

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
OCTOBER 21, 2010



FINAL BOARD BOOK OUTLINE

October 21, 2010, 9:00 A.M.

Norman C. Nelson Student Union
University of Mississippi Medical Center
2500 North State Street
Jackson, MS 39216-4505

CALL TO ORDER

PRAYER

Trustee Aubrey Patterson

MINUTES

September 16, 2010 Regular Board of Trustees Minutes
October 4, 2010 Alcorn State University Board Search Committee Meeting Minutes
October 7, 2010 Jackson State University Board Search Committee Meeting Minutes

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Trustee Betty Neely

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 - b. UMMC – Doctor of Philosophy in Human Pathology1

2. System - Academic Unit Modifications
Reorganize and Rename
 - a. DSU – College of Education.....1
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 - c. MSU – College of Agriculture and Life Sciences2

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Bureau of Building Projects

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MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR

September 16, 2010 Board Meeting
October 4, 2010 ASU Board Search Committee
October 7, 2010 JSU Board Search Committee

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 16, 2010**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Bonne Terre in Nesbit, Mississippi, at 9:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 3, 2009, to each and every member of said Board, said date being at least five days prior to this September 16, 2010 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Scott Ross was absent. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Mr. Ed Blakeslee.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee Whitten, with Trustee Ross absent and not voting, it was

RESOLVED, That the Minutes of the Board meeting held on August 19, 2010, stand approved.

CONSENT AGENDA

On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustee Ross absent and not voting, it was

RESOLVED, That the Board hereby approved the following Consent Agenda.

BUDGET, FINANCE AND AUDIT

1. **UMMC** - Approved the 43rd amendment to the lease agreement with the Jackson Medical Mall Foundation for the lease of 36,110 square feet of space to relocate the UMMC Administrative Offices while renovations are made to the Learning Resources Center on the main campus. The contract length is ten years – January 1, 2011 to December 31, 2020. The cost per square foot is \$23.66 for an annual cost of \$854,362.60. The cost for the entire lease period is \$8,543,626. The agreement will be funded by interest income. A copy of the agreement which has been reviewed and approved by the Attorney General’s Office is included in the *September 16, 2010 Board Working File*.
2. **UMMC** - Approved the 44th amendment to the lease agreement with the Jackson Medical Mall Foundation for the lease of 4,814 square feet of space for off-site storage space for the UMMC Rowland Medical Library. The agreement length is nine years and one-month – January 1, 2011 to January 31, 2020. The cost per square foot is \$17.92 for an annual cost of \$86,266.88. The cost for the entire lease period is \$783,590.83. A copy of the agreement which has been reviewed and approved by the Attorney General’s Office is included in the *September 16, 2010 Board Working File*.

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3. **System** - In accordance with the *Ayers* Settlement Agreement, the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year. Pending review by the Attorney General's Office, the Board approved the *Ayers* Accountability Manual for submission.

REAL ESTATE

4. **ASU** - Approved the request to increase the amount of *Ayers* funds that will be used to fund **GS 101-269, Dumas Hall Renovation**, from \$3,500,000 to \$4,730,144. The \$3,500,000 is the original amount requested and allocated through the *Ayers* Settlement as approved by the Board for Dumas Hall. The project will consist of \$4,573,417 in *Ayers* funds allocated for GS 101-269, Dumas Hall Renovations and an additional \$156,727 in *Ayers* funds allocated for GS 101-258, Renovation of Dumas Hall. The funds are available from excess *Ayers* funds moved from previously completed *Ayers* projects. The total project budget is \$7 million. Funds are available from HB 246, Laws of 2007 (\$2,057,735); HB 1641, Laws of 2008 (\$368,847.64); SB 2988, Laws of 2003 – *Ayers* (\$300,000); SB 2010, Laws of 2004 – *Ayers* (\$4,273,417.36). ASU will also use \$156,727 in *Ayers* funds from SB 3158, Laws of 2001 that is allocated to GS 101-258, Renovation of Dumas Hall.
5. **MSU** - Approved the request to re-name the Lloyd-Ricks Building as the Lloyd-Ricks-Watson Building as directed by the Mississippi Legislature in 2008 after former university employees Edward R. Lloyd, James R. Ricks, and Vance H. Watson.

6. **PERSONNEL REPORT**

CHANGE OF STATUS

Mississippi State University

Don A. Zant

LEGAL AGENDA

Presented by Mr. Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Ross absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Legal Agenda.

1. **System** - Approved the proposed amendments to Board Policy 301.0806 University Foundation/Affiliated Entity Activities and waived the requirement that this policy change be approved for first reading, and for final reading at a subsequent meeting of the Board. This policy is effective immediately.

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301.0806

UNIVERSITY FOUNDATION/AFFILIATED ENTITY ACTIVITIES

A. Purpose of Foundations and Similar University Affiliated Entities:

This policy shall apply to the relationship between Mississippi public universities (“universities”) and university development foundations, research foundations, athletics foundations, alumni associations and all other similar entities affiliated with any of the eight state universities (collectively referred to as the “Foundation/ Affiliated Entities” or “Entities”).

The Board of Trustees (hereinafter “Board” or “IHL”) recognizes that such Entities have played and continue to play an important role in providing financial and other support for its institutions. This support has assisted the institutions in achieving a level of excellence not possible through state funding and tuition alone. While the Board of Trustees recognizes and appreciates the contributions made to higher education by such foundations and similar entities, the Board of Trustees reaffirms that the goal of the Entities is not to replace necessary support from the state.

The Board of Trustees also acknowledges that the independent nature of the Entities provides flexibility to state universities in fiscal management and responsiveness.

The primary purpose of the foundations and other entities affiliated with the state universities is to engage in raising and managing funds and/or other activities consistent with the mission and priorities of their respective affiliated institutions, as determined by the Institutional Executive Officer (the “IEO”) of each. Each Entity is expected to have a mission statement relevant to this purpose and to adopt policies, plans, and budgets designed to achieve that mission.

The Board fully recognizes the importance to the universities and to the Entities of preserving the confidentiality of information related to donors or potential donors. Providing appropriate confidential treatment for information related to donors who have voluntarily provided funds to support the state universities is in the best interests of this state and its citizens. Thus, it is the policy of the Board that its oversight of the relationship between the foundations and the universities shall be accomplished in a manner that will effectively and appropriately preserve and protect the confidentiality of such information to the fullest extent possible which is consistent with the duty of the universities and the IHL to assure that assets intended to benefit the state universities are appropriately and effectively managed and utilized.

B. Relationship Between Board And Affiliated Entities

As provided in Miss. Const. Art. 8, Section 213-A and Section 31-101-1 of the Miss. Code Ann. of 1972, as amended (the “Miss Code”), the Board of Trustees has governing authority over the eight state universities. Under such authority, the Board of Trustees has responsibility for ensuring that the public interest is served by any individual or organization that is established to support one of the eight state universities.

The Board recognizes that the Entities are not state agencies. The Entities have their own governing authorities. The Board recognizes that it does not have the power to exercise governing control over the Entities.

While the Board of Trustees does not have the power or authority to exercise governing control over the Entities, the Board has the full authority to establish the terms under which state universities will contract with private organizations. That is particularly necessary with respect to these Entities, since they, or some of them, will solicit and manage funds on behalf of and for the benefit of the state universities, and may use the name, logo, or other insignia identified with the state universities. The Board has the authority to require that any organization that manages funds for any state university, or whose name is associated with a state university under the governance of the Board, must adhere to ethical standards appropriate for such organizations and must properly manage, utilize and account

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for funds contributed to or for the benefit of the universities.

To ensure the independence of the affiliated Entities, no member or employee of the Board of Trustees of State Institutions of Higher Learning shall hold a voting position on an institutionally affiliated Entity board. The Board of Trustees may allow exceptions to this restriction if needed to comply with NCAA requirements or other proper purposes. Senior administrators of the institution should only participate on the Foundation/ Affiliated Entity's board in an ex-officio capacity.

C. Affiliation Agreements Required

Each university must enter into a formal contractual affiliation agreement (the "Affiliation Agreement") with its development foundation(s), research foundation(s), athletics foundation(s), alumni association(s) and any other similar university affiliated Entity in a form submitted to and approved by this Board. The Affiliation Agreement shall be reviewed for approval by the Board of Trustees at least every five (5) years, or whenever the Affiliation Agreement is changed (other than changes for non-substantive, conforming or purely administrative matters).

Each university shall submit all existing or amended Affiliation Agreements to the Board for approval on or before June 30, 2010, in a form that the university believes will fully comply with the requirements of this policy as amended.

