

Board Book

May 18, 2023

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 | May 17, 2023, 3:00p | IHL Board Room
IHL Board Meeting | May 18, 2023, 9:00a | IHL Board Room

CALL TO ORDER INVOCATION

Trustee Alfred McNair, Jr.
Trustee Chip Morgan

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ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
April 20, 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 April 20, 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, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President, with Trustee Starr providing the invocation.

INTRODUCTION OF GUESTS

- Dr. Jeryll Briggs, President of Mississippi Valley State University, introduced Mrs. Auguster Wallace, Chief of Staff at MVSU.
- President Duff welcomed the following Student Government Association members: from Alcorn State University – President Christopher Epps and President-Elect Jordan Buck; from Delta State University – President Lucia Chacon and President-Elect Haley Rooks; from Jackson State University – President Madison Cathey and President-Elect Jason Johnson; from Mississippi State University: President Kennedy Guest and President-Elect Ellie Herndon; and from the University of Mississippi – President Lila Osman and President-Elect Sara Austin Welch.

APPROVAL OF THE MINUTES

On motion by Trustee Cummings, seconded by Trustee Ogletree, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on March 2, 2023; March 2-3, 2023; March 22, 2023; March 23, 2023; and March 27, 2023.

CONSENT AGENDAS

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

ACADEMIC AFFAIRS

1. **USM** – Approved the following modifications to existing academic degree programs.
 - Rename
 - a. Current program title: Bachelor of Science (BS) in Athletic Training

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Proposed program title: Bachelor of Science (BS) in Sports Medicine
 Current CIP code, sequence: 51.0913, 5755
 New CIP code, sequence: 51.1199, 5755
 Total credit hours: 124
 Effective date: August 2023

- b. Current program title: Bachelor of Science (BS) in Sport Coaching Education
 Proposed program title: Bachelor of Science (BS) in Sport Coaching
 Current CIP code, sequence: 13.1314, 5798
 New CIP code, sequence: 31.0501, 5798
 Total credit hours: 120
 Effective date: August 2023

2. **UM** – Approved the following modification to an existing academic degree unit.

Current unit: School of Journalism and New Media

Proposed units to operate under reorganized unit: Department of Journalism, Department of Integrated Marketing Communication, and Department of Communication & Media Studies

Effective date: May 2023

3. **SYSTEM** – Approved the degrees to be conferred in Spring 2023 provided each candidate has met all requirements for the degree.

| Institution | Degree to be Conferred | Number | Subtotal | Total |
|--------------------------------|-------------------------------------|---------------|-----------------|--------------|
| Alcorn State University | | | | |
| <i>Undergraduate</i> | | | | |
| | Associate of Science in Nursing | 20 | | |
| | Bachelor of Arts | 33 | | |
| | Bachelor of Arts in Music | 2 | | |
| | Bachelor of Music | 1 | | |
| | Bachelor of Science | 226 | | |
| | Bachelor of Science in Nursing | 36 | | |
| | Bachelor of Social Work | 7 | | |
| <i>Graduate</i> | | | | |
| | Master of Arts in History | 1 | | |
| | Master of Arts in Teaching | 10 | | |
| | Master of Business Administration | 4 | | |
| | Master of Liberal Arts | 7 | | |
| | Master of Science | 48 | | |
| | Master of Science in Education | 20 | | |
| | Master of Science in Nursing | 10 | | |
| | Specialist in Education | 2 | | |
| | Doctor of Nursing Practice | 4 | | |
| | Total Undergraduate Degrees | | 325 | |
| | Total Graduate Degrees | | 106 | |
| | Total Degrees | | | 431 |
| Delta State University | | | | |
| <i>Undergraduate</i> | | | | |
| | Bachelor of Applied Science | 4 | | |
| | Bachelor of Arts | 18 | | |
| | Bachelor of Business Administration | 27 | | |
| | Bachelor of Commercial Aviation | 23 | | |

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| Institution | Degree to be Conferred | Number | Subtotal | Total |
|---------------------------------|---|---------------|-----------------|--------------|
| | Bachelor of Fine Arts | 14 | | |
| | Bachelor of Music | 1 | | |
| | Bachelor of Music Education | 2 | | |
| | Bachelor of Science in Education | 30 | | |
| | Bachelor of Science | 69 | | |
| | Bachelor of Science in Interdisciplinary Studies | 8 | | |
| | Bachelor of Science in Nursing | 15 | | |
| | Bachelor of Science in Social Justice and Criminology | 7 | | |
| | Bachelor of Social Work | 17 | | |
| | Bachelor of University Studies (C2C) | 9 | | |
| | <i>Graduate</i> | | | |
| | Master of Art in Liberal Studies | 3 | | |
| | Master of Arts in Teaching | 15 | | |
| | Master of Business Administration | 18 | | |
| | Master of Commercial Aviation | 8 | | |
| | Master of Education | 24 | | |
| | Master of Science in Sport and Human Performance | 14 | | |
| | Master of Science in Nursing | 12 | | |
| | Master of Science in Social Justice and Criminology | 5 | | |
| | Specialist in Education | 12 | | |
| | Doctor of Education | 3 | | |
| | Total Undergraduate Degrees | | 244 | |
| | Total Graduate Degrees | | 114 | |
| | Total Degrees | | | 358 |
| <hr/> | | | | |
| Jackson State University | | | | |
| | <i>Undergraduate</i> | | | |
| | Bachelor of Arts | 30 | | |
| | Bachelor of Business Administration | 54 | | |
| | Bachelor of Music | 1 | | |
| | Bachelor of Music Education | 8 | | |
| | Bachelor of Science in Education | 21 | | |
| | Bachelor of Science | 349 | | |
| | Bachelor of Social Work | 30 | | |
| | Bachelor of University Studies (C2C) | 8 | | |
| | <i>Graduate</i> | | | |
| | Master of Arts | 10 | | |
| | Master of Arts in Teaching | 82 | | |
| | Master of Business Administration | 8 | | |
| | Master of Music Education | 4 | | |
| | Master of Public Health | 17 | | |
| | Master of Public Policy and Administration | 2 | | |
| | Master of Science | 59 | | |
| | Master of Science in Education | 40 | | |
| | Master of Social Work | 44 | | |
| | Specialist in Education | 42 | | |
| | Doctor of Education | 1 | | |
| | Doctor of Philosophy | 28 | | |
| | Doctor of Public Health | 8 | | |
| | Total Undergraduate Degrees | | 501 | |
| | Total Graduate Degrees | | 345 | |
| | Total Degrees | | | 846 |

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| Institution | Degree to be Conferred | Number | Subtotal | Total |
|-------------------------------------|---|---------------|-----------------|--------------|
| Mississippi State University | | | | |
| | <i>Undergraduate</i> | | | |
| | Bachelor of Accountancy | 85 | | |
| | Bachelor of Applied Science | 36 | | |
| | Bachelor of Arts | 261 | | |
| | Bachelor of Business Administration | 503 | | |
| | Bachelor of Fine Arts | 43 | | |
| | Bachelor of Landscape Architecture | 16 | | |
| | Bachelor of Music Education | 15 | | |
| | Bachelor of Science | 2,198 | | |
| | Bachelor of Social Work | 25 | | |
| | Bachelor of University Studies (C2C) | 19 | | |
| | Bachelor of Architecture | 48 | | |
| | <i>Graduate</i> | | | |
| | Master of Agribusiness Management | 5 | | |
| | Master of Agriculture | 3 | | |
| | Master of Arts | 23 | | |
| | Master of Arts in Teaching | 5 | | |
| | Master of Arts in Teaching Middle | 30 | | |
| | Master of Arts in Teaching Secondary | 40 | | |
| | Master of Arts in Teaching Special Education | 15 | | |
| | Master of Business Administration | 139 | | |
| | Master of Engineering | 3 | | |
| | Master of Landscape Architecture | 3 | | |
| | Master of Physician Assistant Studies | 19 | | |
| | Master of Professional Accountancy | 30 | | |
| | Master of Public Policy and Administration | 4 | | |
| | Master of Science | 232 | | |
| | Master of Science in Information Science | 20 | | |
| | Master of Science in Instructional Technology | 7 | | |
| | Master of Taxation | 6 | | |
| | Specialist in Education | 12 | | |
| | Doctor of Education | 1 | | |
| | Doctor of Philosophy | 57 | | |
| | Doctor of Veterinary Medicine | 93 | | |
| | Total Undergraduate Degrees | | 3,249 | |
| | Total Graduate Degrees | | 747 | |
| | Total Degrees | | | 3,996 |

Mississippi University for Women

Undergraduate

| | |
|--------------------------------------|-----|
| Associate of Science in Nursing | 37 |
| Bachelor of Applied Science | 19 |
| Bachelor of Arts | 11 |
| Bachelor of Business Administration | 54 |
| Bachelor of Fine Arts | 4 |
| Bachelor of Music | 1 |
| Bachelor of Professional Studies | 6 |
| Bachelor of Science | 109 |
| Bachelor of Science in Nursing | 69 |
| Bachelor of University Studies (C2C) | 1 |

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STATE INSTITUTIONS OF HIGHER LEARNING
April 20, 2023**

| Institution | Degree to be Conferred | Number | Subtotal | Total |
|--|---|---------------|-----------------|--------------|
| <i>Graduate</i> | | | | |
| | Master of Arts | 1 | | |
| | Master of Arts in Teaching | 11 | | |
| | Master of Business Administration | 3 | | |
| | Master of Education | 5 | | |
| | Master of Fine Arts | 11 | | |
| | Master of Public Health | 9 | | |
| | Master of Science | 26 | | |
| | Doctor of Nursing Practice | 6 | | |
| | Total Undergraduate Degrees | | 311 | |
| | Total Graduate Degrees | | 72 | |
| | Total Degrees | | | 383 |
| Mississippi Valley State University | | | | |
| <i>Undergraduate</i> | | | | |
| | Bachelor of Arts | 46 | | |
| | Bachelor of Science | 91 | | |
| | Bachelor of Secondary Education | 8 | | |
| | Bachelor of Social Work | 11 | | |
| <i>Graduate</i> | | | | |
| | Master of Arts | 3 | | |
| | Master of Arts in Teaching | 19 | | |
| | Master of Business Administration | 7 | | |
| | Master of Science | 10 | | |
| | Master of Social Work | 7 | | |
| | Total Undergraduate Degrees | | 156 | |
| | Total Graduate Degrees | | 46 | |
| | Total Degrees | | | 202 |
| University of Mississippi | | | | |
| <i>Undergraduate</i> | | | | |
| | Bachelor of Accountancy | 140 | | |
| | Bachelor of Arts | 617 | | |
| | Bachelor of Arts in Education | 201 | | |
| | Bachelor of Arts in Journalism | 32 | | |
| | Bachelor of Arts in Sport and Recreation | 17 | | |
| | Administration | | | |
| | Bachelor of Business Administration | 570 | | |
| | Bachelor of Engineering | 4 | | |
| | Bachelor of Fine Arts | 17 | | |
| | Bachelor of Multi-Disciplinary Studies | 98 | | |
| | Bachelor of Music | 8 | | |
| | Bachelor of Science | 383 | | |
| | Bachelor of Science in Biomedical Engineering | 17 | | |
| | Bachelor of Science in Chemical Engineering | 15 | | |
| | Bachelor of Science in Civil Engineering | 18 | | |
| | Bachelor of Science in Computer Engineering | 3 | | |
| | Bachelor of Science in Computer Science | 33 | | |
| | Bachelor of Science in Criminal Justice | 64 | | |
| | Bachelor of Science in Electrical Engineering | 16 | | |
| | Bachelor of Science in Engineering | 11 | | |
| | Bachelor of Science in Exercise Science | 78 | | |

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STATE INSTITUTIONS OF HIGHER LEARNING
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| Institution | Degree to be Conferred | Number | Subtotal | Total |
|--------------------|--|---------------|-----------------|--------------|
| | Bachelor of Science in Geological Engineering | 6 | | |
| | Bachelor of Science in Geology | 1 | | |
| | Bachelor of Science in Law Studies | 18 | | |
| | Bachelor of Science in Mechanical Engineering | 63 | | |
| | Bachelor of Science in Public Health & Health Sciences | 7 | | |
| | Bachelor of Social Work | 26 | | |
| | Bachelor of University Studies (C2C) | 29 | | |
| | <i>Graduate</i> | | | |
| | Master of Accountancy | 26 | | |
| | Master of Accountancy and Data Analytics | 30 | | |
| | Master of Arts | 71 | | |
| | Master of Arts in Teaching | 19 | | |
| | Master of Business Administration | 23 | | |
| | Master of Criminal Justice | 11 | | |
| | Master of Education | 73 | | |
| | Master of Fine Arts | 8 | | |
| | Master of Laws | 11 | | |
| | Master of Music | 16 | | |
| | Master of Public Health | 3 | | |
| | Master of Science | 171 | | |
| | Master of Science in Exercise Science | 6 | | |
| | Master of Taxation | 1 | | |
| | Master of Taxation and Data Analytics | 3 | | |
| | Specialist in Education | 34 | | |
| | Doctor of Education | 15 | | |
| | Doctor of Pharmacy | 92 | | |
| | Doctor of Philosophy | 72 | | |
| | Juris Doctor | 145 | | |
| | Total Undergraduate Degrees | | 2,492 | |
| | Total Graduate Degrees | | 830 | |
| | Total Degrees | | | 3,332 |

University of Mississippi Medical Center

Undergraduate

| | |
|--|-----|
| Bachelor of Science in Dental Hygiene | 19 |
| Bachelor of Science in Health Informatics and Information Management | 4 |
| Bachelor of Science in Health Systems Administration | 11 |
| Bachelor of Science in Histotechnology | 1 |
| Bachelor of Science in Medical Laboratory Science | 6 |
| Bachelor of Science in Nursing | 124 |
| Bachelor of Science in Radiologic Sciences | 33 |

Graduate

| | |
|---|----|
| Master of Health Informatics and Information Management | 2 |
| Master of Health Systems Administration | 9 |
| Master of Science in Biomedical Sciences | 65 |
| Master of Science in Biostatistics and Data Science | 3 |
| Master of Science in Clinical Investigation | 3 |
| Master of Science in Magnetic Resonance Imaging | 4 |
| Master of Science in Nuclear Medicine Technology | 3 |

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April 20, 2023**

| Institution | Degree to be Conferred | Number | Subtotal | Total |
|---|--|---------------|-----------------|--------------|
| | Master of Science in Nursing | 80 | | |
| | Master of Science in Population Health Science | 7 | | |
| | Doctor of Dental Medicine | 37 | | |
| | Doctor of Health Administration | 9 | | |
| | Doctor of Medicine | 168 | | |
| | Doctor of Nursing Practice | 9 | | |
| | Doctor of Occupational Therapy | 36 | | |
| | Doctor of Philosophy | 19 | | |
| | Doctor of Physical Therapy | 44 | | |
| | Total Undergraduate Degrees | | 198 | |
| | Total Graduate Degrees | | 498 | |
| | Total Degrees | | | 696 |
| University of Southern Mississippi | | | | |
| | <i>Undergraduate</i> | | | |
| | Bachelor of Applied Science | 11 | | |
| | Bachelor of Arts | 218 | | |
| | Bachelor of Fine Arts | 20 | | |
| | Bachelor of Interdisciplinary Studies | 8 | | |
| | Bachelor of Liberal Studies | 61 | | |
| | Bachelor of Music | 10 | | |
| | Bachelor of Music Education | 20 | | |
| | Bachelor of Science | 753 | | |
| | Bachelor of Science in Business Administration | 234 | | |
| | Bachelor of Science in Nursing | 93 | | |
| | Bachelor of Social Work | 29 | | |
| | Bachelor of University Studies (C2C) | 9 | | |
| | <i>Graduate</i> | | | |
| | Master of Arts | 20 | | |
| | Master of Arts in Teaching | 25 | | |
| | Master of Arts in Teaching of Languages | 13 | | |
| | Master of Business Administration | 36 | | |
| | Master of Education | 28 | | |
| | Master of Fine Arts | 6 | | |
| | Master of Library and Information Science | 53 | | |
| | Master of Music | 16 | | |
| | Master of Music Education | 4 | | |
| | Master of Professional Accountancy | 8 | | |
| | Master of Public Health | 14 | | |
| | Master of Science | 135 | | |
| | Master of Science in Athletic Training | 2 | | |
| | Master of Social Work | 62 | | |
| | Specialist in Education | 4 | | |
| | Doctor of Audiology | 7 | | |
| | Doctor of Education | 39 | | |
| | Doctor of Musical Arts | 9 | | |
| | Doctor of Nursing Practice | 7 | | |
| | Doctor of Philosophy | 59 | | |
| | Total Undergraduate Degrees | | 1,466 | |
| | Total Graduate Degrees | | 547 | |
| | Total Degrees | | | 2,013 |

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| Institution | Degree to be Conferred | Number | Subtotal | Total |
|---|-------------------------------|---------------|-----------------|---------------|
| <i>System Total Undergraduate Degrees</i> | | | 8,942 | |
| <i>System Total Graduate Degrees</i> | | | 3,305 | |
| <i>System Total Degrees</i> | | | | 12,247 |

*Note: System Total for Spring 2023 represents a decrease of 373 from Spring 2022's total of 12,620.

FINANCE

4. **ASU** – Approved the request to enter a purchase agreement with Farber Specialty Vehicles for a Mobile Health Unit. The Mobile Unit will implement strategies used to monitor and suppress the transmission of COVID-19 and other viruses and collect and analyze data. It will take approximately 240 days for completion with a one-year warranty unlimited miles. The total cost for this project is \$767,478.40. Funding for this project is covered by grant funds from Direct Relief (\$250k) and HEERF (\$517,478.40). The agreement will be funded with Grant funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **JSU** – Approved the request to enter a Purchase Agreement with Assured Imaging, LLC (A Rezolut Company) for one custom coach bus unit that will enable JSU to provide mobile public health education and conduct on site preventative and clinical services. The agreement will commence upon execution by the Parties and continue until vendor's delivery of the vehicle. The purchase price is \$450,000. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayment of \$315,000, 70% of the purchase price, at the time of the order, and the balance of \$135,000 upon confirmation of the equipment delivery date. The purchase agreement will be funded by grant funds received from the Governor's Emergency Education Relief (GEER) Fund. 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. **MVSU** – Approved the request to enter an agreement with Ace Sports to purchase a jumbotron for the Rice-Totten Football Stadium. The agreement includes the erection of structural supports for and the installation and commissioning of audio/video equipment and ancillary components, structures, site accessories, etc. along with training university personnel on the use and maintenance of the audio/video systems. The work will be substantially complete within 180 days after the date when the contract times commence to run. The total cost of the contract is \$1,611,101. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **SYSTEM** – Approved the request to purchase Third Party Administration (TPA) Services from Cannon Cochran Management Services, Inc. (CCMSI) to effectively handle claims for the IHL self-insured workers' compensation and tort plans. This is a four-year contract, from July 1, 2023, to June 30, 2027. The contract will be for a guaranteed fixed price which over the four-year term will total \$1,888,310. CCMSI will also receive a variable amount based upon other fees and savings. The four-year aggregate amount is estimated to be approximately \$3,746,368. The funding source will be the IHL Self-Insured Workers' Compensation Plan and the IHL Self-Insured Tort Plan. These plans are funded

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through annual assessments which are charged to the universities based upon actuarial opinions. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **UM** – Approved the request to escalate the On-Campus Budget and Auxiliary Budgets for Fiscal Year 2023, as follows:

**University of Mississippi
FY 2023 On-Campus Education & General by Major Object**

| Category | Current FY 2023 Operating Budget | Revision/Escalation | Revised FY 2023 Operating Budget |
|--------------------------------------|-------------------------------------|---------------------|-------------------------------------|
| Salaries, Wages, and Fringe Benefits | \$ 265,042,449 | \$ - | \$ 265,042,449 |
| Travel and Subsistence | 1,884,329 | - | 1,884,329 |
| Contractual Services | 127,214,844 | 4,000,000 | 131,214,844 |
| Commodities | 5,267,650 | (1,000,000) | 4,267,650 |
| Capital Outlay: Non-Equipment | 4,745,477 | (800,000) | 3,945,477 |
| Capital Outlay: Equipment | 1,740,265 | 800,000 | 2,540,265 |
| Mandatory Transfers | 1,173,654 | - | 1,173,654 |
| Non-Mandatory Transfers | 9,624,475 | - | 9,624,475 |
| Increase in Fund Balance | - | - | - |
| Total | \$ 416,693,143 | \$ 3,000,000 | \$ 419,693,143 |

A budget escalation is requested to 1) realign major objects and increase budgetary spending authority due to greater than anticipated utility costs, and 2) to reallocate salaries, wages, and fringe benefits to accommodate changes related to new hires, transfers, and reclassifications. The source of funding will be tuition revenue.

**University of Mississippi
FY 2023 Auxiliary Enterprises by Major Object**

| Category | Current FY 2023 Operating Budget | Revision/Escalation | Revised FY 2023 Operating Budget |
|--------------------------------------|-------------------------------------|---------------------|-------------------------------------|
| Salaries, Wages, and Fringe Benefits | \$ 56,208,447 | \$ 3,080,000 | \$ 59,288,447 |
| Travel and Subsistence | 10,219,153 | - | 10,219,153 |
| Contractual Services | 63,553,903 | 779,900 | 64,333,803 |
| Commodities | 31,488,244 | 780,191 | 32,268,435 |
| Capital Outlay: Non-Equipment | - | - | - |
| Capital Outlay: Equipment | 2,371,987 | (55,000) | 2,316,987 |
| Mandatory Transfers | 19,186,000 | - | 19,186,000 |
| Non-Mandatory Transfers | 10,188,916 | - | 10,188,916 |
| Increase in Fund Balance | - | - | - |
| Total | \$ 193,216,650 | \$ 4,585,091 | \$ 197,801,741 |

A budget escalation is requested to increase and realign spending authority between major objects within Athletics, Airport Operations, the Golf Course, ID Center, and facilities service centers. Increased ticket sales and self-generated revenue will be used to fund the escalation for Athletics personnel and greater than anticipated operating costs at the Airport, Golf Course, and water heating/cooling and treatment service centers.

9. **UM** – Approved the request to enter three addendums to the Software License Agreement (the “Agreement”) with StarRez, Inc. for the following: (1) Additional Bed License (“Addendum 1”); (2) Employment Programs, Contributions and Interactions Modules(s), SMS Integration (“Addendum 2”); and (3) DocuSign & Guarantors (“Addendum 3”). These addendums are to purchase 700 additional bed spaces that are needed due to the off-campus master lease that Student Housing recently entered into with Tailwind Campus

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Creek and to purchase additional modules that will assist Student Housing. These addendums will follow the effective dates of the original contract and be in effect from the day they are signed through June 30, 2028. The total amount of all three addendums for five (5) years is \$184,874.87. The total amount under the Agreement and all three addendums is \$794,268.47. A breakdown of costs is included in the bound *April 20, 2023 Board Working File*. The funding source for this contract will be self-generated Student Housing revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

10. **UM** – Approved the request for the Athletics Department to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Football team for the 2023 football season. Services will be provided by Sun Country Airlines. The contract will begin on September 8, 2023 and end on November 11, 2023. The contract amount is \$277,000, billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
11. **UM** – Approved the request for the Department of Student Housing to enter a contract with University and Student Services to provide move in services for students living on campus for the Fall semester 2023. The term of this contract is one year with an option for second year. The total of this contract for year one is \$427,220.25 with an optional second year which amount may be adjusted upon signed agreement of UM to reflect buildings added to the move in program and an increase in the annual Consumer Price Index. The funding source for this contract will be self-generated student housing revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to enter a Product Rental Agreement with Carl Zeiss Meditec USA, Inc. (Zeiss) to rent the INTRABEAM 600 System and treatment applicators. Intraoperative radiation treatment (IORT) is provided to patients with various forms of cancer, such as cancers of the breast, colon, liver, and spine, delivering radiation during surgery directly to the tumor bed. The INTRABEAM 600 System allows for higher effective doses to be delivered to the microscopic disease site. The term of the agreement is two (2) years from April 28, 2023 through April 27, 2025. The expected cost of the agreement over the two (2) year term is \$432,180.00. UMMC has included an additional ten percent (10%) for any potential additional fees. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UMMC** – Approved the request to enter a new Equipment and Disposable Products Agreement with Philips Image Guided Therapy Corporation ("Philips") for the rental of two (2) IntraSight Mobile Series 5 intravascular imaging systems, the removal of two (2) Volcano CORE Mobile Systems and purchase of the associated disposable products, such as catheters, used with the IntraSight systems. UMMC physicians use the IntraSight systems and disposables to treat patients with high-risk occlusive coronary and peripheral

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arterial disease. The Board also approved the request for the institution to add or remove disposable products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is of twenty-four (24) months and one (1) day, beginning May 1, 2023, through twenty-four (24) months from the date of installation of the equipment which is expected to be on or about May 2, 2023. The total expected cost over the twenty-four (24) month term is \$825,000. UMMC has included a twenty percent increase each year for volume growth. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

14. **USM** – Approved the request to amend an existing Managed Services agreement for five (5) more years to include usage of the HelioCampus Student Lifecycle, Student Financials, Benchmarking Consortium and Financial Modeling platforms and services, as well as an amendment to an associated Subscription Rights Rider which incorporates reference to the amendment for services, and clarifies language associated with confidentiality. The term of the amendment is five (5) years beginning approximately September 24, 2023 and ending approximately September 23, 2028. The total cost of this contract over the five-year period is \$2,048,849. A breakdown of subscription fees is included in the bound *April 20, 2023 Board Working File*. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayments in accordance with the terms of the agreement. The funding for this will be paid for through Education & 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.

REAL ESTATE

15. **JSU** – Approved the initiation of GS 103-327, HEERF Mechanical Improvements, and the appointment of Engineering Resource Group as the design professional. This project is a continuation of GS 103-283B (Phase II) and part of the original scope developed in GS103-315, an extension of Phase II. The proposed project budget is \$8,953,156. The project scope includes the replacement of HVAC system components in twelve (12) campus facilities including eight (8) academic buildings, two (2) institutional support facilities, and one residential hall; a collective total of 972,709 GSF. Funds are available from U.S. Department of Education HEERF Funds (Higher Education Emergency Relief Fund) [\$8,953,156]. This funding source has been certified and approved by the U.S. Department of Education.
16. **MSU** – Approved the initiation of GS 113-156, ARPA Infrastructure – Waste Collection and Conveyance, and the appointment of Neel-Schaffer, Engineers and Planners, Inc. as the design professional. This project will install new sewer lines on the MSU South Farm and decommission existing lagoons. The newer sewer lines will connect facilities to the city sewer system. The proposed project budget is \$1.9 million. Funds are available from SB 3062, Laws of 2022 (\$1,900,000) – ARPA Funds. The use of these funds has been certified as acceptable for this project by the Department of Finance and Administration.

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17. **MSU** – Approved the initiation of IHL 205-326, Rosenbaum Health Sciences Renovations, 3rd Floor Simulation Laboratory, and the appointment of LPK Architects, P.A. as the design professional. The project will renovate the 3rd floor of the historic Rosenbaum Building at the Riley Campus in downtown Meridian to provide a simulation laboratory for the Rosenbaum Health Sciences. The proposed project budget is \$4,250,000. Funds are available from the Riley Foundation (\$4,000,000) and the Health Resources and Services Administration [HRSA] – Federal Funds (\$250,000).
18. **MSU** – Approved the initiation of IHL 205-334, RCU (Research & Curriculum Unit) Renovations, and the appointment of MP Design Group as the design professional. The project involves both exterior and interior modifications to address ADA access into the main entry of the building. The project will renovate multiple rooms in the RCU building to prepare space for additional offices, conference rooms, and larger storage room. Renovations include new sprinkler system, flooring, paint, ceiling tile, and lighting. The proposed project budget is \$2 million. Funds are available from University Designated Funds (\$2,000,000).
19. **MSU** – Approved the initiation of IHL 205-337, Ulysses S. Grant Presidential Library, and the appointment of the MP Design Group + Mathes Brierre Architects, A Joint Venture as the design professional. The project involves the design and construction of a facility to house the Ulysses S. Grant Presidential Library. The new library will be home to the existing Grant collection and will incorporate a museum with exhibit space, a research library with curation and archival facilities, conference and educational space, and office facilities. The project is federally funded and will be administered in accordance with National Archives and Records Administration guidelines. The proposed project budget is \$26 million. Funds are available from a Federal Funding Appropriation (\$26,000,000).
20. **MSU** – Approved the initiation of IHL 205-339, Central Plant Cooling Tower Replacement, and the appointment of Engineering Resource Group, Inc. as the design professional. The project involves the demolition of the existing three cooling towers that support chiller #1 and chiller #2 at the Central Plant. The existing towers need significant overhaul and are undersized to take full advantage of the connected chillers. The proposed project budget is \$2,750,000. Funds are available from University Funds (\$2,750,000). Alternative funding sources such as Capital Expenditure Funds will be considered as the design for the project develops. Any change of funding source will be submitted to the Board for approval.
21. **UMMC** – Approved the initiation of IHL 209-579B, UMMC Colony Park Site Utilities and Roadway Improvements, and the appointment of Cooke Douglass Farr Lemons Architects + Engineers as the design professional. This project involves utilities to the site including power, water, sewer, communications, gas, and the installation of a central roadway and improvements to Carl Ave. The proposed project budget is \$5,897,737. Funds are available from Patient Generated Revenues (\$5,897,737).
22. **USM** – Approved the request to increase the budget for GS 108-296, Kinesiology Building Renovation, from \$9,350,000 to \$16,600,000 for an increase of \$7,250,000 and to add institution reserves and HB 603, Laws of 2023, as funding sources for the project. All other funding sources have been previously authorized by the Board. The project includes the renovation, furnishing and equipping of classrooms, laboratories, offices, and student

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areas in the Kinesiology Building bringing the facilities into compliance with applicable codes (IBC, ADA, life safety, etc.) and current programming requirements. The scope of the project also includes a 3,000 square foot addition that will serve as a court room. Funds are available from HB 1649, Laws of 2018 (\$359,524.88); SB 3065, Laws of 2019 (\$4,643,300.23); HB 1730, Laws of 2020 (\$6,000,000); USM Funds (\$28,149.95) Institution Reserve Funds (\$569,024.94); and HB 603, Laws of 2023 (\$5,000,000).

23. **MSU** – Approved the request to increase the budget for IHL 205-298, Rebid Cresswell Hall Recarpet and Repaint, from \$3,000,000 to \$3,700,000 for an increase of \$700,000 to expand the project scope. The project will completely replace the finishes and fixtures and repaint the interior of Cresswell Hall. Funds are available from University Designated Funds (\$3,700,000).
24. **UM** – Approved the request to increase the budget for IHL 207-416, New School of Accountancy, from \$1,000,000 to \$7,100,000 for an increase of \$6,100,000 and to modify the scope of the project from Connor Hall Expansion to a new stand-alone building on a different site within the University. The School of Accountancy currently resides in Connor Hall, built in 1961, and does not meet the programmatic needs of the School of Accountancy. Funds are available from Internal R&R (\$7,100,000).
25. **UMMC** – Approved the request to increase the budget for IHL 209-557, PES (Psychiatric Evaluation Services) Renovations, from \$2,868,925 to \$4,000,000 for an increase of \$1,131,075 and to modify the scope of the project. The original project scope renovated the existing Med-com area and the vacated Pediatric Cath Lab which is in and adjacent to the existing Emergency Dept. The modification in the scope involves the addition of the vacated pediatric catheter lab. The opening of the Sanderson Tower allowed the pediatric catheter lab to be relocated. This allowed a space adjacent to the original scope to become available. This space will now become PES instead of the original Fast Track space. Funds are available from UMMC Patient Generated Revenue (\$4,000,000).
26. **UMMC** – Approved the request to increase the budget for IHL 209-579, UMMC Colony Park, from \$1,600,000 to \$105,910,527 for an increase of \$104,310,527 and to add EBC Bonds as a funding source for the project. This project is for the development of a new campus focused on the concept of a multidisciplinary, educational campus, consisting of multimedia classrooms, a medical office building, ambulatory surgical center, and imaging center. Funds are available from UMMC Patient Generated Revenue (\$2,510,527) and Bond Proceeds (\$103,400,000) -*Pending EBC approval.*
27. **ASU** – Approved the request to enter a lease agreement with MS Hardware Master Tenant, LLC for 9,873 square feet of space in the Vicksburg Technology Innovation Center, hereinafter referred to as MCity. The initial lease term is for 5 years commencing on July 1, 2023, with an option for renewal with two renewal terms of 5 years/each. The monthly rent is \$18,923.25 with a buildout amount of \$650,000. The monthly amount of rent will increase by 2% over the previous year's monthly rent rate each additional year of the lease. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayment in accordance with the terms of the lease agreement. The agreement will be funded by General Funds and Title III Federal funds. The Title III Federal funds have been approved by the U.S. Department of Education. The Attorney General's Office has reviewed the proposed agreement for compliance with

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- applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
28. **MSU** – Approved the request to purchase 24.07 acres of land located in Oktibbeha County, MS from Sidney Johnson, James Favrot, and Allison Copeland, as tenants in common, for a purchase price of \$1,263,750. The sales price is less than the average of two independent appraisals which was \$1,742,500. The first appraisal was \$1.8 million and the second appraisal was \$1,685,000. The proposed property is an unimproved tract of land consisting of 24.07 acres, more or less, located adjacent to the MSU campus in Township 18N, Section 12, Range 14E in Oktibbeha County, MS. This contract is between MSU and Sidney Johnson, James Favrot, and Allison Copeland, as tenants in common. The purchase price is \$1,263,750.00 with a closing date on or before April 30, 2023. The agreement is specifically conditioned on the approval of the IHL Board. The purchase is funded by University designated funds. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. The Phase I report was performed on the 24.07-acre tract of land located on Oktoc Road. No recognized environmental conditions were identified in connection with the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
29. **UM** – Approved the request for the Department of Facilities Planning to enter a contract with a Construction Manager Adviser for the University of Mississippi new Oxford-University Stadium Expansion (UM-IHL 207-492). The term of the contract is April 24, 2023, through twelve (12) months after Substantial Completion of the Oxford-University Stadium Expansion construction contract. Based on current design timeline and construction timeline estimate, the projected contract value is \$2,830,000.00. This will fluctuate with actual construction contract values and any time extensions granted during construction. The contract will be funded from Self-Generated Athletic Revenues - UM Athletics / OMAF Foundation. The Attorney General’s Office 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.
30. **UM** – Approved a three-year sublease between the Alumni Association of Alpha Gamma of Chi Psi (“Chi Psi”) and Delta Tau Delta National Housing Corporation (“Delta Tau”) and authorized the University to execute the Prime Landlord’s Consent on behalf of the IHL Board for the residential facility located on lot #303 on the UM Campus, which Chi Psi currently leases from IHL/UM. Delta Tau currently does not have a residential facility on UM’s campus. This is a sublease for a residential facility on fraternity lot #303 on the University of Mississippi’s Oxford campus that was erected by Chi Psi. The primary lease between the IHL/UM and Chi Psi is for a thirty-year term, from June 1, 2015, to May 31, 2045. The primary lease between the IHL/UM and Chi Psi imposes an annual \$50 lease payment to UM. The base annual rent under the sublease between Chi Psi and Delta Tau is \$140,000 for the first year, and \$145,000 for the second and third years. The sublease also requires a \$25,000 security deposit. The IHL/UM may terminate the primary lease with Chi Psi if its initial thirty (30) year term expires and the lease is not renewed. UM may also terminate the primary lease for breach of any of the express conditions listed.

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These express conditions include building specifications, use of the building, building improvements, running of and paying for utilities, maintenance of building and grounds, and building insurance. The sublease between Chi Psi and Delta Tau may be terminated for the non-payment of rent or if one of the other conditions specified in the sublease is triggered such as failure of Delta Tau, as subtenant, to observe or perform any provision of sublease within 30 days of notice. The Attorney General’s Office has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL

31. **MSU** – Approved the request to enter a First Amendment to the Interlocal Agreement with the City of Starkville pertaining to the operation and maintenance of a joint wastewater collection and treatment system (“Wastewater System”). Pursuant to an existing Interlocal Agreement entered into by the parties in February 1993, the City of Starkville and the University jointly operate and maintain the Wastewater System. The parties now seek to amend that agreement to revise and clarify new points of metering and to update the flow calculations in the Agreement. This amendment will be effective upon approval and execution and will remain in effect throughout the operation of the system unless terminated by agreement of the parties or written notice by one party to the other at least one year prior to the proposed termination date. This request is pending approval of the Office of the Attorney General. A copy of the agreement is on file in the Board Office.
32. **USM** – Approved the request to enter a contract with Sun Sovereign, LLC d/b/a Ware | Immigration as outside counsel to provide services necessary in preparing labor certification applications and permanent residence process on behalf of the University for its employees who seek permanent residence status and to further provide other related services relating to immigration and naturalization at the University’s request. The term of the agreement will be April 21, 2023 through June 30, 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 \$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

| | |
|--|---------|
| H-1B petition | \$2500* |
| H-1B extension or amendment petitions (we handled original petition) | \$2500* |
| H-1B withdrawal | \$200 |
| H-4 EAD (Employee may pay) | \$750 |
| *additional legal fee of up to \$2,500 may apply for substantive requests for evidence | |
| TN petition or border/consulate processing | \$2500 |
| TN extension petition (we handled original) | \$2500 |
| E-3 petition or consular processing | \$2500 |
| E-3 extension petition (we handled original) | \$2500 |
| O-1 petition | \$8000 |
| O-1 extension or amendment petition (we handled original) | \$4000 |
| O-1 additional rush fee if case needs to be filed w/in 60 days | \$2000 |
| J-1 waiver (IGA or hardship) | \$8000 |

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| | |
|---|--------|
| J-1 waiver (Conrad) | \$8000 |
| J-1 waiver (no objection) | \$2000 |
| I-539 Fee for Dependents (Employee may pay) | \$1000 |

Permanent Residence Process with Labor Certification: Faculty

| | |
|--------------------------------------|-------------|
| Special Handling labor certification | \$3000 |
| (If position must be readvertised) | \$2500 |
| Additional fee if audited | \$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 |

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:

| | | |
|---|-----------------|-------|
| Elaine Kimbrell, Of Counsel and Partners | per hour billed | \$350 |
| Associate Attorneys | per hour billed | \$250 |

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Paralegals

per hour billed

\$150

PERSONNEL REPORT

33. **Employment**

Alcorn State University

- Adell Brown, Jr., Interim Vice President for Finance, Administrative Services and Operations; salary \$185,000 pro annum rata; E&G Funds; 10-month contract; effective March 15, 2023

University of Southern Mississippi

- Maureen Ryan; *rehired retiree*; Interim Dean of Graduate School; salary \$94,318 per annum, pro rata; E&G Funds; 12-month contract; effective June 1, 2023

34. **Change of Status**

University of Southern Mississippi

- Kelly Lucas; *from* Interim Vice President for Research; salary \$226,600 per annum, pro rata; E&G Funds; 12-month contract; *to* Vice President for Research; salary \$250,000 per annum, pro rata; E&G Funds; 12-month contract; effective May 1, 2023

35. **Sabbatical**

University of Southern Mississippi

- Angela Ball; Professor of English; salary of \$89,890 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 14, 2023 to December 31, 2023; professional development
- Craig Carey; Associate Professor of English; salary of \$66,435 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective January 2, 2024 to May 10, 2024; professional development
- Dana Fennell; Professor of Sociology; salary of \$73,820 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 14, 2023 to December 31, 2023; professional development
- Jeanne Gillespie; Professor of World Languages; salary of \$91,937 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 14, 2023 to December 31, 2023; professional development
- Courtney Luckhardt; Associate Professor of History; salary of \$62,906 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective January 2, 2024 to May 10, 2024; professional development
- Danilo Mezzadri; Professor of Music; salary of \$71,509 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective January 2, 2024 to May 10, 2024; professional development

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- Emily Stanback; Associate Professor of English; salary of \$66,594 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 14, 2023 to December 31, 2023; professional development

ADMINISTRATION/POLICY

36. **ASU** – Approved the request to bestow one honorary degree at its May 2023 commencement ceremony. Supporting documents are on file at the Board Office.

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Cunningham, seconded by Trustee Ogletree, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3.

1. **MSU** – Approved the request to add the following new academic unit.
Proposed unit title: College of Professional and Continuing Studies
Organizational units to operate under proposed unit: Continuing Education and Center for Distance Education
Effective date: May 2023
Five-year cost of implementation: \$416,132
Total number of faculty/new faculty: 4/4
Total number of staff/new staff: 34/3
Degree programs to be offered within the proposed unit: Bachelor of Applied Science (BAS)
2. **USM** – Approved the request to add the following new centers.
 - a. Center title: The Center for Research to Practice in Education (CRPE)
Center location: College of Education and Human Sciences
Scope: Extensive Scope and Outreach
Type: Type 2 (Student, Faculty, or Community Service)
Effective date: June 2023
 - b. Center title: Center of the Study of the United States National Guard (CSUNG)
Center location: School of Humanities
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective date: July 2023

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3. **SYSTEM** – Approved the request to add the following new academic degree programs.
 - a. **MSU** – Doctor of Philosophy (PhD) in Higher Education Leadership
CIP code: 13.0406
Total credit hours: 71
Effective date: May 2023
 - b. **UM** – Bachelor of Fine Arts (BFA) in Creative Writing
CIP code: 23.1302
Total credit hours: 120
Effective date: July 2023
 - c. **USM** – Master of Public Health (MPH) in Epidemiology and Biostatistics
CIP code: 26.1311
Total credit hours: 45
Effective date: August 2023
 - d. **USM** – Bachelor of Science (BS) in Kinesiotherapy
CIP code: 51.2311
Total credit hours: 124
Effective date: August 2023
 - e. **USM** – Bachelor of Science in Business Administration (BSBA) in Organizational Leadership
CIP code: 52.0213
Total credit hours: 120
Effective date: August 2024
 - f. **USM** – Master of Science in Medicine (MSM) in Physician Assistant Studies
CIP code: 51.0912
Total credit hours: 110
Effective date: August 2025

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3. On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #4. On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #5. Trustee Ogletree recused himself from discussing or voting on item #6 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same.

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On motion by Trustee Parker, seconded by Trustee Morgan, with Trustee Ogletree absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #6. Trustee Ogletree returned to the room following the discussion and vote on item #6 on the Finance Agenda.

1. **SYSTEM** – Approved the overview of the FY 2024 appropriations from the Legislature and the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center. **(See Composite Exhibit 1.)**
2. **SYSTEM** – Approved the proposed increases in resident and nonresident tuition rates at all institutions, except Alcorn State University, Delta State University, and Mississippi Valley State University, and the proposed resident and non-resident tuition rates for certain professional schools at Alcorn State University, Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective FY 2024. As defined by Board Policy 702 Tuition, Fees, and Other Student Charges, tuition can include student activity fees, capital improvement fees, and technology fees. **(See Composite Exhibit 2.)** The Board approved the proposed increases in room rates for Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi, effective FY 2024. **(See Exhibit 3.)** The Board approved the proposed increases to board rates for all institutions, except Mississippi Valley State University, effective FY 2024. **(See Exhibit 4.)** The Board waived the requirement of a thirty-day review of the tuition, room, and board rates as required by Board Policy 702.04 Approval Process, subsection C Consideration of Requests.
3. **SYSTEM** – Approved the request that any FY 2024 salary increases should be based on one or more of the following: 1) meritorious performance, 2) market or equity adjustments, and 3) faculty/staff promotions. Salary increase decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses). These salary guidelines will apply to all Executive Office and university employees regardless of funding source or types of increases awarded.
4. **JSU** – Approved for final reading the request to increase the Student Activities Fee (SAF) to allow for an opportunity to meet the financial support needs of registered student organizations and large-scale campus programming. The costs associated with programming and support have consistently increased annually and the budget allotment has not. Specifically, the current SAF will increase from \$25 per semester to \$75 per semester. This is an increase of \$50 per semester or \$100 annually effective Fall 2023. JSU also charges \$10 per semester or \$20 annually for student printing needs, and this fee will remain unchanged. Based on the current enrollment, the proposed fee increase is projected to generate an additional \$600,000 annually, all of which will go directly to the student government association and campus activities board accounts. On November 23, 2022 a special election was held to determine if students approved increasing the student activity fee. The results are as follows: 341 students voted yes, 57 voted no and 13 abstained. This equated to 82% approval from students. As defined by Board Policy 702 Tuition, Fees, and Other Student Charges, tuition can include student activity fees, capital improvement fees, and technology fees. The Board waived the requirement of a thirty-day

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review of the tuition, room, and board rates as required by Board Policy 702.04 Approval Process, subsection C Consideration of Requests.

5. **MVSU** – Approved for final reading the request to increase the Student Activities Fee (SAF) to better support registered student organizations in their mission and to offer students comprehensive engagement and development opportunities that prepare them to compete in the global economy. Specifically, the current SAF will increase from \$10.00 per student, per semester to \$50.00 per student, per semester for the Fall and Spring semesters. Students will not be charged the fee during the Summer. This was a Student Government Association initiative requested by the Student Association President. A campus-wide student poll was taken, and the final results are as follows: 143 voted yes, 98 voted no. This equated to 59% approval from students. Based on current enrollment, the proposed fee increase is projected to generate \$187,900 annually, all of which will be recorded in a student activity fee account. As defined by Board Policy 702 Tuition, Fees, and Other Student Charges, tuition can include student activity fees, capital improvement fees, and technology fees. The Board waived the requirement of a thirty-day review of the tuition, room, and board rates as required by Board Policy 702.04 Approval Process, subsection C Consideration of Requests.
6. **MSU** – Approved the request to enter a food service contract with Aramark Educational Services, LLC (“Aramark”) to operate a campus food service program on the Starkville campus, providing meals, including a la carte items and beverages, for reselling to students, faculty, staff, and guests. The term of the contract is 15 years, commencing on July 1, 2023. The length of the term is necessary to secure the capital investment funding required for improvements, brands refresh, repairs, and new dining options over the contract period. Over the life of the contract, the estimated commissions payable to MSU are \$46 million. Aramark will also make capital investments in MSU’s food service facilities of \$34 million and provide debt service funding of \$16 million. Aramark will also provide in-kind, brand refresh, and facility improvement funds totaling \$15 million. The contract also includes maintenance, repairs, small wares, and utilities allowances of \$22 million. The estimated total value to MSU over the life of the contract is \$133 million. This is a revenue contract. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL AGENDA

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to move items #1 and #2 to the Executive Session Agenda.

1. **UMMC** – Settlement of Tort Claim No. 3282. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **UMMC** – Settlement of Tort Claim No. 3450. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

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INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **SYSTEM** – Intent to offer existing degree programs by distance learning, as follows.
 - a. **MSU** – Educational Specialist (EdS) in Education (concentration in School Psychology)
Total credit hours: 39
CIP Code, Sequence: 13.0101, 3016
Cost to offer by distance learning: \$35,000
Effective date: August 2023
 - b. **MSU** – Master of Science (MS) in Educational Psychology (concentration in Psychometry)
Total credit hours: 43
CIP Code, Sequence: 42.2806, 4093
Cost to offer by distance learning: \$40,000
Effective date: August 2023
 - c. **USM** – Bachelor of Science (BS) in Sport Coaching
Total credit hours: 120
CIP Code, Sequence: 31.0501, 5798
Cost to offer by distance learning: \$0
Effective date: August 2023
2. **SYSTEM** – Intent to offer certificate programs
 - a. **UM** – Certificate program title: Biomechanics
Responsible academic unit: School of Applied Sciences
Level: post-baccalaureate
Total credit hours: 16
CIP code: 26.0913
Effective date: August 2023
 - b. **USM** – Certificate program title: RISE To The Top!
Responsible academic unit: School of Interdisciplinary Studies and Professional Development
Level: other
Total credit hours: 10-24
CIP code: 30.9999
Effective date: August 2023

FINANCE

3. **UM** – Amendment #3 is a supplement to the Master License and Application Service Provider Agreement between Blackboard, Inc., and Mississippi Department of Information Technology Services as Contracting Agent for The University of Mississippi. Since the University migrated from running Blackboard on UM servers to using Blackboard's Software-as-a-Service in December 2021, usage of Blackboard SaaS by UM faculty and

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students has been higher than expected. UM has overrun the storage quota in the original Blackboard SaaS agreement. The UM Blackboard SaaS contract has been modified to increase the institutional storage quota by 4TB from the SaaS migration on 12 Dec 2021 through the end of the agreement on 11 Dec 2024 at a total cost of \$61,208.

REAL ESTATE

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the March 23, 2023 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 5.)**

LEGAL

5. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 6.)**
6. **UM** – Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved the University of Mississippi’s request to hire Sun Sovereign, LLC d/b/a Ware | Immigration as outside counsel to provide immigration law services. This contract will replace the current contract with Ware | Immigration. A new contract is necessary because David Ware, the owner of Ware | Immigration, sold his practice to one of his partners and it has changed legal names. The term of the new contract will be from January 1, 2023 (when the sale occurred) through June 30, 2023. The fees for these services are listed in the “Schedule of Legal Fees for Academia” attached to the contract. All services not included in the fee schedule attached to the contract would be provided at the following hourly rates: David Ware (Of Counsel) \$350, Partners, \$250, Associate Attorneys \$175, and paralegal services \$100. The maximum amount payable under the term of this contract will not exceed \$75,000. 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.

ADMINISTRATION/POLICY

7. **SYSTEM** – 2023 Spring Commencement Schedules

Alcorn State University

Time/Date: 9:00 a.m., Saturday, May 13, 2023
Location: Jack Spinks and Marino Casem Stadium/Dwight Fisher Field
Speaker: The Honorable Thomas J. Vilsack, 32nd United States Secretary of Agriculture

Delta State University

Graduate, Undergraduate College of Business and Aviation, Undergraduate School of Nursing

Time/Date: 10:00 a.m., Friday, May 5, 2023
Location: Walter Sillers Coliseum
Speaker: Dr. Billy C. Moore, Dean, College of Business and Aviation, Delta State University

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Undergraduate College of Arts and Sciences and Undergraduate College of Education and Human Sciences

Time/Date: 2:00 p.m., Friday, May 5, 2023
Location: Walter Sillers Coliseum
Speaker: Dr. Billy C. Moore, Dean, College of Business and Aviation, Delta State University

Jackson State University

Graduate

Time/Date: 9:00 a.m., Friday, April 28, 2023
Location: Lee E. Williams Athletics and Assembly Center
Speaker: Anton Vicent, President of Mars Wrigley North America

Undergraduate

Time/Date: 9:00 a.m., Saturday, April 29, 2023
Location: Veterans Memorial Stadium
Speaker: Kiese Laymon, Author and Professor of English and Creative Writing at Rice University

Mississippi State University

Meridian Campus

Time/Date: 10:00 a.m., Thursday, May 11, 2023
Location: MSU Riley Center
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Starkville Campus

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

Time/Date: 8:30 a.m., Friday, May 12, 2023
Location: Davis Wade Stadium
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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

Time/Date: 6:30 p.m., Friday, May 12, 2023
Location: Davis Wade Stadium
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Doctor of Veterinary Medicine (DVM) Commencement

Time/Date: 11:30 a.m., Wednesday, May 10, 2023
Location: Newell-Grissom Building
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Doctoral Graduation and Hooding Ceremony (Ph.D. and Ed.D.)

Time/Date: 3:00 p.m., Wednesday, May 10, 2023
Location: Bettersworth Auditorium, Lee Hall
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Mississippi University for Women

College of Nursing and Health Sciences

Time/Date: 1:00 p.m., Friday, May 5, 2023
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

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College of Arts & Sciences, College of Business and Professional Studies, and School of Education

Time/Date: 4:00 p.m., Friday, May 5, 2023
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

Mississippi Valley State University

Time/Date: 8:00 a.m., Saturday, May 8, 2023
Location: Rice-Totten Stadium
Speaker: Dr. Trina N. George, U.S. Department of Agriculture, State Director for Mississippi

The University of Mississippi

Commencement exercises will be held May 10 – 14, 2023

Commencement Convocation

Time/Date: 8:00 a.m., Saturday, May 13, 2023
Location: The Grove (in case of inclement weather, convocation will be held in the Sandy and John Black Pavilion)
Speaker: Ms. Stephanie Hickman, President & CEO of Trice Construction Company

The University of Mississippi Medical Center

School of Nursing, School of Health Related Professions, School of Dentistry, School of Population Health, School of Medicine, and School of Graduate Studies in the Health Sciences

Time/Date: 10:00 a.m., Friday, May 26, 2023
Location: Mississippi Coliseum
Speaker: No Speaker

The University of Southern Mississippi

Graduate Students – All Colleges

Time/Date: 6:00 p.m., Thursday, May 11, 2023
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

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

Time/Date: 9:00 a.m., Friday, May 12, 2023
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Undergraduates – College of Arts and Sciences; College of Nursing and Health Professions

Time/Date: 2:00 p.m., Friday, May 12, 2023
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Coast – Graduates and Undergraduates – All Colleges

Time/Date: 3:00 p.m., Saturday, May 13, 2023
Location: Mississippi Coast Coliseum, Biloxi, MS
Speaker: No Speaker

8. **SYSTEM** – The following item has been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.

- a. **MSU** – On March 31, 2023, Commissioner Alfred Rankins, Jr., approved a Rental Agreement between Mississippi State University and BCR Investments LLC for

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Sections L and FF of a building located at 1085 Stark Road, Starkville, MS for conditioned storage space for staging, video walls and audio equipment for MSU-Event Services Department. The initial term of the agreement is one year beginning April 1, 2023 at a cost of \$6,525 per quarter payable at the beginning of each quarter. 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.

**HEALTH AFFAIRS
COMMITTEE REPORT**

Wednesday, April 19, 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. Dr. LouAnn Woodward, Vice Chancellor of Health Affairs and Dean, School of Medicine at the University of Mississippi Medical Center, introduced Jennifer Sinclair the new Chief Financial Officer.
2. Dr. Jonathon Wilson, Chief Administrative Officer at the University of Mississippi Medical Center, reported on their efforts to assist with the natural disaster in Rolling Fork, MS.
3. The Committee discussed the monthly financial summary and strategic goal dashboard. **No action was taken.**

4. Executive Session

On motion by Trustee Martin, seconded by Trustee Ogletree, with Trustees Cummings, Luckey, McNair, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustees Cummings, Luckey, McNair, and Parker absent and not voting, all Committee members 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 the strategic business plans and decisions of a public hospital.

During Executive Session, the following matters were discussed:

The Committee discussed the strategic business plans and decisions of a public hospital.

No action was taken.

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

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

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

ANNOUNCEMENTS

- Trustee Cunningham thanked everyone for their well wishes and gifts in recognition of the passing of his father.
- President Duff invited the university presidents to report on current activities on their campuses.

EXECUTIVE SESSION

On motion by Trustee Cummings, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Martin, seconded by Trustee Starr, with Trustees Luckey and McNair 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 two litigation matters at the University of Mississippi Medical Center.
Discussion of a personnel matter at Alcorn State University.
Discussion of a personnel matter at Jackson State University.

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

On motion by Trustee Ogletree, seconded by Trustee Martin, with Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Tort Claim No. 3282 styled as *Sherry Charlie, decedent's mother, on behalf of wrongful death beneficiaries vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel, and the settlement of IHL Tort Claim No. 3450 styled as *Annie McMahon, parent of a minor, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

On motion by Trustee Luckey, seconded by Trustee Martin, with Trustee Cummings absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to terminate Dr. Felecia Nave's employment as president of Alcorn State University, for the Board's convenience effective immediately, and to appoint Dr. Ontario Wooden, current provost of Alcorn State University, as the interim president at a state salary of \$300,000 per year, pro rata, effective immediately.

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

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

On motion by Trustee Cunningham, seconded by Trustee Rader, with Trustee Cummings absent and not voting and Trustees Luckey and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to appoint Dr. Ormella Cummings, Mr. Bruce Martin, Mr. Gee Ogletree, and Mr. Hal Parker to serve on the Jackson State University President Search Committee.

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Composite
Exhibit 1 FY 2024 appropriations and final allocation.
- Composite
Exhibit 2 Proposed increases in resident and non-resident tuition rates at all institutions, except Alcorn State University, Delta State University, and Mississippi Valley State University, and the proposed resident and non-resident tuition rates for certain professional schools at Alcorn State University, Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective FY 2024 for final approval. The student activity fees, capital improvement fees, and technology fees are also shown.
- Exhibit 3 Proposed increase in room rates for Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi, effective FY 2024 for final approval.
- Exhibit 4 Proposed increases board rates for all institutions, except Mississippi Valley State University, effective FY 2024 for final approval.
- Exhibit 5 Real Estate items that were approved by the IHL Board staff subsequent to the March 23, 2023 Board meeting.
- Exhibit 6 Report of the payment of legal fees to outside counsel.

COMPOSITE EXHIBIT 1



FY 2024 Education & General Campus Funds - Legislative Line Items

| | FY 2023 | FY 2024 | Difference | Percent |
|--------------|------------------|-------------------|------------------|--------------|
| ASU | \$1,830,168 | \$1,830,168 | (\$0) | 0.0% |
| DSU | 1,405,826 | 1,405,826 | 0 | 0.0% |
| JSU | 1,285,826 | 1,285,826 | 0 | 0.0% |
| MSU | 2,565,213 | 3,164,549 | 599,336 | 23.4% |
| MUW | 205,215 | 205,215 | 0 | 0.0% |
| MVSU | 50,826 | 50,826 | 0 | 0.0% |
| UM | 1,194,054 | 2,194,055 | 1,000,001 | 83.7% |
| USM | 1,150,826 | 2,600,826 | 1,450,000 | 126.0% |
| Other | 300,000 | 0 | (300,000) | -100.0% |
| Total | 9,987,956 | 12,737,291 | 2,749,335 | 27.5% |

COMPOSITE EXHIBIT 1



FY 2024 Education & General Campus Funds – Unrestricted Lump Sum

| | FY 2023 | FY 2024 | Difference | Percent |
|--------------|--------------------|--------------------|-------------------|----------------|
| ASU | \$22,237,354 | \$23,023,876 | \$786,522 | 3.5% |
| DSU | 22,095,006 | 22,876,493 | 781,487 | 3.5% |
| JSU | 42,042,991 | 43,530,026 | 1,487,035 | 3.5% |
| MSU | 101,987,082 | 105,594,303 | 3,607,221 | 3.5% |
| MUW | 17,693,290 | 18,319,091 | 625,801 | 3.5% |
| MVSU | 15,237,238 | 15,776,170 | 538,932 | 3.5% |
| UM | 92,104,755 | 95,362,444 | 3,257,689 | 3.5% |
| USM | 88,435,192 | 91,563,091 | 3,127,899 | 3.5% |
| Other | - | - | - | 0.0% |
| Total | 401,832,908 | 416,045,494 | 14,212,586 | 3.5% |

COMPOSITE EXHIBIT 1



FY 2024 Education & General Campus Funds – Combined Allocation

| | FY 2023 | FY 2024 | Difference | Percent |
|-------|----------------|----------------|-------------------|----------------|
| ASU | \$24,067,522 | \$24,854,044 | \$786,522 | 3.3% |
| DSU | 23,500,832 | 24,282,319 | 781,487 | 3.3% |
| JSU | 43,328,817 | 44,815,852 | 1,487,035 | 3.4% |
| MSU | 104,552,295 | 108,758,852 | 4,206,557 | 4.0% |
| MUW | 17,898,505 | 18,524,306 | 625,801 | 3.5% |
| MVSU | 15,288,064 | 15,826,996 | 538,932 | 3.5% |
| UM | 93,298,809 | 97,556,499 | 4,257,690 | 4.6% |
| USM | 89,586,018 | 94,163,917 | 4,577,899 | 5.1% |
| Other | 300,000 | 0 | (300,000) | -100.0% |
| Total | 411,820,864 | 428,782,785 | 16,961,921 | 4.1% |

COMPOSITE EXHIBIT 1



FY 2024 Separately Budgeted Units

| | FY 2023 | FY 2024 | Change | Percent |
|----------------------------------|----------------|----------------|---------------|----------------|
| Student Financial Aid (1) | \$53,631,667 | \$53,649,256 | \$17,589 | 0.0% |
| University Medical Center | 186,924,508 | 194,127,865 | 7,203,357 | 3.9% |
| UMMC - ARPA Funds (2) | 55,000,000.00 | 0 | (55,000,000) | 100.0% |
| UMMC - Capital Expense Funds (3) | 3,681,530 | 3,000,000 | (681,530) | -18.5% |
| Subtotal - UMMC | 245,606,038 | 197,127,865 | (48,478,173) | -19.7% |

(1) Overseen by the Postsecondary Financial Assistance Board

(2) FY2023 includes \$55 million for School of Nursing.

(3) FY2023 includes \$3,681,530 for the Asylum Hill Project.

COMPOSITE EXHIBIT 1



FY 2024 Agricultural Programs

| | FY 2023 | FY 2024 | Change | Percent |
|--|----------------|----------------|---------------|----------------|
| ASU - Agricultural Units | \$6,909,585 | \$7,271,895 | \$362,310 | 5.2% |
| MSU - Agricultural & Forestry Experiment Station | 24,231,531 | 24,852,439 | 620,908 | 2.6% |
| MSU - Mississippi Cooperative Extension | 32,561,834 | 33,456,867 | 895,033 | 2.7% |
| MSU - Forest & Wildlife Research Center | 6,244,130 | 6,478,863 | 234,733 | 3.8% |
| MSU - College of Veterinary Medicine | 19,207,311 | 19,988,518 | 781,207 | 4.1% |

COMPOSITE EXHIBIT 1



FY 2024 Subsidiary Programs

| Inst. | Subsidiary | FY 2023 | FY 2024 | Change | Percent |
|-----------|---|---------------------|---------------------|--------------------|-------------|
| Board | Executive Office | \$7,573,163 | \$7,731,871 | \$158,708 | 2.1% |
| JSU | Urban Research Center | 521,816 | 531,744 | 9,928 | 1.9% |
| MSU | Advanced Vehicular Studies | 4,671,540 | 4,846,578 | 175,038 | 3.7% |
| MSU | State Chemical Laboratory | 1,853,096 | 3,249,285 | 1,396,189 | 75.3% |
| MSU | Water Resources Research Institute | 351,676 | 351,676 | 0 | 0.0% |
| MSU | Stennis Institute | 758,384 | 770,935 | 12,551 | 1.7% |
| UM | Law Research Institute | 861,178 | 873,574 | 12,396 | 1.4% |
| UM | Mineral Resources Institute | 355,037 | 357,902 | 2,865 | 0.8% |
| UM | Research Inst. of Pharmaceutical Sciences | 3,755,929 | 3,848,817 | 92,888 | 2.5% |
| UM | Supercomputer | 644,348 | 649,817 | 5,469 | 0.8% |
| UM | Small Business Center | 307,684 | 316,834 | 9,150 | 3.0% |
| UM | Center for Manufacturing Excellence | 3,069,737 | 3,212,363 | 142,626 | 4.6% |
| UM | State Court Education Program | 1,882,974 | 2,050,389 | 167,415 | 8.9% |
| USM | Mississippi Polymer Institute | 865,161 | 913,091 | 47,930 | 5.5% |
| USM | Gulf Coast Research Laboratory | 8,363,094 | 8,530,157 | 167,063 | 2.0% |
| USM | Stennis Center | 352,716 | 357,377 | 4,661 | 1.3% |
| (Non-IHL) | Volunteer Commission | 1,020,753 | 1,098,413 | 77,660 | 7.6% |
| Total | | \$37,208,286 | \$39,690,823 | \$2,482,537 | 6.7% |

IHL Finance Committee

April 20, 2023

COMPOSITE EXHIBIT 1



FY 2024 *Ayers* Budgets

| | FY 2023 | FY 2024 | Change | Percent |
|-------------------------------------|-----------|-----------|-----------|----------|
| Alcorn State University | \$0 | \$0 | \$0 | -100.00% |
| Jackson State University | 0 | 0 | \$0 | -100.00% |
| Mississippi Valley State University | 0 | 0 | \$0 | -100.00% |
| Total <i>Ayers</i> Programs | 0 | 0 | 0 | -100.00% |
| Prior Year Reappropriations | 1,615,903 | 2,886,269 | 1,270,366 | 78.6% |
| Total <i>Ayers</i> Appropriations | 1,615,903 | 2,886,269 | 1,270,366 | 78.62% |

Note: FY 2022 was the final year of *Ayers* program appropriations.

COMPOSITE EXHIBIT 2



FY 2024 Resident Tuition Request

| Institution | Approved FY 2023 | Requested FY 2024 | Difference |
|-----------------------|---------------------|----------------------|------------|
| ASU | \$ 7,869 | \$ 7,869 | \$ - |
| DSU | 8,435 | 8,435 | - |
| JSU | 8,270 | 8,520 | 250 |
| MSU | 9,248 | 9,665 | 417 |
| MUW | 7,766 | 7,992 | 226 |
| MVSU | 7,274 | 7,274 | - |
| UM | 9,072 | 9,252 | 180 |
| USM | 9,230 | 9,508 | 278 |
| SYSTEM AVERAGE | 8,396 | 8,564 | 169 |
| UMMC | \$ 9,600 | \$ 9,960 | \$ 360 |

COMPOSITE EXHIBIT 2



FY 2024 Non-Resident Tuition Request

| Institution | Approved FY 2023 | Requested FY 2024 | Difference |
|---|---------------------|----------------------|------------|
| ASU (Does not include International Students) | \$ 7,869 | \$ 7,869 | \$ - |
| ASU (International Students) | 9,069 | 9,069 | - |
| DSU (Does not include International Students) | 8,435 | 8,435 | - |
| DSU (International Students) | 9,466 | 9,466 | - |
| JSU | 9,270 | 10,520 | 1,250 |
| MSU | 25,294 | 26,430 | 1,136 |
| MUW | 7,766 | 7,992 | 226 |
| MVSU | 7,274 | 7,274 | - |
| UM | 26,292 | 26,820 | 528 |
| USM | 11,230 | 11,508 | 278 |
| SYSTEM AVERAGE | 12,197 | 12,538 | 342 |
| UMMC | \$ 28,152 | \$ 29,208 | \$ 1,056 |

COMPOSITE EXHIBIT 2



FY 2024 Resident Tuition Request – Professional Schools

| | Approved FY 2023 | Requested FY 2024 | Difference |
|---|---------------------|----------------------|------------|
| ASU | | | |
| Graduate | \$ 8,174 | \$ 8,583 | \$ 409 |
| Doctor of Nursing Practice | 8,407 | 8,827 | 420 |
| MSU | | | |
| Veterinary Medicine | 29,170 | 29,170 | - |
| Master of Physician Assistant | 29,900 | 31,400 | 1,500 |
| MUW | | | |
| MBA (36 hour program) | 8,900 | 8,900 | - |
| RN to BSN (3 semesters: Fall, Spring & Summer) | 8,780 | 8,780 | - |
| USM | | | |
| Certified Reg. Nurse Anesthesia (3 semesters: Fall, Spring & Summer) | 25,990 | 26,770 | 780 |

COMPOSITE EXHIBIT 2



FY 2024 Resident Tuition Request – Professional Schools (cont.)

UM-OXFORD

| | Approved FY 2023 | Requested FY 2024 | Difference |
|--|---------------------|----------------------|------------|
| School of Law (JD) | \$ 17,630 | \$ 18,310 | \$ 680 |
| Masters of Laws Program Air & Space Law and Online Certificate in Air & Space Law | 22,992 | 23,664 | 672 |
| MBA and PMBA (resident & non-resident) | 15,741 | 16,497 | 756 |
| School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3 | 13,752 | 9,252 | (4,500) |
| School of Pharmacy: P1 & P2 | 25,830 | 26,010 | 180 |
| School of Pharmacy: P3 & P4 | 27,822 | 28,002 | 180 |
| Master of Accountancy Programs | 10,584 | 10,764 | 180 |
| Other Online Degree Programs of Study | 504 | 514 | 10 |
| Online M. Ed & Ed. S. in Educational Leadership | 300 | 300 | - |

COMPOSITE EXHIBIT 2



FY 2024 Resident Tuition Request – Professional Schools (cont.)

University of Mississippi Medical Center

| | Approved FY 2023 | Requested FY 2024 | Difference |
|--|---------------------|----------------------|------------|
| <i>Undergraduate Program (12 hours/semester)</i> | | | |
| SON, SHRP, SOD DH | \$ 9,600 | \$ 9,960 | \$ 360 |
| <i>Graduate (9 hours/semester)</i> | | | |
| SON, SHRP, SGSHS, SOPH | 9,450 | 9,810 | 360 |
| <i>Doctorate (13.5 hours/semester)</i> | | | |
| SHRP - DHA | 16,470 | 17,415 | 945 |
| <i>Professional</i> | | | |
| SHRP - DPT & OTD | 21,900 | 22,700 | 800 |
| SGSHS-AuD (New Fall 2023) | NA | 22,700 | NA |
| SOM - MD | 33,500 | 34,600 | 1,100 |
| SOD - DMD | 33,500 | 34,600 | 1,100 |

COMPOSITE EXHIBIT 2



FY 2024 Non-Resident Tuition Request – Professional Schools

| | Approved FY 2023 | Requested FY 2024 | Difference |
|---|---------------------|----------------------|------------|
| ASU | | | |
| Graduate | \$ 8,174 | \$ 8,583 | \$ 409 |
| Doctor of Nursing Practice | 8,407 | 8,827 | 420 |
| MSU | | | |
| Veterinary Medicine | 51,464 | 51,464 | - |
| Master of Physician Assistant | 54,900 | 56,400 | 1,500 |
| MUW | | | |
| MBA (36 hour program) | 8,900 | 8,900 | - |
| RN to BSN (3 semesters: Fall, Spring & Summer) | 8,780 | 8,780 | - |
| USM | | | |
| Certified Reg. Nurse Anesthesia (3 semesters: Fall, Spring & Summer) | 31,990 | 32,770 | 780 |

COMPOSITE EXHIBIT 2



FY 2024 Non-Resident Tuition Request – Professional Schools (cont.)

UM - OXFORD

| | Approved FY 2023 | Requested FY 2024 | Difference |
|--|---------------------|----------------------|------------|
| School of Law (JD) | \$ 37,695 | \$ 38,720 | \$ 1,025 |
| Masters of Laws Program Air & Space Law and Online Certificate in Air & Space Law | 22,992 | 23,664 | 672 |
| MBA | 36,756 | 37,287 | 531 |
| School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3 | 32,172 | 26,820 | (5,352) |
| School of Pharmacy: P1 & P2 | 52,788 | 53,316 | 528 |
| School of Pharmacy: P3 & P4 | 56,916 | 57,444 | 528 |
| Master of Accountancy Programs | 27,801 | 28,332 | 531 |
| Other Online Degree Programs of Study | 504 | 514 | 10 |
| Online M. Ed & Ed. S. in Educational Leadership | 300 | 300 | - |

COMPOSITE EXHIBIT 2



FY 2024 Non-Resident Tuition Request – Professional Schools (cont.)

University of Mississippi Medical Center

| | Approved FY 2023 | Requested FY 2024 | Difference |
|--|---------------------|----------------------|------------|
| <i>Undergraduate Program (12 hours/semester)</i> | | | |
| SON, SHRP, SOD DH | 28,152 | 29,208 | 1,056 |
| <i>Graduate (9 hours/semester)</i> | | | |
| SON, SHRP, SGSHS, SOPH | 27,720 | 28,776 | 1,056 |
| <i>Doctorate (13.5 hours/semester)</i> | | | |
| SHRP - DHA | 46,147 | 46,535 | 388 |
| <i>Professional</i> | | | |
| SHRP - DPT & OTD | 33,500 | 34,724 | 1,224 |
| SGSHS-AuD (New Fall 2023) | NA | 34,724 | NA |
| SOM - MD | 78,700 | 81,284 | 2,584 |
| SOD - DMD | 78,700 | 81,284 | 2,584 |

COMPOSITE EXHIBIT 2



FY 2024 Student Activity Fee, Capital Improvement Fee and Technology Fee Request

| Institution | Approved FY 2023 | | | Requested FY 2024 | | |
|--------------------|----------------------|--------------------------|----------------|----------------------|--------------------------|----------------|
| | Student Activity Fee | Capital Improvements Fee | Technology Fee | Student Activity Fee | Capital Improvements Fee | Technology Fee |
| ASU ⁽¹⁾ | \$ 100 | \$ 100 | \$ 480 | \$ 100 | \$ 100 | \$ 480 |
| DSU | 50 | 120 | - | 50 | 120 | - |
| JSU | 70 | 105 | - | 170 | 105 | - |
| MSU | 50 | 100 | - | 50 | 100 | - |
| MUW | - | 100 | - | - | 100 | - |
| MVSU | 20 | 100 | - | 100 | 100 | - |
| UM ⁽²⁾ | 60 | 100 | - | 60 | 100 | - |
| UMMC | - | - | - | - | - | - |
| USM | 40 | 70 | - | 40 | 70 | - |

(1) ASU Technology Fee charged \$20 per credit hour up to full-time 12 hours; full-time max reflected above.

(2) UM Student Activity Fee charged \$2 per credit hour for the Fall and Spring semesters only.

* Fees are Annualized (Spring and Fall Semester)

EXHIBIT 3



FY 2024 Student Room Rate Request Double Occupancy Average

| Institution | Approved FY 2023 | Requested FY 2024 | Difference |
|----------------|---------------------|----------------------|------------|
| ASU | \$ 6,508 | \$ 6,508 | \$ - |
| DSU | 4,625 | 4,625 | - |
| JSU | 6,020 | 6,201 | 181 |
| MSU | 6,960 | 7,238 | 278 |
| MUW | 4,712 | 4,712 | - |
| MVSU | 4,549 | 4,549 | - |
| UM | 6,039 | 6,341 | 302 |
| USM | 5,967 | 6,265 | 298 |
| AVERAGE | 5,673 | 5,805 | 132 |

EXHIBIT 4



FY 2024 Student Board Rate Request Most Expensive Meal Plan

| Institution | Approved FY 2023 Rates | Requested FY 2024 Rates | Difference |
|--------------------|---------------------------------------|--|-------------------|
| ASU | \$ 3,747 | \$ 4,309 | \$ 562 |
| DSU | 3,692 | 3,802 | 110 |
| JSU | 4,604 | 4,972 | 368 |
| MSU | 4,368 | 4,586 | 218 |
| MUW | 3,500 | 3,675 | 175 |
| MVSU | 3,793 | 3,793 | - |
| UM | 4,376 | 4,596 | 220 |
| USM | 4,480 | 4,700 | 220 |
| Average | 4,070 | 4,304 | 234 |

EXHIBIT 5

April 20, 2023

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MARCH 23, 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.

ALCORN STATE UNIVERSITY

1. **MASTER PLAN 10-YEAR UPDATE**

Approval Request #1: Master Plan

Board staff approved Master Plan 10-Year Update

Approval Status & Date: APPROVED, March 13, 2023

DELTA STATE UNIVERSITY

2. **DSU- GS #102-281 – ADA COMPLIANCE FOR BOLOGNA PERFORMING ARTS CENTER**

NOTE: This is a Bureau of Building project

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Burris-Wagnon Architects.

Approval Status & Date: APPROVED, March 10, 2023

Approval Request #2: Design Development Documents

Board staff approved the Design Development Documents as submitted by Burris-Wagnon Architects.

Approval Status & Date: APPROVED, March 20, 2023

Project Initiation Date: November 17, 2022

Design Professional: Burris-Wagnon Architects

General Contractor: TBD

Total Project Budget: \$1,702,500.00

EXHIBIT 5

April 20, 2023

MISSISSIPPI STATE UNIVERSITY

3. **MSU- IHL #205-297 – BUTLER HALL MECHANICAL, ADA IMPROVEMENTS AND EXTERIOR WINDOW REPLACEMENT**

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of \$29,116.96 and zero (0) additional days to the contract of Brislin, Inc.

Approval Status & Date: APPROVED, March 3, 2023

Change Order Description: Change Order #6 includes the following items: removed the existing window stools at all restroom windows & installed new structural jamb steel at each restroom window assembly; installed new structural jamb steel at window assembly B; installed decorative break metal at various window heads, sills and jambs throughout the building; installed two new exit signs and relocated two exit signs; installed upgrades requested by the MS State Elevator Inspector, credit issued for 3rd party fire alarm testing; installed an owner-provided drinking fountain; installed new wiring & receptacles for electronic equipment in the distance learning classroom; credit issued for omitting transfer grilles from various doors; installed decorative break metal to cover new steel installations and at gap between beams and windows at stairs; installed 120v circuit for service lights at the HRU and credit issued for furniture damage during moving.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$724,444.22

Project Initiation Date: December 5, 2019

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

General Contractor: Brislin, Inc.

Total Project Budget: \$4,643,600.00

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

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,951,499.00 to the apparent low bidder, Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, March 31, 2023

Project Initiation Date: December 5, 2019

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$3,000,000.00

5. **MSU- IHL #205-307 – ADDITIONAL OFFICES RASPET FLIGHT LAB**

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, March 3, 2023

EXHIBIT 5

April 20, 2023

Project Initiation Date: December 5, 2019
Design Professional: ArchitectureSouth, P.A.
General Contractor: TBD
Total Project Budget: \$180,000.00 (Design Fees Only)

6. **MSU- IHL #205-319 – 20-INCH SEWER FORCE MAIN REPLACEMENT PHASE 2**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, March 3, 2023

Approval Request #2: Design Development Documents

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

Approval Status & Date: APPROVED, March 3, 2023

Project Initiation Date: May 19, 2022

Design Professional: Garver Engineering

General Contractor: TBD

Total Project Budget: \$2,500,000.00

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

Approval Request #1: Contract Documents

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

Approval Status & Date: APPROVED, March 1, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 1, 2023

Project Initiation Date: August 18, 2022

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

General Contractor: TBD

Total Project Budget: \$5,000,000.00

8. **MSU IHL #205-328 - NEW RESIDENCE HALL**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Wier Boerner Allin Architecture

Approval Status & Date: APPROVED, March 31, 2023

Project Initiation Date: October 25, 2022

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$60,000,000.00

EXHIBIT 5

April 20, 2023

9. **MSU IHL #205-329 – SANDERSON CENTER RENOVATION & REPAIRS**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Weir Boerner Allin Architecture

Approval Status & Date: APPROVED, March 31, 2023

Project Initiation Date: November 17, 2022

Design Professional: Weir Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$2,500,000.00

UNIVERSITY OF MISSISSIPPI

10. **UM- IHL #207-473 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, March 8, 2023

Approval Request #2: Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, March 8, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

Construction Management Advisor: ICM

Total Project Budget: \$25,000,000.00

11. **UM- IHL #207-473.1 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION – PH I DEMO**

Approval Request #1: Contract Documents

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

Status & Date: APPROVED, March 29, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 29, 2023

Project Initiation Date: March 16, 20

Design Professional: McCarty Architects, P.A.

Construction Management Advisor: ICM

Total Project Budget: \$25,000,000.00

EXHIBIT 5

April 20, 2023

12. UM- IHL #207-482 – FASER HALL – ROOF REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$320,520.77 and two hundred (200) additional days to the contract of B Four Plied, Inc.

Approval Status & Date: APPROVED, March 29, 2023

Change Order Description: Change Order #1 includes the following: removed air handling unit-1, it's curb, all associated systems (electrical, condensate, ducts, hot & chilled water piping; prepared the deck for the new curb and new AHU; installed the new curb and AHU and reconnected all systems to the new AHU; piping, ducts, etc. altered to accommodate the physical size and configuration of the new AHU; following the curb, AHU and all associate work that will affect the new roofing system is complete, the roof materials are to be properly flashed to the new curb for a weathertight condition; and two hundred (200) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$320,520.77.

Project Initiation Date: February 18, 2021

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: B Four Plied, Inc.

Total Project Budget: \$2,570,000.00

13. UM- IHL #207-485 – JAC-CENTER FOR GRAPHENE RESEARCH RENOVATION

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on April 4, 2023 to approve the budget increase from \$2,000,000.00 to \$2,750,000.00 an increase of \$750,000.00 for the JAC-Center for Graphene Research Renovation project.

Approval Status & Date: APPROVED, April 4, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,750,000.00

14. UM- IHL #207-495 BREVARD HALL 201 RENOVATION

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, March 13, 2023

Project Initiation Date: January 19, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$1,000,000.00

EXHIBIT 5

April 20, 2023

15. UM- IHL #207-496 FASER HALL 453 LAB RENOVATION

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, March 31, 2023

Project Initiation Date: January 19, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$1,000,000.00

16. UM- IHL #207-497 – NEW STUDENT HOUSING

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 March 16, 2023 to approve the budget increase from \$1,000,000.00 to \$16,000,000.00 an increase of \$15,000,000.00 for the New Student Housing project.

Approval Status & Date: APPROVED, March 16, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$16,000,000.00

17. UM- IHL #207-497.1 – NEW STUDENT HOUSING – KINCANNON DEMOLITION

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 March 16, 2023 to approve the Demolition of Kincannon Hall to provide a suitable site for the New Student Housing project.

Approval Status & Date: APPROVED, March 16, 2023

Approval Request #2: Schematic Design Documents

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

Approval Status & Date: APPROVED, April 3, 2023

Approval Request #2: Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by McCarthy Architects, P.A.

Approval Status & Date: APPROVED, April 3, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$2,493,176.32

Total Project Budget: \$16,000,000.00

EXHIBIT 5

April 20, 2023

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

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$827,271.92 and thirty-four (34) additional days to the contract of W. G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, March 29, 2023

Change Order Description: Change Order #3 includes the following: removed underground conduit to manhole and flush grade pull box; added drywall ceiling deck in a room to allow for mounting of stone wool ceiling panels; added ventilation for updated fire protection system to meet the new code; relocated a roof drain in the elevator shaft; added shade pockets; added a steel support to a curtainwall at a room; sealed a hole on level 3 from the shaft wall duct; and thirty-four (34) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$41,965.97.

Project Initiation Date: February 18, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: W.G. Yates & Sons Construction Company

Total Project Budget: \$175,200,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

19. UMMC- IHL #209-581 –CHILDREN’S CANCER CLINIC RENOVATION

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$3,411,600.00 to the apparent low bidder, Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, March 7, 2023

Project Initiation Date: October 19, 2020

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

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$6,000,000.00

EXHIBIT 6

April 20, 2023

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 2/17/23, 2/17/23 and 3/15/23) from the funds of Mississippi State University. (These statements, in the amounts of \$2,400.00, \$900.00 and \$375.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,675.00

Payment of legal fees for professional services rendered by Copeland, Cook, Taylor & Bush (statement dated 2/13/23) from the funds of Mississippi State University. (This statement, in the amount of \$4,400.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,400.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 3/27/23) 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 Lightfoot Franklin White, LLC (statements dated 2/10/23 and 3/13/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$6,498.00 and \$12,079.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 18,577.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 3/3/23) from the funds of the University of Mississippi. (This statement, in the amount of \$800.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 800.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/24/23 and 3/10/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,674.17 and \$1,947.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,621.17

EXHIBIT 6

April 20, 2023

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 3/7/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,473.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,473.00

Payment of legal fees for professional services rendered by Richard & Thomas, PLLC (statement dated 3/30/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,027.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,027.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 3/1/23, 3/1/23, 3/1/23 and 3/1/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$236.06, \$45.54, \$8.80 and \$2,250.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 2,540.40

Payment of legal fees for professional services rendered by Wise Carter (statement dated 3/13/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$136.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 136.50

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 (statements dated 2/28/23, 2/28/23 and 2/28/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications” - \$54.00; “Water Repellent Solids” - \$67.50 and “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - \$635.00.)

TOTAL DUE.....\$ 756.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 3/7/23, 3/7/23, 3/7/23 and 3/7/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Earth Abundant Emitters for Organic Light Emitting Diodes – OLEDs” - \$770.00; “Species-agnostic Polymeric Formulations for Inhalable mRNA Delivery to

EXHIBIT 6

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the Lung” - \$4,986.50; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$35.00; and “General IP Matters” - \$456.50.)

TOTAL DUE.....\$ 6,248.00

Payment of legal fees for professional services rendered by Quarles and Brady (statement dated 2/28/23) 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” - \$350.00.)

TOTAL DUE.....\$ 350.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 11/22/22, 11/22/22, 11/22/22, 12/27/22, 12/28/22, 1/27/23, 1/27/23, 1/27/23, 1/27/23, 2/28/23, 2/28/23 and 2/28/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Hydrophobic Papers via Metal-Ion” - \$2,650.50; “Novel Catalysts and Process” - \$777.00; “Unsymmetrical CCC-NHC Pincer” - \$2,860.00; “Polymers and Co-Polymers” - \$407.50; “Synthesis of Optically Active” - \$2,300.00; “Unsymmetric CCC-HNC Pincer” - \$1,976.50; “Methods for Improving Rice Nutrition” - \$2,912.50; “Polymers and Co-Polymers - \$38.00; “Novel Catalysts and Process” - \$1,379.50; “Cottonseed Oil Polymer” - \$587.50; “Unsymmetrical CCC-NHC Pincer” - \$1,608.50 and Unsymmetrical CCC-NHC Pincer” - \$2,135.50.)

TOTAL DUE.....\$ 19,633.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/23/23 and 2/23/23) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Trademark Matters” - \$147.50; and “Opposition to The New Miss Brand Trademark Application” - \$442.50.)

TOTAL DUE.....\$ 590.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/28/23, 2/28/23 and 2/28/23) 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: “Infrared Detection w Intrinsically Conductive” - \$206.50; “Gulf Blue Trademark” - \$67.50; and “Mesoporous Material Derived” - \$206.50).

TOTAL DUE.....\$ 480.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 3/7/23, 3/7/23 and 3/7/23) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following

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patents or intellectual property matters: “Thiol-Based Post-Modification of Conjugated Polymers” - \$981.00; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$300.00; and “Post-Polymerization and Polymeric Material Modification Through Gold Catalysis” - \$210.00).

TOTAL DUE.....\$ 1,491.00

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
April 25, 2023**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via Zoom at the Board Office in Jackson, Mississippi at 12:00 p.m. on April 25, 2023, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. Ms. Jeanne Carter Luckey and Mr. Gregg Rader were absent. The meeting was called to order by Mr. Tom Duff, President.

To comply with Miss. Code Ann., §25-41-5, as amended, all votes taken during this Zoom meeting were recorded by name in a rollcall. The meeting was held to discuss a financial matter at the University of Mississippi Medical Center.

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee McNair, with Trustees Luckey and Rader absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 on the Finance Agenda.

1. **UMMC** – Approved the request to issue through the Medical Center Educational Building Corporation (MCEBC) revenue bonds in one or more tax-exempt or taxable series to finance development of its Colony Park teaching campus not to exceed \$110 million. The Board approved the payment of costs of issuance, sale and delivery of the bonds, and the necessary bond documents including the proposed bond resolution. The Board approved the Financial Advisor’s report provided by Hilltop Securities. The other professionals are Butler Snow LLP – Bond Counsel and Raymond James-Underwriters. The Board also approved the request to waive the requirement found in Board Policy 906 Educational Building Corporations which mandates approval of the resolution granting permission for issuance of bonds at a subsequent meeting. The University intends to construct an approximately 131,000 square-foot multidisciplinary, educational campus, consisting of a medical office building, multispecialty Ambulatory Surgical Center, imaging center, and multimedia classrooms. Long-term and intermediate term fixed rate bonds will be issued with maturities up to thirty (30) years. The MCEBC expects to issue up to \$110 million par value in fixed rate bonds for the purposes set forth above. Proceeds from the bond issue will support the project, capitalized interest, costs of issuance and the underwriters’ discount. Based on the Financial Advisor’s report dated February 10, 2023, the proposed debt amortization will have an average annual debt service of \$7.2 million at an expected interest rate of 4.72%. Bond counsel will be paid \$1.90 per \$1,000 of par value for the first \$25 million and \$1.115 per \$1,000 of the par value in excess of \$25 million for an estimated compensation of \$145,250 for \$110 million in total par value. The bonds will be repaid from patient revenues. Legal Staff has reviewed the proposed agreement for compliance

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STATE INSTITUTIONS OF HIGHER LEARNING
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with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
May 18, 2023

1. JSU– REQUEST FOR APPROVAL TO AMEND A CLOUD SERVICES AGREEMENT WITH ELLUCIAN, L.P.

Agenda Item Request: Jackson State University (JSU) requests approval to amend an agreement with **Ellucian, L.P (Ellucian)** to extend the term of its Banner Hosting and Application Management for Cloud Services. The current Cloud Services Agreement with Ellucian will expire on May 30, 2023.

Contractor’s Legal Name: Ellucian Company L.P.

History of Contract: This is a new order form. The parties entered into a Professional Services Agreement for Banner Hosting and Application Management starting in 2013 and ending in 2018. In May of 2018, IHL approved and the parties entered into Amendment Agreements with Ellucian for its Banner Hosting and Application Management (Leadership Services and Cloud Services), for an additional five (5) years. The current Cloud Services Amendment is set to expire May 30, 2023.

Type of Contract: This is a contract for Banner Hosting and Application Management, Cloud Services. These are service contracts related to information technology services, and software related to running reports from the Banner system, as well as other functions.

Purpose: In 2013, JSU entered into a Professional Services Agreement with Ellucian to migrate JSU’s on-premises Enterprise Resource Planning (ERP) Student Information System platform (Banner) to an Ellucian-hosted cloud platform (Banner Hosting and Application Management). In 2018, IHL approved and the Parties entered into Amended Agreements to extend the term for an additional five (5) years. The Parties wish to extend the term of the Amendments for an additional two (2) years. Ellucian will continue to provide certain management information, services in support of the management and operation of JSU's Division of Information Technology, as more fully described in the Professional Services Agreement. Such management information services include two types of services: **(1) Cloud Services** - Application Management Services and Hosting Services and **(2) Leadership Services**, which include all other services, including but not limited to Services Provider Technology Leadership Services.

On or about March 16, 2023, JSU received ITS Board Approval of an exemption which permits JSU to continue its use of the Banner Hosting and Application Management contract in an amount estimated not to exceed a 2-year cost of \$3,196,749.00. Having received ITS approval and exemption, JSU now seeks approval of the new Order Form.

Scope of Work: Ellucian will continue to provide Banner Hosting and Application Management, through both on-site and remote personnel, general and management services related to JSU’s Information Technology needs, as well as the provision of Hosting services and access to Hosted Systems.

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The goal is to maintain JSU's ERP infrastructure to continue current service levels for its students, faculty, and staff while also evaluating options for migration to a SaaS solution. Continuation of the current agreement will provide: 1.) Vendor-hosted software, running on dedicated hardware for JSU, 2.) Technical support for end users, 3.) Routine feature and security updates, 4.) Customizations and enhancements as needed for internal business use.

Term of Contract: The term of this new Amendment/Order Form shall be May 31, 2023 and will terminate on May 31, 2025.

Termination Options: This agreement may be terminated for the following reasons:

- For convenience with 30 day’s written notice
- reduction of funds
- force majeure
- default by either party with 30 day’s written notice

Agreement Amount: \$906,928.00

Payment Schedule Payment Schedule ^{1,23}

| MONTH | Calendar Year Ending 12/31/2023 | Calendar Year Ending 12/31/2024 | Calendar Year Ending 12/31/2025 |
|-----------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| January | n/a ³ | \$36,161 | \$39,416 |
| February | n/a ³ | \$36,161 | \$39,416 |
| March | n/a ³ | \$36,161 | \$39,416 |
| April | n/a ³ | \$36,161 | \$39,416 |
| May | n/a ³ | \$36,161 | \$39,420 |
| June | \$36,161 | \$39,416 | n/a |
| July | \$36,161 | \$39,416 | n/a |
| August | \$36,161 | \$39,416 | n/a |
| September | \$36,161 | \$39,416 | n/a |
| October | \$36,161 | \$39,416 | n/a |
| November | \$36,161 | \$39,416 | n/a |
| December | \$36,161 | \$39,416 | n/a |
| ANNUAL TOTALS: | \$253,127 | \$456,717 | \$197,084 |

Funding Source(s) for Project: State-appropriated funding will be used for this renewal.

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Contractor Selection Process: N/A

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.

2. JSU-REQUEST FOR APPROVAL TO AMEND A LEADERSHIP SERVICES AGREEMENT WITH ELLUCIAN, L.P.

Agenda Item Request: Jackson State University (JSU) requests approval to amend an agreement with **Ellucian, L.P (Ellucian)** to extend the term of its Banner Hosting and Application Management for Leadership Services. The current Leadership Services Agreement with Ellucian will expire on May 30, 2023.

Contractor's Legal Name: Ellucian Company L.P.

History of Contract: This is a new order form. The parties entered into a Professional Services Agreement for Banner Hosting and Application Management starting in 2013 and ending in 2018. In May of 2018, IHL approved and the parties entered into Amendment Agreement with Ellucian for its Banner Hosting and Application Management (Leadership Services and Cloud Services), for an additional five (5) years. The current Leadership Amendment is set to expire May 30, 2023.

Type of Contract: This is a contract for Banner Hosting and Application Management, Leadership Services. These are service contracts related to information technology services, and software related to running reports from the Banner system, as well as other functions.

Purpose: In 2013, JSU entered into a Professional Services Agreement with Ellucian to migrate JSU's on-premises Enterprise Resource Planning (ERP) Student Information System platform (Banner) to an Ellucian-hosted cloud platform (Banner Hosting and Application Management). In 2018, IHL approved and the Parties entered into Amended Agreements to extend the term for an additional five (5) years. The Parties wish to extend the term of the Amendments for an additional two (2) years. Ellucian will continue to provide certain management information, services in support of the management and operation of JSU's Division of Information Technology, as more fully described in the Professional Services Agreement. Such management information services include two types of services: **(1) Cloud Services** - Application Management Services and Hosting Services and **(2) Leadership Services**, which include all other services, including but not limited to Services Provider Technology Leadership Services.

On or about March 16, 2023, JSU received ITS Board Approval of an exemption which permits JSU to continue its use of the Banner Hosting and Application Management contract in an amount estimated not to exceed a 2-year cost of \$3,196,749.00. Having

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received ITS approval and exemption, JSU now seeks approval of the new Order Form.

Scope of Work: Ellucian will continue to provide Banner Hosting and Application Management, through both on-site and remote personnel, general and management services related to JSU’s Information Technology needs, as well as the provision of Hosting services and access to Hosted Systems.

The goal is to maintain JSU's ERP infrastructure to continue current service levels for its students, faculty, and staff while also evaluating options for migration to a SaaS solution. Continuation of the current agreement will provide: 1.) Vendor-hosted software, running on dedicated hardware for JSU, 2.) Technical support for end users, 3.) Routine feature and security updates, 4.) Customizations and enhancements as needed for internal business use.

Term of Contract: The term of this new Amendment/Order Form shall be May 31, 2023 and will terminate on May 31, 2025.

Termination Options: This agreement may be terminated for the following reasons:

- For convenience with 30 day’s written notice
- reduction of funds
- force majeure
- default by either party with 30 day’s written notice

Agreement Amount: \$2,289,821.00

Payment Schedule

| Month | FY 2022-2023 | FY 2023-2024 | FY 2024-2025 | Total |
|--------------|---------------------|---------------------|---------------------|--------------|
| July | - | \$95,409 | \$95,409 | |
| August | - | \$95,409 | \$95,409 | |
| September | - | \$95,409 | \$95,409 | |
| October | - | \$95,409 | \$95,409 | |
| November | - | \$95,409 | \$95,409 | |
| December | - | \$95,409 | \$95,409 | |
| January | - | \$95,409 | \$95,409 | |
| February | - | \$95,409 | \$95,409 | |

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| | | | | |
|----------------------|----------|-------------|-------------|--------------------|
| March | - | \$95,409 | \$95,409 | |
| April | - | \$95,409 | \$95,409 | |
| May | - | \$95,409 | \$94,414 | |
| June | \$95,409 | \$95,409 | - | |
| | ----- | ----- | ----- | |
| Annual Totals | \$95,409 | \$1,144,908 | \$1,049,504 | |
| | | | | \$2,289,821 |

Funding Source(s) for Project: State-appropriated funding will be used for this renewal.

Contractor Selection Process: N/A

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. MSU – REQUEST FOR APPROVAL OF BUDGET ESCALATION-MISSISSIPPI STATE CHEMICAL LABORATORY EDUCATIONAL & GENERAL

Mississippi State University (MSU) requests permission to escalate the Educational & General budget of the Mississippi State Chemical Laboratory (MSCL) for FY 2023.

The escalation is requested to procure new equipment necessary for continued support of state regulatory programs and to improve MSCL's turnaround time.

Fund balance reserves (\$1,052,850.33) will provide the source of funds.

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| Mississippi State Chemical Laboratory General Budget Revision by Major Object | | | | |
|--|------------------------|---------------------|------------------------|--|
| Category | Current Budget | Increase/(Decrease) | Revised Budget | |
| Salaries | \$ 1,447,630.00 | \$ - | \$ 1,447,630.00 | |
| Wages | - | \$ - | | |
| Fringe Benefits | 403,622.00 | \$ - | \$ 403,622.00 | |
| Total Salaries, Wages, and Fringe Benef | 1,851,252.00 | - | 1,851,252.00 | |
| Travel and Subsistence | 12,500.00 | \$ - | 12,500.00 | |
| Contractual Services | 128,000.00 | \$ 50,000.00 | 178,000.00 | |
| Commodities | 164,469.00 | \$ - | 164,469.00 | |
| Capital Outlay | | | | |
| Non-Equipment | - | | - | |
| Equipment | 161,316.00 | \$ 300,000.00 | 461,316.00 | |
| Total Capital Outlay | 161,316.00 | 300,000.00 | 461,316.00 | |
| Mandatory Transfers | | | | |
| Debt Service | - | \$ - | - | |
| Matching | - | \$ - | - | |
| Other | 39,000.00 | \$ - | 39,000.00 | |
| Total Mandatory Transfers | 39,000.00 | - | 39,000.00 | |
| Non-Mandatory Transfers | | | | |
| Auxiliary Support | - | \$ - | - | |
| Building Projects | - | \$ - | - | |
| Other | - | \$ - | - | |
| Total Non-Mandatory Transfers | - | - | - | |
| Increase in Fund Balance | | | | |
| Total Uses of Funding | \$ 2,356,537.00 | 350,000.00 | \$ 2,706,537.00 | |

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. MSU – REQUEST FOR APPROVAL TO ENTER INTO AN AIR CHARTER SERVICES AGREEMENT WITH SOUTHWEST AIRLINES CO.

Agenda Item Request: Under Board Policy 707.01, MSU requests approval to enter into a contract with **Southwest Airlines Co.** for the purpose of air transportation services for the MSU Football team during the 2023 Football season. Under Board Policy 707.03, MSU requests approval to pay a deposit prior to the flights. Prepayment is very common and most often required in this industry.

Contractor’s Legal Name: Southwest Airlines Co.

History of Contract: MSU has a need for air charter services for the MSU Football team to and from the appropriate locations for games during the 2023 season. MSU has used this firm previously and has been satisfied with their services.

Specific Type of Contract: Air charter services agreement.

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Purpose: Provide air transportation for MSU Football.

Scope of Work: Southwest Airlines Co. will provide jet aircraft transportation to transport the MSU Football team and appropriate staff. The agreement includes three (3) round-trip flights as shown in the appendix included.

Term of Contract: Contract shall commence the date contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement.

Contract Amount: The total amount for all charters will be \$375,300.00.

Funding Source for Contract: Athletic Department self-generated funds.

Termination Options: MSU may cancel any flight in the agreement without a cancellation charge by giving written notice to Southwest at least 60 days or more prior to the scheduled departure date.

If MSU cancels between 30-59 days prior to the scheduled departure date, MSU will owe 20% of the total charter price; 15-29 days will be 50%; less than 15 days will be 90%; minimum charge will be \$2,000.00.

MSU may terminate the agreement under clauses referenced in the Mississippi State University Standard Contract Addendum.

Contractor Selection Process: MSU has used this firm previously and is satisfied with their costs and services.

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. UM-REQUEST FOR APPROVAL TO AMEND A CONTRACTUAL SERVICES AGREEMENT WITH CARNEGIE DARTLET LLC

Agenda Item Request: University Marketing & Communications requests approval to enter into a contract with **Carnegie Dartlet LLC**.

Contractor's Legal Name: **Carnegie Dartlet LLC**

History of Contract: UM is currently under a Master Service Agreement with Carnegie Dartlet LLC approved by the IHL Board in March of 2019. The addition of Statement of Work #2 was approved by the IHL Board in November of 2019. Statement of Work #3 and Amendment #1 were approved by the IHL Board in January of 2020. Statement of

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Work #4 and Amendment #2 were approved by the IHL Board in October 2020. Statement of Work #5 was approved by the IHL Board in January 2021. Statement of Work #6 and Statement of Work #7 were approved by the IHL Board in August 2021. Statement of Work #8 and Statement of Work #9 were approved by the IHL Board in February 2022. Statement of Work #10 was approved by the IHL Board in June 2022. Statement of Work #11 was approved by the IHL Board in August 2022.

Specific Type of Contract: This is an amendment to the Master Service Agreement to add a new Statement of Work #12.

Purpose: This contract amendment includes Statement of Work #12 (SOW12) which will provide digital advertising services to support the university's enrollment and brand strategies.

Scope of Work: This statement of work details a four-month proposed media plan for digital marketing services and an eleven-month proposed plan for digital analytics services.

Term of Contract: The current MSA is scheduled to expire on March 22, 2025. SOW12 has an eleven-month term beginning May 2023 and ending March 2024.

Termination Options: As part of the Master Service Agreement, the amendment can be canceled for convenience by either party. The effective date of cancellation shall be sixty (60) days from the date of written notice of intent to cancel. In addition, this Agreement may be canceled with fourteen (14) days' notice due to a breach of the terms of the Agreement. It may also be terminated immediately for bankruptcy, assignment for benefit of creditors, or if a receiver is appointed to control the business of the other party. This contract may be canceled for non-availability of funds in the event that the funds used to pay for the contract become unavailable due to a change or decrease in the legislative appropriation to The University of Mississippi.

Contract Amount: The amount of SOW12 is \$193,676. This addition would increase the total amount of the existing Agreement to a sum not to exceed \$2,653,898.

Funding Source for Contract: The source of funding for the contract will be Education & General (E&G) funds that reside in the departmental budgets of University Marketing & Communications and the Division of Enrollment Management earmarked for the purpose of enrollment marketing, and E&G funds earmarked for the redesign and maintenance of olemiss.edu.

Contractor Selection Process: The University Marketing & Communications department is choosing to partner with the same contractor that created and delivered the university's most recent market research and corresponding brand personality. SOW12 outlines services and pricing that are very consistent with a successful digital marketing campaign delivered by the vendor under SOW6 and SOW10. More specifically, the university has worked with the vendor on brand perception and digital marketing since

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2019, and this SOW activates on the findings delivered from the brand perception study outlined in SOW10 to continue that investment.

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.

6. UM-REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH WEST PUBLISHING CORPORATION

Agenda Item Request: The University of Mississippi Law Library requests approval to continue a contract with **West Publishing Corporation**.

Contractor's Legal Name: **West Publishing Corporation d/b/a West**, a Thomson Reuters business

History of Contract: The Law Library maintains subscriptions to various primary law sources, loose-leaf secondary sources, and other print-based monographs published through the West Publishing Corporation. We have received these titles from West through a Library Maintenance Agreement for the past several years. This contract would be a continuation of the Library Maintenance Agreement. By maintaining our subscriptions in this format, we save approximately 20% on the various titles each fiscal year.

Specific Type of Contract: This contract is for a purchase of physical goods to be housed within the Law Library collection.

Purpose: The purpose of this contract is to maintain access to sources of primary law and secondary sources of importance to Mississippi and the general public while receiving approximately a 20% discount on the cost of said materials even with the yearly price increase.

Scope of Work: This contract is for information content and not for work.

Term of Contract: This contract will be in place from June 1, 2023 to May 31, 2028.

Termination Options: After the initial 12 months, this contract may be terminated if funding in the Law Library is significantly reduced with 60 days written notice accompanied with an official document certifying the non-availability of funds.

Contract Amount: This contract will cost:

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6/2023-5/2024 \$71,916
6/2024-5/2025 \$73,356
6/2025-5/2026 \$74,820
6/2026-5/2027 \$76,320
6/2027-5/2028 \$77,844

Payment will be made monthly.

Funding Source for Contract: Costs for this contract will be funded by the Law Library's materials budget which is derived from E&G funds.

Contractor Selection Process: The vendor for this contract is the publisher of the specified publications. These individual titles were selected by the Law Library's Collection Development team and have been standing subscriptions to support the Law School and University's curriculum and research needs. These titles are only published by this vendor. This contract provides an opportunity to cap price increases. Without the contract, the subscription to these titles will continue but will cost the University significantly more over time.

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 AMEND A LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 33 to the License and Support Agreement with **Epic Systems Corporation (Epic)** to add the Location Services Module to the current list of licensed Program Property. The Location Services Module provides MapQuest's location and mapping data that will help patients find nearby healthcare providers.

Contractor's Legal Name: Epic Systems Corporation

History of Contract: On August 19, 2010, the Board approved the original License and Support Agreement with Epic for licensing and support of UMMC's electronic health record. The agreement subsequently has been amended upon Board approval. The term of the amended agreement is nine (9) years, from August 23, 2010, through August 22, 2024, with an estimated total cost of \$118,880,932.99. A complete history of the Epic contract is on file at the Board office.

Specific Type of Contract: This is Amendment No. 33 to the License and Support Agreement.

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Purpose: The purpose of Amendment No.33 is to add the Location Services Module to the current list of licensed Program Property. The Location Services Module provides MapQuest's location and mapping data that will help patients find nearby healthcare providers.

Scope of Work: Under Amendment No. 33, Epic will:

- Provide the software license and support for the license program property under the current agreement; and
- Provide ongoing maintenance and support for the licenses.

Term of Contract: The term of Amendment No. 33 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024.

Termination Options: The License and Support Agreement may be terminated as follows:

- Upon ninety (90) days' notice prior to the end of an annual term;
- Breach due to failure of system to operate properly after warranty, provided a forty-five (45) day warranty period is allowed for Epic to cure such breach;
- Upon notice of infringement claim against Epic, if Epic is unable to modify the infringing program property or to provide UMMC with an appropriate replacement program;
- Upon bankruptcy, insolvency and the like;
- Upon material breach of the agreement after the breaching party has been allowed sixty (60) days to cure the breach after receiving written notice of the breach.

Contract Amount: The license fee and monthly maintenance fees are waived. The total cost of the Agreement remains \$118,888,932.99.

Funding Source for Contract: This agreement is funded by general funds.

Contractor Selection Process: UMMC is currently contracted with Epic.

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 ENTER INTO A RENTAL AGREEMENT WITH BUNNELL, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a rental agreement with Bunnell, Inc. (Bunnell) to rent LifePulse

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High Frequency Jet Ventilators (HFJV) and the WhisperJet Patient Box on an as-needed basis. The ventilator and patient box are used in ventilating critically ill infants with pulmonary interstitial emphysema (PIE), as well as in critically ill infants with respiratory distress syndrome (RDS) complicated by pulmonary air leaks who are failing on conventional ventilation.

Contractor's Legal Name: Bunnell, Inc.

History of Contract: On January 1, 2023, UMMC entered a six-month rental agreement with Bunnell for the rental of LifePulse High Frequency Jet Ventilators (HFJV) and WhisperJet Patient Box on an as-needed basis. The agreement will expire on June 30, 2023. UMMC currently owns one (1) LifePulse HFJV Ventilator with WhisperJet Patient Box, purchased in 2018. However, an increase in patients requiring advanced strategies in ventilation has elevated the need for additional ventilators periodically. Often the need arises to place a patient on a ventilator that has advanced ventilation capabilities and UMMC does not have the equipment available for use which forces us to use other ventilators with limited ventilation platforms, which may not create the pathway for care needed, which leads to longer time on the ventilator and delay in lung recovery. Thus, UMMC has identified a need for additional ventilators based on the increased patient need.

Specific Type of Contract: This is a new rental agreement.

Purpose: The purpose of the agreement is for the rental of LifePulse HFJV and WhisperJet Patient Boxes on an as-needed basis for critically ill infants with complex respiratory issues.

Scope of Work: Under the agreement, Bunnell will rent LifePulse HFJV and WhisperJet Patient Boxes to UMMC.

Term of Contract: The term of the agreement is one (1) year, from July 1, 2023 to June 30, 2024.

Termination Options: The agreement may be terminated as follows:

- by UMMC at any time by returning rented equipment;
- by UMMC upon thirty (30) days' written notice to Bunnell;
- immediately upon Bunnell's breach of any of the following ongoing representations and warranties that Bunnell, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care 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,

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debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,

- 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 Bunnell being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
- if Bunnell is to receive any patients' personal health information, Bunnell represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected; and
- immediately in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

Contract Amount: The estimated cost of the agreement is \$300,000.

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

Contractor Selection Process: The LifePulse HFJV ventilator and WhisperJet Patient Box qualifies as a clinical commodity under Miss Code Ann. §31-7-1, which is 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.

9. UMMC –REQUEST FOR APPROVAL TO AMEND A LEASE AGREEMENT AND USE, LICENSE & SERVICES AGREEMENT WITH INTUITIVE SURGICAL, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Lease Agreement and Use, License & Service Agreement (ULSA) with **Intuitive Surgical, Inc. (Intuitive)** to extend the term of the agreements. The agreements are for the lease of the Ion Endoluminal System (Ion System) and purchase of instruments and accessories used with the Ion System. The Ion System is robotic equipment used in the diagnosis of adult patients with lung nodules. It allows physicians to perform minimally invasive lung biopsies, fiducial placement, and ablations with a low risk of complications for patients. UMMC also requests approval to add or remove instruments and accessories under the agreement without seeking prior Board approval as long as it does not exceed the approved expenditure level.

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Contractor's Legal Name: Intuitive Surgical, Inc.

History of Contract: On April 21, 2022, the Board approved the one (1) year lease agreement and one (1) year ULSA with Intuitive for the Ion System. The agreements will expire May 31, 2023, unless amended.

Specific Type of Contract: This is an amendment to the Lease Agreement and Use, License & Service Agreement.

Purpose: The purpose of the first amendment is to extend the term of the lease thereby extending the ULSA. The purpose of the agreements is to lease the Ion System and purchase instruments and accessories used with the system, as well as training for six (6) physicians to use the Ion System. The Ion System is robotic equipment used in the diagnosis of adult patients with lung nodules. It allows physicians to perform minimally invasive lung, fiducial placement, and ablations with a low risk of complications for patients.

Scope of Work: Under this agreement, Intuitive will continue to provide

- the Ion System equipment,
- the PlanPoint and Ion Software,
- service to the Ion System,
- training, and
- instruments and accessories used with the Ion System.

Term of Contract: The term of the amended agreement is two (2) years, one (1) month, and eleven (11) days from April 21, 2022 through May 31, 2024. The Lease Agreement and ULSA became effective upon the date of signature, which was April 21, 2022 with a term of twelve (12) months from the date of the equipment delivery, which occurred June 1, 2022. The amendment extends the term for one (1) additional year, through May 31, 2024.

Termination Options: The Lease Agreement may be terminated as follows:

- by either party if the equipment is declared a total loss and UMMC pays all accrued sums due; and
- by the non-defaulting party upon written notice to the defaulting party in an event of default such as if:
 - UMMC does not pay on the due date any amount payable by it under the agreement and such default is not cured within ten (10) days;
 - a party does not comply with any term agreement;
 - any representation made or repeated by one party to the other party in the agreement is proved to be incorrect in any material respect when made or deemed to be repeated;

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- a party is unable to pay its debts as they fall due, admits its inability to pay its debts as they fall due, or is otherwise deemed insolvent, or begins negotiations with any creditor for the rescheduling of any of its indebtedness;
- any step is taken with a view to a moratorium, rehabilitation or composition with any of the party's creditors, a meeting of its shareholders, directors or other officers is convened for the purpose of considering any resolution for, to petition for or to file documents with a court or any registrar for, its winding-up, bankruptcy, dissolution or judicial management or any such resolution is passed or any person petitions for or files documents for the same, an order for its bankruptcy, winding-up, judicial management or dissolution is made or any other analogous step or procedure is taken in any jurisdiction;
- any provisional attachment, attachment, sequestration, distress, execution or analogous event affects any material asset(s) of a party and is not discharged within fourteen (14) days;
- it is or becomes unlawful for a party to perform any of its obligations under the agreement, or the agreement is not effective in accordance with its terms;
- an event or series of events occur which, in the reasonable opinion of a party, is likely to result in a total loss;
- a party abandons the equipment or does anything which, in the reasonable opinion of the other party, prejudices the rights of the other party in or over the equipment;
- there is, in a party's reasonable opinion, a material change in the shareholding of the other party or any person, or group of persons acting in concert, acquires control of the other party; or
- an event or series of events occur which, in the reasonable opinion of the party, have or are likely to have a material adverse effect on the financial condition of the other party.

The ULSA may be terminated as follows:

- by Intuitive immediately upon written notice if the system use is not consistent with the manuals, labeling, or instructions for use;
- by Intuitive immediately upon written notice if UMMC permits any third party to modify, disassemble, reverse engineer, alter, or misuse the system or instruments and accessories;
- by Intuitive immediately upon written notice if UMMC permits the system to be moved or operated by non-trained personnel;
- by UMMC upon thirty (30) days prior written notice if an Intuitive individual providing services under the agreement becomes debarred, excluded, or otherwise ineligible for participation in any federal or state health care program;

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- by either party upon written notice for a breach of a material term or condition that is not cured within thirty (30) days; and
- by UMMC if Intuitive cannot provide services for thirty (30) consecutive days due to a force majeure event.

Contract Amount: The total estimated cost of the amended agreement over the two (2) year term is \$1,750,000.00. The original estimated cost of the agreement was \$500,000.00. The first amendment adds \$1,250,000.00 to the agreement.

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

Contractor Selection Process: UMMC is currently contracted with Intuitive.

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.

10. UMMC –REQUEST FOR APPROVAL TO AMEND A PURCHASE AGREEMENT WITH ZIMMER US, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Product Purchase Agreement with **Zimmer US, Inc. (Zimmer)** to extend the term of the agreement. The agreement is for the purchase and consignment of lower extremity total joint components such as implants, instrumentation, and supplies used in surgical procedures for adult and pediatric patients (Total Joint). These components are necessary to provide total knee and hip replacements or revisions of previously replaced joints. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Zimmer US, Inc.

History of Contract: On May 21, 2020, the Board approved a three (3) year Product Purchase Agreement with Zimmer for purchase and consignment of lower extremity total joint components. The agreement will expire on May 31, 2023, unless amended.

In 2022, UMMC sought proposals from vendors for its Total Joint needs. Based on the analysis of proposals received, UMMC has selected Zimmer, Smith & Nephew, Inc (Smith & Nephew), Johnson & Johnson Health Care Systems Inc. (JJHCS), and Encore Medical, L.P. (DJO) as the vendors UMMC will use for Total Joint. UMMC has submitted for consideration a separate agreement with Smith & Nephew.

Specific Type of Contract: This is an amendment to the Product Purchase Agreement.

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Purpose: The purpose of the amendment is to extend the term of the agreement. The purpose of the agreement is to purchase and consign lower extremity total joint components such as implants, instrumentation, and supplies used in surgical procedures for adult and pediatric patients. These components are necessary to provide total knee and hip replacements or revisions of previously replaced joints. The consignment option under the agreement will allow Total Joint products to be available at all times to UMMC surgeons, ensuring immediate treatment of patients, without cost to UMMC until the products are used.

Scope of Work: Under the amended agreement, Zimmer will continue provide lower extremity total joint components such as implants, instrumentation, and supplies to UMMC, and consign these items at UMMC for ease of access.

Term of Contract: The amended term of the agreement is four (4) years and seven (7) months from June 1, 2020 through December 31, 2024. The original term of the agreement was three (3) years, beginning June 1, 2020. The amendment extends the term by one (1) year and seven (7) months.

Termination Options: Termination options include the following:

- by the non-breaching party immediately in the instance of a breach of confidential information;
- by UMMC, upon sixty (60) days' written notice to Zimmer, if Zimmer discontinues a product and the parties are unable to reach agreement on an amendment regarding the discontinued products;
- by either party, if a force majeure event continues in excess of ninety (90) days, and the parties cannot arrive at a compromise;
- by either party due to a breach of the agreement by the other party, if the breaching party does not cure such breach within thirty (30) days after receipt of notice specifying the nature of the breach;
- by either party, with or without cause, upon sixty (60) days' prior written notice to the other party;
- by either party if the other party becomes insolvent or bankrupt, or becomes the subject of any proceedings under state, federal or foreign law for the relief of debtors, or makes any assignment for the benefit of creditors;
- by UMMC, due to discontinuation of products; and
- in the event of a reduction in funds.

Termination options for the consignment agreement include the following:

- by either party upon thirty (30) days prior written notice to the other party; and
- automatically upon the termination or expiration of the Product Purchase Agreement.

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Contract Amount: The estimated cost of the agreement remains \$12,000,000.00, it is unchanged over the four (4) year and seven (7) month term.

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

Contractor Selection Process: UMMC is currently contracted with Zimmer.

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.

11. **USM –REQUEST FOR APPROVAL TO ENTER INTO A SOFTWARE LICENSING AND MAINTENANCE AGREEMENT WITH HYLAND SOFTWARE, INC.**

Agenda Item Request: The University of Southern Mississippi requests approval to amend and extend an existing university contract with **Hyland Software, Inc. (formerly Hyland, LLC)** for five (5) years with two additional one-year renewal periods. Additionally, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, USM requests the Board’s approval to make payment in advance in accordance with the terms of the agreement.

Contractor’s Legal Name: Hyland Software, Inc.

History of Contract: The University has been using the ImageNow software since approximately 1999, primarily for financial aid documentation and student transcripts. ImageNow was the predominate choice due to its integration ability with the University's ERP system. A new Perceptive Software Master Agreement was signed in June 2011. In November 2013, USM requested and received approval from both ITS and IHL to renew the existing contract with Perceptive Software through November 30, 2018. In August 2018, USM requested and received approval from both ITS and IHL to enter into an additional contract with Hyland through December 31, 2023. Through various mergers and assignments, the current vendor to the University is Hyland Software, Inc. .

Specific type of contract: This contract is a software licensing and maintenance agreement. It will be a continuation of an existing software solution currently provided under an agreement with Hyland, LLC, pursuant to an amendment with its successor entity Hyland Software, Inc.

Purpose: The purpose of this contract is to provide continued use of document imaging software services that better serves the students, provides more accurate data and information to faculty about student success, as well as increases efficiencies within multiple offices across the campus.

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The current software, ImageNow, interfaces with PeopleSoft and Slate, provides document managing resources, and quickly delivers accessible reports. At least 49 University departments with approximately 250 intermittent users are currently utilizing ImageNow, with greater usage anticipated in the future. The University has invested in imaging hardware and document storage for the current system, and the University staff currently provides onsite training for ImageNow users.

Scope of Work: This agreement is for the use of the ImageNow imaging system. Other tools included in this software are iScript, Adrenaline, Document Control Suite, eForms and Worksheets. The complete list of the software suite includes:

- ImageNow Client I WebNow Combo
- CaptureNow Adrenaline
- ImageNow Mail Agent
- ImageNow Conversion Module
- ImageNow iScript
- Test-CaptureNow Adrenaline
- Test-ImageNow Client Seat License
- Test-ImageNow iScript
- Test-WebNow
- ImageNow eForms-T2
- ImageNow Document Control Suite-T2
- ImageNow Worksheets-Free
- ImageNow Server-T1
- Test-ImageNow Server-Legacy T1

Term of Contract: Initial Term of five (5) years with a Start Date of 01/01/2024 and End Date of 12/31/2028, with two (2) optional renewal terms of one (1) year each.

Termination Options: The Agreement may be terminated immediately upon breach by the other party of material terms, and breach of non-material terms with thirty (30) days' notice and failure to cure such breach.

Contract Amount: Total contract amount for this Amendment including the Initial Term and available renewals is \$326,647.54 with annual payments of \$65,329.52. The optional renewal periods provide for an escalation of the prior year's fee plus 10% for each renewal term.

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

Contractor Selection Process: In April, 2022, the University issued a new RFP for a Document Management System to encompass all the needs for a document imaging software. Ten responses were received. Hyland met all the requirements and was scored the highest of those meeting all the requirements.

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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 205-332 – ARTESIA ROAD EXTENDED

Project Request: Mississippi State University requests approval to initiate a project, Artesia Road Extended and to appoint Garver, LLC as the design professional for the project.

Proposed Design Professional: Garver, LLC

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that the university use the RFQ method for selecting the design professional. MSU used the RFQ method for the selection of the design professional.

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: The project will construct a new road connecting Artesia Road to Hail State Blvd.; beginning at the intersection of Artesia Rd/Oktoc Rd, extending West approx. 0.49 miles (2,600 L.F.) connecting to Hail State Blvd.

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

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initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: May 18, 2023

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

| | | <i>Estimated</i> |
|-------------------------------------|-----------|---------------------|
| Construction Cost: | \$ | 2,000,000.00 |
| Architectural and Engineering Fees: | | 250,000.00 |
| Misc. Project Costs: | | 714,000.00 |
| Furniture & Equipment Costs: | | 0.00 |
| Contingency: | | 161,000.00 |
| Total Project Budget | \$ | 3,125,000.00 |

Funding Source(s): Federal Funds – Omnibus Appropriations Bill [P.L.117-103] (\$2,500,000); University Funds (\$625,000). The federal funds listed are a direct appropriation for the Artesia Road connector project.

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

2. UM – IHL 207-489 – OLE MISS GOLF COMPLEX

Project Request: The University of Mississippi requests approval to appoint JBHM Architects, P.A. as the design professional for the project.

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

Selection Method: The project budget exceeds \$3M therefore it was required that the university use the RFQ method for selection of the design professional. UM publicly advertised for RFQ submissions and received qualification submittals from three firms. All three teams interviewed with the five member RFQ Selection Committee. The committee reached a unanimous selection following interviews.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$3,000,000 aggregate.

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Purpose: The University of Mississippi is seeking to 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: The project will renovate the Whitten Golf Center and add new exterior improvements to enhance the Ole Miss Golf Complex. In the Whitten Golf Center, locker rooms will be modernized, including new lockers and individual showers. Coaches' offices will be renovated, including conference tables for recruiting meetings and restrooms/showers for coaches. The men's and women's areas will be linked by a shared lounge with a fueling station, conference table, and lounge seating. An executive guest locker room, equipment room, loading, and storage areas will be added along with a small training area, an outdoor patio event space, and golf cart storage. Lobby improvements will include trophy displays and digital monitors.

A new exterior pathway will be constructed to connect the Whitten Golf Center to the Herrington Center, allowing the student-athletes and coaches to stay inside while moving between their locker room and indoor training area. Additionally, small restrooms will be added to the short course and driving range.

The University of Mississippi is seeking to 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: August 18, 2022

Date of Original Construction:

IHL #207-197 Golf Clubhouse - 2001 [Whitten Golf Center]

IHL #207-336 Golf Swing Analysis Center - 2011 [Herrington Center]

Date of Last Renovation:

IHL #207-415 Golf Practice Facility Renovation - 2019

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Project Budget:

| | | <i>Estimated</i> |
|-------------------------------------|---------------|--------------------------|
| Construction Cost: | \$ | 6,950,000.00 |
| Architectural and Engineering Fees: | | 512,130.00 |
| Misc. Project Costs: | | 287,770.00 |
| Furniture & Equipment Costs: | | 945,750.00 |
| Contingency: | | 1,304,350.00 |
| Total Project Budget | \$ | 10,000,000.00 |

Funding Source(s): UM Athletics / Ole Miss Athletics Foundation [OMAF]
 (\$10,000,000)

Staff Recommendation: Board staff recommends approval of this item.

3. UM – IHL 207-504 – NORTHGATE APARTMENTS HVAC REPLACEMENT

Project Request: The University of Mississippi requests approval to initiate a project, Northgate Apartments HVAC Replacement, and to appoint Corbett Legge & Associates, PLLC as the design professional for the project.

Proposed Design Professional: Corbett Legge & Associates, PLLC

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. UM opted to assign the design professional based on qualifications.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$4,000,000 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.

Project Scope: The project consists of replacing the HVAC units at Northgate Apartments of the University of Mississippi campus.

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.

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Project Initiation Date: May 18, 2023

Date of Original Construction: 1946

Date of Last Renovation: 2010 (Fire Suppression)

Project Budget:

| | | <i>Estimated</i> |
|-------------------------------------|-----------|---------------------|
| Construction Cost: | \$ | 1,365,000.00 |
| Architectural and Engineering Fees: | | 107,450.00 |
| Misc. Project Costs: | | 195,250.00 |
| Furniture & Equipment Costs: | | 0.00 |
| Contingency: | | 332,300.00 |
| Total Project Budget | \$ | 2,000,000.00 |

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

Staff Recommendation: Board staff recommends approval of this item.

4. UMMC – IHL 209-585 – BATSON 3RD FLOOR FINISH UPDATE

Project Request: The University of Mississippi Medical Center requests approval to initiate a project, Batson 3rd Floor Finish Update and to appoint JBHM Architecture as the design professional for the project.

Proposed Design Professional: JBHM Architecture, 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. UMMC used an internal selection committee for the selection of the design professional.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$3,000,000 aggregate.

Purpose: The University of Mississippi Medical Center 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 will update the finishes in the Batson Tower 3rd floor which includes 25 patient rooms. These finishes are dated, and this project will bring them in line with the new Sanderson Tower.

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

Project Initiation Date: May 18, 2023

Date of Original Construction: N/A

Date of Last Renovation: Minor renovations in 2015

Project Budget:

| | |
|-------------------------------------|------------------------|
| | <i>Estimated</i> |
| Construction Cost: | \$ 1,550,000.00 |
| Architectural and Engineering Fees: | 131,000.00 |
| Misc. Project Costs: | 4,000.00 |
| Furniture & Equipment Costs: | 0.00 |
| Contingency: | 165,000.00 |
| Total Project Budget | \$ 1,850,000.00 |

Funding Source(s): UMMC Patient Generated Funds (\$750,000); Children’s of Mississippi Philanthropy (\$1,100,000)

Staff Recommendation: Board staff recommends approval of this item.

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

BUREAU OF BUILDING PROJECTS

5. MVSU – GS 106-269 – JACOB AARON STUDENT UNION EXPANSION AND RENOVATION

Project Request: Mississippi Valley State University is requesting approval to increase the budget from \$19,755,000 to \$25,755,000 for an increase in the amount of \$6,000,000. In addition, MVSU requests to add HB 1353, Laws of 2022 as funding

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source for the project. All other funding sources have been previously authorized by the Board.

Current Project Phase: Design Phase

Design Professional: McCarty Architects

General Contractor: TBD

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

Purpose/Justification: MVSU received bids for the project on October 13, 2022, and the bids came in much higher than anticipated which resulted in the university not being able to award the project. As a result, the university must increase the budget in order to better reflect the current market conditions within the project and be able to rebid the project.

Project Scope: The scope of this project includes construction of an adjacent expansion to house student service activities, large scale meeting room functions and student recreational activities with adequate seating capacity for attending audiences. Renovations will also include expanded student support spaces, post office, print shop and bookstore. Finally, this project will address remediation of the existing mechanical systems and the renovation of the interior and address all life safety issues and ADA compliance.

History: This project was funded in 2018 in the amount of \$910,777.37 for a complete roof replacement. The funding for this endeavor is HB 1701, L'10 and SB 3100, L'11. The Preplan project was funded in 2019 with a funding source of SB 3065 L'19 in the amount of \$375,000. MVSU received bids October 13, 2022. The bids came in over budget which resulted in the university not being able to award the project at that time. MVSU had to come back to the Legislature this year and change the language in HB 1089, Laws of 2023 to allow the university to use the funds originally line itemed for Lackey on the Student Union. With the transfer of the funds, this will allow MVSU to rebid the project.

Mississippi Valley 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 18, 2021

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Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|-------------------------|-------------------------|------------------------|
| Construction Costs | \$ 14,902,135.00 | \$ 20,902,135.00 | \$ 6,000,000.00 |
| Architectural and Engineering Fees | \$ 1,237,687.00 | \$ 1,237,687.00 | \$ 0.00 |
| Miscellaneous Project Costs | \$ 2,870,071.00 | \$ 2,870,071.00 | \$ 0.00 |
| Furniture & Equipment Costs | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Contingency | \$ 745,107.00 | \$ 745,107.00 | \$ 0.00 |
| | | | |
| Total Project Budget | \$ 19,755,000.00 | \$ 25,755,000.00 | \$ 6,000,000.00 |

Proposed Funding Source(s): SB 3065, Laws of 2019 (\$6,320,000); HB 1730, Laws of 2020 (\$13,435,000); HB 1353, Laws of 2022 (\$6,000,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

6. MSU – IHL 205-325 – DAVIS WADE RENOVATIONS

Project Request: Mississippi State University is requesting approval to increase the budget from \$25,000,000 to \$35,000,000 for an increase in the amount of \$10,000,000. The funding source will remain the same.

Current Project Phase: Design Phase

Design Professional: LPK Architects

Construction Manager Advisor: Innovative Construction Management

General Contractor: TBD

Insurance Coverage: The design firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$4,000,000 aggregate.

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Purpose/Justification: Mississippi State University is seeking to increase funding for the project to continue through the design phase of the project. The project budget must be updated due to updated more accurate cost estimates.

Project Scope: This phase of renovation is focused on the west lower bowl and includes:

- Removal of existing stadia treads & risers which will include bleachers, railings, etc.
- Install new treads & risers to add more tread depth and improve fan comfort. Includes railings, bleachers, chair backs, etc.
- Supplement & selectively replace the existing superstructure as necessary to support new bleacher/seating systems.
- New bowl design in this area will increase ADA seating and improve ingress/egress

History of Project: The project was initiated on August 18, 2022, at \$25,000,000 and MSU appointed LPK Architects as the design professional. On November 17, 2022, Innovative Construction Management, LLC was approved by the Board of Trustees as the Construction Manager Adviser

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: August 18, 2022

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Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|-------------------------|-------------------------|-------------------------|
| Construction Costs | \$ 21,500,000.00 | \$ 31,000,000.00 | \$ 9,500,000.00 |
| Architectural and Engineering Fees | \$ 1,500,000.00 | \$ 2,170,000.00 | \$ 670,000.00 |
| Miscellaneous Project Costs | \$ 850,000.00 | \$ 100,000.00 | \$ (750,000.00) |
| Furniture & Equipment Costs | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Contingency | \$ 1,150,000.00 | \$ 1,730,000.00 | \$ 580,000.00 |
| | | | |
| Total Project Budget | \$ 25,000,000.00 | \$ 35,000,000.00 | \$ 10,000,000.00 |

Proposed Funding Source(s): EBC Bonds (\$35,000,000)

Staff Recommendation: Board staff recommends approval of this item.

7. MSU – IHL 205-328 – NEW RESIDENCE HALL

Project Request: Mississippi State University is requesting approval to increase the budget from \$60,000,000 to \$96,000,000 for an increase in the amount of \$36,000,000. The funding source will remain the same.

Current Project Phase: Design Phase

Design Professional: Wier Boerner Allin Architecture

Construction Manager Advisor: Hoar Program Management, LLC

General Contractor: TBD

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

Purpose/Justification: Mississippi State University is seeking to increase the budget for the project to continue through the design phase of the project. The project budget must be updated due to updated more accurate cost estimates. The project cost has

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been validated by two independent estimates (Design Professional's third-party estimate and the project's Construction Manager estimate).

Project Scope: The primary program of the building is Student Housing. Mississippi State University's Housing and Residence Life team worked closely with the design team to develop a 159,290 square foot program including 412 single-bedrooms in pod-style floor plans, incorporating common restrooms and pod lounges for each pod. The ground floor hosts laundry and social spaces for Housing, as well as the primary office, trash, and reception functions. The ground floor also incorporates mixed use function and houses a new Dining Facility for campus, as well as offices, multi-purposes rooms, and a storm shelter that will also be used as a multi-purpose space for Housing and Residence Life.

History of Project: The project was initiated with the Board of Trustees in October of 2022 with a project budget of \$400,000. MSU appointed Weir Boerner Allin Architecture as the design professional at the same time. In January 2023, MSU received approval from the Board of Trustees to raise the budget from a planning budget of \$400,000 to a project budget of \$60,000,000 which included the addition of EBC bonds as a funding source. In March of 2023, Hoar Program Management, LLC was approved by the Board of Trustees as the Construction Manager Adviser.

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 26, 2022 (Interim Approval)

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Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|-------------------------|-------------------------|-------------------------|
| Construction Costs | \$ 50,000,000.00 | \$ 77,331,789.00 | \$ 27,331,789.00 |
| Architectural and Engineering Fees | \$ 3,000,000.00 | \$ 4,639,907.00 | \$ 1,639,907.00 |
| Miscellaneous Project Costs | \$ 2,000,000.00 | \$ 5,786,358.00 | \$ 3,786,358.00 |
| Furniture & Equipment Costs | \$ 1,500,000.00 | \$ 1,800,000.00 | \$ 300,000.00 |
| Contingency | \$ 3,500,000.00 | \$ 6,441,946.00 | \$ 2,941,946.00 |
| | | | |
| Total Project Budget | \$ 60,000,000.00 | \$ 96,000,000.00 | \$ 36,000,000.00 |

Proposed Funding Source(s): Internal Cash Reserves (\$20,000,000); EBC bonds (\$76,000,000)

Staff Recommendation: Board staff recommends approval of this item.

8. MSU – IHL 405-002 – JIM AND THOMAS DUFF CENTER

Project Request: Mississippi State University is requesting approval to increase the budget from \$62,000,000 to \$65,000,000 for an increase in the amount of \$3,000,000. In addition, MSU requests to modify the funding source to include funds from HB 603, Laws of 2023 in the amount of \$15,000,000 to allow for the project budget increase. MSU will remove University Funds and SB 3002, Laws of 2022 as funding sources for the project. All other funding sources have been previously authorized by the Board.

Current Project Phase: Design Phase

Design Professional: Eley Guild Hardy / Dale Partners Joint Venture

General Contractor: TBD

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per occurrence and \$4,000,000 aggregate.

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Purpose/Justification: The purpose of this request is to increase the project budget in order to allow the university to add additional state funding to the project that was approved by the Legislature in the 2023 Session.

Project Scope: The Jim and Thomas Duff Center will be the home to Mississippi State University's Autism and Developmental Disabilities Clinic, Disability Resource Center, Access Program, and the College of Education's Department of Kinesiology. The state-of-the-art facility will provide offices, classrooms, and laboratories that will allow students to have hands-on, real-life training in the areas of physical and developmental disabilities as well as kinesiology. The 100,000 square foot Jim and Thomas Duff Center and the programs within it will positively impact the lives of Mississippi children and their families with broad and far-reaching implications for generations to come.

History of Project: The project was initiated with the Board of Trustees in February of 2019 with a project budget of \$900,000. MSU appointed Eley Guild Hardy / Dale Partners, A Joint Venture, as the design professional at the same time. In December of 2020, MSU received approval from the Board of Trustees to raise the budget from a planning budget of \$900,000 to a project budget of \$55,000,000. The Board of Trustees approved the rendering of the new building in June of 2022. In October of 2022, the building was named the Jim and Thomas Duff Center. In January of 2023, the Board of Trustees approved a budget increase to \$62,000,000.

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: February 21, 2019

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Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|-------------------------|-------------------------|------------------------|
| Construction Costs | \$ 53,000,000.00 | \$ 56,800,000.00 | \$ 3,800,000.00 |
| Architectural and Engineering Fees | \$ 3,500,000.00 | \$ 4,200,000.00 | \$ 700,000.00 |
| Miscellaneous Project Costs | \$ 2,500,000.00 | \$ 1,000,000.00 | \$ (1,500,000.00) |
| Furniture & Equipment Costs | \$ 0.00 | \$ 1,000,000.00 | \$ 1,000,000.00 |
| Contingency | \$ 3,000,000.00 | \$ 2,000,000.00 | \$ (1,000,000.00) |
| | | | |
| Total Project Budget | \$ 62,000,000.00 | \$ 65,000,000.00 | \$ 3,000,000.00 |

Proposed Funding Source(s): HB 1649, Laws of 2018 (\$10,000,000); SB 3005, Laws of 2019 (\$10,000,000); HB 1730, Laws of 2020 (\$10,000,000); SB 2948, Laws of 2021 (\$5,000,000); Private Funding (\$15,000,000); HB 603, Laws of 2023 (\$15,000,000)

Staff Recommendation: Board staff recommends approval of this item.

9. UM – IHL 207-492 – OXFORD-UNIVERSITY STADIUM EXPANSION

Project Request: The University of Mississippi is requesting approval to increase the budget from a preplanning budget of \$1,500,000 to a construction budget of \$30,000,000 for an increase in the amount of \$28,500,000. The funding source will remain the same.

Current Project Phase: Design Phase

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

Construction Manager Advisor: Innovative Construction Management

General Contractor: TBD

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

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Purpose/Justification: The escalation in the project budget is required to transition from pre-planning to design and construction. The current budget was an estimate of design fees only while the full project scope was developed with the design team. The budget has since been updated based on the design professional's conceptual estimate of the established project scope.

Project Scope: The project will renovate the existing Oxford-University Stadium to address programmatic deficiencies and upgrade patron amenities. The project will be phased as budget and season permit: Phase I focuses on Swayze Outfield Expansion, including seating in left and right fields with supporting concessions and restrooms; Phase II creates a Hall of Fame Plaza, honoring former players and National Championship Team; and Phase III is a new Indoor Practice Facility for Ole Miss Athletics. The current budget increase will permit design and construction of Phase 1 (\$27.5M) and design of Phase II (\$7M). Remaining phasing packages will be determined by budget and construction schedule. Additional Board agenda items will be required to confirm scope and budget for the remaining phases.

History of Project: The project was initiated on January 19, 2023, at \$1,500,000 for design fees only. UM appointed CDFL Architects + Engineers as the design professional at the same time. In April 2023, Innovative Construction Management, LLC was approved by the Board of Trustees as the Construction Manager Adviser

The University of Mississippi 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: January 19, 2023 (Interim Approval)

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Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|------------------------|-------------------------|-------------------------|
| Construction Costs | \$ 0.00 | \$ 24,977,355.00 | \$ 24,977,355.00 |
| Architectural and Engineering Fees | \$ 1,500,000.00 | \$ 2,191,825.00 | \$ 691,825.00 |
| Miscellaneous Project Costs | \$ 0.00 | \$ 365,800.00 | \$ 365,800.00 |
| Furniture & Equipment Costs | \$ 0.00 | \$ 50,000.00 | \$ 50,000.00 |
| Contingency | \$ 0.00 | \$ 2,415,020.00 | \$ 2,415,020.00 |
| | | | |
| Total Project Budget | \$ 1,500,000.00 | \$ 30,000,000.00 | \$ 28,500,000.00 |

Proposed Funding Source(s): Self-Generated Athletic Revenues (\$30,000,000) -UM Athletics /OMAF Foundation

Staff Recommendation: Board staff recommends approval of this item.

10. UM – IHL 207-495 – BREVARD HALL 2ND FLOOR LABS

Project Request: The University of Mississippi is requesting approval to increase the budget from \$1,000,000 to \$2,934,296 for an increase in the amount of \$1,934,296. In addition, UM requests to modify the project name, scope of the project, and add Internal R&R funds to the project to allow for the budget increase.

Current Project Phase: Design Phase

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

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

Purpose/Justification: This increase is based on design estimates received during the SD and DD phase of the original scope of the project, and the department requesting an additional project scope.

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Project Scope: The scope of the project will be to renovate the existing classroom 201, and three existing adjacent office spaces into a multi-disciplinary research lab. Room 235 will be renovated from a classroom into 4 offices with a small reception area for students waiting to meet with staff. Additionally, room 244 will be renovated from an existing classroom to a multi-disciplinary research lab matching 201. The new name of the project will be Brevard Hall 2nd floor Labs.

History of Project: The project was initiated on January 19, 2023, at \$1,000,000 for UM appointed McCarty Architects as the design professional at the same time. This will be the first budget increase brought to the Board of Trustees for this project.

The University of Mississippi 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: January 19, 2023

Proposed Project Budget:

| | Current Budget | Proposed Budget | Amount (+/-) |
|------------------------------------|------------------------|------------------------|------------------------|
| Construction Costs | \$ 525,000.00 | \$ 2,221,616.00 | \$ 1,696,616.00 |
| Architectural and Engineering Fees | \$ 45,000.00 | \$ 169,072.00 | \$ 124,072.00 |
| Miscellaneous Project Costs | \$ 100,000.00 | \$ 63,700.00 | \$ (36,300.00) |
| Furniture & Equipment Costs | \$ 200,000.00 | \$ 105,000.00 | \$ (95,000.00) |
| Contingency | \$ 130,000.00 | \$ 383,908.00 | \$ 253,908.00 |
| | | | |
| Total Project Budget | \$ 1,000,000.00 | \$ 2,943,296.00 | \$ 1,943,296.00 |

Proposed Funding Source(s): Capital Appropriations SB 3002, Laws of 2022 (\$1,000,000); Internal R&R (\$1,943,296)

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

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**11. USM – IHL 210-248 – OYSTER HATCHERY AND RESEARCH CENTER
(FORMERLY GULF COAST RESEARCH LABORATORY –
INVERTEBRATE GROWOUT II RENOVATION)**

Project Request: The University of Southern Mississippi requests approval to rename the project from GCRL- Invertebrate Growout II Renovation to Oyster Hatchery and Research Center to match the MDEQ and U.S. Treasury Grant language. In addition, USM requests to reduce the scope of the project.

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

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that the university use the RFQ method for selecting the design professional. USM used the RFQ method in selecting the design professional.

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 Southern Mississippi is seeking Board approval to change the scope of its Invertebrate Growout II Renovation project to design a smaller Oyster Hatchery and Research Center that will fit the University's budget. The modification of scope will allow the university to design and construct a building within the currently funded allocation amount taking into consideration lead times and higher inflation costs. For the new building to be within USM's budget, it must be smaller but meet the Gulf Coast Laboratory's needs. Like the previous project, the smaller project will support aquaculture research and development to advance the State's coastal restoration efforts, but at a price the University can afford.

Project Scope: The project will take the scope of the already Board approved Invertebrate Growout II construction documents and reduce them by 30%. The design professional will need to cut square footage by revisiting ways to reduce the size of all or some combination of spaces. USM hopes to reduce the construction cost to \$7,000,000.00.

The University of Southern Mississippi 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.

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History:

- 2003 – USM Constructs CP105 – Invertebrate Growout Building II at its Cedar Point Campus.
- 2016 – Section 14 of SB 2924, 2016 Regular Session, Laws of 2016 allocated \$3M and MDEQ and US Treasury RESTORE ACT – Grant No. 1 RDCGR470130-01-00 allocated an additional \$7M to develop an Oyster Hatchery and Research Center.
- 2018 – USM initiated IHL project 210-248 - Invertebrate Growout II to renovate and expand the existing aquaculture facility.
- 2020 & 2021 – USM made it through the CD approval process and put the project out to bid twice. However, the bids it received exceeded the University’s budget:
 - Design Cost Estimate – July 2021, Total Project: \$10,000,000.00
 - Competitive Bidding – October 2021, Lowest Bid Total Project: \$12,322,160.00
 - Competitive Re-Bidding – March 2022, Lowest Bid Total Project: \$13,276,197.00
 - Projection for Re-bidding – Fall 2022, Total Project: \$15,085,540.00
- 2022 – USM allocates approximately \$400,000.00 of the SB2924 funds to demolish the existing structure.
- USM received approval from the Mississippi Department of Archives and History to demolish the building.
- February 2023 – USM receives IHL Board approval to execute the demolition portions of the existing Invertebrate Growout II building construction documents.
- March 2023 – After discussions with USM, MDR, and the Governor’s Office, it is determined that USM can reduce the production capacity of

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the building, thereby reducing the size and cost of the building. Pending IHL approval, USM will amend the contract with McCarty Architects to redesign the building to reduce the construction budget by approximately \$4M. This will allow USM to construct the building with the current funding allocation.

Project Budget:

| | | <i>Estimated</i> |
|-------------------------------------|-----------|----------------------|
| Construction Cost: | \$ | 7,000,000.00 |
| Architectural and Engineering Fees: | | 540,971.07 |
| Misc. Project Costs: | | 5,000.00 |
| Furniture & Equipment Costs: | | 0.00 |
| Contingency: | | 2,454,028.93 |
| Total Project Budget | \$ | 10,000,000.00 |

Funding Source(s): Senate Bill 2924, Laws of 2016 (\$3,000,000); MDEQ and U.S. Treasury RESTORE ACT – Grant No.1 RDCGR470130-01-00 (\$7,000,000)

Staff Recommendation: Board staff recommends approval of this item.

12. USM – IHL 201-301 – REED GREEN COLISEUM RENOVATION

Project Request: The University of Southern Mississippi is requesting permission to modify the originally submitted project number from GS# 108-301 to IHL# 208-301.

Design Professional: Weir Boerner Allin Architecture, PLLC

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that the university use the RFQ method for selecting the design professional. USM used the RFQ method in selecting the design professional.

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 Southern Mississippi is requesting permission to modify the originally submitted project number from GS# 108-301 to IHL# 208-301. The project number was entered and submitted by USM in by error and the University wishes to correct this matter for the purposes of the IHL minutes.

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Project Scope: The scope of the project will include the design of renovations to upgrade Reed Green Coliseum. Pre-Planning will include code upgrades to current standards, updated bathroom facilities, along with new mechanical and electrical infrastructure and enhanced performance lighting.

History: Reed Green Coliseum was built in 1964 to serve as a multipurpose building and an athletic venue. Currently, the athletic department is the main tenant of the building. Men’s and Women’s basketball have their offices in the building.

Project Budget:

| | |
|-------------------------------------|-----------------------------|
| | <i>Estimated</i> |
| Construction Cost: | \$ 9,750,000.00 |
| Architectural and Engineering Fees: | 900,000.00 |
| Misc. Project Costs: | 3,000,000.00 |
| Furniture & Equipment Costs: | 0.00 |
| Contingency: | <u>1,350,000.00</u> |
| Total Project Budget | \$ 15,000,000.00 |

Funding Source(s): Athletic Funds; Private Donations; SB 3069 – 72-19-04 Hattiesburg Tourism Tax. The project is currently in the planning stage and the funding amounts are still to be determined. When the funding amounts are determined, those amounts will be provided at a later date.

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

**13. UM – APPROVAL OF A LEASE TERMINATION, NEW LEASES, AND
 SUBLEASE BETWEEN KAPPA ALPHA AND PI KAPPA PHI
 FRATERNITIES**

Project Request: The University of Mississippi (“UM”) requests that the Board of Trustees of State Institutions of Higher Learning (“IHL”) approve the following:

- (1) Lease Termination Agreement of the current lease between IHL/UM and Alpha Upsilon Chapter House Corporation which is the house corporation of the Kappa Alpha fraternity (“Kappa Alpha”)
- (2) Approval of a new Lease between IHL/UM and Kappa Alpha
- (3) Approval of a new Lease between IHL/UM and PKPP Alpha Lambda LLC which is wholly owned by the national housing corporation of the Pi Kappa Phi fraternity (“Pi Kapp”)

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(4) Approval of a Sublease between Kappa Alpha and Pi Kappa

Purpose: Kappa Alpha currently occupies lot #502 on the UM campus but has outgrown its current house. Kappa Alpha would like to terminate its current lease for lot #502 and lease a new property where it can build a bigger house. Kappa Alpha has entered into a letter of intent with Pi Kapp by which Pi Kapp will compensate Kappa Alpha for termination of the lease for lot #502. Pi Kapp currently does not have a lease with IHL/UM but has relied on subleases with other fraternities to house its members. Pi Kapp would like to enter into a long-term lease for lot #502 with IHL/UM. UM requests that the primary lease between IHL/UM and Kappa Alpha for lot #502 be terminated so that IHL/UM can enter into a new lease with Kappa Alpha for a new lot and enter into a lease with Pi Kapp for lot #502. Pi Kapp will sublease the house on lot #502 back to Kappa Alpha while Kappa Alpha constructs its house on the new lot.

Terms: There is no sale. Each lease is for a term of thirty (30) years. An annual lease payment of fifty (50) dollars shall be due on or before the first day of July of each year under each lease. The sublease between Kappa Alpha and Pi Kapp is for a term of thirty-six (36) months. The base rent under the sublease is as follows:

\$16,000 per month during the first 12 months of the Term

\$17,000 per month during month 13 through 24 of the Term

\$18,000 per month during month 25 through the balance of the Term

Termination Options: IHL/UM may terminate either lease if the 30-year term expires and the lease is not renewed. IHL/UM may also terminate the lease for breach of any of the express conditions listed. These express conditions include building specifications, use of the building, building improvements, running of and paying for utilities, maintenance of buildings and grounds, and building insurance. UM/IHL may also terminate either lease if the funds necessary for UM to care for and maintain the premises become unavailable. The sublease will terminate if the primary lease is terminated. The sublease may be terminated for the non-payment of rent or if one of the other conditions specified in the sublease is triggered such as failure to observe or perform any provision of the sublease within 30 days of notice, abandonment of the leased premises, involuntary petition in bankruptcy, or attachment, execution or other judicial seizure of assets or interest in sublease, or inability to pay generally debts, damage and destruction, eminent domain, non-availability of funds for UM to care for and maintain the property, force majeure, or if IHL/UM's consent has not been obtained by the thirtieth (30th) day after the mutual execution and delivery of the sublease.

History: On December 3, 1971, IHL/UM and Kappa Alpha entered into a lease for lot #502 on UM's campus for a fifty-year term until December 2, 2021, with an

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option to renew for an additional twenty-five years. Kappa Alpha erected a residential fraternity house on the lot. Kappa Alpha has exercised its option to renew the lease extending the term until December 2, 2046. The lease between IHL/UM and Pi Kapp is for the property where the Kappa Alpha house currently sits. The lease between IHL/UM and Kappa Alpha is for property that currently is undeveloped and is situated behind a current parking lot.

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

**14. UMMC –APPROVAL TO SELL THE UNIVERSITY WELLNESS CENTER –
46 NORTHTOWN DRIVE, HINDS COUNTY, MS TO NORTHTOWN
INVESTORS, LLC**

Project Request: The University of Mississippi Medical Center requests approval to sell University Wellness Center located at 46 Northtown Drive in Hinds County, Mississippi to Northtown Investors, LLC for a sales price of \$502,500.

Purpose: The University of Mississippi Medical Center needs Board approval to sell the University Wellness Center property located at the address above. The property is being sold in compliance with Board Policy §905(A), Real Estate Management.

Appraisals: The University of Mississippi Medical Center received two independent property appraisals for the property. The first appraisal was in the amount of \$500,000. The second appraisal was in the amount of \$505,000. The average of the two appraisals was \$502,500. The University of Mississippi Medical Center is selling the property for \$502,500 which is the average of the two appraisals. The University of Mississippi Medical Center is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

Property Description: The property is located at 46 Northtown Drive in Jackson, MS. The property is described as follows: Tract I is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 4.73 acres. Tract II is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 1.22 acres. Tract II is a parcel of land located in part of Lot 2 at Northtown Village of Section 5, Township 6 North, Range 2 East in Hinds County and contains approximately 0.65 acres.

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Terms: The University of Mississippi Medical Center will sell the real property for \$502,500. The closing shall take place no later June 30, 2023. The agreement is contingent on Seller, at Sellers expense, obtaining two independent appraisals. If either party is not satisfied with the average of the two appraisals either party may cancel the agreement. The sale is contingent on approval by the Board of Trustees of the Institutions of Higher Learning.

Termination Options: The agreement may be terminated as follows:

- By either party in the event of default by the other and failure to cure the default;
- By the purchaser if the property is taken or proposed to be taken by condemnation or eminent domain prior to the closing;
- By the purchaser if the property is damaged or destroyed prior to the closing;
- Immediately in the event of an adverse change in law and the parties are unable to agree upon renegotiated terms within sixty (60) days;
- By either party in the event it is not satisfied with the average value of the two (2) appraisals; and
- If the sale is not approved by IHL.

Environmental Phase I: A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. However, within 90 days of the effective date of this agreement, the Purchaser may, at the Purchaser's sole cost and expense, conduct a Phase I Environmental Report to determine the condition and suitability of the property.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Mississippi Medical Center is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The sale price of property shall not be less than the average of the two appraisals.

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

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**15. USM – DEMOLISH AND DELETE FROM INVENTORY – BUILDING #220
(CLINIC FOR FAMILY THERAPY) AND BUILDING #145 (CLINIC FOR
FAMILY THERAPY MODULE) – HATTIESBURG, MS**

Agenda Request: The University of Southern Mississippi requests approval to demolish and delete from inventory Building #220 (Clinic for Family Therapy) and Building #145 (Clinic for Family Therapy Module).

Justification: Building #220 and Building #145 are part of an old residential house that the university no longer has use for. These buildings are all in poor condition and are not cost-effective for the university to repair.

The approval letter has been received from the Mississippi Department of Archives and History stating Building #220 and Building #145 are 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 of Southern 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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1. **UM - APPROVAL TO AMEND CONTRACT WITH NELSON MULLINS RILEY & SCARBOROUGH, LLP AS OUTSIDE COUNSEL**

The University of Mississippi is requesting approval to amend its contract with Nelson Mullins Riley & Scarborough LLP, as outside counsel to provide legal services on Title IX risk management and regulatory compliance matters. An amendment is necessary to include additional associates who were not listed in the original contract, but who have already performed services. There are no other changes to the previously approved contract, and the maximum amount payable will still be in an amount not to exceed \$50,000. The term of the proposed amended contract (like the original) is from July 1, 2022, to June 30, 2023. The hourly fees for these services are as follows: \$485 for attorney Daniel Cohen, \$350 for attorney Lexi Trumble, and \$310 for attorney Hayley Wilson and all other associates. This firm carries professional liability insurance coverage in the amount of \$200 million per claim with an annual aggregate of \$400 million. This request has been approved by the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. **Employment**

University of Mississippi

- Viola Acoff; Dean of Engineering and Professor of Mechanical Engineering; salary of \$360,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2023

University of Southern Mississippi

- Lance Nail; Provost and Senior Vice President for Academic Affairs and Professor of Finance; salary \$365,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2023

2. **Sabbatical**

Jackson State University

- Li-Jing Arthur Chang; Assistant Professor of Journalism and Media Studies; *from* salary \$63,909.08 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 16, 2023 to December 31, 2023; professional development
- Jaegoo Lee; Associate Professor of School of Social Work; *from* salary \$65,099.66 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 16, 2023 to December 31, 2023; professional development
- Jianjun Yin; Professor of Elementary and Early Childhood Education; *from* \$66,061.42 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$33,030.71 for sabbatical period; E&G Funds; effective August 16, 2023 to August 15, 2024; professional development
- Geungu Yu; Professor of Accounting, Finance, and Entrepreneurship; *from* salary \$97,760.07 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 16, 2023 to December 31, 2023; professional development

University of Mississippi Medical Center

- John L. Adams; Assistant Professor of Anesthesiology; *from* salary of \$70,000 per annum, pro rata; E&G and designated funds; 12-month contract; *to* salary of \$35,000 for sabbatical period; E&G and designated funds; effective June 1, 2023 to November 30, 2023; professional development.

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1. **MSU – REQUEST TO ADD A NEW ACADEMIC DEGREE PROGRAM**

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

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

Bachelor of Science (BS) in Applied Sociology

CIP code: 45.1101

Total credit hours: 124

Effective date: August 2023

Incremental, five-year cost of implementation: \$575,000

Unit where academic program will be housed: Department of Sociology

Number of students expected to enroll in first five years: 34-42

Number of students expected to graduate in first five years: 18-22

Institution(s) offering similar program(s): No public institutions within the state of Mississippi offer a degree in Applied Sociology.

Program description: The B.S. in Applied Sociology will be offered online only and will apply social scientific methods and research to address social problems in real-world experiences.

Differences between Sociology and Applied Sociology: Sociology is the scientific study of society and its institutions, organizations, and groups. Sociologists study the ways that social structure and interactions shape human life. Sociology places a greater emphasis on theory and causal explanations of behavior along with mastery of various types of social science research methods.

Applied sociology is the scientific study of methods and research to address social problems in the real world. Applied sociology places greater emphasis on applied research training and application of research methods. Courses in the Applied Sociology program that are not in MSU’s Sociology degree include Introduction to Applied Sociology, Applied Sociology Research Methods, Applied Sociology Capstone Course, Program Evaluation, Survey Design and Evaluation, Applied Data Management, Focus Groups, and Interviewing.

National and state supply and demand: In September 2021, the Department of Sociology at MSU had a "New Undergraduate Sociology Program Opportunities" report created by EAB

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Market Insights. After their analysis, the program with the strongest potential (4.14/5) for enrollment growth was an Applied Sociology program. EAB identified that such a program would have high projected employment growth (i.e., 19.89 percent) and high average monthly growth in postings (i.e., 7.52 percent) for “Market Research Analysts and Marketing Specialists” and “Management Analysis” signaling a high need for relevant professionals. EAB also identified that it would be possible to adapt existing sociology courses focused on research methodology and statistical analysis to align with applied sociology.

Average wages: Applied Sociology prepares students primarily for the workforce, especially in the areas of social science data analyses (like working for the census bureau), not-for-profit organizations, or working as a researcher on particular types of projects (like program evaluator or focus groups for corporations). Utilizing US Bureau of Labor Statistics data from 2021, annual wages for the employment opportunities listed range from \$40-90k.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. SYSTEM - REQUEST FOR WAIVER OF SECOND READING AND REQUEST FINAL APPROVAL OF PROPOSED AMENDMENT TO BOARD POLICY 608 – INTERMEDIATE COURSES

Board approval for final reading is requested for a proposed amendment to Board Policy §608 – Intermediate Courses. The proposed amendment will allow for intermediate classes to be taken in the first year instead of a student’s first semester of enrollment. This change will give institutions additional flexibility to meet the students’ academic needs, course schedules, and majors. Additionally, the change will enable institutions to optimize the resources needed to offer these courses. The request to waive the second reading is so that institutions can implement changes for AY 2023-24.

608 INTERMEDIATE COURSES

- A. All entering students admitted under Board Policy 602 enrolled at an IHL university with an ACT Mathematics subtest score of 16 or less will be required to take Intermediate Mathematics during their first ~~semester~~ year of enrollment. At the discretion of the admitting IHL institution, students whose Mathematics subtest score is 17, 18 or 19 may be required to take Intermediate Mathematics. Students with a minimum ACT Mathematics subtest score of 15 who have completed the Mississippi Department of Education approved mathematics transitional course with a grade of “80” or higher will not be required to take Intermediate Mathematics and should be enrolled in a college- level mathematics course during their first ~~semester~~ year of enrollment.
- B. All entering students admitted under Board Policy 602 enrolled at an IHL university with an ACT English subtest score of 16 or less will be required to take Intermediate English during their first ~~semester~~ year of enrollment. At the discretion of the admitting IHL institution,

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students whose English subtest score is 17, 18 or 19 may be required to take Intermediate English. Students with a minimum ACT English subtest score of 15 who have completed the Mississippi Department of Education approved literacy transitional course with a grade of “80” or higher will not be required to take Intermediate English and should be enrolled in a college- level English course during their first ~~semester~~ year of enrollment.

- C. All entering students admitted under Board Policy 602 enrolled at an IHL university with an ACT Reading subtest score of 16 or less will be required to take Intermediate Reading during their first ~~semester~~ year of enrollment. At the discretion of the admitting IHL institution, students whose Reading subtest score is 17, 18 or 19 may be required to take Intermediate Reading. Students taking Intermediate Reading should not be permitted to take reading-intensive courses, such as History. Students with a minimum ACT Reading subtest score of 15 who have completed the Mississippi Department of Education approved literacy transitional course with a grade of “80” or higher will not be required to take Intermediate Reading.
- D. Students taking two or more intermediate courses must enroll in the year- long Academic Support Program or some other IHL- recognized intervention strategy to promote success in the courses in which they are not fully prepared, according to ACT subtest scores and will not be permitted to take more than 17 semester hours.
- E. Intermediate courses may be delivered through a corequisite model coupled with a credit bearing gateway course.
- F. Regarding course placement using an ACT subtest score, exemptions to this policy based on prior high school course performance, postsecondary course performance, or other academic experiences must be approved by the institution’s Chief Academic Officer or designee.

(BT Minutes, 2/2000; 2/2005; 2/2009; 3/2010; 1/2016; 2/2018)

STAFF RECOMMENDATION: Board staff recommends waiver of the second reading and final approval of this item.

3. **MISSISSIPPI COLLEGE – APPROVAL OF STAGE III – QUALIFY FOR FULL ACCREDITATION FOR THE MASTER OF SCIENCE IN NURSING (MSN) PROGRAM**

In accordance with (a) and (b), Miss. Code (1991 Supp. § 37-129-1, et seq. which “empowers *the Board of Trustees of State Institutions of Higher Learning to establish rules and regulations and promulgate uniform standards for accreditation of schools of nursing,*” approval is requested for Stage III Application- Qualify for Full Accreditation for the Master of Science (MSN) nursing program for Mississippi College.

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On February 21, 2019, the Board of Trustees for the State Institutions of Higher Learning approved the status of Initial Accreditation for the Master of Science in Nursing (MSN) program at Mississippi College (MC).

MC has completed the third stage in the process for establishing a new degree program option. A recommendation of approval of Stage III allows the school of nursing to qualify for full accreditation for the MSN program.

Stage III in the process for establishing a new degree program option includes a site visit during the last semester of the first graduating class in conjunction with the national nursing accrediting body, submission of program outcomes to include degree completion rate, graduate employment information, and application for Stage III Qualify for Full Accreditation. The state survey team consisting of representatives from the Accreditation Review and Evaluation Committee of the Mississippi Council of Deans and Directors of Schools of Nursing and the IHL Director of Nursing Education conducted a virtual site visit on October 7-9, 2020 in conjunction with the Commission on Collegiate Nursing Accreditation (CCNE), to validate the application for full accreditation and all materials pertaining to the MSN program. MC submitted the final report from CCNE granting Initial Accreditation, with the next evaluation visit in Fall 2025, a completed application for Stage III and supportive evidence to qualify the MSN program for full accreditation.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. STATE – 2023 APPROVAL OF ACCREDITATION OF MISSISSIPPI NURSING DEGREE PROGRAMS

Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, Board approval is requested for the accreditation of Mississippi Nursing Degree Programs as indicated below.

| SCHOOL OF NURSING | PROGRAM TYPE | ACCREDITATION STATUS |
|----------------------------------|--------------|---|
| Alcorn State University | ASN | Continuing Accreditation With Conditions¹ |
| | BSN | Continuing Accreditation With Conditions² |
| | MSN | Continuing Accreditation With Conditions³ |
| | DNP | Continuing Accreditation |
| Belhaven University | BSN | Continuing Accreditation |
| Coahoma Community College | ADN | Continuing Accreditation |
| Copiah-Lincoln Community College | ADN | Continuing Accreditation |

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| | | |
|--|--------------------------|--|
| Delta State University | BSN MSN DNP | Continuing Accreditation Continuing Accreditation Continuing Accreditation |
| East Central Community College | ADN | Continuing Accreditation |
| East Mississippi Community College | ADN | Continuing Accreditation |
| Hinds Community College | ADN | Continuing Accreditation |
| Holmes Community College | ADN | Continuing Accreditation |
| Itawamba Community College | AND | Continuing Accreditation |
| Jones County Junior College | AND | Continuing Accreditation |
| Meridian Community College | AND | Continuing Accreditation |
| Mississippi College | BSN MSN | Continuing Accreditation Full Accreditation |
| Mississippi Delta Community College | AND | Continuing Accreditation |
| Mississippi Gulf Coast Community College | AND | Continuing Accreditation |
| Mississippi University for Women | ASN BSN MSN DNP | Continuing Accreditation Continuing Accreditation Continuing Accreditation Continuing Accreditation |
| Northeast Mississippi Community College | ADN | Continuing Accreditation With Conditions⁴ |
| Northwest Mississippi Community College | ADN | Continuing Accreditation |
| Pearl River Community College | ADN | Continuing Accreditation |
| Southwest Mississippi Community College | ADN | Continuing Accreditation |
| University of Mississippi Medical Center | BSN MSN DNP | Continuing Accreditation Continuing Accreditation Continuing Accreditation |
| University of Southern Mississippi | BSN DNP | Continuing Accreditation Continuing Accreditation |
| William Carey University | BSN MSN | Continuing Accreditation Continuing Accreditation |

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¹Alcorn State University

- **REASON:** ADN Program non-compliant with IHL Standard II. Faculty and Staff. 2. State Specific Requirement. 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's experience.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2023.

²Alcorn State University

- **REASON:** BSN Program non-compliant with IHL Standard II. Faculty and Staff. 2. State Specific Requirement. 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's experience.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2023.

- **REASON:** BSN Program non-compliant with IHL Standard IV. Curriculum. 2. State Specific Requirement. a. Undergraduate student-to-faculty ratios must be: 3. No more than 15 to 1 for those courses that do not require direct supervision (i.e., precepted experiences). Required documentation for validation includes clinical affiliation agreements.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2023.

³Alcorn State University

- **REASON:** MSN/Post-Masters Certification Program non-compliant with ACEN Standard 6. Outcomes. Criterion. 6.2. Nurse practitioner certification examination for first-time test takers during the same 12-month period.
- **CONDITION:** must submit a Follow-up Report to ACEN by February 15, 2023.

⁴Northeast Mississippi Community College

- **REASON:** ADN program is non-compliant with IHL Standard II. Faculty and Staff. 2. State Specific Requirement. 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's experience.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2023.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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1. MSU – REQUEST TO (1) INITIATE THE BOND PROCESS FOR \$125 MILLION FOR MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION FOR THE PURPOSE OF CONSTRUCTING A NEW RESIDENCE HALL AND RENOVATING DAVIS WADE STADIUM, (2) REVIEW THE FINANCIAL ADVISOR’S REPORT, AND (3) APPROVE BOND COUNSEL, FINANCIAL ADVISOR AND UNDERWRITERS

Agenda Item Request: Mississippi State University requests approval under Section 906 of the IHL Bylaws to issue tax-exempt or taxable bonds through the Mississippi State University Educational Building Corporation (MSUEBC). Debt issuance not to exceed \$125 million. The loan term will not exceed 30 years. Funds will be used to help finance construction of a new Residence Hall and renovations to the west side of Davis Wade Stadium.

Combined project funding = \$131 million:

- Residence Hall (IHL# 205-328) = \$96 million
 - \$20 million internal cash reserves
 - \$76 million MSUEBC Bonds
- Davis Wade Stadium (IHL# 205-325) = \$35 million
 - \$35 million MSUEBC Bonds

MSU also requests the Board review and approve the financial advisor’s report provided by Hilltop Securities.

Following are the professionals:

- Financial Advisor – Hilltop Securities
- Bond Counsel – Jones Walker, LLP
- Underwriters – Wells Fargo Bank National Association, Raymond James & Associates, Inc., and/or Stephens Inc.

Bond counsel will be compensated at \$1.15 per \$1,000.

History:

IHL #205-328 New Residence Hall: Initiated at \$400,000 and appointed Wier Boerner Allin Architecture as Design Professional via interim agenda item. Approved Oct 25, 2022.

Budget increased to \$60,000,000 at January 19, 2023 board meeting.

Plan to increase budget to \$96,000,000 at May 2023 board meeting.

IHL #205-325 DWS Lower Bowl Renovations: Initiated at \$25,000,00 and appointed LPK Architects as Design Professional at the August 18, 2022 board meeting.

Approved contract with Innovative Construction Management (ICM) as Construction Manager Adviser at Nov 17, 2022 board meeting.

Plan to increase budget to \$35,000,00 at May 2023 board meeting.

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Specific Type of Contract: Long-term, fixed rate bonds

Purpose:

IHL #205-328 New Residence Hall:

Design and construct a new residence hall on the north side of campus between Barr Avenue and Hurst Lane. The new facility will include 400+ beds, a dining venue, office space and multipurpose space for classes, programs, and training sessions. The residence hall will be occupied prior to the Fall semester of 2025.

IHL #205-325 DWS Lower Bowl Renovations:

This phase of renovation is focused on the west lower bowl and incorporates

- Removal of existing stadia treads & risers which will include bleachers, railings, etc.
- Install new treads & risers to add more tread depth and improve fan comfort. Includes railings, bleachers, chair backs, etc.
- Supplement the existing superstructure as necessary to support new bleacher/seating systems.
- New bowl design in this area will increase ADA seating and improve ingress/egress

Scope of Work: The bond issue includes funds for constructing a new residence hall and for renovating the west side of Davis Wade Stadium. Hilltop Securities is the financial advisor. Bond Counsel is Jones, Walker, LLP, and the Underwriters are Wells Fargo Bank National Association, Raymond James & Associates, Inc., and/or Stephens Inc.

Term of Contract: Long-term bonds will be issued with maturities up to 30 years.

Termination Options: The bond issue documents contain redemption provisions which can be used in case of market changes.

Contract Amount: MSU expects to issue up to a maximum of \$125,000,000 par value, fixed rate bonds. Proceeds from the bond issue will support the project funds, capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated May 18, 2023, the proposed debt amortization will have an average annual debt payment of \$9,053,000 at an expected all-in true interest cost of 5.94 percent.

Funding Source for Contract: Various Athletic revenues, including annual seat donations and ticket sales. Rental revenues from the new the residence hall will also be a funding source.

Contractor Selection Process: Underwriters, financial advisor and bond counsel were selected based on past experience and the firms' unsolicited proposals.

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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.

2. MSU – REQUEST TO REVISE OF FY 2024 TUITION, ROOM AND BOARD RATES AND WAIVER OF THE 30-DAY REVIEW PERIOD

Agenda Item Request: Approval is requested to waive the required 30-day review period and to give final approval for the tuition, room and board rates effective FY 2024.

Mississippi State University asks for the addition of housing room rates to include triple rooms in six residence halls for FY24. Due to increased demand by first-year students, Housing & Residence Life will offer triple rooms in Hathorn Hall (4 rooms), Cresswell Hall (4 rooms), Oak Hall (8 rooms), and Magnolia Hall (8 rooms) at the same rate as the double occupancy rate. These rooms are larger with more square footage to accommodate an additional person. We additionally will offer triple occupancy in Dogwood Hall (50 rooms) and Deavenport Hall (15 rooms) at a rate less than double occupancy. These rooms are the standard room size so the rate will be reduced for all occupants of these spaces. With the anticipation of a larger class of first year students, we will need these triple room spaces to accommodate our first-year students and the upper division students who have previously signed contracts to live on campus in Fall 2023.

| Residence Hall | Year of Construction or last Major Renovation | Type of Room | Double Occupancy Rate FY 2022 | Double Occupancy Rate FY 2023 | Other Occupancy Rate FY 2024 |
|-----------------------|--|---------------------|--------------------------------------|--------------------------------------|-------------------------------------|
| | | | | | |
| Dogwood Hall | 2016 | Triple | N/A | N/A | 6,200 |
| Deavenport Hall | 2016 | Triple | N/A | N/A | 6,200 |
| Oak Hall | 2012 | Triple | N/A | N/A | 8,588 |
| Magnolia Hall | 2012 | Triple | N/A | N/A | 8,588 |
| Cresswell Hall | 2002 | Triple | N/A | N/A | 6,589 |
| Hathorn Hall | 2003 | Triple | N/A | N/A | 6,589 |

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

Staff recommends that the Board waive the thirty-day review requirement of the proposed FY2024 tuition, room and board rates and adopt for FINAL approval.

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3. **SYSTEM-REQUEST FOR APPROVAL TO PURCHASE CYBER INSURANCE WITH LLOYDS OF LONDON -BEAZLEY SYNDICATE**

Agenda Item Request: The Mississippi Institutions of Higher Learning’s Executive Office (IHL) requests approval to purchase cyber liability and incident response insurance coverage with **Beazley**.

Contractor’s Legal Name: Lloyds of London – Beazley Syndicate (Beazley). Beazley will provide the cyber coverage and breach response services for the system. Beazley has an A.M. Best Rating of A XV.

History of Contract: This is a renewal of an insurance policy. Beazley has provided this insurance for the system since the 2017-2018 policy year.

Specific Type of Contract: This is a policy of insurance coverage. Cyber liability insurance will cover various cyber-related losses, including third party liability, first party loss, costs related to investigation and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber incident. This renewal was able to keep the low \$10,000 deductible for breach response, and coverage improved, including liability deductibles and first party loss sub-limits. The cost decreased 37% year-over-year.

Purpose: The purpose of the contract is to protect the IHL system from cyber liability risks and response costs through transferring some of that risk to an insurer. The breach response coverage also provides expert assistance and access to network of contractors with pre-negotiated rates.

Scope of Work: The insurer will provide coverage during the policy year in exchange for the payment of premiums.

Term of Contract: The contract is a one-year insurance policy beginning May 26, 2023, and terminating May 26, 2024.

Termination Options: IHL may cancel the policy with a 60-day notice. The insurer may cancel the policy by providing a 60-day written notice, except that only 10 days of advance written notice is required in the event of nonpayment of premium. Upon cancellation by either party, the insurer will return premium on a pro rata basis.

Contract Amount: The cost will be approximately \$520,162.50 for the one-year policy.

Funding Source for Contract: The IHL Self-Insured Tort Plan pays the premium and allocates an appropriate premium share to each insured participant. The share for each

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participant, other than UMMC, is built into the annual assessment of the Tort Plan, and the Tort Plan invoices UMMC for its share.

Contractor Selection Process: IHL conducted an RFP process. Three brokers were assigned to request quotes from 21 insurers. The quote from our incumbents, Alliant and Beazley, had the best coverage and 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.

4. UMMC –REQUEST FOR APPROVAL OF A PRODUCT PURCHASING AGREEMENT AND CONSIGNMENT AGREEMENT WITH SMITH & NEPHEW, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Product Pricing and Consignment Agreement **with Smith & Nephew, Inc. (Smith & Nephew)** for the purchase and consignment of lower extremity total joint components such as implants, instrumentation, and supplies used in surgical procedures for adult and pediatric patients (Total Joint). These components are necessary to provide total knee and hip replacements or revisions of previously replaced joints. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Smith & Nephew, Inc.

History of Contract: On May 21, 2020, the Board approved a three (3) year Product Pricing and Consignment Agreement with Smith & Nephew for the purchase and consignment of lower extremity total joint components. The agreement will expire on May 31, 2023.

In 2022, UMMC sought proposals from vendors for its Total Joint needs. Based on the analysis of proposals received, UMMC has selected Smith & Nephew, Johnson & Johnson Health Care Systems Inc. (JHCS), Encore Medical, L.P. (DJO), and Zimmer US, Inc. (Zimmer) as the vendors UMMC will use for Total Joint. UMMC has submitted for consideration a separate amendment with Zimmer.

Specific Type of Contract: This is a new Product Purchasing Agreement and Consignment Agreement.

Purpose: The purpose of the agreement is to purchase and consign lower extremity total joint components such as implants, instrumentation, and supplies used in surgical procedures for adult and pediatric patients. These components are necessary to provide total knee and hip replacements or revisions of previously replaced joints. The consignment option under the agreement will allow Total Joint products to be available at

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all times to UMMC surgeons, ensuring immediate treatment of patients, without cost to UMMC until the products are used.

Scope of Work: Under the agreement, Smith & Nephew will provide lower extremity total joint components such as implants, instrumentation, and supplies to UMMC, and consign these items at UMMC for ease of access.

Term of Contract: The term of the agreement is three (3) years, from June 1, 2023, through May 31, 2026.

Termination Options: Termination options include the following:

- by the non-breaching party in the event of a material breach, upon written notice to the breaching party and thirty (30) days to cure the breach;
- by UMMC upon thirty (30) days' written notice, with or without cause; and
- In the event of a reduction in funds.

Contract Amount: The estimated cost of the agreement is \$8,800,000.00 over the three (3) year term. This includes an annual twenty five percent (20%) increase per year to allow for potential volume change.

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

Contractor Selection Process: The lower extremity total joint components such as implants, instrumentation, and supplies 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.

5. SYSTEM – REQUEST FOR APPROVAL TO RENEW PROPERTY INSURANCE WITH AFFILIATED FM INSURANCE COMPANY

Agenda Item Request: The Mississippi Institutions of Higher Learning's Executive Office (IHL) requests approval to renew its property insurance coverage with **Affiliated FM Insurance Company (AFM)**. Additionally, the wind and flood coverage for the gulf coast (referred to as a Difference in Conditions or "DIC" policy) includes a number of markets which share the risk.

Contractor's Legal Name: **Affiliated FM Insurance Company**. AFM will provide the property coverage for the system, except for the gulf coast wind and flood coverage. That coverage is provided through a difference in conditions wind and storm surge policy of

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which the coverage is shared between multiple insurers. Gulf Coast DIC policies are quoted for USM and MSU.

History of Contract: In 2009, the Board approved a system-wide approach to insuring the system's property. AFM has provided the primary property coverage for this program since the program's inception.

The total insured value for the system is \$14,199,131,975, an increase of 7.9% over the expiring schedule of values. The value increase includes some trending for inflation. The AFM rate increased 7% to 0.060146. The overall increase in premium compared to the current year's policy will be 16% for the AFM coverage. Coverage changes include an increased deductible for water damage, limits to actual cash value for roofs over 25 years old, and limited coverage for vacant buildings that have no specific future plans. The rate for the DIC coverage is also increasing.

Specific Type of Contract: This is a policy of property insurance coverage.

Purpose: The purpose of the contract is to insure the system's properties in the most cost effective manner while meeting each university's individual coverage needs.

Scope of Work: The insurer will provide property insurance coverage during the policy year in exchange for the payment of premiums by the universities and IHL.

Term of Contract: This will be a one-year insurance policy running from May 31, 2023, to May 31, 2024.

Termination Options: IHL may cancel the policy at its convenience at any time. Upon cancellation by IHL, the insurer will return unearned premium at 90% of the pro-rata basis. The insurer may cancel the AFM policy by providing a 60-day written notice, except that 10 days of advance written notice is required in the event of nonpayment of premium. If terminated by the insurer, the pro-rata basis of any unearned premium is returned. Cancellation by the insurer for the wind coverage requires a 90-day notice, or 10 days for non-payment of premium.

Contract Amount: The AFM premium is approximately \$9,704,734 for 2023-2024. Premium amounts may increase or decrease through the term of the policy as universities add or decrease their insured values. The current quote excludes a power generation building at MSU, but this agenda item includes insuring the power generation building and equipment if AFM will agree to insure it. If that building is insured through a separate policy, such insurance would be subject to a separate agenda item, because it would be a stand-alone policy with a different insurer. The DIC coverage will be approximately \$3.250,000, although our broker continues to negotiate for a lesser amount between this submission and the board meeting.

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Funding Source for Contract: Each university and the Board Office pays its respective share of the premium which is billed and paid directly between the insurance company and the insured.

Contractor Selection Process: IHL's approved Broker, Arthur J. Gallagher (Gallagher), was selected through a competitive RFP process. Gallagher solicited quotes for IHL. The AFM and DIC quotes are recommended for approval.

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.

6. MSU -REQUEST FOR APPROVAL OF AN INSURANCE SERVICES AGREEMENT WITH GALLAGHER STUDENT HEALTH & SPECIAL RISK

Agenda Item Request: Pursuant to Board Policy 707.01, Mississippi State University requests approval to enter into a contract with **Gallagher Student Health & Special Risk** for the purpose of coverage for excess athletic accident insurance.

Contractor's Legal Name: Gallagher Student Health & Special Risk

History of Contract: MSU is required by NCAA bylaws to provide insurance coverage for student athletes. MSU has contract with Gallagher previously for this same coverage.

Specific Type of Contract: Insurance coverage services agreement.

Purpose: Provide insurance coverage for MSU student-athletes to cover injuries sustained while participating for MSU Athletics.

Scope of Work: Gallagher will provide secondary insurance coverage for MSU student-athletes up to the \$90,000 per claim. The NCAA catastrophic injury policy begins coverage at \$90,000. The policy has a \$2,500 deductible.

Term of Contract: July 1, 2023 – June 30, 2024

Contract Amount: \$358,918.00.

Funding Source for Contract: Athletic Department self-generated funds.

Termination Options: Either party may terminate the contract upon thirty-days written notice for material breach of the contract.

Contractor Selection Process: MSU has used this firm previously and is satisfied with their costs and services.

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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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ADMINISTRATION/POLICY
May 18, 2023**

1. **SYSTEM – APPROVAL OF COMMITTEE APPOINTMENTS BY PRESIDENT ALFRED MCNAIR, JR.**

In accordance with Board Policy 301.03 Board Committees, which requires Board approval of any proposed Board committees, including the proposed committee members and chairs, President Alfred McNair, Jr. submits the following committees and committee chairs for Board approval.

STANDING COMMITTEES

Academic Affairs Committee – Hal Parker, Chair
Audit Committee – Teresa Hubbard, Chair
Finance Committee – Tom Duff, Chair
Health Affairs Committee – Dr. Steven Cunningham, Chair
Legal Committee – Gee Ogletree, Chair
Real Estate Committee – Chip Morgan, Chair

AD HOC COMMITTEES

Ayers Endowment Management

1. Gregg Rader, Chair
2. Dr. Alfred McNair, Jr., Board President
3. Dr. Alfred Rankins, Commissioner
4. Dr. Ontario Wooden, ASU Interim President
5. Dr. Elayne Hayes-Anthony, JSU Temporary Acting President
6. Dr. Jerryl Briggs, MVSU President
7. Jeanne Luckey, Trustee
8. Dr. Walt Starr, Trustee

Diversity

1. Dr. Ormella Cummings, Co-Chair
2. Dr. Steven Cunningham, Co-Chair
3. Jeanne Luckey

Note: The President is an Ex-Officio member of all committees. All trustees are members of the standing committees.

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ACADEMIC AFFAIRS
MAY 18, 2023**

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

A. **Bachelor of Science in Business Administration (BSBA) in Accounting**

Total credit hours: 120

CIP Code, Sequence: 52.0301, 5530

Cost to offer by distance learning: Offset by online course fee of \$20 per credit hour

Effective date: August 2023

B. **Master of Science (MS) in Kinesiology (Exercise Science)**

Total credit hours: 30

CIP Code, Sequence: 31.0505, 4345

Cost to offer by distance learning: Offset by online course fee of \$20 per credit hour

Effective date: August 2023

STAFF RECOMMENDATION: Board staff recommends acceptance of these items as information.

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1. **MUW- NOTIFICATION OF AN INFORMATION TECHNOLOGY AGREEMENT WITH INSTRUCTURE, INC.**

Agenda Item Request: Canvas Learning Management System

Contractor's Legal Name: Instructure, Inc.

History of Contract: On behalf of MUW, Mississippi ITS entered into a contract with Instructure in 2015 based off of RFP 3692. The contract was renewed by MS ITS in 2018 for five years.

Specific Type of Contract: Information technology services agreement

Purpose: To continue to offer online courses and resources to the campus community through a learning management system.

Scope of Work: To extend the contract for three more years.

Term of Contract: 3 years

Termination Options: MUW may terminate upon mutual, written agreement of the parties; if either party fails to comply with the terms of the agreement, the non-defaulting party may terminate the agreement with 30 days written notice unless the breach is cured with the 30 days; MUW may terminate the agreement if Instructure, Inc becomes the subject of bankruptcy, reorganization, liquidation or receivership proceedings, whether voluntary or involuntary, or MUW may terminate if Instructure sells the company to another company without prior written approval of MUW; or there are excessive instabilities in the software.

Contract Amount: \$299,896.82

Funding Source for Contract: Unrestricted funds

Contractor Selection Process: RFP 3692, Mississippi Department of Information Technology Services

2. **UMMC - NOTIFICATION OF INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH WORKDAY, INC.**

Agenda Item: The Mississippi Department of Information Technology Services (ITS), as contracting agent for UMMC, entered into two Order Forms under the current Master Subscription Agreement with **Workday, Inc. (Workday)**. Order Form 00349778.0 and Order Form 386762. Order Form 00349778.0 is the subscription license for the Enterprise Resource Planning (ERP) system for five (5) years. Order Form 386762 is for training over the next five (5) years of the subscription license period.

Contractor's Legal Name: Workday, Inc.

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Specific Type of Contract: These two order forms are to the current Master Subscription Agreement.

Purpose: The purpose of Order Form 00349778.0 is the subscription license for the Enterprise Resource Planning (ERP) system for five (5) years. Order Form 386762 is for training over the next five (5) years of the subscription license period.

Term of Contract: The term of Order Form 0349778.0 and Order Form 38672 is five (5) years beginning January 19, 2023, and ending January 18, 2028.

Contract Amount: The cost for Order Form 0349778.0 is \$12,066,364.00. The cost for Order Form 38672 is \$173,305.00. The total cost of the Master Subscription Agreement is now \$25,197,716.60.

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INFORMATION AGENDA
REAL ESTATE
MAY 18, 2023**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
APRIL 20, 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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DELTA STATE UNIVERSITY

1. DSU- GS #102-281 – ADA COMPLIANCE BOLOGNA PERFORMANCE ARTS CENTER

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Burriss-Wagnon Architects

Approval Status & Date: APPROVED, April 26, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 26, 2023

Project Initiation Date: November 17, 2022

Design Professional: Burriss-Wagnon Architects

General Contractor: TBD

Total Project Budget: \$1,702,500.00

JACKSON STATE UNIVERSITY

2. JSU- GS 103-220B – C.F. MOORE PLAZA IMPROVEMENTS

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 April 18, 2023 to approve the initiation and design professional for the C.F. Moore Plaza Improvements project.

Interim Approval Status & Date: APPROVED, April 18, 2023

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,076,000.00 to the apparent low bidder, Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, April 27, 2023

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Project Initiation Date: April 18, 2023

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

General Contractor: TBD

Total Project Budget: \$1,200,000.00

MISSISSIPPI STATE UNIVERSITY

3. MSU- IHL #205-283 – ADDITIONS & RENOVATIONS TO HUMPHREY COLISEUM PH1

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$494,263.56 and two (2) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, April 19, 2023

Change Order Description: Change Order #5 includes the following: modifications to the existing bowl; storm drain revisions; omitted new work at Bailey Howell Dr island; added additional interior expansion joints; grade revisions at utility yard; added a shaft liner at top of existing elevator shaft; steel beam modification to accommodate conduit and avoid lower ceiling height at sideline club; seating bowl modifications; VCT for MDF room; additional electrical for large format LED displays; added stud & gypsum board wraps at exposed concrete beams & columns; additional fire alarm components; steel supports for existing exterior pilasters; electrical revisions to relocate transformer to mezzanine; and two (2) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$1,709,738.78.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

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4. MSU- IHL #205-298 – REBID CRESSELL HALL RECARPET AND REPAINT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$583,717.00 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, May 3, 2023

Change Order Description: Change Order #1 includes the following: replaced toilet room fixtures, finishes and partition system; and replaced elevator cab finishes.

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

Total Project Change Orders and Amount: One change order for a total amount of \$583,717.00.

Project Initiation Date: December 5, 2019

Design Professional: Shafer-Zahner-Zahner, PLLC.

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$3,700,000.00

5. MSU- IHL #205-327 – RICE HALL RENOVATIONS

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Shafer-Zahner-Zahner

Approval Status & Date: APPROVED, April 10, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 10, 2023

Project Initiation Date: October 20, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: TBD

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Total Project Budget: \$3,000,000.00

6. MSU- IHL #205-333 – SUMMER PAVING 2023

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,951,499.00 to the apparent low bidder, Falcon Contracting Company, Inc.

Approval Status & Date: APPROVED, April 6, 2023

Project Initiation Date: October 20, 2022

Design Professional: Neel-Schaffer Engineers and Planners, Inc.

General Contractor: Falcon Contracting Company, Inc.

Total Project Budget: \$2,500,000.00

7. MSU- IHL #405-006 – BOST DRIVE RELOCATION FOR CAAD

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Neel-Schaffer Engineers and Planners, Inc.

Approval Status & Date: APPROVED, April 11, 2023

Approval Request #2: Design Development Documents

Board staff approved the Design Development Documents as submitted by Neel-Shaffer, Engineers and Planners, Inc.

Approval Status & Date: APPROVED, April 12, 2023

Project Initiation Date: November 17, 2022

Design Professional: Neel-Schaffer Engineers and Planners, Inc.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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8. APPROVAL MSU TIMBER SALES

MSU requests approval of five (5) timber sales listed as follows: 23-01MF (Marshall County); 23-03MF03055 (Washington County); 23-04MF04014 (Perl River County); 23-05MF08003 (Oktibbeha County); 23-06MF (Copiah County). There are five parcels of land in the MSU Agriculture and Forestry Experiment Stations totaling 419 acres located in five separate counties. 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, April 25, 2023

MISSISSIPPI UNIVERSITY FOR WOMEN

9. MUW- GS #104-188 – CULINARY ARTS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$106,530.43 and thirty-six (36) additional days to the contract of West Brothers Construction, LLC.

Approval Status & Date: APPROVED, April 12, 2023

Change Order Description: Change Order #3 includes the following: additional cast stone; added full height quartz backsplash in Demonstration A10; added concrete paving for turning lane; added door access controls; added a stainless steel utility wall in Baking A23- substituted for a Nanawall sliding door; added an audio/visual system; equipment substitution and modification of millwork at Demonstration A10 (credit); added a pea gravel floor in walk-in freezer; and thirty-six (36) weather days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and weather delays as indicated herein.

Total Project Change Orders and Amount: Three change orders for a total amount of \$212,307.00.

Project Initiation Date: June 18, 2015

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Design Professional: JBHM Architects, P.A.
General Contractor: West Brothers Construction LLC
Total Project Budget: \$19,555,613.00

MISSISSIPPI VALLEY STATE UNIVERSITY

10. MVSU – GS 106-265B – CAMPUS ROOFING PHASE II

NOTE: This is a Bureau of Building project

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, April 12, 2023

Approval Request #2: Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Shafer-Zahner-Zahner Office of Architecture.

Approval Status & Date: APPROVED, April 12, 2023

Approval Request #3: Construction Documents

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

Approval Status & Date: APPROVED, May 1, 2023

Approval Request #4: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, May 1, 2023

Project Initiation Date: November 17, 2022

Design Professional: Shafer-Zahner-Zahner Office of Architecture

General Contractor: TBD

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Total Project Budget: \$3,000,000.00

UNIVERSITY OF MISSISSIPPI

11. UM- IHL #207-473.2 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION – PH II FIELD

Approval Request #1: Construction Documents

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

Approval Status & Date: APPROVED, April 17, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, April 17, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

Construction Management Advisor: ICM

General Contractor: Innovative Construction Management, LLC [CMA]

Total Project Budget: \$25,000,000.00

12. UM- IHL #207-485 – JAC-CENTER FOR GRAPHENE RESEARCH RENOVATION

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,249,000.00 to the apparent low bidder, Hills Construction, LLC.

Approval Status & Date: APPROVED, April 10, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

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General Contractor: Hills Construction, LLC
Total Project Budget: \$2,750,000.00

13. UM- IHL #207-495 BREVARD HALL 201 RENOVATION

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, April 14, 2023

Project Initiation Date: January 19, 2023
Design Professional: McCarty Architects, P.A.
General Contractor: TBD
Total Project Budget: \$1,000,000.00

14. UM- IHL #207-496 FASER HALL 453 LAB RENOVATION

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, May 1, 2023

Project Initiation Date: January 19, 2023
Design Professional: McCarty Architects, P.A.
General Contractor: TBD
Total Project Budget: \$1,000,000.00

**15. UM- IHL #207-497.1 – NEW STUDENT HOUSING – KINCANNON
DEMOLITION**

Approval Request #1: Construction Documents

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

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Approval Status & Date: APPROVED, April 6, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, April 6, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$2,493,176.32

Total Project Budget: \$16,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

16. UMMC- IHL #209-583 – NEUROSURGERY OFFICE RENOVATION

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$42,286.00 and five (5) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, April 17, 2023

Change Order Description: Change Order #1 includes the following: replace existing spandrel glazing; electrical revisions; replace damaged threshold; extend west wall in Conference Rm 732; additional work in Lobby 700; install furring and gypsum board in various offices; and five (5) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$42,286.00.

Project Initiation Date: October 3, 2022

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Design Professional: JBHM Architecture
General Contractor: Fountain Construction Company, Inc
Total Project Budget: \$1,550,000.00

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

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,189,000.00 to the apparent low bidder, Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, April 11, 2023

Project Initiation Date: January 19, 2023
Design Professional: CDFL Architects & Engineers, P.A.
General Contractor: Fountain Construction Company, Inc.
Total Project Budget: \$1,500,000.00

18. UMMC- IHL #409-001 – RESEARCH AHU REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$5,687.77 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, April 11, 2023

Change Order Description: Change Order #1 includes the following: install two 2 ½ inch hot taps in lieu of specified 3 inch hot tap.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$5,687.77

Project Initiation Date: February 24, 2021
Design Professional: Dean and Dean Architects
General Contractor: Fountain Construction Company, Inc
Total Project Budget: \$2,122,624.00

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19. UMMC – IHL 409-005 – NEW SCHOOL OF NURSING

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Eley Guild Hardy Architects.

Approval Status & Date: APPROVED, May 1, 2023

Project Initiation Date: January 27, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$65,000,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

20. USM – GS 108-296 – KINESIOLOGY BUILDING RENOVATION

NOTE: This is a Bureau of Building project

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$14,371,000.00 to the apparent low bidder, Hanco Corporation.

Approval Status & Date: APPROVED, April 20, 2023

Project Initiation Date: March 19, 2020

Design Professional: Albert & Robinson Architects

General Contractor: Hanco Corporation

Total Project Budget: \$16,600,000.00

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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 Brunini, PLLC (statement dated 4/20/23) from the funds of Mississippi State University. (This statement, in the amount of \$1,218.75, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,218.75

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 3/10/23, 4/11/23, 4/11/23, 4/11/23 and 4/11/23) from the funds of Mississippi State University. (These statements, in the amounts of \$3,881.00, \$276.00, \$709.00, \$1,032.00 and \$2,951.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 8,849.00

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 4/3/23) from the funds of Mississippi State University. (This statement, in the amount of \$523.00, represents services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 523.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/1/23, 2/1/23, 2/1/23, 2/1/23, 2/1/23, 2/1/23, 3/1/23 and 4/3/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,500.00, \$49.00, \$47.35, \$113.75, \$6,000.00, \$7,000.00, \$2,500.00 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 20,710.10

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 4/18/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,583.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,583.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 4/1/23, 4/1/23, 4/1/23 and 4/1/23) from the funds of the University of Southern Mississippi.

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(These statements, in the amounts of \$51.48, \$17.90, \$2,250.00 and \$2,250.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 4,569.38

Payment of legal fees for professional services rendered by Wise Carter (statement dated 4/7/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$721.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 721.50

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 (statements dated 4/6/23 and 4/6/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Smart Cork” - \$194.50 and “Wave Amplifier Provisional Application” - \$1,750.00.)

TOTAL DUE.....\$ 1,944.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 4/6/23 and 4/6/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Wearable Stretch and Pressure Sensor Motion Capture System for Human Movement” - \$4,569.00; and “Wearable Flexible Sensor Motion Capture System” - \$445.00.)

TOTAL DUE.....\$ 5,014.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 4/12/23, 4/12/23 and 4/12/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$2,446.50; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$115.50; and “Thienyl-Dibenzoazepines and Their Derivatives as Donor for Xanthene-Based Short-Wave Infrared (SWIR) Dyes” - \$199.50, respectively.)

TOTAL DUE.....\$ 2,761.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/28/23, 3/28/23, 3/28/23 and 3/29/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or

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intellectual property matters: “Unsymmetric CCC-HNC Pincer” - \$38.00; “Unsymmetric CCC-HNC Pincer” - \$1,740.00; “Novel Catalysts and Process” - \$790.50; and “Coal Char-Production and Properties” - \$479.50, respectively.)

TOTAL DUE.....\$ 3,048.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/31/23, 3/31/23, 3/31/23 and 3/31/23) 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: “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$503.45; “Chevron Oronite Patent Maintenance” - \$392.00; “Gulf Blue Trademark” - \$27.00; and “Oral Suction Device” - \$217.50).

TOTAL DUE.....\$ 1,139.95

2. USM – EMERGENCY APPROVAL TO HIRE ZACHARY AND LEGGETT, PLLC AS OUTSIDE COUNSEL

Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved the University of Southern Mississippi’s request to hire Zachary and Leggett, PLLC as outside counsel to provide legal services including general legal advice, commercial and regulatory matters, investigations in matters involving various legal issues, and litigation. The term of the contract is May 2, 2023 through June 30, 2024. The hourly rate for attorneys is \$195 and \$90 per hour for paralegal services. The maximum amount payable under the term of the contract shall not exceed \$15,000. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$4,000,000. This approval is pending approval by the Office of the Attorney General.

3. USM – EMERGENCY APPROVAL TO HIRE SCOTT J. SCHWARTZ, P.A. AS OUTSIDE COUNSEL

Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved the University of Southern Mississippi’s request to hire Scott J. Schwartz, P.A. as outside counsel to provide legal services including general legal advice, commercial and regulatory matters, investigations in matters involving various legal issues, and litigation. The term of the contract is May 2, 2023 through June 30, 2024. The hourly rate for attorneys is \$195 and \$90 per hour for paralegal services. The maximum amount payable under the term of the contract shall not exceed \$15,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$2,000,000. This approval is pending approval 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 April 20, 2023, Commissioner Alfred Rankins, Jr., approved a request to advertise for bid and award the sale to the highest and best bidder for the timber on 419 acres of land from Mississippi State University’s Mississippi Agriculture and Forestry Experiment Stations in Copiah, Marshall, Newton, Oktibbeha, Pearl River, and Washington Counties. 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. The Office of the Attorney General has reviewed the request and found the same to be in compliance with applicable law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- b. **UM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On April 12, 2023, Commissioner Alfred Rankins, Jr. approved the UM Parking and Traffic Rules and Regulations for the 2023-2024 school year. The IHL Senior Associate Commissioner for Legal Affairs has reviewed and approved the documents.

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PERSONNEL ACTION REPORT

1. **Sabbatical**

Mississippi State University

FROM: 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

[Originally approved by IHL Board March 23, 2023]

TO: 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 December 31, 2023; professional development

University of Mississippi

FROM: 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.)

[Originally approved by IHL Board February 16, 2023]

CORRECTED: Jackie DiBiasie-Sammons; Assistant Professor of Classics; salary \$62,182 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.)

FROM: 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.)

[Originally approved by IHL Board February 16, 2023]

CORRECTED: Ana Velitchkova; Croft Assistant Professor of Sociology and International Studies; *from* salary \$65,079 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$32,539; 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.)