

# Board Book

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March 23, 2023

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MISSISSIPPI BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

# Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

## MEETINGS SCHEDULE

Health Affairs Committee | March 22, 2023, 3:00p | UMMC Student Union  
**IHL Board Meeting** | March 23, 2023, 9:00a | IHL Board Room

## CALL TO ORDER INVOCATION

Trustee Tom Duff  
Trustee Hal Parker

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**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
February 16, 2023**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2022, to each and every member of said Board said date being at least five days prior to this February 16, 2023 meeting. At the above-named place the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard (via Zoom), 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 Mr. Tom Duff, President. Trustee Rader introduced his son, Pastor Bryce Rader, Pastor of Christ Fellowship Church of Williamsburg, Virginia, who provided the invocation.

**INTRODUCTION OF GUESTS**

President Duff introduced the following Student Government Association Cabinet members from Mississippi State University: President Kennedy Guest, Director of Policy Cameron Cox, Vice President Ann Olivia Radicioni, Chief of Staff Rachel Carpenter, Director of Programming Fajr Hicks, Director of Marketing Taylor Mercer, Secretary Sam Schuh, and Deputy Chief of Staff Cameron Mayers.

**2023 DIVERSITY AND INCLUSION AWARDS CEREMONY**

President Tom Duff noted that each year the Board holds its Diversity & Inclusion Awards Ceremony in observance of Black History Month to celebrate the achievements and accomplishments of one individual from each state institution of higher learning who has contributed significantly to the positive advancement of diversity on his/her campus, in their community, and the state. In addition, a community leader who has greatly impacted our state and its citizens is awarded the Karen Cummins Community Service Award.

Trustee Ormella Cummings, Chair of the Diversity Committee, thanked the members of the committee for their participation in this annual observance. Committee members include Dr. Steven Cunningham and Ms. Teresa Hubbard. Trustee Cummings gave special thanks to the universities' Chief Diversity Officers for their hard work on campus.

Trustee Cummings congratulated all the nominees and presented them with a plaque for serving as role models and strong advocates for the advancement of diversity at their respective universities. The nominees were as follows:

Ping Zhang, Ph.D.	Alcorn State University
Sylma Samuel-Ferreira	Delta State University
Frances C. Dancer, Ph.D.	Jackson State University

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Antonio J. Gardner, Ph.D.	Mississippi State University, Division of Agriculture, Forestry and Veterinary Medicine
Catherine L. Cotton, Ph.D.	Mississippi University for Women
Rochelle McGee-Cobbs, Ph.D.	Mississippi Valley State University
E. Gray Flora, IV, Ph.D.	University of Mississippi
Roberto P. Santos, M.D.	University of Mississippi Medical Center
Adina Narcisse Green, Ph.D.	University of Southern Mississippi

Trustee Cummings announced Dr. David R. Buys, Associate Professor and State Health Specialist for Mississippi State University, as the 2023 Diversity Educator of the Year as chosen by the IHL Board of Trustees' Diversity Committee. Next, Trustee Cummings presented Mrs. Shawn Brevard with the Karen Cummins Community Service Award. Dr. Buys and Mrs. Brevard each received a resolution and plaque commemorating these awards. A copy of each resolution is included in the *February 16, 2023 Board Working File*.

### **APPROVAL OF THE MINUTES**

On motion by Trustee Rader, seconded by Trustee McNair, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on January 19, 2023 and February 3, 2023.

### **CONSENT AGENDAS**

On motion by Trustee Starr, seconded by Trustee Cunningham, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

#### **FINANCE**

1. **SYSTEM** – Approved the request to renew an agreement with Hilltop Securities, Inc. (formerly FSC Continuing Disclosure Services, a Division of First Southwest Company, LLC) to assist with continuing disclosure obligations, including the preparation and submission of annual reports and the reporting of certain specified events. The term of this agreement is March 20, 2015 through March 19, 2027. Hilltop will be compensated according to the following schedule: 1) \$1,500 per year for assistance in distribution of audited annual financial statements, if issuer is not exempt from filing with the SID and/or NRMSIR or 2) \$3,500 per year for assistance in preparation and distribution of each annual report and assistance in distribution of audited annual financial statements, if issuer is not exempt, plus 3) \$100 minimum fee for assistance in preparation and distribution of each notice concerning occurrence of an event or noncompliance with the Rule; in addition, a fee of \$125 per hour for all time in excess of five (5) hours spent in assisting with preparation and distribution of each notice concerning occurrence of an event or

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noncompliance with the Rule. Based on the current bonds outstanding for the system, annual billing for this contract has historically been \$28,000 (\$3,500 x 8 universities with outstanding bonds). The total contract amount for March 20, 2015 through March 19, 2027 is estimated not to exceed \$375,000. The cost of this contract is subsequently billed to each affected university; there is no cost incurred by the executive office. The following fund and org number are used: 3251 – 29501. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

2. **UM** – Approved the request to amend the University’s Office of University Marketing and Communication’s contract with Jackson Spalding, LLC., an Atlanta-based marketing communications agency, to increase the cost retainer included in the Original Contract to provide issues management and strategic communications counsel and services. The terms of this amendment will begin on February 16, 2023 and end upon the expiration of the term of the agreement (October 15, 2023). The total spend under this amendment is \$300,000. The Original Contract outlined an initial spend of \$300,000 and the agreement was increased by \$70,000 with the First Amendment on Sept. 1, 2022. A separate Statement of Work was submitted for IHL review for the January 2023 meeting for \$67,000. Therefore, the total under the agreement, inclusive of all fees and expenses specified herein, shall not exceed \$737,000. Funding for this contract will be provided through educational & 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.
3. **UM** – Approved the request to amend the University’s Graduate School’s contract with Salesforce, Inc. to provide additional licenses for faculty to review Graduate student applications in addition the Graduate Process Coordinators. The objective of the customer relationship management solution for the Graduate School is for tracking, communicating, and recruiting of prospective students. The original term of the contract is March 20, 2020 through March 19, 2025. This amendment and the new licenses will start February 16, 2023. The current commitment for licenses and services for the project with TargetX and Salesforce are \$1,429,629. This order form has a total value of \$27,436.50 and brings the contract total to \$1,457,065.50. 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.
4. **UMMC** – Approved the request to enter Amendment No. 32 to the License and Support Agreement with Epic Systems Corporation (Epic) to add the Grand Central- Transfer Center Module to the current list of licensed Program Property. This Module provides the tools needed to properly track and manage patient stays from pre-admission paperwork and procedures to and through patient discharge or transfer to another facility. The term of Amendment No. 32 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024. The estimated total cost for Amendment 32 is \$145,177.00 and is already accounted for in the overall cost. The total cost of the Agreement remains \$118,888,932.99. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayment of volume fees for the additional interfaces. This agreement is funded by

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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.

5. **UMMC** – Approved the request for additional funding for its Provider Service Agreement with HealthCare Connections, Inc. (HCI). The agreement is to assist in the recruitment of permanent and/or temporary laboratory professional personnel, specifically laboratory scientists such as histotechnologists and histotechnicians. These staff prepare very thin slices of human tissue for microscopic examination by pathologists. The term of the agreement remains five (5) years, from July 1, 2021, through June 30, 2026. The new estimated total cost over the five (5) year term is \$6,125,000. The original estimated cost was \$1,850,000. UMMC anticipates the need for an additional \$4,275,000 over the term. This 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.
6. **UMMC** – Approved the request to amend its Real Property Lease (lease) with TCP Block 1 North, LLC (TCP) to extend the term of the lease and to increase the rent rate. The agreement is for the lease of approximately 5,382 square feet of clinic space located at The Township at Colony Park, 201 Northlake Avenue, Suite 211, Ridgeland, Mississippi. The clinic has been in operation at this location since January 2008 and is currently utilized for dermatology. The term of the amended lease is ninety-six (96) months, from March 1, 2018, through February 28, 2026. The original term of the agreement was sixty (60) months. The amendment will add thirty-six (36) months to the term. The estimated total cost of the amended agreement is \$1,634,707.26 over the ninety-six (96) month term. The original estimated cost of the sixty (60) month agreement was \$976,569.73, including rent and a pro rata share of operating expenses. During the extended term, UMMC anticipates the need for an additional \$658,137.53. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow continued prepayment of the monthly rent in advance each month. The lease 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**

7. **UM** – Approved the initiation of GS 107-324, ARPA Infrastructure – Water Collection/Conveyances and the appointment of W.L. Burle Engineers, P.A. as the design professional. In anticipation of the new buildings being added and expanded within the northeast quadrant and Science District of Campus, this project involves the installation of approximately 900 feet of 8” ductile iron pipe to replace the existing line. The estimated project budget is \$850,000. Funds are available from ARPA Funds (\$850,000).
8. **UM** – Approved the initiation of GS 107-328, ARPA Infrastructure – Water Transmission/Distribution and the appointment of W. L. Burle Engineers, P.A. as design professional. This project involves the installation of approximately 1,000 feet of 8” C900 PVC pipe to improve the residual pressure and water quality in the areas surrounding Kinard Hall, Hume Hall, and North Student Residence Halls during high flow demands.



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The estimated project budget is \$825,000. Funds are available from ARPA Funds (\$825,000).

9. **UM** – Approved the initiation of GS 107-329, ARPA Infrastructure – Water Source and the appointment of W. L. Burle Engineers, P.A. as design professional. This project will locate and drill a new potable water well in the northwest quadrant of campus to replace an existing well that is failing and beyond economical repair. The existing well is one of six water wells on campus that currently provide all of the potable drinking water to campus residents and employees. The estimated project budget is \$1.5 million. Funds are available from ARPA Funds (\$1.5 million).
10. **USM** – Approved the initiation of GS 108-313, Hillcrest Parking Lot Storm Drain Repair and Upgrade, and the appointment of Neel-Schaffer as the design professional. The project will provide needed stormwater detention to reduce flooding in the existing parking lot and to residents that live downstream. The estimated project budget is \$2,050,000 from S.B. 3062, Laws of 2022 (\$2,050,000).
11. **MSU** – Approved the request to increase the project budget for IHL 205-313, Hull Hall Re-Roof, from \$1.4 million to \$1.5 million for an increase of \$100,000. The funding source will remain the same. This project will re-roof the high and low roofs of existing Hull Hall. The scope also includes repair of parapet corners. Funds are available from MSU Housing Department (\$1,500,000).
12. **MSU** – Approved the request to increase the project budget for IHL 413-001, Ballew Hall Renovation, from \$12 million to \$13 million for an increase of \$1 million, and to add S.B. 3002, Laws of 2022, as a funding source to the project to allow for the budget increase. Ballew Hall will be renovated to needed office and meeting space. The building has not been renovated since it was completed in 1965. The renovation will consist of interior spaces and exterior surfaces. New HVAC systems will be included along with updating to current ADA requirements. Funds are available from SB 3065, Laws of 2019 (\$3,987,500); HB 1730, Laws of 2020 (\$7,535,000); SB 3002, Laws of 2022 (\$1,000,000); and MSU Funds (\$477,500).
13. **MSU** – Approved the request to delete from inventory Buildings #0054 and #2071. Building #0054 McCarthy Gym was constructed in 1950. Building #2071, constructed in 1901, currently houses the MSU Writing Center located at 94 President's Circle, Starkville, MS. MSU has received permission from Mississippi Department of Archives and History (MDAH) to demolish this building and the university is relocating the Writing Center to another location on campus. Both buildings are located on MSU main campus in Starkville MS and are on the site location for new construction of Kinesiology and Autism Services Center (Jim and Thomas Duff Center). The approval letter has been received from the MDAH stating Buildings #0054 and #2071 are not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
14. **UM** – Approved the request to enter an energy savings performance contract (ESPC) with Trane U.S. Inc. for Program Phase II – LED Lighting Upgrades, which will upgrade approximately 48,000 lighting fixtures in 97 campus buildings, with a guaranteed minimum level of energy and operational cost savings. The proposed \$9,922,056 scope of lighting improvements will yield a guaranteed annual average energy cost savings of

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\$810,742, with a 20-year cumulative energy cost savings of \$16,214,847. The project will also yield a guaranteed annual average operational cost savings of \$215,629, with a 20-year cumulative operational cost savings of \$4,312,572. Combined, the 20-year cumulative total guaranteed cost savings is \$20,527,419. The construction period will be 18 months from the execution date of the contract, with a subsequent guaranteed energy savings performance period of 20 years. The total contract amount is \$10,310,118, which includes \$9,922,056 for construction and \$388,062 (spread over 20 years) for annual measurement & verification (M&V) and energy management support. The following items are also noted: 1) The construction amount includes \$295,212 (3.0%) in contingency, which will revert to UM at the end of the construction period if not used. 2) Upon contract execution, an initial payment in the amount of \$1,349,348 is due to cover applicable engineering, drafting, mobilization, and other preconstruction expenses, to include the full cost of the required Mississippi Material Purchase Certificate. The construction portion of the project will be funded using Internal Replacement and Renewal (R&R) funds. The ongoing M&V and energy management support costs will be funded from energy and operational cost savings using UM E&G funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

15. **UM** – Approved a sublease between the Gamma Iota of Pi Kappa Alpha Alumni House Corporation (“Sublandlord”) and St. Anthony Club Mississippi, Inc. (“Subtenant”) for the use of premises, currently leased to the Sublandlord by the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi (“IHL”), for a fraternity residential facility chapter house affiliated with Delta Psi from July 1, 2023 through June 30, 2027. Because of its chapter suspension, the Pi Kappa Alpha fraternity has requested permission to sublease the residential facility to the Delta Psi fraternity from July 1, 2023, through June 30, 2027. This is a sublease of a residential facility on fraternity lot #408 on the University of Mississippi's Oxford campus. The primary lease between IHL/UM and the Sublandlord extends through September 30, 2044. The primary lease between the IHL/UM and Sublandlord imposes an annual \$50 lease payment to UM. The base rent of under the Sublease is as follows: Year 1 - \$19,165 per month, Year 2 - \$20,125 per month, Year 3 - \$21,130 per month, and Year 4 - \$22,185 per month. There is a security deposit in the amount of \$20,000. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
16. **UM** – Approved the master lease agreement between the University of Mississippi Department of Student Housing and Tailwind Campus Creek, LLC beginning August 1, 2023 to provide an additional 402 bed spaces that will allow Student Housing to provide enough affordable space for the growing number of incoming freshmen students for Fall 2023 and still provide some spaces for upper-class students on campus. The property is adjacent to university property and on the Oxford University Transit (O.U.T.) bus line. These beds are critical to meeting enrollment demands and continuing to offer beds to upper-class students as well, all at an affordable price. The lessor will provide up to 450 furnished bed spaces in apartment units in a location on the O.U.T. route and adjacent to university property, directly across from Campus Walk Apartments which are owned and operated by the University. The initial lease term will be for 402 beds for a period of one (1) year beginning August 1, 2023, with the option to renew for four (4) additional one-

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year periods. Notice of renewal intentions, including number of bed spaces, will be determined prior to December 31. Student Housing will place students in leased spaces and provide staffing to oversee the leased units. Student Housing will pay \$3,167,244 in twelve (12) monthly payments of \$263,937 for leasing 402 bed spaces. The initial lease amount is \$3,167,244. Increase in the cost of the lease is limited to 3% per year. The total amount possible including all renewals is \$16,939,432: Year Two Lease: \$3,291,925; Year Three Lease: \$3,390,683; Year Four Lease: \$3,492,404; and Year Five Lease: \$3,597,176. Note that year one cost is based on 402 bed spaces. Years two through five are based on 450 bed spaces. The funding will come from self-generated Student Housing revenue. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

17. **USM** – Approved the request to delete from inventory Building #CP105, Invertebrate Growout II, at its Gulf Coast Laboratory Cedar Point Campus. USM initially intended to renovate and expand the existing aquaculture facility. While seeking additional funding, the 17,230 square foot building sustained substantial damage by multiple hurricanes (Zeta and Ida), caused the building to be beyond repair. The entire structure will be removed, and the existing water storage ponds filled in to provide a clean site for future development. The approval letter has been received from the Mississippi Department of Archives and History stating Building #CP105 is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

**LEGAL**

18. **MSU** – Approved the request to enter a contract with the law firm of Bradley Arant Boult Cummings, LLP to perform services necessary in assisting the university with intellectual property matters. The term of the contract will be one year beginning March 1, 2023. The blended hourly rate for attorneys is \$315 per hour and \$95 per hour for paralegal services with a maximum amount payable of \$75,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$60,000,000 per claim with an annual aggregate of \$120,000,000. This request has been approved by the Office of the Attorney General.
19. **MSU** – Approved the request to enter a contract with the law firm of Brunini Grantham Grower and Hewes, PLLC to perform services necessary in assisting the university with general construction, architectural and real property-related matters. The term of the contract will be one year beginning March 19, 2023. The blended hourly rate for attorneys is \$325 per hour, \$125 per hour for paralegal services performed by Marena Gray who specializes in construction matters, and \$100 per hour for all other paralegal services, with a maximum amount payable of \$50,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$15,000,000 per claim with an annual aggregate of \$30,000,000. This request has been approved by the Office of the Attorney General.
20. **MSU** – Approved the request to renew 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.

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The term of the renewal will be one year beginning March 19, 2023. The hourly rates are \$165 for Special Counsel, \$225 for Partners and \$60 for paralegal services with a maximum amount payable of \$50,000 under the renewal term of the contract. This firm carries professional liability insurance coverage in the amount of \$50,000,000 per claim with an annual aggregate of \$100,000,000. This request has been approved by the Office of the Attorney General.

21. **MSU** – Approved the request to enter a contract with the law firm of Quarles and Brady, LLP to perform services necessary in assisting the University with intellectual property matters. The term of the contract will be one year beginning March 17, 2023. The blended hourly rate for attorneys is \$400 per hour and \$200 per hour for paralegal services with a maximum amount payable of \$75,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$15,000,000 per claim with an annual aggregate of \$30,000,000. This request has been approved by the Office of the Attorney General.
22. **MSU** – Approved the request to enter a contract with Sun Sovereign, LLC d/b/a Ware | Immigration as outside counsel to provide services as necessary in preparing labor certification documents on behalf of the university for its employees who seek permanent residence status and related immigration matters. The term of the contract will be one year beginning March 21, 2023. Rates are set out in the fee schedule below. The maximum amount payable under the term of 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 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	\$2,500.00
TN extension petition (we handled original)	\$2,500.00
E-3 petition or consular processing	\$2,500.00
E-3 extension petition (we handled original)	\$2,500.00
O-1 petition	\$8,000.00
O-1 extension or amendment petition (we handled original)	\$4,000.00
O-1 additional rush fee if case needs to be filed within 60 days	\$2,000.00
J-1 waiver (IGA or hardship)	\$8,000.00
J-1 waiver (Conrad)	\$8,000.00
J-1 waiver (no objection)	\$2,000.00
I-539 Fee for Dependents (Employee may pay)	\$1,000.00

**Permanent Residence Process with Labor Certification: Faculty**

Special Handling labor certification	\$3,000.00
(If position must be readvertised)	\$2,500.00

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Additional fee if audited	\$1,500-2,500.00
Immigrant petition (I-140)	\$2,500.00

**Permanent Residence Process with Labor Certification: Non-Faculty**

Labor certification	\$6,000.00
Additional fee if audited	\$1,500-2,500.00
Additional fee if subject to supervised recruitment	\$3,000.00
Immigrant petition	\$2,500.00

**Permanent Residence Process: Extraordinary Ability/Outstanding Professors and Researchers and National Interest Waiver**

Immigrant petition	\$8,000.00
EA, OP/OR, or NIW 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
I 485 J (standalone cases)	\$1,500.00

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	\$750.00
Advance Parole Renewal per individual	\$750.00

**Marriage Based Permanent Residence**

Principal Applicant	\$4,000.00
Each child, if any	\$2,500.00

**Other Services**

AR-11 Change of Address	\$150.00
Interview rescheduling	\$150.00
Biometrics rescheduling per person	\$150.00
Advisory Opinion	\$500.00
Expedite requests	\$500-750.00
Auto Revalidation Letter	\$200.00

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

Such matters will be billed at our hourly rates:

Partners	per hour billed	\$350.00
Associate Attorneys	per hour billed	\$250.00
Paralegals	per hour billed	\$150.00
Of Counsel	per hour billed	\$450.00

23. UMMC – Approved the designation of Robert McElhaney, Associate Comptroller of Developmental Accounting at UMMC, as the certifying official and applicant agent for the Federal Disaster Declaration for the purpose of obtaining federal reimbursement of costs associated with emergency response activities for UMMC in connection with the Mississippi Water Crisis (EM-3582-MS). On August 30, 2022, the President of the United

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States of America issued an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the Stafford Act) related to the water crisis in Jackson. Beginning August 30, 2022 and ongoing, UMMC has and continues to respond to the threat posed by this federally declared disaster by: providing labor to perform twenty-four (24) hour fire watch due to ineffective fire suppression system caused by low water pressure; providing purchased materials to connect to fire water truck due to low water pressure for potential fires for the response to a water crisis at UMMC; and provided rented restrooms to accommodate individuals as the low water pressure made restrooms unusable. Accordingly, UMMC is seeking federal reimbursement through the Federal Emergency Management Agency (FEMA) of costs associated with emergency response activities in connection with the Mississippi Water Crisis (EM-3582-MS). The Attorney General's Office reviewed the request for compliance with applicable law and found same to be acceptable. A copy of the signed declaration is on file in the Board Office.

**PERSONNEL REPORT**

24. **Employment**

**University of Mississippi**

Frederick G. Slabach; Dean of the School of Law and Professor of Law; salary of \$385,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2023

25. **Sabbatical**

**Mississippi University for Women**

- Joe Alexander; Professor of Music; salary \$57,689 per annum; pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2024 to May 10, 2024; professional development.
- Jonathon Hooks; Professor of History; salary \$58,086 per annum; pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2024 to May 10, 2024; professional development.
- Hillary Richardson; Associate Professor of Library Services; salary \$56,099 per annum; pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 9, 2023 to December 31, 2023; professional development.

**University of Mississippi**

- Adetayo Alabi; Professor of English; salary \$86,249 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Susan Allen; Associate Professor of Political Science; salary \$81,260 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development

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- Alan Arrivee; Associate Professor of Theatre Arts; salary \$68,295 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Saumen Chakraborty; Associate Professor of Chemistry & Biochemistry; salary \$83,846 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Bob Cummings; Executive Director of Academic Innovation, Associate Professor of Writing and Rhetoric, and Director of the Interdisciplinary Minor in Digital Media Studies; salary \$161,173 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Alakabha Datta; Professor of Physics & Astronomy; salary \$93,800 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Walter Davis; William W. Gresham Jr. Entrepreneurial Professor, Faculty Director of the MBA Program, and Professor of Management; salary \$184,747 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Jackie DiBiasie-Sammons; Assistant Professor of Classics; *from* salary \$62,182 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$31,091; E&G Funds; effective August 17, 2023 to December 31, 2023 and January 22, 2024 to May 11, 2024; professional development (Contingent on being awarded tenure by July 1.)
- Oliver Dinius; Executive Director of the Croft Institute and Croft Associate Professor of History; salary \$131,982 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Laura Dixon; Associate Professor of Psychology; salary \$81,493 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Mark Dolan; Associate Professor of Journalism and New Media; salary \$86,981 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Antonia Eliason; Associate Professor of Law; salary \$126,520 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Ari Friedlander; Assistant Professor of English; salary \$64,172 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development (Contingent on being awarded tenure by July 1.)

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- Christopher Green; Professor of Law and Jamie L. Whitten Chair of Law and Government; salary \$144,330 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Amanda Johnston; Professor of Music; salary \$78,883 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- KoFan Lee; Associate Professor of Sport and Recreation Administration; salary \$82,128 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Georgianna Mann Schroeder; Associate Professor of Nutrition and Hospitality Management and Director of Online Hospitality Management Master's Program; salary \$83,833 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Neil Manson; Professor of Philosophy; salary \$87,727 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- David McElreath; Professor of Criminal Justice & Legal Studies; salary \$105,822 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Erwin Mina-Diaz; Associate Professor of Mathematics; salary \$82,999 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Aimee Nezhukumatathil; Professor of English and Creative Writing; *from* salary \$115,374 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$57,687 ; E&G Funds; effective August 17, 2023 to December 31, 2023 and January 22, 2024 to May 11, 2024; professional development
- Milorad Novicevic; Associate Professor of Management; salary \$164,802 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Brenda Prager; Interim Associate Dean for Graduate Education and Associate Professor of Chemical Engineering; salary \$100,995 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Anne Quinney; Professor of Modern Languages; salary \$91,316 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development



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- Peter Reed; Associate Professor of English; salary \$75,052 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Vance Schaefer; Associate Professor of Modern Languages; salary \$63,634 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Joshua Sharp; Associate Professor of Pharmacology, Research Associate Professor in Research Institute of Pharmaceutical Sciences, and Associate Professor of Chemistry and Biochemistry; *from* salary \$121,800 per annum, pro rata; E&G Funds; 12-month contract; *to* salary \$60,900; E&G Funds; effective August 17, 2023 to December 31, 2023 and January 22, 2024 to May 11, 2024; professional development
- Carrie Smith; Associate Professor of Psychology; salary \$80,993 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development
- Ana Velitchkova; Croft Assistant Professor of Sociology and International Studies; salary \$65,079 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development (Contingent on being awarded tenure by July 1.)
- Sara Wellman; Associate Professor of Modern Languages; salary \$67,485 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
- Nancy Wicker; Professor of Art & Art History; *from* salary \$108,651 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$54,325; E&G Funds; effective August 17, 2023 to December 31, 2023 and January 22, 2024 to May 11, 2024; professional development
- Henrietta Yang; Associate Professor of Chinese and Linguistics; salary \$80,697 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Cunningham, seconded by Trustee Starr, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by

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Trustee Cunningham, seconded by Trustee McNair, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3.

1. **SYSTEM** – Approved the proposed amendments to Board Policy 617 Textbook Policy for final reading. **(See Exhibit 1.)**
2. **MSU** – Approved the Stage I Application - declaration of intent/need to establish a new professional nursing program for Mississippi State University at the Meridian campus. MSU Meridian has completed the first stage in a three-stage process for establishing a registered nursing program. A completed application for Stage I has been submitted which declares their intent and provides supportive evidence of the need for an entry-level Master of Science (MSN) Degree Program. Notice of MSU Meridian's intent/need to establish a new professional nursing program was posted on the IHL website, providing an avenue for public comments. Nursing deans and directors were given an opportunity to provide feedback regarding the proposed MSN program. A recommendation of approval of Stage I allows the institution to Stage II - Qualify for Initial Accreditation. Stage II includes development of curriculum, hiring a program director, faculty and staff, submission of reports, and a site visit by IHL. Following the site visit, a recommendation is provided to the Board of Trustees regarding Stage II, which allows the School of Nursing permission to admit students. Stage III- Qualify for Full Accreditation occurs during the final semester of the first graduating class, in conjunction with the national accrediting body.
3. **STATE** – Approved substantive changes to the Mississippi Nursing Degree Programs Accreditation Standards based on input from the Mississippi Council of Deans and Directors of Schools of Nursing based on national nursing trends and contemporary nursing practice/education. **(See Exhibit 2.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

1. **SYSTEM** – Election of Vice President of the Board of Trustees for the Term Beginning May 8, 2023. President Duff opened the floor for nominations for the office of Vice President of the Board.

On motion by Trustee Ogletree, seconded by Trustee Luckey, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted to approve the nomination of Trustee Bruce Martin for the position of Vice President. President Duff announced the nominations are closed.

On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted in the affirmative, therefore, it was

**RESOLVED**, that Trustee Bruce Martin was elected Vice President of the Board beginning May 8, 2023.

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**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **MSU** – Intent to Offer Existing Degree Programs by Distance Learning
  - a. Educational Specialist (EdS) in Education with a School Administration Concentration  
Responsible academic unit: Department of Educational Leadership  
Total credit hours: 30 (if licensed) / 40 (if not licensed)  
CIP Code, Sequence: 13.0101, 3016  
Cost to offer by distance learning: \$0  
Effective date: Spring 2023
  - b. Educational Specialist (EdS) in Education with a Teacher Leadership Concentration  
Responsible academic unit: Department of Educational Leadership  
Total credit hours: 30  
CIP Code, Sequence: 13.0101, 3016  
Cost to offer by distance learning: \$0  
Effective date: Spring 2023
  - c. Master of Science (MS) in Education with a Teacher Leadership Concentration  
Responsible academic unit: Department of Educational Leadership  
Total credit hours: 30  
CIP Code, Sequence: 13.0401, 4089  
Cost to offer by distance learning: \$0  
Effective date: Spring 2023
2. **MSU** – Intent to Offer a Certificate Program: Entrepreneurship Online Graduate Certificate  
Responsible academic unit: School of Business, Department of Management  
Level: post-baccalaureate  
Total credit hours: 12  
CIP code: 52.0701  
Effective date: Fall 2022

**REAL ESTATE**

3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the January 19, 2023 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 3.)**

**LEGAL**

4. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 4.)**

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**ADMINISTRATION/POLICY**

5. **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. **JSU** – On January 30, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Jackson State University and Fran’Cee Brown-McClure for a university owned property located at 1706 Sheffield Drive, Jackson, MS. This is a revenue generating lease with an initial term of one-year beginning February 1, 2023 at a cost of \$1,525 per month due on the first day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
  - b. **MSU** – On January 25, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and MS Hardware Master Tenant, LLC for approximately 1,948 square feet of space within a building located at 1622 Washington Street, Vicksburg, MS for use by MSU’s Center for Entrepreneurship and Outreach. The term of the lease is two years beginning February 1, 2023 at a cost of \$1,623.33 per month for the first year with a 2 % increase for year two. Rent is payable in advance at the beginning of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
  - c. **MSU** – On January 31, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the MSU Research & Technology Corporation for 352 square feet of office space in the Thad Cochran Research, Technology and Economic Development Park, for use as office space for the Veterans Business Outreach Center. The term of the lease is five years beginning March 1, 2023, at a cost of \$440 per month in rent, payable in advance on the first calendar day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
  - d. **MSU** – On January 31, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the MSU Research & Technology Corporation for 352 square feet of office space in the Thad Cochran Research, Technology and Economic Development Park, for use as office space for MSU’s Small Business Development Center. The term of the lease is five years beginning March 1, 2023, at a cost of \$450 per month in rent, payable in advance on the first calendar day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service

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Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

- e. **MSU** – On January 31, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and BCR Investments for 1,000 square feet of climate-controlled storage space within a building at 1085 Stark Road, Starkville, MS 39759 for the MSU Department of Music as storage for the Bettersworth Acoustical Shell. The term of the lease is one year beginning February 1, 2023 through January 31, 2024, at a cost of \$2, 175 per quarter payable in advance at the beginning of each quarter. The Attorney General’s Office has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- f. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 8, 2023, Commissioner Alfred Rankins, Jr., approved the budget revisions to the FY 2023 *Ayers* academic programs after conducting a review. It appears that these revisions are necessary to align 2023 budgets to individual program needs over the remaining months 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 not fit under the pre-approval category by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. A copy of the documents is on file at the Board Office.

**PERSONNEL**

6. **Sabbatical**

**Mississippi State University**

**FROM:** Lamiaa El-Fassi; Associate Professor of Physics and Astronomy; salary \$78,110.00 per annum, pro rata; E&G and Designated Funds; 9-month contract; no change in salary during sabbatical period; E&G and Designated Funds; effective January 1, 2022 to May 15, 2022; professional development

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

**CORRECTED:** This item was rescinded.

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**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, February 15, 2023**

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the monthly financial summary and strategic goal dashboard and received the quarterly quality update. **No action was taken.**

2. Executive Session

On motion by Trustee Cunningham, with Trustees Cummings, Hubbard, and Parker absent and not voting and with Trustee McNair participating via Zoom, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Rader, with Trustees Cummings, Hubbard, and Parker absent and not voting and with Trustee McNair participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

**During Executive Session, the following matters were discussed:**

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

On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustees Cummings, Hubbard, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustees Cummings, Hubbard, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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

**ANNOUNCEMENTS**

- President Duff announced the next meeting of the IHL Board will be March 23, 2023 in Jackson instead of the University of Southern Mississippi Gulf Park campus.
- President Duff invited the university presidents to report on current activities on their campuses.

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**EXECUTIVE SESSION**

On motion by Trustee McNair, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee McNair, with Trustees Hubbard and Morgan absent and not voting and Trustee Luckey participating via Zoom, 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 Jackson State University.  
Discussion of a personnel matter at Mississippi Valley State University.  
Discussion of a personnel matter at Delta State University.  
Discussion of a personnel matter at Alcorn State University.

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

The Board discussed a personnel matter at Jackson State University. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Hubbard absent and not voting and with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to authorize Mississippi Valley State University to pay Dr. Jerryl Briggs, President of Mississippi Valley State University, a state salary of \$305,000 per year, pro rata, effective July 1, 2022, through February 28, 2023, and then from March 1, 2023, through January 31, 2027, MVSU is authorized to pay Dr. Briggs a state salary of \$300,000 per year, pro rata, and a foundation salary supplement of \$5,000 per year, pro rata, and for Dr. Briggs' new employment contract to reflect these approvals as applicable to the term of that contract.

The Board discussed a personnel matter at Delta State University. **No action was taken.**

The Board discussed a personnel matter at Alcorn State University. **No action was taken.**

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

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**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Cummings, seconded by Trustee McNair, with Trustee Hubbard absent and not voting and Trustee Luckey participating via Zoom, 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 | Proposed Amendments to Board Policy 617 Textbook Policy for final reading.                                    |
| Exhibit 2 | Proposed Amendments to Mississippi Nursing Degree Programs Accreditation Standards.                           |
| Exhibit 3 | Real Estate items that were approved by the IHL Board staff subsequent to the January 19, 2023 Board meeting. |
| Exhibit 4 | Report of the payment of legal fees to outside counsel.   |

# EXHIBIT 1

February 16, 2023

## SYSTEM – APPROVAL FOR FINAL READING OF PROPOSED AMENDMENTS TO BOARD POLICY 617 – TEXTBOOK POLICY

### 617 TEXTBOOK POLICY

~~This Textbook Policy establishes minimum system-wide guidelines and goals aimed at addressing~~ Each institution shall develop and maintain an institutional textbook policy for the purposes of lowering the cost of course materials and increasing the transparency of course material prices. The textbook policies and procedures shall be in ensuring compliance with Section 133 of the federal Higher Education Opportunity Act (HEOA) of 1965, of 2008, as amended, and effective on July 1, 2010.

Annually, each institution shall submit the institution's textbook policy and a report of textbook purchase and rental options available to students including the textbook cost per credit hour for the various options that are available.

~~By June 1, 2010 each institution in the IHL system shall establish a written policy that includes the following provisions. In this policy, the term textbook is meant to include various types of course materials, including software, electronic files, supplemental materials, and course packs.~~

~~1. Textbook Adoption Deadlines – Each institution shall establish firm deadlines and procedures for the adoption of textbooks for upcoming semesters. These deadlines and procedures shall be set to enable the institution to fully comply with the HEOA of 2008, including the requirement that textbook information (including ISBN and prices) be provided to students at the time of registration. Requirements:~~

- ~~● Institutions shall establish adoption deadlines that are no later than the beginning of the registration period for succeeding semesters and that provide sufficient time to work with affiliated bookstores to meet the HEOA posting requirements. Additionally, these adoption deadlines shall be at least 40 days prior to the end of the preceding semester, whenever possible, as dictated by registration schedules.~~
- ~~● The adoption process will include the indication of whether a textbook is required or recommended and should include to the extent possible an indication of whether an alternate (e.g., earlier) edition of the textbook may be used. Timely adoption of textbooks is required for the following course types: lecture, lecture/lab, laboratory, and recitation/discussion. These course types, as designated and defined by the IHL Data Dictionary, are generally assumed to be courses with textbook requirements. Any other courses which at individual institutions historically require textbooks shall be included in the individual institution's adoption policy.~~
- ~~● Department chairs/heads will be responsible for ensuring that all pertinent courses under their authority have adoptions submitted by the deadline, even~~

# EXHIBIT 1

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~~in instances where no instructor has been assigned for a course section as of the announced adoption deadline date.~~

- ~~• Departments shall be strongly encouraged to adopt the same course materials for all sections of each course.~~

~~2. **Minimum Adoption Periods**—Each institution shall establish guidelines that promote a minimum adoption period for textbooks. In this section, textbook refers specifically to a book that is resalable, as opposed to one-time usage materials (e.g., workbooks) or books that have limited resale value.~~

- ~~• Institutions shall set guidelines for a minimum three-year adoption period for lower-division courses. These guidelines may include reasonable exceptions to this requirement for instances when editions go out of print, when substantive changes are made in either the course description or the textbook, or when there is a significant change in the body of knowledge pertinent to the course. Procedures for the authorization of exceptions should include approval at the dean level, after recommendation from a department chair/head.~~
- ~~• Guidelines shall encourage a minimum textbook adoption period of at least two years for upper-division courses. However, it is recognized that, to provide current scholarship in a global marketplace, upper-division courses will have more advanced and changing content, that students often wish to build a personal library of books in their major, and that there is a more limited potential for establishing a favorable local buy-back market for such upper-division textbooks. Because of these factors, institutional policy will balance the benefits of a minimum adoption period with the selection of the best available textbook.~~

~~3. **Dissemination of Textbook Information**—Institutions shall be responsible for providing information on best practices in textbook adoptions to faculty and for providing advice to students on ways to save money on textbook purchases.~~

- ~~• The institutions or affiliated bookstores shall provide faculty with information and tools for the selection of textbooks, including pricing information and the availability of alternative formats for course materials (e.g., whether textbooks are available in electronic versions) and of separately available components of a bundled textbook;~~
- ~~• The institutions or affiliated bookstores shall provide students with tips on purchasing textbooks, including the availability of electronic versions, the availability of unbundled textbook components, buy-back and exchange policies, and price-matching policies. Institutions shall provide this information, including an explanation of the significance of ISBNs, to entering freshmen during orientations or within 30 days prior to the beginning of the fall semester.~~
- ~~• The institutions or affiliated bookstores shall provide faculty and students with results from surveys of student satisfaction with textbooks.~~

# EXHIBIT 1

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- ~~4. **Assessment of Progress**—Institutions shall develop procedures to assess the success of the above practices in containing the costs of textbooks. These procedures shall include analyses and reports appropriate to assessing compliance with this policy, as well as identifying and improving system and institutional practices.~~
- ~~● Assessment strategies shall include: the inclusion of questions on student surveys (e.g., course evaluations) about the value of assigned textbooks; production of reports of the extent of compliance of each institution with the adoption deadlines; information about the costs of the textbooks for the top twenty (highest enrollment) courses; the volume of buy-back purchases at the affiliated bookstores; the number of electronic versions of textbooks being used; and surveys (student and faculty) of the ability of the affiliated bookstore to provide adequate stocking of books.~~
  - ~~● By April 1, 2010 the institutional executive officer of each institution will name a textbook coordinator who will be responsible for the implementation and administration of this policy.~~
  - ~~● Annually, the textbook coordinator will submit such assessment information as required by the assessment plan as an annual assessment report to the Commissioner or his/her designee.~~
  - ~~● The annual assessment report will be made available on the website of the subject institution, as well as on the System website.~~

# EXHIBIT 2

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## STATE – APPROVAL OF SUBSTANTIVE CHANGES TO THE MISSISSIPPI NURSING DEGREE PROGRAMS ACCREDITATION STANDARDS

### **STANDARD II. Faculty and Staff**

g. Preceptors (e.g. mentors, guides, coaches) shall be academically/experientially prepared at or beyond the level for which the preceptor service is rendered and shall have a minimum of one year of experience. Preceptors for prelicensure students not prepared at or beyond the academic level for which the preceptor service is rendered must be prepared at or above the same level of licensure appropriate for the student learning experience recognizing the preceptor's experience and practice expertise. Preceptors shall have a minimum of one year of experience.

### **STANDARD III. Students**

#### ADMISSION MODELS

a. Associate Degree Nursing Programs. Minimum admission criteria for associate degree nursing programs are as follows:

- ~~1. An ACT composite score of 18 and a 2.0 GPA.~~
- ~~2. Students without the required ACT composite score must have completed a minimum of 12 semester hours in the nursing major, including Anatomy and Physiology, with at least a grade of "C" and have a minimum 2.5 GPA before being admitted.~~
- ~~3. All students must satisfy a criminal history background check with fingerprinting.~~
- ~~4. Each school is permitted an allowance of 10 percent of the previous fall's nursing program admission for high-risk students who do not meet the criteria.~~

1. Model One- An ACT composite score of 18 and a 2.0 GPA. Any student with a bachelor's degree or higher may be admitted without an ACT score.
2. Model Two- Students without the required ACT composite score must have completed a minimum of 12 semester hours in the nursing major, including Anatomy and Physiology, with at least a grade of "C" and have a minimum 2.5 GPA before being admitted.
3. Model Three- Students not meeting Model One or Model Two admission guidelines may be considered for admission with a defined plan to support student success and program completion congruent with current resources. IHL Nursing Education recognizes the value of holistic admission and the consideration of factors other than metrics such as experiences and attributes that may indicate student success. Any SON may implement both direct and holistic admission as congruent with the College/University and SON of Mission. The holistic review process must be consistently applied assuring sustained integrity and fairness.
4. All students must satisfy a criminal history background check with fingerprinting.

b. ~~Bachelor~~ Baccalaureate and Higher Degree Nursing Programs. Minimum admission criteria for bachelor degree nursing programs are as follows:

# EXHIBIT 2

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- ~~1. An ACT composite score of 21. Students with the required ACT composite score must also have at least a grade of “C” in each prerequisite course to the nursing major and a 2.0 GPA.~~
- ~~2. Students without the required ACT composite score must complete all the course prerequisites to the nursing major with at least a grade of “C” and a GPA of 2.5.~~
- ~~3. Students with a registered nurse (R.N.) license may enter without an ACT by completing all the course prerequisites to the nursing major with at least a grade of “C” and have a GPA of 2.0.~~
- ~~4. Baccalaureate nursing programs in private educational institutions may establish admission criteria which support the goals and aims of their institution.~~
- ~~5. All students must satisfy a criminal history background check with fingerprinting.~~
- ~~6. Each school is permitted an allowance of 10 percent of the previous fall’s nursing program admission for high-risk students who do not meet the criteria.~~

1. Model One- An ACT composite score of 21. Students with the required ACT composite score must also have at least a grade of “C” in each prerequisite course to the nursing major and a 2.0 GPA.
2. Students with a registered nurse (R.N.) license, or a bachelor’s degree or higher in a field other than nursing may enter without an ACT by completing all the course prerequisites to the nursing major with at least a grade of “C” and have a GPA of 2.0.
3. Model Two- Students without the required ACT composite score must complete all the course prerequisites for the nursing major with at least a grade of “C” and a GPA of 2.5.
4. Model Three- Students not meeting Model One or Model Two admission guidelines may be considered for admission with a defined plan to support student success and program completion congruent with current resources. IHL Nursing Education recognizes the value of holistic admission and the consideration of factors other than metrics such as experiences and attributes that may indicate student success. Any SON may implement both direct and holistic admission as congruent with the College/University and SON of Mission. The holistic review process must be consistently applied assuring sustained integrity and fairness.
5. Baccalaureate and higher nursing programs in private educational institutions may establish admission criteria which support the goals and aims of their institution.
6. All students must satisfy a criminal history background check with fingerprinting.
7. All post-licensure students enrolled in APRN clinical courses and non-APRN clinical courses taught at the graduate level must hold an unencumbered registered nursing (R.N.) license to practice in the state in which the student will perform clinical.

~~e. Graduate Degree Nursing Programs. Minimum admission criteria for graduate degree nursing programs (MSN & DNP) are as follows:~~

- ~~1. Minimum 3.0 GPA for the most recent nursing degree.~~
- ~~2. Private educational institutions may establish admission criteria which support the~~

# EXHIBIT 2

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~~goals and aims of their institution.~~

- ~~3. All students must hold an unencumbered registered nursing (R.N.) license to practice in the state in which the student will perform clinical.~~
- ~~4. All students must satisfy a criminal history background check with fingerprinting.~~

## STANDARD IV. Curriculum

- c. ~~Undergraduate~~ Prelicensure Program Simulation Hours

# EXHIBIT 3

February 16, 2023

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JANUARY 19, 2023 BOARD MEETING SUBMISSION DEADLINE**

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

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

## **DELTA STATE UNIVERSITY**

### **1. DSU- GS #102-267 – CAMPUS ROOFING PHASE 2**

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

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

Board staff approved Change Order #1 in the amount of \$1,412.76 and three hundred thirty-two (332) additional days to the contract of E. Cornell Malone Corp.

Approval Status & Date: APPROVED, January 20, 2023

Change Order Description: Change Order #1 includes the following: prepared the existing stone coping for the temporary membrane; and three hundred thirty-two (332) to the contract.

Change Order Justification: This change was due to latent jobsite conditions i.e. delay in receiving materials and weather-related delays as noted herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$1,412.76.

Project Initiation Date: January 17, 2019

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

General Contractor: E. Cornell Malone Corp.

Phased Project Budget: \$2,422,198.00

Total Project Budget: \$3,968,456.00

## **MISSISSIPPI STATE UNIVERSITY**

### **2. MSU- IHL #205-320 – PATTERSON ENGINEERING IDEE LAB PHASE 1 (MACHINE SHOP)**

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

Board staff approved the Schematic Design Documents as submitted by Cooke Douglass Farr Lemons, Architects and Engineers.



# EXHIBIT 3

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Approval Status & Date: APPROVED, February 1, 2023

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

Board staff approved the waiver of Design Development Documents as submitted by Cooke Douglass Farr Lemons, Architects and Engineers.

Approval Status & Date: APPROVED, February 1, 2023

Project Initiation Date: August 18, 2022

Design Professional: Cooke Douglass Farr Lemons, Architects and Engineers

General Contractor: TBD

Total Project Budget: \$5,000,000.00

3. **MSU- IHL #205-327 – RICE HALL RENOVATIONS**

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

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

Approval Status & Date: APPROVED, January 11, 2023

Project Initiation Date: October 20, 2022

Design Professional: Shafer Zahner Zahner

General Contractor: TBD

Total Project Budget: \$2,000,000.00

4. **MSU- IHL #405-004 –HIGH PERFORMANCE COMPUTING AND DATA CENTER**

**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 January 28, 2023 to approve the budget increase from \$38,000,000.00 to \$45,000,000.00 an increase of \$7,000,000.00 for the High Performance Computing and Data Center project.

Approval Status & Date: APPROVED, January 28, 2023

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

Board staff approved the Award of Contract in the amount of \$39,312,263.00 to the apparent low bidder, West Brothers Construction

Approval Status & Date: APPROVED, January 30, 2023

Project Initiation Date: October 19, 2020

Design Professional: Dale Partners

General Contractor: West Brothers Construction

Total Project Budget: \$45,000,000.00

5. **MSU- IHL #405-005 –STONE CHILLED WATER LOOP EXTENSION**

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

Board staff approved the Award of Contract in the amount of \$1,550,000.00 to the apparent low bidder, REV Construction, Inc.

Approval Status & Date: APPROVED, January 25, 2023

Project Initiation Date: October 19, 2020

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

# EXHIBIT 3

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Total Project Budget: \$2,000,000.00

## UNIVERSITY OF MISSISSIPPI

### 6. **UM- IHL #207-492 – OXFORD-UNIVERSITY STADIUM EXPANSION**

**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 January 30, 2023 to approve the initiation and design professional for the Oxford-University Stadium Expansion project.

Interim Approval Status & Date: APPROVED, January 30, 2023

Project Initiation Date: August 18, 2022

Design Professional: Cooke Douglass Farr Lemons Architects + Engineers, P. A.

General Contractor: TBD

Total Project Budget: \$1,500,000.00

### 7. **UM- IHL #207-502 – NEW PARKING STRUCTURES**

**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 January 31, 2023 to approve the initiation and design professional for the New Parking Structures project.

Interim Approval Status & Date: APPROVED, January 31, 2023

Project Initiation Date: January 31, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$1,000,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 8. **UMMC - IHL #209-582 – UPDATE LAKELAND MEDICAL BUILDING**

**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 January 20, 2023 to approve the budget increase from \$1,550,000.00 to \$1,950,000.00 an increase of \$400,000.00 for the Update Lakeland Medical Building project.

Approval Status & Date: APPROVED, January 20, 2023

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

Board staff approved the Award of Contract in the amount of \$248,000.00 to the apparent low bidder, Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, January 23, 2023

Project Initiation Date: June 16, 2022

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

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$1,950,000.00

# EXHIBIT 3

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## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 9. USM- GS #114-023 – SCIENCE BUILDING INFILTRATION REPAIRS

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

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$0.00 and six (6) additional days to the contract of Century Construction Group.

Approval Status & Date: APPROVED, January 17, 2023

Change Order Description: Change Order #4 includes the following items: added six (6) contract days to the contract.

Change Order Justification: This change was necessary due to delays in reordering the glass for the curtain walls.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$46,558.91.

Project Initiation Date: January 20, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: Century Construction Group

Total Project Budget: \$3,604,891.38

# EXHIBIT 4

February 16, 2023

## 1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Balch & Bingham, LLP (statement dated 1/12/23) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of \$720.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 720.00**

Payment of legal fees for professional services rendered by Armstrong Law, LLC (statements dated 5/25/22, 7/20/22 and 8/2/22) from the funds of Jackson State University. (These statements, in the amounts of \$2,000.00, \$2,000.00 and \$2,000.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 6,000.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 5/1/22, 5/17/22, 8/1/22, 10/1/22, 10/1/22, 11/1/22 and 1/1/23) from the funds of Jackson State University. (These statements, in the amounts of \$66.58, \$10.36, \$121.30, \$2,500.00, \$60.51, \$8.95 and \$43.82, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 2,811.52**

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 11/16/22 and 12/14/22) from the funds of Mississippi State University. (These statements, in the amounts of \$600.00 and \$2,175.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,775.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 12/1/22, 12/1/22 and 12/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$539.00, \$5,000.00 and \$541.00, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 6,080.00**

# EXHIBIT 4

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Payment of legal fees for professional services rendered by Brunini (statement dated 1/18/23) from the funds of the University of Mississippi. (This statement, in the amount of \$450.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 450.00**

Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statements dated 12/7/22 and 1/9/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$15,491.50 and \$4,232.67, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 19,724.17**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 12/1/22, 1/1/23, 1/1/23, 1/1/23 and 1/1/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$5.80, \$228.08, \$3,000.00, \$27.99 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 5,761.87**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/30/22 and 1/18/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$9,921.00 and \$12,140.67, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 22,061.67**

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statement dated 12/20/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,584.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,584.00**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 1/11/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,039.41, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,039.41**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/2/22, 1/1/23, 1/1/23, 1/1/23, 1/1/23, 1/1/23, 1/1/23 and 1/1/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$59.19 \$200.00,

# EXHIBIT 4

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\$32.13, \$36.77, \$36.38, \$57.19, \$94.50 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 3,016.16**

Payment of legal fees for professional services rendered by Wise Carter (statement dated 12/13/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$573.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 573.00**

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

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 12/15/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: "Recombinant Fimbrial Protein of Aeromonas hydrophila as a Vaccine in Catfish" - \$211.39.)

**TOTAL DUE.....\$ 211.39**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 12/13/22, 12/13/22 and 12/13/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "General IP Matters" - \$852.75; "Rapid Assay Methods and Kits for Detecting Neutralizing Antibody for Sars-Cov-2 Using Lateral Flow Assay and Enzyme-linked Immunosorbent Assay" - \$3,472.50; and "mRNA Treatment to Induce Expression of Relaxin for Reproductive Applications in Animals and Humans" - \$150.00, respectively.)

**TOTAL DUE.....\$ 4,475.25**

Payment of legal fees for professional services rendered by Thomas Horstemeyer, L.L.P. (statements dated 7/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22, 9/29/22 and 9/29/22) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "General IP Matter" - \$6,966.50; "Dye, Dye-Sensitized Solar Cells and Making and Using the Same" - \$150.00; "Amphotericin Loaded Pegylated Lipid Nanoparticles and Methods of Use" - \$235.00; "The Design, Synthesis and Photophysical Properties of a Novel" - \$250.00; "L-y-Methylene glutamine Compounds, Method of Forming the Same and Methods of Use Thereof" - \$250.00; "Laser Multibeam Differential Interferometric Sensor and Methods for Vibration Imaging" - \$388.00; "Compositions for the Prevention and/or Prophylactic Treatment of Poison Ivy Dermatitis" - \$1,824.47; "Silicone-Based Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making

# EXHIBIT 4

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and Using Same' - \$150.00; "General IP Matter" - \$150.00; "General IP Matter" - \$150.00; "General IP Matter - \$150.00; "General IP Matter" - \$6,773.00; "Cytochrome bc1 Complex Inhibitors and Methods of Use Thereof" - \$250.00; "Devices for the Pulsed Delivery of Bioactive Agents and Methods for Using the Same" - \$250.00; "Indolizine Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using the Same" - \$250.00; "Indolizine Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using the Same" - \$250.00; "Indolizine Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using the Same" - \$250.00; "Methods for Reducing Intraocular Pressure" - \$250.00; "1, 2, 4-Triazolyl Pyridine Agents Targeting Mycobacterium Tuberculosis" - \$250.00; "Orally Bioavailable, Brain-Penetrant Compound with Selectivity for the Cannabinoid Type 2 Receptor with Potential Use Toward Visceral Pain Management and Neurodegenerative Disorders" - \$250.00; "Fluoroalcohols as Co-Solvents for Chemical Synthesis" - \$250.00; "General IP Matter" - \$1,650.00; "General IP Matter" - \$3,150.00; "Dye, Dye-Sensitized Solar Cells and Making and Using the Same" - \$1,500.00; "General IP Matter" - \$250.00 and "Biologically Active Cannabidiol Analogs" - \$98.00, respectively).

**TOTAL DUE.....\$ 26,334.97**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 12/16/22, 12/16/22, 12/16/22, 12/16/22 and 1/6/23) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "Open-Shell Conjugated Polymer Conductors, Composites and Compositions" - \$35.00; "Open-Shell Conjugated Polymer Conductors, Composites and Compositions" - \$175.00; "Thiol-Based Post-Modification of Conjugated Polymers" - \$615.50; "Carbon Susceptor for Thermoplastic Composite Induction Welding" - \$350.00; and "Thiol-Based Post-Modification of Conjugated Polymers" - \$70.00.).

**TOTAL DUE.....\$ 1,245.50**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**ACADEMIC AFFAIRS**  
**MARCH 23, 2023**

**1. SYSTEM – MODIFICATIONS TO EXISTING ACADEMIC UNITS**

In accordance with Board policies 503 and 504, Mississippi State University and Mississippi University for Women submit requests to modify existing academic units.

**RENAMING**

**A. MUW - Current Title:** Office of Outreach and Innovation

*Proposed Title:* **Center for Education Support**

*Unit Location:* School of Education

*Effective date:* March 2023

*Cost of implementation:* \$0

*Rationale:* Mississippi University for Women's Office of Outreach & Innovation's mission has been to facilitate collaboration, innovation, and outreach between the university and the community. The university would like to rename this center to describe its current focus more accurately. The proposed name, Center for Education Support, reflects that the collaborations it supports fall almost exclusively within education, educator preparation, and professional development. With a name truer to its purpose, the Center for Education Support will be more easily recognizable as an outlet to support programs designed for improving education within the state and region served by the university.

**DELETING**

**B. MSU - Current Title:** Department of Educational Leadership

*Unit Location:* College of Education

*Effective date:* May 2023

*Rationale:* Mississippi State University's College of Education requests permission to reorganize departments within the college. The Department of Educational Leadership is being deleted and the twelve (12) faculty and one (1) staff in the Department of Educational Leadership will be moved to various departments that better reflect their program area(s). No faculty or staff will be displaced. Eleven (11) academic degree programs are offered within the Department of Educational Leadership and will be moved to other departments in the College of Education.

**RENAMING AND REORGANIZING**

**C. MSU - Current Title:** Department of Counseling, Educational Psychology, and Foundations

*Proposed Title:* **Department of Counseling, Higher Education Leadership, Educational Psychology, and Foundations**

*Unit Location:* College of Education

*Effective date:* May 2023

*Cost of implementation:* \$0

*Rationale:* The Department of Educational Leadership in Mississippi State University's College of Education is being deleted. Higher education leadership which was a part of the Department



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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of Educational Leadership is being moved to the new Department of Counseling, Higher Education Leadership, Educational Psychology, and Foundations.

The three (3) faculty in higher education/student affairs from the Department of Educational Leadership are moving to the Department of Counseling, Higher Education Leadership, Educational Psychology, and Foundations. The following degree programs will be moved from the Department of Educational Leadership to this department:

- MS in Educational Leadership (concentration in Student Affairs & Higher Education)
- PhD in Educational Leadership (concentration in Higher Education Leadership)

- D. **MSU - Current Title:** Department of Curriculum, Instruction, and Special Education  
**Proposed Title:** **Department of Teacher Education and Leadership**  
**Unit Location:** College of Education  
**Effective date:** May 2023  
**Cost of implementation:** \$0

**Rationale:** The Department of Educational Leadership in Mississippi State University's College of Education is being deleted. School administration and teacher leadership which were a part of the Department of Educational Leadership are being moved to the new Department of Teacher Education and Leadership.

The four (4) faculty in school administration and teacher leadership from the Department of Educational Leadership are moving to the Department of Teacher Education and Leadership. The following degree programs will be moved from the Department of Educational Leadership to this department:

- MS in Educational Leadership (concentration in School Administration)
- MS in Educational Leadership (concentration in Teacher Leadership)
- EdS in School Administration
- EdS in Teacher Leadership
- EdD in School Administration
- PhD in Educational Leadership (P-12 School Leadership)

- E. **MSU - Current Title:** Department of Instructional Systems and Workforce  
**Proposed Title:** **Department of Industrial Technology, Instructional Design, and Community College Leadership**  
**Unit Location:** College of Education  
**Effective date:** May 2023  
**Cost of implementation:** \$0

**Rationale:** The Department of Educational Leadership in Mississippi State University's College of Education is being deleted. Community college education which was a part of the Department

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of Educational Leadership is being moved to the new Department of Industrial Technology, Instructional Design, and Community College Leadership.

The four (4) faculty in community college education from the Department of Educational Leadership are moving to the Department of Industrial Technology, Instructional Design, and Community College Leadership. The one (1) staff member from the Department of Educational Leadership is being moved to this department. The following degree programs will be moved from the Department of Educational Leadership to this department:

- MS in Workforce Education Leadership
- MAT in Community College Education
- PhD in Community College Leadership

**STAFF RECOMMENDATION: Board staff recommends approval of these items.**

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**1. MVSU-REQUEST FOR APPROVAL TO ESCALATE THE FY 2023 EDUCATION AND GENERAL BUDGET**

MVSU is requesting approval to escalate the E&G Budget. The request is to provide a video board for the football stadium, resurface the football field, and purchase equipment for the maintenance of the athletic fields.

<b>Budget Category</b>	<b>FY 2023 Approved Budget</b>	<b>Increase/Decrease</b>	<b>Revised FY 2023 Budget</b>
Salaries, Wages, & Fringe Benefits	\$ 23,748,942		\$ 23,748,942
Travel	774,557		774,557
Contractual Services	22,789,444	2,200,000	24,989,444
Commodities	1,430,108		1,430,108
Capital Outlay	409,976	100,000	509,976
Transfers	(205,027)		(205,027)
Total Uses of Funds	\$ 48,948,000	\$ 2,300,000	\$ 51,248,000

**Staff Recommendation:** Based on Board Policy 701.06, Budget Escalations and Revisions, *all escalations to the annual budgets of the several institutions and to the annual budgets of the separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation.* Board staff recommends approval of this item.

**2. UM – REQUEST FOR APPROVAL TO ENTER INTO CONTRACTUAL SERVICES AGREEMENT WITH MTS SYSTEMS CORPORATION**

**Agenda Item Request:** The University of Mississippi’s Center for Diagnostics, Design, Devices, and Biomechanics (D3B) and the Biomedical Engineering Department requests approval to enter into a contract with **MTS Systems Corporation (“MTS”)** to purchase servo-hydraulic mechanical testing frames, testing simulators, and associated fixturing for testing and evaluating new medical device designs and biomaterials.

**Contractor’s Legal Name:** MTS Systems Corporation (“MTS”)

**History of Contract:** This is a new contract.

**Specific Type of Contract:** This is a purchase order for equipment and corresponding licenses.

**Purpose:** The purpose of this project is to equip the D3B Center with the state-of-the-art servo-hydraulic mechanical testing frames, testing simulators, and associated fixturing for testing and evaluating new medical device designs and biomaterials.

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The mission of the Center for Diagnostics, Design, Devices, and Biomechanics (D3B) at the University of Mississippi is to address unmet clinical needs of the medical device and healthcare industry. In doing so, the D3B Center needs to be equipped with cutting edge technology utilized and required of these industries. MTS is a leading global supplier of high-performance testing and simulation systems utilized by these industries. In addition, many governing bodies and societies, including the Food and Drug Administration (FDA) and ASTM, ISO, ASME societies have recognized MTS's equipment and capabilities in their guidance documents and standards.

MTS testing equipment is not new to the University of Mississippi system. Their equipment is currently being utilized by the Mechanical and Civil Engineering Departments at the University of Mississippi and by the Biomedical Materials Science Department at UMMC in Jackson. In addition, several other Universities in Mississippi (including Mississippi State and Southern Mississippi) and in our region also have MTS equipment in their research labs. This equipment compatibility across Mississippi and regional Universities is essential for the D3B Center to direct and drive research in the medical device and healthcare space in our geographical region by collaborating on research with other Mississippi and regional Universities.

**Scope of Work:** The scope of this procurement is to purchase and install servo-hydraulic mechanical testing frames, testing simulators, associated fixturing, and licensing.

**Term of Contract:** The estimated shipment schedule is 11 months.

**Termination Options:** UM is entitled to terminate the contract by written notice with immediate effect in the event that UM decides in its absolute discretion that it does not wish to complete the order. Upon receipt of such notice, MTS shall immediately cease work, and at UM's discretion, shall deliver to UM the complete or partially finished goods.

**Contract Amount:** The contract amount for this procurement with MTS Systems Corporation ("MTS") is \$2,395,206.

**Funding Source for Contract:** The University of Mississippi's D3B will fully fund this procurement through state appropriated funds from Section 42(c) of SB3002 from the 2022 legislative session.

**Contractor Selection Process:** Sole Source Vendor Selection.

MTS Systems Corporation ("MTS") does not use a distributor model to distribute their products, products are built to order and they sell directly to the customer. Therefore, they are the only source for their equipment.

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This sole source purchase was assigned a UM sole source number of SS 301. It was advertised in the same manner provided in Section 31-7-13(c), Mississippi Code of 1972, Annotated. The advertisement directed vendors to the procurement portal website established by Sections 25-53-151 and 27-104-165, where the details of the proposed sole source procurement and method of objection to the sole source were published for fourteen (14) days. No objections by vendors were received by the University. The University determined that these items are available from only one source and requested approval from the State of Mississippi Department of Finance and Administration (DFA) to proceed with this purchase. As the purchase exceeds \$500,000, the DFA staff placed this purchase on the February 1, 2023, meeting of the Public Procurement Review Board (PPRB) for approval. It was approved and has been given DFA P-1 approval number 8800008661.

**STAFF RECOMMENDATION:** 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. UMMC – REQUEST FOR APPROVAL TO AMEND A MASTER SERVICES AGREEMENT WITH PATHSTONE PARTNERS, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its Master Services Agreement with **Pathstone Partners, LLC (Pathstone)** to extend the term, revise the financial savings goal to \$35,000,000, and add additional phases of work to the agreement. The Master Services Agreement is for consulting services related to the identification, development, and implementation of margin improvement initiatives to achieve financial savings. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods and Services*, UMMC also requests waiver to allow prepayment of the monthly base fee.

**Contractor's Legal Name:** Pathstone Partners, LLC

**History of Contract:** On October 21, 2021, the Board approved an agreement with Pathstone to identify and develop cost savings opportunities and assist in the implementation and the achievement of a \$15,000,000 margin improvement for UMMC. The Agreement will expire on April 30, 2024, unless amended.

**Specific Type of Contract:** This is an amendment to the Master Services Agreement.

**Purpose:** The purpose of the first amendment is to extend the term, revise the financial savings goal to \$35,000,000, and add additional phases of work to the agreement. The purpose of the agreement is to seek outside expertise and implementation services to achieve expense reduction and margin improvement for UMMC. The agreement defines the process that will be used to identify and implement savings initiatives. The engagement defines opportunities for expense reduction, develop savings strategies, and

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assist in the implementation of those strategies to achieve or exceed the targeted margin improvement.

**Scope of Work:** Under the agreement, Pathstone will:

- support UMMC to identify and implement Initiatives to achieve projected Benefit Targets;
- provide services to enable UMMC to identify and implement Initiatives and Opportunities that deliver margin improvement in purchase, insourced and outsourced services, utilization, and revenue;
- upon UMMC's approval, develop a Workplan for each Initiative to align activities, milestones, responsible parties, and timelines to manage implementation progress;
- develop and refine Initiative implementation documents and tools to align with the implementation strategy;
- lead and participate in key implementation support activities;
- develop a Benefits Measurement Document for each Initiative and facilitate review with appropriate UMMC Reviewers;
- meet with UMMC at least once a quarter; and
- work with UMMC throughout the term of the agreement to identify additional Opportunities to maintain an inventory of Initiatives to meet the milestones.

UMMC will:

- develop a project governance structure to ensure executive and leadership sponsorship and management decision making on timely basis necessary for successful delivery of services;
- include Pathstone in relevant Executive Leadership and Management meetings; and
- provide Pathstone with access to data, locations, internal tools and resources to enable Pathstone to work effectively within the project timeline.

**Term of Contract:** The term of the amended agreement is three (3) years and eleven (11) months from November 1, 2021 through September 30, 2025. The term of the original agreement was two (2) years and six (6) months, beginning November 1, 2021. The first amendment extends the term by one (1) year and five (5) months.

**Termination Options:** Termination option include the following:

- upon agreement of the parties;
- by either party upon thirty (30) days' written notice;
- by either party in the event the other party refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions or commits any other substantial breach of the contract if not cured within ten (10) days;

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- immediately upon Pathstone's breach of any of the following ongoing representations and warranties that Pathstone, its officers, directors and employees:
  - are not currently excluded, debarred or otherwise ineligible to participate in any federal healthcare programs or any state healthcare programs;
  - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare program;
  - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
  - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in it being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
  - if Pathstone is to receive any patients' personal health information, Pathstone represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected.
- by UMMC upon thirty (30) days' written notice in the event of a reduction in funds; and
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

**Contract Amount:** The total estimated cost of the amended agreement over the three (3) year, eleven (11) month term is \$6,763,000. The original estimated cost of the agreement was \$2,950,000. The first amendment adds \$3,813,000 to the agreement. The amended benefit savings target is \$35,000,000, divided into five (5) phases. In each phase, UMMC will pay a fee of eighteen percent (18%) of the targeted savings. UMMC has also included a maximum of \$490,000 for potential travel and expenses during the full term of the agreement.

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

**Contractor Selection Process:** UMMC is currently contracted with Pathstone.

**STAFF RECOMMENDATION:** 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.

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**4. USM – REQUEST FOR APPROVAL TO AMEND A LICENSING WITH ASSESSMENT TECHNOLOGIES INSTITUTE, LLC**

**Agenda Item:** The University of Southern Mississippi requests Board approval of an Amendment to a partnership and licensing agreement **with Assessment Technologies Institute, LLC. (ATI)** that provides critical learning resources for the College of Nursing's student population.

**Contractor's Legal Name:** Assessment Technologies Institute, LLC.

**History of Contract:** This is an Amendment to an existing contract. The contract was entered into in August 2021 at a critical time to provide alternative learning resources for nursing students while during the COVID-19 pandemic. University students had limited opportunities with some clinical experiences, therefore faculty were using ATI to supplement student learning with virtual case studies. During the pandemic we lost many of our minority and first-generation students. ATI has provided students with extra resources to help support learning, and students are able to access these resources 24 hours a day. Amendment One signed in 2022 modified the payment schedule.

**Specific Type of Contract:** This is an Amendment to a licensing agreement for access to learning resources.

**Purpose:** The purpose of this contract is to provide USM Nursing students access to comprehensive assessment and review programs, practice and proctored assessments, clinical judgment practice, focused review modules, video case studies, simulations, National Council Licensure Examination (NCLEX) reviews, as well as other comprehensive learning resources and tools. Additionally, ATI's remediation component allows us to identify at-risk students much earlier in the program and provide them with individualized remediation plans. The algorithm provided by ATI helps the student to identify weak areas and then provides an individualized plan for the student to complete to improve their potential for success, both in the Program and ultimately on the NCLEX. USM recently launched the Accelerated BSN (ABSN) program located at the USM Gulf Park Campus. Amendment Two modifies the Agreement to add USM's Gulf Park location in Long Beach, MS to the itemization of Nursing Program campuses covered by the Agreement. Additionally, Amendment Two modifies the payment schedule for students in the ABSN program to permit payments due for such students over three semesters of the program without changing the total cost per student.

**Scope of Work:** ATI grants to USM's Nursing Program the right to access and use the products and services delivered or made available online by ATI to the Program to enhance each student's learning experience.

**Term of Contract:** The term of the contract is for 36 months. Start Date: August 1, 2021 End Date: August 31, 2024



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

- ATI may terminate the agreement by written notice if USM infringes or misappropriates any ATI IP rights, or if USM fails to cure any other material breach of the agreement within 30 days after receipt a written notice from ATI.
- USM may terminate the agreement based on lack of appropriated funding, or a material breach by ATI.

**Contract Amount:** For use of ATI Products and Services, the University is assessed a fee of per RN student enrolled. The fees range from \$1,387 per RN student for the December 2021 class, to \$2,775 per RN student for the May 2022 and subsequent classes. Amendment One adjusted the payment schedule for certain nursing program class cohorts to extend the required payments over three or four semesters as indicated, without impacting the total amount due. Proposed Amendment Two provides a payment schedule for students participating in the ABSN program requiring payments over three semesters. The contract amount per student will remain \$2,775 per student

**Funding Source for Contract:** This agreement is funded solely through student course fees.

**Contractor Selection Process:** The service provider was chosen through faculty assessment of available options for services of this nature and ATI was selected as providing the most comprehensive scope of educational resources and services to support the needs of University nursing students.

**STAFF RECOMMENDATION:** 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.

**5. USM –REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH BUSINESS COMMUNICATIONS, INC.**

**Agenda Item Request:** The University of Southern Mississippi requests Board approval to purchase 75 Cisco Catalyst 9200 Switches to upgrade the access layer switches on all USM campuses to 10 GBps uplinks. GBps uplinks.

**Contractor's Legal Name:** Business Communications, Inc.

**History of Contract:** This is a new one-time purchase contract.

**Specific Type of Contract:** This is a Purchase contract.

**Purpose:** The purpose of the contract is to upgrade the access layer switches on all USM campuses to 10 Gbps uplinks

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**Scope of Work:** These switches will be installed on USM campuses by iTech.

**Term of Contract:** The contract will remain in effect until the goods are received, accepted, invoiced, and paid. Start and end dates will depend upon the delivery of the items.

**Termination Options:** Either party may terminate with or without cause after giving the other 30 days' written notice.

**Contract Amount:** The total cost of this acquisition will be \$329,692.50, as shown below.

Part #	Description	Price	Qty	Ext. Price
C9200L-48P-4X-E	Catalyst 9200L 48-port PoE+, 4 x 10G, Network Essentials	\$2,933.69	75	\$220,026.75
C9200L-NW-E-48	C9200L Network Essentials, 48-port license	\$0.00	75	\$0.00
CAB-TA-NA	North America AC Type A Power Cable	\$0.00	75	\$0.00
PWR-C5-BLANK	Config 5 Power Supply Blank	\$0.00	75	\$0.00
C9200L-DNA-E-48	C9200L Cisco DNA Essentials, 48-port Term license	\$0.00	75	\$0.00
C9200L-DNA-E-48-5Y	C9200L Cisco DNA Essentials, 48-port, 5 Year Term license	\$835.79	75	\$62,684.25
C9200L-STACK-KIT	Cisco Catalyst 9200L Stack Module	\$582.06	75	\$43,654.50
C9200-STACK	Catalyst 9200 Stack Module	\$0.00	150	\$0.00
STACK-T4-50CM	50CM Type 4 Stacking Cable	\$0.00	75	\$0.00
NETWORKPNP-LIC	Network Plug-n-Play Connect for zerotouch device deployment	\$0.00	75	\$0.00
STACK-T4-3M=	3M Type 4 Stacking Cable	\$133.08	25	\$3,327.00
<b>TOTAL</b>				<b>\$329,692.50</b>

**Funding Source for Contract:** The contract will be funded by general funds.

**Contractor Selection Process:** The University of Southern Mississippi contacted two vendors on the ITS EPL 3760. BCI and ConvergeOne provided quotes and BCI was selected since its proposal was the lowest cost.

**STAFF RECOMMENDATION:** 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.

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**6. SYSTEM– REQUEST FOR APPROVAL OF A STUDENT HEALTH INSURANCE BROKER AND POLICY WITH UNITED HEALTHCARE STUDENT RESOURCES**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning’s Executive Office (IHL) requests approval of a student health insurance broker and policy for use by the system. The insurer will be **UnitedHealthcare Student Resources** and the insurance broker will be **Holland Insurance, Inc.**

**Contractor’s Legal Name: United Healthcare Student Resources (“UnitedHealthcare”).** United Healthcare will provide the student health insurance coverage for the system, and Holland will serve as the insurance broker.

**History of Contract:** This is a new contract.

**Specific Type of Contract:** This is a contract for student health insurance.

**Purpose:** The purpose of the contract is to provide an insurance option for students to purchase directly, or for universities to purchase as a benefit for certain classes of student workers or employees. The goal of the system approach is to lower premium costs while maintaining health insurance coverage that meets Affordable Care Act and visa requirements. The system SHIP has been utilized primarily by Mississippi State, Ole Miss, and USM, although it is available to all system students. The recommended policy provides gold-level coverage with an in-network annual deductible of \$250. UnitedHealthcare is rated “A+” by A.M. Best Company. The quote also includes optional dental and vision coverage, which students may elect to purchase.

**Scope of Work:** The insurer will provide student health insurance coverage and related services during the policy year in exchange for the payment of premiums by students or universities. The policy will be available for students at all system universities with the exception of UMMC, which maintains its own student health insurance program.

**Term of Contract:** Holland will be engaged for three policy years, but the initial insurance policy or policies is for a one-year term. The policy terms may vary from university to university so as to have an effective date that coincides with the termination dates of each university’s current policies. The most common policy inception date has been August 15<sup>th</sup>, so while dates may vary, a common term is expected to be August 15, 2023, to August 15<sup>th</sup>, 2024. The broker will solicit quotes from insurers for a policy for 2024-2025 and 2025-2026, unless the relationship is terminated earlier.

**Termination Options:** IHL may cancel the contract with 60 days’ notice, although some students will be purchasing individual policies directly. If the reason that IHL wishes to terminate is due to non-appropriation of funds, then IHL may terminate with 10 days’ notice. The insurer may terminate its contract with IHL upon 120 days’ notice, except for

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non-payment of premium. The insurer may terminate a policy for non-payment of premium with 10 days' notice.

**Contract Amount:** The premium will be \$2,173 per policy per year, which includes broker commission and all fees. If 3,300 students are insured, the aggregate annual premium range would be approximately \$7,170,900. The aggregate premium will vary based upon the number of participants. Student enrollment increased by 6 percent during the most recent policy year.

**Funding Source for Contract:** Students will directly pay the premium for their policy, except for some student workers. Universities may elect to pay or supplement the premium cost for certain classes of student workers, such as graduate assistants, as an employment benefit or part of its payment structure. Expenditures for student health insurance by universities are determined by each university.

**Contractor Selection Process:** IHL conducted a competitive RFP process which utilized a Student Health Insurance Committee. The Committee selected Holland Insurance Company as our broker and UnitedHealthcare as our insurer. Quotes were provided by Aetna, UnitedHealthCare, and Wellfleet. The UnitedHealthcare quote had the lowest premium while providing a robust network and excellent coverage.

**STAFF RECOMMENDATION:** 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.

**7. UMMC–REQUEST FOR APPROVAL TO ENTER INTO A PRODUCT AGREEMENT WITH JOHNSON AND JOHNSON HEALTH CARE SYSTEMS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Product Agreement **with Johnson & Johnson Health Care Systems, Inc.** (JJHCS) for the placement of the Brainlab Curve Navigation System, the purchase of instrumentation, accessories, software licenses, software subscriptions and documentation needed to operate the system, service and maintenance, as well as training. The Brainlab Spinal and Cranial Navigation System is a partnership between Brainlab, Inc (Brainlab) and DePuy Synthes, a division of JJHCS, that was jointly developed to pair JJHCS instrumentation with Brainlab's navigation platform. The platform is used to perform accurate and minimally invasive procedures to safely place surgical hardware and other devices for the treatment of multiple conditions, including scoliosis, trauma, and cranial defects. The Brainlab system also provides intra-operative imaging for seamless navigation that is used in the above-mentioned procedures as well as intracranial navigation of the brain and associated structures. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

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**Contractor's Legal Name:** Johnson and Johnson Health Care Systems, Inc.

**History of Contract:** UMMC does not currently have a contract with JJHCS for the Brainlab Curve Navigation System. UMMC treats children with spinal deformities or traumatic injuries with direct visibility techniques. However, UMMC would like to enter this agreement at this time because the navigation technology provided by the Brainlab System enables physicians to accurately plan and execute surgical cases using the patient's imaging to navigate anatomic structures with little to no direct visibility, which is the standard of care for spinal fusion cases.

**Specific Type of Contract:** This is a new Product Agreement

**Purpose:** The purpose of the agreement is for JJHCS to place the Brainlab Curve Navigation System at UMMC and for the instrumentation, accessories, software licenses, software subscriptions and documentation needed to operate the system, service and maintenance, as well as training. The system is used to perform accurate and minimally invasive procedures to safely place surgical hardware and other devices for the treatment of multiple conditions, including scoliosis, trauma, and cranial defects. The Brainlab system also provides intra-operative imaging for seamless navigation that is used in the above-mentioned procedures as well as intracranial navigation of the brain and associated structures.

**Scope of Work:** Under the Product Agreement, JJHCS will place the Brainlab Curve Navigation System at UMMC. In return, UMMC will separately purchase a minimum of \$2,688,113 worth of DePuy Synthes spine products from JJHCS per year. At the end of the five-year term, the Brainlab equipment will belong to UMMC.

**Term of Contract:** The term of the agreement is five (5) years, from April 1, 2023, through March 31, 2028.

**Termination Options:** The Product Agreement may be terminated as follows:

- automatically upon termination of the Master IDN Agreement; and
- by either party at any time upon a one hundred twenty (120) day written notice.

The Master IDN Agreement may be terminated as follows:

- by either party at any time upon a thirty (30) day written notice;
- by either party upon written notice in the event the non-terminating party is excluded from participating in, or becomes otherwise ineligible to participate in, any federal health care program;
- by UMMC upon written notice in the event JJHCS or any of its employees or agents fail to comply with UMMC's rules and regulations concerning conduct on UMMC premises; and
- failure by JJHCS to comply with the federal E-Verify Program.

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**Contract Amount:** The total estimated cost over the five (5) year term is \$18,075,000. UMMC has included a ten percent (10%) increase each year for potential changes in patient volume.

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

**Contractor Selection Process:** The Brainlab Curve Navigation System as well as the JJHCS instrumentation and accessories qualify as clinical commodities under Miss Code Ann. §31-7-1, which are exempted from procurement requirements under §31-7-13.

**STAFF RECOMMENDATION:** 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.

**8. UMMC–REQUEST FOR APPROVAL TO AMEND A MASTER AGREEMENT WITH OMNICELL, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of a Second Amendment (Amendment) to the Corporate Master Agreement with **Omnicell, Inc. (Omnicell)**. The Amendment is to extend Schedule G of the Corporate Master Agreement that establishes the preferred relationship between UMMC and Omnicell and allows UMMC to access discounted pricing for the purchase of automated pharmacy dispensing cabinets, training and support services for UMMC locations. The Corporate Master Agreement provides the general terms and conditions for purchases under separate Pricing Supplements. The Omnicell automated pharmacy dispensing cabinets and technology include the ability to secure and dispense Schedule II-V narcotics while providing real time data of the dispensing and administration of these events. This data allows all transactions to be efficiently monitored to ensure the appropriate closed loop of all scheduled medication transactions. The degree of real time data is unique in the marketplace and is a necessary tool for monitoring for any potential diversion.

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

**History of Contract:** On March 22, 2018, the Board approved the five (5) year Corporate Master Agreement with Omnicell, along with Pricing Supplement 5309895 for the purchase automated pharmacy dispensing cabinets at UMMC’s Jackson campus, as well as maintenance and service of the cabinets and related software. On January 16, 2020, the Board approved an amendment to the Corporate Master Agreement that amended the indemnification provision and added provisions on insurance and information security and Pricing Supplement 5424973. On February 17, 2022, the Board approved Pricing Supplement 5438400 for the purchase of automated pharmacy dispensing cabinets, training, and support services for UMMC Grenada. The Corporate Master Agreement

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provides the general terms and conditions for purchases under separate Pricing Supplements. Each Pricing Supplement is a separate contract that incorporates the general terms and conditions of the Corporate Master Agreement.

**Specific Type of Contract:** This is a Second Amendment the corporate Master Agreement.

**Purpose:** The purpose of the Amendment is to extend Schedule G of the Corporate Master Agreement that establishes the preferred relationship between UMMC and Omnicell and allows UMMC to access discounted pricing for the purchase of automated pharmacy dispensing cabinets, training and support services for UMMC locations. The purpose of the Corporate Master Agreement is to provide the general terms and conditions for purchases under separate Pricing Supplements.

**Scope of Work:** Under the Amended Corporate Master Agreement, Omnicell will provide:

- installation of products;
- training in the system management and use of the products;
- support services for the products, including adjustments to products, replacement of component parts or replacement of products, software updates and upgrades;
- a 96% uptime commitment;
- a limited license for the software embedded in and used with the products;
- in-bound and out-bound interfaces with Epic; and
- discounted pricing for all available products.

UMMC will:

- select an employee to serve as the System Administrator and send the individual for training;
- train personnel in the proper use of the products;
- document and promptly report all errors or malfunctions of the products;
- provide access to personnel, equipment, and systems to facilitate support service requests; and
- commit to purchase 95% of UMMC's total required need of automated pharmacy dispensing cabinets and automated dispensing system analytics.

**Term of Contract:** The term of the Corporate Master Agreement remains unchanged. It began on March 26, 2018, and will remain in effect for so long as a Pricing Supplement, Schedule, attachment, and/or exhibit remains in effect. The amended term for Schedule G to the Corporate Master Agreement is for a term of ten (10) years, from March 26, 2018, through March 25, 2028. The original term of Schedule G to the Corporate Master

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Agreement was from March 26, 2018, through March 25, 2023. The Amendment extends the term of Schedule G to the Corporate Master Agreement by five (5) years.

The total term of Pricing Supplement 5309895 remains unchanged it is six (6) years and five (5) days, from March 26, 2018, through March 31, 2024, which is five (5) years from the date of installation of the equipment. The total term of Pricing Supplement 5438400 remains unchanged. It is one (1) year and eight (8) months, from March 1, 2022, through May 26, 2023, which is (1) year from the date of installation of the equipment.

**Termination Options:** Termination options for the Corporate Master Agreement include:

- for cause, including UMMC's failure to make timely payments and a material breach of any provision of the agreement;
- in the event funds are not available;
- in the event a third party makes claim relating to infringement of any US trademark, copyright, or trade secret, and Omnicell cannot procure the right for UMMC to continue using the product, replace, or modify the product;
- in the event Omnicell becomes debarred, excluded, or otherwise ineligible to participate in any state or federal healthcare program, and Omnicell is unable to cure the breach within 30 days;
- in the event Omnicell does not comply with the federal E-Verify Program; and
- in the event of a material breach of the Business Associate Agreement or violation of the Health Insurance Portability and Accountability Act (HIPAA) regulations that remains uncured following twenty (20) days written notice, or immediately if cure is not possible, in the event Omnicell improperly uses or discloses protected health information.

Termination options of Schedules to the Corporate Master Agreement also include:

- Schedule D-3 Support Services for Aesynt-branded Delivered Products:
  - a. UMMC's failure to make timely payments;
- Schedule G Preferred Relationship Terms and Conditions:
  - a. for cause including material breach of any provision of the agreement;
  - b. in the event the other party terminates or suspends all business activities or becomes bankrupt; and
- Schedule L Business Associate Agreement
  - a. in the event of a material breach of the Business Associate Agreement or violation of the Health Insurance Portability and Accountability Act (HIPAA) regulations that remains uncured following twenty (20) days written notice, or immediately if cure is



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not possible, in the event Omnicell improperly uses or discloses  
protected health information.

**Contract Amount:** The total cost of Pricing Supplement 5309895 remains unchanged at a cost of \$6,273,190.93. The total cost of the Pricing Supplement 5438400 remains unchanged at a cost of \$603,060.65.

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

**Contractor Selection Process:** UMMC is currently contracted with Omnicell.

**STAFF RECOMMENDATION:** 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.

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**Note:** Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

**Board Policy §902, Initiation of Construction Projects**

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

**Board Policy §904(A), Board Approval**

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

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

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

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*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

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

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

*Prior Board approval is required for the execution of all easements or non-oil, non-gas and non-mineral leases in an amount greater than \$100,000. The Commissioner is authorized to approve leases (other than oil, gas and mineral leases) or easements in amounts equal to or less than \$100,000. The Commissioner may further delegate the Commissioner's approval authority regarding easements and leases to the applicable IEO or his/her designee(s) provided that the requirements of Policy 707.01 D. are met. Board approval is required for timber sales in an amount greater than \$500,000. For timber sales of an amount \$500,000 or less, the Chair of the Real Estate Committee is authorized to approve sales on behalf of the Board upon satisfactory legal review and recommendation from the Commissioner. Board approval prior to the execution of the contract is required for all other land contracts requiring an aggregate total expenditure of more than \$250,000. Requests for approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.*

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

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

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**Board Policy §919, Pre-requisites for Building Modification or Demolition**

*Prior to scheduling a building on an institution's property for restoration, improvement, construction, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure an inspection and approval from the Mississippi Department of Environmental Quality and a permit or written permission from the Mississippi Department of Archives and History authorizing the requested building action. After obtaining approval from these two agencies, a request for the building modification or demolition shall be submitted to the Board for approval. The request to the Board must include documentation evidencing approval by the Department of Environmental Quality and the Department of Archives and History.*

**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

**IHL PROJECTS .....**

**1. MSU – IHL 213-148 – NORTH FARM GREENHOUSE**

**Project Request:** Mississippi State University requests approval to initiate a project, North Farm Greenhouse and to appoint the Johnson-McAdams Firm, P.A. as the design professional for the project.

**Proposed Design Professional:** The Johnson-McAdams Firm, P.A.

**Selection Method:** The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for the selection of the design professional. MSU used an internal selection process.

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate.

**Purpose:** Mississippi State University is seeking to initiate the project and appoint the design professional as required by Board Policy. This will allow the university to proceed with the design phase of the project.

**Project Scope:** This project will allow for the construction of a new 2,400 square foot greenhouse on the North Farm located on the MSU campus.

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

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**Project Initiation Date:** March 23, 2023

**Date of Original Construction:** New Greenhouse

**Date of Last Renovation:** N/A

**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	1,100,000.00
Architectural and Engineering Fees:		100,000.00
Misc. Project Costs:		50,000.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>150,000.00</u>
<b>Total Project Budget</b>	<b>\$</b>	<b>1,400,000.00</b>

**Funding Source(s):** USDA National Institute of Food and Agriculture - Hatch Capacity Funds (\$1,400,000)

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

**2. UM – IHL 207-503 – BREVARD HALL ENVELOPE CORRECTIONS PHASE II**

**Project Request:** The University of Mississippi requests approval to initiate a project, Brevard Hall Envelope Corrections Phase II and to appoint McCarty Architects, P.A. as the design professional for the project.

**Proposed Design Professional:** McCarty Architects, P.A.

**Selection Method:** The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selecting the design professional. McCarty Architects were selected due to their recent work with the Phase 1 Envelope Correction.

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate.

**Purpose:** The University of Mississippi is seeking to initiate the project and appoint the design professional as required by Board Policy. This will allow the university to proceed with the design phase of the project.

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**Project Scope:** The project is intended to make corrections to the exterior of Brevard Hall in an attempt to stop water intrusion into the building.

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

**Project Initiation Date:** March 23, 2023

**Date of Original Construction:** 1923

**Date of Last Renovation:** 2021

**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 1,800,000.00
Architectural and Engineering Fees:	220,000.00
Misc. Project Costs:	25,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>455,000.00</u>
<b>Total Project Budget</b>	<b>\$ 2,500,000.00</b>

**Funding Source(s):** Internal R&R (\$2,500,000)

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

**3. USM – IHL 208-341 – FORREST AVENUE PEDESTRIAN PLAZA**

**Project Request:** The University of Southern Mississippi requests approval to initiate a project, Forrest Avenue Pedestrian Plaza and to appoint Neel-Schaffer, Inc. as the design professional for the project.

**Proposed Design Professional:** Neel-Schaffer, Inc.

**Selection Method:** The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for the selection of the design professional.

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**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$5,000,000 per claim and \$5,000,000 aggregate.

**Purpose:** The University of Southern Mississippi is seeking to initiate the project and appoint the design professional as required by Board Policy. This will allow the university to proceed with the design phase of the project. This project is a MDOT TAP project to create a pedestrian pathway to increase the walkability of the USM campus.

**Project Scope:** The scope of this project is to create additional pedestrian pathways in the heart of campus. This project will also give a better flow of traffic that is safer for walking students.

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

**Project Initiation Date:** March 23, 2023

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Project Budget:**

	<u>Estimated</u>
Construction Cost:	\$ 887,086.50
Architectural and Engineering Fees:	105,707.84
Misc. Project Costs:	24,150.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>36,468.33</u>
<b>Total Project Budget</b>	<b>\$ 1,053,412.67</b>

**Funding Source(s):** 80% MDOT 80/20 TAP Grant (\$842,730.14); 20% USM Internal Funds (\$210,682.53)

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

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

**IHL PROJECTS .....**

**4. MSU – IHL 205-298 – REBID CRESSWELL HALL RECARPET AND  
REPAINT**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$1,800,000 to \$3,000,000 for an increase in the amount of \$1,200,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** Shafer Zahner Zahner

**General Contractor:** TBD

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

**Purpose/Justification:** The purpose of this request is to increase the project budget based on the design professional's latest cost estimates.

**Project Scope:** This project will completely recarpet and repaint the interior of Cresswell Hall.

**History of Project:** The project was initiated as an interim approved agenda item in December 2019. At that time Shafer Zahner Zahner was appointed as the professional. The project originally was advertised and bid in February of 2020, but a contract was never executed due to the uncertainties associated with COVID.

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

**Project Initiation Date:** December 5, 2019 (Interim Approval)



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**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,592,000.00	\$ 2,700,000.00	\$ 1,108,000.00
Architectural and Engineering Fees	\$ 123,983.00	\$ 170,000.00	\$ 46,017.00
Miscellaneous Project Costs	\$ 4,417.00	\$ 50,000.00	\$ 45,583.00
Furniture & Equipment Costs	\$ 0.00	\$ 20,000.00	\$ 20,000.00
Contingency	\$ 79,600.00	\$ 60,000.00	\$ (19,600.00)
<b>Total Project Budget</b>	<b>\$ 1,800,000.00</b>	<b>\$ 3,000,000.00</b>	<b>\$ 1,200,000.00</b>

**Proposed Funding Source(s):** University Designated Funds (\$3,000,000)

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

**5. MSU – IHL 205-324 – HERZER ROOF REPLACEMENT**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$1,200,000 to \$1,300,000 for an increase in the amount of \$100,000. The funding sources for the project will not change.

**Current Project Phase:** Design Phase

**Design Professional:** Shafer Zahner Zahner

**General Contractor:** TBD

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

**Purpose/Justification:** The purpose of this request is to increase the project budget due to updated cost estimates.

**Project Scope:** This project will provide a roof replacement for the Herzer Building.

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

**Project Initiation Date:** March 17, 2022

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,000,000.00	\$ 1,100,000.00	\$ 100,000.00
Architectural and Engineering Fees	\$ 80,000.00	\$ 100,000.00	\$ 20,000.00
Miscellaneous Project Costs	\$ 20,000.00	\$ 40,000.00	\$ 20,000.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 100,000.00	\$ 60,000.00	\$ (40,000.00)
<b>Total Project Budget</b>	<b>\$ 1,200,000.00</b>	<b>\$ 1,300,000.00</b>	<b>\$ 100,000.00</b>

**Proposed Funding Source(s):** HB 1729, Laws of 2016 (\$737,971.70); SB 3002, Laws of 2022 (\$562,028.30)

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

**6. MSU – IHL 205-327 – RICE HALL RENOVATIONS**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$2,000,000 to \$3,000,000 for an increase in the amount of \$1,000,000. The funding sources for the project will not change.

**Current Project Phase:** Design Phase

**Design Professional:** Shafer Zahner Zahner

**General Contractor:** TBD

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**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

**Purpose/Justification:** The escalation in the project budget is required based on the design professional's latest design, updated, estimate of cost. Additional scope was identified related to restroom and ADA upgrades that require an increase in budget.

**Project Scope:** This project will involve interior renovations to multiple floors in Rice Hall to prepare space for academic department needs. Renovations include new flooring, paint, ceiling tile, lighting in existing rooms and common spaces along with renovations to existing restrooms and ADA upgrades as required.

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

**Project Initiation Date:** October 20, 2022

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,600,000.00	\$ 2,740,000.00	\$ 1,140,000.00
Architectural and Engineering Fees	\$ 100,000.00	\$ 178,758.00	\$ 78,758.00
Miscellaneous Project Costs	\$ 150,000.00	\$ 10,000.00	\$ (140,000.00)
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 150,000.00	\$ 71,242.00	\$ (78,758.00)
<b>Total Project Budget</b>	<b>\$ 2,000,000.00</b>	<b>\$ 3,000,000.00</b>	<b>\$ 1,000,000.00</b>

**Proposed Funding Source(s):** University Designated Funds (\$3,000,000)

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

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**7. UMMC – IHL 209-566 – PATIENT CARE UNITS EXPANSION**

**Project Request:** The University of Mississippi Medical Center is requesting approval to increase the budget from \$15,000,000 to \$23,730,000 for an increase in the amount of \$8,730,000. In addition, UMMC is requesting to modify the scope of the project. The funding source for the project will not change.

**Current Project Phase:** Design Phase

**Design Professional:** ESA Architects

**General Contractor:** TBD

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$5,000,000 per claim and \$7,000,000 aggregate.

**Purpose/Justification:** The escalation in the project budget is required based on the design professional's latest design, updated, estimate of cost. UMMC is also requesting a change in scope of the project.

**Project Scope:** In November 2022, the Board approved a scope to include the following: build-out the south wing of the 6th floor shell space in the Adult Tower for Med/Surg beds and provide final design only to build-out the 6th floor shell space in the Critical Care Tower for ICU beds.

In the course of the planning and design of this project, it has become evident that it will be in the best interest of UMMC to proceed with the construction of the 6th floor shell space in the Critical Care Tower for ICU beds in the same phase as the Med/Surg beds in the Adult Tower. This request is to change the ICU beds from design only to be included with construction of the Med/Surg beds as one phase.

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

**Project Initiation Date:** April 19, 2018

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**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 11,000,000.00	\$ 16,950,000.00	\$ 5,950,000.00
Architectural and Engineering Fees	\$ 1,050,000.00	\$ 1,200,000.00	\$ 150,000.00
Miscellaneous Project Costs	\$ 450,000.00	\$ 900,000.00	\$ 450,000.00
Furniture & Equipment Costs	\$ 1,700,000.00	\$ 3,130,000.00	\$ 1,430,000.00
Contingency	\$ 800,000.00	\$ 1,550,000.00	\$ 750,000.00
<b>Total Project Budget</b>	<b>\$ 15,000,000.00</b>	<b>\$ 23,730,000.00</b>	<b>\$ 8,730,000.00</b>

**Proposed Funding Source(s):** UMMC SSA Building Improvements – Patient Care Revenue (\$23,730,000)

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

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**8. MSU – APPROVAL OF CONSTRUCTION SERVICES MANAGER ADVISOR (CMA) AGREEMENT WITH HOAR PROGRAM MANAGEMENT, LLC**

**Agenda Item Request:** Mississippi State University requests approval to enter into an agreement with Hoar Program Management, LLC (HPM) for construction manager advisor services related to the New Residence Hall, IHL Project #205-328 (Project). Given the expedited schedule associated with a housing project and time being of the essence, MSU further requests approval to negotiate and incorporate supplemental and additional services that become necessary during the project and make other project required modifications to the contract as long as any supplementary or additional services remain within the project budget approved by the Board.

**Contractor's Legal Name:** Hoar Program Management, LLC

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**History of Contract:** This is a new contract. The Board approved the initiation of the Project via an Interim Board Approval Request on October 25, 2022.

**Specific Type of Contract:** This is a professional services contract for Construction Manager Adviser services (AIA AC132-2019 contract with supplemental conditions).

**Purpose:** MSU has elected to utilize a construction manager advisor on the Project.

**Scope of Work:** HPM will provide preconstruction services, which consists of program evaluation, budget development, constructability review, project phasing, coordination, scheduling, cost estimating and generation of bid packages for prime contractors. HPM will also provide construction phase services that include coordinating and managing construction of the project by a general contractor.

**Term of Contract:** The contract will commence upon execution and will expire one-year from the date of Substantial Completion of the Project.

**Termination Options:**

- MSU may terminate:
  - For convenience
  - If HPM fails to substantially perform in accordance with the Agreement.
- HPM May terminate if:
  - MSU fails to make payment in accordance with the agreement.
  - MSU suspends the Project for more than 90 days.
  - MSU fails to substantially perform in accordance with the Agreement

**Contract Amount:** HPM's services will be provided for a lump sum fee of \$467,682 for preconstruction services and \$2,386,625 for construction services. The fee is inclusive of all necessary office expenses, travel expenses, and management personnel to carry out the services.

**Funding Source for Contract:** University Designated Funds and EBC Bonds.

**Contractor Selection Process:** MSU utilized a two-step proposal (RFP) process. A committee short-listed vendors based on qualification submissions. After short-listing, interviews were held, and cost proposals were reviewed. The Committee ultimately scored HPM the highest.

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*Staff Recommendation: The Attorney General's Office has reviewed this item for compliance with applicable law and found to be acceptable. Board staff recommends approval of this item. The use of EBC Bonds are pending subject to the University meeting the requirements set forth in Board Policy §906, Educational Building Corporations.*

**9. UM – APPROVAL OF A SUBLEASE BETWEEN ST. ANTHONY CLUB MISSISSIPPI, INC. AND PI KAPPA PHI ALPHA LAMBDA HOUSING CORPORATION**

**Project Request:** The University of Mississippi (“UM”) requests the approval of a sublease (the “Sublease”) between Saint Anthony Club of Mississippi, Inc. (“Sublandlord”) and Pi Kappa Phi Alpha Lambda Housing Corporation (“Subtenant”) for the use of premises, currently leased to the Sublandlord by the Board of Trustees of Institutions of Higher Learning of the State of Mississippi (“IHL”), for a fraternity residential facility chapter house affiliated with the Pi Kappa Phi fraternity from August 1, 2023 through July 31, 2024.

**Purpose:** A sublease between the Gamma Iota of Pi Kappa Alpha Alumni House Corporation (“Pi Kappa Alpha”) and Sublandlord for use of premises, currently leased to Pi Kappa Alpha by the Board of Trustees of Institutions of Higher Learning of the State of Mississippi (“IHL”) (the “Pi Kappa Alpha premises”) was approved by the IHL Board at the February 2023 meeting. Sublandlord (Saint Anthony Club of Mississippi, Inc.) has requested because the Pi Kappa Alpha premises will provide more space for its members. Since Sublandlord intends to occupy the Pi Kappa Alpha premises (pending IHL approval), it seeks approval to sublease its current premises to Subtenant.

**Terms:** This is a sublease of a residential facility on fraternity lot #307 on the University of Mississippi’s Oxford campus. The primary lease between IHL/UM and the Sublandlord extends through March 31, 2052. The primary lease between the IHL/UM and Sublandlord imposes an annual \$50 lease payment to UM. The base rent under the Sublease is 12 equal payments of \$14,583.33 per month. There is a security deposit in the amount of \$20,000.

**Termination Options:** A termination of the Lease will terminate the Sublease. The Sublandlord may also terminate the Sublease for (i) failure of Subtenant to make any payment of rent; (ii) failure of Subtenant to observe or perform any other provision of the Sublease; (iii) abandonment of the premises; or (iv) the making by Subtenant of any general assignment or arrangement for the benefit of creditors or bankruptcy.

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**History:** On April 1, 2002, Sublandlord and the IHL/UM entered into a lease for fraternity house lot #307 on the University of Mississippi's Oxford campus for a term from April 1, 2002, through March 31, 2052.

***Staff Recommendation:*** *The Attorney General's Office has reviewed this item for compliance with applicable law and found to be acceptable. Board staff recommends approval of this item.*

**10. UM – DELETE FROM INVENTORY – OLE MISS SOFTBALL FIELD AND STANDS**

**Agenda Request:** The University of Mississippi requests approval to demolish the existing Ole Miss Softball Field & Stands and remove the property from inventory.

**Justification:** Demolition is required to construct a new Ole Miss Softball Complex in the same location. Existing field requires complete replacement to repair drainage issues. Existing stands and press box are deficient by current building code and ADA standards.

The project will construct a new softball stadium, complete with associated amenities (dugouts, seating, press box, restrooms, etc.) and renovate the existing indoor team facility, playing field, and concessions/restrooms building as budget permits. Stadium design will include coaches' offices, training/treatment space, team lounge, and locker rooms.

The approval letter has been received from the Mississippi Department of Archives and History stating the building is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the Office of Real Estate and Facilities. The University Mississippi is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

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



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**11. UMMC – IHL 209-576 – MS CENTER FOR MEDICALLY FRAGILE CHILDREN– APPROVAL OF EXTERIOR DESIGN**

**Project Request:** The University of Mississippi Medical Center requests approval of the exterior design for the front of the MS Center for Medically Fragile Children.

**Design Professional:** Eley | Barkley | Dale, A Joint Venture

**Purpose:** The University of Mississippi Medical Center is seeking approval of the exterior design.

**Project Scope:** This project will provide the first pediatric skilled nursing facility in the state of Mississippi. It will include patient rooms, support areas and outdoor space.

**Funding Source(s):** HB 1160, Laws of 2019 (\$12,500,000); HB 1730, Laws of 2020 (\$2,000,000); Children's of Mississippi Philanthropy (\$1,400,000)

The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

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

**Rendering: MS Center for Medically Fragile Children**



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1. **ASU – REQUEST FOR RETROACTIVE APPROVAL TO HIRE SUN SOVEREIGN, LLC d/b/a WARE|IMMIGRATION AS OUTSIDE COUNSEL**

Alcorn State University requests retroactive approval to enter into a contract with Sun Sovereign, LLC d/b/a Ware|Immigration as outside counsel to perform services necessary in preparing labor certification applications, immigration applications and petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status. The term of the agreement is one year and began on January 1, 2023 through December 31, 2023. The need for retroactive approval stems from the fact that Ware|Immigration was acquired by Sun Sovereign earlier this year, Sun Sovereign having informed ASU after the fact. The rates are set out in the fee schedule below. The maximum amount payable under the term of this agreement is \$20,000. This firm carries professional liability insurance in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000. This request is pending approval by the Office of the Attorney General.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

<b>H-1B petition</b>	<b>\$2500*</b>
<b>H-1B extension or amendment petitions (we handled original petition)</b>	<b>\$2500*</b>
<b>H-1B withdrawal</b>	<b>\$200</b>
<b>H-4 EAD (Employee may pay)</b>	<b>\$750</b>

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

<b>TN petition or border/consulate processing</b>	<b>\$2500</b>
<b>TN extension petition (we handled original)</b>	<b>\$2500</b>

<b>E-3 petition or consular processing</b>	<b>\$2500</b>
<b>E-3 extension petition (we handled original)</b>	<b>\$2500</b>

<b>O-1 petition</b>	<b>\$8000</b>
<b>O-1 extension or amendment petition (we handled original)</b>	<b>\$4000</b>
<b>O-1 additional rush fee if case needs to be filed w/in 60 days</b>	<b>\$2000</b>

<b>J-1 waiver (IGA or hardship)</b>	<b>\$8000</b>
<b>J-1 waiver (Conrad)</b>	<b>\$8000</b>
<b>J-1 waiver (no objection)</b>	<b>\$2000</b>

<b>I-539 Fee for Dependents (Employee may pay)</b>	<b>\$1000</b>
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**Permanent Residence Process with Labor Certification: Faculty**

Special Handling labor certification	\$3000
(If position must be readvertised)	\$2500
\$1500-2500	
Immigrant petition (I-140)	\$2500

**Permanent Residence Process with Labor Certification: Non-Faculty**

Labor certification	\$6000
Additional fee if audited	\$1500-
2500	
Additional fee if subject to supervised recruitment	\$3000
Immigrant petition	\$2500

**Permanent Residence Process: Extraordinary Ability/Outstanding Professors and Researchers and National Interest Waiver**

Immigrant petition	\$8000
EA, OP/OR, or NIW RFE or NOID: case by case determination up to	\$2500

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

Adjustment of status (AOS) and related applications	
(I-765, I-131, etc.), principal	\$2500
“Standalone” AOS and related applications, principal	\$3000
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1500
Adjustment of status of each child, concurrent with I 140	\$1000
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2000
“Standalone” adjustment of status, child	\$2000
I 485 J (standalone cases)	\$1500

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	\$ 750
Advance Parole Renewal per individual	\$ 750

**Marriage Based Permanent Residence**

Principal Applicant	\$4000
Each child, if any	\$2500

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**Other Services**

AR-11 Change of Address	\$150
Interview rescheduling	\$150
Biometrics rescheduling per person	\$150
Advisory Opinion	\$500
Expedite requests	\$500-750
Auto Revalidation Letter	\$200

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

Such matters will be billed at our hourly rates:

Partners	per hour billed	\$350
Associate Attorneys	per hour billed	\$250
Paralegals	per hour billed	\$150
Of Counsel Rate	per hour billed	\$450

**STAFF RECOMMENDATION:** Pending approval of the Attorney General, board staff recommends approval of this item.

2. **MSU – APPROVAL TO HIRE COPELAND, COOK, TAYLOR & BUSH AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Copeland, Cook, Taylor & Bush to perform services necessary in assisting the University with various intellectual property matters, specifically in the area of patents, analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements and other related intellectual property and commercialization issues. The term of the contract is one year beginning April 17, 2023. The hourly rates are \$250 for shareholders/of counsel attorneys, \$190 for associate attorneys and \$120 for paralegal services. The maximum amount payable under the term of the agreement is \$75,000. This firm carries professional liability insurance in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. This request has been approved by the Office of the Attorney General.

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

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3. **MSU – APPROVAL TO HIRE MENDELSON DUNLEAVY, P.C. AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Mendelsohn Dunleavy, P.C., to perform necessary in assisting the University with intellectual property matters, specifically in the area of software patents, analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements and other related intellectual property. The term of the contract is one year beginning May 1, 2023. The hourly rates are \$350 for partners, \$250 for associate attorneys, \$200 for U.S. Patent Agent Kristina Sanchez, and \$100 for paralegal services. The maximum amount payable under the term of the agreement is \$75,000. This firm carries professional liability insurance in the amount of \$1,000,000 per claim with an annual aggregate of \$3,000,000. This request has been approved by the Office of the Attorney General.

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

4. **MSU – APPROVAL TO HIRE SUN SOVEREIGN LLC d/b/a WARE|IMMIGRATION AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with Sun Sovereign, LLC d/b/a Ware|Immigration as outside counsel to provide services as necessary in preparing labor certification documents on behalf of the university for its employees who seek permanent residence status and related immigration matters. The term of the contract will be one year beginning March 21, 2023. Rates are set out in the fee schedule below. The maximum amount payable under the term of 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 approved by the Office of the Attorney General.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

<b>H-1B petition</b>	<b>\$2500*</b>
<b>H-1B extension or amendment petitions (we handled original petition)</b>	<b>\$2500*</b>
<b>H-1B withdrawal</b>	<b>\$200</b>
<b>H-4 EAD (Employee may pay)</b>	<b>\$750</b>

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

<b>TN petition or border/consulate processing</b>	<b>\$2500</b>
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<b>TN extension petition (we handled original)</b>	<b>\$2500</b>
<b>E-3 petition or consular processing</b>	<b>\$2500</b>
<b>E-3 extension petition (we handled original)</b>	<b>\$2500</b>
<b>O-1 petition</b>	<b>\$8000</b>
<b>O-1 extension or amendment petition (we handled original)</b>	<b>\$4000</b>
<b>O-1 additional rush fee if case needs to be filed w/in 60 days</b>	<b>\$2000</b>
<b>J-1 waiver (IGA or hardship)</b>	<b>\$8000</b>
<b>J-1 waiver (Conrad)</b>	<b>\$8000</b>
<b>J-1 waiver (no objection)</b>	<b>\$2000</b>
<b>I-539 Fee for Dependents (Employee may pay)</b>	<b>\$1000</b>
<b><u>Permanent Residence Process with Labor Certification: Faculty</u></b>	
<b>Special Handling labor certification</b>	<b>\$3000</b>
<b>(If position must be readvertised)</b>	<b>\$2500</b>
<b>\$1500-2500</b>	
<b>Immigrant petition (I-140)</b>	<b>\$2500</b>
<b><u>Permanent Residence Process with Labor Certification: Non-Faculty</u></b>	
<b>Labor certification</b>	<b>\$6000</b>
<b>Additional fee if audited</b>	<b>\$1500-</b>
<b>2500</b>	
<b>Additional fee if subject to supervised recruitment</b>	<b>\$3000</b>
<b>Immigrant petition</b>	<b>\$2500</b>
<b><u>Permanent Residence Process: Extraordinary Ability/Outstanding Professors and Researchers and National Interest Waiver</u></b>	
<b>Immigrant petition</b>	<b>\$8000</b>
<b>EA, OP/OR, or NIW RFE or NOID: case by case determination up to</b>	<b>\$2500</b>
<b><u>Adjustment of Status (any Employment-Based Permanent Residence Matter)</u></b>	
<b>Adjustment of status (AOS) and related applications</b>	
<b>(I-765, I-131, etc.), principal</b>	<b>\$2500</b>
<b>“Standalone” AOS and related applications, principal</b>	<b>\$3000</b>

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Adjustment of status and related applications, spouse, if together with principal application and I 140	<b>\$1500</b>
Adjustment of status of each child, concurrent with I 140	<b>\$1000</b>
“Standalone” adjustment of status, spouse (not concurrent with I-140)	<b>\$2000</b>
“Standalone” adjustment of status, child	<b>\$2000</b>
I 485 J (standalone cases)	<b>\$1500</b>

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	<b>\$ 750</b>
Advance Parole Renewal per individual	<b>\$ 750</b>

**Marriage Based Permanent Residence**

Principal Applicant	<b>\$4000</b>
Each child, if any	<b>\$2500</b>

**Other Services**

AR-11 Change of Address	<b>\$150</b>
Interview rescheduling	<b>\$150</b>
Biometrics rescheduling per person	<b>\$150</b>
Advisory Opinion	<b>\$500</b>
Expedite requests	<b>\$500-</b>
750	
Auto Revalidation Letter	<b>\$200</b>

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

Such matters will be billed at our hourly rates:

Partners	per hour billed	<b>\$350</b>
Associate Attorneys	per hour billed	<b>\$250</b>
Paralegals	per hour billed	<b>\$150</b>
Of Counsel Rate	per hour billed	<b>\$450</b>

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

5. **MSU – APPROVAL TO HIRE WEATHERLY IP SOLUTIONS, LLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Weatherly IP Solutions, LLC to perform services necessary in assisting the University

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with intellectual property matters, specifically in the area of patents, analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements and other related intellectual property. The term of the agreement is one year beginning March 24, 2023. The hourly rate is \$435 for partner, James Weatherly. The maximum amount payable under the term of this agreement is \$25,000. This firm carries professional liability insurance in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000. This request has been approved by the Office of the Attorney General.

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

6. **MVSU – APPROVAL TO HIRE ATTORNEY CAROL ARMSTRONG d/b/a ARMSTRONG LAW, LLC AS OUTSIDE COUNSEL**

Mississippi Valley State University requests approval to enter into a contract with Attorney Carol Armstrong d/b/a Armstrong Law, LLC to perform services necessary in preparing labor certification applications, immigration applications, immigration petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status. The term of the agreement is 10 months beginning April 1, 2023 through January 31, 2024. The rates are set out in the fee schedule below. The maximum amount payable under the term of this agreement is \$50,000. This firm carries professional liability insurance in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This request has been approved by the Office of the Attorney General.

**Summary of Legal Fees Effective February 1, 2023**  
**Mississippi Valley State University**

**Fixed Fee Matters Schedule**

<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>	

<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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<u><b>Type of Immigration Processing</b></u>	<u><b>Attorney's Fees<sup>1</sup></b></u>
"Special handling" labor certification for faculty (teaching positions only) – using original recruitment	\$2,500.00
"Special handling" labor certification for faculty (teaching positions only) – re-recruitment <sup>3</sup>	\$3,000.00
"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	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee (if filing concurrently)	\$1,500.00
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,500.00
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$2,000.00
Preparation for and attendance at USCIS interview	\$ 2,000.00
<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	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee (if filing concurrently)	\$1,500.00
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,500.00

<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.

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<u><b>Type of Immigration Processing</b></u>	<u><b>Attorney's Fees<sup>1</sup></b></u>
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$2,000.00
Preparation for and attendance at USCIS interview (includes mileage expense)	\$ 2,000.00
<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	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee (if filing concurrently)	\$1,500.00
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,500.00
"Standalone" Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$2,000.00
Preparation for and attendance at USCIS interview	\$ 2,000.00
<b>Temporary status (nonimmigrant) processing</b>	
H-1B "specialty occupation" petition (initial filing) <sup>6</sup>	\$2,250.00
H-1B "specialty occupation" petition (subsequent extensions or amendments to initial filing)	\$2,250.00
O-1 "extraordinary ability" petition (initial filing)	\$4,500.00
O-1 "extraordinary ability" petition (subsequent extensions or amendments to initial filing, if we handled original filing)	\$2,500.00
TN "NAFTA professional" petition (initial filing, including consular processing)	\$2,500.00
TN "NAFTA professional" petition (subsequent extensions or amendments to initial filing)	\$2,250.00

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

<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).

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<u><b>Type of Immigration Processing</b></u>	<u><b>Attorney's Fees<sup>1</sup></b></u>
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 I-539 Application (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary	\$ 750.00
Application for employment authorization of H-4 spouse (if qualified) when filed with I-539 Application and I-129 Petition	\$ 750.00

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

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**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Sabbatical**

**Mississippi University for Women**

- Chanley Rainey; Associate Professor of Political Science; \$58,477 per annum; pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 9, 2023 to December 31, 2023; professional development.

**Mississippi State University**

- Bradley D. Brazzeal; Professor of General Library; *from* salary of \$89,415.00 per annum, pro rata; E&G Funds; 12-month contract; *to* salary of \$33,530.63 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Reuben F. Burch, V; Associate Professor of Industrial and Systems Engineering; *from* salary of \$138,734.00 per annum, pro rata; E&G & Restricted Funds; 9-month contract; *to* salary of \$69,367.00 for sabbatical period; E&G & Restricted Funds; effective August 16, 2023, to December 31, 2023; professional development
- Chih C. Chen; Associate Professor of Kinesiology; *from* salary of \$76,230.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$38,115.00 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Yang Cheng; Associate Professor of Aerospace Engineering; *from* salary of \$109,200.00 per annum, pro rata; E&G and Restricted funds; 9-month contract; *to* salary of \$54,600.00 for sabbatical period; E&G and Restricted funds; effective August 16, 2023 to May 15, 2024; professional development
- Xin Cui; Associate Professor of Chemistry; *from* salary of \$89,694.00 per annum, pro rata; E&G & Designated Funds; 9-month contract; *to* salary of \$44,847.00 for sabbatical period; E&G & Designated Funds; effective August 16, 2023, to December 31, 2023; professional development
- Peter G. De Gabriele; Associate Professor of English; *from* salary of \$67,117.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$33,558.50 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Lamiaa El Fassi; Associate Professor of Physics & Astronomy; *from* salary of \$85,700.00 per annum, pro rata; E&G and Designated Funds; 9-month contract; *to* salary of \$42,850.00 for sabbatical period; E&G and Designated Funds; effective August 16, 2023, to December 31, 2023; professional development
- Yong Fu; Professor of Electrical and Computer Engineering; *from* salary of \$150,057.00 per annum, pro rata; E&G and Restricted funds; 9-month contract; *to* salary of \$75,028.50 for sabbatical period; E&G and Restricted funds; effective August 16, 2023 to December 31, 2023; professional development

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- Claire A. Gipson; Associate Professor of Art; *from* salary of \$72,116.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$36,058.00 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Sally H. Gray; Associate Professor of Classical & Modern Languages & Literature; *from* salary of \$64,576.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$32,288.00 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Cassie L. Hester; Associate Professor of Art; *from* salary of \$74,906.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$37,453.00 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Megan E. Holmes; Associate Professor of Kinesiology; *from* salary of \$75,901.000 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$37,950.50 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Andrew F. Jarosz; Associate Professor of Psychology; *from* salary of \$82,602.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$41,301.00 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Shien Lu; Professor of Biochemistry, Molecular Biology, Entomology & Plant Pathology *from* salary of \$108,437.00 per annum, pro rata; E&G Funds; 12-month contract; *to* salary of \$40,633.88 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Kelly A Marsh; Professor of English; *from* salary of \$81,704.00 per annum, pro rata; E&G & Designated Funds; 9-month contract; *to* salary of \$40,852.00 for sabbatical period; E&G & Designated Funds; effective August 16, 2023, to May 15, 2024; professional development
- Thessalia Merivaki; Assistant Professor of Political Science & Public Administration; *from* salary of \$70,285.00 per annum, pro rata; E&G Funds; 12 -month contract; *to* salary of \$35,142.50 for sabbatical period; E&G Funds; effective August 16, 2023, to May 15, 2024; professional development
- Mark A. Novotny; Professor of Physics & Astronomy; *from* salary of \$193,752.00 per annum, pro rata; E&G Funds; 12-month contract; *to* salary of \$72,657.00 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Bonnie C. O'Neill; Associate Professor of English; *from* salary of \$67,789.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$33,894.50 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
- Michael S. Pratte; Associate Professor of Psychology; *from* salary of \$83,715.00 per annum, pro rata; E&G & Designated Funds; 9-month contract; *to* salary of \$41,857.50 for

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sabbatical period; E&G & Designated Funds; effective August 16, 2023, to December 31, 2023; professional development

- Mohsen Razzaghi; Professor of Mathematics & Statistics; *from* salary of \$212,688.00 per annum, pro rata; E&G & Designated Funds; 12-month contract; *to* salary of \$79,758.00 for sabbatical period; E&G & Designated Funds; effective August 16, 2023, to December 31, 2023; professional development
- Gautam Rupak; Professor of Physics & Astronomy; *from* salary of \$96,950.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$48,475.00 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Megan C. Smith; Associate Professor of English; *from* salary of \$67,681.00 per annum, pro rata; E&G & Designated Funds; 9-month contract; *to* salary of \$33,840.50 for sabbatical period; E&G & Designated Funds; effective August 16, 2023, to December 31, 2023; professional development
- Travis C. Wiseman; Associate Clinical Professor of Finance & Economics; *from* salary of \$95,989.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$47,994.50 for sabbatical period; E&G Funds; effective January 1, 2024, to May 15, 2024; professional development
- Xiangsheng Xu; Professor of Mathematics & Statistics; *from* salary of \$110,335.00 per annum, pro rata; E&G & Designated Funds; 9-month contract; *to* salary of \$55,167.50 for sabbatical period; E&G & Designated Funds; effective August 16, 2023, to December 31, 2023; professional development

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1. **DSU – APPROVAL TO AWARD TWO HONORARY DEGREES**

The university requests approval to bestow two honorary degrees at its May 2023 commencement ceremony. Supporting documents are on file at the Board Office.

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

2. **MSU – APPROVAL TO AWARD TWO HONORARY DEGREES**

The university requests approval to bestow two honorary degrees at its 2023 commencement ceremonies. Supporting documents are on file at the Board Office.

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

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1. **UM – REQUEST TO ADD A NEW CENTER**

In accordance with Board policy 502 and the approved Academic Guidelines for establishing and modifying institutes and centers, the University of Mississippi requests approval for the creation of a new center.

*Institute Title:* **National Center for School-University Partnerships**

*Unit Location:* School of Education

*Scope:* Extensive Scope and Outreach

*Type:* Type 1 (Academic, Teaching, or Research)

*Effective Date:* July 2023

*Total number of current faculty/ Total number of new faculty:* 1/0

*Total number of current staff/ Total number of new staff:* 1/1

*Anticipated annual cost:* \$281,000

*Five-year cost of implementation:* \$1,437,768

*Five-year projected revenue:* \$1,425,000

*Funding source:* \$2,500 membership fee per School-University partnership

*Purpose:* Among the commitments of the Carnegie Foundation for the Advancement of Teaching (CFAT) is the use of improvement science by networked communities to improve teaching and learning. The CFAT-sponsored Improvement Leadership Education and Development (iLEAD) network is a decade old and is comprised of 11 active university-district partnerships across the country committed to the use of improvement science to develop leaders, address local problems of educational practice, and promote equitable educational opportunities and outcomes for all students.

The National Center for School-University Partnerships (NCSUP) is proposed to become the organizational home for the Carnegie-established iLead network. NCSUP will set policy, plan, and coordinate programs and activities across the improvement networks of school district-university partnerships across the country. NCSUP will enhance school-university partnerships by disseminating and using improvement science techniques to build the problem-solving capacity and capabilities of school district leaders and the research capabilities of college and university faculty to improve student outcomes in P-12 schools so that more of Mississippi's students are well-prepared for college and career.

The existing school-university partnerships who have made commitments to support the Center through membership fees include:

1. Avondale School District and Arizona State University
2. Chesterfield County Public Schools and the University of Virginia



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3. Chicago Public Schools and the University of Illinois, Chicago
4. Denver Public Schools and the University of Denver
5. Fairfax County Public Schools and George Mason University
6. Florence 1 Schools and the University of South Carolina
7. High Tech High's Graduate School of Education and the High Tech High Network
8. New York Districts and Fordham University
9. Oxford School District and the University of Mississippi
10. Portland Public Schools and Portland State University
11. Prince George's County Public Schools and the University of Maryland

NCSUP initiatives are also intended to reach the school's graduate students (numbering 693 in the fall of 2021- 2022) who are often employed as teachers, counselors, principals in these same schools and districts in Mississippi and beyond. NCSUP's focus on school-university partnerships gives unique synergistic opportunities for the engagement of UM School of Education graduate students, for example, who are enrolled in doctoral programs that participate in the Carnegie Project on the Education Doctorate (CPED). CPED doctoral programs also require students to use improvement science models and techniques for conducting practice-oriented dissertation research whereby scholar-professionals endeavor to improve P-12 student learning in the very communities where they live and work.

The iLEAD network will be supported by the Carnegie Foundation through Summer 2023. Thereafter, NCSUP will become the home of the iLead network beginning Fall 2023. Each participating institution or P-12 School will become NCSUP members through a \$2,500 annual membership fee. Surveys have been conducted by the CFAT to determine the viability of this membership fee. Commitment has been received from 11 current partnerships or 22 participants. In addition, initial recruiting for the concept has secured support from Baylor University and 3 school districts in Mississippi. The goal is to start NCSUP with 60 participants providing a \$150,000 start-up in fall 2023. In addition, NCSUP will recruit 30 new partnerships for fall 2024 (\$225,000 ) and a minimum of 25 additional participants annually for years 3-5.

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

2. **MSU – REQUEST TO ADD NEW ACADEMIC DEGREE PROGRAMS**

Board Policy 502: New Academic Programs and Units states: “Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.”

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In accordance with Board Policy 502, Mississippi State University requests to establish new academic degree programs.

**A. Bachelor of Music Performance (BMP)**

*CIP code:* 50.0903

*Total credit hours:* 120

*Effective date:* August 2023

*Incremental, five-year cost of implementation:* \$295,000

*Potential five -year, new revenue:* \$2,068,000

*Unit where academic program will be housed:* Department of Music

*Number of students expected to enroll in first five years:* 145

*Number of students expected to graduate in first five years:* 45

*Program description:* MSU is requesting the addition of the Bachelor of Music with a major in Performance, with four concentrations (Guitar, Instrumental, Keyboard, Vocal). This degree is designed to build upon the existing Bachelor of Music Education (BME) and Bachelor of Arts (BA) in Music curricula, adding needed advanced performance, literature, and pedagogy courses. The proposed Bachelor of Music in Performance degree will prepare students to work independently towards performance at the highest possible level; to possess knowledge of applicable solo and ensemble literature; and to gain experience with the fundamentals of music pedagogy.

MSU already has the faculty and capital resources required to implement the degree immediately without extra cost to the institution. With the opening of a new state of the art music building complex in Fall 2022, the MSU Department of Music is in a very strong position to recruit the best and brightest students from Mississippi and the Southeastern region and to serve as a leading institution of education and performance in music.

*Institution(s) offering similar program(s):* Alcorn State University, Delta State University, Jackson State University, University of Mississippi, University of Southern Mississippi, Belhaven University, Mississippi College, and William Carey University

Of the 14 SEC universities, Mississippi State University is the only large Research-1 institution that does not currently offer this standard comprehensive studies degree for music.

*Average wages:* It is relatively common practice for students who major in performance to teach in a public school. Music teachers in Mississippi public schools make an average salary of \$40-60k. For music performance majors, the salaries were wider in range -although many reported starting annual incomes in the \$20,000 area, some did make more than \$60,000.

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**B. Bachelor of Science (BS) in Healthcare Administration**

*CIP code:* 51.0701

*Total credit hours:* 120-121

*Effective date:* August 2023

*Incremental, five-year cost of implementation:* \$1,664,913

*Potential five -year, new revenue:* \$1,084,776

*Unit where academic program will be housed:* Division of Academic Affairs

*Number of students expected to enroll in first five years:* 72

*Number of students expected to graduate in first five years:* 35

*Program description:* MSU is requesting the creation of the Bachelor of Sciences in Health Administration Program to be housed on MSU's Riley Campus in Meridian. This degree program will prepare graduates to work in a wide variety of settings including hospitals, private medical practices, long-term care facilities, pharmaceutical agencies, insurance companies, and medical equipment manufacturers. Their specialized education will equip graduates with the skills and knowledge needed to successfully navigate healthcare finance, healthcare law, and the specialized healthcare regulatory environment, to manage smaller group practices, and to work in mid-level positions in larger organizations such as hospitals, long-term facilities, and health systems.

This program will build upon existing faculty resources and a strong Meridian healthcare community to prepare healthcare administrators to meet the needs of the region and state. MSU is seeking approval for both in-person and online instruction delivery of the degree program.

*Institution(s) offering similar program(s):* Delta State University (BBA), Jackson State University, University of Mississippi Medical Center (online only), Belhaven University

*National and state supply and demand:* These graduates will help meet critical state and regional needs for medical and health services managers. The U.S. Bureau of Labor Statistics projects the creation of 136,200 new jobs for medical and health services managers, a 28% increase, between 2021 and 2031. Similarly, Mississippi projects a 17.9% increase with 330 new positions created annually.

*Average wages:* The average annual salary for healthcare administrators in Mississippi is \$94,270.

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**C. Master of Science (MS) in Student Affairs and Educational Leadership**

*CIP code:* 13.0406

*Total credit hours:* 39

*Effective date:* July 2023

*Incremental, five-year cost of implementation:* \$0

*Potential five-year, new revenue:* N/A

*Unit where academic program will be housed:* College of Education; Department of Counseling, Higher Education Leadership, Educational Psychology, and Foundations

*Number of students expected to enroll in first five years:* 93

*Number of students expected to graduate in first five years:* 75

*Program description:* MSU requests the creation of the Master of Science (M.S.) degree in Student Affairs & Higher Education. This curriculum exists currently as a concentration area under the M.S. in Educational Leadership. This degree program engages a theory-practice pedagogy to prepare students for positions of management, leadership, and administration in higher education and higher education-adjacent organizations with a particular emphasis on the college student experience and services related to supporting college student success. With some college-level reorganization, this existing curriculum is being pulled out to be a stand-alone degree area.

*Institution(s) offering similar program(s):* University of Mississippi – MA in Higher Education – Student Personnel; University of Southern Mississippi – MEd in Higher Education – Student Affairs

*National and state supply and demand:* Graduates will have the option to pursue positions at universities or community colleges that require leadership credentials. Employment of postsecondary education administrators is projected to grow 7 percent from 2021 to 2031. About 17,600 openings for postsecondary education administrators are projected each year, on average, over the decade.

*Average wages:* \$94k nationally (source: Bureau of Labor Statistics, 2019)

**D. Doctor of Psychology (PsyD) in Combined Health Service Psychology**

*CIP code:* 42.2813

*Total credit hours:* 91

*Effective date:* August 2023

*Incremental, five-year cost of implementation:* \$1,223,498 (Totally funded by donations of the Riley Foundation, Phil Hardin Foundation, and Broadway Foundation)

*Potential five -year, new revenue:* \$1,033,408

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*Unit where academic program will be housed:* Division of Education (Meridian Campus)

*Number of students expected to enroll in first five years:* 34

*Number of students expected to graduate in first five years:* 17

*Program description:* MSU requests the creation of the PsyD degree in Combined Health Service Psychology to be housed on the Meridian campus. This degree program will focus on providing health service training for students seeking a graduate degree who wish to become practicing psychologists. Upon successful completion of the program, students will possess the skills necessary to provide psychological health services to diverse populations in a variety of applied settings (e.g., in-patient and out-patient medical settings, non-profit organizations, government agencies, private companies, educational settings) and promote health, prevent illness, and improve health care through healthy choices. Students will complete course work in foundational profession-wide psychology and discipline-specific psychology, problem-solving to address psychological needs of diverse clientele, and application of research design, data collection, and analysis techniques culminating in a capstone project. The curriculum is designed with academic and experiential components to ensure alignment with requirements of the American Psychological Association (APA), APA's Commission on Accreditation (CoA), and the National Association of School Psychologists (NASP) Program Approval Board (School Psychology concentration only) and lead to licensure/credentials in the appropriate concentration. Students in the Combined Health Service Psychology PsyD should expect to develop critical thinking and application skills to prepare them to complete a year-long internship as part of their curricular requirements. This internship, completed under supervision of licensed professionals, will allow students to further develop their knowledge and skills in health service psychological provision to address the needs of a variety of individuals.

The PsyD in Combined Health Service Psychology degree will require 91 credit hours across a minimum of 3 full-time academic years of graduate study (or the equivalent thereof) and completion of an internship prior to awarding the doctoral degree. Students may choose from the following concentrations: (a) Clinical Psychology with a focus on the science of psychology to treat of complex human problems and mental disorders; (b) Counseling Psychology with a focus on facilitating personal and interpersonal functioning across the lifespan; or (c) School Psychology with a focus on work in schools and related systems of care to support the behavioral/mental health and educational success of children, youth, and their caregivers. Additionally, students will be able to, with assistance of their advisor, select course work that focuses on the following areas: (a) children, youth, and family, (b) school law, (c) abuse (substance and sexual), (d) clinical populations across the age span, and (e) work force issues. The program faculty will work to form practica and internship experiences in a variety of psychological health service settings including medial settings,

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prison facilities, school districts and post-secondary settings, military bases, and other private agencies providing psychological health services within Mississippi. At least 2 of the 3 academic training years (or the equivalent thereof) must be at Mississippi State University, and at least one year of which must be in full-time residence (or the equivalent) at Mississippi State University.

*Institution(s) offering similar program(s):* University of Southern Mississippi offers the PhD in Clinical Psychology which is similar in some aspects; however, the degree at USM is intended to generate scientists and academics whereas the degree at MSU is a practitioner degree.

*National and state supply and demand:* Shortages in health service psychologists (i.e., clinical, counseling, school psychology) are well documented with shortages worsening post-Covid (APA, 2021). One in five individuals had a mental health disorder pre-COVID (AAMC) and more than 150 million people lived in designated mental health professional shortage areas. A 2021 survey of APA members reported "increased workloads, longer waitlists, and low capacity for new patients." Post-COVID brought an increased demand for psychological service particularly among White, Asian, and multi-racial populations, and adolescents, adults, and older adults.

East-central Mississippi has been designated a shortage area in mental health by the Health Resources and Services Administration (HRSA, 2022) Work Force based on the following criteria:

- Population-to-Provider Ratio
- Percent of population below 100% Federal Poverty Level
- Elderly Ratio (percent of people over age 65)
- Youth Ratio (percent of people under age 18)
- Alcohol Abuse Prevalence
- Substance Abuse Prevalence
- Travel time to Nearest Source of Care (NSC) outside the HPSA designation area

Available services to children are also bleak. Despite a recommended 1:500 school psychologist to school children ratio (2020 Standards of NASP), in Mississippi that ratio is 1:9,376 school children with no foreseeable improvement, as there were only 8 school psychologists in Mississippi graduating in 2021. Alabama fares much worse with a ratio of 1:367,000 and no graduates in 2021 (NASP, 2022).

*Average wages:* Currently, the Mississippi Department of Employment Securities employment growth projections through 2028 show increases ranging from 10-21% for licensed psychologists, school psychologists, and clinical mental health, school, and

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rehabilitation counselors, etc. These data are further supported by the U.S. Bureau of Labor Statistics Occupational Outlook Handbook, which estimates demand for each of these related fields to grow as fast as average to much-faster-than-average through 2030. Additionally, with the shortages of mental health care providers across all areas of training in the Combined Health Service Psychology PsyD program cited above, the employment outlook for graduates of the program is bright and likely to be so for the foreseeable future.

It is important to note that in the state of Mississippi and most (if not all) states, the PsyD degree comes with the same licensure and practice power as a PhD in Clinical and School Psychology. Finally, Meridian and surrounding areas have a unique opportunity with numerous mental health hospitals, residential facilities, and private practices located nearby. This will allow graduates who are place bound to the Meridian area to take advantage of employment at these facilities without the major inconvenience of relocation. However, if graduates do desire to expand their employment opportunities, there are shortage areas across the southeast stretching from Texas to Georgia.

**STAFF RECOMMENDATION: Board staff recommends approval of these items.**

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**1. USM – INTENT TO OFFER EXISTING DEGREE PROGRAMS BY DISTANCE LEARNING**

*Board Policy 509 states: “All distance learning courses and programs shall be in accord with Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC) Principles of Accreditation and Council of Regional Accrediting Commissions Interregional Guidelines for the Evaluation of Distance Education.*

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

In accordance with Board policy, the intent to offer already approved degree programs by distance learning is presented to the Board for information.

**A. Certificate Program in Criminal Justice**

Total credit hours: 15

CIP Code, Sequence: 43.0104, 8042

Cost to offer by distance learning: Offset by online course fees

Effective date: January 2023

**B. Master of Education (MEd) in Dyslexia Therapy Education**

Total credit hours: 30

CIP Code, Sequence: 13.1011, 4565

Cost to offer by distance learning: Offset by online course fees

Effective date: May 2023

**STAFF RECOMMENDATION: Board staff recommends these items be accepted as information.**



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1. **MSU – MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH JAGGAER, INC**

**Agenda Item Request:** Mississippi State University has requested approval from MDITS to enter into a software and services contract with **Jaggaer, Inc.** to provide software, maintenance and services for a total E-procurement source-to-pay package to include vendor on-boarding and maintenance, solicitation and award, contract lifecycle management, catalog ordering, receiving and payment by utilizing Mississippi's purchasing agreement with the National Association of State Procurement Officials (NASPO).

**Contractor's Legal Name:** Jaggaer, Inc.

**History of Contract:** This is a new contract for MSU.

**Specific Type of Contract:** Software, maintenance and services contract which is being entered into pursuant to Mississippi's purchasing agreement with the National Association of State Procurement Officials (NASPO). Pursuant to that contract, MSU can obtain the services at a substantially reduced and pre-negotiated rate.

**Purpose:** This contract will upgrade the entire procurement and contracting operation by using a comprehensive suite of solutions that automate the end-to-end source-to-pay process.

**Scope of Work:** Contractor will provide a software solution to include maintenance, upgrades, integration with Banner and all aspects of providing a working procure-to-pay environment for the term of the agreement. The product provides a single source of all data related to spend, contracts and supplier performance. Managing all spend, the platform serves as a central data repository, preventing duplication and manual data handling between process, thereby ensuring consistent and accurate reporting and analytics.

**Term of Contract:** March 31, 2023 to March 30, 2033.

**Contract Amount:** The cost of the agreement will be \$6,476,601 over the term of the contract. MSU requested authority to spend not more than \$7,076,601 as it is typical to have unknown costs develop during a contract term of this length. Typically, this comes in the area of additional modules that further enhance the overall use and function of the product.

**Funding Source for Contract:** General fund

**Termination Options:** Either party can terminate upon breach by the other party. MSU may terminate if funding is not approved. MSU may also terminate after year 6 by paying a total termination fee of \$200,000.

**Contractor Selection Process:** MSU researched the market of e-procurement providers, seeking a complete end-to-end product from a vendor that had multiple Higher Education

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users with a Banner integration. After much research, Jaggaer was the only solution that met this requirement. Jaggaer is on the NASPO Cooperative contract.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE `  
FEBRUARY 16, 2023 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.

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**ALCORN STATE UNIVERSITY**

**1. ASU- GS #101-324 – CAMPUS EXTERIOR LIGHTING IMPROVEMENTS**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Schultz & Wynne

Approval Status & Date: APPROVED, February 23, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 23, 2023

Project Initiation Date: January 21, 2021

Design Professional: Schultz & Wynne

General Contractor: TBD

Total Project Budget: \$2,250,000.00

**DELTA STATE UNIVERSITY**

**2. DSU- GS #102-271 – NURSING SCHOOL EXPANSION AND RENOVATION**

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

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$42,021.94 and ten (10) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, February 13, 2023

Change Order Description: Change Order #4 includes the following: credit issued for leaving the existing brick & staining it to match the new brick that will be installed on the

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additions; credit to omit fixed seminar tables in a classroom, to omit two courses of CMU block around the entire new addition reducing the elevation of the foundation, to swap roofing material from an architectural shingle to a 3-tab shingle to match shingle color on existing roofs; changed the roofing scope of work; removed the existing concrete foundation under the new addition; credit to omit the building plaque in lieu of a future name on the building; and ten (10) days to the contract.

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

Total Project Change Orders and Amount: Four (4 change orders for a total amount of \$407,338.38.

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects

General Contractor: Richard Womack Construction, LLC

Total Project Budget: \$11,875,000.00

## **MISSISSIPPI STATE UNIVERSITY**

### **3. MSU- IHL #205-283 – ADDITION AND RENOVATION TO HUMPHREY COLISEUM**

#### **Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$495,043.49 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, February 6, 2023

Change Order Description: Change Order #4 includes the following items: removed subsurface obstructions; replaced galvanized water piping at the west concourse level; installed temporary electrical power for air handling units and relief fans; installed additional steel at cross-isle extensions and new stairs; installed phase II fire alarm system; installed additional site utilities to accommodate rerouting of new utilities; modifications to piping design and run in conflict with new expansion joint on low roofs of new structures; installed new weather-proof electrical boxes to replace existing boxes on Long Tall Storage; storage box locations raised to roof of Long Tall Storage and rotated 180 degrees for access from Long Tall Storage to include broadcast fiber to Dudy

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Noble & data fiber to Humphrey Coliseum terminating in the IDF behind the press conference room; omitted the frosted glass at the Sideline Club; installed new electrical panels and a transformer in another location to provide adequate room for the chillers to be removed & replaced; an alternate location for relocating existing compressor(s) for the pneumatic system, to include piping and electrical power for the compressors & pneumatic system; and installed a new below grade pull box to reroute the existing electrical power feeding the exterior pole lighting at the parking lot areas.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$1,215,475.22.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

**4. MSU- IHL #205-298 - REBID CRESSWELL RECARPET AND REPAINT**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer Zahner Zahner

Approval Status & Date: APPROVED, February 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 13, 2023

Project Initiation Date: December 5, 2019

Design Professional: Shafer Zahner Zahner

General Contractor: TBD

Total Project Budget: \$1,474,782.00

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**5. MSU- IHL #205-312 – LAKEVIEW DRIVE RELOCATION**

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

Board staff approved Change Order #2 in the credit amount of \$43,149.62 and ten (10) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, February 15, 2023

Change Order Description: Change Order #2 includes the following: relocated water services at the RV pedestals; provided an additional stop sign on the south side of the westbound lane at the Bailey Howell and Lakeview Drive intersection; reinstalled the existing stop sign to align with the new stop bar location on the northbound lane of the Bailey Howell and Lakeview Drive intersection; added the cross traffic caution signage at the northbound stop sign at the raised table intersection; credit for striping removal no longer required and to remove the stair section from the plans in the phase 2 work not required; paint in lieu of thermoplastic striping at the raised table intersection; reinstalled existing RV pedestals in lieu of replacement; added an in-line drain at a low point on the south side of the Templeton Building; added a bike rack pad in front of the Templeton Building; re-routed the electrical circuit to refeed lights on the east side of west side of the new Lakeview drive location; and ten days to the contract.

Change Order Justification: These changes were due to user/owner requested modifications and weather-related delays for work as noted herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$727,406.87.

Project Initiation Date: May 20, 2021

Design Professional: Smithers Engineers and Consultants, LLC

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$3,700,000.00

**6. MSU- IHL #205-324 – HERZER ROOF REPLACEMENT**

**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 February 6, 2023 to approve the budget increase from \$1,200,000.00 to \$1,300,000.00 an increase of \$100,000.00 for the Herzer Roof Replacement project.

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Approval Status & Date: APPROVED, February 6, 2023

Project Initiation Date: April 21, 2022

Design Professional: Shafer Zahner Zahner

General Contractor: TBD

Total Project Budget: \$1,300,000.00

**7. MSU- IHL #205-333 - SUMMER PAVING 2023**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Neel-Schaffer

Approval Status & Date: APPROVED, February 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 13, 2023

Project Initiation Date: October 20, 2022

Design Professional: Neel-Schaffer

General Contractor: TBD

Total Project Budget: \$2,500,000.00

**8. MSU- IHL #213-145 – AQUATIC FOOD RESEARCH CENTER**

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

Board staff approved the Schematic Design Documents as submitted by McCarty Architects P.A.

Approval Status & Date: APPROVED, February 3, 2023

Project Initiation Date: November 19, 2020

Design Professional: McCarty Architects P.A.

General Contractor: TBD

Total Project Budget: \$7,000,000.00



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**9. MSU- IHL #405-001 – MUSIC BUILDING RE-BID**

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

Board staff approved Change Order #9 in the amount of \$15,249.00 and zero (0) additional days to the contract of Mac's Construction Company, Inc.

Approval Status & Date: APPROVED, February 22, 2023

Change Order Description: Change Order #9 includes the following: installed downspout extensions at canopy B support brackets; installed conductor head and downspout; and installed planiseal plug at the basement floor slab cracks.

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

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$580,973.09.

Project Initiation Date: February 18, 2021

Design Professional: Allred Stolarski Architects

General Contractor: Mac's Construction Company, Inc.

Total Project Budget: \$21,000,000.00

**10. APPROVAL MSU TIMBER SALES 23-03PTP, 23-UV03129, 23-UV01073**

MSU requests approval of three (3) timber sales at the John W. Starr Memorial Forest. There are three parcels of land in the John W. Starr Memorial Forest totaling 379 acres in three separate parcels. Each parcel will be bid separately, not expected to exceed \$500,000.00. The timber is being sold to generate revenue while properly managing institutional forest land assets. The successful bidders will cut and remove all merchantable timber on the property as directed by MSU.

Approval Status & Date: APPROVED, February 10, 2023

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**UNIVERSITY OF MISSISSIPPI**

**11. UM- IHL #207-485 JAC - CENTER FOR GRAPHENE RESEARCH  
RENOVATION**

**Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, February 8, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 8, 2023

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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

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

Board staff approved Change Order #1 in the credit amount of \$1,277,386.16 and fourteen (14) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, February 15, 2023

Change Order Description: Change Order #1 includes the following: changed the anodized aluminum finish curtain wall and sunshade aluminum finish to 2-coat Mica paint finish; changes in foundation to install underground electrical; added acid waste pit; added liquid flashing into window opening; relocated a French drain; allowance for building controls; added access to control equipment; changed the clean agent fire extinguisher system; installed eighteen (18) 30-amp 2-pole breakers and #10 wire in lieu

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of #12 wire; added a beam at X & Y steel at west stairs; added a fourth side to the ceiling enclosure to hide fume hoods; and fourteen (14) 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; latent jobsite conditions; user/owner requested modifications and days for work as indicated herein.

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

Board staff approved Change Order #2 in the amount of \$492,080.21 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, February 24, 2023

Change Order Description: Change Order #2 includes the following: revised the door hardware; additional bracing done for window washer davits; added multiple receptacles, raceways and power/data; added hardwood at the grand stair; factory finish on the interior atrium rails; upsized the top bar on the railing; provided specialty audio visual boxes; an additional layer of sheetrock for the tv boxes; added door caps to the interior aluminum doors for differing wall thicknesses in rated walls; additional framing/drywall to accommodate an eye wash sink; corrected the electrical box and blocking conflict; installed ADA ramps from Shoemaker Hall and Faser Hall to the Walk of Champions; and replaced the clear glass with spandrel glass on the south face of the penthouse..

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

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of \$785,305.95.

Project Initiation Date: February 18, 2021

Design Professional: McCarty Architects

General Contractor: W.G Yates & Sons Construction Company

Phased Project Budget: \$785,305.95

Total Project Budget: \$175,200,000.00

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**13. UMMC- IHL #209-576 – MS CENTER FOR MEDICALLY FRAGILE CHILDREN**

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

Board staff approved the Design Development Documents as submitted by Eley/Barkley/Dale, A Joint Venture.

Approval Status & Date: APPROVED, February 22, 2023

Project Initiation Date: October 2, 2021

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

General Contractor: TBD

Total Project Budget: \$15,900,000.00

**14. UMMC - IHL #209-584 – FEMALE FACULTY SURGERY LOUNGE**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers P.A.

Approval Status & Date: APPROVED, February 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 13, 2023

Project Initiation Date: August 18, 2022

Design Professional: Cooke Douglass Farr Lemons, Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$1,500,000.00

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**15. UMMC- IHL #409-002 – NEW BOILER ROOM**

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

Board staff approved the Design Development Documents as submitted by Dean Architecture.

Approval Status & Date: APPROVED, February 20, 2023

Project Initiation Date: October 2, 2021

Design Professional: Dean Architecture

General Contractor: TBD

Total Project Budget: \$6,407,376.00

**UNIVERSITY OF SOUTHERN MISSISSIPPI**

**16. USM- GS #108-300 – HICKMAN HALL RENOATION**

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

**Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, February 17, 2023

Project Initiation Date: May 20, 2021

Design Professional: Burriss Wagnon Architects, P.A.

General Contractor: TBD

Total Project Budget: \$11,350,000.00

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

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/1/23 and 2/10/23) from the funds of Alcorn State University. (These statements, in the amounts of \$460.00 and \$960.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 1,420.00**

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 11/14/22, 12/14/22, 1/18/23 and 1/18/23) from the funds of Mississippi State University. (These statements, in the amounts of \$300.00, \$825.00, \$1,125.00 and \$75.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,325.00**

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 12/20/22 and 1/13/23) from the funds of Mississippi State University. (These statements, in the amounts of \$1,584.00 and \$2,507.00, respectively, represent services and expenses in connection with general legal advice.) \*Note: The 12/20/22 statement in the amount of \$1,584.00 was incorrectly reported on the February agenda as a USM item.

**TOTAL DUE.....\$ 4,091.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 1/1/23, 1/1/23 and 2/1/23) from the funds of Mississippi State University. (These statements, in the amounts of \$537.00, \$2,500.00 and \$250.00, respectively, represent services and expenses in connection with immigration/labor certification matters matters.)

**TOTAL DUE.....\$ 3,287.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 1/27/23) from the funds of the University of Mississippi. (This statement, in the amount of \$413.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 413.00**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 2/6/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,093.10, represents services and expenses in connection with legal advice.)

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**TOTAL DUE.....\$ 1,093.10**

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

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings LLP (statement dated 1/17/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Smart Cork” - \$2,175.00.)

**TOTAL DUE.....\$ 2,175.00**

Payment of legal fees for professional services rendered by Conley Rose (statement dated 2/6/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Materials and Devices that Provide Total Transmission of Electrons Without Ballistic Propagation and Methods of Devising Same” - \$445.00.)

**TOTAL DUE.....\$ 445.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 1/6/23, 1/6/23 and 1/6/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin Cytotoxin” - \$1,609.21; “European Application No. 21807509.1” - \$5,600.54; and “Occidiofungin Formations and Uses Thereof” - \$250.00.)

**TOTAL DUE.....\$ 7,459.75**

Payment of legal fees for professional services rendered by Quarles and Brady, LLP (statement dated 1/24/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Rice Cultivar” - \$150.00.)

**TOTAL DUE.....\$ 150.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/30/22, 11/30/22, 11/30/22, 11/30/22, 1/27/23, 1/27/23 and 1/27/23) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: Lidar for Underwater” - \$67.50; “Process to Produce Highly Porous Carbon” - \$270.00; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$236.00; “Gulf Blue Trademark” -

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\$560.50; “Chevron Oronite Patent Maintenance” - \$156.00; “Gulf Blue Trademark” - \$59.00; and Oral Suction Device” - \$1,644.00, respectively).

**TOTAL DUE.....\$ 2,993.00**

2. **DSU – EMERGENCY APPROVAL TO CONTRACT WITH McDONALD HOPKINS, LLC AS OUTSIDE COUNSEL**

Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved DSU’s emergency request to hire attorney Jim Griszczak of McDonald Hopkins, LLC as outside counsel to provide legal services related to a cyber incident. The term of the contract is March 13, 2023 through February 28, 2024, unless terminated sooner by either party. Services are provided at an hourly rate of \$365 for the lead attorney and \$290 for associates with a maximum amount payable under the contract of \$75,000. DSU is insured for cyber incident response and carries a deductible for legal services related to a covered incident of \$10,000. Therefore, DSU will not be responsible for more than \$10,000 of the \$75,000 maximum amount payable under the agreement. McDonald Hopkins carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. This item has been approved by the Office of the Attorney General.



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**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 review in the Board Office.

- a. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the Boys & Girls Club of the Gulf Coast for space in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for one additional year by mutual agreement of all parties, at a cost of \$42,000 per year, for a potential total cost of \$84,000. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- b. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Copiah-Lincoln Community College (Co-Lin), Natchez Campus for space in the Reed Watkins Building on the Co-Lin Community College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for four additional years by mutual agreement of all parties, at an annual cost of \$10,792 for a potential total cost of \$53,960. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- c. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Copiah-Lincoln Community College (Co-Lin), Simpson County Center for space in the Parker Academic Building on the Co-Lin Community College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for four additional years by mutual agreement of all parties, at a cost of \$13,917.50 per year, for a potential total cost of \$69,587.50. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

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- d. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and East Central Community College (ECCC) for space in the Career Annex Building on the ECCC campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for four additional years by mutual agreement of all parties, at an annual cost of \$8,400 for a potential total cost of \$42,000. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- e. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and East Mississippi Community College (EMCC) for space in the Douglas Building on the EMCC campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for one additional year by mutual agreement of all parties, at a cost of \$36,582 per year, for a potential total cost of \$73,164. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- f. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Itawamba Community College for space in the Purvis Building on the Itawamba Community College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, at an annual cost of \$56,658. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- g. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Jones College for space on the Jones College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for one additional year by mutual agreement of all parties, at an annual cost of \$41,952 for a

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potential total cost of \$83,904. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

- h. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Meridian Community College for space in the College Park Building on the Meridian Community College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The term of the lease is one-year beginning March 1, 2023, at an annual cost of \$53,820. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- i. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Northeast Mississippi Community College (NMCC) for space in Waller Hall on the NMCC campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one-year beginning March 1, 2023, with an option to renew for three additional years by mutual agreement of all parties, at an annual cost of \$22,800 for a potential total cost of \$91,200. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- j. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Pearl River Community College for space on the Pearl River Community College campus in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The term of the lease is one-year beginning March 1, 2023, at an annual cost of \$66,500. Rent is to be paid in equal monthly installments due on the first of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- k. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the MSU Research & Technology Corporation for 352 square feet of office space in the Thad Cochran

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Research, Technology and Economic Development Park, for use as office space for MSU's Small Business Development Center. The term of the lease is five years beginning March 1, 2023, at a cost of \$460 per month in rent, payable in advance on the first calendar day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

1. **MSU** – On February 28, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the MSU Research & Technology Corporation for 352 square feet of office space in the Thad Cochran Research, Technology and Economic Development Park, for use as office space for MSU's Veterans Business Outreach Center. The term of the lease is five years beginning March 1, 2023 at a cost of \$450 per month in rent, payable in advance on the first calendar day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.