In order to appropriately conserve the resources of the universities and the IHL, and to expedite the Board's review of the proposed Affiliation Agreements within the time period set forth above, the IEO's of the universities are expected to direct the resources of their university to work in coordination with the other universities in developing and reviewing templates of proposed affiliation agreements to be used by all similar Entities and universities. Counsel for the Board will be directed to assist in that process. The universities are expected to use those templates insofar as practical, given the acknowledged differences between universities and the Entities, as the basis and pattern for preparing the proposed Affiliation Agreements which are required by this Policy.

D. General Requirements of Affiliation Agreements

The Affiliation Agreements for each Entity shall address and comply with the following general requirements and subjects:

1. Outlining the services and benefits the institution and the Entity are to provide to each other and the compensation or other requirements related thereto;
2. Describing the mechanisms by which the institution shall, through its IEO, keep the Entity apprised of the needs and priorities of the institution, and requiring that the Entity, in concert with donor intent or directives, if any, agree to consider and communicate to the university its ability and plans to fund university needs and priorities, as determined by the IEO;
3. Describing whether, and the terms under which, any institutional assets of the institution itself are to be managed by the Entity on behalf of the institution and providing for appropriate rights of inspection and auditing for such funds by the IHL and all appropriate state officials;
4. Delineation of the terms upon which the Entity is authorized to accept gifts, restricted and unrestricted, on behalf of or for the benefit of the institution;
5. Outlining the method under which all gifts, grants, endowments and other assets are accepted and accounted for by the Entity, the methods and procedures to be utilized in determining how the income related to those assets is to be computed and distributed to the universities, and the terms and conditions under which any portion of such assets or the income related thereto may be used for the operating or other expenses of the Entity;
6. Requiring that all gifts made to the university shall be accounted for and ownership maintained by that university, even though they may be managed by the Entity;
7. Requiring that the records of such Entity shall be maintained separately from the records of

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- the respective affiliated institution;
8. Requiring maintenance of financial and accounting records in accordance with Generally Accepted Accounting Principles;
 9. ~~Requiring that the entity prepare annual financial statements of the condition of the entity (which shall include such detail as the Board may from time to time require), and requiring an annual audit of those statements by a Certified Public Accounting firm approved by the IHL;~~
 10. Requiring the Entity to submit the annual audited financial statements to the IEO and the IHL by each December 1 [to allow compliance with Governmental Accounting Standards Board (GASB) 39] along with a list of Entity officers, directors, or trustees.; that the Entity must cause to be prepared annual financial statements of the condition of the Entity, which shall include such detail as the IHL Board may from time to time require; The Entity must also engage a Certified Public Accounting (CPA) firm to perform annual audits of the Entity's annual financial statements; The Entity shall submit the audited financial statements, along with a list of Entity officers, directors or trustees, not later than five months following the completion of the Entity's fiscal year, to the affiliated university's IEO and to IHL; However, the annual audited financial statements of some of the Entities will be required for inclusion in the State of Mississippi's Comprehensive Annual Financial Report (CAFR); Those Entities which will be required to submit annual audited financial statements for inclusion in the CAFR, as determined by the IHL Board's Deputy Commissioner of Finance and Administration and the external auditing firm hired to perform the annual IHL system audit, must submit annual audited financial statements to the affiliated university's IEO and to the IHL, along with a list of Entity officers, directors or trustees, by October 15 of each year; The IHL Board's Deputy Commissioner of Finance and Administration shall notify each such Entity of the applicability of the October 15 deadline to such Entity as far in advance of the deadline as possible each year; The CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity's fiscal year for which the audit will be conducted; Unless approval is specifically granted for multiple years, approval of a firm by the IHL Board for one year does not constitute approval for other years, and requests for approval of the CPA firm must be submitted on an annual basis; However, at the request of the Entity, the IEO of a university, with the approval of the IHL Board, may grant a request of the Entity to waive the requirement of an annual audit by a CPA firm on a showing of adequate grounds, such as a showing that the assets of the Entity are so limited as to make the expense of engaging a CPA firm to perform an audit financially burdensome to the Entity and unnecessary; Such a waiver may be conditioned upon such other review of the financial records of the Entity in lieu of an audit as the University and the IHL may deem feasible; Such a request for a waiver must be accompanied by (a) the most recent annual audited financial statements of the Entity (if any such statements exist), (b) the financial statements of the most recently completed fiscal year, (c) a written description of how the Entity anticipates that the year-end financial statements for the current year will differ from the financial statements as of the end of the most recently completed fiscal year, and (d) a good faith estimate of the cost of engaging an auditor with respect to the statements; The granting of any request to waive the requirement of an annual audit by a CPA firm approved by the IHL is within the sole discretion of the University and the IHL Board; Any waiver of the audit requirement will apply only for one year, and any request to waive the requirement for the next year should be submitted as outlined above;
 11. Requiring that the Entity only accept or solicit gifts for the benefit of the university that are consistent with the university's mission, goals or objectives;
 12. Requiring that the Entity manage all funds in its control in a fiscally sound and prudent manner;
 13. Requiring that the Entity establish and maintain a conflict-of-interest policy that complies with all requirements of Miss. Code Ann. §79-11-269 (1972) as amended, entitled "Conflict of interest Transaction";
 14. Requiring that no form of additional compensation for an IEO or any IHL system office

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employee be underwritten or increased by the Entity without the prior approval of the Board; The request for approval shall come through the Commissioner to the IHL Board; As to other university employees, the Affiliation Agreement will provide that no form of additional compensation may be provided or paid by the Entity without the prior approval by the IEO; All such approvals by the IEO must be reported to the Board of Trustees at its next official meeting; This provision does not apply to transfers from the Entity to the supported university for items such as professorships, chairs, and other programmatic support that are paid directly to the university and included in its annual budget;

15. Requiring the Entity to submit to the IHL an annual report providing a detailed list of supplemental compensation provided to administrators, faculty, athletic staff, and other employees; provided however that the Affiliation Agreement may provide for appropriate exceptions for such compensation made by the institution out of funds routinely provided to the institution to be included in its budget; and,
16. Requiring compliance with all state and federal laws applicable to such organizations.
17. Establishing appropriate maximum limits on the period of time for which the Entity shall enter into contracts for professional, advisory, or other personal services.
18. Requiring that the provisions of the affiliation agreement shall apply to any and all entities owned or controlled by the affiliated Entity, with the exception of a special purpose entity created for the sole and specific purpose of utilization as a financing vehicle for the private financing of university auxiliary facilities by a private developer using the alternate dual-phase design-build privately financed construction method, as specially authorized by Miss. Code Ann. Section 37-101-41, et seq. (1972), as amended. If the use/purpose of any such special purpose entity ever changes, the special purpose entity would then be required to comply with any and all provisions of the affiliation agreement between the university and the Entity which owns or controls the special purpose entity.

E. Affiliation Agreements Shall Require Notice of Certain Events

In addition to the foregoing general requirements, the Affiliation Agreement shall contain provisions requiring that the IHL be notified of certain events or actions that may affect the operations, reputation, legal status, and assets of any entity or any university. The Affiliation Agreement shall require that the chief executive officer of the Entity and its other governing authorities will immediately notify the IEO and the IHL, in writing, if any of the following events (hereinafter "Reportable Events") occur:

1. The Entity has materially breached any of its contractual obligations under the Affiliation Agreement;
2. The Entity has materially failed to properly receive, apply, manage or disburse any funds or has materially failed to properly comply with any binding instructions from donors relating to those funds;
3. The Entity has engaged in any conduct that is prohibited or subject to sanction under state or federal law, including any and all requirements applicable to tax exempt organizations;
4. There has been a failure by the Entity or any of its officers and directors to comply with any conflict of interest requirements created by applicable state or federal law or by the governing documents or procedures of the Entity;
5. Any state or federal regulatory body begins any investigation of any matter that may have a significant financial or regulatory effect on the Entity or upon its status as a tax exempt organization; or
6. The Entity has contracted with or entered into any business or pecuniary relationship with any of its board members, other than a full time employee of the Entity, or any Entity controlled directly or indirectly by the board member, which would reasonably be expected to provide for payment or benefits to that person exceeding the value of \$50,000 in any calendar year; The previous sentence creates a duty for the Entity to report any such transaction but does not suggest or imply that all such transactions are either prohibited or permitted.

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The Affiliation Agreement shall require that the chief executive officer of the Entity shall submit to the IEO of the supported university and the IHL a signed certification statement annually, before January 31 of each year, which affirmatively states that the Entity has examined its donor records and business transactions occurring during its fiscal year ending within the prior calendar year, and that to the best of its knowledge, there is no evidence that any Reportable Events occurred, other than those which have been duly reported to the IEO and the IHL as required above. The chief executive officer of each Entity shall re-affirm that, in the event he/she becomes aware of any such Reportable Events, the chief executive officer will immediately notify, in writing, the IEO of the university.

- F. Affiliation Agreements must Require Entity to Provide Certain Additional Information to IEO upon Request

In addition to the foregoing general requirements, the Affiliation Agreement of each Entity will contain provisions requiring that the Entity furnish to the IEO of the corresponding university, or such person as the IEO may designate, any and all information relating to the operation or management of the Entity or any funds contributed to, received by, expended by, or managed by the Entity.

It is the policy of the Board that to the extent that information is inspected, reviewed or received by the IEO or his designees with respect to the identity of donors who have expressly stated they wish to remain anonymous, or with respect to any information relating to the identification, cultivation and solicitation of donors, or with respect to personal information relating to a donor or his/her family business, such information shall be treated as confidential by the IEO and any designee who may acquire such information. The IEO is expected to take appropriate safeguards to assure that such information is utilized or disseminated only in a manner that is appropriate under the circumstances.

The IEO shall promptly notify the Board and Commissioner of Higher Education if the Entity refuses or fails to produce any information requested by the IEO.

- G. Affiliation Agreement must Provide for Right of Board to Require Information from Entity or to Examine Records of Entity

Ordinarily, the Board will not request information from any Entity and will allow the IEO to oversee the compliance by the Entity with the Affiliation Agreement and to determine that funds are being appropriately received, managed, and expended. In some circumstances, however, the Board may determine it to be necessary to secure additional information from the Entity or to review appropriate records of the Entity. The Entities hold funds that are intended to benefit the institutions of the state, and the Board has an interest in the proper administration of those funds. Thus, the Affiliation Agreement will provide that the Board may require the Entity to provide information or allow inspection of its records as required by the Board to determine that the Entity is in compliance with the Affiliation Agreement and that the funds held for the institution or for its benefit are appropriately utilized and protected. No such request for information will be made by individual Board members to any Entity or to any IEO.

As a matter of general policy, the Board will attempt, when appropriate, to resolve any issues or concerns about the activities of any Entity informally. Examples of such informal methods include responses by the Entities to requests from the auditors employed by the Board or a report from an accounting firm approved by the Board to review records related to the matters at issue. The decision of any entity as to whether and how to comply with such informal requests is within the discretion of the governing authorities of the entities. The Board anticipates that, normally, any questions related to the Entities can be resolved through such informal procedures.

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The Affiliation Agreement shall provide, however, that the Board may determine by appropriate action, at a duly called meeting of the Board, that informal measures are or will be untimely, insufficient, or inappropriate to secure information necessary to allow the Board to determine that the Entity is appropriately complying with the Affiliation Agreement and that funds intended to be used for the benefit of the institution are appropriately maintained and expended. The Affiliation Agreement will provide that, if the Board makes such a finding, the Entity will permit an audit, inspection or review of the financial and other records of the entity by persons selected by the Board, which persons shall have the power to determine the appropriate scope of the investigation and the records to be examined, and that the Entity will fully cooperate with any such inquiries.

As noted above, it is the policy of the Board that it will not unnecessarily disclose or disseminate any information relating to the Entities, and in particular, any information related to donors to the Entity. In some circumstances, however, such as those involving alleged misuse or misappropriation of funds, appropriately limited disclosure of information related to donors may be necessary in order to conduct the investigation and to recover the funds, or to allow prosecution with respect to any misappropriation of funds. Thus, the Affiliation Agreement must specifically recognize that the final determination as to the appropriate extent of any disclosure or other use of the information is in the discretion of the Board. Any decision to release any information that would identify any particular donor shall be made by the Board. No individual Board member or employee of the IHL will release such information without authorization from the Board.

H. Required Termination Provisions to Be Included in Affiliation Agreement

The Affiliation Agreement will provide that the Affiliation Agreement may be terminated by the IEO, with the prior approval of the IHL, for cause with no notice or without cause upon thirty days notice. Upon termination, (1) the Entity shall cease to use and shall not assign or delegate the authority to use the respective university's name or registered marks or logos to any person or entity without the written approval of the IEO, (2) the Entity shall remit any and all unrestricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (3) the Entity shall work in concert with its donors, to the extent practicable and allowed by law, to move any restricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (4) the Entity shall work in concert with persons or entities with which it had contractual relations to the extent practical and allowed by law, to assign any contracts to such entity as designated by the university IEO; and (5) the Entity shall work in concert with the university to provide the university or its designee with records and materials of the Entity as are necessary to continue the business and/or wind up the affairs of the Entity.

Because an Entity may hold assets intended to benefit the universities, the Affiliation Agreement will provide that the Entity will have no right to terminate the Affiliation Agreement without the consent of the IEO and the Board.

I. Restructuring Relationship in Event of Irreconcilable Differences

The Board expects there to exist a cooperative relationship between the Entities and the universities. The Board is aware of situations in other states where foundations have attempted to use the leverage provided by control of funds contributed for the benefit of the universities to require the university to take action desired by the foundation. Exercise of such power would interfere with the power of the IEO's and, ultimately, the power of the Board. To provide for the eventuality in which it appears that the IEO and the Entity have irreconcilable differences that interfere with the Entity serving the purposes for which it is intended, the Affiliation Agreement must provide for some mechanism to allow a resumption of normal relationships to benefit the university. In such a case, it would be detrimental to the university to allow the Entity to simply terminate the relationship – since it may hold funds and other assets intended for the benefit of the university. Thus the Affiliation Agreement shall provide for a mechanism to deal with that possibility that will effectively accomplish the purpose of insuring that the Entity's goals remain appropriately aligned with those of the university.

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The Affiliation Agreement must therefore provide for such a mechanism. The universities are expected to finalize the relationship with the Entities to accomplish the purpose on or before December 31, 2010.

Any university, after consultation with an affiliated Entity, may propose, on or before December 31, 2009, to include an appropriate plan to accomplish this purpose in the Affiliation Agreement for that Entity.

For example, a university may choose to propose a mechanism to allow the Entity to restructure its governing board. As an illustration of such a mechanism, such a plan might provide as follows:

In the event that the IEO notifies the IHL that the relationship between the IEO and the Entity's governing authorities is detrimental to the well being of the university, then IHL shall attempt to reconcile the parties. However, if the IHL determines that it is in the best interests of the university to substitute new governing authorities of the Entity, and unless the matters are resolved, the IHL Board may direct, in its sole discretion, that at the expiration of a 90 days notice period, the terms of office of the then existing board of directors of the affiliated Entity (or the persons serving that role in governance of the Entity, regardless of title) shall be deemed to have expired. Those persons shall be replaced by a nine member board selected by the following persons: 1) one member appointed by the mayor of the municipality in which the subject university is located or to which it is nearest, 2) one member appointed by the subject university's IEO, 3) one member appointed by the subject university's chief academic officer, 4) one member appointed by the president of the board of supervisors of the county in which the subject university is located, 5) one member appointed by the governor, 6) one member appointed by the Commissioner of Higher Education, 7) such other person, as the Affiliation Agreement may provide, who is affiliated with another Entity associated with the affected university; 8) one member appointed by the current president of the subject university's student body, and 9) one member appointed by the most recent past president of the subject university's student body.

However, each university and Entity may choose to agree upon some different arrangement which would accomplish the same end. Because of the differences in the various Entities, the types and amounts of assets held by the Entities, the debt obligations of some Entities, ongoing contractual obligations, and other similar factors, the Board will address such proposals on an individual basis to determine their effectiveness, feasibility and practicality. Any such proposal must be submitted with all of the information necessary to fully evaluate the proposal. The exact language of all documents required to implement such a proposal shall be included in the submission to the Board.

Any such proposals will be considered by the Board and acted upon before March 31, 2010. Failure to submit sufficient information to allow a full understanding as to the effectiveness and practicality of such a plan will prevent the Board from considering the proposal. In the absence of approval by the Board of some other alternative provisions to accomplish such purpose by March 31, 2010, or any extension granted by the Board, it is expected that each university will enter into a contract with all related Entities under terms similar to those in the illustration set out above.

If the Entity is a university research foundation formed pursuant to Miss. Code Ann. Section 37-147-15 (1972), as amended, the new board of directors shall be appointed by the subject university's IEO, in accordance with applicable state law.

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ANNOUNCEMENT

- President Neely thanked Mr. Marcus Thompson, Chief Administrative Officer, and Ms. Bridget Breithaupt, Executive Assistant to the Commissioner, for their hard work in planning the events of the Board Retreat.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Pickering, seconded by Trustee Robinson, with Trustee Ross absent and not voting, the Board members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 4, 2010**

BE IT REMEMBERED, That the Alcorn State University Board Search Committee of the State of Mississippi held a teleconference meeting on October 4, 2010 at 2:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Committee members participated in the teleconference: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Dr. Doug Rouse and Mr. C.D. Smith. Mr. Bob Owens, Mr. Alan Perry, Ms. Christy Pickering, and Ms. Robin J. Robinson also attended the meeting. The meeting was called to order by Trustee C.D. Smith, Chair.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference committee meeting was held to discuss personnel issues concerning the search for the next president of Alcorn State University.

EXECUTIVE SESSION

On motion by Trustee Neely, seconded by Trustee Davidson, with Trustee Rouse absent and not voting, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Blakeslee, seconded by Trustee Davidson, with Trustee Rouse absent and not voting, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of personnel issues at Alcorn State University.

During Executive Session, the following matter was:

The Committee discussed personnel issues concerning the search for the next president of Alcorn State University.

On motion by Trustee Neely, seconded by Trustee Rouse, and unanimously passed by those present, the Committee voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Trustee Neely, seconded by Trustee Davidson, and unanimously passed by those present, the Committee members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
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October 7, 2010**

BE IT REMEMBERED, That the Jackson State University Board Search Committee of the State of Mississippi held a teleconference meeting on October 7, 2010 at 3:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Committee members participated in the teleconference: Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Alan Perry, Mr. C.D. Smith and Ms. Amy Whitten. Mr. H. Ed Blakeslee, Dr. Stacy Davidson and Ms. Robin J. Robinson also attended the meeting. The meeting was called to order by Trustee Bob Owens, Chair.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference committee meeting was held to discuss personnel issues concerning the search for the next president of Jackson State University.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Smith, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Whitten, seconded by Trustee Perry, and unanimously passed by those present, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of personnel issues at Jackson State University.

During Executive Session, the following matter was:

The Committee discussed personnel issues concerning the search for the next president of Jackson State University.

On motion by Trustee Whitten, seconded by Trustee Neely, with Trustee Smith absent and not voting, the Committee voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Trustee Perry, seconded by Trustee Whitten, and unanimously passed by those present, the Committee members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

CONSENT AGENDAS

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1. SYSTEM – APPROVAL OF ACADEMIC PROGRAM MODIFICATIONS

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

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

RENAME

- a. *Jackson State University* requests permission to rename the *MST in Science and Mathematics Teaching* (CIP 13.999) to the *MST in Mathematics and Science Teaching* (no CIP change) to align the name with the academic unit where the degree resides. The proposed name changes will require minimal resources (e.g., change of campus signs, stationery, recruiting materials, etc.), which will be covered by existing funds within the Department of Mathematics.
- b. The *University of Mississippi Medical Center* requests permission to rename the *PhD in Human Pathology* (CIP 26.0910) to the *PhD in Pathology* (no CIP change) to make the name more concise and aligned with academic unit where the degree resides. The proposed name change will require minimal resources (e.g., change of campus signs, stationery, recruiting materials, etc.), which will be covered by existing funds within the Department of Pathology.

STAFF RECOMMENDATION: Board staff recommends approval Items a and b.

2. SYSTEM – ACADEMIC UNIT MODIFICATIONS

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, approval is requested for modifying the following established academic units.

REORGANIZE AND RENAME

- a. *Delta State University* requests permission to reorganize the *College of Education* by combining the *Division of Teacher Education* with *the Division of Rural School Leadership and Research* and naming the combined unit the *Division of Teacher Education, Leadership, and Research*. This reorganization will support collaboration across educator preparation programs and enhance institutional effectiveness.

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- b. *Delta State University* requests permission to reorganize the *College of Arts and Sciences* by combining the *Division of Social Sciences* with *the Department of History* and naming the combined unit the *Division of Social Sciences*. This reorganization will streamline administrative and improve costs efficiencies.

- c. *Mississippi State University* requests permission to reorganize the *College of Agriculture and Life Sciences* by combining the *Department of Biochemistry and Molecular Biology* with *the Department of Entomology and Plant Pathology* and naming the combined unit the *Department of Biochemistry, Molecular Biology, Entomology and Plant Pathology*. This reorganization strategically creates a stronger interdisciplinary department that will facilitate shared resources, academic program realignment, and better serve the mission of institution.

STAFF RECOMMENDATION: Board staff recommends approval Items a – c.

3. UMMC – APPROVAL OF NEW ACADEMIC UNITS

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

ACADEMIC DEPARTMENTS

- a. The *University of Mississippi Medical Center* requests permission to establish the *Department of Health Sciences*. This new academic department will house the undergraduate and graduate degrees in Health Sciences. The BS in Health Sciences is one of the fastest growing programs within the School of Health Related Profession. **The new department will be funded with tuition revenue and existing resources with the School of Health Related Professions.**

- b. The *University of Mississippi Medical Center* requests permission to establish the *Department of Radiologic Sciences*. This new academic department will house the BS in Radiologic Science degree program. A senior associate dean will serve as chair in the interim until the faculty selects a permanent chair. **The new department will be funded with tuition revenue and existing resources with the School of Health Related Professions.**

STAFF RECOMMENDATION: Board staff recommends approval Items a and b.

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1. JSU – Approval of Amendment to Bookstore Operations Contract

Agenda Item Request: Jackson State University (JSU) requests approval to issue the third addendum to its agreement with the **Follett Higher Education Group, Inc.** to offer a textbook rental program effective for the spring 2011 term.

Contractor's Legal Name: **Follett Higher Education Group, Inc.**

History of Contract: In February 2006, JSU entered into the current ten-year agreement with Follett to provide bookstore services.

Specific type of contract: Bookstore operations contract

Purpose: The purpose of the addendum is to change the scope of services to allow JSU to institute a textbook rental program. The rental program will assist in keeping textbook costs down for JSU students.

Scope of Work: The addendum revises the scope of work to allow a textbook rental program at JSU beginning with the spring term 2011.

Term of contract: The length of the contract is ten years - July 1, 2006 to June 30, 2016. In scope of services, the addendum becomes effective with the spring 2011 academic term, but this addendum does not alter the current contract dates outlined above.

Termination Options: Either party may terminate this contract upon providing ninety (90) days prior written notice.

Contract Amount: This is a revenue-generating agreement. JSU earns 8.5% sales commission on gross bookstore sales. The current contract is generating approximately \$311,000 of sales commission revenues annually to the university. The textbook pricing provisions of the original agreement do not apply to the rental program. Rental fees charged to students will feature a discount of at least an average of 50% off of the new textbook sales price and rentals will be offered for most titles currently available. The university estimates a small decrease (approximately \$31,000) in future annual sale commissions realized due to the implementation of the textbook rental system.

Funding Source for Contract: Revenue generating contract

Contractor Selection Process: Follett first became JSU's bookstore operator in 1994 through an RFP process. The university has extended this contractual relationship ever since and is currently operating within a ten (10) year agreement set to expire on June 30, 2016.

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Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for any bookstore, food service, or athletic concession contract projected to generate aggregate total revenues for a university of more than \$250,000 or if the term of such contract exceeds four years. The agreement has been reviewed and approval by the Attorney General's Office. Board staff recommends approval of this item.

2. MUW – Approval of Vending Services Agreement

Agenda Item Request: Mississippi University for Women (MUW) requests approval to enter into a contact with **Corporate Dining, Inc.** (CDI) to provide snack vending services.

Contractor's Legal Name: **Corporate Dining, Inc.**

History of Contract: New contract - Presently MUW is contracting with multiple vendors to provide snack vending services to the campus.

Specific type of contract: Revenue contract for vending services

Purpose: The purpose of this contract is to provide snack vending services to the student, faculty, staff, alumni, and visitors to the MUW campus.

Scope of Work: CDI will provide snack vending services to all areas on the main campus in Columbus and agrees to provide, install, and operate the vending equipment. MUW will provide utilities and space necessary to operate the needed vending machines.

Term of contract: The length of the contract is five years – October 21, 2010 through October 20, 2015. This agreement will automatically renew for a one (1) year term unless either party terminates 90 days prior to the expiration date.

Termination Options: Both parties may terminate the contract for cause and or convenience upon 90 days written notice.

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Contract Amount: The expected gross sales will be between \$425,000 and \$500,000 over the five-year period generating a commission of approximately \$8,500 to \$10,000 annually.

MUW will receive a certain level of revenues on all vending sales. This level of revenue fluctuates based upon a sliding commission scale as follows:

Commission Scale Annual Vending Sales	
2.5%	\$0 to \$90,000
8.5%	\$90,001 to \$149,000
10.1%	\$150,000 to \$199,999
15.1%	\$200,000 to \$249,999
17.1%	\$250,000 to \$299,999
18.1%	\$300,000 to \$399,000
20.1%	\$400,000 to \$600,000

Past vending revenue for MUW has been less than \$10,000 annually received from four vendors. Granting one vendor exclusive sales privileges will streamline the vending process, mitigate security issues as a result of reduced access to buildings, and reduce costs due to energy miser vending machines. Commissions will fluctuate based on product sales.

Funding Source for Contract: Revenue contract

Contractor Selection Process: MUW issued a Request for Proposals (RFP) in the fall of 2009. The Vending taskforce received proposals from three potential vendors:

- (1) Clark Vending (Starkville),
- (2) Northington Snacks (Sulligent, AL.), and
- (3) Corporate Dining, Inc. (Columbus).

The proposal from CDI was selected due to offering energy miser vending machines. In addition, CDI offered a wider variety of snacks and health choices than the other two proposals. Sales commissions offered by the other two vendors ranged from 10% to 12% on snacks or drinks. CDI's sales commission proposal was believed to be the best opportunity for the university to maximize revenue potential.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement

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has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

3. UMMC – CONTRACTUAL SERVICES AGREEMENTS

- a. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Cline Tours, Inc.** to provide shuttle services.

Contractor's Legal Name: **Crussin' Explorer Transportation, Inc. *doing business as* Cline Tours, Inc.**

History of Contract: New contract

Specific type of contract: Professional services agreement

Purpose: The purpose of the agreement is to provide shuttle services to and from the Veterans Memorial Stadium to and around the UMMC campus and the Jackson Medical Mall for employees, visitors, students, and patients.

Scope of Work: The shuttle service will operate five vehicles, 65 passenger hours per day, five days a week (excluding weekends and holidays) for a total of 250 days of operation. The contractor will provide all employees, equipment, fuel, supplies and on-site management.

Term of contract: The contract length is three (3) years with an option to renew for two (2) one year periods unless terminated in advance in writing – November 1, 2010 to October 31, 2015.

Termination Options: Either party may terminate this agreement in writing at least 30 days in advance of the date of desired termination. If either party breaches one or more of its obligations, the offended party may give a 30-day notice to cancel without any penalty.

Contract Amount: Costs are based on an hourly rate of \$29.40. The agreement provides for possible annual (effective July 1st) fuel cost adjustments and inflation escalations of a maximum of 2.5%, based on wholesale price index. The total cost for a five-year period is not to exceed \$2,500,000.

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Year	Estimated Hours x Base Rate x Fuel Adjustment Allowance	Estimated Annual Costs
FY 2011 (11/1/10-6/30/11= 8 mos.)	10,725 hours x (\$29.40 +.30)	\$ 318,532.50
FY 2012 (7/1/11-6/30/12=12 mos.)	16,250 hours x (\$30.13 + 0.40)	496,112.50
FY 2013 (7/1/12-6/30/13=12 mos.)	16,250 hours x (\$30.88 + 0.40)	508,300.00
FY 2014 (7/1/13-10/31/13 = 4 mos./ end 3 year period)	5,525 hours x (\$31.65 + 0.20)	175,971.25
Subtotal (Three-Year Costs)		\$ 1,498,916.25
FY 2014 – FY 2016 (11/1/13- 10/31/15)	<i>Parties determined fuel adjustments were too difficult to project for the extended two-year period and agreed to cap regardless of actual fuel costs as long as UMMC does not request increase in volume or some other material change to agreement.</i>	1,001,083.75
Contract not to exceed amount		\$ 2,500,000.00

Funding Source for Contract: The agreement will be funded by state appropriated funds.

Contractor Selection Process: A Request for Proposals (RFP) was issued February 2010. Three bidders responded.

- (1) Dolphin Transportation of Naples Florida submitted a bid of \$61.01 per hour.
- (2) Cline Tours of Ridgeland submitted a bid of \$28.90 per hour.
- (3) Central Parking of Mississippi, Inc. submitted a bid of \$39.13 per hour.

Cline Tours submitted the lowest bid and was selected as the preferred vendor. Due to changes UMMC requested related to the interior of the buses, the per hour cost was increased from \$28.90 to \$29.40.

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

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racts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Recommendation is pending a review of the selection process.

- b. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Huron Consulting Services, LLC** *doing business as Stockamp* to provide consulting services.

Contractor's Legal Name: Huron Consulting Services LLC d/b/a Stockamp

History of Contract: New agreement

Specific type of contract: Professional services agreement

Purpose: The purpose of this agreement is to provide consulting services related to implementation of back-end revenue cycle improvements in process design and long-term sustainability.

Scope of Work: The scope of work includes the following functional areas: coding, billing follow-up, customer service, denials management, cash posting, payment review and vendor management. Specifically, the scope includes the following:

- (1) Create a resilient, nimble, leading practice back office revenue cycle organization,
- (2) Implement solutions which result in increased cash flow and sustainable, improved financial performance, and
- (3) Implement systems, processes, techniques, and controls over denials, bad debt write-off levels, and over avoidable deductions from revenue such as timely filing and miss-classified contractual allowable.

Term of contract: The contract length is ten (10) months – November 1, 2010 to August 31, 2011.

Termination Options: Either party may terminate this agreement for convenience by providing thirty (30) days written notice. The agreement may also be terminated for breach with a thirty (30) day cure period.

Contract Amount: Total cost for the contract period is estimated at \$6,570,000 which includes the following fees:

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Fee Description	Amount of Fee
Implementation Fees - <i>Based on established hourly rate fees for five consultants</i>	\$ 2,300,000
TRAC software license fee	750,000
Cash Flow Improvement Contingent Fee – <i>Calculated by multiplying the total cash flow improvement by a total cash flow improvement fee factor of 32%. (For each \$1,000 of total cash flow improvement, UMMC will pay \$320 of total cash flow improvement fees)</i>	3,520,000
Total	\$ 6,570,000

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

Contractor Selection Process: Mississippi Code Ann. §37-115-31 authorizes teaching hospitals to enter into group purchasing arrangements (GPOs). GPOs operate as an extension of participating healthcare centers' purchasing offices and act as representatives of their member hospitals and hospital corporations. They act on behalf of the members to negotiate group contracts for goods and services from selected vendors. In doing so, GPOs save hospitals money by taking over many contracting functions that would have to be duplicated in the many member organizations, and by aggregating demand so that significant price discounts may be secured from vendors. GPOs also reduce vendors' costs, making it possible for vendors to negotiate a single contract rather than contracts with each member hospital. GPOs also help vendors communicate information about products and services currently under contract and provide useful information on experience with products in use.

Stockamp is a vendor under the GPO portfolio. Stockamp has also consulted with other University HealthSystem Consortium members and academic medical centers for revenue cycle engagements including previously with University Physicians the Practice Plan for UMMC.

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

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- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Corepoint Health, LLC** for software license and services.

Contractor's Legal Name: Corepoint Health, LLC

History of Contract: New agreement

Specific type of contract: Licensing and professional services agreement

Purpose: The purpose of the agreement is to purchase an enterprise interface engine to integrate clinical and business systems at UMMC. This software will be an integral part of the Epic and Lawson implementations.

Scope of Work: The agreement provides a license for the use of the Corepoint interface engine and for 125 production connections to be built in the production environment. The agreement also provides a test environment with unlimited connections, training for the UMMC interface team, eighty implementation service hours from the vendor, and twenty-four (24) hour-seven day a week support for a five-year period.

Term of contract: The length of the contract is five years - November 1, 2010 to October 31, 2015.

Termination Options: Agreement can be terminated for convenience by either party by providing sixty (60) days written notice to the other party. Agreement may be terminated by providing thirty (30) days prior written notice to the other party if the other party is in material breach of the agreement and fails to cure such breach within a thirty (30) day period of delivery of notice.

Contract Amount: The total cost for the contract period is estimated at \$301,070 and includes the following:

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<i>One-Time Costs</i>		
Engine runtime base license and packages for additional connections	\$ 135,000	
Training	2,070	
Implementation Services	14,000	
<i>Total One-Time Costs</i>		\$ 151,070
<i>Recurring Costs</i>		
Software Maintenance (5 years @ \$27,000 per year)	\$ 135,000	
Developers License (5 years @ \$3,000 per year)	15,000	
<i>Total Recurring Costs</i>		150,000
<i>TOTAL COSTS</i>		\$ 301,070

Funding Source for Contract: The agreement will be funded by state appropriated funds.

Contractor Selection Process: A request for proposals was initiated by UMMC in April 2010. Three proposals were received. The three proposals were as follows:

- (1) Corepoint Health - \$301,070,
- (2) HealthVision/Lawson - \$429,600 and
- (3) Dapasoft -\$176,582.

The institution selected Corepoint. While Corepoint was not the lowest bidder, it was determined that Corepoint's interface engine is much more user friendly with a far shorter interface development cycle than the other vendors. Corepoint's development environment offers a wide variety of plug and play functions eliminating the need to write custom code. In addition, Corepoint is highly regarded in the healthcare community and ranked number one in the interface engine market segment in the 2009 Top 20 Best in KLAS Awards: Software and Professional Services report.

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

- d. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a sublease agreement with **University Physicians, PLLC.** to lease 2,236 square feet of space.

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Contractor's Legal Name: University Physicians, PLLC.

History of Contract: New agreement

Specific type of contract: This is a sublease agreement. A master lease agreement exists between University Physicians and Southeast Medical Properties, LLC, whereby University Physicians leases 11,814 square feet of medical office building space. University Physicians is subleasing 2,236 of that square footage to UMMC.

Purpose: The purpose of the agreement is to sublease 2,236 square feet of medical office space located at University Physicians, PLLC's Mirror Lake Women's Specialty Health Clinic (2925 Layfair Drive, Flowood, Mississippi) to be used for hospital diagnostic clinical space.

Scope of Work: The sublease provides for use of 2,236 square feet of space and includes utilities, parking, security, janitorial and routine maintenance services. UMMC is responsible for janitorial supplies, telephones and related services.

Term of contract: The length of the contract is five years - November 1, 2010 to October 31, 2015.

Termination Options: N/A

Contract Amount: The first year cost is \$50,578.32 based on a \$22.62 per square footage cost. The master lease associated with this agreement provides for an approximate two percent (2%) annual increase. The total cost for the five-year period is \$263,266.64.

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

Contractor Selection Process: Space is available University Physicians, PLLC's Mirror Lake Women's Specialty Health Clinic. University Physicians, PLLC is UMMC's affiliated medical clinical group.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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4. USM – Approval of Revenue Lease Agreement

Agenda Item Request: The University of Southern Mississippi (USM) requests permission to enter into a revenue lease agreement with **E-Z-EM, Inc.** for 3,180 square feet of space located in the university's Innovation Research Park.

Contractor's Legal Name: **E-Z-EM, Inc.**

History of Contract: New agreement

Specific type of contract: Revenue lease agreement

Purpose: The purpose of the agreement is to lease 3,180 square feet of space in USM's Innovation Research Park located in Hattiesburg, MS. This agreement also allows E-Z-EM the usage of certain laboratory equipment owned and maintained by USM located within the shared space areas of the facility.

Scope of Work: USM grants E-Z-EM the right to occupy 3,180 square feet of space in the Innovation Research Park. E-Z-EM is a leader in diagnostic imaging and healthcare protective products. The vendor will collaborate with USM and its polymer scientists in the development of healthcare protective products.

- USM reserves the right to review and approve any and all leasehold improvements that might be constructed upon these premises. This approval includes any contractor or subcontractor agreements that E-Z-EM may enter into in order to carry out these improvements.
- USM will be responsible for janitorial and general cleaning services in the facility.
- USM will be responsible for the primary utilities to the facility (electricity, water, gas, sewage) as well as elevator service.
- USM shall perform and be financially responsible for basic maintenance, upkeep and repairs to the facilities and attached infrastructure (parking lots, utility systems, common areas, sidewalks, etc.).
- Phone service and Internet are not considered utilities and will be billed separately to company.

Term of contract: The maximum length of the contract is ten (10) years plus a four-month transitional period – October 22, 2010 to February 21, 2021. The contract will begin upon full execution and will include an initial four-month transition period to

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allow E-Z-EM to place equipment and complete other leaseholds. After the transition period is concluded the one year term begins. Costs are noted for the ten-year four-month period.

Termination Options: E-Z-EM can terminate this agreement for any reason, prior to the end of the initial term or any renewal year, by giving not less than sixty (60) days prior written notice to the university. USM may terminate the agreement with cause if the conditions generating the cause remain and have not been adequately cured.

Contract Amount: USM will receive \$15,900 from E-Z-EM during a Transition Period. This transition period will allow the company to move equipment and related infrastructure into the leased premises and conclude other company leasehold. When the transition period concludes, USM will receive \$63,600 for the first annual year of this agreement. If the contract's optional years are exercised, total contractual revenues received could increase to \$651,900 (even more depending upon built-in CPI price inflators). The following table outlines possible revenues to USM:

	Annual Rental Fee	Cumulative Revenues
Transition Period		\$15,900
Year 1	\$63,600	\$63,600
Option Years:		
Years 2 - 5	\$63,600	\$254,400
Years 6 to 10	\$63,600 + CPI increase	\$318,000 (minimum)
	Total	\$651,900 (minimum)

Funding Source for Contract: Revenue lease agreement

Contractor Selection Process: Not applicable

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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5. SYSTEM – ASU and MVSU – ESCALATION OF AYERS ENDOWMENT BUDGETS

Agenda Item Request: Alcorn State University (ASU) and Mississippi Valley State University (MVSU) are requesting budget escalations with their respective *Ayers* Endowment Diversity Program(s) budgets. The escalations are needed to cover increased costs associated with program operating costs and diversity student aid awards. The original budgets were approved at the June 2010 Board meeting. At that time, Board staff relied on estimates of available funding for these programs. Actual funding is now known and the institutions have requested to revise budgets to actual.

Purpose: Escalate budgets for ASU and MVSU *Ayers* Endowment Diversity Program budgets

Alcorn State University

Object of Expenditure	Current Budget FY 2011	Budget Revision	Revised Budget FY 2011
Salaries, Wages & Fringe Benefits	\$ -		\$ -
Travel	-		-
Contractual Services	-		-
Commodities	-		-
Capital Outlay:	-		-
Equipment	-		-
Library Resources	-		-
Student Aid	223,457	67,005	290,462
Total	\$ 223,457	\$ 67,005	\$ 290,462

Mississippi Valley State University

Object of Expenditure	Current Budget FY 2011	Budget Revision	Revised Budget FY 2011
Salaries, Wages & Fringe Benefits	\$ 48,578		\$ 48,578
Travel	-		-
Contractual Services	-		-
Commodities	-	2,875	2,875
Capital Outlay:	-		-
Equipment	-		-
Library Resources	-		-
Student Aid	476,549	7,500	484,049
Total	\$ 525,127	\$ 10,375	\$ 535,502

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Funding Source for Budget Escalation: All funds budgeted within these two programs are created from the generated annual interest earnings of the *Ayers* Public and Private Endowment investments.

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

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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

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

Board Policy §907, Private Financing of Auxiliary Facilities

Section 37-101-41, (1972), as amended, authorizes the Board to permit the leasing of institution land to private individuals or corporations for the purpose of constructing auxiliary facilities thereon. The auxiliary facility shall be constructed by private financing and shall be leased back to the Board for use by the institution. The lease shall contain a provision permitting the Board to purchase the building located thereon for the sum of \$1 after payment by the Board of all sums of money due under the lease. The institution desiring to use this method of project delivery shall request permission from the Board to issue a request for proposal (RFP) for such services. The RFP shall include a project description, procedures to be followed in evaluating the proposals and a time line for evaluation by the institution. It is the intent of the Board that its legal, financial, and facilities staff shall be involved in preparing the RFP and in the evaluation process. Once the evaluation process is completed a recommendation will be brought to the Board for its consideration. Specific procedures for the construction of auxiliary facilities using private financing can be found in the Institutions of Higher Learning's Construction Procedures Manual.

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Board Policy §917, Naming Buildings and Facilities

Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.

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

BUREAU OF BUILDING PROJECTS

1. MSU – GS 113-130 – Necropsy Renovation

Project Request: Mississippi State University requests permission to initiate a project Necropsy Renovation and to appoint Pryor and Morrow Architects, P.A. as design professional.

Design Professional: Pryor and Morrow Architects, P.A.

Purpose: Mississippi State University is seeking to renovate the Necropsy Area of the Wise Center. The renovation area is critical for continued accreditation of the facility. The project includes 18,248 square feet of renovations and additions to the existing Necropsy wing at the Wise Center on the campus of Mississippi State. The goal of the project will be to bring the facility up to a BSL-2 (Bio Safety Level 2) as well as replace the existing incinerator with a modern digester. Mississippi State University is seeking approval to initiate the project 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: October 21, 2010

Date of Original Construction: 1981

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$10,131,656.43
Architectural and Engineering Fees:	731,780.19
Miscellaneous Project Costs:	1,629,500.38
Contingency:	<u>506,583.00</u>
Total Project Budget	\$13,000,000.00

Funding Source(s): HB 1701, Laws of 2010 (\$13,000,000)

Staff Recommendation: Board staff recommends approval of this item.

2. MVSU – GS 106-220 – Re-Roof Physical Plant Building

Project Request: Mississippi Valley State University requests permission to initiate a project Re-Roof Physical Plant Building and to appoint Pryor and Morrow Architects, P.A. as design professional.

Design Professional: Pryor and Morrow Architects, P.A.

Purpose: Mississippi Valley State University is seeking to provide a retrofit standing seam metal roof to the existing Physical Plant Building and renovate the interior with a revised layout and new finishes in order to improve the performance of Plant Operations. Mississippi Valley State University is seeking approval to initiate the project 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: October 21, 2010

Date of Original Construction: N/A

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Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$1,216,750.00
Architectural and Engineering Fees:	112,000.00
Miscellaneous Project Costs:	1,250.00
Contingency:	<u>70,000.00</u>
Total Project Budget	\$1,400,000.00

Funding Source(s): HB 1722, Laws of 2009 (\$1,400,000)

Staff Recommendation: Board staff recommends approval of this item.

3. USM- GS 108-260, Residence Halls Sprinkler Systems, Hattiesburg

Project Request: The University of Southern Mississippi requests permission to appoint Atherton Consulting Engineers, Inc. as design professional for the Residence Halls Sprinkler Systems project.

Design Professional: Atherton Consulting Engineers, Inc.

Purpose: The University of Southern Mississippi initiated this project with the Board on June 18, 2009. The university is requesting this project in order to design and install a fire sprinkler system in Hattiesburg Hall, Mississippi Hall, Bolton Hall, and Hillcrest dormitory on the Hattiesburg campus. The University of Southern Mississippi is seeking approval to initiate the project 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.

Date of Project Initiation: June 18, 2009

Date of Original Construction: N/A

Date of Last Renovation: N/A

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Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,743,170.00
Architectural and Engineering Fees:	\$ 141,323.00
Miscellaneous Project Costs:	\$ 20,000.00
Contingency:	<u>\$ 95,507.00</u>
Total Project Budget	\$ 2,000,000.00

Funding Source(s): HB 1722, Laws of 2009 (\$2,000,000)

Staff Recommendation: Board staff recommends approval of this item.

4. USM- GS 108-264, Energy Reduction Retrofits, Hattiesburg

Project Request: The University of Southern Mississippi requests permission to appoint Watkins & O’Gwynn as design professional for the Energy Reduction Retrofits project for energy improvements.

Design Professional: Watkins & O’Gwynn

Purpose: The University of Southern Mississippi initiated this project with the Board on January 21, 2010. The university is requesting this project in order to perform energy reduction retrofits on lighting, mechanical and control systems on various buildings throughout the Hattiesburg campus. The modifications are expected to provide savings to result in a payback of about 3-3.5 years. The University of Southern Mississippi is seeking approval to initiate the project 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.

Date of Project Initiation: January 21, 2010

Date of Original Construction: N/A

Date of Last Renovation: N/A

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Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,770,000.00
Architectural and Engineering Fees:	\$ 165,000.00
Miscellaneous Project Costs:	\$ 0.00
Contingency:	\$ <u>65,000.00</u>
Total Project Budget	\$ 2,000,000.00

Funding Source(s): HB 1722, Laws of 2009 (\$2,000,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

5. UMMC – IHL 209-538 – 4th Floor Renovations-764 Lakeland Building

Project Request: The University of Mississippi Medical Center requests permission to initiate a project 4th Floor Renovations-764 Lakeland Building and to appoint Dale and Associates Architects, P.A. as design professional.

Design Professional: Dale and Associates Architects, P.A.

Purpose: The University of Mississippi Medical Center is seeking to renovate approximately 13,965 square feet of existing space to provide a new, modern Otolaryngology Clinic/Services area. The University of Mississippi Medical Center is seeking approval to initiate the project 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: October 21, 2010

Date of Original Construction: 1989

Date of Last Renovation: N/A

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Project Budget:

	<i>Estimated</i>
Construction Cost:	\$2,499,735.00
Architectural and Engineering Fees:	238,500.00
Miscellaneous Project Costs:	205,700.00
Contingency:	<u>481,601.00</u>
Total Project Budget	\$3,425,536.00

Funding Source(s): Restricted Funds (\$3,425,536)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE

BUREAU OF BUILDING PROJECTS

6. UM – GS 107-302 – Lamar Hall Renovations

Project Request: The University of Mississippi requests approval to change the scope of the project as well as increase the project budget for the Lamar Hall Renovations project from \$3,000,000 to \$5,000,000 for an increase in the amount of \$2,000,000.

Project Phase: Design Phase

Design Professional: Barlow Eddy Jenkins

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. A phased renovation of this building is planned in order to bring new classroom and office space online as soon as possible. The original \$3,000,000 project budget needs to be increased due to the design professional's mechanical and electrical estimates which will consume most of the \$3,000,000 project budget. The University of Mississippi originally received \$3,000,000 from the Bureau of Building for this project. Once the scope of the work was determined, an additional \$2,000,000 was determined to be needed to complete the project therefore the University of Mississippi is requesting to increase the budget by the required amount to complete the project. The University

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

Project Initiation Date: August 20, 2009

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,570,000.00	\$ 3,905,500.00	\$ 1,335,500.00
Architectural and Engineering Fees	\$ 234,688.75	\$ 386,429.55	\$ 151,740.80
Miscellaneous Project Costs	\$ 71,200.00	\$ 53,400.00	\$ (17,800.00)
Contingency	\$ 124,111.25	\$ 654,670.45	\$ 530,559.20
Total Project Budget	\$ 3,000,000.00	\$ 5,000,000.00	\$ 2,000,000.00

Funding Source(s): HB 1722, Laws of 2009 (\$3,000,000); HB 1701, Laws of 2010 (\$2,000,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

7. UM – IHL 207-316 – Central Mechanical Plant

Project Request: The University of Mississippi requests approval to change the scope of the project, change the funding source of the project as well as increase the project budget for the Central Mechanical Plant project from \$500,000 (Pre-Planning) to \$8,000,000 for an increase in the amount of \$7,500,000. The University of Mississippi also request permission to transfer the project to the Bureau of Building as GS #107-305 due to the project consisting entirely of state bond funds.

Project Phase: Design Phase

Design Professional: Eley Guild Hardy

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General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The project was originally initiated by the Board on November 21, 2008 for pre-planning in the amount of \$500,000 as IHL #207-316 with an original estimated budget of \$6,500,000 for the project. Since November 2008, it has been determined by the university that boilers should be included in this project as well as chillers. HB 1701, Laws of 2010 has now provided project funds of \$8,000,000. On March 24, 2009 Eley Guild was hired through the formal RFQ process as design professional. The University of Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: November 21, 2008

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 6,000,000.00	\$ 6,000,000.00
Architectural and Engineering Fees	\$ 500,000.00	\$ 451,450.53	\$ (48,549.47)
Miscellaneous Project Costs	\$ 0.00	\$ 520,000.00	\$ 520,000.00
Contingency	\$ 0.00	\$ 1,028,549.47	\$ 1,028,549.47
Total Project Budget	\$ 500,000.00	\$ 8,000,000.00	\$ 7,500,000.00

Funding Source(s): HB 1701, Laws of 2010 (\$8,000,000)

Staff Recommendation: Board staff recommends approval of this item.

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8. UMMC – IHL 209-532 – Cardiovascular Renovations

Project Request: The University of Mississippi Medical Center requests approval to change the funding source for the Cardiovascular Renovations project from hospital patient revenues to Educational Building Corporation (MCEBC) funds.

Project Phase: Design Phase

Design Professional: Cooke Douglass Farr Lemons

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. The previous funding source of hospital patient revenues was stated in error as the funding source. The correct funding source is MCEBC bond funds. The project will include renovation of approximately 25,000 square feet of existing hospital outpatient clinic area as well as the new building expansion of 3 floors that consist of approximately 29,400 square feet. The new structure will provide a new, modern Cardiovascular Clinic/Service area. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all changes in funding source(s) to the Board for approval.

Project Initiation Date: February 18, 2010

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$15,514,400.00
Architectural and Engineering Fees:	1,091,761.00
Miscellaneous Project Costs:	119,800.00
Contingency:	<u>456,091.00</u>
Total Project Budget	\$17,182,052.00

Funding Source(s): MCEBC (\$17,182,052)

Staff Recommendation: Board staff recommends approval of this item.

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APPROVAL OF OTHER REAL ESTATE REQUEST

9. JSU – Naming of Guest House (Former President’s Home)

Project Request: Jackson State University requests permission to name the JSU Guest House (Former President’s Home) as the Fannie Lou Hamer Guest House.

Purpose: Jackson State University is requesting the naming of the Guest House as the Fannie Lou Hamer Guest House in honor of her extraordinary service to the State of Mississippi and the nation. Fannie Lou Hamer, an American Voting Rights Activist, had a profound impact on the American political process as we know it today. She was instrumental in organizing Mississippi Freedom Summer for the Student Nonviolent Coordinating Committee (SNCC), and later became the Vice-Chair of the Mississippi Freedom Democratic Party. At the 1964 Democratic National Convention in Atlantic City, Fannie Lou Hamer and other delegates challenged the Party for not addressing the concerns of blacks in Mississippi. She became a sought after national speaker and worked to unite the black and white factions of the Mississippi Democratic Party. In 1965, "Mississippi" magazine named her one of six "Women of Influence" in the state. Hamer also worked to better conditions in Mississippi by organizing grass-roots antipoverty projects.

Jackson State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

10. MSU – Sale of Timber from John W. Starr Memorial Forest

Project Request: Mississippi State University requests permission to award to the highest bidder approximately 113 acres of timber from the John W. Starr Memorial Forest. The timber sales include 10-07PT, approximately 72 acres and 10-08PP, approximately 41 acres, from the John W. Starr Memorial Forest.

Purpose: Mississippi State University is seeking permission to sale approximately 113 acres of timber from the John W. Starr Memorial Forest. This timber is from thinning and a regeneration cut identified in the university’s Harvest Scheduling Plan. A description of each sale and the bids received are as follows:

Timber Sale No. 10-07PT, Noxubee Unit, John W Starr Memorial Forest. The sale area is approximately 72 acres in size and is located in a portion of the West ½ of the

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Northwest ¼ of Section 9, Township 16 North, Range 14 East, Winston County, Mississippi. This sale contains an estimated volume of 845,466 board feet of pine sawtimber, 8 cords of pine chip-n-saw, and 14 cords of pine pulpwood. Bids received were:

Henry E. Davis Logging – DeKalb, MS	\$201,979.00
Evergreen Land & Timber Co. – Louisville, MS	\$191,528.00
Rusty Lewis Forestry Services, Inc. – Aliceville, AL	\$177,215.62
Hankins Lumber Company, Inc. – Grenada, MS	\$140,605.00

Timber Sale No. 10-08PP, Talking Warrior Unit, John W. Starr Memorial Forest. The sale area is approximately 41 acres in size and is located in a portion of the E ½ of the SE ¼ of the NE ¼ and a portion of the W ¼ of the NE ¼ of the SE ¼ of Section 5, Township 17 North, Range 14 East, and a portion of the NW ¼ of the SW ¼ of Section 32, Township 18 North, Range 14 East, all in Oktibbeha County, Mississippi. This sale contains an estimated volume of 16,278 board feet of pine sawtimber, 130 cords of pine chip-n-saw, and 407 cords of pine pulpwood. The bid received was:

Hayes Hunt Logging, Inc. – Sturgis, MS	\$4,188.00
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Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, that requires Board approval prior to all timber sales.

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

11. MSU – Delete from Inventory and Demolish Building 2235, Golf House

Project Request: Mississippi State University request approval to delete Building 2235, Golf House, from inventory and demolish it.

Purpose: The 1,035 square foot house constructed in 1945 is wood-framed with a conventional foundation. The house has significant structural issues, the repair of which would not be economically feasible. The building would be demolished following notification of the Mississippi Department of Environmental Quality. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy

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§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.

12. UMMC – Request to Participate in RFP Design Build Process for Parking Garage C

Project Request: The University of Mississippi Medical Center request the approval of the Board of Trustees for three development teams to make up the short list of potential development teams and to participate in the Request for Proposal (RFP) process for Parking Garage C. The three development teams include: Signet-Harrell Development, MEDPark, Inc. and Capstone Development Company.

Purpose: The Board approved the initiation, location use of this process and use of advertising regulations at its August 2010 meeting under M.C.A. Sections 37-101-41 et seq. providing for the alternative dual phase design-build process for constructing auxiliary facilities with private funding. This item is a request for approval of a short list of the development teams as the next step in the process.

UMMC issued a Public Request for Qualifications and seven team proposals were received. The teams made presentations on Thursday August 26, 2010 to a seven member committee composed of representatives from Physical Facilities, Parking, Legal, Accounting, and Supply Chain. Three finalists were selected based on parameters listed in the RFP and their presentations. All three development teams consist of experienced and qualified design-build teams that include an architectural or engineering firm registered in Mississippi and a contractor properly licensed and domiciled in Mississippi for the type of work required. The University of Mississippi Medical Center is acting in accordance with Board Policy §907 Private Financing of Auxiliary Facilities, that requires Board approval prior to issuing an RFP for such services.

Staff Recommendation: Board staff recommends approval of this item.

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13. USM – Purchase of Residential Property

Project Request: The University of Southern Mississippi requests permission to purchase a residential property containing 1,246 square feet located at 507 North 37th Avenue Hattiesburg, Mississippi, in the amount of \$110,000, the lower of two appraisals.

Purpose: The purchased property at 507 North 37th Avenue is intended to be used to temporarily house university activities until such time as the property is needed for future expansion of the Hattiesburg campus. Two independent appraisals were obtained for the property with the average of the two appraisals being \$116,500. An offer of \$110,000 was made and accepted by the owner's agent. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Southern Mississippi acting in accordance with Board Policy §905(A), Real Estate Management, that requires each institution to receive Board approval prior to the purchase of real property and to receive two independent appraisals with the purchase price of the real property not exceeding the average of the two appraisals. The university is also acting in compliance with Board Policy §905(B), Real Estate Management, that requires a Phase I or more detailed environmental report be completed by a qualified personnel and submitted to the Board's Real Estate and Facilities Office.

Funding Source(s): Unexpended Plant Funds (\$110,000)

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

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1. DSU - APPROVAL TO HIRE COX AND MOORE AS OUTSIDE COUNSEL

Delta State University requests approval to hire the firm of Cox and Moore as outside counsel. Delta State is preparing to sell several residences it owns in the neighborhood north of Highway 8 and south of the university's athletic fields. Cox and Moore will research the background on these parcels and other parcels gifted to the university over the years. The firm will then compile a master property file with descriptions, deeds, titles, etc. on each parcel. Cox & Moore will also be asked to identify the approval steps under MS code or IHL policy necessary to sell any of these properties. The attorney hourly rate to be charged will be \$125.00. The maximum amount payable under the contract will be \$10,000. This contract will be terminable with thirty days advance written notice by either party. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. UMMC – APPROVAL TO HIRE BUTLER, SNOW, O’MARA, STEVENS AND CANNADA AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests Board approval to hire the Butler Snow firm as outside counsel for healthcare regulatory and compliance matters, representation at administrative hearings, for intellectual property matters, and for human resources, commercial and general matters. The contract period would be from November 1, 2010 through October 31, 2011. The hourly rates to be charged for attorneys under the contract would be \$225.00 for intellectual property matters and \$215.00 for all other matters. The maximum amount payable under the contract would be \$200,000.00. Either party may terminate the agreement by providing thirty days advance written notice. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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3. UMMC – APPROVAL TO HIRE WATKINS, LUDLAM, WINTER AND STENNIS AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests Board approval to hire the firm of Watkins, Ludlam, Winter and Stennis as outside counsel to advise the Medical Center Educational Building Corporation on legal issues concerning bond financing and compliance with IRS regulations on tax-exempt bonds and other related matters. The contract will be from November 1, 2010 through October 31, 2011 and will be for a maximum amount of \$25,000. The hourly rate to be paid to attorneys under the contract will be \$215.00. The contract may be terminated by either party with thirty days advance written notice. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

Rehired Retirees making more than \$20,000 who are NOT on contract

MSU

Barbara Benton, *former position:* Teacher; *re-employment position:* Lecturer; salary of \$32,010 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Susan Bridges, *former position:* Professor; *re-employment position:* Research Professor; salary of \$63,318 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Lynn Chamblee, *former position:* Teacher; *re-employment position:* Lecturer; salary of \$30,000 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Diane Daniels, *former position:* Director; *re-employment position:* Director; salary of \$35,000 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Charles Eason, *former position:* Principal Lauderdale County School; *re-employment position:* Student Intern Supervisor; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Jack Elliott, *former position:* Lecturer; *re-employment position:* Lecturer; salary of \$32,010 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Marineta Gardner, *former position:* Teacher; *re-employment position:* Lecturer; salary of \$27,500 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Robert Griffin, *former position:* District Administrator Mississippi Department Wildlife, Fisheries and Parks; *re-employment position:* Lecturer; salary of \$32,500 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Charles Guest, *former position:* General Counsel; *re-employment position:* University Legal Consultant; salary of \$81,024 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Leslie Hammons, *former position:* Business Coordinator; *re-employment position:* Business Coordinator; salary of \$25,480 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

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Sarah Harris, *former position:* Administrative Assistant; *re-employment position:* Program Manager; salary of \$26,158 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Cynthia Hemphill, *former position:* Administrative Assistant; *re-employment position:* Administrative Assistant; salary of \$35,000 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Jo Humphries, *former position:* Librarian; *re-employment position:* Lecturer; salary of \$27,500 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

James Jones, *former position:* Professor; *re-employment position:* