lease Agreement with Kopis Mobile, LLC for approximately 300 square feet of office space at USM’s Accelerator building. This is a revenue generating lease for an initial term of one year with four one-year renewal terms. USM will receive $6,000 in annual rent for the initial term and any renewal terms. Total rent for the initial term is $30,000. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.

f. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On February 21, 2018, Commissioner Glenn F. Boyce approved the Lease Agreement with Bodark Ranch LLC for approximately 150 square feet of office space in USM’s Accelerator building. This is a revenue generating lease for an initial term of one year with four one-year renewal terms. USM will receive $3,000 in annual rent for the initial term and $5,000 for any renewal terms, if any. Total rent for the initial term is $23,000. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract document.

**LEGAL COMMITTEE REPORT**

Wednesday, March 21, 2018

The meeting was called to order by Chairman Alan Perry at approximately 1:00 p.m. The following items were discussed.

1. The Committee discussed the revisions to Board Policy 906 Education Building Corporations. **No action was taken.**
2. The Committee discussed the revisions to Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process and Policy 201.0510 Application by Interim Institutional Executive Officer for Institutional Executive Officer Position. **No action was taken.**
3. By consensus, the Committee adjourned the meeting at approximately 1:40 p.m.

The following Committee members were present for the first half of the meeting: Dr. Ford Dye (Chair), Mr. Shane Hooper, Ms. Ann Lamar, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, Mr. C. D. Smith, and Dr. Walt Starr. Mr. Tom Duff and Ms. Christy Pickering were absent.

**ANNOUNCEMENTS**

- President Smith announced that the next Board meeting will be held April 19, 2018 at the IHL Board Office.
- President Smith invited the university presidents to report on current activities on their campuses.
EXECUTIVE SESSION

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

Discussion of a litigation matter at one of the state universities;
Discussion of strategic business plans by the board of a public hospital;
Discussion of a two state university personnel matters; and
Discussion of a personnel matter at the IHL Board Office.

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

On motion by Trustee Hooper, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self-Insured Workers’ Compensation Claim No. 55-36040-1 styled as, Edgar Oliver vs. UMMC, et al., as recommended by counsel.

The Board discussed the strategic business plans of a public hospital. No action was taken.

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to appoint Mrs. Nora Miller, Senior Vice President for Administration and Chief Financial Officer at the Mississippi University for Women, as Acting President of Mississippi University for Women effective July 1, 2018.

On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to authorize moving expenses up to $10,000 for Dr. Al Rankins, the Commissioner-Elect of Higher Education.

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

On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to Open Session.
ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Rouse, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to adjourn the meeting.

_____________________________________________________________
President, Board of Trustees of State Institutions of Higher Learning

_____________________________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
EXHIBITS

Exhibit 1  Approval for final reading of new Board Policy 714 Origination, Expansion, or Acquisition of Business or Healthcare Enterprise.

Exhibit 2  Approval for final reading of amendments to Board Policy 906 Educational Building Corporations as amended.

Exhibit 3  Approval for first reading of amendments to Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process and Board Policy 201.0510 Application by Interim Institutional Executive Officer for Institutional Executive Officer Position.

Exhibit 4  Real Estate items that were approved by the IHL Board staff subsequent to the February 15, 2018 Board meeting.

Exhibit 5  Report of the payment of legal fees to outside counsel.
SYSTEM – REQUEST APPROVAL FOR FINAL READING OF NEW BOARD POLICY

714 ORIGINATION, EXPANSION, OR ACQUISITION OF BUSINESS OR HEALTHCARE ENTERPRISE

714 Origination, Expansion, or Acquisition of Business or Healthcare Enterprise

Prior to Board consideration of an institution’s request to acquire or engage in new or substantially expanded operations of a business or a healthcare facility, the institution shall promptly notify the Commissioner of such intent with sufficient time for the Commissioner to engage a Subject Matter Expert in the field of the project. Such operations may include, but are not limited to, any creation, expansion, or acquisition of a business or healthcare enterprise, business-type functions of institutional auxiliaries or proprietary operations, significant strategic financial initiatives of an institution, or material financial initiatives entered into by an institution. The institution will provide the Commissioner with sufficient information to allow a determination by the Commissioner as to the projected scope of the project and its projected impact on the revenues, expenses, and indebtedness of the institution. The Commissioner shall make a determination, upon consultation with the Board, whether the potential financial characteristics of the proposed project and the financial condition of the institution requires the appointment of a Subject Matter Expert to assist the Board. If the Commissioner determines that it is appropriate to retain a Subject Matter Expert, the Expert shall be engaged by the Board through the Commissioner and shall represent solely the interests of the Board in its capacity as the fiduciary of the state university system. The Subject Matter Expert shall meet such qualifications and perform other such services as may be prescribed by the Board or the Commissioner. The requesting institution shall reimburse the Board office for all expenses incurred related to the selection and engagement of the Subject Matter Expert. Payment of the Subject Matter Expert shall not be contingent on any outcome other than contractual performance as an impartial advisor. The Subject Matter Expert shall review the underlying business and market assumptions of the proposed project, evaluate historical financial information, consider current and future market conditions in the field of the project, evaluate pro forma financial information used in the decision-making process, and prepare a written analysis of these and other matters relevant for the Board’s consideration. The written analysis shall provide advice to the Board – which is independent of any advice provided by or to the institution -- as to the anticipated effect(s) of the proposed transaction and operations on the institution and the entire IHL system. The Subject Matter Expert shall make a determination, based on the analysis contained in the report, as to whether the proposed project justifies approval by the Board and explain the likely impacts and prudence of the proposed transaction.
EXHIBIT 2
March 22, 2018

SYSTEM – APPROVAL FOR FINAL READING OF REVISION OF BOARD POLICY 906 – EDUCATIONAL BUILDING CORPORATIONS

906 EDUCATIONAL BUILDING CORPORATIONS

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

Financial Advisor. Prior to Board consideration of an institution’s request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition, and renovation of facilities or to refinance outstanding debt, Board staff, in conjunction with institutional staff, must select a financial advisor(s) (the “Financial Advisor”) to represent the interests of the Board, the educational building corporation and the institution. The financial advisor(s) in connection with the financial terms of the debt, advice as to bond market conditions, assistance with the rating of the debt by rating agencies and similar services normally provided by a financial advisor in connection with the sale and issuance of debt by governmental entities. The Financial Advisor shall meet such qualifications and perform such services as may be prescribed by the institution, the Board or its staff. Payment to the financial advisor(s) Financial Advisor shall be made by the institution, or the institution’s educational building corporation, without regard for whether the Board approves the construction or renovation or whether the institution or educational building corporation constructs the project, or in the case of refinancing, whether the debt is refinanced.

Financing Projects. Prior to Board consideration of an institution’s request to issue debt of the educational building corporation for the construction, maintenance, equipping, acquisition or renovation of facilities, the financial advisor Commissioner may designate an appropriate outside consultant for the type of project involved (the “Consultant”) to advise the Board with respect to the likely impacts and the prudency of the proposed transaction. The Consultant will provide advice to the Board -- which is independent of the advice, if any, provided by the Financial Advisor - as to the anticipated effect of the proposed transaction on the institution and the entire IHL system. The Commissioner will not approve use of a Consultant with respect to a transaction if the proposed Consultant has or has had substantial other relationships with the institution to the extent that would cause its judgment or independence to be questioned by a disinterested observer. The Consultant shall meet such qualifications and perform such services as may be prescribed by the Board, and the Board will periodically approve a list of possible firms to provide those services from which the Commissioner may select when the necessity arises. The Consultant must provide the Board with an independent analysis of the institution’s financial condition, to verify that proposed revenue stream(s) are sufficient to repay the debt service and to recommend the project’s viability. Payment to the Consultant shall be made by the institution, or the
institution’s educational building corporation, without regard for whether the Board approves the construction or renovation or whether the institution or educational building corporation constructs the project.

If the educational building corporation will issue commercial paper, the financial advisor shall also calculate an opinion of the breakeven interest rate to long term bonds to justify the use of commercial paper. The institution shall submit the report of the financial advisor(s) and the request for a project initiation to the Board for approval. The request must state the institution’s intent, justify the need for the project and give an estimate of the total construction budget. The request must also include naming the design professionals, bond counsel and senior underwriter(s) selected by the board of the educational building corporation.

Following the Board’s approval of the project initiation, the institution shall return to the Board at a subsequent meeting and present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations for the specific project. In no case shall the educational building corporation issue bonds or other forms of debt obligations without specific approval of the debt obligations from the Board for specific projects.

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

Review and Approval of Documents. In connection with the issuance of debt for any purpose, the institution shall present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations and for approval of the following documents to which the Board will be a party: the lease, the ground lease, the preliminary official statement (if required for the type of debt to be issued), and the continuing disclosure agreement (if required for the type of debt to be issued). The resolution shall also authorize representatives of the Board to execute such documents.
Prior to the approval of the resolution by the Board, the educational building corporation shall submit to the Board staff, for informational purposes only, the form of any documents that are to be entered into by the educational building corporation in connection with the issuance of bonds or other debt, but to which the Board is not a party.

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

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

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

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

The Board shall appoint the Commissioner and the Institutional Executive Officers (IEOs). The Board shall make interim appointments to executive officer and/or commissioner positions as necessary and with such consultation as the Board considers appropriate.

B. Board Search Committee

The President of the Board shall appoint a committee of Board members to manage the search for a Commissioner or an IEO. However, any Board member who wants to serve on the committee may serve. The President of the Board, with the consent of the Board, shall appoint a member of the committee as chairperson.

Rather than engaging in the extended search process described below within the next paragraph and those that follow, the Board may, in its discretion, interview candidates that are known to the Board and consider their selection in accordance with the expedited process described in this paragraph. Such candidates may be internal candidates from the subject university or from one of the other state universities, or such other candidates that the Board believes should be considered. The Board may conduct such interviews of internal candidates or other candidates at an early point in the process so as not to discourage the application of additional candidates that may choose to apply if an internal candidate is not selected by way of an expedited process. In any event, an expedited process, if followed, should be utilized prior to the hiring of a search consultant. Following interviews of any such internal or other candidates, the Board, as it deems appropriate, may proceed with utilizing any portions of the extended search process set out below. A Board vote to select a preferred candidate interviewed in accordance with this expedited process shall require the affirmative vote of at least nine Board members. If candidates are interviewed in accordance with this expedited process and no candidate is designated as a preferred candidate, the Board has the power to engage in other expedited processes or to conduct a search in accordance with the extended process described below.
The Commissioner, in consultation with the Board Search Committee, will make a recommendation to the Board with regard to a search consultant to assist with the search for an IEO. The Board may interview and will select the search consultant, if the Board determines that one is needed. The Board Search Committee may select a search consultant to assist with the search for a new Commissioner. As part of the initiation of the IEO search process, the Commissioner and Board Search Committee may consider the input of constituents regarding desired characteristics of a new IEO. The Board may also consider input from constituents regarding the desired characteristics of a new Commissioner. The Board shall approve any minimum qualifications for candidates.

C. Advertisement Schedule
If a search consultant is used, the Commissioner, with the assistance of any search consultant, shall develop the position advertisement and a general schedule for the search in consultation with the Commissioner and with the approval of the Board Search Committee.

D. Campus Search Advisory Committee
In a search for an IEO, the Commissioner shall prepare a list of the proposed membership of a Campus Search Advisory Committee, as well as a chair, or co-chairs, of such committee. The Campus Search Advisory Committee (“CSAC”) shall be representative of the various constituent groups of the university and representative in terms of diversity of race and gender, including administrators, faculty, staff, students, alumni, foundation representatives, and members of the community. There is no requirement that any particular person be selected because of their position, and no member of the CSAC will report to any group with respect to the search. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner’s recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner’s recommendations, the Commissioner may proceed with appointing the membership and chair (or co-
chairs) of the Campus Search Advisory Committee. The Commissioner, in coordination with the Chair of the Board Search Committee, shall take appropriate steps to receive written assurances from all of those proposed to serve on the Campus Search Advisory Committee that they have not formed any opinion as to the identity of the particular person that should be selected as the IEO, that they have no personal, professional or other relationship with any person that they understand may be a candidate that would impair their objectivity in fairly considering all candidates, that they will endeavor to remain open to considering all persons that apply in a fair and unbiased manner, and that they will not agree with any person to advocate or campaign for the selection of any particular candidate, and that they will not reveal any information about any applicants, before or after the conclusion of the search. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner’s recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner’s recommendations, the Commissioner may proceed with appointing the membership and chair (or co-chairs) of the Campus Search Advisory Committee. In a search for a Commissioner, the Board may seek advice from appropriate individuals or groups, including any search consultant hired by the Board.

E. Recruitment
Recruitment of candidates may occur up to the point of selection, but candidates will be advised to submit their materials by a specified date to insure optimum consideration for the position. At any point in the search process the Board may add additional candidates to the pool being considered without starting the entire process over. The decision regarding whether to have any such additional candidates reviewed by the Campus Search Advisory Committee is in the discretion of the Board. Additional interviews may be conducted as desired by the Board.
F. Candidate Screening
The Campus Search Advisory Committee members will review the applications received by the date established in the advertisement. No meeting of the Campus Search Advisory Committee will be held to discuss candidates, since the process seeks to obtain independent advice from each member of the CSAC—with consultation among the members. Each member will submit their recommendations individually and separately as to the candidates to be further considered, and each shall vote individually by secret ballot for a minimum of five candidates that he/she recommends as a good candidate for the position for further consideration. The search consultant, if one is used, is to then accumulate the secret ballots and count them. If no consultant is used, the Commissioner shall accumulate the results of those recommendations and ballots and count them. The results of the vote count, indicating the number of favorable votes received by each candidate, are to then be reported to the Board Search Committee members. The Board Search Committee shall then meet and discuss which candidates to interview. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be interviewed, the Board Search Committee shall proceed with planning first round candidate interviews. The search consultant shall then be informed of the candidates to be interviewed. The consultant shall next be informed that he/she may advise the non-selected candidates that they will not be interviewed as part of the initial process, if such notification is deemed prudent by the Board and the search consultant at that point in time. The consultant should, if directed by the Board, remind those candidates that were not invited back for initial interviews that the Board can always add more names to be considered at a later date. The Campus Search Advisory Committee may then be told who will be initially interviewed by the Board Search Committee.

G. Interview Search Advisory Committee
Each member of the Campus Search Advisory Committee shall be requested to provide nominations from the membership of that committee to serve on the Interview Search Advisory Committee. Using that information and such
information as may be deemed helpful to insure a balanced Interview Search Advisory Committee. The Commissioner and the Chair of the Board Search Committee shall then prepare a list of the proposed membership of an Interview Search Advisory Committee from the membership of the Campus Search Advisory Committee. The Interview Search Advisory Committee shall be comprised of administrators, faculty, students, staff, and outside representatives. These representatives shall be diverse in race and gender. The Commissioner shall then inform Board members of the proposed membership of that committee. After the Board has been provided with the recommendations from the Commissioner and the Chair of the Board Search Committee for the membership of the Interview Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the recommendations, the Commissioner may proceed with appointing the membership of the Interview Search Advisory Committee. The Interview Search Advisory Committee may participate with the Board of Trustees will determine the role to be played by the in the remainder of the search process, except when the Board of Trustees excuses the Interview Search Advisory Committee with respect to the remainder of the search process from executive session.

H. First Interviews
The Board Search Committee and the Commissioner --, with such assistance and/or participation input from the Interview Search Advisory Committee as the Board deems appropriate and helpful --, will conduct the first round of interviews. If the Board chooses to allow members of the Interview Search Advisory Committee to participate in the First Interviews, no meeting of those members will be held to discuss candidates, and each member shall independently and confidentially write down his/her comments pertaining to each candidate immediately following that candidate’s interview. The Chair of the Board Search Committee shall collect the written comments from each Interview Search Advisory Committee member. Those written comments will be provided to the Board Search Committee without consultation or coordination among Interview Search Advisory Committee members. All Board members will be invited to attend the interview. The consultant, if one is used, or the Commissioner if no consultant is used, will conduct a
background check on those candidates participating in the first round of interviews.

I. Reference Contacts
Under the direction of the Commissioner and/or the consultant, reference contacts will be made on each candidate who is participating in the second round of interviews. Before or at the conclusion of the second round of interviews, the results of the reference contacts and background checks shall be made known to the Board.

J. Second Interviews
Before the second round of interviews, the results of the reference contacts and background checks shall be made known to the Board and the Interview Search Advisory Committee. The Board Search Committee and the Commissioner -- with such assistance and/or participation from the Interview Search Advisory Committee as the Board deems appropriate and helpful --, will conduct the second first round of interviews. The Board Search Committee shall then meet to discuss who and how many to interview during the second round of interviews. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview for second round interviews. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed for a second interview, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be further interviewed, the Board Search Committee shall proceed with planning the second round interviews by the full Board. The Board may conduct as many additional interviews as it deems necessary in conducting the search process. The Board will determine whether and the extent to which individual Trustees or groups will separately meet with the candidates. If the Board chooses to allow members of the Interview Search Advisory Committee to participate in the Second interviews, no meeting of those members will be held to discuss candidates, and each member shall independently and confidentially write down his/her comments pertaining to each candidate immediately following that candidate’s interview. The Chair of the Board Search Committee shall collect the written comments from each Interview Search Advisory Committee member. Those written comments will be provided to the Board.
Search Committee without consultation or coordination among Interview Search Advisory Committee members.

K. Preferred Candidate
After all of the above has been completed, the Board of Trustees will meet to hear from the Board Search Committee regarding an assessment of each candidate. The Commissioner’s assessment will be sought. The Board of Trustees will then select and announce their Preferred Candidate.

L. Campus Interview
The Preferred Candidate will be scheduled for a full day on-campus for interviews with a wide array of constituents. Each group will have the opportunity to provide feedback on the Preferred Candidate to the Board of Trustees.

M. Decision
The Board of Trustees will meet after the last on-campus interview session to review the feedback and conduct further discussion. The Board of Trustees will then vote to name the Preferred Candidate as the institution’s new Institutional Executive Officer or vote to continue the search.

In a search for a Commissioner, the Board Search Committee may request appropriate individuals or groups to submit unranked recommendations of candidates to be considered for initial interviews. The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews. The Board Search Committee may also invite additional individuals to attend and observe the initial interviews conducted by such committee to fill the position of Commissioner. The Board Search Committee will next develop an interview schedule for the candidates selected for final interviews for the position of Commissioner. The Board shall then meet and conduct final interviews and select the Commissioner.
201.0510 APPLICATION BY INTERIM OR ACTING INSTITUTIONAL EXECUTIVE OFFICER FOR INSTITUTIONAL EXECUTIVE OFFICER POSITION

An individual that continues to serve as the acting or interim Institutional Executive Officer after the formal circulation of the Advertisement requesting applications as (IEO) at a university shall not be considered as a candidate for the permanent IEO position at that university during that search process. However, this policy does not prohibit consideration during the search process of an individual who has completed service as an interim or acting IEO prior to the circulation of the formal Advertisement for applications and who discontinues such service at that time.

An individual currently serving as the interim Institutional Executive Officer (IEO) at a university shall not be considered as a candidate for the permanent IEO position for which he/she serves as interim at the same university. However, an individual currently serving as interim IEO may apply and be considered for a permanent IEO position at a different university. This policy does not prohibit an individual who has completed service as an interim IEO from being considered as a candidate for any IEO positions that subsequently become available at the same university.
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY, 2018 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.

ALCORN STATE UNIVERSITY

1. **ASU– GS 101-294 – Utility Infrastructure**
   - **NOTE:** This is a Bureau of Building project
   - **Approval Request #1: Change Order #3**
     - Board staff approved Change Order #3 in the amount of $0.00 and fifteen (15) additional days to the contract of Metro Mechanical, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.
     - **Approval Status & Date:** APPROVED, January 31, 2018
     - **Change Order Description:** Change Order #3 includes the following items: additional fifteen (15) days to the contract.
     - **Change Order Justification:** This change was necessary due to inclement weather.
     - **Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $52,208.20.
     - **Project Initiation Date:** March 21, 2013
     - **Design Professional:** Edmonds Engineering
     - **General Contractor:** Metro Mechanical, Inc.
     - **Phased Project Budget:** $2,645,702.43
     - **Total Project Budget:** $3,846,615.33

2. **ASU – IHL 201-252 – Morris Boykin Renovation**
   - **Approval Request #1: Award of Construction Contract**
     - Board staff approved the Award of Contract in the amount of $2,418,975.00 to the apparent low bidder, Sullivan Enterprises, Inc.
     - **Approval Status & Date:** APPROVED, January 30, 2018
     - **Project Initiation Date:** August 8, 2016
     - **Design Professional:** Durrell Design Group
     - **General Contractor:** Sullivan Enterprises, Inc.
     - **Total Project Budget:** $2,660,872.50
DELTA STATE UNIVERSITY

3. **DSU– GS 102-260 – Zeigel Hall Renovation**  
   NOTE: This is a Bureau of Building project  
   **Approval Request #1: Change Order #2**  
   Board staff approved Change Order #2 in the amount of $35,888.06 and zero (0) additional days to the contract of Roy Collins Construction Co., Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.  
   **Approval Status & Date:** APPROVED, January 23, 2018  
   **Change Order Description:** Change Order #2 includes the following items: deduct for attic framing insulation support; installed eight (8) fixtures to replace fixtures in a corridor; replaced a copper line in a corridor; installed a new hose bib; credit for 5/8” roof decking for new shingle roof already in place; furr out of existing exterior block walls; 5/8” drywall installed and enclosing of a bottom stair; installation of an extra layer of 5/8” drywall in a stair; and furring out of existing block wall in a room.  
   **Change Order Justification:** These changes were user/owner requested modifications.  
   **Total Project Change Orders and Amount:** Two (2) change orders for a total amount of $286,029.86.  
   **Project Initiation Date:** October 16, 2014  
   **Design Professional:** Architecture South, P.A.  
   **General Contractor:** Roy Collins Construction Co., Inc.  
   **Total Project Budget:** $6,365,377.11

JACKSON STATE UNIVERSITY

4. **JSU– GS 103-283 – Campus Mechanical Project**  
   NOTE: This is a Bureau of Building project  
   **UNAPPROVAL Request #1: Schematic Design Documents**  
   Board staff did not approve the Schematic Design Documents as submitted by Engineering Resource Group, Inc.  
   **Approval Status & Date:** NOT APPROVED, January 30, 2018  
   **UNAPPROVAL Request #2: Waiver of Design Development Documents**  
   Board staff did not approve the Waiver of Design Development Documents as submitted by Engineering Resource Group, Inc.  
   **Approval Status & Date:** NOT APPROVED, January 30, 2018  
   **Project Initiation Date:** February 18, 2016  
   **Design Professional:** Engineering Resource Group, Inc.  
   **General Contractor:** TBD  
   **Total Project Budget:** $1,063,736.76
5. **MSU – GS 113-136 – Meat Science Laboratory**  
**NOTE:** This is a Bureau of Building project  
**Approval Request #1: Change Order #4**  
Board staff approved Change Order #4 in the amount of $66,964.24 and forty-eight (48) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.  
**Approval Status & Date:** APPROVED, January 19, 2018  
**Change Order Description:** Change Order #4 includes the following items: provide power circuit to cooler control panels & heated windows; changed flooring to a more durable material in a corridor; circuit changes for two (2) pumps; installed a steel jamb at the cattle scales; modifications made to a beam at the cooler door; removed and modified a section of the cattle railing; installed an additional door opening in the research freezer; installed four (4) bollards behind the proposed dumpster location; and eighteen (18) days to the contract.  
**Change Order Justification:** These changes were necessary due to errors and omissions in the plans and specifications; user/owner requested modifications; and weather delays.  
**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $31,058.21.  
**Project Initiation Date:** October 17, 2013  
**Design Professional:** Pryor & Morrow Architects and Engineers, P.A.  
**General Contractor:** Construction Services, Inc.  
**Total Project Budget:** $8,200,000.00

6. **MSU– IHL 205-279 – Addition & Renovation to Dudy Noble Field**  
**Approval Request #1: Change Order #5**  
Board staff approved Change Order #5 in the amount of $453,610.52 and zero (0) additional days to the contract of Jesco, Inc.  
**Approval Status & Date:** APPROVED, February 8, 2018  
**Change Order Description:** Change Order #5 includes the following items: revisions to the slab elevation of two (2) stairs, fire pump, elevator machine and generator rooms; rework of storm and sanitary lines along Humphrey Coliseum; spray foam insulation at the bottom of the view level deck in lieu of board insulation; revisions to various fixtures; structural clarifications concerning the entry plaza ring of the honor walls; installation of a concrete haunch for a precast wall panel; demolition of existing American Disabilities Act (ADA) platforms; installed wood-framed and composite cladding at ramps; added tube supports for the edge angle at the roof; added two (2) gang boxes and tv’s in lieu of audio/visual black box; installed a retaining wall & fence at the center field entry; revisions to storm drainage along Lakeview Drive; installation of storage boxes in the outfield lounges; revisions to the aluminum hand rails; added composite decking cladding at the rear of the right field boardwalk in lieu of windscreen; revisions to the right field plaza backfill; installed a 24’ cable tray in a room; installed fully designed center field entry pilasters, steel & gates; electrical revisions in the center field building; receptacle revisions on the concourse; uplights for the entry signage; added brick in lieu of metal
panels on the east elevation of a stair tower; installed traffic banner blocks at the top of left field lofts retaining wall; wall pads added at the home bullpen; installed plumbing for the concessions and pantries; added a single pair of audio cables to the center field camera position; installed drainage rubber dugout flooring in lieu of rubber tile; raised the ticket building parapet heights to conceal the condensing units; connected the existing unforeseen 6” ductile iron sanitary line to the sanitary manhole; used grey 80 pvc in lieu of white 40 pvc at the storm piping areas exposed to view.  

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $1,180,658.71.

Project Initiation Date: May 21, 2015  
Design Professional: Wier Boerner Allin Architects, PLLC  
General Contractor: Jesco, Inc.  
Total Project Budget: $55,000,000.00  

7. MSU – IHL 205-285A – Chilled Water Loop Upgrade  
Approval Request #1: Contract Documents  
Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers, P.A.  
Approval Status & Date: APPROVED, February 8, 2018  

Approval Request #2: Advertise  
Board staff approved request to advertise for receipt of bids.  
Approval Status & Date: APPROVED, February 8, 2018  
Project Initiation Date: August 17, 2017  
Design Professional: Cooke Douglass Farr Lemons, Architects & Engineers, P.A.  
General Contractor: TBD  
Total Project Budget: $4,000,000.00  

8. MSU – IHL 205-286 – New Parking Stone Blvd. and Morgan Extended  
Approval Request #1: Contract Documents  
Board staff approved Contract Documents as submitted by Garver, LLC  
Approval Status & Date: APPROVED, February 8, 2018  

Approval Request #2: Advertise  
Board staff approved request to advertise for receipt of bids.  
Approval Status & Date: APPROVED, February 8, 2018  
Project Initiation Date: August 17, 2017  
Design Professional: Garver, LLC  
General Contractor: TBD  
Total Project Budget: $3,300,000.00
   NOTE: This is a Bureau of Building project  
   Approval Request #1: Change Order #1  
   Board staff approved Change Order #1 in the amount of $16,492.00 and thirty (30)  
   additional days to the contract of Worsham Brothers Construction, LLC. Approval is  
   requested from the Bureau of Building, Grounds, and Real Property Management.  
   Approval Status & Date: APPROVED, February 2, 2018  
   Change Order Description: Change Order #1 includes the following items: revision of  
   the gas line at the office location to include gravel at the utility trench ditch; changes to  
   the existing footing at the office location; changes to the warehouse footing; provided  
   electrical power to two (2) overhead doors; and thirty (30) days to the contract.  
   Change Order Justification: These changes were necessary due to latent job site  
   conditions; user/owner requested modifications; and weather delays.  
   Total Project Change Orders and Amount: One (1) change order for a total amount of  
   $16,492.00.  
   Project Initiation Date: October 17, 2013  
   Design Professional: Major Design Studio, PLLC  
   General Contractor: Worsham Brothers Construction, LLC  
   Total Project Budget: $1,059,550.00

UNIVERSITY OF MISSISSIPPI

10. UM – IHL 207-376 - STEM Building  
   Approval Request #1: Contract Documents  
   Board staff approved Contract Documents as submitted by McCarty Architects  
   Approval Status & Date: APPROVED, February 13, 2018  
   Project Initiation Date: August 17, 2017  
   Design Professional: McCarty Architects & Planners, PLLC  
   General Contractor: TBD  
   Phased Project Budget: $6,658,331.02  
   Total Project Budget: $14,000,000.00

11. UM – IHL 207-435 – Guyton Drive Modifications  
   Approval Request #1: Award of Construction Contract  
   Board staff approved the Award of Contract in the amount of $940,200.00 to the apparent  
   low bidder, DC Services, LLC.  
   Approval Status & Date: APPROVED, February 13, 2018  
   Project Initiation Date: May 18, 2017  
   Design Professional: A2H, PLLC  
   General Contractor: DC Services, LLC  
   Total Project Budget: $1,257,400.00
12. **UM – IHL 207-438 – Deaton and Hefley Hall Elevator Refurbishment**
   
   **Approval Request #1: Award of Construction Contract**
   
   Board staff approved the Award of Contract in the amount of $785,589.00 to the apparent low bidder, Barnes & Brower, Inc.
   
   **Approval Status & Date:** APPROVED, February 13, 2018
   
   **Project Initiation Date:** November 16, 2017
   
   **Design Professional:** Corbett Legge & Associates, PLLC
   
   **General Contractor:** Barnes & Brower, Inc.
   
   **Total Project Budget:** $1,150,000.00

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**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

13. **UMMC– GS 109-223 – Clinical Research Unit**

   **Approval Request #3: Contract Documents**
   
   Board staff approved Contract Documents as submitted by Foil Wyatt Architects
   
   **Approval Status & Date:** APPROVED, January 30, 2018

   **Approval Request #4: Advertise**
   
   Board staff approved request to advertise for receipt of bids.
   
   **Approval Status & Date:** APPROVED, January 30, 2018
   
   **Project Initiation Date:** October 19, 2017
   
   **Design Professional:** Foil Wyatt Architects & Planners, PLLC
   
   **General Contractor:** TBD
   
   **Total Project Budget:** $7,500,000.00

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**UNIVERSITY OF SOUTHERN MISSISSIPPI**


   **Approval Request #1: Change Order #1**
   
   Board staff approved Change Order #1 in the amount of $0.00 and one hundred forty-eight (148) additional days to the contract of McLain Plumbing and Electrical Services, Inc.
   
   **Approval Status & Date:** APPROVED, January 30, 2018
   
   **Change Order Description:** Change Order #1 includes the following items: additional one hundred forty-eight (148) days to the contract.
   
   **Change Order Justification:** This change was due to delays resulting from lead times on controls equipment that could not be delivered in time to complete the mechanical upgrade prior to the project deadline. The time extension does not affect the cost of the project and does not affect the work of the larger exterior repairs project.
   
   **Total Project Change Orders and Amount:** One (1) change order for a total amount of $0.00.
   
   **Project Initiation Date:** March 19, 2015
   
   **Design Professional:** Albert and Associates Architects
   
   **General Contractor:** McLain Plumbing and Electrical Services, Inc.
15. USM – GS 108-279 – Lucas Administration Envelope Repairs  
NOTE: This is a Bureau of Building project  
Approval Request #1: Change Order #4  
Board staff approved Change Order #4 in the amount of $0.00 and fifteen (15) additional days to the contract of Finlo Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.  
Approval Status & Date: APPROVED, January 31, 2018  
Change Order Description: Change Order #4 includes the following items: additional fifteen (15) days to the contract.  
Change Order Justification: This change was due to user/owner requested modifications.  
Total Project Change Orders and Amount: Four (4) change orders for a total credit amount of $112,935.00.  
Project Initiation Date: September 18, 2014  
Design Professional: Albert & Associates Architects  
General Contractor: Finlo Construction Company, Inc.  
Phased Project Budget: $3,000,000.00  
Total Project Budget: $3,300,000.00

16. USM – GS 108-281 – Greene Hall Renovations  
NOTE: This is a Bureau of Building project  
Approval Request #1: Change Order #1  
Board staff approved Change Order #1 in the amount of $16,737.93 and zero (0) additional days to the contract of B.W. Sullivan Building Contractor, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.  
Approval Status & Date: APPROVED, January 19, 2018  
Change Order Description: Change Order #1 includes the following items: asbestos abatement services for additional areas that were uncovered during the demolition phase of the project.  
Change Order Justification: This change was due to latent job site conditions.  
Total Project Change Orders and Amount: One (1) change order for a total amount of $16,737.93.  
Project Initiation Date: September 18, 2014  
Design Professional: Allred Architectural Group, Inc.  
General Contractor: B.W. Sullivan Building Contractor  
Total Project Budget: $13,000,000.00
EXHIBIT 5
MARCH 22, 2018

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 2/1/18) from the funds of Alcorn State University. (This statement, in the amount of $1,000.00 represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE………………………………………………..$ 1,000.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 1/25/18 and 2/31/18) from the funds of Mississippi State University. (This statement, in the amount of $200.00 and $762.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE………………………………………………..$ 962.50

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/12/18 and 2/14/18) from the funds of Mississippi State University. (These statements, in the amounts of $15,126.50 and $12,989.65, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE………………………………………………..$ 28,116.15

Payment of legal fees for professional services rendered by Ware Immigration (three statements each dated 2/1/18) from the funds of Mississippi State University. (These statements, in the amounts of $2,500.00, $471.00 and $4,000.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE………………………………………………..$ 6,971.00

Payment of legal fees for professional services rendered by the Winfield Law Firm (statement dated 2/1/18) from the funds of Mississippi State University. (This statement, in the amount of $1,378.00, represents services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………..$ 1,378.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/17, 2/5/18 and 2/14/18) from the funds of the University of Mississippi. (These statements, in the amounts of $47.80, $1,680.00 and $4,588.60, represent services and expenses in connection with general legal advice.)

TOTAL DUE………………………………………………..$ 6,316.40
Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 2/7/18) from the funds of the University of Mississippi. (This statement, in the amount of $2,229.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.................................................................$  2,229.00

Payment of legal fees for professional services rendered by Ware Immigration (two statements each dated 2/1/18) from the funds of the University of Mississippi. (These statements, in the amounts of $102.93 and $20.75, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.................................................................$  123.68

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statement dated 2/20/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount $10,045.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$  10,045.00

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statement dated 12/6/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount $6,591.56, represents services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$  6,591.56

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 12/7/17, 12/7/17, 12/7/17, 12/7/17, 12/20/17, 12/29/17, 1/4/18, 1/4/18, 1/4/18, 1/4/18, 1/4/18, 2/2/18, 2/7/18, 2/7/18, 2/7/18 and 2/7/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $850.50, $33.00, $78.37, $810.00, $4,200.00, $216.00, $690.00, $61.50, $33.00, $32,314.52 $1,270.50, $1,390.50, $18,467.37, $66.00, $396.00 and $44.63, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$  60,921.89

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 12/18/17, 12/18/17, 2/6/18 and 2/7/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $5,345.00, $2,592.00, $9,028.80 and $5,793.60, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$  22,759.40
Payment of legal fees for professional services rendered by Jeffrey P. Reynolds, PA (statements dated 9/30/17, 10/31/17 and 12/31/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $511.50, $513.70 and $3,366.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$ 4,391.20

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 12/11/17, 12/11/17, 12/11/17, 12/11/17, 12/11/17, 12/20/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $578.26, $198.00, $16.50, $891.00, $680.50, and $5,851.20, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$ 8,215.46

Payment of legal fees for professional services rendered by Scott, Sullivan, Streetman & Fox, P.C. (statements dated 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 12/12/17, 1/10/18, 1/10/18, 1/10/18, 1/10/18, 1/10/18, 1/10/18, 1/10/18, 1/10/18, 2/6/18, 2/6/18, 2/6/18, 2/6/18, 2/6/18, 2/6/18, 2/6/18, and 2/6/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $40.50, $135.00, $472.50, $405.00, $702.00, $756.00, $810.00, $108.00, $94.50, $231.00, $162.00, $1,350.00, $67.50, $2,779.25, $1,459.47, $472.50, $396.00, $297.00, $364.50, $459.00, $256.50, $567.00, $121.50, $175.50, $54.00, $459.00 and $99.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$ 13,294.22

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace. (statements dated 11/30/17, 11/30/17, 11/30/17, 11/30/17, 12/8/17, 12/18/17, 12/31/17, 1/17/18, 1/31/18, 1/31/18, 1/31/18, 1/31/18, 1/31/18 and 1/31/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amounts of $1,958.59, $1,623.00, $643.50, $6,841.50, $1,296.55, $545.81, $7,266.10, $713.80, $2,887.10, $4,604.55, $115.50, $1,633.50, $1,718.10 and $1,537.60, respectively, represents services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$ 33,385.20

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 12/11/17, 12/11/17, 12/11/17, 12/11/17, 12/12/17, 12/13/17, 1/24/18 and 1/24/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,233.36, $1,187.22, $33.00, $66.00, $10,395.81, $1,560.96, $55.50 and $2,643.60, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................$ 17,175.45
EXHIBIT 5
MARCH 22, 2018

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 12/13/17, 12/13/17, 12/13/17, 12/18/17, 12/18/17, 12/18/17, 2/5/18, 2/5/18, 2/5/18 and 2/7/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,134.70, $4,061.10, $725.10, $3,253.30, $4,879.50, $10,075.40, $1,763.20, $6,593.62, $3,592.70, $13,979.40 and $858.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ................................................................. $ 50,916.02

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/11/18, 1/22/18 and 2/12/18) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $4,137.60, $265.50, and $472.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ................................................................. $ 4,875.10

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 1/1/18, 1/1/18 and 2/1/18) from the funds of the University of Southern Mississippi. (These statements, in the amount of $30.64, $130.11, and $22.77, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE ................................................................. $ 183.52

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

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 1/5/18, 1/5/18, 1/5/18, 1/5/18, 1/5/18, 1/5/18, 1/5/18, 1/5/18, 1/5/18, 2/7/18, 2/7/18, 2/7/18, 2/7/18, 2/7/18, 2/7/18, 2/7/18, 2/8/18, 2/8/18, 2/8/18, 2/8/18, 2/8/18, 2/8/18, 2/8/18, and 2/8/18) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Linear Correspondence Assessment - $1,800.00; JUVA (word mark) - $325.00; RE-JUVA-NATE (word mark) - $325.00; Delta Jazz - $325.00; Freedom - $425.00; Therabot A Support Companion and MSU Therabot (word mark) - $450.00; Serpentine Load Monitoring Apparatus - $480.00; Serpentine Load Monitoring Apparatus - $850.00; Bio Based Polyether Amides from Lignin-Derived Building- $65.00; Buckscore (word mark) - $225.00; Buckscore (logo) - $650.00; System and Method for Estimating Age of an Animal - $240.00; Fiber Separation from Grains and Grain Products Using Electrostatic Methods - $450.00; Therabot (word mark) - $125.00; Therabot A Support Companion (logo) - $125.00; Shock Wave Mitigating Helmets - $240.00; Materials and devices that provide total transmission of electrons without ballistic propagation and methods of devising same - $475.00; Inhomogeneous Computer Interconnects for Classical and Quantum Computers - $365.00; Shock Mitigating Materials and Methods Utilizing Spiral Shaped Elements - $435.00; Shock Mitigating Materials and Methods Utilizing Spiral Shaped Elements - $50.00; Shock Mitigating Materials and Methods Utilizing Sutures - $585.00; Utilization of Oleaginous Microorganisms as an Oral
Supplement for Animals - $280.00; Mirror Network Framework for Assuring Information Systems - $65.00, respectively.)

TOTAL DUE……………………………………………………$ 9,355.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 1/10/18 and 2/7/18) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $1,855.32; “Occidiofungin, a Unique Antifungal Glycopeptide Production by a Strain of Burkholderia Contaminans” - $357.50, respectively.)

TOTAL DUE……………………………………………………$ 2,212.82

Payment of legal fees for professional services rendered by Stites & Harbison (three statements each dated 12/27/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Methods of Synthesizing Graphene from a Lignin Source” - $154.50; “Pincer Metal OXO Complexes for Water-Splitting and C-H Bond Activation” - $878.50; and Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - $95.00.)

TOTAL DUE……………………………………………………$ 1,128.00

Payment of legal fees for professional services rendered by Armstrong|Teasdale (three statements each dated 12/19/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals - $367.92; “Systems and Methods for Detecting Transient Acoustic Signals” - $268.10; Systems and Methods for Preparing Solid Lipid Nanoparticles” - $35.00.)

TOTAL DUE……………………………………………………$ 671.02

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 12/12/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” – $2,596.00.)

TOTAL DUE……………………………………………………$ 2,596.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/15/17, 12/18/17, 12/19/17, 12/20/17, 12/20/17, 12/22/17, 1/2/18, 1/22/18, 1/22/18, 1/22/18, 1/22/18, 1/22/18, and 1/22/18) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” -
$8,467.28; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $2,419.84; “Compositions containing Delta-9-THC” - $644.85; “Compositions containing Delta-9-THC” - $2,375.75; “Compositions containing Delta-9-THC” - $2,711.73; “Compositions containing Delta-9-THC” - $2,071.01; “Compositions containing Delta-9-THC” - $3,067.47; “Compositions containing Delta-9-THC” - $3,834.37; “Compositions containing Delta-9-THC” - $950.33; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $2,775.25; “Compositions containing Delta-9-THC” – $492.13; “Highly Selective sigma receptor ligands and radioligands as probes” - $308.25; “Compositions containing Delta-9-THC” - $3,015.67; “Preparation of pre-coated RP-rotors and universal Chromatorotors” - $200.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $6,706.76; “Compositions containing Delta-9-THC” - $993.75; “Compositions containing Delta-9-THC” - $875.58; “Compositions containing Delta-9-THC” - $750.92; “Compositions containing Delta-9-THC” - $1,252.06; “Compositions containing Delta-9-THC” - $1,051.90; “Compositions containing Delta-9-THC” - $814.86; “Compositions containing Delta-9-THC” - $701.08; “Compositions containing Delta-9-THC” - $639.94, respectively.)

TOTAL DUE…………………………………………………………$ 47,120.78

Payment of legal fees for professional services rendered by Stites & Harbison (two statements each dated 12/27/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - $38.00; “Stabilized Formulation of Triamcinolone Acetonide” - $392.00.)

TOTAL DUE…………………………………………………………$ 430.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/14/17, 12/14/17, 1/31/18, 1/31/18 and 1/31/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $2,750.00, $128.00, $2,652.50, $208.00 and $104.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE…………………………………………………………$ 5,842.50
1. **SYSTEM – APPROVAL OF NEW ACADEMIC UNITS**

Board Policy 502: New Academic Programs and Units states: “Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers. In developing such guidelines and procedures, the Commissioner shall consider state, system, and institutional priorities, institutional missions, institutional performance, comparative funding, market demand, and other appropriate criteria.”

In accordance with Board policy, approval is requested for the following new academic units:

**CENTERS AND INSTITUTES**

a. **Mississippi State University** requests approval of the **Mississippi Established Program to Stimulate Competitive Research (EPSCoR) Research Center**.

The Mississippi Research Consortium has submitted an Established Program to Stimulate Competitive Research (EPSCoR) Track 1 proposal to the National Science Foundation (NSF) to create the Mississippi EPSCoR Research Center. The Center will establish an interdisciplinary multi-institution research program between the four research universities: Jackson State University, Mississippi State University, University of Mississippi and University of Southern Mississippi, directed at critical and contemporary challenges in key focus areas of fundamental science and engineering research and education. The Center will address research challenges as part of the NSF EPSCoR Track 1 program and focus on building capacity and competitiveness in the designated research area. The research within this program is vital for the advancement of diverse technologies, such as sustainable energy, electronics, and biomedicine, critical to enhancing the competitiveness of existing industries and attracting new companies in the Mississippi Science and Technology (S&T) core priority areas of energy, advanced manufacturing, and health. Center workforce development efforts are aligned with the Mississippi S&T goal of growing and retaining a qualified STEM workforce. The Center will establish state-of-the-art research instrumentation for common use across the state; implement coordination and communication mechanisms to support multi-institutional collaborative research; provide interdisciplinary team training and professional development for junior faculty and students; support the hiring of new faculty members with research skills that strategically address critical needs; strengthen partnerships with national laboratories, industry, and tier-one research institutions; drive workforce development efforts aimed at attracting, developing, and retaining top research talent; and implement K-14 outreach efforts in minority-serving institutions to disseminate findings and build the diverse pipeline of next-generation STEM students.
b. Mississippi State University (MSU) requests approval of the Center for Cyber Education. MSU is proposing to establish the Center for Cyber Education, a partnership with the Mississippi Department of Education (MDE), the MSU College of Education, the Bagley College of Engineering, the College of Business, Distributed Analytics and Security Institute (DASI,) and the Center for Cyber Innovation with the single mission of ensuring that all students in Mississippi have quality computer science instruction from elementary through high school. The Research and Curriculum Unit (RCU) has a 50-year history of working with MDE. The Center will continue as the major partner with MDE on the Computer Science for Mississippi (CS4MS) initiative. As an established unit, the Center for Cyber Education will add visibility to the effort and demonstrate MSU’s commitment and leadership for Computer Science and cybersecurity in Mississippi. Housed initially at the RCU, the Center for Cyber Education will assign a team to focus 100% of their time on this effort. The team will continue managing the CS4MS pilot and lead the transition from pilot stage to full scale implementation during 2018-19. The RCU has been approved by Code.org® to become the Regional Code.org® Partner. This partnership includes matching funds that will bring both visibility and much needed additional training support toward accomplishing the Center’s goals. Once designated, the Center for Cyber Education will act as the Code.org® partner to manage and lead this commitment and opportunity. In September 2017, the RCU was awarded an NSF CS for All grant for $770k. Funding from this grant will also support the activities of the proposed Center for Cyber Education.

c. University of Mississippi (UM) requests approval of the University of Mississippi Institute for the Arts. The Departments of Art & Art History, English, Music, and Theatre Arts within the College of Liberal Arts, the Ford Center for Performing Arts, and the UM Museum request the creation of this institute. UM is poised to become a leader in Mississippi for training in fine or performing arts and for outreach programs that can transform the lives of young people. This multi-disciplinary institute will capitalize on strengths to further establish UM’s identity, reputation, and legacy in the arts. Finally, UM’s strategic plan, Flagship Forward, sets the goal of enhancing the visibility and appreciation of the arts in order "to celebrate the critical role that creativity plays in educating society and the process of discovery. Creativity is at the heart of a successful research institution."

d. University of Mississippi (UM) requests approval of the Center for Biodiversity and Conservation Research (CBCR). Several academic disciplines use a scientific approach to study biological diversity. At UM, scientists span several departments where they study everything from the natural products that may improve the quality of life for humans to the biology of organisms from microbes to sharks. The proposed CBCR will coordinate faculty efforts at student training, leveraging opportunities for funding from private foundations, and responding to requests for interdisciplinary research by granting agencies. Because faculty come from multiple academic units, each with its own unique departmental emphasis, physical location, disparate teaching demands, and administrative architecture, collaboration will be greatly enhanced with the CBCR acting as a point of contact for granting agencies; and, as an information clearinghouse for communicating research and funding opportunities with appropriate subsets of member faculty. Competitiveness for grant funding will be
enhanced due to the shared teaching and student training and research efficiency enabled by coordinating activities through the CBCR. The Center will provide the opportunity to discuss, within a cohesive group, ideas that will facilitate collaborations, grant proposals, and joint research publications.

e. University of Mississippi Medical Center (UMMC) requests approval of the Mississippi Center for Emergency Services (MCES). The MCES was created to expand Mississippi’s ability to maintain medical services during unanticipated events across the state. The MCES will guide planning and response to a variety of hazards that could threaten the campus community, the environment of the hospital or the safety of patients, staff, and visitors, or adversely impact the ability of the hospital to provide healthcare services to the community. Emergency operations planning is designed to meet federal, state and local planning requirements, as well as current emergency preparedness standards recommended by the U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services. Strategic emergency planning is updated in collaboration with local, city, county, and state emergency management agencies.

f. University of Southern Mississippi (USM) requests approval of the Center for Optoelectronic Materials and Devices. The Center for Optoelectronic Materials and Devices at USM will lead interdisciplinary research efforts in electronic and photonic materials. Optoelectronics research is vital for the advancement of a variety of applications, such as electronics, biomedical devices, sensing, and sustainable energy, which will provide a key socioeconomic driver for the state of Mississippi. USM has made significant investment in optoelectronic materials research, hiring five new faculty with expertise in this area, and providing start-up funds to support their research. Funding from the Department of Defense, the Department of Energy, and the National Science Foundation has been secured to build state-of-the-art research capabilities at USM and to support research stipends for undergraduate and graduate student researchers. Recently acquired externally funded instrumentation at USM directly impacts and enables the proposed research center. Outreach to Mississippi industry and K-14 schools will be integrated through Center Director Morgan’s NSF Research Experience for Students and Research Experience for Teachers programs and School of Polymer Science and Engineering Industrial Advisory Board. The Center will enable interdisciplinary collaboration among researchers at the four Mississippi research universities. Faculty from Jackson State University, Mississippi State University, and the University of Mississippi will serve as associate members of the Center in the areas of materials synthesis, advanced characterization, and computation. The Center will be supported entirely through external funds. Faculty participants will have academic appointments within their disciplinary units.

g. University of Southern Mississippi (USM) requests approval of the Mississippi Person Centered Practices Institute (PCPI). The PCPI will be the organizational institute that will house the state wide person-centered practices training approaches that are being offered across the state as part of a Medicaid funded workforce development initiative. The PCPI will promote the use of person centered practices as an evidence-based intervention strategy
for personnel working in Medicaid Home and Community-Based Waiver programs. The PCPI will train personnel and staff, including case managers across the state to support older adults, persons with disabilities, and their respective families in developing plans that enable people to live high quality lives in the least restrictive environments within their communities. The PCPI will be a limited scope and outreach institute that exists within the School of Social Work. The PCPI will also provide the state with a center of excellence that will be located on the USM campus. The PCPI will not represent a financial liability to USM at this time or any time in the future. The activities that are taking place already are part of a grant funded by the Mississippi Division of Medicaid.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-g.

2. SYSTEM – APPROVAL OF ACADEMIC UNIT MODIFICATIONS

Board Policy 503: Program Modifications states: “As part of its broad constitutional authority to govern the universities, the Board shall exercise its authority to modify programs offered by the universities generally or at various units of the universities.”

In accordance with Board policy, approval is requested for the following academic program modifications:

REORGANIZATION AND RENAME

a. Delta State University (DSU) requests permission to reorganize three separate units: Department of Biological Sciences, Department of Chemistry and Physics, and the Department of Mathematics and rename the new Unit the Division of Mathematics and Sciences. The resignation of the department head of Mathematics brought about the opportunity to be able to focus on the need for a consolidated STEM push for DSU and engage K-12 faculty and students in the Delta Region. Consolidating the units will allow for a better method of communication among the faculty and sharing of information regarding collaborative research opportunities and will provide a consolidated unit for recruitment of future STEM majors. Additionally, the proposed modification will provide a net cost savings.

RENAME

b. University of Mississippi (UM) requests permission to rename the Center for Educational Research and Evaluation (CERE) the Center for Research Evaluation (CERE). The Center for Educational Research and Evaluation was created to conduct and evaluate educational research and evaluate other types of research. Over the last 5 years, the Center’s work has shifted away from education and toward general research evaluation. The School of Education is not able to provide the same level of supervision, administrative support, and promotion that the center can enjoy with a more central administrative home. By dropping “Education” from
the center name, UM will be able to advertise it to a wider base of potential clients and job applicants. By moving the Center to report to Vice Chancellor for Research and Sponsored Programs, UM can increase its visibility within and beyond the institution, leading to more grants and contracts and a greater impact.

c. University of Mississippi (UM) requests permission to rename the Department of Theatre Arts the Department of Theatre and Film. The new department name will more closely align with the shift in emphasis within the department toward film production. Additionally, students interested in theatre performance will receive training through the newly revised emphasis titled “Acting for Stage and Screen.” Theatre students will be better prepared for a wider variety of jobs in the entertainment industry.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-c.

3. SYSTEM – APPROVAL OF ACADEMIC PROGRAM MODIFICATIONS

Board Policy 503: Program Modifications states: “As part of its broad constitutional authority to govern the universities, the Board shall exercise its authority to modify programs offered by the universities generally or at various units of the universities.”

In accordance with Board policy, approval is requested for the following academic program modifications:

RENAME

a. Mississippi State University (MSU) requests permission to rename Human Development and Family Studies to Human Development and Family Sciences. The change in the name of the degree from Human Development and Family Studies to Human Development and Family Science emphasizes the scientific character of the discipline, makes the name of the major consistent with a nationwide renaming trend in the discipline, and aligns the name of the graduate major with the new name of the undergraduate major.

b. Mississippi State University (MSU) requests permission to rename the Doctor of Philosophy (PhD) in College Postsecondary Student Counseling and Personnel Services to Doctor of Philosophy in Counselor Education. The PhD degree in Counselor Education is designed for experienced counseling practitioners wanting to become leaders and trainers of counselors. Candidates learn executive and supervisory skills, theory, ethical decision making and behavior, advanced training in research methodology, evidence-based methods for an increasingly diverse population, and hands-on internship and practicum experiences in applying their own skills. The proposed name change will not warrant curricular changes, additional costs, or additional personnel.
c. Mississippi University for Women (MUW) requests permission to rename the Master of Fine Arts (MFA) in Physical Theatre to Master of Fine Arts in Theatre Education. This will be a low-residency program geared towards current and aspiring drama teachers who want a graduate degree that fits with their teaching schedules. Although the MFA in Physical Theatre has been well enrolled, since the program was offered completely in Italy, the expenses for the program offset any financial benefit to the university. This low-residency will be cost effective and better serve Mississippi students. Courses during the school year will be online and will consist of theatre courses in practical production coupled with courses in dramatic literature and playwriting. Students will attend classes on the campus of MUW during the summer months. This will consist of courses better suited to face-to-face instruction, such as Costuming, Acting and Directing.

d. Mississippi University for Women (MUW) requests permission to rename the Bachelor of Science in Business Administration to the Bachelor of Business Administration. The name more accurately reflects the curriculum with its emphasis on a robust business administration core. The modified title also provides students the opportunity to pursue a degree with a title more recognizable by potential employers.

e. Mississippi Valley State University (MVSU) requests permission to rename Bachelor of Music Education to Bachelor of Arts in Music Education. There will be no curriculum changes to the new music degree offering. The goals and objectives of the student learning outcomes will not change, and the quality of program will be maintained under its accrediting agency, the National Association of Schools of Music (NASM). NASM has approved this change.

f. University of Mississippi (UM) requests permission to rename Master of Administration in Recreation Administration to Master of Science in Sport and Recreation Administration. The proposal to change the name of the current graduate degree reflects the mission, vision and direction of the graduate degree and will be congruent with the undergraduate program. The proposed change will provide contemporary graduate level education for students interested in a sport and recreation-related program, assure that the undergraduate and graduate programs are collinear in educational goals, and provide contemporary education that will matriculate marketable professionals.

g. University of Mississippi Medical Center (UMMC) requests permission to rename Medical Pharmacology to Experimental Therapeutics and Pharmacology. The School of Graduate Studies in the Health Sciences and the Department of Pharmacology and Toxicology offer a 4 to 5-year program of study leading to the Doctor of Philosophy degree. The department is well equipped for pharmacology training and research. Each faculty member has generous laboratory space and the specialized equipment necessary for their research. Additionally, there is an abundance of shared, state-of-the-art, departmental equipment and facilities. Application for pre-doctoral funding is promoted as an essential part of the students’ training and development. The Department of Pharmacology and Toxicology is strongly committed to graduate research and teaching. As the department is relatively small is that its size, this advantage promotes close scientific interactions between faculty members and students.
SUSPEND

h. **Jackson State University** requests permission to suspend the *Bachelor of Science in Biotechnology* due to low enrollment and failure to meet the standard for productivity.

i. **Jackson State University** requests permission to suspend the *Bachelor of Science in Education in Mathematics Education* due to low enrollment and failure to meet the standard for productivity.

j. **Jackson State University** requests permission to suspend the *Bachelor of Arts in Urban Studies* due to low enrollment and failure to meet the standard for productivity.

k. **Jackson State University** requests permission to suspend the *Bachelor of Arts in Political Science* due to insufficient graduation rates.

l. **Jackson State University** requests permission to suspend the *Master of Science in Teaching in Science and Mathematics* due to low enrollment and failure to meet the standard for productivity.

m. **Jackson State University** requests permission to suspend the *Master of Science in Environmental Sciences* due to low enrollment.

n. **Jackson State University** requests permission to suspend the *Master of Science in Secondary Education* due to low enrollment.

o. **Jackson State University** requests permission to suspend the *Education Specialist in Reading* due to low enrollment.

p. **Mississippi University for Women** requests permission to suspend the *Bachelor of Arts/Bachelor of Science in General Studies*. The program is being replaced by The Bachelor of Professional Studies program.

q. **Mississippi University for Women** requests permission to suspend the *Bachelor of Science in Accounting*. Students completing the Bachelor of Business Administration degree will have the option of a concentration in Accounting. The request to suspend is pending approval of renaming the BS in Business Administration to The Bachelor of Business Administration.

r. **Mississippi Valley State University** requests permission to suspend the *Master of Science in Special Education* to restructure the program in order eliminate unnecessary curricula redundancies.
DELETE

s. Mississippi State University (MSU) requests permission to delete the BBA Risk Management, Insurance and Financial Planning. The program was modified to form concentrations in Risk Management and Insurance under the BBA Finance major. All students enrolled in the Risk Management, Insurance and Financial Planning major have either graduated, switched to the new concentration, or to another major.

t. Mississippi University Women for Women (MUW) requests permission to delete the Bachelor of Arts in Biology. MUW will continue to offer the Bachelor of Science in Biology.

u. University of Mississippi Medical Center (UMMC) requests permission to delete the Master of Science (MS) and Doctor of Philosophy (PhD) programs in Clinical Health Sciences (CHS). UMMC requested suspension of the programs in 2013. The last cohort successfully completed the degree program at the end of the fall semester, 2017.

v. University of Southern Mississippi (USM) requests permission to delete the Master of Arts in Speech and Hearing Sciences. USM will continue to offer the Master of Science in Speech and Hearing Sciences.

w. University of Southern Mississippi (USM) requests permission to delete the Master of Science in Political Science. USM will continue to offer the Master of Arts in Political Science.

STAFF RECOMMENDATION: Board staff recommends approval of Items a - w.

4. SYSTEM – APPROVAL OF DEGREES TO BE CONFERRRED IN SPRING 2018

Board Policy 510: Awarding of Degrees states that “Degrees granted by institutions under the governance of the Board are awarded by and with the consent of the Board and are countersigned by the President of the Board. Recommendations for the awarding of degrees to students by the various institutions must be made no later than the Board meeting prior to the commencement at which such awards will be made.”

In accordance with Board policy, the institutions below requests permission to award degrees at the following levels in Spring 2018, provided each candidate has met all requirements for the degree.
## BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
### CONSENT AGENDA
### ACADEMIC AFFAIRS
### April 19, 2018

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**Mississippi State University**

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Mississippi Valley State University

**Undergraduate**
- Bachelor of Arts: 51
- Bachelor of Arts in Mass Communication: 14
- Bachelor of Music: 2
- Bachelor of Secondary Education: 6
- Bachelor of Science: 201
- Bachelor of Social Work: 24

**Graduate**
- Master of Science: 35
- Master of Arts: 7
- Master of Arts in Teaching: 6
- Master of Social Work: 32
- Master of Business Administration: 21

**Total**: 101

University of Mississippi

**College of Liberal Arts**
- Bachelor of Arts: 543
- Bachelor of Science: 72
- Bachelor of Fine Arts: 8
- Bachelor of Music: 11

**School of Engineering**
- Bachelor of Science in Chemical Engineering: 26
- Bachelor of Science in Civil Engineering: 28
- Bachelor of Science in Computer Science: 22
- Bachelor of Science in Electrical Engineering: 21
- Bachelor of Science in Mechanical Engineering: 57
- Bachelor of Science in Geological Engineering: 30
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*The System total for Spring 2018 represents an increase of 641 graduates from Spring 2017. Spring 2017=10,685

STAFF RECOMMENDATION: Board staff recommends approval of this item.
1. **IHL EXECUTIVE OFFICE – REQUEST FOR APPROVAL TO ENTER INTO A REGIONAL CONTRACT PROGRAM AGREEMENT WITH SOUTHERN REGIONAL EDUCATION BOARD**

**Agenda Item Request:** The IHL Executive Office requests approval to enter into the Regional Contract Program (RCP) with Southern Regional Education Board (SREB) to reserve seats at out-of-state schools of Optometry. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, IHL Executive Office also requests approval to pay services in advance.

**Contractor’s Legal Name: Southern Regional Education Board (SREB)**

**History of Contract:** The Regional Contract Program (RCP) contracts between SREB and states have been in place for many years, and Mississippi has participated for at least 50 years. Funding for the SREB RCP is specified in the Student Financial Aid (SFA) appropriation bill each year.

**Specific Type of Contract:** New service agreement

**Purpose:** The purpose of the SREB RCP is to reserve seats at out-of-state schools of Optometry to ensure opportunities for Mississippi students without the necessity of creating a new program in Mississippi. We currently reserve seven (7) seats for Mississippi students at Southern College of Optometry and two (2) seats at the University of Alabama, Birmingham.

**Scope of Work:** SREB will contract with the accredited institutions, Southern College of Optometry and University of Alabama at Birmingham, to reserve slots for student applicants certified as bona fide residents from Mississippi in Optometry for Academic Year 2018-19 and the contract will renew automatically for five additional one-year terms. Adjustments to the basic contract will be made annually during the five-year period through an amendment.

IHL will pay a contracted rate for each seat that is filled by a Mississippi student, which represents a negotiated reduced tuition rate. The student must apply through SFA and meet state residency requirements, and the student must also be fully admitted by the school before being offered a seat. This is a forgivable student loan and the student will sign a Master Contract with the state before any money is disbursed on behalf of the student.

**Term of Contract:** This agreement shall be effective from July 1, 2018 through June 30, 2019 and shall renew automatically each year for five additional one (1) year terms, unless either party gives the other at least nine months’ prior written notice of its intention to terminate the agreement at the end of the then-current term.

**Termination Options:** The agreement may be terminated as follows:

- If either party gives the other at least nine months’ prior written notice of its intention to terminate the agreement at the end of the then-current term;
IHL may terminate with written notice if legislature does not appropriate sufficient funds to comply with the terms of the agreement for any given term;

Either party may terminate this agreement at any time in the event of a material breach of the terms by the other party that is not cured within thirty (30) days of receipt of written notice of the breach.

**Contract Amount:** The approved contract fees for AY2018-19 and AY2019-20 are $19,200 per slot for Optometry, which is an estimated total of $691,200 per academic year.

**Funding Source of Contract:** General Funds

**Contractor Selection Process:** N/A

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

2. **MSU- REQUEST FOR APPROVAL TO ENTER INTO AN EMERGENCY NOTIFICATION SYSTEM AGREEMENT WITH EVERBRIDGE, INC.**

**Agenda Item Request:** Mississippi State University is requesting approval to enter into a new contract with Everbridge, Inc. to provide emergency notification software (ENS), services, and maintenance. This new software system is needed, as our current emergency notification system, MIR3/Onsolve, does not provide the necessary features and requirements for informing the university community of dangers. We are also requesting approval to prepay invoices on this contract as needed.

**Contractor’s Legal Name:** Everbridge, Inc.

**History of Contract:** The Board approved a contract with MIR3 in 2008 for emergency notification services. MIR3 was acquired by Onsolve in 2017. No amendments or changes have occurred since that time.

**Specific Type of Contract:** This is a new contract for IT software and services.

**Purpose:** The purpose of this contract is to purchase software to be used to send mass emergency notifications to the university community and to allow university administrators to communicate important information during a crisis.
Scope of Work: The agreement is to allow Mississippi State University to purchase and use Everbridge software to send emergency notifications to the entire university or to special groups through multiple methods. Everbridge, Inc. agrees to provide a reliable and fast method of sending these messages and tracking delivery success rates. MSU plans to tightly integrate the system with its Ellucian Banner system.

Term of Contract: The contract will run for five years with an option to renew for an additional five-year term.

Termination Options: The continuance of the Contract with MSU is based upon the availability of funds. Therefore, this contract can be cancelled by MSU with thirty (30) days’ notice to the Contractor at the end of the fiscal period in the event funds are not appropriated by the funding authority.

In the event either party materially breaches the contract, the non-breaching party may terminate the contract upon thirty (30) days written notice to the breaching party.

MSU may terminate the Contract for Contractor’s failure to comply with the Mississippi Employment Protection Act.

The Contract may be terminated by either party upon the occasion of a Force Majeure event.

Contract Amount: We are asking for the board to approve expenditures up to $955,000.00 to match the amount approved by MDITS (see attached CP-1s 20170467 and 20180356).

Funding Source for Contract: MSU general funds

Contractor Selection Process: We received four proposals in response to the RFP. Upon initial evaluation by the committee members, two of the four were rejected for not having met the minimum mandatory requirements of the RFP. The remaining two proposals from Everbridge and Rave Mobile Safety were fully evaluated on technical merit by each individual committee member and scored on an evaluation spreadsheet. The committee met to discuss the results and all agreed that a demo of both systems was warranted. After the demo the technical portion of the RFP was rescored. Everbridge received the higher technical score. The cost proposals were then opened and added to the evaluation sheet. Rave Mobile Safety had the lower cost, however, while Everbridge will cost about $100,000 more over the total ten-year possible term, it was determined that given their higher total score (Everbridge = 95.49, Rave = 87.33) that Everbridge is the best choice for the university.

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time.
permission is sought from the Board under Board Policy 707.01. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

3. **MSU – REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH FRONTIER STRATEGIES, LLC**

**Agenda Item Request:** Mississippi State University on behalf of its Office of Nutrition Education (ONE) requests approval for an amendment to the contract between Mississippi State University and Frontier Strategies, LLC, for the purposes of making an increase cost change to the contract production and placement budgets.

**Contractor’s Legal Name:** Frontier Strategies, LLC

**History of Contract:** The Board approved the original contract in March 2017 for $1,750,000, which included a $350,000 Production Plan for the advertising and marketing campaign and $1,400,000 for the Media Placement Plan to deliver advertising and communications to the SNAP-Ed target audience in Mississippi. Amendment number 1, approved by the Board in August 2017, extended the contract an additional year through September 31, 2018. Amendment number 2, approved by the Board in October 2017 reduced the Placement Plan by $300,000 and increased the Production Plan by $300,000.

**Specific Type of Contract:** This is amendment number 3 to a professional services agreement.

**Purpose:** The purpose of amendment number 3 is to (1) add $953,000 to the Production Plan for production of one additional TV and radio advertisement focusing on physical activity, production of 20 additional how-to/instructional web videos and additional signage/printed materials for 31 educators across the state of Mississippi; (2) add $487,500 to the Media Placement for TV, radio and online advertising placement and (3) extend the contract for an additional year to September 30, 2019, at which time, this agreement shall automatically expire. Upon mutual agreement of both parties, in writing, it may be renewed under mutually agreeable terms for a period of one (1) year.

**Scope of Work:** The original agreement provided for the design, production and implementation of an advertising and communications plan with key messages promoting healthy eating, shopping and cooking choices targeting SNAP-Ed recipients in the State of Mississippi to increase awareness and encourage healthy lifestyles. In the initial contract, from April through September 2017, the majority of the funds ($1,400,000) were allocated to television, radio and online media advertising placement. When final funding approval was received by MSU in July 2017, only three months remained for completion of the social media campaign. Frontier Strategies completed the production tasks for the campaign; however, Frontier was unable to place the radio or television advertisements due to time constraints. Frontier Strategies developed printable items such as fact sheets, posters, sneeze...
guard labels for the Smarter Lunchrooms Movement to promote the healthy eating and active living message to a larger audience in the target market of SNAP-Ed recipients.

Addendum #2 was a no cost technical change in the contract between production and placement. The production plan was increased from $350,000 to $650,000 and the placement budget was reduced to $1,100,000.

Addendum #3 proposes to increase the Production Services plan by $953,000. This increase in the Production Plan will fund production of (1) an additional television and radio advertisement focusing on physical activity, (2) 20 additional how-to/instructional web videos focused on key campaign messages and (3) additional signage and printed materials to reinforce the media messages. The Placement Plan increase of $487,500 will provide funds for the TV and radio advertising placement and an additional two and a half months of online media advertising.

Term of Contract: Original contract start date: 07/6/2017 and end date: 09/30/2017. Amendment number 1 start date: 10/01/2017 and end date: 09/30/2018. Amendment number 3 start date: 10/01/2018 and end date: 9/30/2019. The agreement may be renewed for a period of one (1) year upon agreement of both parties in writing, not to exceed a total agreement life of five (5) years.

Termination Options: The continuance of the Contract with MSU is based upon the availability of funds. Therefore, the contract can be cancelled by MSU with thirty (30) days’ notice to the Contractor at the end of the fiscal period in the event funds are not appropriated by the funding authority. In the event either party materially breaches the contract, the non-breaching party may terminate upon thirty (30) days written notice to the breaching party. MSU may terminate the Contract for Contractor’s failure to comply with the Mississippi Employment Protection Act. The Contract may be terminated by either party upon the occasion of a Force Majeure event.

Contract Amount: The total contract amount is currently $1,750,000. The proposed increase with amendment number 3 is $1,440,500. Payments will be issued on a weekly basis upon receipt of invoices from Frontier Strategies, based upon actual services rendered. Total for the Production Plan is: $1,603,000. The total for the Media Placement Plan is: $1,587,500. The total for the contract is $3,190,500.

Funding Source for Contract: The contract and addenda are funded by a subgrant between the Mississippi Department of Human Services (MDHS) and Mississippi State University and the Office of Nutrition Education. The funding source for the subgrant is the United States Department of Agriculture (USDA). The funding for this agreement was approved by USDA on September 29, 2017 and the subgrant between Mississippi State University and MDHS was signed on October 4, 2017. This funding is approved and awarded on a year-to-year basis from October 1 through September 30; therefore, MSU is unable to enter into a long-term contract.
Contractor Selection Process: Frontier Strategies, LLC, conducted the formative research to explore Mississippi’s SNAP-Ed communication strategies and assess communication effectiveness. Utilizing the results of this research, Frontier Strategies planned, developed, produced and is implementing the advertising, public relations, media advocacy, marketing and materials to target SNAP-Ed audiences in Mississippi.

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

4. MVSU – PERMISSION TO ENTER ELEVATOR SERVICES AGREEMENT WITH THYSSENKRUPP CORPORATION

Agenda Item Request: Mississippi Valley State University (MVSU) requests board approval of an agreement with ThyssenKrupp Elevator Corporation for elevator maintenance services. Pursuant to IHL Policy 707.03 approval of prepayment of goods and services, MVSU also requests a waiver to allow annual prepayment for each year of service.

Contractor’s Legal Name: ThyssenKrupp Elevator Corporation

History of Contract: This is a new agreement. ThyssenKrupp has provided elevator services to MVSU campus in the past, but the cost was less than $250,000, and therefore did not require IHL Board approval.

Specific Type of Contract: This is a master maintenance agreement.

Purpose: The purpose of the agreement is for the servicing of all elevators inside buildings and the stadium on the MVSU campus.

Scope of Work: ThyssenKrupp Elevator Corporation shall provide trained personnel that will inspect, lubricate, and adjust the following parts as needed: Controller parts, selectors and dispatching equipment, relays, solid-state components, transducers, resistors, condensers, power amplifiers, transformers, contacts, leads, dashpots, timing devices, computer and microcomputer devices, steel selector tapes, mechanical and electrical driving equipment, signal lamps, and position indicating equipment.

Term of Contract: The term of the agreement is five (5) years, May 1, 2018 through April 30, 2023.

Termination Options: The agreement may be terminated for the following:

- If MVSU fails to pay ThyssenKrupp within sixty (60) days of billing date,
• Upon written notice, if ThyssenKrupp determines within the first ninety (90) days of this agreement that repairs or replacements are needed on existing equipment and MVSU fails to agree to these repairs or replacements,

• Upon written notice, if ThyssenKrupp determines unsafe or hazardous conditions exist,

• In the event ThyssenKrupp fails to comply with E-verify.

Contract Amount: The total estimated annual cost of the agreement, with a 3% discount for the annual price, is $55,477.18 resulting in a total estimated cost of $277,385.90. Charges for the services will be billed yearly prior to the performance of the work.

Funding Source for Contract: The agreement will be funded by E&G funds.

Contractor Selection Process: ThyssenKrupp Elevator Corporation was chosen through the process of the Mississippi State Department of Finance and Administration competitive sealed bidding procedures. MVSU received two (2) bids. ThyssenKrupp Elevator bided an annual charge of $57,192.96 with an option to prepay annually and receive a 3% discount. A second lower bid was received with an annual charge of $56,172.00, however, it is being rejected due to the company’s non-response and/or timely response to emails, phone calls and submittal of a complete contract package.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s.

5. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A LETTER AGREEMENT WITH CISCO SYSTEMS, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Letter Agreement with Cisco Systems, Inc. (Cisco) for the purchase of hardware and associated software to form a unified communications system at UMMC. The unified system will integrate voice, video, voicemail, and chat functionalities into one (1) consolidated platform.
Contractor’s Legal Name: Cisco Systems, Inc. (Cisco)

History of Contract: This is a new Letter Agreement with Cisco. The hardware and software covered under this agreement will allow UMMC to replace the current Avaya phone system which has reached end of life. UMMC made a concerted effort to evaluate a replacement solution focusing on system stability and resiliency to outage events, ensuring that new technology will enable UMMC to provide for both the contact center of today as well as the future, and that the system has a proven record of supporting organizations of the same size and complexity as UMMC.

In addition to this request, UMMC has submitted for consideration a Statement of Work with MoreDirect, Inc. d/b/a/ Connection (Connection) for Carousel Industries of North America, Inc. (Carousel) to provide the implementation services related to the unified communications system. Finally, UMMC also has submitted for Board consideration a supplement to the new Master Purchase Agreement between Carousel and ITS to enter into one (1) year of maintenance for UMMC’s current Avaya phone system, which will be utilized until the unified communications system has been implemented at UMMC.

Specific Type of Contract: This is a new Letter Agreement

Purpose: The purpose of this Letter Agreement is to allow UMMC to purchase hardware and associated software used to form a unified communications system. The unified system will consolidate voice, video, voicemail, and chat functionalities into one (1) solution.

Scope of Work: Cisco will provide the hardware and a non-exclusive, non-transferable license to use the object code versions of the software for UMMC’s internal operations.

UMMC will not and will not allow a third party to:
- Transfer, sublicense, or assign its rights under the license to any other person or entity, unless expressly authorized by Cisco in writing;
- Modify, adapt or create derivative works of the software or documentation;
- Reverse engineer, decompile, decrypt, disassemble or otherwise attempt to derive the source code for the software;
- Make the functionality of the software available to third parties, whether as an application service provider, or on rental, service bureau, cloud service, hosted service, or other similar basis unless expressly authorized by Cisco in writing;
- Use software that is licensed for a specific device, whether physical or virtual, on another device, unless expressly authorized by Cisco in writing; or
- Remove, modify, or conceal any product identification, copyright, proprietary, intellectual property notices or other marks on or within the software.

Term of Contract: The term of this agreement is three (3) years, beginning upon execution of the Letter Agreement, which is estimated to be on or about April 1, 2018.
Termination Options: The Agreement may be terminated as follows:
- By UMMC at any time by ceasing use of or destroying all copies of the software;
- Immediately if UMMC breaches the terms of the EULA or if UMMC fails to pay any portion of the applicable license fees, and UMMC fails to cure the payment breach within thirty (30) days or notice; and
- Following a permitted transfer, UMMC’s license to the software will be automatically terminated.

Contract Amount: The estimated cost of the agreement is $2,980,234.52 for the hardware and associated software.

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Funding Source of Contract: This agreement will be funded by general funds.

Contractor Selection Process: For a unified communications system, UMMC evaluated three (3) vendors: Avaya, Microsoft, and Cisco. During evaluation, it was discovered that Avaya had entered into Chapter 11 bankruptcy. UMMC’s Information Technology Steering Committee decided that this created an unknown and suboptimal solution for the consolidated platform UMMC needs. The Microsoft solution contained too many components that must be purchased and supported by separate vendors. Therefore, Cisco’s system was deemed to provide the best fit for UMMC’s needs both technically and for ongoing supportability. Cisco provided pricing for this agreement through its reseller MoreDirect, Inc. d/b/a Connection, who is an approved vendor contracted with Vizient, one of UMMC’s group purchasing organizations (GPO).

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

6. UMMC—REQUEST FOR APPROVAL TO AMEND DRUG DATABASES LICENSE WITH CLINICAL DRUG INFORMATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into the Fourth Amendment with Clinical Drug Information, LLC (CDI) (successor-in-interest to Wolters Kluwer Health, Inc.) to the Standard License Agreement for the Medi-Span drug databases. The Fourth Amendment will extend the current license term for one (1) year, add the Drug Therapy Monitoring System V2.2 to the licensed product list,
and add the Mississippi Department of Health (MSDH) as an affiliated location to enable MSDH access to the licensed content. The addition of the affiliated location for MSDH is part of the Epic Community Connect (ECC) project.

**Contractor’s Legal Name:** Clinical Drug Information, LLC

**History of Contract:** On August 19, 2010, the Board approved UMMC’s purchase of the Epic Enterprise System. As part of that initial Epic contract, there was a trial agreement with Wolters Kluwer for the Medi-Span licenses. UMMC entered into the initial trial licenses agreement in October of 2010 for a trial period of up to twenty four (24) months. Also, in October 2010, UMMC decided to convert to the Standard License agreement, executing same, but the effective date of the agreement was not until after the trial period and UMMC’s first live use of the products which was June 1, 2012. UMMC did not incur costs for the products until June 1, 2012. The initial term of the Standard License Agreement was three (3) years. In February 2014, UMMC and Wolters Kluwer executed the First Amendment to the Standard License Agreement to add additional database access. The total cost of the initial term, including the First Amendment, was $310,370. At the time, UMMC’s DIS department was under the assumption that the contract with Wolters Kluwer did not require further Board approval as it fell under the overall Epic budget. However, upon further review by UMMC Contracts Administration, it was determined that, even though it was purchased as part of the Epic package in 2010, since the Medi-Span software was provided by Wolters Kluwer under a separate license agreement from that which UMMC has with Epic, it required Board approval.

On October 20, 2016, the Board approved the Second Amendment to the Standard License Agreement to extend the term of the license through May 31, 2017, and to increase the volume of licenses. The cost of the Second Amendment was $98,342, which brought the total cost of the amended agreement to $408,712.

On May 18, 2017, the Board approved the Third Amendment to the Standard License Agreement that extended the term of the license through May 31, 2018 and increased the license volume for ambulatory visits to account for licenses to provide content access to ECC clients. The cost of the Third Amendment was $102,292.00, which brought the total cost of the amended agreement to $511,004.00.

**Specific Type of Contract:** This is the Fourth Amendment to the Standard License Agreement.

**Purpose:** The purpose of the Fourth Amendment is to extend the term of the current license, add the Drug Therapy Monitoring System V2.2 to the licensed product list, and add MSDH as an affiliated location to enable MSDH access to the licensed content. The addition of the affiliated location for MSDH is part of the ECC project.

**Scope of Work:** Under the amended agreement, CDI will continue to provide access to the Medi-span Knowledge databases used within the Epic Enterprise clinical application
for both UMMC and UMMC’s ECC clients. The Knowledge databases include the following:

Core Package of Knowledge databases:
- Medi-Span Electronic Drug File
- Database-Clinical Files
- Dose-Chek
- Drug Therapy Monitoring System (DTMS)
- Duplicate Therapy Database
- Adverse Drug Effects Database
- Drug Indications Database
- Medical Conditions Master Database
- Master Parameters Database
- Drug Lab Conflict Database
- Drug Dosing & Administration Database
- Precautions Database
- Drug Allergy Cross-Reference File
- Drug Therapy Monitoring System V2.2

Optional Add ons:
- IV Chek
- AHFS Classification Supplemental File
- RX Norm Cross Reference File
- Drug Allergy Cross-Reference File
- ICD-10-CM/PCS Disease Code Mapping File
- Controlled Substances File

Term of Contract: The term of the Fourth Amendment is one (1) year, beginning June 1, 2018 and ending May 31, 2019. The total term of the amended agreement is seven (7) years, from June 1, 2012, through May 31, 2019.

Termination Options: The amended agreement may be terminated as follows:
- Either party may give written notice of non-renewal in its sole and absolute discretion, without cause and without stating any reason therefor, provided that such notice is given at least thirty (30) days prior to the end of the term then in effect; and
- Either party may terminate this license on thirty (30) days written notice, if the other party has materially breached any provision of this agreement, and such breach has not been cured within such thirty (30) day period.

Contract Amount: The estimated cost of the Fourth Amendment is $105,872.00, as described below. The total estimated cost of the amended agreement is $617,162.00.
**Funding Source for Contract:** This agreement will be funded through hospital patient revenue for licenses utilized by UMMC, but for licenses for Epic Community Connect clients, the cost will be reimbursed to UMMC by the client.

**Contractor Selection Process:** UMMC is currently contracted with Clinical Drug Information, LLC.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

7. **UMMC-REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH COMPASS CLINICAL CONSULTING CO.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Compass Clinical Consulting Co. for an Interim Director of Perioperative Services while UMMC’s permanent Director is on deployment with the United States Army.

**Contractor’s Legal Name:** Compass Clinical Consulting Co. (Compass)

**History of Contract:** This will be a new agreement although in November 2017, UMMC contracted with Compass on a short-term trial basis for the provision of an interim Perioperative Director.

**Specific Type of Contract:** Services Agreement.

**Purpose:** The purpose of this agreement is to provide UMMC with an Interim Director of Perioperative Services, while UMMC’s permanent Director is on deployment with the United States Army.

**Scope of Work:** Under the agreement, Compass will:
• direct, coordinate, implement, and evaluate operational and patient care services in perioperative areas,
• provide interim leadership to perioperative management and staff,
• mentor existing perioperative management and supervisory staff,
• collaborate with medical staff and other leadership in planning and facilitating efficient patient care services and patient management,
• confer with hospital administration and other leaders concerning policy recommendations, patient care, and operational issues, and
• identify and assist in resolution of problems between staff, physicians, and other departments.

Term of Contract: The term of the agreement is approximately eight (8) months – April 30, 2018 through December 21, 2018.

Termination Options: The agreement may be terminated for the following:

• by agreement of the parties,
• in the event Compass fails to comply with the federal E-Verify Program,
• upon thirty (30) days’ written notice by UMMC with or without cause,
• if Compass refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract, and fails to cure the breach within ten (10) days of receiving written notice from UMMC,
• immediately upon Compass’s breach of any of the following ongoing representations and warranties that Compass, its officers, directors and employees:
  o are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs,
  o have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
  o are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list,
  o are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Compass being excluded from participation in the Federal Healthcare Programs or any state healthcare programs, and
  o if Compass is to receive any patients' personal health information, Compass represents and warrants that it has implemented safeguards to ensure that
the privacy and confidentiality of patients' personal health information is protected.

- in the event of a reduction in or no funds available, and
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

**Contract Amount:** The total estimated cost over the eight (8) month term is $298,500.00. The rate for the interim Perioperative Director is $1,500 per day, five (5) days per week, excluding UMMC holidays. In addition, travel and housing expenses will be billed at a flat rate of $1,500 per week during periods of performance.

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** UMMC contacted multiple companies that have experience in staffing of Perioperative Service departments. Compass was the only vendor able to provide a qualified candidate for immediate placement at UMMC. Pricing was verified to be within market range.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

8. **UMMC—REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT FOR SPACE AGREEMENT WITH JACKSON MEDICAL MALL FOUNDATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Lease Agreement with the Jackson Medical Mall Foundation (JMMF). The purpose of the agreement is to lease approximately 2,930 square feet of space located at the Jackson Medical Mall, 350 West Woodrow Wilson Avenue, Jackson, Mississippi, for the *All of Us* Research Program, a national research study by the National Institutes of Health. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods or Services*, UMMC also requests a waiver to allow prepayment of rent on the first day of each month.

**Contractor’s Legal Name:** Jackson Medical Mall Foundation (JMMF)

**History of Contract:** This is a new lease of space for a clinical research study. UMMC currently leases space from the Jackson Medical Mall Foundation under a Master Lease approved by the Board on October 20, 2016. UMMC determined it would be more beneficial to enter into a separate lease agreement for the clinical research space as opposed to amending the Master Lease. UMMC has applied to participate in the NIH’s *All of Us* Research Program as part of the Southern *All of Us* Network, in partnership with the
University of Alabama-Birmingham, University of Alabama, University of South Alabama, Louisiana State University Health Sciences Center, Tulane University School of Medicine and Tuskegee University.

Specific Type of Contract: This is a new Lease Agreement.

Purpose: The purpose of the Lease Agreement is to lease approximately 2,930 square feet of clinical research space in the Jackson Medical Mall. This lease will allow UMMC to participate in research for the All of Us Research Program, an effort funded by the NIH, to gather data from more than 1 million people living in the United States, with the ultimate goal of accelerating research and improving health. Researchers will use data from the program for studies on a variety of health conditions, to learn more about the impact of individual differences in lifestyle, environment and biological makeup (also known as precision medicine). All of Us participants will play an integral role in how researchers and health care providers will approach improving health and treating disease in the future.

Scope of Work: Under the lease, JMMF will:

- Pay all taxes, which may be levied or assessed on or to the premises;
- Keep the premises in good condition and repair, including routine maintenance of all electrical, gas, water, sewer, lighting systems, and all of the building interior and exterior, parking lot, and other improvements necessary for operation;
- Furnish electricity, water, air conditioning, heating, custodial, and maintenance;
- Provide on-site parking for all UMMC employees and guests; and
- Provide 24-hour security in the complex.

UMMC agrees to:

- Keep the premises open for business during the hours of the business day generally observed by the merchants in the vicinity of the premises;
- Not conduct any auction, distress, liquidation, or emergency sale on the premises without prior written consent of JMMF;
- Not commit or permit to be committed any waste whatsoever on the premises;
- Not create or allow any nuisance to exist on the premises, and abate any nuisance that may arise promptly and free of expense to JMMF; and
- Not use, permit or suffer the use of the premises or any part thereof for any purpose other than clinical research services.

Term of Contract: The term of the Lease Agreement is five (5) years. The commencement date of the Lease Agreement will be at the time the NIH funding has been approved. UMMC and JMMF will memorialize the commencement date once determined, and UMMC will update the Board Staff accordingly.

Termination Options: Termination options include the following:

- Upon thirty (30) days’ notice in the event office space becomes available to UMMC
in any State-owned building;

- Upon thirty (30) days’ notice in the event of a reduction or no funds available from federal or state resources;
- Upon ten (10) days’ notice in the event the premises is damaged or destroyed by fire or other cause beyond the control of, and not due to the negligence or willful misconduct of, Lessee to an extent in excess of fifty percent (50%) of the premises;
- In the event of default;
- In the event JMMF fails to comply with the federal E-Verify Program; and
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC.

**Contract Amount:** The total cost over the five (5) year term of the Lease Agreement is estimated to be $250,666.83. Prior to July 1, 2018, the initial rent is $16.17 per square foot. Each July 1, the rent is subject to an increase equal to the lesser of two percent (2%) or the percentage change in the U.S. Consumer Price Index (“CPI”). For the total estimated cost herein, UMMC has included the maximum two percent (2%) annual increase above the initial rent.

**Funding Source for Contract:** The agreement will be funded by grant funds.

**Contractor Selection Process:** This location at the Jackson Medical Mall meets the clinical research needs in terms of location for the patient population that will be served. The lease rate is at fair market value for the area.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

9. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A LABORATORY SERVICES AGREEMENT WITH LABORATORY CORPORATION OF AMERICA HOLDINGS**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Laboratory Services Agreement with Laboratory Corporation of America Holdings (LabCorp) for the provision of outside reference laboratory services at discounted pricing. Under the Agreement, LabCorp performs histocompatibility testing for UMMC’s Bone Marrow Transplant program and provides storage of samples.

**Contractor’s Legal Name:** Laboratory Corporation of America Holdings (LabCorp)
History of Contract: This will be the first agreement between UMMC and LabCorp. UMMC has used LabCorp since approximately 2002 without an agreement in place. LabCorp has agreed to reduce its pricing in exchange for UMMC signing this agreement.

Specific Type of Contract: This is a new Laboratory Services Agreement.

Purpose: The purpose of this Agreement is for LabCorp to provide outside reference laboratory services for UMMC at discounted pricing. Under the Agreement, LabCorp performs histocompatibility testing for UMMC’s Bone Marrow Transplant program and provides storage of samples. Histocompatibility testing tests stem cells from transplant donor and transplant recipient to ensure they are a match. LabCorp’s retainage and storage of samples enables prior engraftment analysis in the event a patient relapses and allows for more precise treatment.

Scope of Work: Under the Agreement, LabCorp will:
- Perform human leukocyte antigen (HLA) testing, killer cell immunoglobulin-like receptors (KIR) Genotyping, Engraftment Monitoring, HLA Antibody analysis, autologous allogeneic (Auto/Allo) crossmatch, red blood cell (RBC) Antigen Typing and Isohemagglutinin Titer;
- Retain residual samples only for clinical or research purposes;
- Provide shipping and all supplies necessary for the collection, preparation and preservation of all specimens at no additional charge;
- Consult with UMMC by phone as needed to discuss procedures and to explain test results;
- Provide test results upon completion of testing.

Under the Agreement, UMMC will collect the specimen to be tested and submit the specimen to LabCorp.

Term of Contract: The contract is for five (5) years, beginning May 1, 2018, and ending April 30, 2023.

Termination Options: The agreement may be terminated as follows:
- by either party at any time upon thirty (30) days’ prior written notice to other party;
- in whole or in part at any time, for cause, if the breach is not cured within five (5) days of receiving notice of the breach; and
- in the event LabCorp fails to comply with the federal E-Verify program.

Contract Amount: The total estimated cost of the agreement over five (5) years is $1,253,328.82, based upon UMMC’s historical testing needs. UMMC has calculated an annual increase of five percent (5%) for potential patient and testing volume growth.

Funding Source of Contract: The Agreement will be funded by hospital patient revenue.
Contractor Selection Process: LabCorp is one of only two approved human leukocyte antigen (HLA) labs for National Marrow Donor Program/Be the Match related donor services in the country, and confirmatory typing results are electronically submitted to the National Marrow Donor Program/Be the Match reducing the rate of data entry error. LabCorp has 1,700 patient service centers located around the nation, more than any other lab, allowing for donor collections anywhere in the country that LabCorp then will ship to UMMC at no additional cost. Finally, LabCorp is the only HLA lab that provides storage of historical samples dating back twenty-five (25) years.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

10. UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH MEDTRONIC USA, INC (O-ARM® SYSTEM)

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Medtronic USA, Inc. for the purchase of one (1) O-Arm® System, including equipment and software.

Contractor’s Legal Name: Medtronic USA, Inc. (Medtronic)

History of Contract: This is a new agreement.

Specific Type of Contract: Sales and Support Agreement.

Purpose: The purpose of the Agreement is to purchase one (1) O-Arm® System, including equipment and software. The O-Arm system is a 2D and 3D mobile imaging system that provides multidimensional intraoperative imaging and improves the surgeon’s precision during complex neurosurgical and otolaryngologic procedures.

Scope of Work: Under the Agreement, Medtronic will provide:

- delivery, installation, and complete on-site product testing and run through;
- Training of all operating room staff, including surgeons and radiologic technicians;
- up to six (6) surgical support visits during the warranty period,
- ongoing technical and software support on the O-Arm and related software, including system upgrades and parts for repair of equipment,
one (1) planned maintenance visit including a performance evaluation of the system, system inspection, cleaning, adjustments and other non-emergency maintenance,
• virtual support capability for two (2) subscribed users,
• online courses for two (2) subscribed users, and
• continual telephone support.

UMMC will:

• prepare the site in accordance with Medtronic’s specifications,
• have a designated contact person to support resolution of virtual support matters and e-learning matters,
• provide sufficient bandwidth for virtual support video calls,
• ensure all planned maintenance requirements are fulfilled,
• ensure system location is maintained properly,
• ensure the O-Arm is used in accordance with relevant specifications by personnel who are properly trained,
• notify Medtronic prior to relocation of the O-Arm,
• notify Medtronic in the event of any malfunction that results in the O-Arm not functioning according to specifications,
• designate customer personnel who are trained by Medtronic to perform diagnostic activities recommended by Medtronic,
• provide access to the product when on-site service is required, and
• not tamper with or modify the O-Arm without prior written consent of Medtronic.

Term of Contract: The term of the agreement is for one (1) year from the date of delivery of the system, approximately April 27, 2018 through April 26, 2019.

Termination Options: The agreement may be terminated for the following:

• by Medtronic if UMMC relocates the O-Arm that causes the O-Arm to be lifted, dropped, tilted or jarred, or that is outside UMMC’s facility will void the Agreement if undertaken without prior notice to Medtronic,
• by UMMC for any or no reason with thirty (30) days’ prior written notice,
• by either party immediately if the other party becomes bankrupt or neglects or fails to perform or observe any of its obligations under the Agreement, and does not cure such neglect or failure within thirty (30) days after receipt of written notice,
• by Medtronic if UMMC misuses the licensed material or uses the licensed material in violation of the Agreement,
• if UMMC tampers with, alters, services, or modifies the Product (including the loading of additional software) without prior written consent from Medtronic, and
• in the event Medtronic fails to comply with the federal E-Verify program.
Contract Amount: The total contract cost is $582,324.50, for one (1) O-Arm® System, including equipment, software, installation, training, and support.

Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: The O-Arm system qualifies as a clinical commodity under Miss Code Ann §31-7-1, which is exempted from procurement requirements under §31-7-13.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

11. UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH MEDTRONIC USA, INC. (NEUROMODULATION IMPLANT PRODUCTS)

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Medtronic USA, Inc. for the purchase of neuromodulation implant products that are used in association with the Medtronic O-Arm® System.

Contractor’s Legal Name: Medtronic USA, Inc. (Medtronic)

History of Contract: This is a new agreement.

Specific Type of Contract: Purchase Agreement.

Purpose: The purpose of the Agreement is to purchase neuromodulation implant products required to perform deep brain stimulation (DBS) procedures in association with the Medtronic O-Arm System. DBS procedures are used to treat various disorders, such as essential tremor, Parkinson’s disease and dystonia, and more recently, obsessive-compulsive disorder.

Scope of Work: Under the Agreement, Medtronic will provide UMMC with neuromodulation implant products at discounted pricing.

Term of Contract: The term of the agreement is for five (5) years, May 1, 2018 through April 30, 2023.

Termination Options: The agreement may be terminated for the following:
by either party for any reason upon ninety (90) days’ notice,
• immediately by UMMC in the event Medtronic becomes excluded, debarred or suspended from, or is ineligible to participate in any state or federal governmental program, and
• in the event Medtronic fails to comply with the federal E-Verify program.

Contract Amount: The total estimated contract cost is $4,618,578.24. UMMC has calculated a ten percent (10%) increase into the annual cost in anticipation of an increase in patient volume.

Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: The products qualify as clinical commodities under Miss Code Ann §31-7-l, which are exempted from procurement requirements under §31-7-13.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

12. UMMC—REQUEST FOR APPROVAL TO ENTER INTO A LEASE FOR HANGER AND SUPPORT SPACE WITH MERIDIAN AIRPORT AUTHORITY FOR HELICOPTER

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Lease Agreement (Lease) with Meridian Airport Authority (MAA) for space at its Key Field Airport, including a hangar to house a medical helicopter and adjacent site for placement of a modular trailer for use as offices for the helicopter personnel. Under the Lease, UMMC will also purchase fuel from MAA for its medical helicopter. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, UMMC also requests a waiver to allow prepayment of rent on the first day of each month.

Contractor’s Legal Name: Meridian Airport Authority

History of Contract: In May 2009, UMMC began housing one (1) medical helicopter at Key Field Airport without a formal agreement in place. On March 21, 2013, the Board of Trustees approved a five (5) year lease of hangar space and an adjacent site for the placement of a modular trailer to use as offices for helicopter personnel. The current lease will expire April 30, 2018.

Specific Type of Contract: This is a new Lease Agreement.
Purpose: The purpose of the Lease is to reserve hangar space and an adjacent site for placement of a modular trailer for use as offices and a place for overnight stays for the helicopter personnel. Under the Lease, UMMC will also purchase fuel from MAA for its medical helicopter. East Central Mississippi is one (1) of four (4) helicopter bases strategically located across the State, which locates aircraft closer to patients needing critical care transport, thereby decreasing the amount of time before the patient can receive medical treatment on site at UMMC. Key Field Airport is the only public airport in Meridian and the only seller of helicopter fuel.

Scope of Work: The scope of work to be provided by MAA includes:

- Hangar space for medical helicopter;
- Site adjacent to hangar for location of modular trailer used as offices for helicopter personnel;
- Water and sewer services;
- General maintenance and landscaping; and
- Sale of fuel for operation of medical helicopter.

UMMC’s obligations under the lease include:

- Maintenance of the leased premises in a clean, neat, and orderly condition throughout the term of the Lease;
- Payment of power, phone, cable, and other utilities, as obtained from third parties;
- Maintenance of any improvements on the premises, including the modular trailer used as offices; and
- Conformance to MAA’s minimum standards for fixed base operators.

Term of Contract: The term of the Lease is five (5) years from May 1, 2018, through April 30, 2023.

Termination Options: The Lease may be terminated for the following:

- By UMMC upon one hundred eighty (180) days’ prior written notice;
- In the event of default, including failure to make rental payments and compliance with the covenants of the lease, the non-breaching party may terminate the lease if the breaching party has not cured the default within thirty (30) days of receiving notice;
- If the premises are taken in whole by eminent domain proceedings for public use, the lease is automatically terminated;
- If the premises are taken in part by eminent domain proceedings for public use, UMMC may elect to terminate the lease with thirty (30) days’ written notice;
- MAA may terminate the lease if the premises are needed for military purposes; and
- The Federal Aviation Administration has the right to terminate the
lease.

**Contract Amount:** The total estimated cost of the Lease is $715,401.00. The fixed monthly rental fee is $2,143 per month for a total of $128,580 for the five (5) year term. The cost of fuel purchased from MAA will vary based on MAA’s cost of fuel and UMMC’s usage of the helicopter. Under the Lease, UMMC may purchase helicopter fuel at MAA’s cost of fuel plus twenty-five cents ($0.25) per gallon. The estimated cost of fuel for the term of the Lease is $586,821, which includes a ten percent (10%) annual increase for fuel market fluctuations and UMMC’s actual fuel usage.

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
<th>Total</th>
</tr>
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<tbody>
<tr>
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<td>$25,716.00</td>
<td>$25,716.00</td>
<td>$128,580.00</td>
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<td>$105,732.00</td>
<td>$116,305.00</td>
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<tr>
<td>Total</td>
<td>$121,836.00</td>
<td>$131,448.00</td>
<td>$142,021.00</td>
<td>$153,651.00</td>
<td>$166,445.00</td>
<td>$715,401.00</td>
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</tbody>
</table>

*Calculations based upon historical transport volume and pricing, plus a potential annual increase of ten percent (10%) for volume and fuel market price fluctuations.

**Funding Source for Contract:** The Lease will be funded by hospital patient revenue.

**Contractor Selection Process:** Key Field Airport is the only public airport in Meridian, Mississippi. MAA is also the only seller of helicopter fuel in the area.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, *Approval of Prepayment for Goods and Services*, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s. Board staff recommends approval of this item.

13. **UMMC–REQUEST FOR APPROVAL TO ENTER INTO A STATEMENT OF WORK (SOW) WITH MOREDIRECT, INC. D/B/A CONNECTION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Statement of Work (SOW) with MoreDirect, Inc. d/b/a Connection for Carousel Industries of North America, Inc. (Carousel) to provide implementation services of a unified communications system. This unified system will integrate voice, video calling/conferencing, contact center, voice messaging, and chat functionalities into one (1) consolidated platform.
Contractor’s Legal Name: MoreDirect, Inc. d/b/a Connection (Connection)

History of Contract: This is a new SOW with Connection for Carousel to provide implementation services of a unified communications system. Prior to this request, UMMC partnered with Carousel to provide managed services and design/architecture of its current voice system through state contract, as Carousel was the provider for voice service/integrations for Mississippi state agencies through the Mississippi Department of Information Technology Services (ITS). Carousel is currently contracted with ITS to be the provider for voice service and integrations for the Avaya voice system.

On October 17, 2017, UMMC executed the Master Service Agreement with Connection to establish the general business and legal terms for future SOW between the parties. The Master Service Agreement is incorporated into each SOW, but in the event of a conflict, the terms of the SOW control. Therefore, each SOW is treated as a separate, standalone agreement. Prior to the current request, the SOWs UMMC has entered into, such as an assessment of its social security death master file and a system security risk assessment, have not exceeded $250,000.00 and therefore did not require Board approval.

In addition, UMMC has submitted for consideration a Letter Agreement with Cisco Systems, Inc (Cisco) for the purchase of software and hardware related to the unified communications system. Finally, UMMC also has submitted for Board consideration a supplement to the new Master Purchase Agreement between Carousel and ITS to enter into one (1) year of maintenance for UMMC’s current Avaya phone system, which will be utilized until the unified communications system has been implemented at UMMC.

Specific Type of Contract: Statement of Work

Purpose: The purpose of the SOW is to allow Connection, through its partner Carousel, to provide implementation services for a new unified communications system at UMMC. This system will consolidate voice, video calling/conferencing, contact center, voice messaging, and chat functionalities into one (1) solution.

Scope of Work: Connection, through its partner Carousel, will provide implementation services for a unified communications system through a phased approach which includes project planning and design, execution, and testing of the system. Carousel will deploy the hardware and software in four waves:

- Wave one (1) focuses on migrating almost 4,000 Avaya handsets and nearly 700 Avaya analog stations that are spread throughout various UMMC locations, including migration of contact center technologies, deployment of a new call recording platform, and migration of four (4) peripheral systems to a new call processing environment;
- Wave two (2) replaces nearly 2,300 handsets at UMMC core locations;
• Wave three (3) focuses primarily on replacing the existing Avaya remote office gateways and handsets at various UMMC’s offsite facilities; and
• Wave four (4) is the final migration replacing any remaining analog stations with a mix of 3,700 Cisco IP handsets and 2,200 analog station ports.

UMMC will:

• provide a primary point of contact who will:
  o be responsible for all project communications and have the authority to act on behalf of UMMC in all aspects of the project,
  o have authority to resolve conflicts,
  o ensure communications are routed through the appropriate project managers,
  o convey project requirements, information, data, and decisions and approvals, and
  o ensure that the assigned personnel have reasonable and safe access to the project site; and
• provide all hardware, software, and facilities for completion of the project, including needed access to facilities for Carousel and assurance that UMMC’s facilities meet the manufacturer requirements for the products being implemented.

Terminology Options: The SOW may be terminated by UMMC for non-availability of funds.

The Master Service Agreement may be terminated for the following:

• by Connection for UMMC’s failure to pay,
• by Connection if they are unable to furnish any parts or acquire the technical data required to repair and/or service any item of computer hardware products. Connection may then cancel coverage for the item and refund payment for the remaining days of coverage under the agreement, on a pro rata basis,
• by either party at any time if the other party breaches any material provision and fails within fourteen (14) days after receipt of notice of default to correct such default or to commence corrective action reasonably acceptable to the other party and proceed with diligence to completion,
• after the initial term, unless dates are otherwise designated for specific services, including subscription services, either party shall have the right to terminate without cause, without penalty, and without liability for any damages as a result of such termination at any time giving the other party at least thirty (30) days prior written notice of such termination, and
• failure by Connection to comply with the federal E-Verify program.
The Master Service Agreement contains the following Non-Solicitation Provision:

Section 17. Non-Solicitation of Personnel- Neither client nor Service Provider shall solicit for employment, directly or indirectly, the officers, employees, subcontractors or agents (“Personnel”) of the other party who have performed duties in support of this Agreement, during the term hereof and until six (6) months after the earlier of: (a) the termination of such Personnel’s engagement; and (b) the termination of this Agreement, unless explicitly agreed to in the SOW. No offer or other form of solicitation of employment will be made at any time when the employment of such Personnel is prohibited by this Agreement. The above provision shall not apply to any response by Personnel, to publicly posted job advertisements of the other party or for staffing services provided by Service Provider. The intention of this Section is to prohibit the active recruitment of Personnel of the other party.

UMMC has offered the following justification for including the provision:
This clause was included as the information technology (IT) industry is extremely competitive when dealing with qualified IT professionals, especially in the field of Voice Over IP (VoIP) and large communication networks. The non-solicitation language contained in the Master Service Agreement protects the interests of both UMMC and Connection, including its subcontractors.

Contract Amount: The estimated cost of the SOW is $2,259,392.92. A breakdown of the estimated cost is below.

<table>
<thead>
<tr>
<th>Migration Stage</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wave 1</td>
<td>$1,517,361.97</td>
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<tr>
<td>Wave 2</td>
<td>$177,293.72</td>
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<tr>
<td>Wave 3</td>
<td>$197,948.56</td>
</tr>
<tr>
<td>Wave 4</td>
<td>$216,788.67</td>
</tr>
<tr>
<td>Travel*</td>
<td>$150,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>$2,259,392.92</td>
</tr>
</tbody>
</table>

*In accordance with UMMC’s travel policy, vendor will invoice UMMC for actual expenses incurred. However, in no event shall travel expenses exceed a total of $150,000.

Funding Source of Contract: The agreement will be funded by general funds.

Contractor Selection Process: Connection is an approved vendor contracted with Vizient, one of UMMC’s group purchasing organizations (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of
14. **UMMC-REQUEST FOR APPROVAL TO AMEND ITS STATEMENT OF WORK (SOW) FOR SG2 MARKETEDGE SERVICES AND SF-2, LLC TO PURCHASE CARE GROUPER**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its Statement of Work (SOW) for the **Sg2 MarketEdge Services** (First Amendment) with SF-2, LLC (Sg2) to purchase Care Grouper, an additional software application. The Care Grouper application is designed for easier and more robust grouping of UMMC service line data for aggregation, analysis, and reporting purposes. Pursuant to IHL policy 707.03, **Approval of Prepayment for Goods or Services**, UMMC also requests a waiver to allow annual prepayment each year of service.

**Contractor’s Legal Name:** SG-2, LLC (Sg2)

**History of Contract:** On October 19, 2017, the Board approved a new agreement for Sg2 to provide its MarketEdge product and consulting services for benchmarking data and analytic tools to assist UMMC leadership in its strategic planning for future growth. The agreement is for three (3) years, beginning November 1, 2017, and ending October 31, 2020, with a total cost of $925,000. Since October 2017, UMMC has organized some of its clinical areas into clinical service lines, for which the Care Grouper application is extremely helpful and supportive. Therefore, UMMC desires to add the Care Grouper application to the existing Sg2 agreement.

**Specific Type of Contract:** This is the First Amendment to the Statement of Work (SOW) for the Sg2 MarketEdge Services.

**Purpose:** The purpose of the First Amendment is to utilize Sg2’s Care Grouper software application. The Care Grouper application is a stand-alone application that allows UMMC to aggregate its own internal service line data in standardized categories to expedite different types of internal analyses within the MarketEdge product. UMMC’s service line data can be organized into relevant categories at the service line, disease, and procedure levels without having to organize the data at the code level. The service line data organized in the Care Grouper application can then be seamlessly utilized with the MarketEdge product to facilitate an easier and more accurate reconciliation of UMMC’s operational and performance data for those service lines.

**Scope of Work:** Under the amended agreement, Sg2 will:
- Periodically produce and distribute publications to UMMC;
- Produce and publish content to a web site available to UMMC;
- Produce and distribute Sg2 Analytics;
- Host professional conferences for UMMC each calendar year;
• Provide certain consultation and support services to UMMC via telephone, web
  o conference or such other means as Sg2 may specify; and
• Provide the Care Grouper software application.

UMMC will:
• Designate at least one UMMC employee to serve as UMMC’s system administrator;
• Provide reasonable efforts to prevent unauthorized access to, or use of, the
  MarketEdge services, and in the event of any such access or use, promptly notify Sg2;
• Maintain confidentiality and security of UMMC passwords; and
• Ensure that UMMC users exit or log off from accounts at the end of each session.

**Term of Contract:** The term of the agreement remains three (3) years beginning on
November 1, 2017, ending October 31, 2020. The First Amendment will begin upon
execution, which is expected to be on or about April 1, 2018, and will expire on October 31,
2020.

**Termination Options:** The amended agreement may be terminated as follows:
• By UMMC based on the non-availability of funds by providing prior written notice to
  Sg2;
• By either party upon breach of any material provision of this Agreement (excluding
  any SOW), then the non-breaching party shall provide written notice of the breach to
  the other party. If the breaching Party fails to cure the breach within 30 days after
  receiving written notice, then the non-breaching Party may terminate the Agreement,
  and all attached SOWs, in its sole discretion, by providing a letter of termination to
  the breaching Party specifying the exact date of termination;
• By either party upon breach of any material provision of any SOW, then the
  nonbreaching Party to the SOW shall provide written notice of the breach to the other
  Party to the SOW. If the breaching Party fails to timely cure the breach within 30
days after receiving written notice, then the non-breaching Party may terminate only
  the applicable SOW, in its sole discretion, by providing a letter of termination to the
  breaching Party specifying the exact date of termination of the SOW;
• By either party upon the termination or expiration of the last-remaining SOW in e
  effect; and
• By either party upon the occurrence of a Force Majeure event.

**Contract Amount:** The total cost of the First Amendment is $61,818.00. The total cost of
the amended agreement is $986,818.00.

**Funding Source of Contract:** This agreement will be funded by hospital patient revenue.

**Contractor Selection Process:** UMMC is currently contracted with Sg2.
Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

15. UMMC – REQUEST FOR APPROVAL OF CPA AUDITING FIRM

**Agenda Item Request:** The following Medical Center affiliated entity requests approval to engage the following CPA firm to conduct the annual audit for fiscal year 2018.

**Justification:** As per Board Policy 301.0806 D.9., the Certified Public Accounting (CPA) firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity’s fiscal year for which the audit will be conducted.

The University affiliated entities noted below request approval of the listed CPA firms.

<table>
<thead>
<tr>
<th>UMMC Affiliated Entity</th>
<th>CPA Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Mississippi Medical Center Research and Development Foundation</td>
<td>Harper, Rains, Knight &amp; Company, P.A.</td>
</tr>
<tr>
<td>Friends of Children’s Hospital, Inc.</td>
<td>BKD, LLP</td>
</tr>
</tbody>
</table>

Staff Recommendation: Based on Board Policy 301.0806 D.9., University Foundation/Affiliated Entity Agreements, the CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity’s fiscal year for which the audit will be conducted. Board staff recommends approval of this item.

16. USM – REQUEST FOR APPROVAL TO ENTER INTO AN AIR CHARTER AGREEMENT WITH AIR PLANNING, LLC

**Agenda Item Request:** The University of Southern Mississippi requests approval of a contract with **Air Planning, LLC** for air charter service for the University’s football team during its 2018 season. This agreement is for Air Planning, LLC to arrange for the
University’s air charters with Allegiant Airlines for four away games this fall. This agreement arranges flights from the Hattiesburg-Laurel Regional Airport, Hattiesburg, MS to Hickory, NC, Fort Worth, TX, Charlotte, NC, and El Paso, TX. Additionally, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, USM requests the Board’s approval to make payment in advance in accordance with the terms of the agreement.

**Contractor’s Legal Name:** Air Planning, LLC

**History of Contract:** This will be the seventh air charter contract between the University of Southern Mississippi and Air Planning, LLC. The first contract was in the amount of $381,742 and was approved by the Board at its June 2012 meeting. The second contract was in the amount of $463,598 and was approved by the Board at its March 2013 meeting. The third contract was in the amount of $388,090 and approved by the Board at its April 2014 meeting. The fourth contract was in the amount of $495,708 and approved by the Board at its May 2015 meeting. The fifth contract was in the amount of $457,700 and approved by the Board at its May 2016 meeting. The sixth contract was in the amount of $306,500 and approved by the Board at its May 2017 meeting.

**Specific Type of Contract:** Air Charter Agreement

**Purpose:** The purpose of this contract is to schedule air charter service for the University’s football team for the 2018 season.

**Scope of Work:** Air Planning will make arrangements with Allegiant Airlines to charter planes for the University’s football team to travel to games against Appalachian State, North Texas, Charlotte, and UTEP. The Allegiant Airlines aircraft will transport the football team and bring them back at the conclusion of each game to the Hattiesburg-Laurel airport (PIB).

**Term of Contract:** The term of this agreement will commence upon execution by both parties after approval by the IHL Board. The term will conclude at the end of the last scheduled flight on November 24, 2018.

**Termination Options:** USM can terminate after giving 30 days written notice to the Contractor with or without cause. Also, if the Contractor fails to remain compliant with the Mississippi Employment Protection Act (E-Verify), USM can terminate the contract. Cancellation of the flights by the University after the dates shown in the Agreement can result in cancellation charges to the University. Cancellation of the Agreement after execution, but before June 16, 2018, results in a 25% cancellation charge; cancellation on or after June 16, 2018 and before July 31, 2018 results in a 50% cancellation charge; cancellation on or after July 31, 2018 results in a 100% cancellation charge.

**Contract Amount:** For this service, the University will pay Air Planning, LLC the sum of $366,251 plus any fuel surcharges that result from market fuel prices. The fuel surcharges are
currently estimated at $10,000 for a total contract amount of $376,251. The fuel base for flights operated under this agreement is $3.00 per gallon.

**Funding Source for Contract:** Auxiliary Funds from the University’s Department of Athletics.

**Contractor Selection Process:** Along with the Allegiant quote, Air Planning also received quotes from two other Part 135 charter operators: Miami Air and Sun Country. Allegiant Airlines offered the overall lowest cost and best value for the price and equipment quoted. The University has previously worked with the flight broker Air Planning, LLC for its six previous air charter contracts with satisfactory results. The airline will work with Air Planning to ensure USM will receive excellent service and reliability this season. The University has found that Air Planning’s service in the past several years has far exceeded expectations.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

17. **USM-REQUEST FOR APPROVAL TO MODIFY THE REIMBURSABLE SPACE ACT AGREEMENT BETWEEN THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION JOHN H. STENNIS SPACE CENTER AND THE BOARD OF TRUSTEES OF HIGHER LEARNING FOR THE CENTER OF HIGHER LEARNING AND RELATED UNIVERSITY ACTIVITIES**

**Agenda Item Request:** The University of Southern Mississippi (USM) is requesting approval to modify the total expenditure amount applicable Reimbursable Space Act Agreement between The National Aeronautics and Space Administration Stennis Space Center (NASA) and the Board of Trustees of Mississippi Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL).

**Contractor’s Legal Name:** National Aeronautics and Space Administration John H Stennis Space Center

**History of Contract:** In October 2017, the Board approved the Reimbursable Space Act Agreement. The total approved estimated cost was $3,575,875.

**Specific Type of Contract:** This is an amendment to the Reimbursable Space Act Agreement.
**Purpose:** The purpose of this request is to increase the total estimated expenditure amount applicable to the current Reimbursable Space Act Agreement from $3,575,875 to $3,648,000.

**Scope of Work:** The terms of the original agreement remain the same. USM, along with other associated institutions, provides academic and non-academic programs as described in Appendix A and B to the Space Act. SSC provides space in the SSC facilities for both academic and non-academic programs in accordance with the terms and conditions of the Use Permit and Host-Tenant Agreement.

**Term of Contract:** This Agreement will be effective upon the date of the latest party's signature and will expire five years from said date or until the completion of all obligations of the parties, whichever comes first.

**Termination Options:** Either party may unilaterally terminate the Fully Reimbursable Space Act Agreement upon thirty (30) days written notice. The Use Permit and Host-Tenant Agreement terminate upon the termination of the Space Act.

**Contract Amount:** The total estimated cost of the original agreements was $3,575,875 based on historical cost for the last five years of the agreement. USM is requesting to increase the total estimated cost to $3,648,000.

**Funding Source of Contract:** State of Mississippi Appropriations for Center of Higher Learning, Education and General funds for the Department of Marine Sciences

**Contractor Selection Process:** Not Applicable

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Board staff recommends approval of this item. (As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General’s Office is required.)
Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

Board Policy §902, Initiation of Construction Projects

The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding $1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of $1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of $1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed.
If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution’s property even if the land is leased to an institution’s affiliated entity or a private developer.

**Board Policy §905(A), Real Estate Management**

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

**Board Policy §905(B), Real Estate Management**

Prior to Board consideration of the purchase or acceptance of real estate from any source, a Phase I or more detail Environmental Report shall be completed by qualified personnel and submitted to the Board’s Real Estate and Facilities Office. In the event hazardous substances are confirmed as having existed in the past or as presently existing, the Board reserves the right to cancel the transaction without liability, or to permit the other party or parties to remove the hazardous substances at its or their expense in a manner sufficient to receive a “no further action” letter from the State’s Department of Environmental Quality.
APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

IHL PROJECTS .........................................................

1. UMMC – IHL 209-566 – Day Surgery and Patient Care Units Expansion

   Project Request: The University of Mississippi Medical Center requests approval to initiate a project, Day Surgery and Patient Care Units Expansion, and to appoint ESA Architects as the design professional.

   Proposed Design Professional: ESA Architects

   Selection Method: The project budget is anticipated to exceed $3M therefore the university used the RFQ method for the selection of the design professional.

   Purpose: The University of Mississippi Medical Center is seeking approval to initiate the project and appoint the design professional so the university can proceed into the design phase of the project.

   Project Scope: This project will expand the existing day surgery suite and will provide design for the build-out of the shelled floors in the existing Critical Care Hospital and Adult Hospital. The future build-out will provide expansion of ICU, Psychiatric and Med/Surgery facilities.

   The University Mississippi Medical Center is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

   Project Initiation Date: April 19, 2018

   Date of Original Construction: N/A

   Date of Last Renovation: N/A
Proposed Project Budget:

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<th>Description</th>
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<td><strong>Total Project Budget</strong></td>
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</tr>
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</table>

Proposed Funding Source(s): UMMC SSA [Shared Services Account] – Building Improvements ($11,000,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE/FUNDING SOURCE(S)

IHL PROJECTS ..........................................................

2. **MSU – IHL 205-284 – Catalpa and Sand Creek Wastewater Lift Stations Improvements**

   **Project Request:** Mississippi State University requests approval to increase the budget for the Catalpa and Sand Creek Wastewater Lift Stations Improvements project. The budget will increase from a pre-plan budget of $365,000 to $2,500,000.00, for an increase of $2,135,000.00.

   **Current Project Phase:** Design Phase

   **Design Professional:** Clearwater Consultants, Inc.

   **General Contractor:** TBD

   **Prior Budget Increases:** The project was initiated with the Board in April of 2016 with a pre-plan project budget of $365,000. This is the first budget escalation request made for this project by the university.

   **Purpose/Justification:** Mississippi State University is requesting to increase the project budget to reflect actual project costs now that the pre-planning phase of the project is complete.
The Mississippi State University North and South Farm wastewater lift stations are critical components of a wastewater collection and transport system that services Mississippi State University, the City of Starkville, and Oktibbeha County. With the growing demand from the ongoing apartment construction east of campus and the increase of construction on campus, the existing wastewater lift stations on campus are inadequate and will not meet future demands.

**Project Scope:** This project will provide design and construction for the upgrade of the wastewater lift stations located on the North and South Farms on the MSU campus.

Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases and changes in funding sources to the Board for approval.

**Project Initiation Date:** April 21, 2016

**Proposed Project Budget:**

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<td>$ 164,000.00</td>
<td>$(201,000.00)</td>
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<td><strong>Total Project Budget</strong></td>
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<td>$ 2,500,000.00</td>
<td>$ 2,135,000.00</td>
</tr>
</tbody>
</table>

**Proposed Funding Source(s):** MSU Resources and Wastewater Connection Fees ($2,500,000.00)

**Staff Recommendation:** Board staff recommends approval of this item.
3. **MSU – IHL 205-285A – MSU Chilled Water Loop Upgrade**

**Project Request:** Mississippi State University requests approval to increase the budget for the MSU Chilled Water Loop Upgrade project. The budget will increase from $4,000,000 to $5,000,000.00, for an increase of $1,000,000.00. The project funding source will not change.

**Current Project Phase:** Design Phase

**Design Professional:** Cooke Douglass Farr Lemons Architects + Engineers

**General Contractor:** TBD

**Prior Budget Increases:** The phase of the project was initiated with the Board in August of 2017 with a project budget of $4,000,000. This is the first budget escalation request made for this phase of the project by the university.

**Purpose/Justification:** Mississippi State University is requesting to increase the project budget to reflect more accurate project costs. MSU bid the project in March of 2018 and the low bid was higher than anticipated therefore the university needs to increase the project budget to accept the low bid and proceed with the project.

**Project Scope:** The project will include the installation of 20” diameter supply and return lines across the midpoint of the existing central water loop. The new installation will cross the existing drill field and connect to the existing central plant.

Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases and changes in funding sources to the Board for approval.

**Project Initiation Date:** August 17, 2017
Proposed Project Budget:

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<td>(147,319.00)</td>
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<td>$ 5,000,000.00</td>
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</table>

Proposed Funding Source(s): MSU Operation and Maintenance Recovery Funds ($5,000,000.00)

Staff Recommendation: Board staff recommends approval of this item.

4. **UMMC – IHL 209-561 – Campus HVAC Upgrades FY18**

Project Request: The University of Mississippi Medical Center requests approval to increase the budget for the Campus HVAC Upgrades FY18 project. The budget will increase from $2,750,000.00 to $5,577,000.00, for an increase of $2,827,000.00.

Project Phase: Design Phase

Design Professional: Engineering Resource Group

General Contractor: TBD

Prior Budget Increases: The project was initiated with the Board in November of 2017 with a project budget of $2,750,000.00. This is the first budget escalation request made for this project by the university.

Purpose/Justification: Due to the sensitive nature of the main operating rooms, installing the replacement AHU in another location other than the existing location will minimize the OR downtime while switching from the existing AHU to the new
AHU. The new location will require building a new mechanical penthouse on top of the existing Acute Service Wing roof above the operating room suite. A new stand-alone air-cooled chiller has also been added to maximize patient care by providing cooling should there be a power outage in the main chiller plant. It will also be located on the existing Acute Service Wing roof. Adding this chiller will require bringing in additional power service into the Acute Services Wing.

**Project Scope:** The project will replace the air handler serving the existing main operating rooms.

The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases and changes in funding sources to the Board for approval.

**Project Initiation Date:** November 16, 2017

**Proposed Project Budget:**

<table>
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<tr>
<th></th>
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<td>$ 2,827,000.00</td>
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</tbody>
</table>

**Proposed Funding Source(s):** UMMC SSA [Shared Services Account] – Building Improvements ($5,577,000)

*Staff Recommendation: Board staff recommends approval of this item.*
5. **MSU – Granting of an Access Easement to EDR College View MS, LLC**

**Project Request:** Mississippi State University requests permission to grant an access easement to EDR College View MS, LLC for pedestrian and vehicular ingress and egress to the College View development for the life of the ground lease.

**Purpose:** MSU is seeking to grant and convey to EDR, and its successors and assigns, a non-exclusive easement for pedestrian and vehicular ingress and egress on, across, and over the easement area, which easement shall run with the land.

The Board of Trustees approved the ground lease for this project in February of 2018. The ground lease allows for the development by EDR, in part, of a mixed use collegiate housing project to be located upon the leased property.

**Property Description:** A parcel of land containing 34.26 acres, more or less, and being situated in the SE ¼ of Section 35, Township 19 North, Range 14 East and also in the NE ¼ of Section 2, Township 18 North, Range 14 East, City of Starkville, Oktibbeha County, Mississippi.

A parcel of land containing approximately 1.17 acres and being situated in the SE ¼ of Section 35, Township 19 North, Range 14 East, City of Starkville, Oktibbeha County, MS.

**Terms of Easement:** The ingress and egress rights granted may be used non-exclusively by EDR and its contractors, agents, employees, affiliations, directors, tenants, subtenants, sublessees, and invitees. Only passenger vehicles and light trucks and pedestrian traffic may use the easement area, with the sole exception that EDR shall be allowed to use the easement area for heavy truck traffic as necessary for developing the leased property and/or delivering items to the leased property in the ordinary course of business.

MSU or a governmental authority shall be responsible for maintaining the easement area. If, in the process of developing the leased property, EDR and/or contractors, agents, employees, and/or invitees causes any damage to the easement area, MSU, may, in its sole discretion, require EDR to restore, at EDR’s sole cost and expense, the easement area to its condition as existed on the date the easement agreement is signed.

**Termination Options:** The easement shall run for the term of the ground lease or until the earlier termination of the ground lease by either party in accordance with the terms thereof.
Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

**Staff Recommendation:** The Attorney General’s Office has reviewed and approved this item. Board staff recommends approval of this item.

6. **UM – Naming of the Indoor Tennis Facility as the “William F. Galtney Indoor Tennis Facility”**

**Project Request:** The University of Mississippi requests permission to name the Indoor Tennis Facility on the UM campus as the “William F. Galtney Indoor Tennis Center”.

**Purpose:** The University of Mississippi is requesting to name the newly constructed indoor six-court tennis facility that opened in January 2018 in honor of William F. Galtney. The Galtney family has made significant contributions to the Forward Together campaign, the Ole Miss Athletics current capital campaign.

**William F. Galtney’s Bio:** William F. Galtney, Jr. (Will) graduated from Ole Miss in 1974 with a Bachelor of Arts in Political Science degree and in 1976 with a Master of Public Administration degree. While at Ole Miss, he was a member of Phi Delta Theta fraternity and the Ole Miss Men’s Tennis team from 1972 to 1974. The 1974 tennis team, coached by Mack Cameron and finishing with a 21-9 record, was one of the most successful teams in the history of the program. The team was the first to win 20 matches in a season, a record held for nearly two decades.

Will was inducted into the Ole Miss Alumni Hall of Fame in 2007. He is President of Galtney Enterprises Inc., an insurance brokerage company in Houston, Texas. He is married to Elizabeth M. Galtney and has four children: Rob, Ben, John, and Drew. Drew attended Ole Miss and was a member of the 2013 Ole Miss Men’s Tennis team.

The Galtneys, as members of the Ole Miss Athletics Foundation’s Vaught Society, are continuously supportive of Ole Miss Athletics programs and the University of Mississippi in its entirety.

The University of Mississippi is acting in accordance with Board Policy §917 Naming of Buildings and Facilities, that requires Board approval to be obtained prior to naming or re-naming any institutional building or facility.
Staff Recommendation: Board staff recommends approval of this item.

7. UMMC – IHL 209-559 – School of Population Health (Sole Source)

Project Request: The University of Mississippi Medical Center requests approval to Sole Source the HVAC Controls portion of the School of Population Health project.

Design Professional: Foil Wyatt Architects

Selection Method: The project budget exceeds $3M so the university used the RFQ method for the selection of the design professional.

Purpose: The University of Mississippi Medical Center is requesting approval to sole source the HVAC Controls portion of this renovation project as an extension of the existing Johnson Controls system. Funds are provided within the construction project budget.

Project Scope: This project will provide support space for Health Economics, Population Health Sciences, Preventive Medicine and Data Science; all of which are part of the new School of Population Health. It will build-out the 2nd floor shell space and ½ of the 5th floor shell space located in the Translational Research Center which is currently under construction. The build-out will include new HVAC, electrical and communication systems that will support the new school.

Sole Source Justification: UMC feels it to be in their best interest to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system. The estimated value of the existing Johnson Controls EMCS is approximately $950,000. The probable cost of the project EMCS modifications is $120,000 for a 12.6% modification. According to IHL and Bureau of Building EMCS procurement protocol for existing systems, the EMCS can and should be procured by single source procurement since the portion of the work related to the new renovation is less than 25% of the existing system as long as approval is obtained prior to bidding.

Project Initiation Date: June 15, 2017
Project Budget:

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Funding Source(s): UMMC SSA [Shared Services Account] – Building Improvement Funds ($5,000,000)

*Staff Recommendation:* Board staff recommends approval of this item.

8. **USM – Granting of a Temporary Construction Easement to the City of Hattiesburg, MS**

**Project Request:** The University of Southern Mississippi requests permission to grant a temporary construction easement to the City of Hattiesburg, MS.

**Purpose:** The City of Hattiesburg has requested a temporary construction easement for the North 38th Avenue sidewalk project in the City of Hattiesburg, Forrest County, Mississippi. The easement will allow the City of Hattiesburg to construct a sidewalk along North 38th Avenue which borders university property.

**Property Description:**

38th Avenue Easement:

A parcel of land containing approximately 0.004 acres (176 square feet) located in Lots 7 and 8, Block 24 of the Pine Crest Second Survey to the City of Hattiesburg, Forrest County, Mississippi.

**Terms of Easement:** The Grantee, the City of Hattiesburg, Mississippi, is given the right to do whatever may be necessary and proper for the enjoyment of the rights herein granted, including the right of ingress and egress and the right to clear said right-of-way above described of such trees and shrubs as may be necessary for the full enjoyment of the rights herein granted. The Grantee shall be responsible for any damage to Grantor’s property or that of third party’s resulting from the exercise of any of the rights granted in the easement. Grantee shall promptly repair and restore to its original condition any of Grantor’s property that may be altered, damaged, or
destroyed in connection with the easement. This temporary construction easement will revert back to the Grantor upon completion of construction.

**Termination Options:** None

The University of Southern Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

**Staff Recommendation:** The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

### 9. USM – Granting of Two (2) Permanent Right-of-Way Easements to the City of Hattiesburg, MS

**Project Request:** The University of Southern Mississippi requests permission to grant two (2) permanent right-of-way easements to the City of Hattiesburg, MS.

**Purpose:** The City of Hattiesburg has requested a permanent right-of-way easement for the North 38th Avenue sidewalk project in the City of Hattiesburg, Forrest County, Mississippi. The permanent right-of-way easement will allow the City of Hattiesburg to construct and maintain the sidewalks and lighting along North 38th Avenue which borders university property. The easement will give a permanent right-of-way over, across, and upon a parcel of real property described below:

**Property Description:**

38th Avenue Permanent Right-of-Way Easement #1:

A parcel of land containing approximately 0.04 acres (1,861 square feet) and located in part of Lot 6, Block 10 of the Pine Crest Second Survey to the City of Hattiesburg, Forrest County, Mississippi. The easement is located in the NW ¼ of the NW ¼ of Section 7, Township 4 North, Range 13 West, Forrest County, Mississippi.

38th Avenue Permanent Right-of-Way Easement #2:

A parcel of land containing approximately 0.04 acres (1,861 square feet) and located in part of Lots 12 through 14, Block 19 of the Pine Crest Second Survey to the City of Hattiesburg, Forrest County, Mississippi. The easement is located in the SW ¼ of the NW ¼ of Section 7, Township 4 North, Range 13 West, Forrest County, Mississippi.
Terms of Easement: The Grantee, the City of Hattiesburg, Mississippi, is given the right to do whatever may be necessary and proper for the enjoyment of the rights herein granted, including the right of ingress and egress and the right to clear said right-of-way above described of such trees and shrubs as may be necessary for the full enjoyment of the rights herein granted. The Grantee will restore any damage to the Easement Area or Grantor’s adjacent property caused by this action or Grantee’s use of the Easement Area.

Termination Options: None

The University of Southern Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

Staff Recommendation: The Attorney General’s Office has reviewed and approved this item contingent upon the Secretary of State’s and Governor’s approval of the same. Board staff recommends approval of this item contingent upon the Secretary of State’s and Governor’s approval of the same.
1. **JSU – APPROVAL TO CONTRACT WITH BUTLER SNOW, LLP AS OUTSIDE COUNSEL**

Jackson State University requests approval to enter into a contract with Butler Snow, LLP to provide legal services necessary in the practice area of intellectual property and commercial matters at an hourly rate of $295 for attorneys and $95 for paralegal services. The term of the contract will be one year from the date of approval and execution. The maximum amount payable under the contract will be $50,000.00. This request has been approved by the Office of the Attorney General.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.

2. **MSU – APPROVAL TO MODIFY CONTRACT WITH BROWN & LANGSTON, PLLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify a contract with Brown & Langston, PLLC, formerly Julie W. Brown, to provide legal services necessary in assisting the University with real estate matters. This Modification #6 will extend the terms of the contract for one (1) year or through May 16, 2019. The original rate of $165 per hour remains unchanged with a maximum amount payable during the extension period not to exceed $10,000. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect. This request has been approved by the Office of the Attorney General.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.

3. **MUW – APPROVAL TO EXTEND AFFILIATION AGREEMENT WITH THE MISSISSIPPI UNIVERSITY FOR WOMEN ALUMNI ASSOCIATION**

The Mississippi University for Women requests approval to extend the terms of its existing affiliation agreement with the MUW Alumni Association for an additional six (6) months, or until June 30, 2018, while modifications to that agreement are being negotiated.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.

4. **UM – REQUEST FOR APPROVAL TO ENTER INTO INTERLOCAL AGREEMENT WITH THE CITY OF OXFORD**

The University of Mississippi requests approval to enter into an interlocal agreement with the City of Oxford and County of Lafayette to prepare and formulate a comprehensive traffic plan. The University’s share of the cost will be $83,333.33 paid in one payment during fiscal year 2018.
INTERLOCAL AGREEMENT BETWEEN LAFAYETTE COUNTY, MISSISSIPPI, THE UNIVERSITY OF MISSISSIPPI, AND CITY OF OXFORD, MISSISSIPPI (Comprehensive Traffic Plan)

This Agreement (this “Agreement”) is hereby entered into on the _____ day of April, 2018, by and between the Board of Supervisors of Lafayette County, Mississippi, the Mayor and Board of Aldermen of the City of Oxford, Mississippi, and the University of Mississippi, a state institution of higher learning duly existing under the laws of the State of Mississippi, which agreement is set forth as follows:

WHEREAS, the Board of Supervisors of Lafayette County, Mississippi, as the duly elected governing body of Lafayette County, Mississippi (“Lafayette County”) has the authority and obligation to adequately promote the health, safety and welfare of the citizens of Lafayette County pursuant to Section 17-1-3 of the Mississippi Code of 1972, Annotated, as amended; and

WHEREAS, the Mayor and Board of Aldermen of the City of Oxford, Mississippi, as the duly elected governing authorities of the City of Oxford, Mississippi (the “City of Oxford”), have the duty to adequately promote the health, safety and welfare of the citizens of the City of Oxford, pursuant to Section 17-1-3, Section 21-17-1 and Section 55-9-1 of the Mississippi Code of 1972, Annotated, as amended; and

WHEREAS, the University of Mississippi’s, (the “University”) authority springs from its creation statute, Miss. Code Ann. § 37-115-1, from the statute enumerating the powers of the Board of Trustees of the Institutions of Higher Learning of the State (“IHL”), Miss. Code Ann. § 37-101-15, and from Miss. Code Ann. § 37-105-1 that empowers IHL to enact traffic rules and regulations for the control, direction, parking and general regulation of traffic and automobiles on the campus and streets of any state institution of higher learning under the supervision of the board, and has received approval from the Board of Trustees of State Institutions of Higher Learning to enter into this Agreement.

WHEREAS, the above parties have determined that it is in the best interest of the citizens of the aforesaid county and city and of the University and its student body to prepare and formulate a comprehensive traffic plan encompassing all of Lafayette County (the “Comprehensive Traffic Plan”); and

WHEREAS, the City of Oxford has engaged Waggoner Engineering, Inc. to prepare and formulate the Comprehensive Traffic Plan, and has requested financial assistance from Lafayette County and the University for one-third of that total cost; and
WHEREAS, the Board of Supervisors of Lafayette County, having now considered the City of Oxford’s request, as well as feedback from its interested citizens, has found and determined that it is in the best interest of the citizens of Lafayette County to pursue an interlocal agreement with the City of Oxford and the University to contribute toward the cost of the Comprehensive Traffic Plan as set forth herein; and

WHEREAS, the University of Mississippi, having now considered the City of Oxford’s request, has found and determined that it is in the best interest of the student body of the University to pursue an interlocal agreement with the City of Oxford to contribute toward the cost of the Comprehensive Traffic Plan as set forth herein; and

WHEREAS, the Mayor and Board of Aldermen of the City of Oxford have found and determined that it is in the best interest of the citizens of the City of Oxford to engage Waggoner Engineering, Inc. to prepare the Comprehensive Traffic Plan, and that it is further in the best interest of the citizens of the City of Oxford to secure a commitment from Lafayette County and the University for financial assistance to defray the cost of the preparation and development of the Comprehensive Traffic Plan.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein and pursuant to the authority of Section 17-13-1, et seq. of the Mississippi Code of 1972, Annotated, as amended, the Board of Supervisors of Lafayette County, Mississippi, the Mayor and Board of Aldermen of the City of Oxford, and the University of Mississippi do hereby agree as follows:

1. The foregoing recitals are hereby incorporated into and made a part of this Agreement.

2. This Agreement shall not take effect until it has been submitted to and approved by the Attorney General of the State of Mississippi in accordance with the provisions of the Interlocal Cooperation Act and has been filed with the Chancery Clerk of Lafayette County, Mississippi, and the Secretary of State. This Agreement shall continue for a period of two years or until the completed Comprehensive Traffic Plan has been received by the parties, whichever comes first. This agreement may be modified only by mutual written agreement of the parties hereto; however, any modification of this agreement must be approved by the Attorney General prior to the implementing of any such modifications. This Agreement does not bind successors in office and no real or personal property will be acquired or held pursuant to this Agreement.

3. There is hereby established a cooperative effort between the Board of Supervisors of Lafayette County, the Mayor and Board of Aldermen of the City of Oxford, and the University of Mississippi to obtain the Comprehensive Traffic Plan.
4. The Board of Supervisors of Lafayette County, Mississippi does hereby agree to pay the City of Oxford the sum of $83,333.33 in fiscal year 2018 as one-third of the total cost of the Comprehensive Traffic Study.

5. The University of Mississippi does hereby agree to pay the City of Oxford the sum of $83,333.33 in the fiscal year 2018 as one-third of the total cost of the Comprehensive Traffic Study.

6. The City of Oxford does hereby agree that all funds received from Lafayette County and the University for the purposes herein stated shall be appropriated and allocated toward the cost of the Comprehensive Traffic Study.

7. Based on this shared funding by the parties, it is hereby understood and agreed that all parties shall have equal access to the Comprehensive Traffic Plan once completed.

8. It is agreed that a Joint Comprehensive Traffic Study Steering Committee will be established for the purposes of making recommendations regarding the conduct of Waggoner Engineering, Inc. during all phases of the development of the Comprehensive Traffic Study. The Steering Committee will be comprised of six members. Two members will be appointed by the Board of Aldermen of the City of Oxford, two members will be appointed by the Lafayette County Board of Supervisors and two members will be appointed by the Chancellor of the University of Mississippi. It is contemplated that the Steering Committee will coordinate the activities of the Technical and Stakeholder Committees which will be formed after further consultation among the City, County and University. Upon final completion of the Traffic Study, the Steering Committee will give its recommendation as to the adoption of the Traffic Study by the respective entities.

9. The parties also agree that the City of Oxford may need or desire additional financial assistance from Lafayette County and/or the University as a result of changes in the scope and/or terms of the Comprehensive Traffic Study. In the event the City of Oxford makes a request to Lafayette County and/or the University for additional funds related to the completion of the Comprehensive Traffic Study, the Board of Supervisors of Lafayette County, Mississippi and/or the University of Mississippi agrees to consider such requests in good faith and within budgetary constraints.

10. This Agreement may be terminated by any of the Parties for any reason prior to the City’s entering a binding agreement with Waggoner Engineering, Inc. This Agreement may be terminated by any of the Parties after having paid its share of the cost of the Comprehensive Traffic Plan; however, the amounts paid toward the cost of the plan shall not be refunded.
Dated: April _____, 2018.

Staff recommendation: Board staff recommends approval of this item.

5. USM – Request for Approval to Enter into Interlocal Agreement with the City of Hattiesburg

The University of Southern Mississippi requests approval to enter into an Interlocal Agreement with the City of Hattiesburg, MS. This Agreement would add an additional fixed bus route in the vicinity of the USM campus, largely circulating within the USM campus, and shall provide such services in a manner consistent with the City’s system at large. The City will operate two (2) buses along said route in a reasonable effort to provide frequency in twenty minutes or less during the normal operating hours of the system. USM further requests approval to pay annual fees in the amount of $121,000.00 to the City in advance for said bus services, in accordance with IHL Policy 707.03.

Interlocal Governmental Agreement Between the City of Hattiesburg, Mississippi and the University of Southern Mississippi

WHEREAS, the Interlocal Cooperation Act of 1974, Miss. Code Ann. § 17-13-1, et seq. as amended, authorizes any two (2) or more local governmental units to enter into a written contractual agreement with one another to jointly provide services and facilities and to jointly exercise and carry out any power, authority or responsibility exercised or capable of being exercised by a local governmental unit; and

WHEREAS, the City Council of the City of Hattiesburg, Mississippi (hereinafter referred to as “City”) and The University of Southern Mississippi (hereinafter referred to as “University”), are local governmental units as defined by Miss. Code Ann. § 17-13-5(a), and each is governed by a governing authority as defined by Miss. Code Ann. § 17-13-5(b); and

WHEREAS, the City of Hattiesburg operates and maintains the Hub City Transit Mass Transit system (the “system”) in the Hattiesburg area; and

WHEREAS, the City periodically applies for, receives, and administers funding through the Federal Transit Administration for capital, operations, and maintenance of the system, which generally requires a certain proportion of local matching funds, and

WHEREAS, it is the desire of the parties to create a fixed route in the vicinity of the University campus that would complement other fixed routes in the system, and
WHEREAS, it has been determined that the City has the capability of providing the services contemplated by the terms of this agreement, and

WHEREAS, this contract is entered into pursuant to the Interlocal Cooperation Act of 1974, Miss. Code Ann. § 17-13-1, et seq., and shall not take effect unless approved by the Mississippi Attorney General, and if so approved, until it is filed with the chancery clerk of Forrest County and with the Secretary of State.

NOW, THEREFORE, in consideration of the above and foregoing premises and under the authority of Miss. Code Ann. § 17-13-1 et seq., and the further consideration of mutual advantages and promises hereinafter contained, this contract and agreement is made and entered into on the date hereinafter stated by and among City and the University and the parties do contract and agree to the terms and conditions hereinafter set forth:

Section 1. Effective Date and Duration

The term of this agreement shall be for three (3) years and shall commence on July 1, 2018 and shall terminate on June 30, 2021, or until terminated in accordance with the provision of Section 6 herein. The agreement will be effective upon the approval of the Interlocal Agreement by the Attorney General of this State and thereafter, the filing of said Interlocal Agreement with the Chancery Clerk of Forrest County and with the Secretary of State.

Section 2. Purpose

The City shall create a new fixed route in the vicinity of the University, largely circulating within the University campus, and shall provide such services in a manner consistent with the system at large and shall provide such ancillary services along the route as would be expected along the system at large. The City shall operate two (2) buses along said route in a reasonable effort to provide frequency of service in twenty (20) minutes or less during the normal operating hours of the system. In consideration of the terms of this agreement, active students, faculty, and staff of the university displaying proper identification will have access to all buses and services of the system during the term of the agreement.

Section 3. Organization/Statutory Authority

There will be no separate legal or administrative entity created by this Interlocal Agreement. The City is authorized under Miss. Code Ann. § 21-17-1 (10) to use available funding through the Federal Transit Administration for capital, operations and maintenance of the system which generally requires a certain proportion of local matching funds. Likewise, the University, being an institution incorporated by an act of
the legislature in Miss. Code Ann. § 37-119-1, may do all things necessary to accomplish the purpose of its creation as an institution of higher learning.

Section 4. Manner of Financing and Construction of Bus Shelters

The City shall contribute resources toward the construction of bus shelters along the new route but shall only do so in equitable proportion to the creation of shelters throughout the system. Given the effort and investment of the University in establishing distinct ornamental styling, the City will work with the University to establish a mutually agreeable style of bus shelter and related amenities that will comply with the demands of the system and be reasonably comparable in cost to other shelters in the city’s system. Shelters shall be owned and maintained by the system.

Section 5. Fees due from University

During the term of this agreement, the University shall pay unto the City an annual fee that is due by July 1 each year, beginning July 1, 2018. The annual fee is One Hundred and Twenty-one Thousand Dollars ($121,000).

Section 6. Termination and Amendment of Interlocal Agreement

The parties may terminate or amend this agreement at any time, but only by proper action of the governing authorities of all the parties. This agreement may be amended at any time by the mutual consent of the parties herein by an agreement entered into pursuant to the provisions of the Interlocal Act and approved by the Attorney General. In the event of an early termination of the Agreement by the parties, the annual fee under Section 5 shall be prorated and the City shall reimburse the remainder of the annual fee to the University. The prorated amount shall be calculated based on the difference in the number of days remaining between the early termination date and the annual expiration date of June 30.

Section 7. Review

At the completion of year two (2), and no later than October 31, 2020, both parties to the agreement shall meet to review the terms of the agreement and the results thereof. Actual cost, actual ridership, best practices, and potential system improvements will be among the items reviewed for the purpose of establishing an intent to continue such partnership beyond year three (3). The parties shall make every reasonable effort to come to a conclusion no later than January 1, 2021.
Section 8. General Provisions

a. This agreement must be ratified and approved by the respective governing authorities prior to initiation, and this agreement is expressly subject to the approval by the Attorney General of the State of Mississippi as required by Miss. Code Ann. § 17-13-11. Further, this agreement is subject to ratification by the new respective governing authorities as the term of said contract may extend beyond any term of office of the City Council of Hattiesburg, MS and/or the Board of Trustees of the Institutions of Higher Learning.

b. Nothing in this Interlocal Agreement shall be construed to abridge any of the rights, privileges, and immunities enjoyed by the governmental entities and public officials which are parties hereto.

Section 9. Severability

Should any provisions of this Agreement be found to be unconstitutional, or otherwise be contrary to the laws of the State of Mississippi or the United States of America, to the extent that it is reasonably possible to do so, the remainder of this Agreement shall remain in full force and effect.

Signed this the _____ day of ____________________, 2018.

STAFF RECOMMENDATION: Board staff recommends approval of this item.
APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

Mississippi State University
Allen Parrish; hired with tenure; Associate Vice President for Research Development and Professor of Computer Science and Engineering; salary $225,000.00 per annum, pro rata; Designated Funds; 12-month contract; effective May 1, 2018

2. Change of Status

Mississippi University for Women
Tammie McCoy; from Chair of Baccalaureate Nursing and Professor; salary of $103,375 per annum, pro rata; E&G Funds; 12-month contract; to Dean and Professor, College of Nursing and Health Sciences; salary of $130,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2018

3. Sabbatical

Jackson State University
Dal Didia; Professor, College of Business; from salary of $102,000 per annum, pro rata; 9 month contract; E&G funds; to salary of $51,000 for sabbatical period; E&G Funds; effective August 9, 2018 through May 5, 2019; professional development

University of Mississippi

Approved February 15, 2018: Marc Lerner; Associate Professor of History; from salary $72,401 per annum, pro rata; E&G Funds; 9 month contract; to salary $36,201 for sabbatical period; E&G Funds; effective January 22, 2019 to May 11, 2019, and August 17, 2019 (or beginning of contract date) to December 31, 2019; professional development.
CORRECTED: Dr. Lerner is declining his sabbatical application for January 22, 2019 to May 11, 2019, and August 17, 2019 (or beginning of contract date) to December 31, 2019.

Approved February 15, 2018: Jesse Cromwell; Assistant Professor of Colonial Latin American History; from salary $58,048 per annum, pro rata; 9 month contract; E&G Funds; to salary $29,024 for sabbatical period; E&G Funds; effective August 17, 2018 to December 31, 2018; professional development.
CORRECTED: Jesse Cromwell; Assistant Professor of Colonial Latin American History; from salary $58,048 per annum, pro rata; 9 month contract; E&G Funds; to salary $29,024 for sabbatical period; E&G Funds; effective August 17, 2018 to May 11, 2019; professional development
4. Tenure

Mississippi State University
Frank Adams; promotion to Associate Professor; Department of Marketing, Quantitative Analysis and Business Law; effective August 16, 2018

Kenneth V. Anthony; promotion to Associate Professor; Department of Curriculum, Instruction and Special Education; effective August 16, 2018

Silvia Arroyo; promotion to Associate Professor; Department of Classical & Modern Languages and Literature; effective August 16, 2018

Raymond Barranco; promotion to Associate Professor; Department of Sociology; effective August 16, 2018

Wes Baumgartner; promotion to Associate Professor; Department of Pathobiology and Population Medicine; effective July 1, 2018

Ganesh C. Bora; Associate Professor; Department of Agricultural and Biological Engineering; effective August 16, 2018

Michael Breazeale; promotion to Associate Professor; Department of Marketing, Quantitative Analysis and Business Law; effective August 16, 2018

J. Ryan Butler; promotion to Associate Professor; Department of Clinical Sciences; effective July 1, 2018

Joshua Daspit; promotion to Associate Professor; Department of Management and Information Systems; effective August 16, 2018

Brian Davisson; promotion to Associate Professor; Department of Classical and Modern Languages and Literature; effective August 16, 2018

Lori Elmore-Staton; promotion to Associate Professor; School of Human Sciences; effective August 16, 2018

Mark E. Fincher; promotion to Associate Professor; Department of Educational Leadership – Meridian Campus; effective August 16, 2018

Charles E. Freeman, Jr.; promotion to Associate Professor; School of Human Sciences; effective August 16, 2018
Veera Gude; Associate Professor; Department of Civil and Environmental Engineering; effective August 16, 2018

James E. Henderson; Professor; Department of Forestry; effective July 1, 2018

Masoud Karimi-Ghartemani; Associate Professor; Department of Electrical and Computer Engineering; effective August 16, 2018

Anthony B. Kirkland; promotion to Associate Professor; Department of Music; effective August 16, 2018

Natraj Krishnan; promotion to Associate Professor; Department of Biochemistry, Molecular Biology, Entomology and Plant Pathology; effective July 1, 2018

Santanu Kundu; promotion to Associate Professor; Swalm School of Chemical Engineering; effective August 16, 2018

Shengfa Liao; promotion to Associate Professor; Animal and Dairy Sciences; effective August 16, 2018

Yucheng Liu; Associate Professor; Department of Mechanical Engineering; effective August 16, 2018

Bethany R. McKissick; promotion to Associate Professor; Department of Curriculum, Instruction and Special Education; effective August 16, 2018

Derek Marshall; promotion to Associate Professor; General Library; effective July 1, 2018

Hugh Medal; promotion to Associate Professor; Department of Industrial and Systems Engineering; effective August 16, 2018

Qingmin Meng; promotion to Associate Professor; Department of Geosciences; effective August 16, 2018

Lyndsey Miller; promotion to Associate Professor; Program of Interior Design; effective August 16, 2018

Terezie T. Mosby; promotion to Associate Professor; Department of Food Science, Nutrition and Health Promotion; effective August 16, 2018

Michael Nadorff; promotion to Associate Professor; Department of Psychology; effective August 16, 2018
Sandra Orozco-Aleman; promotion to Associate Professor; Department of Finance and Economics; effective August 16, 2018

Jane A. Parish; Professor; Department of Animal and Dairy Sciences; effective July 1, 2018

Julie C. Parker; promotion to Associate Professor; School of Human Sciences; effective August 16, 2018

Allen Parrish; Associate Vice President for Research and Development and Professor of Computer Science and Engineering; effective May 1, 2018

Sol Pelaez; promotion to Associate Professor; Department of Classical and Modern Languages and Literature; effective August 16, 2018

J. Suzanne Powney; promotion to Associate Professor; Department of Art; effective August 16, 2018

Ryan M. Ross; promotion to Associate Professor; Department of Music; effective August 16, 2018

Scott A. Rush; promotion to Associate Professor; Department of Wildlife, Fisheries and Aquaculture; effective July 1, 2018

Adrian Sescu; promotion to Associate Professor; Department of Aerospace Engineering; effective August 16, 2018

Karim Simpore; promotion to Associate Professor; Department of Classical and Modern Languages and Literature; effective August 16, 2018

Andrew Tripp; promotion to Associate Professor; School of Architecture; effective August 16, 2018

John M. Thomason; promotion to Associate Professor; Department of Clinical Sciences; effective July 1, 2018

Farshid Vahedifard; Associate Professor; Department of Civil and Environmental Engineering; effective August 16, 2018

Ryan M. Walker; promotion to Associate Professor; Department of Curriculum, Instruction and Special Education; effective August 16, 2018

E. Samuel Winer; promotion to Associate Professor; Department of Psychology; effective August 16, 2018
Mississippi Valley State University
Teresa Banks; Assistant Professor; Teacher Education Department; effective August 13, 2018

John Bradford; promotion to Associate Professor; Department of Social Sciences; effective August 13, 2018

Cynthia Honore’-Collins; Assistant Professor; Department of Social Work; effective August 13, 2018

Lin Knutson; Associate Professor; Department of English and Foreign Languages; effective August 13, 2018

Micah Rueber; promotion to Associate Professor; Department of Social Sciences; effective August 13, 2018
1. **ASU – APPROVAL TO AWARD ONE HONORARY DEGREE**

   The university requests approval to bestow one honorary degree at its May 2018 commencement ceremony. Supporting documents are on file at the Board Office.

   **Staff Recommendation:** Board staff recommends approval of this item.

2. **USM – APPROVAL TO AWARD ONE HONORARY DEGREE**

   The university requests approval to bestow one honorary degree at its May 2018 commencement ceremony. Supporting documents are on file at the Board Office.

   **Staff Recommendation:** Board staff recommends approval of this item.
1. **SYSTEM – APPROVAL FOR FINAL READING OF AMENDMENTS TO BOARD POLICY 402.01 – FACULTY DEFINED**

Board approval for final reading is requested for the proposed amendments to Board Policy 402.01, Faculty Defined as indicated below.

### 402 ORGANIZATIONAL STRUCTURE

#### 402.01 FACULTY DEFINED

The teaching staff and those members of the administrative staff having academic rank in a college, university or other educational institution or one of its divisions. In all institutions the faculty will consist of the Corps of Instruction and the administrative officers with faculty rank.

- **A. Corps of Instruction:**
  - Professors, associate professors, assistant professors, instructors, lecturers, and teaching personnel with such other titles as may be approved by the Board, shall be the Corps of Instruction. Research and extension personnel and duly certified librarians may be included in the Corps of Instruction on the basis of comparable training. Persons holding adjunct appointments or other honorary titles shall not be considered to be members of the faculty.
  - (BT Minutes, 3/91; 3/98; 3/2008)

2. **SYSTEM – APPROVAL FOR FINAL READING OF AMENDMENTS TO BOARD POLICY 509 DISTANCE LEARNING POLICY**

Board approval for final reading is requested for the proposed amendments to Board Policy 509 Distance Learning Policy as indicated below.

### 509 DISTANCE LEARNING POLICY

All distance learning courses and programs shall be in accord with Southern Association of Colleges and Schools (SACS); Commission on Colleges (SACSCOC) *Principles of Accreditation* and Southern Regional Education Board Principles of Good Practice; Council of Regional Accrediting Commissions Interregional Guidelines for the Evaluation of Distance Education. Unless otherwise provided, all Board and university policies, standards, and guidelines for on and off campus instruction apply to distance learning.

- (BT Minutes, 2/98; 3/2008)

**STAFF RECOMMENDATION:** Board staff recommends Board approval for final reading.
1. SYSTEM – APPROVAL OF A CONTRACTUAL SERVICES AGREEMENT WITH CLA, LLP

Agenda Item Request: The IHL System requests approval to enter into a new multi-year agreement for annual external audit services Clifton Larson Allen, LLP (CLA).

Contractor's Legal Name: Clifton Larson Allen, LLP

History of Contract: This is a new contract. The current agreement between the IHL and KPMG, LLP expires on or about July 29, 2018. The last audit period covered under that agreement was for fiscal year end June 30, 2017. Prior to the current contract, KPMG also provided external audit services each year beginning in FY 2010. This new agreement with CLA will begin with the 2019 fiscal reporting period.

Specific Type of Contract: Audit service agreement

Purpose: The purpose of the agreement is to secure external audit services for the entire IHL System for a term of the four (4) annual reporting periods of Fiscal Years Ending June 30, 2018, 2019, 2020 and 2021. The Office of the State Auditor is also a party to this contract.

Scope of Work: CLA agrees to perform an external audit examination of the IHL System’s records for four (4) annual reporting periods. All professional services will be performed in accordance with current applicable auditing standards and all deliverables will meet guidelines established by regulatory bodies. Annual reporting periods covered under this agreement include Fiscal Years Ending June 30, 2018, 2019, 2020 and 2021.

Term of Contract: The agreement will become effective upon full execution of all parties. The agreement will expire after the conclusion of the last services performed for the FY 2021 audit.

Termination Options: Termination options include the following:
- Failure to perform by either party
- By IHL without cause with 15 days notice

Contract Amount: The total contracted price for this agreement is expected to be $3,465,000. Fees are based on anticipated cooperation from IHL personnel in preparation of confirmations and requested schedules.

CLA may also bill in excess of this amount for the following additional services:
- Bookkeeping
- Unanticipated changes in organizational structure or accounting records
- Deteriorization of accounting records
- Significant new accounting issues
Mergers, acquisition, or other business combinations
New or unusual transactions
Changes in audit scope
Erroneous or incomplete accounting records
Material weakness in internal controls
Regulatory examination matters,
Implementation of new accounting, reporting, regulatory, or tax requirements
New financial statement disclosures
Changes in timing due to delays caused by IHL system personnel
Other like changes in scope

Approval is requested to increase spending authority due to additional service needs of the type listed above up to $4,000,000.

**Funding Source for Contract:** Contractual costs will be shared amongst the IHL institutions based upon each’s proportionate share of the worked audit hours. E&G funding sources will be the primary means for these payments.

**Contractor Selection Process:** The IHL System issued a Request for Proposals (RFP) for external audit services in late November 2017 with cooperation from the Office of the State Auditor. Four vendors responded with written proposals. An evaluation team consisting of IHL Board Office and university staff reviewed the proposals for accuracy and rated proposals.

During the evaluation process, several factors were considered including cost, higher education audit experience, staffing levels, auditor independence and peer reviews. Weights were assigned to each category with the highest weights assigned to the cost and higher education audit experience categories. A firm’s proposal was scored based upon the proposal response multiplied with the category weight.

A summary of the four proposals is presented below:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>RFP Evaluation Score</th>
<th>Total Contract Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLA</td>
<td>176.0</td>
<td>$3,465,000</td>
</tr>
<tr>
<td>KPMG</td>
<td>175.0</td>
<td>3,779,000</td>
</tr>
<tr>
<td>Cherry Bekaert</td>
<td>169.0</td>
<td>3,930,000</td>
</tr>
<tr>
<td>BKD</td>
<td>158.5</td>
<td>4,680,000</td>
</tr>
</tbody>
</table>

CLA’s proposal was scored the highest on the rating criteria. In addition, CLA’s bid was the lowest cost.
Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. This agreement has been reviewed and approved by the Associate Commissioner for Legal Affairs. Board staff recommends approval.

2. SYSTEM – APPROVAL FOR REVISION OF BOARD POLICY 704.01 – ATHLETIC REVENUE AND EXPENDITURES AND WAIVER OF SECOND READING

Agenda Item Request: The following is submitted for consideration for first reading to be added to the Board’s Policy.

Institutional Executive Officers are authorized to transfer or use up to $1,500,000 annually from Unrestricted Educational and General (E&G) funds for athletic expenditures.

For the purposes of this section, athletic expenditures include all direct operating costs, pro-rated costs for facilities support, all athletic scholarships, but excludes waivers of non-resident tuition for athletes.

Over and above the sums shown above, each school is authorized to expend a limited amount per student FTE from Unrestricted Education and General funds. The additional maximum amount per student FTE per semester (summer, fall, and spring) which may be expended for each institution is $198.00. Institutional Executive Officers are authorized to request allocations in excess of the calculated amount on an annual basis. Any allocations in excess of the calculated amount shall be subject to approval by the Commissioner upon review of information appropriate to such authorization.

Each year beginning July 1, 2014 the athletic allocation will be automatically indexed to the Consumer Price Index.

All other revenue for athletic expenditures must 1) be generated directly by the institution through athletic department receipts, 2) income from available athletic fund balances, or 3) for those institutions operating athletics as an auxiliary enterprise, come from available auxiliary fund balances.


Staff Recommendation: Board staff recommends waiver of the second reading requirement and FINAL approval of the revision to Board Policy 704.10.
3. **SYSTEM- PRESENTATION AND APPROVAL OF FY 2019 APPROPRIATIONS AND APPROPRIATION ALLOCATION**

There will be an overview of the FY 2019 appropriations from the Legislature with a presentation of the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center.

Allocation will be provided under separate cover.

**Staff Recommendation:** Board Policy 701.04 says “*The Commissioner, after consultation with the Institutional Executive Officers, shall use the Adequate Funding Model to prepare and submit for approval by the Board an annual request for allocation of funds appropriated by the Legislature for the use of the several institutions and separately budgeted units.*” Board staff recommends FINAL approval of the FY 2019 allocation.

4. **SYSTEM – SALARY GUIDELINES FOR FY 2019**

Board Policy requires the Commissioner and the Institutional Executive Officers to determine annual salary guidelines in preparation for the upcoming budget. Salary increases for FY 2019 should be based on one or more of the following:

1) meritorious performance,

2) market or equity adjustments, and

3) faculty/staff promotions.

Salary increase decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses). These salary guidelines will apply to all university employees regardless of funding source or types of increases awarded.

**Staff Recommendation:** Based on Board Policy 401.0103 Salaries and Compensation, the Commissioner after consultation with the Institutional Executive Officers, shall annually develop guidelines for the award of salary increases which shall be approved by the Board. Board staff recommends approval of this item.

5. **SYSTEM – REQUEST FOR APPROVAL OF FY 2019 TUITION, ROOM AND BOARD RATES AND WAIVER OF THE 30-DAY REVIEW PERIOD**

**Agenda Item Request:** Approval is requested to waive the required 30-day review period and to give final approval for the tuition, room and board rates effective FY 2019.
Additional information will be submitted to the Board under separate cover.

Staff Recommendation: Based on Board Policy 702.04C – Consideration of Requests: Requests to establish tuition, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner. The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint.

Staff recommends FINAL APPROVAL of the proposed FY2019 tuition, room and board rates and a waiver of the 30-day review period.

6. MUW – REQUEST FOR APPROVAL OF A RESIDENCY AND OUT-OF-STATE TUITION WAIVER POLICY AND WAIVER OF THE 30-DAY REVIEW PERIOD

Agenda Item Request: Mississippi University for Women (MUW) requests the elimination of the non-resident fee under Board policy 702.04, and further requests the waiver of the thirty-day review requirement.

Purpose: Mississippi University for Women (MUW) is requesting approval elimination of the out of state fee effective Fall 2018. More specifically, this policy will be implemented to include out-of-state tuition waivers as authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. § 37-103-25 (3).

Authority and Effective Date: This policy reflects, and shall be construed in conformity with, the Policies and Bylaws of the Board of Trustees of State Institutions of Higher Learning and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This policy shall be effective upon approval by IHL and MUW with individual waivers becoming applicable as of Fall 2018.

Proposed Out-of-State Waiver Policy: MUW proposes the elimination of the out of state fee effective Fall 2018. The ease of having one tuition rate will allow us to successfully recruit in a broader market, reaching beyond our contiguous states. ASU eliminated the out of state fee Fall 2015; DSU Fall 2013; and MVSU Summer 2013.

MUW has continued to charge non-resident tuition to students who are not residents of Mississippi. Students who are charged non-resident tuition may be eligible for a waiver (scholarship) that will cover this fee.

In fall 2012, MUW added the following categories of non-resident waivers (scholarships):

- Regional – students who met requirements for initial award of regional tuition scholarship and who maintain satisfactory academic progress.
- West Alabama residents of Fayette, Lamar, Pickens and Tuscaloosa counties …
- Strategic Markets (AL) Baldwin, Jefferson, Mobile, Shelby, Walker; (TN) Fayette, Shelby, Tipton
Children of Alumni Undergraduates

In fall 2014, MUW expanded the non-resident waivers (scholarships) to cover the following categories:

- Contiguous States - residents of Alabama, Arkansas, Louisiana & Tennessee
- Military - All students who have active or veteran military status, including spouses & dependent children
- Students Near Completion of a Degree - have earned 90 credit hours or more & been out of school for a minimum of 2 years
- Children & Grandchildren of Alumni - undergraduate children/grandchildren of active members of MUW Alumni Association
- Academic Programs Mission - specific programs identified by MUW

Financial Impact: Based on the following information, since expanding the waiver criteria, MUW has seen a 72% increase in out-of-state undergraduate and out-of-state graduate enrollment. Without the out-of-state increase, we would not have an increase in total enrollment. This increase has not resulted in much of a net tuition gain since the waivers have been shown as a scholarship expense. Based on recent data provided to IHL, our net tuition gain from the non-resident rate was less than $21,000 in a given year.
Staff Recommendation: In accordance with House Bill 1095 amending Miss. Code Ann Section 37-103-25, the Board of Trustees is authorized to allow institutions to waive out-of-state tuition when a waiver policy is requested by the President or Chancellor and determined to be fiscally responsible by the Board. Board staff reviewed the proposed policy and financial projections provided by MUW. Board staff recommends Final approval and a waiver of the 30-day review period of this item.

7. **DSU – REQUEST TO INSTITUTE STUDENT ACTIVITIES FEE AND WAIVER OF THE 30-DAY REVIEW PERIOD**

**Agenda Item Request:** At the request of its student body, Delta State University (DSU) requests permission to institute a Student Activities Fee to provide an independent source of funding for the Student Government Association to expanded student programming, student organizations, weekend and late-night programming, and educational speakers. DSU further requests the waiver of the thirty-day review requirement.
Specifically, DSU requests approval to institute a $25.00 Student Activities Fee per semester to full-time students and pro-rated to part-time students. Students will not be charged the fee during the summer semesters.

Student engagement on campus plays a critical role in retention and recruitment. The fact that this mandated fee was requested by the students is evidence of the need. The current Student Affairs budget is insufficient to accommodate the monetary needs of the more than one hundred student organizations on campus. It also limits program offerings. A Student Activities Fee will provide supplemental funding for this budget and will be administered by Student Affairs Administrators.

**Estimated Revenue:** Based on current enrollment, DSU projects this fee to generate approximately $125,000 of new revenue annually.

**Staff Recommendation:** Based on Board Policy 702.04C, Consideration of Requests, requests to establish tuition, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner. The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint. Board staff recommends Board Final approval and a waiver of the 30-day review period of this item.

8. **JSU – REQUEST TO INCREASE STUDENT ACTIVITIES FEE AND WAIVER OF THE 30-DAY REVIEW PERIOD**

**Agenda Item Request:** Jackson State University (JSU) requests permission to increase its Student Activities Fee to provide funding for a variety of student events. JSU further requests the waiver of the thirty-day review requirement.

Specifically, JSU requests permission to increase its Student Activities Fee per semester applicable to all students (resident, non-resident, on-line and on any campus) from $10 to $35. The fee will be assessed on undergraduate students and graduate students on a per student basis. The fee will be assessed for all academic terms starting after August 1, 2018.

**Fee Calculations**

Fee amount per student: $35.00 per semester, $70 per year
Fee amount per student for Campus Activities: $25.00 per semester, $50.00 per year
Fee amount per student for Tech charge for student printing: $10.00 per semester, $20.00 per year

**2018-2019 Tuition Cost**

<table>
<thead>
<tr>
<th></th>
<th>Without Student Activity Fee</th>
<th>With Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate In-State</td>
<td>$7,981</td>
<td>$8,051</td>
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<tr>
<td>Undergraduate Non-Resident</td>
<td>$19,209</td>
<td>$19,279</td>
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</table>
Fee Revenue per Year

<table>
<thead>
<tr>
<th></th>
<th>Number of Students (2018-2019)</th>
<th>Proposed Fee Revenue per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate Students</td>
<td>5,423</td>
<td>$379,606</td>
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<tr>
<td>Graduate Students</td>
<td>1,527</td>
<td>$106,925</td>
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<tr>
<td>Total</td>
<td>6,950</td>
<td>$486,531</td>
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</table>

2018-2019 Annual Budget Funding

<table>
<thead>
<tr>
<th>Activities Activities Board</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homecoming</td>
<td>$175,000</td>
</tr>
<tr>
<td>Southern Heritage Classic</td>
<td>$5,000</td>
</tr>
<tr>
<td>Leadership Speaker Series</td>
<td>$8,000</td>
</tr>
<tr>
<td>New Leaders Academy/New Student Convocation (Class Council)</td>
<td>$10,000</td>
</tr>
<tr>
<td>Mister &amp; Miss JSU Coronation</td>
<td>$10,000</td>
</tr>
<tr>
<td>Black History Month</td>
<td>$5,000</td>
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<tr>
<td>Black College Day</td>
<td>$10,000</td>
</tr>
<tr>
<td>Midnight Breakfast</td>
<td>$40,000</td>
</tr>
<tr>
<td>Thee I Love Week (Bash, Awards)</td>
<td>$40,000</td>
</tr>
<tr>
<td>Welcome Week</td>
<td>$30,000</td>
</tr>
<tr>
<td>Street Jam</td>
<td>$5,000</td>
</tr>
<tr>
<td>Other campus events</td>
<td>$8,000</td>
</tr>
<tr>
<td><strong>Subtotal Student Events</strong></td>
<td><strong>$346,000</strong></td>
</tr>
</tbody>
</table>

Tech Funding

<table>
<thead>
<tr>
<th>Activities</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tech Charge for Student Printing</td>
<td>$140,531</td>
</tr>
</tbody>
</table>

**Proposed Total Budget** | **$486,531**

Staff Recommendation: Based on Board Policy 702.04C, Consideration of Requests, requests to establish tuition, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner. The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint. Board staff recommends Board Final approval and a waiver of the 30-day review period of this item.

9. **JSU – REQUEST TO INCREASE CAPITAL IMPROVEMENT FEE AND WAIVER OF THE 30-DAY REVIEW PERIOD**

**Agenda Item Request:** Jackson State University (JSU) requests permission to increase its Capital Improvement Fee to provide a stable base of support for capital projects. JSU further requests the waiver of the thirty-day review requirement.
Specifically, JSU requests permission to increase its Capital Improvement Fee per semester applicable to all students (resident, non-resident, on-line and on any campus) from $50 to $52.50. The fee will be assessed at an hourly rate of $4.38 for undergraduate students and at an hourly rate of $5.83 for graduate students and will be capped at $52.50 per term. The fee will be assessed for all academic terms starting after August 1, 2018.

Planned uses of the total capital improvement revenue are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor renovation of educational facilities</td>
<td>$175,000</td>
</tr>
<tr>
<td>New and more efficient Air Handler Units in various facilities</td>
<td>$193,308</td>
</tr>
<tr>
<td>Sidewalk and paving repairs</td>
<td>$145,000</td>
</tr>
<tr>
<td>Minor renovation of housing facilities</td>
<td>$170,000</td>
</tr>
<tr>
<td>Campus Signage</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total Planned Capital Improvement Fee Usage</strong></td>
<td><strong>$733,308</strong></td>
</tr>
</tbody>
</table>

Estimated Revenue: Based on current enrollment, JSU projects this fee to generate approximately $733,308 of revenue annually, all of which will be recorded in the plant fund and used strictly to address facility repair needs on campus.

Staff Recommendation: Based on Board Policy 702.04C, Consideration of Requests, requests to establish tuition, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner. The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint. Board staff recommends Board Final approval and a waiver of the 30-day review period of this item.

10. USM – REQUEST TO MODIFY EXHIBIT F “MEMORANDUM OF AGREEMENT” TO LEASE AGREEMENT BETWEEN THE UNIVERSITY OF SOUTHERN MISSISSIPPI AND THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT

Agenda Item Request: The University of Southern Mississippi (USM) requests IHL Board approval to modify Exhibit F “Memorandum of Agreement” to the Lease Agreement for the Construction and Lease of Port Facilities between the USM and Mississippi Development authority (“MDA”) and the Mississippi State Port Authority at Gulfport (together with MDA, the “Port Authority”). The premises at this marine research facility means the real property, including the improvements and equipment constructed or to be constructed thereon, located on a portion of the Port Facility, as more specifically depicted in Exhibit A to the Lease Agreement. The square footage of the heated and cooled building space is approximately 18,000 square feet and the warehouse space is approximately 5,000 square feet. This facility will support several activities for USM that are currently unsupported or inadequately provisioned elsewhere. These activities include:
1. Shore facility support for the Research Vessel Point Sur including crew work spaces, equipment storage and maintenance shops;
2. Laboratory, fabrication and office spaces for USM Ocean Engineering Research programs;
3. Academic spaces for Ocean Engineering and Unmanned Maritime Systems programs as well as other degree programs offered under the SOST along the coast;
4. USM small boat maintenance and repair shop.

Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, USM also requests a waiver to allow prepayment of the lease payments under the terms and conditions of the lease.

**Contractor’s Legal Name:** Mississippi Development Authority and the Mississippi State Port Authority at Gulfport.

**History of Contract:** At its March 2018 meeting, the Board approved the lease agreement between USM and Mississippi Development authority (“MDA”) and the Mississippi State Port Authority at Gulfport (together with MDA, the “Port Authority”). Included with the lease as Exhibit F was a Memorandum of Agreement between the Mississippi State Port Authority and USM. In Section 1(c) of the MOA, USM was offered a 1% discount on rent for each year that USM satisfied “any or all” of a list of certain accomplishments.

Subsequently, MDA came back to the Port Authority with changes to the Memorandum of Agreement (MOA). While most of the changes to the MOA are formatting or grammatical, Section 1(c) was changed by MDA to offer a 1% discount on rent each year only if USM satisfied all of the listed accomplishments. Due to this change, USM is seeking approval to modify the original Exhibit F “MOA” to the original lease agreement.

**Specific Type of Contract:** This is a modification to Exhibit F to the Lease Agreement.

**Purpose:** The purpose of this request is for approval of the modifications made by MBA to Exhibit F “MOA” to the Lease Agreement.

The purpose of the original lease agreement is to provide USM with classroom space located at the Port of Gulfport for use mainly with USM’s Marine Science students. USM will also lease the pier at the Port for USM’s marine vessels especially the Point Sur. Leasing at the Port provides USM safe and secure storage areas and gives USM access to a deep-water Port for loading and unloading heavy equipment from USM vessels. This facility will support the activities as listed above. Approximately 10 permanent, full-time faculty and staff will work from the facility. However, there will be approximately 1000 student contact hours, dozens of research projects and storage of USM’s fleet of unmanned surface and underwater vehicles.

**Scope of Work:** The scope of work of the Port Authority is to construct the premises which will include classroom space, warehouse and storage space as further defined on Exhibit A of
the Lease Agreement. The facility is being constructed by the Port Authority with advisement by USM specifically for these programs’ success. The location at Port of Gulfport is ideal for immediate access to the Gulf of Mexico, and associated dock spaces for the R/V Point Sur are adjacent to the facility. The facility will also serve as a shore facility for visiting researchers using the Point Sur as well as visiting research ships needing crew and equipment management.

**Term of Contract:** The term of the Lease Agreement shall commence on the Effective Date under the Lease Agreement and shall expire on the tenth (10th) anniversary of the Occupancy Date. USM shall have the right to extend the Lease Agreement for an additional ten (10) year term upon six (6) months written notice to the Port Authority.

**Termination Options:** In the event of a force majeure event, USM shall have the right to terminate the Lease Agreement. If an Event of Default occurs at any time during the Term, the Non-Defaulting Party may terminate the Lease Agreement upon no more than ten (10) days written notice of such default to the Defaulting Party.

**Contract Amount:** USM shall pay rent in the amount of two hundred and fifty thousand Dollars ($250,000) per year of each year of the initial ten (10) year term of the Lease Agreement. USM shall have the right to extend the term of the Lease Agreement for one (1) additional Ten (10) year term upon six (6) months written notice to the Port Authority. During the extended ten (10) year term, if elected by USM, USM will pay rent in the amount of Two Hundred and fifty thousand Dollars ($250,000) plus an additional amount of rent increase for the extended term as calculated by the CPI increase effective after the 10th Anniversary of the Occupancy Date. The total Contract Amount to be paid by USM including the extended term shall be Five Million Dollars ($5,000,000) plus an estimated amount for the calculated CPI increase.

**Funding Source of Contract:** Research Funds

**Contractor Selection Process:** N/A

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of leases in an amount greater than $100,000. Based on Board Policy 707.03, *Approval of Prepayment for Goods and Services*, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.
1. **UMMC - APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking board approval for settlement for Tort Claim number 3035.

2. **UMMC - APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking board approval for settlement for Tort Claim number 3170.
1. **SYSTEM – APPROVAL FOR FINAL READING OF AMENDMENTS TO BOARD POLICY 201.0509 INSTITUTIONAL EXECUTIVE OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH PROCESS**

Board approval is requested for final reading of the proposed amendments to Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process.

**201.0509 INSTITUTIONAL EXECUTIVE OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH PROCESS**

A. **General Policy**
   - The Board shall appoint the Commissioner and the Institutional Executive Officers (IEOs). The Board shall make interim appointments to executive officer and/or commissioner positions as necessary and with such consultation as the Board considers appropriate.

B. **Board Search Committee**
   - The President of the Board shall appoint a committee of Board members to manage the search for a Commissioner or an IEO. However, any Board member who wants to serve on the committee may serve. The President of the Board, with the consent of the Board, shall appoint a member of the committee as chairperson.

   Rather than engaging in the extended search process described below within the next paragraph and those that follow, the Board may, in its discretion, interview candidates that are known to the Board and consider their selection in accordance with the expedited process described in this paragraph. Such candidates may be internal candidates from the subject university or from one of the other state universities, or such other candidates that the Board believes should be considered. The Board may conduct such interviews of internal candidates or other candidates at an early point in the process so as not to discourage the application of additional candidates that may choose to apply if an internal candidate is not selected by way of an expedited process. In any event, an expedited process, if followed, should be utilized prior to the hiring of a search consultant. Following interviews of any such internal or other candidates, the Board, as it deems appropriate, may proceed with utilizing any portions of the extended search process set out below. A Board vote to select a preferred candidate interviewed in accordance with this expedited process shall require the affirmative vote of at least nine Board members. If candidates
are interviewed in accordance with this expedited process and no candidate is designated as a preferred candidate, the Board has the power to engage in other expedited processes or to conduct a search in accordance with the extended process described below.

The Commissioner, in consultation with the Board Search Committee, will make a recommendation to the Board with regard to a search consultant to assist with the search for an IEO. The Board may interview and will select the search consultant, if the Board determines that one is needed. The Board Search Committee may select a search consultant to assist with the search for a new Commissioner. As part of the initiation of the IEO search process, the Commissioner and Board Search Committee may consider the input of constituents regarding desired characteristics of a new IEO. The Board may also consider input from constituents regarding the desired characteristics of a new Commissioner. The Board shall approve any minimum qualifications for candidates.

C. Advertisement Schedule
If a search consultant is used, the Commissioner, with the assistance of any search consultant, shall develop the position advertisement and a general schedule for the search in consultation with the Commissioner and with the approval of the Board Search Committee.

D. Campus Search Advisory Committee
In a search for an IEO, the Commissioner shall prepare a list of the proposed membership of a Campus Search Advisory Committee, as well as a chair, or co-chairs, of such committee. The Campus Search Advisory Committee (“CSAC”) shall be representative of the various constituent groups of the university and representative in terms of diversity of race and gender, including administrators, faculty, staff, students, alumni, foundation representatives, and members of the community. There is no requirement that any particular person be selected because of their position, and no member of the CSAC will report to any group with respect to the search. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner’s recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss
further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner’s recommendations, the Commissioner may proceed with appointing the membership and chair (or co-chairs) of the Campus Search Advisory Committee. The Commissioner, in coordination with the Chair of the Board Search Committee, shall take appropriate steps to receive written assurances from all of those proposed to serve on the Campus Search Advisory Committee that they have not formed any opinion as to the identity of the particular person that should be selected as the IEO, that they have no personal, professional or other relationship with any person that they understand may be a candidate that would impair their objectivity in fairly considering all candidates, that they will endeavor to remain open to considering all persons that apply in a fair and unbiased manner, and that they will not agree with any person to advocate or campaign for the selection of any particular candidate, and that they will not reveal any information about any applicants, before or after the conclusion of the search. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner’s recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner’s recommendations, the Commissioner may proceed with appointing the membership and chair (or co-chairs) of the Campus Search Advisory Committee. In a search for a Commissioner, the Board may seek advice from appropriate individuals or groups, including any search consultant hired by the Board.

E. Recruitment

Recruitment of candidates may occur up to the point of selection, but candidates will be advised to submit their materials by a specified date to insure optimum consideration for the position. At any point in the search process the Board may add additional candidates to the pool being considered without starting the entire process over. The decision regarding whether to
have any such additional candidates reviewed by the Campus Search Advisory Committee is in the discretion of the Board. Additional interviews may be conducted as desired by the Board.

F. Candidate Screening

The Campus Search Advisory Committee members will review the applications received by the date established in the advertisement. No meeting of the Campus Search Advisory Committee will be held to discuss candidates, since the process seeks to obtain independent advice from each member of the CSAC—without consultation among the members. Each member will submit their recommendations individually and separately as to the candidates to be further considered, and each shall vote individually by secret ballot for a minimum of five candidates that he/she recommends as a good candidate for the position for further consideration. The search consultant, if one is used, is to then accumulate the secret ballots and count them. If no consultant is used, the Commissioner shall accumulate the results of those recommendations and ballots and count them. The results of the vote count, indicating the number of favorable votes received by each candidate, are to then be reported same to the Board Search Committee members. The Board Search Committee shall then meet and discuss which candidates to interview. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be interviewed, the Board Search Committee shall proceed with planning first round candidate interviews. The search consultant shall then be informed of the candidates to be interviewed. The consultant shall next be informed that he/she may advise the non-selected candidates that they will not be interviewed as part of the initial process, if such notification is deemed prudent by the Board and the search consultant at that point in time. The consultant should, if directed by the Board, remind those candidates that were not invited back for initial interviews that the Board can always add more names to be considered at a later date. The Campus Search Advisory Committee may then be told who will be initially interviewed by the Board Search Committee.
G. Interview Search Advisory Committee

Each member of the Campus Search Advisory Committee shall be requested to provide nominations from the membership of that committee to serve on the Interview Search Advisory Committee. Using that information and such information as may be deemed helpful to insure a balanced Interview Search Advisory Committee, the Commissioner and the Chair of the Board Search Committee shall then prepare a list of the proposed membership of an Interview Search Advisory Committee from the membership of the Campus Search Advisory Committee. The Interview Search Advisory Committee shall be comprised of administrators, faculty, students, staff, and outside representatives. These representatives shall be diverse in race and gender. The Commissioner shall then inform Board members of the proposed membership of that committee. After the Board has been provided with the recommendations from the Commissioner and the Chair of the Board Search Committee for the membership of the Interview Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the recommendations, the Commissioner may proceed with appointing the membership of the Interview Search Advisory Committee. The Interview Search Advisory Committee may participate with the Board of Trustees will determine the role to be played by the in the remainder of the search process, except when the Board of Trustees excuses the Interview Search Advisory Committee with respect to the remainder of the search process from executive session.

H. First Interviews

The Board Search Committee and the Commissioner --, with such assistance and/or participation input from the Interview Search Advisory Committee as the Board deems appropriate and helpful --, will conduct the first round of interviews. If the Board chooses to allow members of the Interview Search Advisory Committee to participate in the First Interviews, no meeting of those members will be held to discuss candidates, and each member shall independently and confidentially write down his/her comments pertaining to each candidate immediately following that candidate’s interview. The Chair of the Board Search Committee shall collect the written comments from each
Interview Search Advisory Committee member. Those written comments will be provided to the Board Search Committee without consultation or coordination among Interview Search Advisory Committee members. All Board members will be invited to attend the interview. The consultant, if one is used, or the Commissioner if no consultant is used, will conduct a background check on those candidates participating in the first round of interviews.

I. Reference Contacts
Under the direction of the Commissioner and/or the consultant, reference contacts will be made on each candidate who is participating in the second round of interviews. Before or at the conclusion of the second round of interviews, the results of the reference contacts and background checks shall be made known to the Board.

J. Second Interviews
Before the second round of interviews, the results of the reference contacts and background checks shall be made known to the Board and the Interview Search Advisory Committee. The Board Search Committee and the Commissioner -- with such assistance and/or participation from the Interview Search Advisory Committee as the Board deems appropriate and helpful --, will conduct the second round of interviews. The Board Search Committee shall then meet to discuss who and how many to interview during the second round of interviews. Any other Board members may attend this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview for second round interviews. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed for a second interview, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be further interviewed, the Board Search Committee shall proceed with planning the second round interviews by the full Board. The Board may conduct as many additional interviews as it deems necessary in conducting the search process. The Board will determine whether and the extent to which individual Trustees or groups will separately meet with the candidates. If the Board chooses to allow members of the Interview Search Advisory Committee to participate in the Second interviews, no meeting of those members will be held to discuss candidates, and each
member shall independently and confidentially write down his/her comments pertaining to each candidate immediately following that candidate’s interview. The Chair of the Board Search Committee shall collect the written comments from each Interview Search Advisory Committee member. Those written comments will be provided to the Board Search Committee without consultation or coordination among Interview Search Advisory Committee members.

K. Preferred Candidate
After all of the above has been completed, the Board of Trustees will meet to hear from the Board Search Committee regarding an assessment of each candidate. The Commissioner’s assessment will be sought. The Board of Trustees will then select and announce their Preferred Candidate.

L. Campus Interview
The Preferred Candidate will be scheduled for a full day on-campus for interviews with a wide array of constituents. Each group will have the opportunity to provide feedback on the Preferred Candidate to the Board of Trustees.

M. Decision
The Board of Trustees will meet after the last on-campus interview session to review the feedback and conduct further discussion. The Board of Trustees will then vote to name the Preferred Candidate as the institution’s new Institutional Executive Officer or vote to continue the search.

In a search for a Commissioner, the Board Search Committee may request appropriate individuals or groups to submit unranked recommendations of candidates to be considered for initial interviews. The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews. The Board Search Committee may also invite additional individuals to attend and observe the initial interviews conducted by such committee to fill the position of Commissioner. The Board Search Committee will next develop an interview schedule for the candidates selected for final interviews for the position of Commissioner. The Board shall then meet and conduct final interviews and select the Commissioner.
2. **SYSTEM – APPROVAL FOR FINAL READING OF AMENDMENTS TO BOARD POLICY 201.0510 APPLICATION BY INTERIM INSTITUTIONAL EXECUTIVE OFFICER FOR INSTITUTIONAL EXECUTIVE OFFICER POSITION**

Board approval is requested for final reading of the proposed amendments to Board Policy 201.0510 Application by Interim Institutional Executive Officer for Institutional Executive Officer Position.

**201.0510 APPLICATION BY INTERIM OR ACTING INSTITUTIONAL EXECUTIVE OFFICER FOR INSTITUTIONAL EXECUTIVE OFFICER POSITION**

An individual that continues to serve as the acting or interim Institutional Executive Officer after the formal circulation of the Advertisement requesting applications as (IEO) at a university shall not be considered as a candidate for the permanent IEO position at that university during that search process. However, this policy does not prohibit consideration during the search process of an individual who has completed service as an interim or acting IEO prior to the circulation of the formal Advertisement for applications and who discontinues such service at that time.

An individual currently serving as the interim Institutional Executive Officer (IEO) at a university shall not be considered as a candidate for the permanent IEO position for which he/she serves as interim at the same university. However, an individual currently serving as interim IEO may apply and be considered for a permanent IEO position at a different university. This policy does not prohibit an individual who has completed service as an interim IEO from being considered as a candidate for any IEO positions that subsequently become available at the same university.
1. SYSTEM – 2017 TEXTBOOK SURVEY REPORT

During the Fall 2017 semester, IHL institutions conducted a survey of students and faculty to supplement the annual IHL Textbook Policy (§617) data collection. The questions below were intended to collect student feedback regarding textbook affordability, student access to alternative resources, and faculty participation in the Hewlett funded opportunity to use Open Educational Resources.

Students were asked to provide responses to the following items:

1. Overall cost for textbook this semester.
2. Number of textbooks bought where professor required a textbook.
3. Number of used textbooks available for purchase when class required textbook.
4. Were other purchases required i.e., lab materials, subscription, CD?
5. Did professors use the textbook after requiring purchase?

Faculty were asked to provide responses to the following items:

1. How many faculty have participated in the use of Open Educational Resources?
2. How many faculty are using other opportunities for online or other textbooks, deleting the need for hardbound books?

Key Findings:

Student survey:

- **63,135** student survey responses were submitted.
- On average, students purchased **4** textbooks.
- The average total cost of these textbooks was **$425**.
- On average, **71%** of students surveyed responded that at least one pre-owned textbook was available.
- On average, **65%** of students surveyed responded that there were no other purchases required (i.e., lab materials, subscription, CD)
- On average, **58%** of students surveyed responded that the professor used the required textbook in the course.

Faculty survey:

- **12** faculty members reported participating in the Hewlett Open Educational Resources opportunity.
- **118** faculty members reported using other resources, not physical textbooks.
## Summary of Student and Faculty Responses by Institution

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<th></th>
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<th>JSU</th>
<th>MSU</th>
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<th>MVSU</th>
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<td></td>
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<td>Average number of textbooks purchased</td>
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<td>*</td>
<td>4</td>
<td>5</td>
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<td>At least one pre-owned textbooks available</td>
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<td>69%</td>
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<td>76%</td>
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<td>Professors used the required textbook</td>
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<td>59%</td>
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<td>Number of respondents</td>
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| **Faculty questions:**                      |     |     |     |     |     |      |    |     |
| Number participating in the Hewlett OER opportunity | * | 5 | * | * | 5 | 2 | * | * |
| Number using other resources, not physical textbooks | * | 64 | * | * | 44 | 10 | * | * |

* Data unavailable
** UM conducted surveys in each class, not one campus wide survey

2. **SYSTEM – 2015-2016 TEXTBOOK REPORT**

(Provided under separate cover)
1. **MSU- MISSISSIPPI INFORMATION TECHNOLOGY SERVICES RENEWAL OF THE MASTER SOFTWARE LICENSE AND SERVICES AGREEMENT WITH BLACKBOARD, INC.**

   The following document represents the approval of MS-ITS for the continued use of Blackboard’s Learning Management System by Mississippi State University (MSU). The Attorney General’s staff assigned to the MS-ITS reviewed the Renewal Confirmation Notice prior to approval. The Master Agreement for software and services is between Blackboard, Inc. and MS-ITS behalf of MSU.

   See Exhibit 1.

2. **UMMC-MISSISSIPPI INFORMATION TECHNOLOGY SERVICES SUPPLEMENT TO MASTER PURCHASE AGREEMENT WITH CAROUSEL INDUSTRIES OF NORTH AMERICA, INC.**

   The following document represents the approval of MS-ITS for the University of Mississippi Medical Center (UMMC) to purchase one (1) year of maintenance for UMMC’s phone system. The Attorney General’s staff assigned to the MS-ITS reviewed the supplement prior to execution. The Supplement is between Carousel Industries of North America, Inc. and MS-ITS on behalf of UMMC.

   See Exhibit 2.
CUSTOMER INFORMATION:

Billing Address:
Mississippi State University
P.O. Box 5307 51 Magruder Street
Mississippi State MS 39762-5307
USA

Date: 09 October 2017
Customer No.: 100854
Document No.: Bb-187890

Customer Primary Contact:

RENEWAL PRODUCTS OR

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**Renewal Amount (USD) **

305,000.00

**RENEWAL CONFIRMATION:**

You will be invoiced for products and/or services for the total above upon receipt of this form unless other arrangements are made.

Billing information is accurate: ______________________ (please initial or note corrections)

Purchase Order No. ______________________ - OR - My organization does not require a Purchase Order _______ (please initial)

Please send this complete renewal confirmation notice and accompanying purchase order, if necessary, via any one of the following methods by July 01, 2018:

- Email: operations@blackboard.com
- Fax: +1.312.236.7251
- Mail: Blackboard Inc., 3815 River Crossing Parkway, Suite 200, Indianapolis, IN 46240 USA

Blackboard Proprietary and Confidential
PROJECT NUMBER 44227
SUPPLEMENT TO
MASTER PURCHASE AGREEMENT
BETWEEN
CAROUSEL INDUSTRIES
AND
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES
AS CONTRACTING AGENT FOR
UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

This document shall serve as a Supplement to the original Master Purchase Agreement executed August 29, 2017 between Carousel Industries, a Rhode Island corporation having its principal place of business at 659 South County Trail, Exeter, Rhode Island 02822 (hereinafter referred to as "Seller") and Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for the agencies and institutions of the State of Mississippi. It is understood by the parties that ITS is executing this Supplement on behalf of University of Mississippi Medical Center located at 2500 North State Street, Jackson, Mississippi 39216 (hereinafter referred to as "Purchaser"). ITS and Purchaser are sometimes collectively referred to herein as "State".

WHEREAS, the State, pursuant to Request for Proposals ("RFP") No. 3983 requested proposals for the acquisition of a master contract containing the terms and conditions which will govern any orders placed by a Purchaser during the term of this Master Agreement for the acquisition and installation of Avaya hardware and software (hereinafter referred to as "Products");

WHEREAS, Seller was the successful proposer in an open, fair and competitive procurement process;

NOW THEREFORE, in consideration of the mutual understandings, promises, consideration and agreements set forth, the parties hereto agree as follows:

1. This Supplement will become effective on the date it is signed by all parties and will continue in effect until all tasks required herein have been completed. Seller agrees to complete all tasks required under this Supplement, including warranty service and post warranty maintenance, on or before March 31, 2019, or within such other period as may be agreed to by the parties.

2. Seller agrees to provide Purchaser and Purchaser agrees to buy as needed, the items listed in the attached "Exhibit A" which is incorporated herein and at the purchase price set forth therein. The parties understand and agree that this acquisition is subject to and controlled by the terms and conditions set forth in the Master Purchase Agreement.

4. In accordance with the Mississippi Accountability and Transparency Act of 2008, §27-104-151, et seq., of the Mississippi Code of 1972, as Amended, the American Accountability and Transparency Act of 2009 (P.L.: 111-5), where applicable, and §31-7-13 of the Mississippi Code of 1972, as amended, where applicable, a fully executed copy of this Agreement and any
subsequent amendments and change orders shall be posted to the State of Mississippi’s accountability website at: https://www.transparency.mississippi.gov. Prior to ITS posting the Agreement and any subsequent amendments and change orders to the website, any attached exhibits which contain trade secrets or other proprietary information and are labeled as “confidential” will be redacted by ITS. Notwithstanding the preceding, however, it is understood and agreed that pursuant to §25-61-9(7) of the Mississippi Code of 1972, as amended, the contract provisions specifying the commodities purchased or the services provided; the price to be paid; and the term of this Agreement shall not be deemed a trade secret or confidential commercial or financial information and shall thus not be redacted.

5. Seller represents and warrants that it will comply with the state’s data breach notification laws codified at Section 75-24-29 of the Mississippi Code Annotated (Supp 2012). Further, to the extent applicable, Seller represents and warrants that it will comply with the applicable provisions of the HIPAA Privacy Rule and Security Regulations (45 CFR Parts 160, 162 and 164) (“Privacy Rule” and “Security Regulations”, individually; or “Privacy and Security Regulations”, collectively); and the provisions of the Health Information Technology for Economic and Clinical Health Act, Title XIII of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (the “HITECH Act”).

6. All other provisions in the underlying Master Purchase Agreement shall remain unchanged.

For the faithful performance of the terms of this Supplement, the parties have caused this Supplement to be executed by their undersigned representatives.

State of Mississippi, Department of Information Technology Services, on behalf of University of Mississippi Medical Center

By:___________________________
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.
Title: Executive Director
Date: March 31, 2018

Carousel Industries

By:___________________________
Authorized Signature

Printed Name:____________________
Title:___________________________
Date: March 31, 2018
## EXHIBIT A

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<td>$411.00</td>
<td>Main Site</td>
</tr>
</tbody>
</table>

**Support Advantage Total** | **$387,474.59**
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MARCH 22, 2018 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 WHICH STATES:

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed.

If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

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.
A L C O R N   S T A T E   U N I V E R S I T Y

1. ASU– GS 101-306 – Water Infrastructure Improvements

NOTE: This is a Bureau of Building project

APPROVAL Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted M&G Enterprises d/b/a Engineering Service.

Approval Status & Date: APPROVED, February 22, 2018

Project Initiation Date: March 21, 2013
Design Professional: M&G Enterprises d/b/a Engineering Service
General Contractor: TBD
Total Project Budget: $3,840,092.00

D E L T A   S T A T E   U N I V E R S I T Y

2. DSU– GS 102-262 – Young-Mauldin Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of $69,431.00 and twenty-five (25) additional days to the contract of Diversified Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 22, 2018

Change Order Description: Change Order #1 includes the following items: installed a voice evacuation system in lieu of a standard fire alarm notification system; reconciled the successful controls package bid and the project controls allowance; replaced a refrigerator with a reach-freezer; credit for deletion of food service equipment i.e. griddle and a refrigerated equipment stand; credited for deletion of a ductless mini-split HVAC unit; credited for the deletion of the heat trace for grease waste piping, and other minor plumbing changes; and twenty-five days to the contract.
Change Order Justification: These changes were due to changes in requirements or recommendation by governmental agencies i.e. revisions in building codes safety or health regulations, controls on materials specified, etc., and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of $69,431.00.

Project Initiation Date: October 16, 2014
Design Professional: Burris/Wagnon Architects, P.A.
General Contractor: Diversified Construction Services, Inc.
Total Project Budget: $9,180,791.00

J A C K S O N    S T A T E    U N I V E R S I T Y

3. JSU– GS 103-281 – Alexander Center Renovation PH II – Elevator Replacement

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $29,649.60 and sixty (60) additional days to the contract of Fountain Construction Company. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 6, 2018

Change Order Description: Change Order #2 includes the following items: added four (4) elevator pit ladders and two (2) door closers; and 8’x 8’ opening was cut in the exterior wall and filled in with an insulated louver; and sixty (60) days added to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendation by governmental agencies i.e. revisions in building codes safety or health regulations, controls on materials specified, etc. and days for work as indicated herein

Total Project Change Orders and Amount: Two (2) change orders for a total amount of $70,449.60.
MISSISSIPPI STATE UNIVERSITY

4. MSU– GS 105-351 – YMCA Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of $119,148.63 and thirty-nine (39) additional days to the contract of Belinda Stewart Architects, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 2, 2018

Change Order Description: Change Order #5 includes the following items: repairs made to the roof deck; relocated a door; conduits & electrical, ATS to an elevator; added light fixtures and their devices; added a site fence and a protective gate; applied asphalt & paint to Lee Blvd.; changes were made to certain light fixtures; revision to roof & storm drains; added walkway access; installed a door & window glass on the third floor; installed a platform in the a non-rated duct chase; credit applied for cabinets; credit to omit 32’ of sidewalk; changed a lock; changes concerning HVAC for a room; changes made to the HVAC grille size and shape in two (2) corridors; installed door glass to solid panel changes on first floor; credit for sidewalk and pavers; installed a door contact for a door; added data sleeves; and thirty-nine (39) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $683,372.74.

Project Initiation Date: August 13, 2015
Design Professional: Belinda Stewart Architects, P.A.
General Contractor: Gregory Construction Services, Inc.
Total Project Budget: $9,800,000.00
5. **MSU – GS 113-136 – Meat Science Laboratory**

   NOTE: This is a Bureau of Building project

   **Approval Request #1: Change Order #5**

   Board staff approved Change Order #5 in the amount of $32,110.94 and thirty-four (34) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

   **Approval Status & Date:** APPROVED, March 15, 2018

   **Change Order Description:** Change Order #5 includes the following items: added a flip wing to a door; added conduits above the viewing room windows; increased the size of the coiling doors; changes made to the exhaust hood over the belt grill; installed foot controls in HWS; installed air and gas piping; installed trolleys for splitting saw and hock cutter; added another carcass rail; added additional steel at a door jamb; added a disconnect to the chiller; and thirty-four (34) days to the contract.

   **Change Order Justification:** These changes were necessary due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

   **Total Project Change Orders and Amount:** Five (5) change orders for a total amount of $63,169.15.

   **Project Initiation Date:** October 17, 2013
   **Design Professional:** Pryor & Morrow Architects and Engineers, P.A.
   **General Contractor:** Construction Services, Inc.
   **Total Project Budget:** $8,200,000.00

6. **MSU – GS 113-141 – ADS & Poultry Complex**

   NOTE: This is a Bureau of Building project

   **Approval Request #1: Contract Documents**

   Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers, P.A.

   **Approval Status & Date:** APPROVED, March 6, 2018
Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 6, 2018

Project Initiation Date: August 17, 2017
Design Professional: McCarty Architects, P.A.
General Contractor: TBD
Phased Project Budget: $13,000,000.00
Total Project Budget: $27,500,000.00

7. MSU– GS 113-145 – NWARC Roof Replacement

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $747,000.00 to the apparent low bidder, Independent Roofing systems. Inc.

Approval Status & Date: APPROVED, February 22, 2018

Project Initiation Date: May 18, 2017
Design Professional: Pryor & Morrow architects & Engineers
General Contractor: Independent Roofing Systems, Inc.
Total Project Budget: $1,000,000.00

8. MSU– IHL 205-279 – Addition & Renovation to Dudy Noble Field

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of $193,482.54 and zero (0) additional days to the contract of Jesco, Inc.

Approval Status & Date: APPROVED, March 2, 2018

Change Order Description: Change Order #6 includes the following items: Added additional feeders; revisions to the left field berm; installed a concrete apron and retaining wall to the center field entry; revisions to the site dollars; additional steel detailing; increased the width of the gate & opening at the home bullpen; revisions to the landscaping; over seeded the sod with rye grass for phase B; revisions to wall mods related to the left field berm; added a stainless steel shelf for a single-hung window at the
ticket building; added additional traffic coating at the dugout walls, tunnel walls & bowl walls; and added traveling cable (power) for an elevator.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of $1,374,141.25.

Project Initiation Date: May 21, 2015
Design Professional: Wier Boerner Allin Architects, PLLC
General Contractor: Jesco, Inc.
Total Project Budget: $55,000,000.00

UNIVERSITY OF MISSISSIPPI

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

Approval Request #1: Change Order #12

Board staff approved Change Order #12 in the amount of $257,981.00 and eleven (11) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, March 22, 2018

Change Order Description: Change Order #12 includes the following items: installed rebar dowels in the existing concrete masonry unit and added support steel for windows; provided the final connection to the catering kitchen equipment; furnished coax cabling on all the elevator travel cables; demolished the unstable existing concrete masonry unit along the east side of phase 3 and reconstructed with additional reinforcing; added a visual strip and revised the floor covering; installed keyed switches for the brand area security grilles; revised the roof drain pipe routing and tie-in to the underground storm drain catch basin; added electrical & communication infrastructure; revised the door & hardware in McAlisters; widened the flanking brick masses at the ends of the modified south porch; modified; supplemented the steel support framing for the operable partition; and added eleven days to the contract.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.
Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of $2,486,153.00.

Project Initiation Date: February 22, 2008
Design Professional: Eley Guild Hardy Architects – Jackson, P.A.
General Contractor: Roy Anderson Corporation
Phased Project Budget: $58,569,689.68
Total Project Budget: $58,900,000.00

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

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of $428,278.23 and six (6) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, March 15, 2018

Change Order Description: Change Order #6 includes the following items: installed a 6” pedestal encasement around a shear crack in a column; modified mezzanine floor at an elevator; substituted a closed-cell foam for insulation that does not require a membrane vapor barrier; installation of gypsum board assemblies in non-accessible areas; installation of a ductile iron irrigation supply line; added horizontal netting at the MAC court; replaced the existing rusted roof decking and prep/prim isolated areas of the existing decking; provided a manual roof crane in lieu of an electric roof crane; added solid surface sills at the windows; changed the upholstery bench tops to solid surface bench tops; reinstalled a new portion of the fire loop; refabricated and relocated the mechanical duct; raised two (2) existing manholes; installed plywood behind the gypsum board at the lobby wall; installed header channels to install the curtain wall; modified the controls operations of two (2) valves; added a structural steel beam; installed steel & an expansion joint at the exterior curtain wall; modified the steel; fully welded the cover plates & grind corners at thirteen (13) columns along a column line; removed the furnishing and installed card readers from the scope of work; modified the mezzanine penetrations extending to the first floor; applied intumescent paint in lieu of spray paint on fire-proofing at the interior portions of six (6) columns along the column line; installed a domestic water meter; provided & installed rubber athletic flooring at the mezzanine; and six (6) days to the contract.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and additional work due to weather delays as stated herein.
Total Project Change Orders and Amount: Six (6) change orders for a total amount of $1,121,373.47.

Project Initiation Date: June 20, 2013
Design Professional: JBHM Architects, P.A.
General Contractor: Zellner Construction Services, LLC
Phased Project Budget: $28,736,759.40
Total Project Budget: $32,000,000.00

11. UM – IHL 207-392 – North Parking Structure

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of $320,865.10 and thirty (30) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, January 19, 2018

Change Order Description: Change Order #6 includes the following items: installed metal closure strips at the southeast stair locations; undercut and replace unstable soil with suitable soil; replaced the cross drains; concrete masonry unit infill done at the short section of structural retaining wall at the northwest corner of the garage for the brick veneer to align with the revised configuration of the civil retaining wall to the west for the north road; an elevator lobby panel was added; additional exit lights were added; barrier cables were added on the north side of the parking structure; additional unsuitable soil to be undercut and replaced with suitable soil; removed the existing asphalt grades and re-graded and installed a new base, binder, and wearing course to work in conjunction with the curb & gutter; new walkway and ramp were removed & replaced with American Disabilities Act (ADA) compliant ramps at Broad Street near the southeast corner of the site; raised the existing communications manhole; the generator & ATS were not able to be terminated with lugs; new inlets of the correct size were added to replace the existing inlet grades; additional fabrication & installation of the elevator bevel steel was done; additional priming & painting of the elevator bevel steel was done; cameras at Level & were re-mounted on 8”-0” poles mounted on the wall; credit to omit corrective work to relocate a light, pole & base to clear the tree canopy; reset thirty-three (33) light poles and removed the leveling nuts and adjust the base of these fixtures after the lights are installed; added the phone housing and the phone; two (2) additional notification devices (speaker/strobe) installed in the ramp area on the seventh level; credit to omit corrective work to re-terminate cabling per industry and campus standards with owner-furnished additional materials; relocated the condensing unit and rerouted the refrigerant lines; credit for installation of stop signs no longer required as the university installs their own; installed an additional storm inlet and piping at the southeast corner of
the existing curved north parking lot and clean up for sediment that washed down toward Stockard-Martin lot; installation of an additional storm inlet and piping at the southeast corner of the new curved north parking lot; and thirty (30) days to the contract.

**Change Order Justification:** These changes are due to changes & requirements or recommendations by governmental agencies i.e. revisions in building codes, safety or health regulations, controls on materials specified, etc; errors & omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and additional work due to weather delays as stated herein.

**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $184,689.71.

**Project Initiation Date:** September 26, 2014  
**Design Professional:** Eley Guild Hardy Architects, P.A.  
**General Contractor:** B.L. Harbert International, LLC  
**Phased Project Budget:** $33,750,000.00  
**Total Project Budget:** $34,550,000.00


**Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of $11,600.00 and zero (0) additional days to the contract of Barnes & Brower, Inc.

**Approval Status & Date:** APPROVED, March 15, 2018

**Change Order Description:** Change Order #6 includes the following items: final payment was adjusted for liquidated damages at $200.00 per calendar day from the adjusted contract date to the actual date of substantial completion for a total of fifty-eight (58) days.

**Change Order Justification:** These changes are user/owner requested modifications per the contract documents as stated herein.

**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $1,374,141.25.

**Project Initiation Date:** January 22,2015  
**Design Professional:** Foil-Wyatt Architects & Planners, PLLC  
**General Contractor:** Barnes & Brower, Inc.
Total Project Budget: $2,394,739.00

13. UM– IHL 207-401 – Wastewater Treatment Facility Expansion

Approval Request #1: Change Order #6R

Board staff approved Change Order #6R in the amount of $1270,076.16 and one hundred eight (108) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, January 19, 2018

Change Order Description: Change Order #6R includes the following items: improved the storm water drainage in front of the existing lab facility and developed a more easily accessible dumpster pad & garbage truck washdown area; constructed a canopy structure over the UV disinfection room; added additional electrical work including new panels in the lab building and other work performed; demolished the existing rout and re-grout clarifier; installed a 6” drain from the clarifier weir scum box to the T valve pit; sawcut the wall at CLR 1 and two (2) for the additional slide gate; and one hundred eight (108) days to the contract.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of $391,823.20.

Project Initiation Date: February 18, 2015
Design Professional: Engineering Solutions, Inc.
General Contractor: Hemphill Construction Company, Inc.
Total Project Budget: $9,900,000.00

14. UM– IHL 207-411.1 – O-U Stadium (Swayze Field) Addition & Renovation – PH II

Approval Request #1: Change Order #4

Board staff approved Change Order #445,221.88 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, February 19, 2018
Change Order Description: Change Order #4 includes the following items: modified an elevator feed to conform with the manufacturer requirements; modified and added A/V infrastructure for presentation capability to the original tv locations in the Dug Out Club.; added fire sprinkler heads to wash windows located in the fire-rated wall; added an emergency light fixture in the Dug Out Club locker area; added a gypsum board ceiling in the elevator room; added power feed to the new alarm panel; added a rooftop generator support; added access control provisions to an elevator; added a foot wash in the treatment pool; installed a glass rail at the display case in lieu of glass doors; added GFCI outlets under the hood in a kitchen; added PA connection route from the press box to the Dug Out Club; added additional tv locations & required infrastructure & power to a performance center; added infrastructure, power & controls for lights in a mechanical room; closed the existing ductwork roof penetration & added a new HVAC supply to an existing corridor and replace the exhaust fan to a restroom.

Change Order Justification: These changes are due to errors & omissions in the plans and specifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $1,374,141.25.

Project Initiation Date: May 21, 2015
Design Professional: Cooke Douglas Farr Lemons, LTD
General Contractor: Century Construction & Realty, Inc.
Phased Project Budget: $18,639,272.54
Total Project Budget: $55,000,000.00

15. UM– IHL 207-415 – Golf Practice Facility Renovation

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Pryor & Morrow

Approval Status & Date: APPROVED, January 19, 2018

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, January 19, 2018

Approval Request #3: Award of Construction Contract
Board staff approved the Award of Contract in the amount of $2,481,945.00 to the apparent low bidder, Duininck, Inc.

Approval Status & Date: APPROVED, February 28, 2018

Project Initiation Date: February 18, 2016
Design Professional: Pryor & Morrow
General Contractor: TBD
Total Project Budget: $3,198,000.00

16. **UM– IHL 207-424 – Faser Hall First Floor Modifications**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of $582,918.00 to the apparent low bidder, Barnes & Brower, Inc.

Approval Status & Date: APPROVED, February 22, 2018

Project Initiation Date: August 18, 2016
Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.
General Contractor: Barnes & Brower, Inc.
Total Project Budget: $1,300,000.00

17. **UM– IHL 207-428 – East Campus Electrical Modifications**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of $1,6630,400.00 to the apparent low bidder, McInnis Electric Co.

Approval Status & Date: APPROVED, March 6, 2018

Project Initiation Date: November 17, 2016
Design Professional: Corbett Legge & associates, PLLC
General Contractor: McInnis Electric Co.
Total Project Budget: $1,900,000.00
18. UM– IHL 207-436 – Kinard Water Treatment Replacement

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $1,285,000.00 the apparent low bidder, Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, February 22, 2018

Project Initiation Date: June 15, 2017
Design Professional: Engineering Solutions Company, Inc.
General Contractor: Hemphill Construction Company, Inc.
Total Project Budget: $1,600,000.00

19. UM– IHL 207-439 – Crosby Hall HVAC Upgrades

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $1,058,350.00 to the apparent low bidder, Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, March 6, 2018

Project Initiation Date: November 16, 2017
Design Professional: Corbett Legge & associates, PLLC
General Contractor: Upchurch Plumbing, Inc.
Total Project Budget: $2,800,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

20. USM– IHL 208-334 – Cochran Center Theatre

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of $1,799.92 and zero additional days to the contract of Hanco Corporation.

Approval Status & Date: APPROVED, March 2, 2018
Change Order Description: Change Order #1 includes the following items: credit for installation, setup commission and owner training for HVAC controls due to the difference in cost; added additional data drops at the camera locations; provided additional ductwork in the hallway and revisions made on the supplemental drawings; furnished, installed & terminated the CAT cable at the cameras, people counters, access points & cash register; credit providing the specified hardware; credit was given to adjust the cost of the hardware installed against the hardware allowance; credit was given to adjust the cost of the signage provided against the signage allowance; added additional ceramic tile in specified lobbies; added a pipe handrail to the bottom step in one of the theatre rooms; and a credit for the carpet that was not accepted.

Change Order Justification: This change was due to changes in requirements or recommendations by governmental agencies i.e. revisions in building codes safety or health regulations, controls on materials specified, etc.; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of $1,799.92.

Project Initiation Date: January 18, 2018
Design Professional: Shafer-Zahner-Zahner, PLLC
General Contractor: Hanco Corporation.
Total Project Budget: $2,800,000.00

21. USM – IHL 208-336 – McCain Library Envelope Repairs

Approval Request #1: Approval of Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Shafer-Zahner, PLLC.

Approval Status & Date: APPROVED, February 20, 2018

Project Initiation Date: March 19, 2015
Design Professional: Shafer-Zahner-Zahner, PLLC
General Contractor: TBD
Total Project Budget: $50,000.00
22. USM – GS 108-281 – Greene Hall Renovations

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of $16,737.93 and zero (0) additional days to the contract of B.W. Sullivan Building Contractor, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, January 19, 2018

Change Order Description: Change Order #1 includes the following items: asbestos abatement services for additional areas that were uncovered during the demolition phase of the project.
Change Order Justification: This change was due to latent job site conditions.

Total Project Change Orders and Amount: One (1) change order for a total amount of $16,737.93.

Project Initiation Date: September 18, 2014
Design Professional: Allred Architectural Group, Inc.
General Contractor: B.W. Sullivan Building Contractor
Total Project Budget: $13,000,000.00
1. 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 2/19/18) from the funds of Alcorn State University. (This statement, in the amounts of $460.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.......................................................................................... $ 460.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 3/20/18) from the funds of Mississippi State University. (This statement, in the amount of $6,313.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.......................................................................................... $ 6,313.00

Payment of legal fees for professional services rendered by Gian Franco Borio (statement dated 02/28/2018) from the funds of Mississippi State University. (This statement, in the amount of $8,500.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.......................................................................................... $ 8,500.00

Payment of legal fees for professional services rendered by Ware Immigration (two statements each dated 3/1/18) from the funds of Mississippi State University. (These statements, in the amounts of $493.00 and $3,003.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.......................................................................................... $ 3,496.00

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 3/6/18) from the funds of the University of Mississippi. (This statement, in the amount of $12,949.52, represents services and expenses in connection with general legal advice.)

TOTAL DUE.......................................................................................... $ 12,949.52

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statement dated 2/20/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $11,555.60, represents services and expenses in connection with legal advice.)

TOTAL DUE.......................................................................................... $ 11,555.60
Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/15/17, 11/15/17, 11/15/17, 12/11/17, 12/13/17, 12/13/17, 12/13/17, 1/23/18, 1/31/18, 2/7/18, 2/9/18, 2/19/18, 2/21/18, 2/21/18, 2/21/18, 2/26/18, 3/12/18, 3/12/18, 3/13/18, and 3/13/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $324.50, $1,121.00, $531.00, $6,490.00, $15,310.50, $3,599.00, $590.00, $1,003.00, $45,846.84, $2,708.00, $14,253.80, $7,578.04, $1,740.50, $1,003.00, $1,858.50, $33,100.21, $11,818.60, $3,038.50, $13,245.50, $10,783.80, $3,026.50, $4,425.00, $3,795.50, and $2,743.50 represent services and expenses in connection with legal advice.)

TOTAL DUE..........................................................$ 189,934.79

Payment of legal fees for professional services rendered by Currie Johnson and Myers, PA (statement dated 2/13/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $2,295.23, represents services and expenses in connection with legal advice.)

TOTAL DUE..........................................................$ 2,295.23

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 2/27/18 and 2/28/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $11,836.80 and $10,122.20, represent services and expenses in connection with legal advice.)

TOTAL DUE..........................................................$ 21,959.00

Payment of legal fees for professional services rendered by Jeffrey P. Reynolds, PA (statement dated 1/31/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $3,013.24, represents services and expenses in connection with legal advice.)

TOTAL DUE..........................................................$ 3,013.24

Payment of legal fees for professional services rendered by Scott Sullivan Streetman and Fox, PC (statement dated 2/6/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $499.50, represents services and expenses in connection with legal advice.)

TOTAL DUE..........................................................$ 499.50

Payment of legal fees for professional services rendered by Steen Dalehite and Pace (statement dated 2/23/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $2,223.70, represents services and expenses in connection with legal advice.)
Payment of legal fees for professional services rendered by Stites and Harbison (two statements each dated 2/16/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $38.00 and $3,930.33, represent services and expenses in connection with legal advice.)

Payment of legal fees for professional services rendered by Watkins and Eager, PLLC (statements dated 1/22/18, 3/1/18, 3/1/18, 3/1/18, 3/1/18, 3/1/18, 3/1/18, 3/1/18, 3/1/18, and 3/1/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,402.50, $3,984.75, $643.50, $41,316.64, $726.00, $1,839.75, $247.50, $726.00, $660.00, $575.40, and $9,870.45, represent services and expenses in connection with legal advice.)

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 3/9/18) from the funds of the University of Southern Mississippi. (This statement, in the amount of $8,779.00, represents services and expenses in connection with legal advice.)

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 3/6/18) from the funds of the University of Southern Mississippi. (This statement, in the amount of $747.00, represents services and expenses in connection with general legal advice.)

Payment of legal fees for professional services rendered by Ware Immigration (two statements each dated 3/1/2018) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $10.00 and $58.92, represents services and expenses in connection with immigration/labor certifications.)

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 (two statements each dated 1/22/18) from the funds of Mississippi State University. (These statements represent...
services and expenses in connection with the following patents: “Cancer Therapeutic Use of Occidiofungin” - $256.41; Recombinant Fimbrial Protein of Aeromonas Hydrophila as vaccine in catfish” - $3,341.00.)

TOTAL DUE……………………………………………………………$ 3,597.41

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 2/16/18) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patents: “Horstemeyer et al / MSU2012.0875 / Extruder Device: - $432.00)

TOTAL DUE……………………………………………………………$ 432.00

2. **MVSU – EMERGENCY APPROVAL TO CONTRACT WITH MCDONALD HOPKINS AS OUTSIDE COUNSEL**

Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved Mississippi Valley State University’s emergency request to contract with the law firm of McDonald Hopkins to provide legal services pertaining to a privacy/cyber security breach and ransomware incident. The hourly rate will be $365 for shareholders, $290 for associates, with a maximum amount payable under the contract of $10,000. The Attorney General has approved this contract.
1. **SYSTEM – 2018 SPRING COMMENCEMENT SCHEDULES**

**Alcorn State University**
- **Time/Date:** 8:30 a.m., Saturday, May 5, 2018
- **Location:** Davey L. Whitney Health and Physical Education Complex
- **Speaker:** Ms. Christy L. Pickering, Member of the Mississippi Board of Trustees of State Institutions of Higher Learning

**Delta State University**
- **Time/Date:** 10:00 a.m. and 2:00 p.m., Saturday, May 5, 2018
- **Location:** Bologna Performing Arts Center
- **Speaker:** Dr. Glendell Jones, President, Henderson State University

**Jackson State University**
- **Graduate Commencement Exercises**
  - **Time/Date:** 4:00 p.m., Friday, April 27, 2018
  - **Location:** Lee E. Williams Athletics and Assembly Center
  - **Speaker:** Dr. Leonard N. Moore, Interim Vice President for Diversity and Community Engagement and the George Littlefield Professor of American History at the University of Texas at Austin

- **Undergraduate Commencement Exercises**
  - **Time/Date:** 8:00 a.m., Saturday, April 28, 2018
  - **Location:** Mississippi Veterans Memorial Stadium
  - **Speaker:** The Honorable Chokwe Antar Lumumba, Mayor of the City of Jackson, MS

**Mississippi State University**
- **Meridian Campus**
  - **Time/Date:** 11:00 a.m., Thursday, May 3, 2018
  - **Location:** MSU Riley Center
  - **Speaker:** Dr. Scott Elliott, President of Meridian Community College

- **Starkville Campus**
  - **College of Business and Adkerson School of Accountancy, College of Education**
  - **Time/Date:** 3:30 p.m., Thursday, May 3, 2018
  - **Location:** Humphrey Coliseum
  - **Speaker:** The Honorable Frank J. Williams, Chief Justice of the Rhode Island Supreme Court (Retired) and Abraham Lincoln and Ulysses S. Grant Scholar
College of Arts & Sciences, College of Architecture, Art & Design, College of Veterinary Medicine
Time/Date: 9:30 a.m., Friday, May 4, 2018
Location: Humphrey Coliseum
Speaker: The Honorable Frank J. Williams, Chief Justice of the Rhode Island Supreme Court (Retired) and Abraham Lincoln and Ulysses S. Grant Scholar

Bagley College of Engineering and Swalm School of Chemical Engineering, College of Agriculture & Life Sciences and School of Human Sciences, College of Forest Resources, General Studies
Time/Date: 3:30 p.m., Friday, May 4, 2018
Location: Humphrey Coliseum
Speaker: The Honorable Frank J. Williams, Chief Justice of the Rhode Island Supreme Court (Retired) and Abraham Lincoln and Ulysses S. Grant Scholar

Mississippi University for Women
College of Arts, Sciences & Education and College of Business & Professional Studies
Time/Date: 10:00 a.m., Saturday, May 5, 2018
Location: Rent Auditorium, Whitfield Hall
Speaker: Dr. Tom Richardson, Provost and Vice President for Academic Affairs, Mississippi University for Women

College of Nursing & Health Sciences
Time/Date: 2:00 p.m., Saturday, May 5, 2018
Location: Rent Auditorium, Whitfield Hall
Speaker: Dr. Tom Richardson, Provost and Vice President for Academic Affairs, Mississippi University for Women

Mississippi Valley State University
Time/Date: 8:00 a.m., Saturday, May 5, 2018
Location: Rice-Totten Stadium
Speaker: Mr. Sean Suggs, President, Toyota, Mississippi

The University of Mississippi
Time/Date: 9:00 a.m., Saturday, May 12, 2018
Location: The Grove
Speaker: Mr. Walter Isaacson, Acclaimed Biographer and Historian and former CEO of CNN and Time Magazine
The University of Mississippi Medical Center
Time/Date: 10:00 a.m., Friday, May 25, 2018
Location: Mississippi Coliseum
Speaker: No Speaker

The University of Southern Mississippi
Time/Date: 9:00 a.m. and 3:00 p.m., Friday, May 11, 2018
Location: Reed Green Coliseum, Hattiesburg, MS
Speaker: Dr. Douglas W. Rouse, Jr., Member of the Mississippi Board of Trustees of State Institutions of Higher Learning

Time/Date: 10:00 a.m., Saturday, May 12, 2018
Location: Mississippi Coast Coliseum, Biloxi, MS
Speaker: Ms. Christy L. Pickering, Member of the Mississippi Board of Trustees of State Institutions of Higher Learning

2. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

a. UM - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On April 2, 2018, Commissioner Glenn F. Boyce approved the request to revise the On Campus Budget, Off Campus Budget, Mississippi Law Research Institute Budget, Mississippi Mineral Resources Institute Budget, Super Computer Budget, and Center for Manufacturing Excellence Budget for Fiscal Year 2018. The Executive Office financial staff have reviewed and approved these revisions. These revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is included in the April 19, 2018 Board Working File.

b. UMMC – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On March 5, 2018, Commissioner Glenn F. Boyce approved the Facilities Rental Agreement with the Mississippi Fair Commission for the 3-day rental of the Mississippi Coliseum on May 23, 2018 through May 25, 2018, as the venue at which UMMC will hold its 2018 Graduation Ceremony. The total rental cost is $9,192. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.