

# Board Book

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September 16, 2021

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MISSISSIPPI BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

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# Board Meeting Outline

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MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

**IHL Board Meeting** | September 16, 2021, 9:30 a | Old Waverly Golf Clubhouse

## **CALL TO ORDER** **INVOCATION**

Trustee Walt Starr  
Trustee Tom Duff

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### **ADJOURNMENT**

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2021, to each and every member of said Board said date being at least five days prior to this August 19, 2021 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President, with Trustee Luckey providing the invocation.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Board.**

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Luckey absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on June 17, 2021.

**CONSENT AGENDAS**

Trustee Starr noted that item #9 lease agreement between the University of Mississippi and Nicholas Service, LLC on the Finance Consent Agenda and item #21 the addition and renovation of Humphrey Coliseum at Mississippi State University on the Real Estate Consent Agenda were removed from the consent agendas at the request of the respective university. On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Luckey absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas, as amended.

**ACADEMIC AFFAIRS**

1. **MSU** – Approved the suspension of the Doctor of Philosophy (Ph.D.) in Business Administration with a Concentration in Economics program (CIP Code, Sequence: 52.0201, 10009) effective August 2021. In accordance with Board Policy 504 Suspension of Programs, if no action is taken to reinstate the program, it will be removed from the Academic Program Inventory in fall 2024.
2. **SYSTEM** – Board Policy 510 Awarding of Degrees states, “In an exceptional case where a student is in all respects qualified for degree and Board approval has not been obtained, the Commissioner is authorized to provide administrative approval to award the degree. In such cases, the Commissioner must formally notify the Board at the meeting immediately

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following the commencement at which the degree was awarded.” The Commissioner approved the following degrees to be conferred in July 2021 for the Mississippi University for Women provided each candidate has met all requirements for the degree.

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
<b>Mississippi University for Women</b>				
	<b><i>Undergraduate</i></b>		373	
	Bachelor of Applied Science	7		
	Bachelor of Art	4		
	Bachelor of Business Administration	2		
	Bachelor of Fine Art	1		
	Bachelor of Professional Studies	1		
	Bachelor of Science	32		
	Bachelor of Science in Nursing	325		
	Bachelor of University Studies	1		
	<b><i>Graduate</i></b>		56	
	Master of Art	1		
	Master of Art in Teaching	5		
	Master of Business Administration	11		
	Master of Education	1		
	Master of Fine Art	10		
	Master of Public Health	3		
	Master of Science in Nursing	25		
	<b><i>Total Undergraduate Degrees</i></b>		<b>373</b>	
	<b><i>Total Graduate Degrees</i></b>		<b>56</b>	
	<b><i>Total Degrees</i></b>			<b>429</b>
<b>System Total</b>				<b>429</b>

## **FINANCE**

3. **JSU** – Approved the request to enter a lease agreement with AWH-BP Jackson Hotel, LLC d/b/a HILTON JACKSON (Hilton) for the lease of hotel rooms to house students enrolled in its Executive Ph.D. program from September 2021 through July 2022. The term of the new contract is one year, beginning on September 1, 2021 and expiring July 30, 2022. The total estimated cost of the agreement is \$176,580.00. This cost is based on the use of approximately one hundred sixty (160) room nights at a rate of \$109 per room from September 2021 through July 2022. The agreement will be funded with E&G Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **MSU** – Approved the request to enter a software purchase and subscription agreement with Babel Street, LLC for the Babel Street® web-based application, Babel X®, which is a multi-lingual, geo-enabled, text analytics software as a service (SaaS) solution, and for the Babel BOX®, or Blended Onsite eXploitation, which refers to the on-premises, hosted solution of Babel Street’s commercial software. This is a software purchase and subscription required to comply with a grant from the U.S. Department of Defense which specifies the use of Babel Street’s products. The contract will begin on September 1, 2021 and will expire on August 31, 2022 with an option to renew, if funding is available, for up to an additional four (4) years in separate periods, where each extension shall not to exceed one (1) year. Any additional terms shall be renegotiated by the parties prior to the beginning of the renewal term, however, the parties agree that the fee associated with the

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extension shall not increase more than 2.5% based on the previous year's annual fees. The contract is \$1M for the first year with the possibility of additional terms, not to exceed four additional years in total, where each new term shall not increase rates more than 2.5% based on the previous year's annual fees. The contract is funded by Federal and State funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **MSU** – Approved the request on behalf of the Athletics department, to enter a contract for staffing services with CPI-WS, LLC to provide temporary staffing services for various events held at athletic facilities. The contract will begin on the date signed by both parties and will continue until August 31, 2026. The precise amount is dependent upon the frequency MSU Athletics utilizes CPI-WS, LLC to staff events. MSU Athletics anticipates spending approximately \$550,000 per fiscal year, not to exceed \$2,750,000 over the term of the agreement. The contract will be funded with Athletic Department self-generated funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UM** – Approved the request from the UM Office of Admissions and University Marketing & Communications to amend a contract with Carnegie Dartlet LLC to add a new Statement of Work (SOW) #6 and #7. SOW6 will provide digital marketing services to support the university's enrollment and brand strategies. SOW7 outlines a proposal for a day-long training workshop for University Marketing & Communications content creators to learn creative and technical skills to better apply the Ole Miss brand. The current Master Service Agreement (MSA) was scheduled to expire on March 22, 2021, but Amendment #2 extended the end date of the MSA to March 22, 2025. SOW6 has a twelve-month term, and SOW7 is for a one-day creative workshop. The amount of SOW6 is \$478,312. The amount of SOW7 is \$36,580. The addition of both SOW6 and 7 would increase the total amount of the existing Agreement to a sum not to exceed \$1,428,354.38. The source of funding for SOW6 will be split between University Marketing & Communications funds earmarked for the purpose of brand marketing as well as the Division of Enrollment Management funds earmarked for the purpose of enrollment marketing. The source of funding for SOW7 will be University Marketing & Communications funds earmarked for professional development and brand marketing. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **UM** – Approved the request to enter a contract with Gameday Daily Services, LLC to help provide the Athletics Department with staffing to clean The Pavilion at Ole Miss on a daily basis. These duties could include, but are not limited to, cleaning the seating areas, premium areas, office areas, dining areas, hauling trash to off-site dumpsters, restroom, and recycling. This is a one (1) year service agreement that can be renewed for additional one (1) year periods up to five (5) years in total. The cost of this agreement is billed on a monthly rate with additional fees for working extra events by Gameday Daily Services, LLC. The estimated yearly cost would be approximately \$130,800 per year for a total of \$654,000 if all optional renewals are exercised. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed

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

8. **UM** – Approved the request for the Athletic Department to enter a contract with Gameday Management Services LLC for cleaning services in all venues prior to, during, and after events. These duties could include, but are not limited to, cleaning the seating areas, premium areas, office areas, dining areas, hauling trash to off-site dumpsters, restroom, and recycling. This is a one (1) year service agreement that can be renewed for additional one (1) year periods up to five (5) years in total. The cost of this agreement is billed on a rate structure for all scheduled events worked by Gameday Management Services. The estimated yearly cost based on an estimated amount of athletic events would be approximately \$607,850 per year for a total of \$3,039,250 if all optional renewals are exercised. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
9. **UM** – Request approval of a lease agreement with Nicholas Services, LLC d/b/a Nicholas Air for a 250' x 290' parcel of land located on the west side of the University-Oxford Airport's East Apron/Ramp area. The lease permits Nicholas Air to construct an airport hangar at the University/Oxford Airport which will provide significant economic opportunity for UM as well as the City of Oxford. The term of the revenue-based lease is 50 years. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS REMOVED FROM THE AGENDA.)**
10. **UM** – Approved the request from the Division of Enrollment Management to amend a contract with Ruffalo Noel Levitz, LLC ("RNL"). The original agreement provides consulting services with respect to recruitment strategies for transfers, high school students, and their parents. These services include the design, creation and implementation of a marketing campaign for student recruitment. The amendment continues the services provided by RNL in response to the now year-round new student recruitment and marketing cycle. The term of this Agreement is August 19, 2021 and run through August 31, 2022 for Statement of Work 4 (SOW4). The Statement of Work may be renewed for two separate one-year terms at an increase of 2% each year compared to the initial term. Annual renewals are contingent upon the University's satisfaction with the services performed and the need to continue services. The contract amendment results in an increase of \$450,381 in the contract amount for the initial term of SOW4. This increase reflects additional service fees. If both annual options to renew SOW4 are exercised, the total increase in contract amount would be \$1,378,344 which would result in a new contract grand total of \$3,114,144 if all renewal options are exercised. Annual renewals are contingent upon the University's satisfaction with the services performed and the need to continue services. The contract will be funded by E&G sources. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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11. **UMMC** – Approved the request to enter the Second Amendment to its Customer Agreement with CareFusion Solutions, LLC (CareFusion). The proposed amendment extends the term of the Customer Agreement for Software Management Services (SMS) for an additional three (3) years, adds data security requirements, and updates the indemnification provision. The software is required to support the “smart” IV pumps that allows a drug library to be loaded into each patient’s pump, which provides hard and soft stops to nursing based on drug dosage and infusion rates/times. Without the SMS, UMMC cannot keep the drug database current, thus putting its patients and health care providers at risk for medication errors. The Second Amendment will extend the term of the SMS Agreement for three (3) years, from September 1, 2021, through August 31, 2024. The total term of the SMS agreement as amended is eight (8) years, from September 1, 2016, through August 31, 2024. The total cost of the amended SMS agreement is \$1,411,188.78. The cost of the Second Amendment is \$523,124.80. CareFusion’s pricing is based upon the number of licensed beds at UMMC. CareFusion has offered UMMC a three percent (3%) discount for the multi-year renewal. UMMC has included a ten percent (10%) contingency in the overall cost of the agreement to account for pricing increases of up to five percent (5%) per year and to account for any potential increase in licensed beds. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to amend the Master Agreement with Cayuse, LLC (Cayuse) to license and implement additional software modules, including the Fund Finder (Pivot) Grants Database Software Subscription and implementation services, as well as to add the Human Ethics Subscription, Human Ethics Implementation, and Data Load for Compliance Implementation to the Master Agreement. The Master Agreement implements and licenses the use of grants management software for both pre-award and post-award grant management, including IACUC protocol management, IBC protocol management, and effort reporting. The Cayuse software system will manage UMMC’s growing portfolio of sponsored projects to maintain compliance with federal regulations and improve efficiencies within grants management. The term of the amended Agreement remains unchanged at five (5) years, from December 1, 2020, through November 30, 2025. The amended total estimated cost over the five (5) year term is \$1,250,000. Beginning in year two (2), the annual license and subscription fees shall increase by no more than four percent (4%). UMMC has included additional funds in the event of unforeseen delays in implementation that may add additional cost. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the annual license subscription fee, with the first year of the initial term being due upon execution of the agreement. The agreement is funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UMMC** – Approved the request to enter a Medical Office Building Lease with Central Mississippi Civic Improvement Association, Inc. d/b/a Jackson-Hinds Comprehensive Health Center (JHCHC) to sublet clinical space at the Jackson Medical Mall for JHCHC to operate and manage primary care continuity clinics. The term of the agreement is one



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(1) year, from October 1, 2021, through September 30, 2022. The sublease agreement is estimated to earn approximately \$435,575.04 over the one (1) year term. Base rent will be \$16.93 per square foot for 25,728 rentable square feet or \$36,297.92 per month. The rent amount includes a pro rata share of the housekeeping and security services provided under the Master Lease. This is a revenue contract. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

14. **UMMC** – Approved the request to enter a Master Subscription Agreement and subsequent Statement of Work (SOW) with Emmi Solutions, LLC (Emmi). The agreement and SOW provide a subscription-based application for patient education materials and videos. Patient education materials will be disseminated to patients during their hospital or clinic visits and included in their discharge paperwork, in accordance with the Joint Commission’s standards related to patient education. The term of the Master Subscription Agreement and SOW is five (5) years, from September 1, 2021, through August 31, 2025. The total cost of the agreement is \$283,155.00. The subscription fee is based upon the number of beds at UMMC facilities. UMMC has included an additional ten percent (10%) in the anticipated cost for potential increases in the number of beds at UMMC facilities. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
15. **UMMC** – Approved the request to enter a new Sales Agreement with MED-EL Corporation (MED-EL) to purchase otolaryngology auditory devices and ancillary products at discounted prices. These devices and products include cochlear implants, bone conduction systems, batteries, covers, etc., that will be used to treat pediatric and adult patients with throughout UMMC. For patients with hearing impairments, the implant does the work of the damaged parts of the inner ear in order to provide sound signals to the brain. The Board also approved the request for the institution to add or remove products covered by the Agreement without requiring prior submission for Board approval, so long as it does not increase the approved expenditure level. The term of the Agreement is five (5) years, from October 1, 2021, through September 30, 2026. The total estimated cost of the Agreement over the (5) year term is \$9,175,000. Beginning in year two (2), UMMC has included a twenty five percent (25%) increase for potential patient volume increases, as well as a three percent (3%) increase in the cost per case for potential price increases. Purchases will be made on an as-needed basis dependent upon patient need. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UMMC** – Approved the request to enter a Sevoflurane Vaporizer Agreement with Piramal Critical Care, Inc. (Piramal) for the purchase of Sevoflurane gas and placement of Sevoflurane vaporizer equipment. Sevoflurane is an anesthesia gas which induces unconsciousness, analgesia, and muscle relaxation, and is used in adult and pediatric patients prior to surgery. The Board also approved the request for the institution to amend the agreement to increase or decrease the number of vaporizers on the agreement without prior Board approval, as long as it does not increase the approved expenditure level. The

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term of the agreement is sixty (60) months, from October 1, 2021, through September 31, 2026. The total cost of the agreement over the sixty (60) month term is \$2,500,000. UMMC has included a ten percent (10%) increase beginning in year two (2) for potential volume growth. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

17. **UMMC** – Approved the request to enter Addendum #3 to the Master Software License and Maintenance Agreement with Provation Software, Inc. f/k/a ProVation Medical, Inc. (ProVation). Addendum #3 extends the term of the agreement for an additional three (3) years, updates the indemnification provision, adds information security requirements, and removes maintenance for one (1) location. The ProVation software is used in the performance of endoscopic procedures of the gastric tract and tracheobronchial tree. Addendum #3 extends the agreement an additional three (3) years, from September 1, 2021, through August 31, 2024. The total term of the amended agreement is eight (8) years, from September 1, 2016, to August 31, 2024. The total cost of the amended agreement is \$913,687.32. Addendum #3 adds an additional \$151,577.69 to the previously approved total of \$766,109.64. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
18. **UMMC** – Approved the request to enter a Sublease Agreement with River Oaks Hospital, LLC (River Oaks) to sublease approximately 10,855 square feet of clinic space located at 2466 Flowood Drive, Suite 3, in Flowood, Mississippi, for use as a Family Medicine clinic. The term of the sublease is five (5) years, from October 1, 2021, through September 30, 2026. The total cost of the sublease over the five (5) year term is \$1,845,350.00, payable in monthly installments. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of rent on the first day of each month. This contract will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE**

19. **MSU** – Approved the initiation of IHL 205-307, Additional Offices Raspet Flight Lab, and the appointment of Architecture South, P.A. as the design professional. The project will include a renovation and include architectural, structural, mechanical, plumbing, electrical and required furnishings. The estimated project budget is \$180,000. Funds are available from University Funds (\$180,000).
20. **MSU** – Approved the initiation of IHL 405-003, College of Architecture, Art, and Design, and the appointment of Belinda Stewart Architects, P.A. and Wier Boerner Allin Architecture, PLLC / Joint Venture as the design professionals. The project will include a renovation and include architectural, structural, mechanical, plumbing, electrical and required furnishings. The scope will include possible additions, renovations, acquisitions, and demolition. The estimated project budget is \$320,000. Funds are available from SB 3065, Laws of 2019 (\$320,000).

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21. **MSU** – Request to increase the budget for IHL 205-283, Addition and Renovation of Humphrey Coliseum, from \$50,000,000 to \$55,000,000 for an increase of \$5,000,000. Due to increases in materials the university anticipates large increases in steel and mechanical equipment and therefore is reflecting these increases in the project budget. The project scope includes the construction of an addition and renovation of the existing Humphrey Coliseum. Funds are available from the Bulldog Club (\$20,000,000) and University Funds (\$35,000,000). **(THIS ITEM WAS REMOVED FROM THE AGENDA.)**
22. **MSU** – Approved the request to advertise and award the sale to the highest and best bid for timber sale 21-02, Cypress Creek Unit, from the John W. Starr Memorial Forest in Oktibbeha County, Mississippi. The sale area is approximately 255 acres in size and is located in Sections 10, 14, & 15, Township 17 North, Range 13 East in Oktibbeha County, Mississippi. The estimated timber sale volumes are summarized below:

Product Class	Trees	Tons	MBF
Oak Sawtimber	2,966.8	5,996.6	1,178.7
Mixed Hardwood Sawtimber	3,864.1	3,550.5	483.4
Hardwood Pulpwood	15,151.5	2,046.2	-
Pine Sawtimber	1,304.6	1,884.2	221.7
Pine Pulpwood	116.7	26.0	-

The timber sale process on the John W. Starr Memorial Forest, and other Mississippi State University owned lands, begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by various means but mostly by directions taken from the Forest Management Plan. Other specific site characteristics may also dictate the need for the sale of timber. After the stand has been identified, the process of tree marking and sale identification begins. Once that is completed, the sale is computed and a bid prospectus is prepared and approved by the Dean of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. A request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. If/when the Board of Trustees approve that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. Once the bids have been received in the Director of Purchasing office, a recommendation is made by the department to the President of the university to either accept or reject the bids. This recommendation has the approval of the Deal of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. If/when the President of the university concurs with the department's recommendation to accept the bid, a contract is executed between the university and the highest and best bidder for that sale. This process continues obtaining the Director of Purchasing's signature on the contract and then contacting the high bidder to set the closing. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

23. **UM** – Approved the sublease between Kappa Alpha Theta Fraternity, Inc. ("KAT") and Tau of Chi Omega Fraternity House Corporation ("Chi Omega") and authorize the University Chancellor to execute the Prime Landlord's Consent on behalf of the Board of Trustees of State Institutions of Higher Learning. Because the Epsilon Zeta Chapter of

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Kappa Alpha Theta Fraternity, Inc. ceased its chapter operations on UM's campus in December 2018, the house corporation affiliated with the sorority – the KAT House Corporation – was dissolved. Before its dissolution, the KAT House Corporation assigned and conveyed all of its rights, title and interest in its primary lease with the IHL to KAT, the national fraternity with which the Epsilon Zeta Chapter and the KAT House Corporation are affiliated. Moreover, because the sorority residential facility occupied by the Epsilon Zeta Chapter would be vacant as of May 2019, the KAT House Corporation (through its assignee KAT) subleased the facility to the Delta Rho Chapter House Association of Kappa Kappa Gamma/Fraternity. The IHL's approval of the Assignment and Assumption of Lease and the Sublease was necessary because the primary lease between the KAT House Corporation and the IHL expressly provided that the KAT House Corporation may not sublease the property, or sell, assign, or mortgage the leasehold estate to any person, corporation, society, or body without the consent of the IHL in writing. Now that the IHL has approved the Assignment and Assumption of Lease between KAT House Corporation and KAT, approved the Sublease between KAT and KKG House Association which expired on June 30, 2020, approved the Sublease between KAT and Sigma Chi which expired on May 10, 2021, and approved the Sublease between KAT and Chi Omega, and that Sublease is set to expire May 31, 2022, KAT (assignee of KAT House Corporation) seeks to enter into a fourth sublease with Chi Omega. The current sublease does not expire until May 2022. However, the renovations of Chi Omega building are not scheduled to be completed until late October 2022, and Chi Omega wants to extend the sublease to ensure the students have a place to live. This is a sublease for a residential facility on sorority lot #252 on the University of Mississippi's Oxford campus that was erected on May 21, 1979 by the Epsilon Zeta House Corporation of Kappa Alpha Theta ("the KAT House Corporation"). The primary lease between the IHL/UM and KAT (assignee of the KAT House Corporation) is for a fifty-year term, from May 21, 1979 to May 20, 2029. The primary lease contains an option to renew the lease for an additional twenty-five years, thereby extending the lease term to year 2054, if the option is exercised. The assignment and assumption of lease that the IHL previously approved between the KAT House Corporation and KAT is permanent and has no term. The term of the sublease between KAT and Chi Omega is for a term from June 1, 2022, to December 31, 2022, with an option to extend up to five additional months. The primary lease between the IHL/UM and KAT (assignee of the KAT House Corporation) imposes an annual \$50 lease payment to UM. The base rent under the sublease between KAT and Chi Omega is \$70,000.00 payable in seven (7) monthly installments of \$10,000.00 each, with each additional monthly extension of \$10,000. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

24. **UMMC** – Approved the request to sell University Physicians Belhaven to J&H2 Medical Properties, LLC for a sales price of \$2,250,000. UMMC received two independent appraisals for the property. The first appraisal was in the amount of \$2,250,000. The second appraisal was in the amount of \$2,250,000. The average of the two appraisals was \$2,250,000 which is the sales price. The property is located at 1405 North State Street in Jackson, MS. The property is described as follows: A parcel of land being part of Lots 4 and 5 of Dobyns Subdivision as recorded in Plat Book A at Page 304 in the office of the

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Chancery Clerk of Hinds County, at Jackson, Mississippi that begins at the point of intersection of the North right-of-way line of Webster Street with the West right-of-way line of North State Street. The closing shall take place no later than thirty (30) days after the last day of the due diligence period as defined in the purchase and sale agreement. The agreement is contingent on Seller, at Sellers expense, obtaining two independent appraisals. If either party is not satisfied with the average of the two appraisals either party may cancel the agreement. The sale is contingent on approval by the Board of Trustees of the Institutions of Higher Learning. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. However, within 60 days following delivery of both appraisals by the Seller to the Purchaser, the Purchaser may, at the Purchaser's sole cost and expense, conduct a Phase I Environmental Report to determine the condition and suitability of the property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

25. **UMMC** – Approved the request to sell the University Wellness Center located in Hinds County, Mississippi to Provisions Investors, LLC for a sales price of \$800,000. UMMC received two independent appraisals for the property. The first appraisal was in the amount of \$795,000. The second appraisal was in the amount of \$805,000. The average of the two appraisals was \$800,000, which is the sales price. The property is located at 46 Northtown Drive in Jackson, MS. The property is described as follows: Tract I is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 4.73 acres. Tract II is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 1.22 acres. Tract II is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 0.65 acres. The closing shall take place no later than thirty (30) days after the last day of the due diligence period as defined in the purchase and sale agreement. The agreement is contingent on Seller, at Sellers expense, obtaining two independent appraisals. If either party is not satisfied with the average of the two appraisals either party may cancel the agreement. The sale is contingent on approval by the Board of Trustees of the Institutions of Higher Learning. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. However, within 90 days of the effective date of this agreement, the Purchaser may, at the Purchaser's sole cost and expense, conduct a Phase I Environmental Report to determine the condition and suitability of the property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
26. **USM** – Approved the request to sell a 40-acre parcel of land known as the Lake Forgetful property located in Lamar County, Mississippi to Big Smooth, LLC for a sale price of \$672,500. USM received two independent appraisals for the property. The first appraisal was in the amount of \$535,000. The second appraisal was in the amount of \$810,000. The average of the two appraisals was \$672,500, which is the sales price. The subject property, as referenced above, is located near Lake Forgetful Road in Section 15, Township 4 North, Range 14 West in Lamar County, Mississippi. Seller hereby agrees to sell to Buyer and

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Buyer hereby agrees to buy from Seller, Seller's real property, located near Lake Forgetful Road in the Northwest ¼ of the Northeast ¼ of Section 15, Township 4 North, Range 14 West in Lamar County, Mississippi, "as is" and "where is" together with any improvements thereon, appurtenances thereto belonging, and all hereditaments, right, title, and interest, if any, of Seller in and to any land lying in the bed of any streets, roads, avenues or alleys, open or proposed, all situated in Lamar County, Mississippi. The State of Mississippi shall retain and reserves the right to all oil, gas and other minerals, whether solid, liquid or gaseous, together with all rights therein and whether the same be found upon the surface or underneath the surface of the property. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

**LEGAL**

27. **DSU** – Pending approval by the Office of the Attorney General, the Board approved the request to enter a contract with the law firm of Mayo Mallette, PLLC to provide legal services in the area of real estate development, including legal advice and negotiating agreement(s) with developers. The term of the contract is one year effective August 1, 2021. The hourly rates are \$250 for Pope Mallette, \$200 for J. Andrew Maudlin and John Mayo and \$95 for paralegal services, with a maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000.
28. **MSU** – Approved the request to enter a contract with the law firm of Jones Walker, LLP to perform services necessary in assisting and advising the university on legal issues concerning the review of strategic financing options, tax-exempt bond arbitrage, and rebate compliance and the use of bond-financed building and other matters relating to bond issues. The term of the contract is one year effective August 25, 2021. The rate is \$1.15 for every \$1,000 of bonds issued by the EBC for those that bear interest at both fixed and variable rates. In addition, the contract will allow for reimbursement of any out-of-pocket expenses, not to exceed \$4,000. This firm carries professional liability insurance in the amount of \$5,000,000 per claim with an annual aggregate of \$10,000.00. This contract has been approved by the Office of the Attorney General.
29. **MSU** – Approved the request to enter a contract with The Winfield Law Firm, P.A., to perform services necessary in assisting the university in the areas of higher education law, employment law, real estate matters, compliance and other local matters. The term of the contract will be for one year effective October 19, 2021. The hourly rate is \$225 with a maximum amount payable of \$75,000. This firm carries professional liability insurance in the amount of \$1,000,000 per claim with an annual aggregate of \$2,000,000. This contract has been approved by the Office of the Attorney General.
30. **JSU** – Approved the request to enter an Interlocal Agreement with the City of Jackson, Mississippi, for the use of twenty (20) parking spaces located on City of Jackson property to provide additional parking for students attending the JSU downtown campus located at 101 Capitol Street. The term of the agreement is one year effective upon approval by all

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parties and the Office of the Attorney General at a cost of \$10.00 per space per month. The Attorney General's Office at IHL has reviewed and approved this agreement.

**PERSONNEL REPORT**

**31. Employment**

**Mississippi State University**

- Edmond A. Boudreaux, III; *hired with tenure*; Associate Professor; Department of Anthropology and Middle Eastern Cultures; salary \$78,000 per annum, pro rata; E&G and Designated Funds; 9-month contract; effective August 16, 2021
- Lessell M. Bray; *hired with tenure*; Associate Professor and Head; Department of Instructional Systems and Workforce Development; salary \$125,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2021
- Karen Cordes Spence; *hired with tenure*; Professor and Director; School of Architecture; salary \$145,000 per annum, pro rata; E&G and Restricted Funds; 12-month contract; effective July 1, 2021

**Mississippi Valley State University**

- Bettye Farmer; *rehired retiree*; Assistant Professor of English & Foreign Languages; salary of \$22,440 per annum, pro rata, E&G Funds; 9-month contract; effective August 9, 2021
- Edgar Holman, Jr.; *rehired retiree*; Instructor of Math, Computer and Information Science; salary of \$29,150 per annum, pro rata; E&G Funds; 9-month contract; effective August 9, 2021
- Roy Hudson; *retired retiree*; Assistant Professor English & Foreign Languages; salary of \$25,000 per annum, pro rata; E&G Funds; 9-month contract; effective August 9, 2021
- Darrell James; *rehired retiree*; Instructor of Math, Computer and Information Science; salary of \$21,414 per annum, pro rata; *Ayers* Funds; 9-month contract; effective August 9, 2021
- John Johnson; *rehired retiree*; Special Assistant to Director of Mass Transit; salary of \$37,380 per annum, pro rata; Grant Funds; 12-month contract; effective July 1, 2021
- Willie Totten; *rehired retiree*; Assistant Football Coach, Department of Athletics; salary of \$30,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2021
- Gwendolyn Vaughn; *rehired retiree*; Instructor of Health, Physical Education and Recreation; salary of \$30,750 per annum, pro rata; E&G Funds; 9-month contract; effective August 9, 2021
- Harvey Wardell; *rehired retiree*; Assistant Professor of Health, Physical Education and Recreation; salary of \$22,500 per annum, pro rata; E&G Funds; 9-month contract; effective August 9, 2021

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- Raymond Williams; *rehired retiree*; Professor of Math, Computer and Information Science; salary of \$33,102 per annum, pro rata; E&G Funds; 9-month contract; effective August 9, 2021

**32. Change of Status**

**University of Mississippi**

Charlotte Pegues; *from* Interim Vice Chancellor for Student Affairs; salary \$174,934 per annum; pro rata; *to* Vice Chancellor for Student Affairs; salary \$257,500 per annum; pro rata; 12-month contract; effective August 25, 2021

**University of Southern Mississippi**

Sabine Heinhorst; *from* Associate Dean for Undergraduate Research and Outreach, Honors College; salary \$121,353 per annum, pro rata; E&G Funds; 12-month contract; *to* Interim Dean, Honors College; salary \$160,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2021

**33. Sabbatical**

**Mississippi State University**

FROM: Michael E. Colvin; Associate Professor of Wildlife, Fisheries and Aquaculture; salary \$84,830.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development.

*[Originally approved by the IHL Board March 19, 2021].*

CORRECTED: Michael E. Colvin; Associate Professor of Wildlife, Fisheries and Aquaculture; salary \$84,830.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2022 to May 15, 2022; professional development.

FROM: Stephen Demarais; Professor & Taylor Endowed Chair of Wildlife, Fisheries and Aquaculture; salary \$150,000.00 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development

*[Originally approved by IHL Board March 18, 2021]*

CORRECTED: Stephen Demarais; Professor & Taylor Endowed Chair of Wildlife, Fisheries and Aquaculture; salary of \$150,000.00 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2022 to May 15, 2022; professional development.

**ADMINISTRATION/POLICY**

34. ASU – Approved the proposed mission statement as follows:

Alcorn State University is a public historically Black, comprehensive land-grant institution of higher education that provides access and opportunity for diverse students to excel intellectually, build character, and overcome barriers. Alcorn is dedicated to ensuring students can become productive leaders who make



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meaningful contributions in the world. Enhancing its notable strengths in agriculture, education, and nursing. Alcorn State offers a range of undergraduate and graduate programs, including fine arts, business, humanities, social and behavioral sciences, and STEM.

The University accomplishes its mission through high standards of academic excellence, by engaging in scholarly research and discovery, and providing public service and outreach that address real-world challenges and the economic needs of the Southwest Mississippi River Region, the state of Mississippi, the nation, and the world. Alcorn strategically extends its resources and expertise through its Extension Programs, Vicksburg and Natchez sites as well as its distance learning programs.

Alcorn State University is committed to its strong tradition of instilling the ideals of leadership, service, and institutional pride amongst its students and alumni.

35. **JSU** – Approved the request to bestow one honorary degree at its Fall 20201 commencement ceremonies. Supporting documents are on file at the Board Office.

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda.  
On motion by Trustee Cunningham, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve items #2 - #5.

1. **SYSTEM** – Approved the request to add the following new institutes and centers in accordance with Board Policy 502 New Academic Programs and Units.
  - a. UM – The Center for Community Engagement  
Unit Location: The Division of Diversity and Community Engagement  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)
  - b. UM – Center for Evidence-Based Policing and Reform  
Unit Location: Department of Criminal Justice & Legal Studies  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)
  - c. USM – Roger F. Wicker Center for Ocean Enterprise  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)
2. **SYSTEM** – Approved the proposed amendments to Board Policy 507 Accreditation for first reading, as follows:  
507 ACCREDITATION  
All institutions under the governance of the Board shall maintain regional accreditation with the Southern Association of College and Schools (SACS), Commission on Colleges. Institutions shall endeavor to acquire accreditation for all programs and units for which professional accreditation is available and shall comply with the procedures as set forth in 508 below.

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3. **SYSTEM** – Approved the deletion of Board Policy 517 Educator Preparation Programs for first reading. The requested amendment to Board Policy 507 Accreditation ensures that Educator Preparation Providers shall acquire accreditation for their academic units. No other academic programs or disciplines are specifically referenced in Board Policy. This eliminates the need for a separate accreditation policy for education programs. The policy, as written, gives the Mississippi Department of Education the authority to approve the national accreditor for all IHL educator preparation programs. The Council for Higher Education Accreditation has approved more than one accreditor for educator preparation providers, and IHL educator preparation providers want to retain the authority to select the accreditor appropriate for their units.

~~517 — EDUCATOR PREPARATION PROGRAMS~~

~~All educator preparation programs shall be appropriately accredited by the national accrediting body approved by the Mississippi Department of Education and meet all Mississippi Department of Education standards so program graduates may receive appropriate licensure from the Mississippi Department of Education.~~

4. **SYSTEM** – Approved the deletion of Board Policy 518 Quality Assurance Policy for Beginning Teachers for first reading. No other academic programs or disciplines are specifically referenced in Board Policy. The Mississippi Department of Education (MDE) program approval process by the Licensure Commission and the annual review of Educator Preparation Providers by MDE ensures candidates have the coursework, exams, and internships required.

~~518 — QUALITY ASSURANCE POLICY FOR BEGINNING TEACHERS~~

~~Each institution will assure that its graduates:~~

- ~~• Have completed an accredited educator preparation program, passed the entrance and exit examinations, and successfully completed a supervised student teaching experience in a K-12 setting;~~
- ~~• Have sufficient subject matter knowledge in all areas included on their teaching certificate;~~
- ~~• Can demonstrate success in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;~~
- ~~• Are able to use telecommunication and information technologies as tools for learning; and~~
- ~~• Can maintain an environment conducive to learning.~~

~~Within the first two years after graduation, the university will provide additional training to any graduate who is teaching in field, endorsed at the appropriate grade level, and is judged by both the employing Mississippi school district and the university school district liaison to need such training to be more effective. This training will be provided at no cost to the teacher or to the school district and will employ an individualized plan with specified learning outcomes agreed upon between the school district and the university.~~

~~Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the principal's rationale for referring the teacher to the university.~~

~~This policy does not apply in situations where the teacher has been given an unreasonable number of assignments, an out of field assignment, an excessive number of students, or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning teachers.~~

5. **SYSTEM** – Approved the deletion of Board Policy 519 Quality Assurance Policy for Beginning Administrators for first reading. No other academic programs or disciplines are specifically referenced in Board Policy. The Mississippi Department of Education (MDE) program approval process by the Licensure Commission and the annual review of Educator

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Preparation Providers by MDE ensures candidates have the coursework, exams, and internships required.

~~519 — QUALITY ASSURANCE POLICY FOR BEGINNING ADMINISTRATORS~~

~~Each institution will assure that its graduates:~~

- ~~• have completed an accredited administrator preparation program, passed the entrance and exit examinations, and successfully completed a supervised student teaching experience in a K-12 setting;~~
- ~~• have sufficient subject leadership knowledge in all areas included on their administrator certificate;~~
- ~~• can demonstrate successful leadership in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;~~
- ~~• are able to use telecommunication and information technologies as tools for learning; and~~
- ~~• can maintain an environment conducive to learning.~~

~~Within the first two years after graduation, the university will provide additional training to any graduate who is employed as a building principal/assistant principal and is judged by the employing Mississippi school district and the university school district liaison to need such training to be more effective. This training will be provided at no cost to the principal/assistant principal or to the school district and will employ an individualized plan with specified learning leadership outcomes agreed upon between the school district and the university.~~

~~Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the superintendent's rationale for referring the principal/assistant principal to the university.~~

~~This policy does not apply in situations where the principal/assistant principal has been given an unreasonable number of assignments or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning principal/assistant principals.~~

**FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Rader, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Duff, seconded by Trustee Martin, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Duff, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to approve item #3. On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve item #4. Trustee Gee Ogletree recused himself from discussing or voting on items #5 - #9 on the Finance Agenda and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee Cummings, with Trustee Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve items #5 - #9. Trustee Ogletree was readmitted to the meeting following the conclusion of the discussion and vote on items #5 - #9 on the Finance Agenda. Trustee McNair recused himself from discussing or voting on item #10 and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee Hubbard, with Trustee McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve item #10.

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Trustee McNair was readmitted to the meeting following the conclusion of the discussion and vote on item #10.

1. **SYSTEM** – Approved the request to provide all institutions through December 31, 2021 temporary relief and waive requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01, 707.02 and 707.03) and Board Policy 905 Real Estate Management, when compliance with the Board approval requirements of these policies would impede the institution's ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing with the Covid-19 pandemic. This request is for a temporary period through December 31, 2021, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. Previously, the Board approved this waiver for UMMC effective March 19, 2020. This waiver was expanded to all institutions on September 4, 2020 with an original expiration date of December 31, 2020. At the November 19, 2020 meeting, this waiver was extended through May 31, 2021. On May 31, 2021 the temporary waiver expired for all institutions. Board Policy 707 Contracts governs, among other things, the contracts and leases entered by the institutions. Specifically, it requires, in part, that any land acquisitions exceeding \$100,000, any leases in an amount greater than \$100,000, and all other land, personal property, and services contracts requiring an aggregate expenditure of more than \$250,000 require approval by the Board of Trustees. This policy also governs approvals required for prepayments and for some revenue contracts. Board Policy 905 Real Estate Management further governs, among other things, the purchase and sale of land and leases of property and requires a Phase I or more detailed Environmental Report. The Board also approved the request that authority be delegated to the Commissioner, through December 31, 2021, to approve waivers on behalf of the Board of any other Board policy or practice requirements to enable the institutions to promptly and effectively deal with any issues related to the COVID-19 pandemic and to allow them to operate more efficiently during this public health crisis. The following processes and conditions govern this waiver and temporary delegation:
  - a. All such contracts, leases, purchases, and other items be reported to the Board as information items in such form and such detail as may be required for other contracts and items otherwise requiring approval by the Board or Commissioner,
  - b. Legal staff from each institution or a special assistant Attorney General is to provide a legal opinion as to compliance with applicable law for each contract/lease/legally binding document entered into,
  - c. Each action taken for items otherwise requiring approval by the Board or Commissioner must include a specific justification explaining the necessity related to the Covid-19 pandemic when reported to the Board as information,
  - d. For requests to the Commissioner for waivers of policies other than Board Policies 707 and 905, the institution must present a justification to the Commissioner explaining why extraordinary waiver of policies and practices is warranted as it relates to the Covid-19 pandemic, and

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- e. The Commissioner shall notify the Board when the temporary period no longer warrants extraordinary waiver of the requirements of the Board's Policies should the public health crisis caused by Covid-19 end sooner than December 31, 2021.
2. **UMMC** – Pending final approval by the Attorney General's Office, the Board approved the request to issue through the Medical Center Educational Building Corporation (MCEBC) revenue bonds in one or more tax-exempt or taxable series to finance certain improvements and other capital expenditures, to refund all or a portion of the outstanding Revenue Bonds, Series 2017A (New Facilities and Refinancing Project). The combined savings from the refunding of the Prior Bonds will be sufficient to pay the debt service on the bonds being issued to finance capital expenditures in a principal amount not to exceed \$25 million. The Board approved the payment of costs of issuance, sale and delivery of the bonds and approval of necessary bond documents. The Board reviewed and approved the financial adviser's report provided by Hilltop Securities. Following are the professionals: Financial Advisor – Hilltop Securities; Bond Counsel – Jones Walker LLP; and Senior Underwriter – Raymond James. Pending approval by the Attorney General's Office, the Board approved the proposed resolution granting permission for issuance of new bonds and waived Board Policy 906 Educational Building Corporations which requires approval at a subsequent meeting so that UMMC may realize the opportunities presented by the bond issue in an expeditious manner, due to the ongoing pandemic. The term of the new bonds will closely match the term of the existing debt which is being refinanced. MCEBC expects to issue up to \$175 million par value in fixed rate bonds for the purposes set forth above. Funds are available from patient revenues.
3. **JSU** – Pending final approval by the Attorney General's Office, the Board approved the request to issue through the Jackson State University Educational Building Corporation (JSU EBC) revenue bonds in one or more tax-exempt and/or taxable series to refund all or a portion of its outstanding Revenue Bonds, Series 2015A, its outstanding Taxable Revenue Bonds, Series 2017, and its Taxable Revenue Refunding Bonds, Series 2017A (if the net present value savings reaches 2% positive). The Board approved the payment of costs of issuance, sale and delivery of the bonds and approval of necessary bond documents and the financial advisor's report provided by Hilltop Securities. Hilltop Securities will serve as financial advisor. Jones Walker LLP will serve as bond counsel, in accordance with the terms of the contractual agreement for legal services approved by the Office of Attorney General. The method of sale will be either a negotiated sale, or private placement as determined by JSU. Raymond James & Associates, Inc. will serve as underwriter if the refunding bonds are sold through a negotiated public sale. Raymond James & Associates, Inc. will serve as placement agent if the bonds refunding bonds are sold in a private placement. The term of the new bonds will closely match the term of the existing debt which is being refinanced. JSU EBC expects to issue up to \$80 million par value in fixed rate bonds for the purposes set forth above. The funding source are revenues currently being used for debt service on the Prior Bonds.
4. **UMMC** – Approved the request to enter two (2) Letters of Agreement with Genzyme Corporation (Genzyme) for the provision of the drug Lemtrada, which is used to treat relapsing, remitting multiple sclerosis (MS). The first Letter of Agreement provides the drug at Wholesaler Acquisition Cost (WAC) pricing, and the second Letter of Agreement

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provides for the drug based on 340-B pricing. The Board approved the request for the institution to add or remove items under the agreement without seeking prior Board approval, as long as it does not increase the approved expenditure level. Both Letters of Agreement contain the same terms and conditions other than pricing. WAC is the standard pricing method for the pharmacy industry. 340-B pricing is provided through the Health Resources and Services Administration, a division of the United States Department of Health and Human Services. Under this program, the federal government requires drug manufacturers to provide outpatient drugs to eligible healthcare facilities at significantly reduced pricing. Participation in the 340-B program allows hospitals to pass along cost savings to their outpatients. Each Letter of Agreement is for a term of five (5) years, two (2) months and twenty-five (25) days, from October 6, 2021, through December 31, 2026. The total estimated cost of the Letters of Agreement over the five (5) year term is \$14,000,000. UMMC has included a ten percent (10%) increase beginning in year two (2) to account for potential increases in drug pricing (both WAC and 340-B) and increased patient volume. The Letters of Agreement will be funded through hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **SYSTEM** – Approved the request for the Mississippi Institutions of Higher Learning’s Executive Office (IHL) to enter four disaster response, mitigation, and remediation services contracts on an as needed basis with Cotton Commercial USA, Guarantee Restoration Services, NorthStar Recovery Services, and ServiceMaster Recovery Management. The approval will authorize universities and the IHL Board Office to directly enter individual contracts with the selected vendors. These contracts will begin September 1, 2021, and terminate September 1, 2025, unless terminated sooner. The cost will vary based upon the IHL entity’s (the university or the Board Office) agreed-upon scope of work which will be necessitated by the particular loss event. Contractors have quoted pricing for a variety of services and ancillary commodities, which may be categorized generally as labor, transportation and logistics, restoration equipment, power and distribution, environmental control, consumable materials, small tools, and third-party expense. Although the contract amounts will vary based upon the scope of work, an estimated maximum dollar amount per contract will not exceed \$5,000,000 without coming back to the Board to authorize a higher contract dollar-amount cap. An annual rate adjustment may apply, when justified, with the mutual agreement of the vendor and an authorized IHL or university procurement officer. This provision is not an automatic annual rate increase but rather is a mechanism to account for unanticipated cost fluctuations. The contracting entity, being a University or IHL, will pay directly for the services in which they contract, however, it is anticipated that the majority of these services would be paid by the system’s property insurance carrier, since the primary purpose of these contracts is to respond to large losses. Current university deductibles range from \$100,000 to \$250,000 per occurrence. Universities and/or IHL will contract directly with the vendor or vendors of their choice on an as-needed basis. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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6. **MSU** – Approved the request for MSU, UM, USM and UMMC (the “Consortium”) to jointly enter a Master Subscription Agreement with Elsevier B.V. (“Elsevier”) and further seek retroactive approval effective January 1, 2021. The purpose of the agreement is to license access to the content of electronic journals on the Elsevier ScienceDirect platform accessed by students, faculty, and researchers affiliated with the Consortium members sharing the cost and access to these journals. The content of these journals is not available for electronic access from any other vendor. The term of the agreement is for four years beginning January 1, 2021 and ending December 31, 2024. A breakdown of costs is shown below.

<b>Institution</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mississippi State University	\$1,459,021.56	\$1,459,021.56	\$1,488,201.99	\$1,517,966.03
University of Mississippi	\$1,050,947.14	\$1,050,947.14	\$1,071,966.08	\$1,093,405.40
University of Mississippi Medical Center	\$857,762.87	\$857,762.87	\$874,918.13	\$892,416.49
University of Southern Mississippi	\$416,871.00	\$416,871.00	\$416,871.00	\$425,208.42
<b>Total</b>	<b>\$3,784,602.57</b>	<b>\$3,784,602.57</b>	<b>\$3,851,957.20</b>	<b>\$3,928,996.34</b>

Minor changes in the selected titles could occur that could slightly change the monetary value of the contract. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

7. **UMMC** – Approved the request for additional funding for its current Rental Agreement with Abbott Laboratories, Inc. (Abbott) for specialty equipment and supplies related to Ventricular Assist Devices (VAD) and circulatory support needed for patients with a VAD or following a cardiac procedure. A VAD is an electromechanical device used to partially or completely replace the function of a failing heart. UMMC currently uses two kinds of VAD consoles for Mechanical Circulatory Support (MCS): the CentriMag and HeartMate. The agreement allows UMMC to rent either type of VAD equipment on an as-needed basis for back-up needs or while any UMMC-owned equipment is being serviced. The term of the agreement is five (5) years, from March 4, 2020, through March 3, 2025. The new estimated total cost over the five (5) year term is \$1,015,000. The original estimated cost was \$95,000. To date, UMMC has incurred an additional \$132,130 under the Agreement. UMMC anticipates the need for an additional \$920,000 for the remainder of the term. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **UMMC** – Approved the request to amend the Product Supply Agreement with PETNET Solutions, Inc. (PETNET) to include Johns Hopkins NIH Research-University of Minnesota/Minneapolis as a delivery location for the purchase of Amyvid, a drug used for Positron Emission Tomography (PET) imaging of the brain in adults who are being evaluated for Alzheimer's disease and other causes of cognitive decline. In 2019, UMMC received external grant funding for a multisite study of the use of Amyvid. PETNET will provide Amyvid for the ARIC-NCS Study across all study sites. The amendment does not change the term of the Agreement, which remains five (5) years, from March 20, 2020, through March 19, 2025. The total estimated cost of the amended Agreement is \$3,374,894. The original Agreement was approved for a total cost of \$2,305,178. UMMC anticipates the need for an additional \$1,069,716 for the additional delivery location. Each

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dose of Amyvid is \$3,029.00, plus the cost of delivery for the various study sites. The Agreement is funded by the grant funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

9. **UMMC** – Approved the request to enter a Service Agreement with Philips Healthcare, a division of Philips North America, LLC (Philips) to provide repair, support, and maintenance on various cardiovascular and radiological equipment owned by UMMC. The types of equipment includes ultrasound equipment, Magnetic Resonance Imaging (MRI) equipment, and bi-plane X-ray systems used for interventional cardiology procedures. The agreement will provide planned maintenance services, software updates, as well as parts and labor needed for repairs to cardiovascular and radiological equipment to ensure that equipment is in optimal working condition. The Board also approved the request for the institution to add or remove equipment from the Agreement without requiring prior submission for Board approval, so long as it does not increase the approved expenditure level. The term of the contract will be three (3) years, from September 1, 2021 through August 31, 2024. The total estimated cost of the agreement is \$2,700,00.00. UMMC has included an additional twenty-five percent (25%) over the total service agreement cost of \$2,150,152.85 to allow for any variable costs under the agreement. Variables may include services needed outside of normal hours, probe replacements that exceed the total yearly number allowed, and any non-standard parts not covered under the agreement. This will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **UMMC** – Approved the request to amend the Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to extend the current sublease for an additional two (2) years. UMMC currently subleases approximately 2,880 square feet of clinic space located at 833 Highway 90 in Bay St. Louis, Mississippi, for use as a pediatric outpatient clinic. The term of the amended sublease is five (5) years, five (5) months, and five (5) days, expiring August 31, 2023. The total cost of the amended Sublease is \$431,422.52 over the extended term. Operating expenses were estimated based on historical use averages at this location with a 3% annual inflation adjustment that started in year two (2) of the sublease. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to allow prepayment of rent on the first day of each month. The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Cummings, seconded by Trustee Rader, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda. On motion by Trustee McNair, seconded by Trustee Duff, all Trustees legally present



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and participating voted unanimously to approve item #2. On motion by Trustee Ogletree, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to approve item #3.

1. **SYSTEM** – Approved the appointment of Trustee Teresa Hubbard to replace former Trustee Shane Hooper as the second member of the IHL Board to serve on the Education Achievement Council (EAC). There is no term length for appointees. Trustee Tom Duff serves as the second IHL Board member representative. Institutional representatives include Dr. Felecia M. Nave, President of Alcorn State University; Mr. Bill LaForge, President of Delta State University; and Dr. Jerryl Briggs, President of Mississippi Valley State University.
2. **SYSTEM** – Approved the reappointment of Trustee Gee Ogletree to serve as a representative on the Mississippi Commission for Volunteer Service (MCVS). His current term ends September 30, 2021. He is being reappointed for the term October 1, 2021 – September 2024.
3. **SYSTEM** – Approved the proposed amendment to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines to establish the SMART Business Accelerator Initiative and to delegate authority to the Commissioner or his designee to approve the application form, review process and selection of recipients. SB 2839, which was passed during the 2021 legislative session, amended the SMART Business Act to allocate \$1,500,000 previously available for the SMART Business Act Rebate to establish the SMART Business Accelerator Initiative. The SMART Business Accelerator Initiative will fund grants to support university research and the development of state-owned intellectual property. Grants up to \$150,000 may be used by public universities or affiliated university research corporations to validate the commercial viability of state-owned intellectual property through activities such as the development of early product concepts, conducting proof-of-concept studies and/or manufacturing prototypes. With this amendment, \$3,500,000 remains available for rebates to investors under the original SMART Business Act Rebate. The guidelines for the SMART Business Act Rebate were not changed by SB 2839 and remain as approved by the Board of Trustees in June 2013. The SMART Business Accelerator Initiative guidelines will be submitted to the Mississippi Secretary of State's Office in accordance with the Administrative Procedures Act. (See Exhibit 1.)

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **MSU** – Intent to offer an existing degree program by distance learning  
Master of Arts (MA) in Communication  
CIP Code, Sequence: 09.0199, 4610  
Effective date: January 2022
2. **SYSTEM** – In accordance with Board Policy 403.0103 Post-Tenure Review, the Board received the post-tenure review report. In 2020–2021, 98% of full-time faculty received

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an annual evaluation. Thirty-three (33) faculty were triggered for a post tenure review. One (1) faculty is participating in a faculty development plan.

Number of Full-time Faculty	Number of Full-time Faculty Evaluated	Number of Tenured Faculty	Number of Tenured Faculty Triggering Post Tenure Review Process	Maximum Length of Faculty Development Plan	Number of Tenured Faculty in Faculty Development Plan	Number of Tenured Faculty Completing Development Plan		Tenured Faculty Separated from Employment as a Result of the Post Tenure Review Process
						Successful	Unsuccessful	
Alcorn State University								
260	244	94	0	3 years	0	0	0	0
Delta State University								
157	157	57	1	2 years (3 <sup>rd</sup> optional)	1	0	0	0
Jackson State University								
312	305	179	10	2 years	0	0	0	0
Mississippi State University								
1098	1098	491	18*	3 years	0	0	0	0
Mississippi University for Women								
150	150	61	0	4 years	0	0	0	0
Mississippi Valley State University								
105	105	51	4	2 years	0	0	0	0
University of Mississippi								
946	892	446	0	3 years	0	0	0	0
University of Mississippi Medical Center								
937	932	215	0	1 year	0	0	0	0
University of Southern Mississippi								
623	623	328	0	2 years	0	0	0	0
System Totals								
4,588	4,506	1,922	33	1-4 years	1	0	0	0

- JSU – 1 faculty member is on medical leave; 1 faculty member refused to participate in a Faculty Development Plan; 1 faculty member retired May 2021; 2 are administrators and will be evaluated prior to July 30, 2021.
  - MSU – For the 2020-2021 academic year, MSU had five (5) tenured faculty (tenured in fall 2014) in the College of Agriculture and Life Sciences that required post-tenure review in 2020. All had satisfactory or better annual evaluations and post-tenure review assessment with none requiring a development plan.
  - UM – Applied Sciences: 7 are administrators who are on the quadrennial review cycle; Business: 9 are administrators who are on the quadrennial review cycle, 4 retired, and 2 are on temporary 2-year appointments; Law: 2 retirements; Liberal Arts: 3 retirements, 5 resignations, and 2 deceased; Libraries: 3 are administrators who are on the quadrennial review cycle; Pharmacy: 11 are administrators who are on the quadrennial review cycle.
  - UMMC – 2 faculty members separating as a result of resignation or of a notice of contract non-renewal. 3 faculty members out on leave. Data are unchanged from last report due to a change in the timing of the annual faculty evaluation cycle.
  - USM – The University of Southern Mississippi conducts annual evaluations based upon the academic year - June 1 - May 31. The annual reviews will take place throughout the summer and beginning of fall semester.
3. **SYSTEM** – The Board received the Annual Report on Faculty Tenure. In 2015–2016, IHL institutions hired 178 tenure-track faculty members. As of the 2020–2021 academic year, 55% were awarded tenure from the 2015–2016 cohort.

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Institution	Number Hired (2014- 2015)	Number Applied for Tenure	Number Awarded Tenure	Percentage Awarded who Applied for Tenure	Number of Cohort Received Tenure	Percentage of Cohort Awarded Tenure
Alcorn State University	7	3	2	66%	1	33%
Delta State University	17	7	7	100%	4	24%
Jackson State University	7	7	7	100%	5	71%
Mississippi State University	63	30	29	94%	31	55%
Mississippi University for Women	2	2	2	100%	2	100%
Mississippi Valley State University	1	1	1	100%	1	100%
University of Mississippi	28	20	20	100%	20	71%
University of MS Medical Center	17	17	17	100%	17	100%
University of Southern Mississippi	36	16	16	100%	16	44%
<b>**System Totals</b>	<b>178</b>	<b>103</b>	<b>101</b>	<b>98%</b>	<b>97</b>	<b>55%</b>

*DSU – 1 faculty hired in 2017-18 with 2 years credit; 1 faculty hired in 2016-17 with 1 year credit*

*JSU – 1 faculty resigned; 2 faculty were members of the 2015 cohort and were encouraged to re-submit their application for tenure in fall 2020; 1 faculty member was granted a one-year extension due to Covid-19 pandemic and must apply for tenure in fall 2021.*

*USM – 19 separated; 1 Covid-19 extension.*

4. **SYSTEM** – The Board received the Annual Report of Off-Campus Academic Programs in accordance with Board Policy 201.0507 Campus Locations and Programs.

CIP	Type	Academic Program	Location	Hours
<b>Alcorn State University</b>				
51.1601	ASN	Associate Degree Nursing (ASN)	Natchez Campus	64
51.1601	BSN	BS in Nursing Program	Natchez Campus	60
		Generic Nurse Educator Program Option	Natchez Campus/Online	34*
51.1601	MSN	Graduate Nursing Program	Natchez Campus/Online	44
		Family Nurse Practitioner Program Option	Natchez Campus/Online	35
		Nurse Educator Program Option	Natchez Campus/Online	
51.1601	DNP	Doctor of Nursing Practice Program	Natchez Campus/Online	36
52.0201	MBA	Master of Business Administration (General Business)	Natchez Campus	36
*Twenty-six (26) hrs of credit awarded as credit-by-examination (new curriculum)				
<b>7 Off-Campus Programs Offered by Alcorn State University</b>				
<b>Jackson State University</b>				
<b>College of Health Science</b>				
51.0701	BS	Healthcare Administration	Jackson Medical Mall	57
51.0299	BS	Communicative Disorders (Old Curriculum)	Jackson Medical Mall	43
51.0299	BS	Communicative Disorders (New Curriculum)	Jackson Medical Mall	48
51.0299	MS	Communicative Disorders	Jackson Medical Mall	52
51.2201	MPH	Master of Public Health	Jackson Medical Mall	45
51.2201	DrPH	Doctor of Public Health	Jackson Medical Mall	60

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<b>CIP</b>	<b>Type</b>	<b>Academic Program</b>	<b>Location</b>	<b>Hours</b>
44.0701	MSW	Master of Social Work	Universities Center	57
44.0701	PhD	PhD in Social Work	Universities Center	51
<b>College of Education and Human Development</b>				
30.9999	BS	Professional Interdisciplinary Studies	Universities Center	124
24.0102	BUS	University Studies (C2C)	Universities Center	120
13.0406	PhD	Urban Higher Education	MS e-Center	72
<b>College of Liberal Arts</b>				
44.0401	MPPA	Public Policy and Administration	Downtown Campus	42-45
44.0401	PhD	Public Administration	Downtown Campus	60
9.0102	BS	Journalism and Media Studies	MS e-Center	45-48
9.0102	MS	Journalism and Media Studies	MS e-Center	30
<b>15 Off-Campus Programs Offered by Jackson State University</b>				
<b>Mississippi State University</b>				
52.0201	BBA	Business Administration	Meridian Campus	62
52.0201	MBA	Business Administration	Meridian Campus	All
52.0301	BAccy	Accountancy	Meridian Campus	62
13.0407	MAT	Community College Education	Meridian Campus	30
13.1202	BS	Elementary Ed. (Early Childhood; Middle School)	Meridian Campus	63
13.1202	MS	Elementary Education	Meridian Campus	33
13.0101	EdS	Education (Elementary and Secondary Education)	Meridian Campus	30
13.0101	EdS	Education (School Administration)	Meridian Campus	40
13.0101	EdS	Education (Counselor Education)	Meridian Campus	30
13.0401	MS	Educational Leadership (School Administration)	Meridian Campus	33
13.0101	EdS	Educational Leadership (Teacher Leadership)	Meridian Campus	30
42.2806	BS	Educational Psychology	Meridian Campus	64
13.1205	BS	Secondary Education (English)	Meridian Campus	69
13.1205	BS	Secondary Education (Social Studies)	Meridian Campus	64
13.1205	MAT- S	Secondary Education (Alternate.Route)	Meridian Campus	36
13.1205	MS	Secondary Education	Meridian Campus	33
13.1001	BS	Special Education	Meridian Campus	63
13.1101	MS	Counselor Education (School Counseling)	Meridian Campus	60
13.1101	MS	Counselor Education (Clinical Mental Health)	Meridian Campus	60
31.0505	BS	Kinesiology (Clinical Exercise Physiology)	Meridian Campus	64
51.0701	BAT	Bachelor of Applied Technology (Event and Hospitality Services)	Meridian Campus	60
09.0101	BA	Communication	Meridian Campus	62
45.0401	BA	Criminology	Meridian Campus	62
24.0101	BA	General Liberal Arts	Meridian Campus	62
54.0101	BA	History	Meridian Campus	62

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<b>CIP</b>	<b>Type</b>	<b>Academic Program</b>	<b>Location</b>	<b>Hours</b>
42.0101	BA	Psychology	Meridian Campus	60
30.9999	BS	Interdisciplinary Studies	Meridian Campus	62
44.0701	BSW	Social Work	Meridian Campus	62
23.0101	BA	English	Meridian Campus	62
51.0912	MS	Physician Assistant Studies	Meridian Campus	108
14.1001	BS	Electrical Engineering	Gulf Coast Campus, Gautier	65
14.3501	BS	Industrial Engineering	Gulf Coast Campus, Gautier	65
14.1901	BS	Mechanical Engineering	Gulf Coast Campus, Gautier	64
04.0201	BArch	Architecture (fifth year)	Jackson, MS	30
04.0201	MS	Graduate Certificate	Gulf Coast Community Design Studio; Biloxi, MS	18
51.2401	DVM	Doctor of Veterinary Medicine	Flowood and Pearl, MS	2
51.2401	DVM	Doctor of Veterinary Medicine	Starkville, MS (Veterinary Specialty Center, Stark Road)	4
<b>37 Off-Campus Programs Offered by Mississippi State University</b>				
<b>Mississippi University for Women</b>				
51.1601	BSN	RN to BSN Advanced Placement Option	Tupelo, MS	45
51.1601	BSN	Nursing Electives	Tupelo, MS	15
<b>2 Off-Campus Programs Offered by Mississippi University for Women</b>				
<b>The University of Mississippi</b>				
52.0301	Baccy	Accountancy	Tupelo	62
52.0801	BBA	Business (Finance)	Tupelo and Booneville	60
52.1499	BBA	Business (Marketing)	Tupelo and Booneville	60
52.0201	BBA	Business (Management)	Tupelo and Booneville	60
52.0201	BBA	Business (MIS)	Tupelo	60
52.0201	BBA	General Business	Tupelo and Booneville	60
43.0107	BSCJ	Criminal Justice (emphases in Corrections, Homeland Security, and Law Enforcement)	Tupelo and Booneville	60
13.1202	BAE	Education (Elementary)	Tupelo and Booneville	61
24.0199	BA	Interdisciplinary Studies	Tupelo	60
42.0101	BA	Psychology	Tupelo	60
30.0000	BGS	Multi-Disciplinary Studies	Tupelo and Booneville	60
44.0701	BSW	Social Work	Tupelo	60
24.0102	BUS	University Studies	Tupelo and Booneville	30
22.0103	BSLS	Law Studies	Tupelo	60
9.0702	BS	Journalism (emphasis in Integrated Marketing Communication)	Tupelo	62
13.0302	MEd	Education (Elementary)	Tupelo and Booneville	30
13.1101	MEd	Education (Counselor Education-Community Counseling)	Tupelo	60
13.1101	MEd	Education (Counselor Education-School Counseling)	Tupelo	48
13.0499	MEd	Educational Leadership (K-12)	Tupelo and Booneville	30
13.0301	EdS	Educational Specialist (Curriculum and Instruction)	Tupelo	30
43.0107	MCJ	Criminal Justice	Tupelo	30

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<b>CIP</b>	<b>Type</b>	<b>Academic Program</b>	<b>Location</b>	<b>Hours</b>
13.0401	EdS	Leadership K-12 Administration	Tupelo	30
52.0301	Baccy	Accountancy	Southaven	62
52.0801	BBA	Business (Finance)	Southaven	60
52.1499	BBA	Business (Marketing)	Southaven	60
52.0201	BBA	Business (Management)	Southaven	60
52.0201	BBA	Business (MIS)	Southaven	60
52.0201	BBA	General Business	Southaven	60
43.0107	BSCJ	Criminal Justice (emphases in Corrections, Homeland Security, and Law Enforcement)	Southaven	60
13.1202	BAE	Education (Elementary)	Southaven	61
24.0199	BA	Interdisciplinary Studies	Southaven	60
42.0101	BA	Psychology	Southaven	60
30.0000	BGS	Multi-Disciplinary Studies	Southaven	60
24.0102	BUS	University Studies	Southaven	30
44.0701	BSW	Social Work	Southaven	60
22.0103	BSLS	Law Studies	Southaven	60
9.0702	BS	Journalism (emphasis in Integrated Marketing Communication)	Southaven	62
13.0302	MEd	Education (Elementary)	Southaven	30
13.0499	MEd	Educational Leadership (K-12)	Southaven	30
43.0107	MCJ	Criminal Justice	Southaven	30
13.0301	EdS	Educational Specialist (Curriculum and Instruction)	Southaven	30
13.0401	EdS	Leadership K-12 Administration	Southaven	30
43.0107	MCJ	Criminal Justice (emphasis in Law Enforcement)	Grenada	60
13.1202	MEd	Education (Elementary)	Grenada	61
52.0201	BBA	General Business	Grenada	60
30.0000	BGS	Multi-Disciplinary Studies	Grenada	60
24.0102	BUS	University Studies	Grenada	30
13.0302	MEd	Education (Elementary)	Grenada	30
13.0499	MEd	Educational Leadership (K-12)	Grenada	30
13.0301	EdS	Educational Specialist (Curriculum and Instruction)	Grenada	30
13.0401	EdS	Leadership K-12 Administration	Grenada	30
43.0107	MCJ	Criminal Justice	Grenada	30
13.1202	MEd	Education (Elementary)	Rankin	61
<b>53 Off-Campus Programs Offered by University of Mississippi</b>				
<b>The University of Mississippi Medical Center</b>				
51.3801	BSN	Accelerated Bachelor of Science in Nursing	Oxford, MS	48
<b>1 Off-Campus Program Offered by University of Mississippi Medical Center</b>				
<b>The University of Southern Mississippi</b>				
26.1302	MS	Coastal Sciences	Gulf Coast Research Laboratory	20
26.1302	PhD	Coastal Sciences	Gulf Coast Research Laboratory	20

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<b>CIP</b>	<b>Type</b>	<b>Academic Program</b>	<b>Location</b>	<b>Hours</b>
26.1302	BS	Marine Biology	Gulf Coast Research Laboratory	2
40.0607	MS	Marine Science	Gulf Coast Research Laboratory	6
29.0306	CP18	Unmanned Marine Systems (UG)	Marine Research Center	10
29.0306	CP18	Unmanned Marine Systems (UG)	Marine Research Center	10
40.0601	MS	Geology	Stennis Center	2
40.0607	MS	Hydrographic Science	Stennis Center	12
40.0607	BS	Marine Science	Stennis Center	4
40.0607	MS	Marine Science	Stennis Center	15
40.0607	PhD	Marine Science	Stennis Center	17
<b>11 Off-Campus Programs Offered by University of Southern Mississippi</b>				
<b>A Total of 126 Off-Campus Programs Offered by the System</b>				

**FINANCE**

5. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered Amendment 1 to the Master Agreement with 3M Health Information Systems, Inc (3M) formerly known as M\*Modal Services, LTD (MModal) to extend the term of the agreement for one (1) year and delete the NLU platform enterprise license. This agreement provides dictation and transcription services, software licenses, software maintenance and support, cloud hosting services, and support and training if needed. The term of Amendment 1 is one (1) year, from July 1, 2021, through June 30, 2022. The Master Agreement is twenty-seven (27) months, from March 23, 2020, through June 30, 2022. The cost of Amendment 1 is \$96,815.01. The total cost of the Master Agreement as amended is \$514,189.22.
6. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered a Software as a Service Agreement with MedHub, LLC (MedHub) for its medical education software and services. This software platform streamlines curriculum, coursework, scheduling, assessments, and site management and is used by the Undergraduate Medical Education department at UMMC. This software platform streamlines curriculum, coursework, scheduling, assessments, and site management. The term of the agreement is three (3) years, from March 29, 2021, through March 28, 2024. The total cost of the agreement is \$398,400.00.

**REAL ESTATE**

7. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the June 17, 2021 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 2.)

**LEGAL**

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

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**ADMINISTRATION/POLICY**

9. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
- a. **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 August 2, 2021, Commissioner Alfred Rankins, Jr. approved the final budget revisions to the FY 2021 *Ayers* academic programs budgets after conducting a review. It appears that these revisions were necessary to align 2021 budgets to individual program needs at the end of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic 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. **MSU** – On June 14, 2021, Commissioner Alfred Rankins, Jr., recommended the approval of two timber sales to Trustee Chip Morgan, Chair of the Real Estate Committee. The first (No. 21-02) is approximately 255 acres with 145 being a final harvest of hardwood timber and 110 being a partial harvest of shelterwood timber. The second (No. 21-03) is approximately 75 acres of large pine sawtimber. Both sales are located in Oktibbeha County and expected to be less than \$500,000. On June 17, 2021, Chairman Morgan approved the Commissioner's recommendation granting interim approval of the two above mentioned timber sales. The Attorney General's Office has reviewed the two agreements and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
  - c. **MSU** – On July 1, 2021, Commissioner Alfred Rankins, Jr. approved the Office Lease Agreement between Mississippi State University CAVS-Extension and Itawamba Community College (ICC) for the use of office space at the ICC Belden Center. This is effective August 1, 2021 through June 30, 2022, at a cost of \$728 per month payable on the first day of each month. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
  - d. **MSU** – On July 6, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and East Mississippi Center for Educational Development (EMCED) for approximately 300 square feet of office space and additional share space at MSU's College Park Campus located at 1000 Highway 19 North, Meridian, MS. The primary term of this lease shall be for one year commencing on July 1, 2021, and ending at 12:00 midnight on June 30, 2022,



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and shall be renewed annually upon written agreement of both parties not to exceed a term of five years. The lease payment of \$7,401.39 will be due on July 1, 2022. The total amount of revenue anticipated from lease payments, if the contract is renewed each year, is \$37,006.95. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- e. **UMMC** – On July 20, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University Mississippi Medical Center and BBL Properties, LLC, for the lease of approximately 3,00 square feet of medical clinical space located at 418B N. Applegate, Winona, MS to continue providing rural family medical clinic services in Winona, MS. The term of the lease is three years beginning September 1, 2021, at a total cost of \$43,200 or \$1,200 per month, to be paid in advance on the first day of each month. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- f. **UMMC** – On July 20, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University Mississippi Medical Center and Carroll County, MS, for the lease of approximately 2,056 square feet of clinic space located in the Herbert R. Power Health Clinic d/b/a the Vaiden Clinic at 201-A Magnolia Street, Vaiden, MS to continue providing rural family medical clinic services in Vaiden, MS. The term of the lease is three years beginning September 1, 2021, at a total cost of \$55,512 or \$1,542 per month, to be paid in advance on the first day of each month. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- g. **UMMC** – On July 20, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University Mississippi Medical Center and Journal, Inc. for the lease of approximately 5,924 square feet of medical clinic space located at 204 Service Drive, Building 2, Suite D, Tupelo, MS to continue providing rural family medical clinic services in Tupelo, MS. The term of the lease is one year beginning September 1, 2021, at a total cost of \$96,146.52 or \$8,012.21 per month, to be paid in advance on the first day of each month. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- h. **UMMC** – On July 20, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University Mississippi Medical Center and Singing River Health System for 730 square feet of medical clinic space and furnishing in the JF

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Turner Building at Singing River Hospital in Pascagoula, MS to be used one day a week by the UMMC Department of Pediatric Cardiology. The lease is for a term of five years beginning September 1, 2021, at a total cost over the five-year term of \$21,072.13. The monthly rental rate is based on one scheduled occupancy period per week (52 per year) at a rate of \$76.04 per occupancy period, with annual increases as set out in Exhibit D, Schedule of Rates. Rental payments will be due at the beginning of each month. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

- i. **UMMC** – On July 20, 2021, Commissioner Alfred Rankins, Jr. approved the Sleep Lab Equipment Rental Agreement between the University Mississippi Medical Center and Philips RS North America, LLC f/k/a Respironics, Inc. for the rental of OmniLab Advanced + Heated Tube Humidifier Core Package equipment and the OmniLab Connect system for the sleep lab. The term of this agreement is three years beginning August 21, 2021, at a total cost of \$2,700. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- j. **USM** – On July 6, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi and Rhodes Enterprises, LLC for approximately 1,760 square feet of office space in Gulfport, MS for the purpose of operating USM’s Mississippi Early Childhood Inclusion Center Resource and Referral Site to serve the Mississippi Gulf Coast area. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- k. **USM** – On July 6, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi and Oil Mill Square, Inc. in which USM for approximately 3,154 square feet of office space for the purpose of operating USM’s Mississippi Early Childhood Inclusion Center Resource and Referral Site to serve the Hattiesburg area. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- l. **SYSTEM** – On June 24, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning July 1, 2020 and ending September 30, 2020. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration. A copy of the documents is on file in the IHL Board Office.

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- m. **SYSTEM** – On June 24, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning October 1, 2020 and ending December 31, 2020. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration.
- n. **SYSTEM** – On June 24, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2021 and ending March 31, 2021. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration.

**PERSONNEL**

10. **Sabbatical**

**Mississippi State University**

FROM: Masoud Karimi; Associate Professor of Electrical and Computer Engineering; *from* salary of \$104,650.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$52,325.00 per annum, pro rata during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021 and January 1, 2022 to May 15, 2022; professional development.

*[Originally approved by IHL Board March 18, 2021]*

CORRECTED: Masoud Karimi; Associate Professor of Electrical and Computer Engineering; salary of \$104,650.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021; professional development.

FROM: Li Zhang; Associate Professor of Civil and Environmental Engineering; *from* salary \$98,637.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$49,318.50 per annum, pro rata during sabbatical period; E&G Funds; effective August 16, 2021 to December 31, 2021 and January 1, 2022 to May 15, 2022; professional development.

*[Originally approved by the IHL Board March 18, 2021].*

CORRECTED: This item was rescinded.

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**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, August 18, 2021

The meeting was called to order by Chairman Alfred McNair at approximately 3:00 p.m. Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Health Affairs Committee.** The following items were discussed.

1. The Committee received an update on COVID-19, discussed the monthly financial summary and goal dashboard, and received an update on strategic goal 1. **No action was taken.**
2. Trustee McNair recused himself from discussing or voting on three leases and was placed in the Zoom waiting room before there was any discussion regarding the same. On motion by Trustee Cunningham, seconded by Trustee Duff, with Trustees Cummings and McNair absent and not voting, the Committee approved the lease reports for Memorial Hospital at Gulfport, UMMC Jackson Medical Mall, and River Oak Hospital, LLC as presented by Mr. Ed Tucker, CPA. Trustee McNair was readmitted to the meeting following the conclusion of the discussion and vote on the lease reports.
3. Executive Session  
On motion by Trustee Duff, seconded by Trustee Cunningham, with Trustees Cummings and Parker absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Morgan, seconded by Trustee Duff, with Trustees Cummings and Parker absent and not voting, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of the strategic business plans related to a public hospital.  
**During Executive Session, the following matters were discussed:**  
The Committee discussed the strategic business plans related to a public hospital. **No action was taken.**  
On motion by Trustee Duff, seconded by Trustee Starr, with Trustees Cummings and Parker absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.
4. On motion by Trustee Starr, seconded by Trustee Luckey, with Trustees Cummings and Parker absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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

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**ANNOUNCEMENTS**

- President Starr announced that the next meeting is scheduled to be held as part of the annual board retreat, which is planned for September 15-17, 2021. Additional information will be shared when the plans are finalized.
- President Starr invited the university presidents to report on current activities on their campuses.

**EXECUTIVE SESSION**

On motion 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 McNair, seconded by Trustee Cummings, with Trustee Ogletree absent and not voting, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Mississippi University for Women.

**During Executive Session, the following matter was voted upon:**

On motion by Trustee Morgan, seconded by Trustee Martin, all Trustees legally present and participating voted unanimously to approve a new four-year employment contract for Mrs. Nora Miller, President of the Mississippi University for Women, with a start date of September 1, 2021 that reflects a pay increase in her state salary in the amount of \$5,000.00.

**On motion by Trustee Martin, 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 Duff, seconded by Trustee Cummings, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- |           |   |
|-----------|---|
| Exhibit 1 | Amendment to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines to establish the SMART Business Accelerator Initiative. |
| Exhibit 2 | Real Estate items that were approved by the IHL Board staff subsequent to the June 17, 2021 Board meeting.  |
| Exhibit 2 | Report of the payment of legal fees to outside counsel.   |

# EXHIBIT 1

August 19, 2021

## **SYSTEM – REQUEST FOR APPROVAL OF THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH (SMART) BUSINESS ACCELERATOR INITIATIVE GUIDELINES AND BOARD OF TRUSTEES DELEGATION TO THE COMMISSIONER TO APPROVE THE APPLICATION FORM, REVIEW PROCESS AND SELECTION OF RECIPIENTS.**

### **Section 1. Funding Opportunity Title**

SMART Business Accelerate Initiative Application

### **Section 2. Funding Opportunity Purpose/Description**

The SMART Business Accelerate Initiative, as established by Mississippi law, is intended to promote the development of state-owned intellectual property into products and services.

### **Section 3. Eligibility Requirements**

A state institution of higher learning or its affiliated research corporation is eligible to apply for SMART Business Accelerate Initiative funds to develop state-owned intellectual property into products and services.

### **Section 4. Application and Submission Information**

#### **1. Application Package**

The application information will be published online at the Mississippi Institutions of Higher Learning (IHL) website, [www.mississippi.edu](http://www.mississippi.edu).

#### **2. Content and Form of Application Submission**

Application packages will be accepted online at [www.mississippi.edu](http://www.mississippi.edu) and will, at a minimum, include the following:

- Name, address and contact information for the Applicant.
- A description of the research validation to be conducted by the college or research corporation.
- A proposed budget of qualified validation expenses.
- A certified determination from the Applicant that the proposed research validation is necessary to develop state-owned intellectual property into products and services.
- Any additional information requested by IHL.

#### **3. Submission Dates and Times**

IHL shall open at least one solicitation to accept applications per fiscal year. Additional rounds of applications may be held subject to availability of funding.

# EXHIBIT 1

August 19, 2021

## Section 5. Application Review

Applications will be reviewed for compliance with the legislation by the Commissioner of Higher Education or his designee.

## Section 6. Award Information

### 1. Funding Instrument

A grant of funds to support research validation will be issued as a disbursement from the Department of Revenue to selected applicants.

### 2. Funds Available and Amount of Awards

The total funding available from the State of Mississippi for the SMART Business Accelerate Initiative is \$1,500,000 per fiscal year. Grants up to \$150,000 each may be awarded to selected applicants.

## Section 7. Award Administration Information

IHL will submit a formal notification of applicants selected to receive a disbursement under this Act to the Department of Revenue. The Department of Revenue will issue disbursements from current year tax collections.

## Section 8. Annual Reporting

Before December 1 each year, IHL shall file a report with the Governor, Secretary of the Senate and Clerk of the House of Representatives on the implementation of the SMART Business Act. For each SMART Business Rebate issued during that year, the report must include, but not necessarily be limited to, the name of the investor and the amount of the rebate the investor was eligible to claim. For each SMART Business Accelerator Initiative Disbursement, the report must include, but not necessarily be limited to, the name of the applicant, a description of the research validation, and the amount of the disbursement.

## Section 9. Definitions

The SMART Business Act establishes the following definitions with regard to the Act.

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

**“Investor”** means a natural person, partnership limited liability company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax.

**“Qualified research”** means the systematic investigative process that is undertaken for the purpose of discovering information. The term “qualified research” does not include research



# EXHIBIT 1

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conducted outside the State of Mississippi or research expenses that are already being funded by any grant, contract or otherwise by another person or governmental entity.

**“Research agreement”** means a written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research. All qualified research costs generating a SMART Business Rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

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

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

**“State”** means the State of Mississippi or a governmental entity of the State of Mississippi.

**“IHL”** means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

**“SMART Business”** means the Strengthening Mississippi Academic Research Through Business.

**“Applicant”** means a college or research corporation applying for SMART Business Accelerator Initiative funds to develop state-owned intellectual property into products and services.

**“Qualified validation expense”** includes, but is not limited to, services that accelerate the development of early product concepts, conducting proof-of-concept studies, and manufacturing prototypes to perform research validation. Qualified validation expense does not include salaries or wages associated with a licensee of state-owned intellectual property, legal fees or any payment in conflict with state law.

**“Research validation”** means research intended to validate the commercial viability of state-owned intellectual property.

**“Disbursement”** means a grant of funds to support research validation.

# EXHIBIT 2

August 19, 2021

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JUNE 17, 2021 BOARD MEETING SUBMISSION DEADLINE**

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

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

### **ALCORN STATE UNIVERSITY**

1. **ASU- DEMOLITION OF FACULTY HOUSE 356, #58, #59, #60, #61, #62**  
**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on June 11, 2021 to demolish six (6) old faculty houses and delete these buildings from their inventory.  
**Interim Approval Status & Date:** APPROVED, June 11, 2021
2. **ASU- GS 101-297 TECHNOLOGY CLASSROOM BUILDING**  
**NOTE: This is a Bureau of Building project**  
**Approval Request #1: Change Order #9**  
Board staff approved Change Order #9 in the amount of \$27,658.26 and thirty-six (36) additional days to the contract of Flagstar Construction.  
**Approval Status & Date:** APPROVED, July 29, 2021  
**Change Order Description:** Change Order #9 includes the following items: modifications made to the stair landings at the monumental stairs; infilled slabs at the second floor and penthouse floor dampers; modifications made to the audio/visual and electrical systems; and thirty-six (36) days to the contract.  
**Change Order Justification:** These changes are 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:** Nine (9) change orders for a total amount of \$377,918.14.  
**Project Initiation Date:** June 20, 2013  
**Design Professional:** Allred Stolarski Architects, P.A.  
**General Contractor:** Flagstar Construction  
**Total Project Budget:** \$23,200,000.00

# EXHIBIT 2

August 19, 2021

## 3. ASU- GS 101-310 – NEW FACULTY AND STAFF HOUSING

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$5,862.24 and fourteen (14) additional days to the contract of Ergon Construction Group.

Approval Status & Date: APPROVED, July 7, 2021

Change Order Description: Change Order #7 includes the following items: provided trim for specified medicine cabinets; provided a custom logo for the entry sign; and fourteen days to the contract.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$725,400.04.

Project Initiation Date: April 20, 2017

Design Professional: Architecture South

General Contractor: Ergon Construction Group

Total Project Budget: \$10,500,000.00

## DELTA STATE UNIVERSITY

## 4. DSU- GS 102-266- HVAC IMPROVEMENTS (AQUATIC CENTER)

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$684.00 and three hundred ninety-six (396) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, August 4, 2021

Change Order Description: Change Order #3 includes the following items: separated the existing ground and neutral wires; and three hundred ninety-six (396) days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$13,599.98.

Project Initiation Date: January 17, 2019

Design Professional: Engineering Resource Group.

General Contractor: Upchurch Plumbing, Inc.

Total Project Budget: \$1,500,000.00

## 5. DSU- GS 102-271 – SCHOOL OF NURSING EXPANSION/RENOVATION (PREPLAN)

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Design Development Documents**

# EXHIBIT 2

August 19, 2021

Board staff approved the Design Development Documents as submitted by Eley Guild Hardy Architects, P.A.

Approval Status & Date: APPROVED, June 23, 2021

Project Initiation Date: May 20, 2021

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

General Contractor: TBD

Total Project Budget: \$7,925,000.00

## MISSISSIPPI STATE UNIVERSITY

### 6. MSU- GS 105-355 – ENGINEERING & SCIENCE COMPLEX

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$109,442.04 and one hundred three (103) additional days to the contract of West Brothers Construction, Inc.

Approval Status & Date: APPROVED, June 7, 2021

Change Order Description: Change Order #9 includes the following items: revised the fixed table power supply; added two (2) restroom mirrors; credit for wire mesh partition for Civil lab; added boiler room lighting; added convection heaters in the attic; revised the donor signage; added solenoid valves in both the penthouse electrical rooms; added dye to the polished concrete floors; added power for roller shades; credit for sodding; revised the penthouse door hardware; revised the access controls and the associated gates at the chemical storage building masonry enclosure; revised the grades at the north drive ; moved the marker board out from the north wall in a room to; credit for wall protection panels; removed marker boards as well as provided wood blocking for wall mounted monitors in two rooms; modified the fan coil units and associated gypsum board furr downs; additional certification of the remaining thirty-five (35) fume hoods not required by the project documents; and fifty-one (51) adverse weather days to the contract.

Change Order Justification: These changes are necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; user/owner requested modifications; and weather-related delays as indicated herein.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$1,522,255.09.

Project Initiation Date: June 18, 2015

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

General Contractor: West Brothers Construction, Inc.

Total Project Budget: \$34,000,000.00

### 7. MSU- IHL 205-309 – ICE PLANT EXPANSION

#### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, June 28, 2021

# EXHIBIT 2

August 19, 2021

## **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, June 28, 2021

Project Initiation Date: August 20, 2020

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$6,500,000.00

## 8. **MSU- IHL 205-313 – HULL HALL RE-ROOF**

### **Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Shafer-Zahner-Zahner.

Approval Status & Date: APPROVED, June 21, 2021

### **Approval Request #2: Design Development Documents**

Board staff approved the waiver of Design Development Documents as submitted by Shafer-Zahner-Zahner.

Approval Status & Date: APPROVED, June 21, 2021

Project Initiation Date: May 20, 2021

Design Professional: Shafer-Zahner-Zahner

General Contractor: TBD

Total Project Budget: \$1,400,000.00

## 9. **MSU- IHL 205-314 – ALLEN HALL CLASSROOM STRUCTURAL INFILL**

**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on June 27, 2021 to initiate a project, Allen Hall Classroom Structural Infill and to appoint Architecture South as the design professional.

Interim Approval Status & Date: APPROVED, June 27, 2021

Project Initiation Date: June 27, 2021

Design Professional: Architecture South

General Contractor: TBD

Total Project Budget: \$1,200,000.00

## 10. **MSU- IHL 205-315 – STONE CHILLED WATER LOOP EXTENSION (PREPLAN)**

**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on June 27, 2021 to initiate a project, Stone Chilled Water Loop Extension and to appoint Engineering Resource Group, Inc. as the design professional.

Interim Approval Status & Date: APPROVED, June 27, 2021

Project Initiation Date: June 27, 2021

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$100,000.00

# EXHIBIT 2

August 19, 2021

## 11. MSU- IHL 205-317 – IED CNC LAB RENOVATION

**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on July 18, 2021 to initiate a project, IED CNC lab Renovation and to appoint Beard + Riser Architects, PLLC as the design professional.  
Interim Approval Status & Date: APPROVED, July 18, 2021

### **Approval Request #2: Contract Documents**

Board staff approved Contract Documents as submitted by Bear + Riser Architects, PLLC.

Approval Status & Date: APPROVED, July 27, 2021

### **Approval Request #3: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, July 27, 2021

### **Approval Request #4: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,144,188.00 to the apparent low bidder, Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, July 27, 2021

Project Initiation Date: July 18, 2021

Design Professional: Beard + Riser Architects, PLLC

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$1,400,000.00

## 12. MSU- IHL 413-001 – BALLEW HALL RENOVATION

### **Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Belinda Stewart.

Approval Status & Date: APPROVED, June 21, 2021

Project Initiation Date: August 20, 2020

Design Professional: Belinda Stewart

General Contractor: TBD

Total Project Budget: \$12,000,000.00

## 13. MSU- IHL 413-144– SUSTAINABLE BIOPRODUCTS FACILITIES PH I (REROOFING)

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$927,000.00 to the apparent low bidder, Norman Roofing.

Approval Status & Date: APPROVED, July 16, 2021

Project Initiation Date: June 18, 2020

Design Professional: Pryor Morrow Architects, Engineers, Interior Design

General Contractor: Norman Roofing

Phased Project Budget: \$1,300,000.00

Total Project Budget: \$5,000,000.00

# EXHIBIT 2

August 19, 2021

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 14. MUW- GS 104-188– CULINARY ARTS

#### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$15,215,900.00 to the apparent low bidder, West Brothers Construction, LLC.

Approval Status & Date: APPROVED, June 28, 2021

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: West Brothers Construction, LLC

Total Project Budget: \$19,555,613.00

## MISSISSIPPI VALLEY STATE UNIVERSITY

### 15. MVSU – GS 106-258 – ACADEMIC SKILLS STRUCTURAL REMEDIATION PHASE II

#### **NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the credit amount of \$27,743.13 and zero (0) additional days to the contract of Roy Collins Construction Co., Inc.

Approval Status & Date: APPROVED, July 1, 2021

Change Order Description: Change Order #1 includes the following items: credit to delete the brick masonry at the exterior walls, remove/salvage/reinstall downspout for not laying back brick in three locations; deletion of OSB sheathing, joint sealant/waterproofing associated with exterior wall work, deletion of framing, sheathing, and drywall work at the exterior walls; credit of sales tax associated with credits for deleting exterior wall work; made repairs to damaged concrete columns, removed ductwork above the auditorium seating area, removed and disposed of auditorium seating, removed CMU wall (2 story) adjacent to the auditorium that interfered with the placement of portal frames, removed CMU adjacent to the stairwell and replaced broken glass in windows.

Change Order Justification: These changes are necessary due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$27,743.13.

Project Initiation Date: October 15, 2015

Design Professional: Architecture South

General Contractor: Roy Collins Construction Co., Inc.

Total Project Budget: \$3,797,243.50

# EXHIBIT 2

August 19, 2021

## UNIVERSITY OF MISSISSIPPI

### 16. UM- IHL #207-449– LYCEUM EXTERIOR WINDOW RESTORATION

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$0.00 and twelve (12) additional days to the contract of Tombigbee Contractors, LLC.

Approval Status & Date: APPROVED, June 10, 2021

Change Order Description: Change Order #1 includes the following items: eleven (11) adverse weather days; and one (1) day stop work regarding an NFL films video production around the Lyceum project.

Change Order Justification: These changes were necessary due to user/owner requested modifications; eleven (11) weather-related delays plus one (1) day stop work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: February 21, 2019

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

General Contractor: Tombigbee Contractors, LLC

Total Project Budget: \$1,725,000.00

### 17. UM- IHL #207-456– BREVARD HALL 3<sup>RD</sup> FLOOR BIOMED DEPARTMENT

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$5,738.85 and thirty-eight (38) additional days to the contract of R.A. Sharp Construction Company, LLC.

Approval Status & Date: APPROVED, August 4, 2021

Change Order Description: Change Order #2 includes the following items: additional items added by the Fire Marshall; additional work performed to raise the raceways, remove conduit, and added an outlet for the data drop; changes made to transfer air recommended by the engineers; additional days added for existing ceiling repairs; COVID-19 shipping delays; and thirty-eight (38) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; 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: Two (2) change orders for a total amount of \$8,110.49.

Project Initiation Date: August 15, 2019

Design Professional: McCarty Architects, P.A.

General Contractor: R.A. Sharp Construction Company, LLC

Total Project Budget: \$1,300,000.00

### 18. UM- IHL #207-457– TRACK AND FIELD LOCKER ROOMS

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$12,847.66 and four (4) additional days to the contract of Shaw Services (1 of 10 Prime Contractors approved).



# EXHIBIT 2

August 19, 2021

Approval Status & Date: APPROVED, July 7, 2021

Change Order Description: Change Order #1 includes the following items: rerouted the new domestic water line to tap into the existing line; relocated a portion of the installed construction fence at the north side of the site; replaced 30' of displaced curb and gutter at the existing parking lot; and four (4) days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications; latent jobsite conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$12,847.66.

Project Initiation Date: February 21, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Shaw Services (1 of 10 Prime Contractors Approved)

Total Project Budget: \$3,700,000.00

## 19. **UM- IHL #207-461– STOCKARD HALL – ACVAV BOXES REPLACEMENT & CONTROLS UPGRADE**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$33,653.40 and zero (0) additional days to the contract of Tri-Star Companies, Inc.

Approval Status & Date: APPROVED, June 28, 2021

Change Order Description: Change Order #1 includes the following items: reconciliation for HVAC Controls allowance for Owner's requested additional scope and requested asbestos abatement monitoring.

Change Order Justification: These changes were necessary due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: February 20, 2020

Design Professional: Corbett Legge & Associates, PLLC.

General Contractor: Tri-Star Companies, Inc.

Total Project Budget: \$1,200,000.00

## 20. **UM-IHL 407-001 – JIM AND THOMAS DUFF CENTER FOR SCIENCE AND TECHNOLOGY INNOVATION**

**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on May 26, 2021 to increase the project budget from \$14,000,000.00 to \$175,200,000.00, for an increase of \$161,200,000.00.

Interim Approval Status & Date: APPROVED, May 26, 2021

### **Approval Request #2: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$129,230,000.00 to the apparent low bidder, W.G. Yates Construction.

Approval Status & Date: APPROVED, August 3, 2021

Project Initiation Date: January 16, 2012

# EXHIBIT 2

August 19, 2021

Design Professional: McCarty Architects  
General Contractor: W.G. Yates Construction  
Total Project Budget: \$175,200,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 21. UMMC- IHL #209-551– MAIN PHARMACY RENOVATIONS 2014

#### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$119,205.53 and two hundred ninety-five (295) additional days to the contract of Sunbelt General Contractors, Inc.

Approval Status & Date: APPROVED, July 23, 2021

Change Order Description: Change Order #5 includes the following items: the millwork originally designed was adjusted to better meet their evolving workflow; additional millwork was done; temporary power was added for the drug refrigerator temporarily relocated; a new condensing unit was added to the scope of work for electrical service; the scope of work increased during the project in a department which remains in operation due to sub-phasing; the chiller pump was installed to keep the temperature and humidity in the clean rooms within the proscribed range for the chiller pump; the complexity of performing the work in a department which remained in operation 24/7 was required for complicated subphasing; steel for new water lines was installed to serve the newly installed equipment and the copper propress pipes (crimped); adjustment was done to locate the packager unit in an alternate location from the original plan; additional cabinets were added to the narcotics room, and for adjustments to be made to preserve the shallow pill shelves adjacent to the tube station; removed the owner's stored equipment from an area to be renovated; additional data and power was provided to meet the department's evolved use of space; an exit light was installed to the storage area; and two hundred ninety-five (295) days to the contract.

Change Order Justification: These changes are necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; latent jobsite 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 \$1,267,116.04.

Project Initiation Date: January 22, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: Sunbelt General Contractors, Inc.

Total Project Budget: \$3,848,518.00

# EXHIBIT 2

August 19, 2021

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 22. USM- GS #108-293 – MONTAGUE PARKING IMPROVEMENTS

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$140,777.16 and ninety-seven (97) additional days to the contract of Warren Paving, Inc.

Approval Status & Date: APPROVED, July 29, 2021

Change Order Description: Change Order #1 includes the following items: Incorporated two hundred (200) tons of cement into the soil cement; soil cement-water mixing, shaping and compaction done; installed 1,400 cubic yards of borrow material to be treated with soil cement; removed one hundred sixty-two (162) cubic yards of excess unsuitable material; and ninety-seven (97) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$140,777.16.

Project Initiation Date: October 17, 2019

Design Professional: Neel-Schaffer, Inc.

General Contractor: Warren Paving, Inc.

Total Project Budget: \$2,750,000.00

# EXHIBIT 3

August 19, 2021

## **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 7/9/21) from the funds of Alcorn State University. (This statement, in the amount 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 Ware Immigration (statements dated 12/1/20, 2/1/21, 4/1/21, 7/1/21 and 7/1/21) from the funds of Jackson State University. (These statements, in the amounts of \$2,000.00, \$100.00, \$30.28, \$2,250.00 and \$2,250.00, represent services and expenses in connection with immigration/ labor certification.)

**TOTAL DUE.....\$ 6,630.28**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 7/23/21) from the funds of Mississippi State University. (This statement, in the amount of \$1,032.50, represents services and expenses in connection with legal advice.)

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

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 6/1/21 and 7/1/21) from the funds of Mississippi State University. (These statements, in the amounts of \$5,000.00 and \$875.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 5,875.00**

Payment of legal fees for professional services rendered by the Winfield Law Firm (statement dated 6/8/21) from the funds of Mississippi State University. (This statement, in the amount of \$297.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 297.00**

# EXHIBIT 3

August 19, 2021

Payment of legal fees for professional services rendered by Brunini (statements dated 6/16/21, 6/16/21 and 7/20/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$150.00, \$8,325.00 and \$375.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,850.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/31/21, 6/16/21, 6/24/21, 6/24/21 and 6/24/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$8,584.50, \$678.50, \$1,500.00, \$3,304.00 and \$2,858.75, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 16,925.75**

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 6/10/21 and 7/12/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$11,208.20 and \$4,188.60, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 15,396.80**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 6/1/21, 6/1/21, 7/1/21, 7/1/21, 7/1/21 and 7/1/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,500.00, \$6,000.00, \$38.89, \$4,500.00, \$4,500.00 and \$39.42, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 16,578.31**

Payment of legal fees for professional services rendered by Wise Carter (statement dated 6/24/21) from the funds of the University of Mississippi. (This statement, in the amount of \$42,643.80, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 42,643.80**

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statements dated 6/2/21 and 6/17/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$16,774.40 and \$104.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 16,878.40**

# EXHIBIT 3

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Payment of legal fees for professional services rendered by Butler|Snow LLP (statements dated 5/17/21, 5/19/21, 5/19/21, 5/24/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/16/21, 6/16/21, 6/16/21, 6/16/21 and 6/20/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$11,220.07, \$76,340.00, \$11,656.85, \$914.50, \$3,062.50, \$826.00, \$1,534.00, \$1,770.00, \$93,197.87, \$19,259.45, \$413.00, \$855.50, \$24,453.50, \$56,445.35 and \$3,825.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 305,773.59**

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 5/31/21, 5/31/21, 5/31/21, 5/31/21, 5/31/21, 5/31/21, 6/3/21, 6/15/21, 6/15/21 and 6/15/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,468.00, \$2,804.50, \$10,267.50, \$485.50, \$4,722.50, \$709.50, \$22,146.07, \$3,481.00, \$2,244.00 and \$924.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 54,252.57**

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 4/27/21, 5/28/21, 5/28/21, 6/15/21 and 6/15/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,053.00, \$132.00, \$3,895.50, \$1,023.00 and \$697.15, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,800.15**

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 5/2/21, 5/5/21, 5/5/21, 5/28/21, 5/28/21, 5/28/21, 5/28/21, 5/28/21, 5/28/21, 5/28/21, 6/3/21, 6/3/21, 6/3/21, 6/3/21, 6/3/21, 6/3/21, 6/16/21, 6/16/21, 6/16/21, 6/16/21, 6/16/21, 6/16/21 and 6/18/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$449.32, \$2,989.26, \$4,340.68, \$9,380.05, \$7,955.00, \$1,758.60, \$1,569.01, \$1,386.50, \$773.40, \$693.00, \$54.74, \$48.50, \$43.01, \$1.60, \$426.88, \$2.30, \$33.00, \$277.50, \$166.80, \$592.00, \$60.00, \$1,860.70 and \$700.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 35,562.35**

# EXHIBIT 3

August 19, 2021

Payment of legal fees for professional services rendered by Mayo Mallette (statements dated 6/15/21, 6/15/21 and 6/15/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$297.00, \$13,362.00 and \$15,171.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 28,830.00**

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 6/3/21, 6/3/21 and 6/3/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$66.00, \$264.00 and \$99.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 429.00**

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 5/18/21, 5/18/21, 5/18/21, 5/18/21, 5/31/21, 5/31/21, 5/31/21, 5/31/21, 6/17/21 and 6/17/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,409.00, \$33.00, \$1,468.50, \$33.00, \$132.00, \$16.50, \$16.50, \$3,960.00, \$1,590.00 and \$874.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,533.00**

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 5/7/21, 5/7/21, 5/7/21, 5/7/21, 5/7/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/3/21, 6/3/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21 and 6/17/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$607.50, \$796.50, \$82.50, \$418.50, \$3,948.00, \$702.00, \$1,390.50, \$202.50, \$1,473.00, \$972.00, \$702.00, \$2,304.87, \$1,518.00, \$270.00, \$409.50, \$198.00, \$162.00, \$1,501.50, \$198.00, \$337.50 and \$202.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 18,397.87**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 5/7/21, 5/7/21, 6/1/21, 6/1/21, 6/1/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/2/21, 6/16/21, 6/16/21, 6/16/21 and 6/16/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$33.00, \$1,929.90, \$49.50, \$49.50, \$57.00, \$1,393.30, \$897.00, \$66.50, \$854.66, \$1,108.71, \$6,480.20, \$33.00, \$892.50, \$99.00, \$233.85 and \$24.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 14,201.62**

# EXHIBIT 3

August 19, 2021

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 5/1/21, 5/10/21, 5/10/21, 5/10/21, 6/1/21, 6/1/21, 6/1/21, 6/1/21, 6/1/21, 6/1/21, 6/2/21, 6/2/21, 6/2/21, 6/16/21, 6/16/21, 6/16/21, 6/16/21 and 6/16/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$27,075.00, \$10,850.00, \$3,036.00, \$4,504.50, \$4,686.00, \$4,950.00, \$3,597.00, \$1,897.50, \$709.50, \$874.50, \$7,785.90, \$5,230.50, \$544.50, \$264.00, \$808.50, \$7,571.30, \$693.00 and \$1,105.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 86,183.20**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 6/17/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$6,939.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 6,939.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 6/4/21 and 7/13/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$12,581.45 and \$11,825.23, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 24,406.68**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 7/1/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,030.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,030.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 6/1/21, 6/1/21, 6/1/21, 6/1/21, 7/1/21 and 7/1/21) from the funds of the University of Southern Mississippi. (These statements, in the amount of \$120.25, \$1,500.00, \$1,000.00, \$1,500.00, \$22.43 and \$1,008.20, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 5,150.88**



# EXHIBIT 3

August 19, 2021

Payment of legal fees for professional services rendered by Wise Carter (statements dated 7/20/21 and 7/20/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$4,094.01 and \$1,678.73, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,772.74**

## **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 1/4/21, 1/8/21, 1/25/21, 1/25/21, 2/8/21, 2/23/21, 2/23/21, 3/10/21 and 3/11/21) from the funds of Mississippi State University. (These statements represent the reimbursement of fees incurred in association with the following patents: “Stitched Polymer Matrix Composites Using Barrier Layers for Cryogenic Applications and Methods of Making” - \$300.00; “Materials and Devices that Provide Total Transmission of Electrons Without Ballistic Propagation and methods of Devising Same” - \$745.00; “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$1,480.00; “Imaging Probe Adapter” - \$710.00; “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$1,360.00; 5-year Trademark/Service Mark renewal “Hail State” - \$1,050.00; 5-year Trademark/Service Mark Renewal MSU Banner (Logo) - \$1,050.00; “Wound and Infection Care Bath System” - \$150.00; and “Method and System for Estimating Antler, Horn and Pronghorn Size of an Animal” - \$1,065.00, respectively.)

**TOTAL DUE.....\$ 7,910.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 6/15/21 and 6/15/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - \$2,435.50; and “Live Attenuated Edwardseilla Ictaluri Vaccine and Method of Using Same” - \$1,191.50.)

**TOTAL DUE.....\$ 3,627.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 3/5/21, 5/25/21 and 7/6/21) from the funds of Mississippi State University. (These statements, in the amount of \$10,720.34, \$9,864.00 and \$740.00, respectively, represent services and expenses in connection with various patent applications.)

**TOTAL DUE.....\$ 21,324.34**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/10/21, 3/10/21, 3/30/21, 3/30/21, 6/24/21, 7/21/21, 7/21/21, 7/21/21 and 7/21/21) from the funds of Mississippi State University. (These statements represent services and expenses in

# EXHIBIT 3

August 19, 2021

connection with the following patents: “Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications” - \$1,435.50; “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - \$2,048.00; “A Transcription Factor for High Protein, Broad Disease Resistance and Faster Growth” - \$1,934.50; “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$457.00; “Synthesis of Optically Active Indoline Derivatives Via Ruthenium (II)-Catalyzed Enantioselective C-H Functionalization” - \$10,144.50; “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - \$1,535.00; “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$87.00; “Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications” - \$38.00; and “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$6,243.37, respectively).

**TOTAL DUE.....\$ 23,922.87**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/18/21, 2/18/21, 4/15/21 and 6/24/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stuttering Inhibition Method and Device (Snyder)” - \$1,032.50; “Emerald Bioscience, Inc. Licenses” - \$855.50; “Emerald Bioscience, Inc. Licenses” - \$383.50; and “Topical Compositions for Treating Peripheral Neuropathic Pain” - \$5,581.50, respectively.)

**TOTAL DUE.....\$ 7,853.00**

Payment of legal fees for professional services rendered by Thomas|Horstemeyer, LLP (statements dated 2/26/21, 2/26/21, 2/26/21, 4/30/21, 4/30/21, 5/28/21, 6/29/21, 6/29/21, 6/29/21, 6/29/21 and 6/29/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “System and Method for Manipulating Insect Behavior” - \$69.40; “Laser Multibeam Differential Interferometric Sensor and Methods for Vibration Imaging” - \$1,628.00; “Dyes, Dye-Sensitized Solar Cells, and Methods of Making and Using of Same” - \$1,012.00; “Anticancer Formulation” - \$1,727.00; “Transdermal Delivery of Iron” - \$1,505.00; “Isolation of Pure Cannabidiols from Cannabis” - \$1,950.00; “Biologically Active Cannabidiol Analogs” - \$200.00; “Biologically Active Cannabidiol Analogs” - \$200.00; “Biologically Active Cannabidiol Analogs” - \$200.00; “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - \$2,880.21; “Indolizine Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using Same” - \$5,150.00; and “Methods for Reducing Intraocular Pressure” - \$3,150.00, respectively.)

**TOTAL DUE.....\$ 19,871.61**

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Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/26/21, 4/26/21, 4/26/21, 4/26/21, 4/26/21, 4/26/21, 4/26/21, 4/26/21, 5/18/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21, 6/17/21 and 6/18/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$461.00, \$114.00, \$182.00, \$627.00, \$206.50, \$104.00, \$182.00, \$3,830.50, \$8,922.00, \$149.00, \$152.50, \$104.00, \$1,046.00, \$260.00, \$9.50, \$432.50 and \$364.00, respectively, represent services and expenses in connection with intellectual property patents.)

<b>TOTAL DUE.....</b>	<b>\$</b>	<b>17,145.50</b>
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Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 4/21/21, 5/24/21 and 5/24/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$508.75, \$108.75 and \$127.50, respectively, represent services and expenses in connection with intellectual property patents.)

<b>TOTAL DUE.....</b>	<b>\$</b>	<b>745.00</b>
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**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 27, 2021**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via teleconference at the Board Office in Jackson, Mississippi at 12:00 p.m. on August 27, 2021, and pursuant to notice in writing, to each and every member of said Board. The following members participated via phone: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Mr. Gee Ogletree was absent. The meeting was called to order by Dr. Walt Starr, President.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via teleconference. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The meeting was held to discuss matters related to Coronavirus Disease 2019 (COVID-19).**

Considering the growing concern for the impact of the COVID-19 pandemic, the Board discussed whether the Mississippi public universities should move past strongly encouraging the vaccine, the educational outreach activities stressing the importance of the vaccine, the incentives for students to get the vaccine, and the opportunities on the campuses to get the vaccine to the next step of mandating the vaccine for our students and employees.

A motion was made by Trustee Morgan, that, except for clinical settings within institutions, centers, departments, and programs, institutions are directed to refrain from mandating the COVID-19 vaccination as a condition of enrollment or employment. It was seconded by Trustee Hubbard. The motion passed on a 9 to 2 vote, with Trustee Ogletree absent and not voting. Board members voting for the motion were: Dr. Ormella Cummings, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Luckey, Mr. Bruce Martin, Mr. Chip Morgan, Mr. Hal Parker, Mr. Gregg Rader, and Dr. Walt Starr. Trustees voting against the motion were: Dr. Steven Cunningham and Dr. Alfred E. McNair.

**ADJOURNMENT**

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

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
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**August 19, 2021**

1. **ASU – APPROVAL TO AMEND AN AGREEMENT WITH ENNCLOUD TECHNOLOGIES, LLC**

**Agenda Item Request:** Alcorn State University requests approval to enter a one-year contract with **ENNCLOUD Technologies, LLC** for CIO Advisory Services, ERP Advisory Services, and Technical Project Management and Consulting Oversight Services.

**Contractor's Legal Name:** **ENNCLOUD Technologies, LLC**

**History of Contract:** This is Statement of Work No. 003 which is part of a Master Consulting Agreement between Alcorn State University and ENNCLOUD Technologies dated 9/21/2020. The original Master Services Agreement contained Statement of Work No. 001 for CIO Advisory Services at a 12-month term (September 2020-August 2021) and cost of \$222,500 and Statement of Work No. 002 for Remote ERP Consulting Oversight at an 8-month term with project cost (February 2021-September 2021) of \$10,000.

**Specific Type of Contract:** This is an extension where Statement of Work No. 003 is made as part of the current Master Consulting Agreement with Alcorn State University and ENNCLOUD Technologies, LLC.

**Scope of Work:** Statement of Work Number 003 provides strategic IT oversight through CIO Advisory Services that delivers IT Governance facilitation and aligns technology resource allocations with institutional strategy to achieve improved student experiences, streamlined faculty IT service delivery, and administrative business process automation. In addition, ERP Advisory Services will provide ERP change management, communications planning, and develop a Cloud Strategy for ERP and non-ERP applications. Third, IT consulting oversight to ensure documentation standards, and knowledge transfer occurs between 3<sup>rd</sup> party contracted technology consultants and ASU IT resources. As part of this service, ENNCLOUD Technologies will initiate and prioritize consultant engagements, review consulting services specifications, and verify timely status reporting. ENNCLOUD Technologies will also provide an Innovation Plan with next generation updates to the FY 2021-2022 IT Strategic Roadmap delivered in Statement of Work No. 001.

**Term of Contract:** One year, starting 09/1/2021 through August 31, 2022.

**Contract Amount:** The scope of work for Statement of Work No. 003 is \$39,166.67 per month for a total of \$470,000 for 12 months.

**Funding Source for Contract:** The contract will be funded by E & G Funds.

**Termination Options:** The university may terminate the contract for cause and for unavailability of funds.

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**Contractor Selection Process:** The contractor was selected by the university administration due to their experience in CIO Strategic Advisory Services and Cloud Computing Consulting.

**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. Legal Staff has reviewed the proposed Agreement for compliance with applicable law and finds same to be acceptable. ASU has not yet received a CP-1 exemption from the MS Department of Information Technology. Final approval is contingent upon receipt of the CP-1. Board staff recommends approval of this item pending receipt of the CP-1.

2. **UMMC – APPROVAL TO ENTER INTO A MASTER PURCHASE AGREEMENT WITH COCHLEAR AMERICAS**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Purchase Agreement with **Cochlear Americas** to purchase otolaryngology auditory devices and ancillary products to be used in surgical procedures. These devices and products include cochlear implants, bone conduction systems, batteries, covers, hearing aids, etc., that will be used to treat pediatric and adult patients throughout UMMC. For patients with hearing impairments, the implant does the work of the damaged parts of the inner ear in order to provide sound signals to the brain. UMMC also requests approval to add or remove products covered by the agreement without seeking prior Board approval, as long as it does not increase the approved expenditure level

**Contractor's Legal Name:** Cochlear Americas

**History of Contract:** On August 18, 2016, the Board approved a five (5) year agreement purchase agreement with Cochlear Americas for the purchase of otolaryngology auditory devices and ancillary products. In March 2021, UMMC sought proposals from vendors for otolaryngology auditory devices. Based on the analysis of proposals received, UMMC selected Cochlear Americas and MED-EL Corporation (MED-EL) for all otolaryngology auditory devices and ancillary products. UMMC submitted for consideration at the August Board meeting a separate agreement with MED-EL. The current agreement with Cochlear Americas expires on September 30, 2021.

**Specific Type of Contract:** This is a new Master Purchase Agreement.

**Purpose:** The purpose of the agreement is to purchase otolaryngology auditory devices and ancillary products to be used in surgical procedures. These devices and products include cochlear implants, bone conduction systems, batteries, covers, hearing aids, etc., that will be used to treat pediatric and adult patients throughout UMMC. For patients

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with hearing impairments, the implant does the work of the damaged parts of the inner ear in order to provide sound signals to the brain.

**Scope of Work:** Under the agreement, Cochlear Americas will provide otolaryngology auditory devices, ancillary products, and a backup sound processor (same color and processor type as the first processor) including one coil and one magnet.

**Term of Contract:** The term of the agreement is five (5) years, from October 1, 2021, through September 30, 2026.

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

- by either party upon sixty (60) days written notice to the other party;
- by either party if the other party:
  - fails to perform a material obligation under this agreement after receiving thirty (30) days' written notice of such failure, or
  - becomes insolvent or pursues liquidation, and as a result ceases to do business;
- in the event of insufficient funds;
- by UMMC should Cochlear be unable to provide the product for thirty (30) consecutive days due to a continuing force majeure event; and
- each product-specific Addendum to the Master Purchase Agreement may be terminated by UMMC upon thirty (30) days' written notice.

**Contract Amount:** The total estimated cost of the agreement over the five (5) year term is \$9,250,000. Beginning in year two (2), UMMC has included a twenty five percent (25%) increase for potential patient volume increases, as well as a two percent (2%) increase in the cost per case for annual price increases in years three (3) through five (5). Purchases will be made on an as-needed basis dependent upon patient need.

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

**Contractor Selection Process:** The otolaryngology auditory devices and ancillary products qualify as clinical commodities under Miss Code Ann §31-7-1, 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. Legal Staff has reviewed the proposed

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**Agreement for compliance with applicable law and finds same to be acceptable.**  
**Board staff recommends approval of this item.**

3. **UMMC – APPROVAL TO ENTER INTO A MASTER SERVICES AGREEMENT WITH PRESS GANEY ASSOCIATES, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Services Agreement with **Press Ganey Associates, LLC d/b/a Press Ganey Associates, Inc. (Press Ganey)**. The Agreement allows UMMC to facilitate the measurement of the hospital and ambulatory clinics' patient satisfaction as required by The Joint Commission and the Centers for Medicare and Medicaid Services (CMS). Press Ganey will conduct patient satisfaction surveys on behalf of UMMC, submit the data to CMS as required, and provide a vendor-hosted, web-based tool for UMMC's use in reviewing and managing the resulting data, as well as tools for improving UMMC's patient satisfaction.

**Contractor's Legal Name: Press Ganey Associates, LLC**

**History of Contract:** On August 20, 2015, the Board approved the current Master Services Agreement between UMMC and Press Ganey for facilitation of the measurement of the hospital and ambulatory clinics' patient satisfaction as required by The Joint Commission and CMS. On January 21, 2016, the Board approved the First Amendment to add inpatient and outpatient behavioral health surveys for UMMC. On October 19, 2017, the Board approved the Second and Third Amendments to the Master Services Agreement. The Second Amendment replaced the Physician Quality Reporting System (PQRS) Consumer Assessment Healthcare Providers & System (CAHPS) Regulatory Survey with the Merit-Based Incentive Payment System (MIPS) CAHPS Regulatory Survey. The Third Amendment added the Neonatal Intensive Care Unit (NICU) eSurvey Blend methodology to UMMC's existing survey services and add the Outpatient and Ambulatory Surgery (OAS) Regulatory CAHPS Wave 2 surveys to UMMC's current Ambulatory Surgery eSurvey Blend services. On October 18, 2018, the Board approved the Fourth Amendment to the Master Services Agreement, which added UMMC's Grenada facility to the covered survey services. On March 21, 2019, the Board approved the Fifth Amendment to the Master Services Agreement to add text services to the current survey delivery for patient satisfaction at all UMMC facilities. On August 20, 2020, the Board approved the Sixth amendment that extended the agreement for an additional one (1) year term, clarified the responsibilities of both parties, added indemnification, insurance and data security provisions.

In November 2020, UMMC issued Request for Proposal (RFP) No. 1277 for Patient Experience Surveys. UMMC received four (4) responses to the RFP. Proposals were evaluated based upon cost and quality so that the lowest and best proposal would be selected. The UMMC selection committee selected Press Ganey as the awarded bidder for patient experience surveys.



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

**Purpose:** The purpose of the Master Services Agreement is to facilitate the measurement of the hospital and ambulatory clinics' patient satisfaction as required by The Joint Commission and the Centers for Medicare and Medicaid Services ("CMS"). Press Ganey will conduct patient satisfaction surveys on behalf of UMMC, submit the data to CMS as required, and provide a vendor-hosted, web-based tool for UMMC's use in reviewing and managing the resulting data, as well as tools for improving UMMC's patient satisfaction. Press Ganey will provide Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys for the dialysis, adult and pediatric outpatient and inpatient services, telehealth, neonatal intensive care and emergency medicine areas of UMMC.

**Scope of Work:** Under the Master Service Agreement, Press Ganey will:

- Provide Patient Satisfaction Survey Products
  - Create and send the survey tools as requested by UMMC;
  - Conduct multiple wave surveying services to satisfy UMMC's participation requirements, pursuant to applicable initiatives set forth in the Consumer Assessment of Health Providers and Systems (CAHPS), sponsored by CMS;
  - Provide access to survey images and recording based on CMS guidelines;
  - Provide client the ability to monitor the number of surveys administered, returned and completed;
  - Transcribe all patient survey comments made in English collected via mail or telephone verbatim and apply a comment rating to each comment; and
  - Apply a comment rating to each eSurvey comment made in English using a sentiment analysis software algorithm, which yields a rating accuracy of ninety-three percent (93%).
- Provide Experience Reports
  - Provide a worldwide, royalty free, non-exclusive, limited, non-transferable, non-assignable, non-sublicenseable license to use the Patient Experience web-based application(s);
  - Provide reporting of patient experience results that include
    - Static reports of CAHPS performance for standard time periods;
    - Interactive reporting, including the ability to create configurable data views;
    - Benchmarking to allow organizational comparison with peer groups;
    - Priority indices; and
    - Comment reports
      - Make comments available for review through the we-based application and provide the capability for UMMC to review comments containing concerning content through specialized reporting; and
      - Provide additional reports through the web-based application on a monthly, quarterly, or annual basis upon UMMC's request.
- Provide Client Support Service

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- Provide access to improvement content related to major service lines;
  - Provide access to Press Ganey's online forum;
  - Offer educational networking opportunities through Press Ganey's national client conference and regional education symposia; and
  - Provide access to online publications.
- Provide Advisor Support
  - Provide a patient experience advisor to support UMMC through unlimited virtual sessions and up to 4 dedicated support days annually for the following activities: development and promotion of new patient experience strategies or the revitalization of current strategy; support data interpretation, including goal setting and data management guidance; provide product and tool training and education; best practices sharing; facilitate networking; and with mutual agreement with UMMC, provide an annual improvement plan.
- Provide Data Collection Methodology
  - Administer the survey for 300 patients randomly selected by CMS by mail; and
  - Once mail surveys are processed send on SMS text invitation and/or email notification to all survey takers who provide a mobile number or email address.

UMMC will:

- Comply with all CMS OAS CAHPS standards and guidelines;
- Provide a list of patients in a data file by the data submission deadline established by Press Ganey. The data file must conform to Press Ganey file specifications;
- According to the CAHPS Quality Assurance Guidelines a Client may only change CAHPS vendors at the beginning of a calendar quarter. Therefore, any cancellation will not be valid until after data submission to CMS has been completed for applicable calendar quarter.
- Comply with certain hardware and software requirement'
- Designate a root user for the Press Ganey Online System and Applications that is responsible for user access and management of users within the organization;
- Upon the departure of an employee from UMMC's facility, immediately terminate their access to Press Ganey Applications and other Press Ganey systems;
- Prior to processing data, provide Press Ganey a completed demographic profile for the contracted service(s). Profiles must be completed and returned to UMMC's Account Manager by the first of the month preceding the month in which the facility is to receive the first report;
- Notify Press Ganey of changes to the demographic profiles prior to the first business day of the month preceding the report month, including changes in unit configurations and specialty designations;

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- Obtain any and all patient consents, authorizations, and/or approvals required by applicable U.S. federal and state laws, rules, regulations, policy or industry guidelines including privacy policies to enable Press Ganey to execute its obligations under this Agreement;
- For text Invitation services, ensure that the Patient providing the “prior express consent” or “prior express written consent” to send texts to a telephone number as required by the TCPA, that Patient is the current subscriber or customary user for that telephone number, and that the consent obtained from such Patient/subscriber has not been revoked; and
- Comply with the requirements of sampling strategy and survey distribution methodology.

**Term of Contract:** The term of the Master Services Agreement is five (5) years, from October 1, 2021, through September 30, 2026.

**Termination Options:** Termination options include:

- UMMC may terminate for non-availability of funds;
- By either party in the event of a material breach by the other party and that breach has not been cured within 45 days; and
- UMMC may terminate the agreement in the event Press Ganey improperly uses or discloses protected health information in breach of the agreement.

**Contract Amount:** The total estimated cost of the agreement over the five (5) year term is \$2,100,000.00. The total survey fees are \$1,723,669.34 over the term of the agreement with a three percent (3%) annual price increase beginning in year two (2). To account for any variable costs and additional support as needed, UMMC has also included an additional twenty percent (20%) of the projected annual cost of the survey fees beginning in year one (1).

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

**Contractor Selection Process:** In November 2020, UMMC conducted Request for Proposal (RFP) No. 1277 for Patient Experience Survey. Four (4) bidders submitted proposals, including National Research Corporation dba NRC Health, Press Ganey, Qualtrics, and Survey Vitals. Qualtrics was deemed non-responsive as it failed to provide any prior experience or references as required by the RFP. Although Press Ganey was not the lowest bidder, it provided the best proposal to the specifications requested in the RFP. The lowest bidder did not have the requisite experience with academic medical centers and did not have experience providing all of the types of surveys required for UMMC. Additionally, the lowest bidder could not support two factor/multi-factor authentication solutions to ensure secure authentication and access to UMMC data. The overall score indicated below is based upon criteria including cost as well as other factors.

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<b>Bidder</b>	<b>Cost</b>	<b>Overall Score Out of 100</b>
Press Ganey	\$1,723,669.34	84.82
NRC Health	\$1,682,000.00	82.77
Survey Vitals	\$1,501,000.00	80.99

The difference in the cost of Press Ganey's RFP proposal and the amount requested for the contract is the additional twenty percent (20%) UMMC included for any variable costs or additional support as needed.

**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. Legal Staff has reviewed the proposed Agreement for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

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REAL ESTATE  
SEPTEMBER 16, 2021**

**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 §903(B), Legislative Funding Requests**

*The Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. These requests shall be submitted for Board approval in May of each year. In developing the list of requests, the Commissioner shall consider institutional priorities, missions, enrollment, campus square footage, building conditions, comparative funding and other appropriate criteria. The Board shall then approve and furnish to the Legislature each year a priority list of the capital improvements and repair and renovation projects for all institutions under its control. Projects which are not approved by the Board shall not be submitted to the Legislature by any institution. In addition, priorities and requests of the individual institutions may not be presented or communicated to any individual legislators without the prior approval of the Board.*

*The Board approved priority lists of capital improvement and repair and renovation projects will be submitted to the Governor's Office of General Services and the Bureau of Building, Grounds and Real Property Management through the Board's Real Estate and Facilities Office.*

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**1. IHL SYSTEM OFFICE – APPROVAL OF FACILITY NEEDS REQUEST FOR THE 2022 LEGISLATIVE SESSION**

**Request:** Board approval is requested for the prioritized lists of proposed funding needs for the 2022 Legislative Session as prepared by each individual institution. These lists of campus priorities were developed in a similar manner as last year's lists, with each university determining the top five ranking priorities of their respective campus. A copy of the prioritized funding needs is located below. IHL is seeking approval in accordance with Board Policy §903(B), Legislative Funding Requests, which requires the preparation and submittal of an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature.

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

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**Facilities Needs Requests for FY 2023  
2022 Legislative Session**

University	University Priority	Project Description	Request Per Project	Total By University
ASU	1	Whitney Complex Wellness Center (Pre-Plan and Partial Funding)	\$4,540,000	
	2	Math & Science Building Renovation <i>(New FY 2023 Addition)</i>	\$4,000,000	
	3	Walter Washington Administration & Classroom Renovation – Phase I	\$5,900,000	
	4	K.L. Simmons Technology Building	\$4,900,000	
	5	Campus Infrastructure & Envelope Repairs	\$3,405,000	
				<b>\$22,745,000</b>
ASU -AG	1	Poultry/Animal Science Building (Pre-Plan)	\$465,000	
	2	Ag Facility Envelope and Infrastructure Repair	\$1,702,500	
	3	Hydroponics Outreach and Research Greenhouse	\$1,418,750	
	4	STEAM Outreach Center	\$2,336,250	
	5	Mechanical Repairs – Agriculture	\$1,500,000	
				<b>\$7,422,500</b>
DSU	1	Campus Wide HVAC Upgrade	\$3,937,500	
	2	ADA Compliance – BPAC Elevator	\$1,702,500	
	3	Campus Roofing Project <i>(New FY 2023 Addition)</i>	\$2,270,000	
	4	Walter Sillers Coliseum Renovation	\$2,837,500	
	5	ADA Compliance – Campus Wide	\$1,702,500	
				<b>\$12,450,000</b>
JSU	1	Student Center New Dining Facility	\$12,000,000	
	2	Rose McCoy Auditorium Renovation	\$3,000,000	
	3	Campus Sustainability & Infrastructure Improvements	\$5,000,000	
	4	Campus Safety Project <i>(New FY 2023 Addition)</i>	\$12,265,000	
	5	College of Education & Human Development <i>(New FY 2023 Addition)</i>	\$5,000,000	
				<b>\$37,265,000</b>
MSU	1	New Facility for College of Architecture, Art and Design	\$14,680,000	
	2	Renovation to Etheredge Hall	\$20,000,000	
	3	Renovation to Magruder Hall	\$12,000,000	
	4	Renovation to Carpenter Hall	\$21,500,000	
	5	Renovation to George Hall	\$7,000,000	
				<b>\$75,180,000</b>
MSU/DAFVM	1	Dorman Hall Renovation	\$9,608,750	
	2	Bost Extension Center / Technology Renovation	\$13,500,000	
	3	Wise Center R&R	\$4,009,000	
	4	Animal Research Facility	\$12,025,000	
	5	Plant Sciences Building	\$28,063,000	
				<b>\$67,205,750</b>

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University	University Priority	Project Description	Request Per Project	Total By University
MUW	1	General R&R	\$2,500,000	
	2	Old Pohl Gym Renovation--Preplan	\$300,000	
	3	Hogarth Center Renovation--Preplan	\$300,000	
				<b>\$3,100,000</b>
MVSU	1	Charles Lackey Center Renovation	\$10,196,573	
	2	O.P. Lowe Education Building <i>(New FY 2023 Addition)</i>	\$19,752,195	
	3	Walter Sillers Fine Arts Building <i>(New FY 2023 Addition)</i>	\$9,427,305	
	4	F.L. Wright Math and Science Renovation	\$12,471,442	
	5	W.A. Butts Social Science Building <i>(New FY 2023 Addition)</i>	\$11,849,933	
				<b>\$63,697,447</b>
UM	1	School of Accountancy Expansion	\$13,200,000	
	2	Northwest Campus Mechanical Plant (Electrical Phase II)	\$4,500,000	
	3	Hume Hall	\$23,500,000	
	4	Peabody Hall	\$15,100,000	
	5	Shoemaker Hall	\$62,000,000	
				<b>\$118,300,000</b>
UMMC	1	Critical Infrastructure Needs	\$18,250,000	
	2	Elevator Upgrades	\$3,500,000	
	3	Campus Wayfinding Implementation	\$2,000,000	
	4	Parking Lot & Street Repairs/Repave	\$2,500,000	
				<b>\$26,250,000</b>
USM	1	Science Research Building	\$40,000,000	
	2	Southern Hall – Restoration & Renovation (Pre-Plan)	\$500,000	
	3	Kennard Washington Hall Renovation (Pre-Plan)	\$625,000	
	4	Harkins Hall Renovation (Pre-Plan)	\$300,000	
	5	Fritzsche-Gibbs Hall Renovation (Pre-Plan) <i>(New FY 2023 Addition)</i>	\$175,000	
				<b>\$41,600,000</b>
USM-Gulf Coast	1	Halstead campus Repairs and Renovations - GCRL	\$300,000	
	2	USM-Coastal Operations R&R (Pre-Plan)	\$454,000	
	3	Gulf Park Science Building Addition (Pre-Plan)	\$283,750	
	4	Lighting Enhancement Project – Halstead & Cedar Point Campuses <i>(New FY 2023 Addition)</i>	\$283,500	
	5	New Physical Plant and UPD Facility (Pre-Plan) <i>(New FY 2023 Addition)</i>	\$125,000	
				<b>\$1,446,500</b>

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REAL ESTATE  
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University	University Priority	Project Description	Request Per Project	Total By University
ERC	1	Replace/Refurbish Campus Chillers	\$1,400,000	
	2	Repave Parking Garage/Repair JSU Exit Stairs	\$1,600,000	
	3	Renovation of Mechanical, Electrical, Fire Sprinkler, Fire Alarm, Lighting & Ceiling at the Edsel E. Thrash Universities Center	\$3,300,000	
				<b>\$6,300,000</b>
				<b><u>\$482,962,197</u></b>

**Note: All projects in bold represent life safety and/or ADA code compliance projects.**



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
LEGAL CONSENT AGENDA  
SEPTEMBER 16, 2021**

1. **ASU – APPROVAL TO CONTRACT WITH WARE|IMMIGRATION AS OUTSIDE COUNSEL**

Alcorn State University requests permission to hire Ware|Immigration as outside counsel to perform services as necessary in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the university for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this contract will be one year beginning October 1, 2021, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$20,000. This firm carries professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000. This request has been reviewed and approved by the Office of the Attorney General.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

H-1B petition	\$2,250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2,250.00*
H-1B withdrawal	\$200.00
H-4 EAD (Employee may pay)	\$750.00

\*additional legal fee of up to \$2,500 may apply for substantive requests for evidence

TN petition or border/consulate processing	\$2,250.00
TN extension petition (we handled original)	\$2,250.00

E-3 petition or consular processing	\$2,250.00
E-3 extension petition (we handled original)	\$2,250.00

O-1 petition	\$4,250.00
O-1 extension or amendment petition (we handled original)	\$3,000.00

J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00
J-1 waiver (no objection)	\$1,500.00

I-539 Fee for Dependents (Employee may pay)	\$750.00
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**Permanent Residence Process with Labor Certification: Faculty**

Special Handling labor certification	\$3,000.00
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**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
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SEPTEMBER 16, 2021**

(If position must be readvertised)	\$2,500.00
Additional fee if audited	\$500-1,500.00

Immigrant petition (I 140)	\$2,500.00
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**Permanent Residence Process with Labor Certification: Non-Faculty**

Labor certification	\$5,000.00
Additional fee if audited	\$500-1,500.00
Additional fee if subject to supervised recruitment	\$2,500.00

Immigrant petition	\$2,500.00
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**Permanent Residence Process: Outstanding Professors and Researchers**

Immigrant petition	\$6,000.00
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**Permanent Residence Process: National Interest Waiver**

Immigrant petition	\$6,000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2,500.00

**Adjustment of Status (any Employment-Based Permanent Residence Matter)**

Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2,500.00
“Standalone” AOS and related applications, principal	\$3,000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1,500.00
Adjustment of status of each child, concurrent with I 140	\$1,000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2,000.00
“Standalone” adjustment of status, child	\$2,000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1,500.00

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
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SEPTEMBER 16, 2021**

**General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule**

Such matters will be billed at our hourly rates:

David Ware	per hour billed	\$350.00
WI Partners	per hour billed	\$250.00
Associate Attorneys	per hour billed	\$175.00
Paralegals	per hour billed	\$100.00

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

2. **JSU – APPROVAL TO CONTRACT WITH ARMSTRONG LAW, LLC AS  
OUTSIDE COUNSEL**

Jackson State University requests approval to hire Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this agreement is one year beginning upon approval and execution, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This request has been reviewed and approved by the Office of the Attorney General.

**Summary of Legal Fees - Jackson State University**

<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney's Fees<sup>1</sup></u></b>
<b>Permanent resident status ("green card"/immigrant) processing – labor certification required<sup>2</sup></b>	
"Special handling" labor certification for faculty (teaching positions only) – using original recruitment	\$2,000.00

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<sup>1</sup> Exclusive of all required US Citizenship and Immigration Services filing fees and costs of recruitment (if required); all additional work, including assistance in ad placement, renewal applications for employment authorization or advance parole during the period the application for adjustment of status is pending, preparation for and attendance at interviews with immigration officers, or appeals of any denials of any immigration petition or application filed, will be billed at normal hourly rates (currently \$275 an hour)

<sup>2</sup> Regulations require employer to pay all costs relating to labor certification, including all costs of recruitment.

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“Special handling” labor certification for faculty (teaching positions only) – re-recruitment <sup>3</sup>	\$2,500.00
“Basic recruitment” labor certification for non-teaching positions	\$4,000.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,800.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00

<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney’s Fees</u></b>
<b>Permanent resident status (“green card”/immigrant) processing – “Outstanding professors and researchers” (labor certification not required)<sup>4</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$5,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Permanent resident status (“green card”/immigrant) processing – “extraordinary ability” or “National Interest Waiver” (labor certification not required)<sup>5</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00

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<sup>3</sup> Re-recruitment may be required if original ads do not meet US Department of Labor requirements or if labor certification is not filed within 18 months of date of offer letter.

<sup>4</sup> Employee may pay fees and costs because labor certification is not required for this process.

<sup>5</sup> Employee may pay fees and costs because labor certification is not required for this process.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
LEGAL CONSENT AGENDA  
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<u><b>Type of Immigration Processing</b></u>	<u><b>Attorney's Fees</b></u>
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Temporary status (nonimmigrant) processing</b>	
H-1B "specialty occupation" petition <sup>6</sup>	\$2,000.00
O-1 "extraordinary ability" petition	\$4,500.00
TN "NAFTA professional" petition	\$2,500.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program)	\$6,000.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship)	\$6,000.00
Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary	\$ 500.00

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

3. **JSU – APPROVAL TO CONTRACT WITH WARE|IMMIGRATION AS OUTSIDE COUNSEL**

Jackson State University requests approval to hire Ware|Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this agreement is one year beginning upon approval and execution, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000. This request has been reviewed and approved by the Office of the Attorney General.

**Schedule of Legal Fees for Academia**

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<sup>6</sup> Regulations require employer to pay all costs relating to H-1B filing, including attorney's fees and filing fees (however, employee may pay "premium processing request" filing fee if desired).

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
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**Nonimmigrant Petitions and Processes**

H-1B petition	\$2,250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2,250.00*
H-1B withdrawal	\$200.00
H-4 EAD (Employee may pay)	\$750.00

\*additional legal fee of up to \$2,500 may apply for substantive requests for evidence

TN petition or border/consulate processing	\$2,250.00
TN extension petition (we handled original)	\$2,250.00

E-3 petition or consular processing	\$2,250.00
E-3 extension petition (we handled original)	\$2,250.00

O-1 petition	\$4,250.00
O-1 extension or amendment petition (we handled original)	\$3,000.00

J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00
J-1 waiver (no objection)	\$1,500.00

I-539 Fee for Dependents (Employee may pay)	\$750.00
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**Permanent Residence Process with Labor Certification: Faculty**

Special Handling labor certification	\$3,000.00
(If position must be readvertised)	\$2,500.00
Additional fee if audited	\$500-1,500.00

Immigrant petition (I 140)	\$2,500.00
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**Permanent Residence Process with Labor Certification: Non-Faculty**

Labor certification	\$5,000.00
Additional fee if audited	\$500-1,500.00
Additional fee if subject to supervised recruitment	\$2,500.00

Immigrant petition	\$2,500.00
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**Permanent Residence Process: Outstanding Professors and Researchers**

Immigrant petition	\$6,000.00
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**Permanent Residence Process: National Interest Waiver**

Immigrant petition	\$6,000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2,500.00

**Adjustment of Status (any Employment-Based Permanent Residence Matter)**

Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2,500.00
“Standalone” AOS and related applications, principal	\$3,000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1,500.00
Adjustment of status of each child, concurrent with I 140	\$1,000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2,000.00
“Standalone” adjustment of status, child	\$2,000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1,500.00

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00

**General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule**

Such matters will be billed at our hourly rates:

David Ware	per hour billed	\$350.00
WI Partners	per hour billed	\$250.00
Associate Attorneys	per hour billed	\$175.00
Paralegals	per hour billed	\$100.00

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

4. **MSU – APPROVAL TO MODIFY CONTRACT WITH STITES & HARBISON, PLLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify its contract with Stites & Harbison, PLLC as follows:

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- (1) Under Section VI. PAYMENT TERMS, the hourly rate of pay for Sean Ritchie shall increase to \$320 per hour.

This hourly rate was originally listed in error at \$250 per hour. The maximum amount payable under this contract remains \$75,000, and all other provisions of this agreement dated July 1, 2021, remain in effect. This firm carries professional liability insurance coverage in the amount of \$30,000,000 per claim occurrence with an annual aggregate of \$60,000,000. This modification has been reviewed and approved by the Office of the Attorney General.

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



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**PERSONNEL**  
**September 16, 2021**

**APPROVAL OF PERSONNEL ACTION REQUEST**

**1. Employment**

**Jackson State University**

Maurice Mangum, *hired with tenure*, Department Chair, Department of Political Science and Professor of Political Science; salary \$100,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2021

James Robinson, *hired with tenure*, Department Chair and Associate Professor, Department of Health, Physical Education and Recreation; salary \$95,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 11, 2021

KB Turner, *hired with tenure*, Dean of the College of Liberal Arts and Professor of Criminal Justice and Political Science, salary of \$175,000 per annum, pro rata, E&G Funds; 12-month contract; effective August 11, 2021

**Mississippi State University**

John J. Green; *hired with tenure*; Professor and Director; Southern Rural Development Center; Department of Agricultural Economics; salary \$190,000.00 per annum, pro rata; Designated and Restricted Funds; 12-month contract; effective August 1, 2021

**2. Change of Status**

**Jackson State University**

Tracy Harris, *from* Interim Associate Dean; salary of \$108,313 per annum, pro rata; E&G Funds; 12-month contract; *to* Interim Dean; salary of \$130,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 15, 2021

Millard Bingham, *from* Interim Dean; salary of \$120,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Professor; salary of \$84,000 per annum, pro rata; E&G Funds; 9-month contract; effective August 11, 2021

**University of Mississippi**

Shawnboda Mead; *from* Interim Vice Chancellor for Diversity and Community Engagement; salary of \$133,900 per annum; pro rata; *to* Vice Chancellor for Diversity and Community Engagement; salary of \$225,000 per annum; pro rata; twelve-month contract; effective September 24, 2021

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August 19, 2021**

**1. MSU- APPROVAL OF A RESOLUTION REGARDING ACCESS TO  
CLASSIFIED CONTRACT INFORMATION UNDER THE REQUIREMENTS OF  
THE NATIONAL INDUSTRIAL SECURITY PROGRAM**

**Agenda Item Request:** Pursuant of the Department of Defense Regulations (DOD 5220.22-M dated 05/18/2016), Mississippi State University requests Institutions of Higher Learning (IHL) Board of Trustees approval of a Resolution that 1) requires certain present and future MSU officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to MSU and from processing for Personnel Security Clearance. Approval of the proposed Resolution and receipt of the Federal Security Clearance Designation will allow MSU access to NISP contracts without subjecting IHL Board members to the security clearance process.

Upon approval of the proposed Resolution, MSU will be in adherence to the Department of Defense NISP for having a Facility Security Clearance (FCL). Having the FCL designation makes MSU eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under NISP. NISP was established by Executive Order in 1993 for the protection of classified information. The National Industrial Security Program Operating Manual prescribes the requirements, restrictions and other safeguards to prevent unauthorized disclosure of classified information. The resolution follows below.

**Mississippi Institutions of Higher Learning**

**Exclusion Resolution for Certain Directors and Officers**

I, Dr. Alfred Rankins, Jr., do hereby certify that I am Commissioner, Mississippi Institutions of Higher Learning (IHL), a State Agency organized and existing under the laws of the State of Mississippi, and that the following is a true and correct copy of a resolution adopted by the Board of Trustees, **at a meeting held in West Point, Mississippi, on September 16, 2021, at which time a quorum was present.**

**WHEREAS**, current Department of Defense Regulations contain a provision making it mandatory that the President, Vice President for Research & Economic Development, Associate Vice President of Research & Economic Development; designated Senior Management Official(s); and the Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; and

**WHEREAS**, said Department of Defense Regulations permit the exclusion from the personnel of the requirements for access to classified information of certain members of

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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the Board of Directors and other officers, provided that this action is recorded in the Board minutes.

**NOW THEREFORE BE IT DECLARED** that the President, Vice President for Research & Economic Development, Associate Vice President for Research & Economic Development, designated Senior Management Official(s), and the Facility Security Officer; at Mississippi State University at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

**BE IT RESOLVED** that in the future, when any individual enters upon any duties as President, Vice President for Research & Economic Development, Assoc. Vice President of Research; designated Senior Management Official(s); and the Facility Security Officer, such individual(s) shall immediately make application for the required eligibility for access to classified information; and

**BE IT RESOLVED AND DIRECTED** that the following member of the Board of Directors and other officers or members shall not require, shall not have, and can be effectively and formally can be excluded from access to all **CLASSIFIED** information disclosed to the University and shall not affect adversely university policies or practices in the performance of classified contracts for the Department of Defense of the Government contracting activities (User Agencies) of the National Industrial Security Program.

	<b>NAME</b>	<b>TITLE</b>
1.	Dr. Alfred Rankins, Jr.	Commissioner, Mississippi IHL
2.	Dr. J. Walt Starr	President & Board Member, Mississippi IHL
3.	Tom Duff	Vice President & Board Member, Mississippi IHL
4.	Ormella Cummings, Ph.D.	Board Member, Mississippi IHL
5.	Dr. Steven Cunningham	Board Member, Mississippi IHL
6.	Teresa Hubbard	Board Member, Mississippi IHL
7.	Jeanne Carter Luckey	Board Member, Mississippi IHL
8.	Bruce Martin	Board Member, Mississippi IHL
9.	Dr. Alfred E. McNair, Jr	Board Member, Mississippi IHL
10.	Chip Morgan	Board Member, Mississippi IHL
11.	Gee Ogletree	Board Member, Mississippi IHL
12.	Hal Parker	Board Member, Mississippi IHL
13.	Gregory Rader	Board Member, Mississippi IHL

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of Mississippi Institutions of Higher Learning, September 16, 2021.

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Dr. Alfred Rankins, Jr., Commissioner  
Mississippi IHL College Board of Trustees

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**August 19, 2021**

Signature

**STAFF RECOMMENDATION:** MS Code Ann. Of 1972 Section 37-101-15(a) states that the Board of Trustees shall “exercise control of all records, books, papers, equipment, and supplies” of the institutions under the management and control of the Board. By approval of this resolution, the Board of Trustees will waive the right to inspect records relating to the National Industrial Security Program. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

**2. JSU- APPROVAL OF A RESOLUTION REGARDING ACCESS TO CLASSIFIED CONTRACT INFORMATION UNDER THE REQUIREMENTS OF THE NATIONAL INDUSTRIAL SECURITY PROGRAM**

**Agenda Item Request:** Pursuant to the Department of Defense Regulations, Jackson State University (JSU) is requesting approval of a Resolution that 1) requires certain present and future JSU officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to JSU and from processing for Personnel Security Clearance.

Upon approval of the proposed Resolution, JSU will be in adherence to the Department of Defense National Industrial Security Program (NISP) for having a Facility Security Clearance (FCL). Having the FCL designation makes JSU eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under the National Industrial Security Program (NISP). NISP was established by Executive Order in 1993 for the protection of classified information, and is applicable to all cleared contractor facilities, including JSU. With the FCL status, JSU's classified activities will be governed by the provisions of the National Industrial Security Program Operating Manual (NISPOM), which prescribes the requirements, restrictions and other safeguards to prevent unauthorized disclosure of classified information. See pages following the resolution for additional related information. The resolution follows below.

**Mississippi Institutions of Higher Learning**

**Exclusion Resolution for Certain Directors and Officers**

I, Dr. Alfred Rankins, Jr., do hereby certify that I am Commissioner, Mississippi Institutions of Higher Learning (IHL), a State Agency organized and existing under the laws of the State of Mississippi, and that the following is a true and correct copy of a resolution adopted by the Board of Trustees, **at a meeting held in West Point, Mississippi, on September 16, 2021, at which time a quorum was present.**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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**WHEREAS**, Jackson State University possesses a Facility Security Clearance through the National Industrial Security Program; and

**WHEREAS**, the Commissioner of the State Institutions of Higher learning and the members of the Board of Trustees of the State Institutions of Higher learning shall not require, shall not have, and can be effectively excluded from access to all classified information disclosed to the organization. They also do not occupy positions that would enable them to adversely affect the organization's policies or practices in the performance of classified contracts. This action shall be made a matter of record by the organization's executive body. A copy of the resolution shall be furnished to the Cognizant Security Agency (CSA); and

**WHEREAS**, the current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, Senior Management Official, and the Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; Such trustees or IHL Board Members do not hold any Positions with or serve as consultants, for any foreign person(s). (SF 328 Certificate Pertaining to Foreign Interests) and

**WHEREAS**, said Department of Defense Regulations permit the exclusion from the personnel of the requirements for access to classified information of certain members of the Board of Directors and other officers, provided that this action is recorded in the Board minutes.

**NOW THEREFORE BE IT DECLARED** that the President, Associate Provost and Vice President for Academic Affairs; designated Senior Management Official(s); and the Facility Security Officer at Jackson State University at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

**BE IT RESOLVED** that in the future, when any individual enters upon any duties as the President, Associate Provost and Vice President for Academic Affairs; designated Senior Management Official(s) and the Facility Security Officer, such individual(s) shall immediately make application for the required eligibility for access to classified information; and

**BE IT RESOLVED AND DIRECTED** that the following members of the Board of Trustees and other officers or members shall not require, shall not have, and can be effectively and formally excluded from access to all **CLASSIFIED** information disclosed to Jackson State University and shall not affect adversely Jackson State University policies or practices in the performance of classified contracts for the Department of Defense or Government contracting activities (User Agencies) of the National Industrial Security Program, awarded to Jackson State University and need not be processed for Personnel Security Clearance.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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**FINANCE**  
**August 19, 2021**

NAME	TITLE
1. Dr. Alfred Rankins, Jr.	Commissioner, Mississippi IHL
2. Dr. J. Walt Starr	President & Board Member, Mississippi IHL
3. Tom Duff	Vice President & Board Member, Mississippi IHL
4. Ormella Cummings, Ph.D.	Board Member, Mississippi IHL
5. Dr. Steven Cunningham	Board Member, Mississippi IHL
6. Teresa Hubbard	Board Member, Mississippi IHL
7. Jeanne Carter Luckey	Board Member, Mississippi IHL
8. Bruce Martin	Board Member, Mississippi IHL
9. Dr. Alfred E. McNair, Jr	Board Member, Mississippi IHL
10. Chip Morgan	Board Member, Mississippi IHL
11. Gee Ogletree	Board Member, Mississippi IHL
12. Hal Parker	Board Member, Mississippi IHL
13. Gregory Rader	Board Member, Mississippi IHL

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of Mississippi Institutions of Higher Learning, [Date].

---

Dr. Alfred Rankins, Jr., Commissioner  
Mississippi IHL College Board of Trustees  
Signature

**STAFF RECOMMENDATION: MS Code Ann. Of 1972 Section 37-101-15(a) states that the Board of Trustees shall “exercise control of all records, books, papers, equipment, and supplies” of the institutions under the management and control of the Board. By approval of this resolution, the Board of Trustees will waive the right to inspect records relating to the National Industrial Security Program. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.**

**3. UM- APPROVAL OF A RESOLUTION REGARDING ACCESS TO CLASSIFIED CONTRACT INFORMATION UNDER THE REQUIREMENTS OF THE NATIONAL INDUSTRIAL SECURITY PROGRAM**

**Agenda Item Request:** Pursuant of the Department of Defense Regulations, The University of Mississippi is requesting approval of a Resolution that 1) requires certain present and future UM officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to UM and from processing for Personnel Security Clearance. Approval of the proposed Resolution and receipt of the Federal Security

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Clearance designation will allow UM access to NISP contracts without subjecting IHL Board members to the security clearance process.

Upon approval of the proposed Resolution, UM will be in adherence to the Department of Defense NISP for having a Facility Security Clearance (FCL). Having the FCL designation makes UM eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under NISP. NISP was established by Executive Order in 1993 for the protection of classified information, and is applicable to all cleared contractor facilities, including UM. With the FCL status, UM's classified activities will be governed by the provisions of the National Industrial Security Program Operating Manual (NISPOM), which prescribes the requirements, restrictions, and other safeguards to prevent unauthorized disclosure of classified information. The resolution follows below.

**Mississippi Institutions of Higher Learning**

**Exclusion Resolution for Certain Directors and Officers**

I, Dr. Alfred Rankins, Jr., do hereby certify that I am Commissioner, Mississippi Institutions of Higher Learning (IHL), a State Agency organized and existing under the laws of the State of Mississippi, and that the following is a true and correct copy of a resolution adopted by the Board of Trustees, **at a meeting held in West Point, Mississippi, on September 16, 2021, at which time a quorum was present.**

**WHEREAS**, The University of Mississippi possesses a Facility Security Clearance through the National Industrial Security Program; and

**WHEREAS**, the Commissioner of the State Institutions of Higher learning and the members of the Board of Trustees of the State Institutions of Higher learning shall not require, shall not have, and can be effectively excluded from access to all classified information disclosed to the organization. They also do not occupy positions that would enable them to adversely affect the organization's policies or practices in the performance of classified contracts. This action shall be made a matter of record by the organization's executive body. A copy of the resolution shall be furnished to the Cognizant Security Agency (CSA); and

**WHEREAS**, the current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, Senior Management Official, and the Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; Such trustees or IHL Board Members do not hold any Positions with or serve as consultants, for any foreign person(s). (SF 328 Certificate Pertaining to Foreign Interests) and

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**WHEREAS**, said Department of Defense Regulations permit the exclusion from the personnel of the requirements for access to classified information of certain members of the Board of Directors and other officers, provided that this action is recorded in the Board minutes.

**NOW THEREFORE BE IT DECLARED** that the Chancellor, the Vice Chancellor for Research, designated Senior Management Official(s); and the Facility Security Officer at the University of Mississippi at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

**BE IT RESOLVED** that in the future, when any individual enters upon any duties as Chancellor, the Vice Chancellor for Research, designated Senior Management Official(s); and the Facility Security Officer, such individual(s) shall immediately make application for the required eligibility for access to classified information; and

**BE IT RESOLVED AND DIRECTED** that the following member of the Board of Directors and other officers or members shall not require, shall not have, and can be effectively and formally excluded from access to all **CLASSIFIED** information disclosed to the University of Mississippi and shall not affect adversely the University of Mississippi policies or practices in the performance of classified contracts for the Department of Defense of the Government contracting activities (User Agencies) of the National Industrial Security Program awarded to the University of Mississippi, and need not be processed for Personnel Security Clearance.

<b>NAME</b>	<b>TITLE</b>
1. Dr. Alfred Rankins, Jr.	Commissioner, Mississippi IHL
2. Dr. J. Walt Starr	President & Board Member, Mississippi IHL
3. Tom Duff	Vice President & Board Member, Mississippi IHL
4. Ormella Cummings, Ph.D.	Board Member, Mississippi IHL
5. Dr. Steven Cunningham	Board Member, Mississippi IHL
6. Teresa Hubbard	Board Member, Mississippi IHL
7. Jeanne Carter Luckey	Board Member, Mississippi IHL
8. Bruce Martin	Board Member, Mississippi IHL
9. Dr. Alfred E. McNair, Jr	Board Member, Mississippi IHL
10. Chip Morgan	Board Member, Mississippi IHL
11. Gee Ogletree	Board Member, Mississippi IHL
12. Hal Parker	Board Member, Mississippi IHL
13. Gregory Rader	Board Member, Mississippi IHL

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of Mississippi Institutions of Higher Learning, [Date].

---

Dr. Alfred Rankins, Jr., Commissioner



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Mississippi IHL College Board of Trustees  
Signature

**STAFF RECOMMENDATION: MS Code Ann. Of 1972 Section 37-101-15(a) states that the Board of Trustees shall “exercise control of all records, books, papers, equipment, and supplies” of the institutions under the management and control of the Board. By approval of this resolution, the Board of Trustees will waive the right to inspect records relating to the National Industrial Security Program. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
SEPTEMBER 16, 2021**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE `AUGUST 19, 2021 BOARD MEETING SUBMISSION DEADLINE**

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
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**ALCORN STATE UNIVERSITY**

**1. ASU- GS 101-310 - NEW FACULTY AND STAFF HOUSING**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$6,088.72 and twenty-six (26) additional days to the contract of Ergon Construction Group.

Approval Status & Date: APPROVED, August 12, 2021

Change Order Description: Change Order #8 includes the following items: added shortest rods to raise the ceiling fans; credit for electrical allowance for activation work; and twenty-six (26) days to the contract.

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

**Approval Request #2: Change Order #9**

Board staff approved Change Order #9 in the amount of \$11,759.20 and zero (0) additional days to the contract of Ergon Construction Group.

Approval Status & Date: APPROVED, August 31, 2021

Change Order Description: Change Order #9 includes the following items: changed the interior Masonite doors from five (5) warranty to seven (7) years warranty; provided a digital communicator and ethernet cable connection in each fire alarm system control panel.

Change Order Justification: These changes are necessary due to changes in requirements or recommendations by governmental agencies and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$743,247.96.

Project Initiation Date: April 20, 2017

Design Professional: Architecture South

General Contractor: Ergon Construction Group

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Total Project Budget: \$10,500,000.00

**DELTA STATE UNIVERSITY**

**2. DSU- GS 102-272 - RESIDENCE HALL IMPROVEMENTS (LAWLER-HARKINS)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$22,055.29 and zero (0) additional days to the contract of Alliant Construction, a division of Ergon Construction Group, Inc.

Approval Status & Date: APPROVED, September 2, 2021

Change Order Description: Change Order #1 includes the following items: credit for replacing vinyl tile (EVT) with luxury vinyl tile (LVT); replaced the ceilings in the 1<sup>st</sup> floor corridors of Lawler-Harkins; replaced the damaged ceiling tile and relocated salvageable tiles; installed twenty-five (25) additional feet of underground chilled water pipe; replaced four (4) 2-1/2" boiler gate valves; removed and replaced damaged gypsum board; installed twelve (12) 20"x72" mirrors; and re-sized tarnished mirrors from dorm rooms.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$22,055.29.

Project Initiation Date: June 20, 2013

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

General Contractor: Alliant Construction, a division of Ergon Construction Group, Inc.

Total Project Budget: \$2,789,722.85

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**3. DSU- GS 102-276 - RESIDENCE HALL IMPROVEMENTS (CAIN, TATUM, FUGLER, HAMMETT, BRUMBY CASTLE)**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$27,216.10 and zero (0) additional days to the contract of Conerly Construction, Inc.

Approval Status & Date: APPROVED, August 17, 2021

Change Order Description: Change Order #1 includes the following items: removed vinyl composition tile (VCT) and changed the selected collection of luxury vinyl tile (LVT); added wire mold for the installation of the “C” fixtures; abated insulated piping in the boiler room; gypsum repairs and painting of the end wall at Brumby-Castle; removed/replaced four (4) door leaves, reinstalled existing hardware, and installed new glass.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$27,216.10.

Project Initiation Date: January 17, 2019

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

General Contractor: Conerly Construction, Inc.

Total Project Budget: \$2,186,092.77

**MISSISSIPPI UNIVERSITY FOR WOMEN**

**4. MUW- GS 104-197– ELECTYRICAL SYSTEM UPGRADE**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

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Board staff approved Change Order #2 in the amount of \$4,817.32 and sixteen (16) additional days to the contract of Webster Electric Company, LLC.

Approval Status & Date: APPROVED, August 31, 2021

Change Order Description: Change Order #2 includes the following items: repairs made to the existing pad-mounted transformer serving the Fant Library and sixteen (16) days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$52,123.56.

Approval Status & Date: APPROVED, August 31, 2021

Project Initiation Date: March 15, 2019

Design Professional: Atwell and Gent, P.A.

General Contractor: Webster Electric Company, LLC

Total Project Budget: \$2,500,000.00

## **UNIVERSITY OF MISSISSIPPI**

### **5. UM- IHL #207-456 – BREVARD HALL 3<sup>RD</sup> FLOOR BIOMED DEPARTMENT**

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the credit amount of 8,000.00 and zero (0) additional days to the contract of R.A. Sharp Construction Company, LLC.

Approval Status & Date: APPROVED, August 9, 2021

Change Order Description: Change Order #3 includes the following item: liquidated damages of sixteen (16) days at \$500.00 per day deducted from the contract amount.

Change Order Justification: This change was necessary due to changes in requirements or recommendations by governmental agencies.

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Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$110.49.

Project Initiation Date: August 15, 2019

Design Professional: McCarty Architects, P.A.

General Contractor: R.A. Sharp Construction Company, LLC

Total Project Budget: \$1,300,000.00

**6. UM- IHL #207-457 – TRACK AND FIELD LOCKER ROOMS – PKG F  
GENERAL WORKS**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$2,010.00 and zero (0) additional days to the contract of McCarty King Construction Company.

Approval Status & Date: APPROVED, August 18, 2021

Change Order Description: Change Order #1 includes the following items: installed four (4) additional steel angles to stabilize support columns for the mechanical screen wall at the roof.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$2,010.00.

Project Initiation Date: February 21, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: McCarty King Construction Company

Total Phased Budget: \$884,523.87

Total Project Budget: \$3,700,000.00

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

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$1,547.23 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, August 9, 2021

Change Order Description: Change Order #1 includes the following items: added a new floor drain under the ice maker and added a water line to the ice maker.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$2,010.00.

Project Initiation Date: February 21, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: McCarty King Construction Company

Total Phased Budget: \$607,095.80

Total Project Budget: \$3,700,000.00

**UNIVERSITY OF SOUTHERN MISSISSIPPI**

**8. USM- IHL 210-248 – INVERTEBRATE GROWOUT II RENOVATION**

**Approval Request #2: Contract Documents**

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, August 17, 2021

**Approval Request #3: Advertise**

Board staff approved request to advertise for receipt of bids.



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Approval Status & Date: APPROVED, August 17, 2021

Project Initiation Date: May 14, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: TBD.

Total Project Budget: \$10,000,000.00

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**SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL**

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 7/20/21 and 7/20/21) from the funds of Mississippi State University. (These statements, in the amounts of \$68.75 and \$893.75, represent 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 7/22/21 and 8/10/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$737.50 and \$1,504.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,242.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 8/4/21) from the funds of the University of Mississippi. (This statement, in the amount of \$860.40, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 860.40**

Payment of legal fees for professional services rendered by Wise Carter (statement dated 8/10/21) from the funds of the University of Mississippi. (This statement, in the amount of \$63,246.69, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 63,246.69**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/21/21, 7/21/21, 7/21/21 and 7/21/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$489.50, \$16,449.06, \$6,119.75 and \$236.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 23,294.31**

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 7/13/21 and 7/31/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,468.50 and \$792.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,260.50**

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Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 6/25/21, 6/25/21, 7/27/21 and 7/27/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$346.50, \$445.50, \$82.50 and \$165.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,039.50**

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 7/16/21, 7/16/21, 7/16/21, 7/16/21, 8/6/21, 8/6/21, 8/6/21, 8/6/21, 8/6/21 and 8/6/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$69.20, \$355.00, \$123.00, \$3,317.48, \$1,369.50, \$3,346.70, \$474.60, \$1,632.54, \$3,316.10 and \$644.40, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 14,648.52**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 7/1/21 and 8/4/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$15,823.50 and \$563.10, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 16,386.60**

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 7/14/21, 7/14/21, 8/11/21, 8/11/21 and 8/11/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$132.00, \$148.50, \$726.00, \$16.50 and \$379.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,402.50**

Payment of legal fees for professional services rendered by Steen Dalehite & Pace (statements dated 7/30/21 and 8/12/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$763.00 and \$76.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 839.50**

Payment of legal fees for professional services rendered by Waller Lansden Dortch & Davis, LLP (statements dated 5/27/21 and 7/9/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$442.50 and \$265.50, respectively, represent services and expenses in connection with legal advice.)

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**TOTAL DUE.....\$ 708.00**

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 6/16/21, 7/14/21, 8/13/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,023.00, \$120.00, and \$504.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,647.00**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 7/7/21, 7/7/21, 8/3/21 and 8/3/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$7,985.80, \$792.00, \$3,502.20 and \$15,944.80, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 28,224.80**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 8/6/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,787.68, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 3,787.68**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/10/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,858.70, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,858.70**

Payment of legal fees for professional services rendered by Wise Carter (statements dated 8/23/21 and 8/23/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,170.50 and \$156.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,326.50**

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

Payment of legal fees for professional services rendered by Conley Rose (statement dated 8/15/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Face Mask" - \$1,150.00.)

**TOTAL DUE.....\$ 1,150.00**

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Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statement dated 8/6/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Occidiofungin Formulations and Uses Thereof" - \$1,646.00.)

**TOTAL DUE.....\$ 1,646.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/22/21 and 7/30/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Stuttering Inhibition Method and Device" - \$1,327.50; and "Catalent Pharma Solutions Licensing" - \$2,065.00, respectively).

**TOTAL DUE.....\$ 3,392.50**

Payment of legal fees for professional services rendered by Thomas|Horstemeyer (statements dated 7/29/21 and 7/29/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Natural Product Formulations with Improved Residual Insect Repellent/Deterrent Activity" - \$1,350.00; and "Devices for the Pulsed Delivery of Bioactive Agents and Methods for Using Same" - \$3,150.00).

**TOTAL DUE.....\$ 4,500.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/26/21, 8/19/21 and 8/19/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,592.00, \$26.00, \$702.00, \$572.50, \$1,303.13, \$312.00, \$52.00, \$1,081.00, \$312.00 and \$9,782.25, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 15,734.88**

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 4/21/21, 7/14/21 and 7/14/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,033.00, \$2,670.00 and \$200.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 3,903.00**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION AGENDA**  
**ADMINISTRATION/POLICY**  
**September 16, 2021**

**1. 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. **MSU** – On August 20, 2021, Commissioner Alfred Rankins, Jr. approved the Modification of Lease Agreement #12 between Mississippi State University and Mississippi State University Research & Technology Corporation for space at the NASA Stennis Space Center. This modification extends the term of the current agreement by one year beginning October 1, 2021 and ending September 30, 2022, and increases the monthly rental rate from \$17.91 per square foot to \$20.74 per square foot or \$5,517.62 per month (\$66,211.411 annually). All other provisions of the original lease agreement with its previous Modifications #1 through #11 remain unchanged. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- b. **MSU** – On September 2, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and the Biloxi Public School District. The lease is for approximately 8,000 square feet of surplus building space, consisting of six classrooms, bathrooms, work area and common space at Nichols Elementary School located on Division Street in Biloxi, MS. This space will be used for the Head Start programs in association with a federal grant received by the University. The lease term began August 1, 2021 and will expire May 31, 2022, at a cost of \$4,000 per month to be paid in advance at the beginning of each month. The University is also responsible for janitorial services, routine maintenance, telephone, internet and related services, as well as a pro rata share of the annual expense for floor stripping and waxing, not to exceed \$2,000. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- c. **UM** – On August 17, 2021, Commissioner Alfred Rankins, Jr. approved the Sublease Agreement between Phi Kappa Tau House Corporation at Ole Miss (Phi Tau) and Alpha Lambda Chapter of Pi Kappa Phi Fraternity (Pi Kappa) and the request to authorize the University of Mississippi Chancellor to execute the Prime Landlord’s Consent on behalf of the IHL Board of Trustees. The primary lease between UM and Phi Tau for the fraternity house located at 501 Fraternity Row was for 50 years beginning April 1, 2002 and will expire on March 31, 2052. Phi Tau ceased its chapter operations on the university campus in May 2021 and is not scheduled to return until May 2022, leaving the fraternity house located at lot #501 currently vacant. The term of this sublease will be August 20, 2021 through May 20, 2022. Base rent for this term is \$7,000 per month. The Attorney General’s Office has reviewed the agreement and found the same to be compliant

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with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- d. **UMMC** – On August 11, 2021, Commissioner Alfred Rankins, Jr. approved the Rental Agreement between the University Mississippi Medical Center and Mississippi Tent & Party Rental, LLC for the provision of tents, walls, lights, doors, blocks and an HVAC system for the purpose of setting up and operating a field hospital on UMMC’s main campus. The initial term of the agreement is one month, which may be extended if circumstances require continued testing. UMMC is requesting approval of 2 months, at this time, from August 11, 2021 through October 10, 2021. The total cost for the 2 months, including one-time fees for floor purchasing, delivery and labor is \$90,000, but UMMC request approval of an amount up to \$99,999 should circumstances require an extension of the agreement. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.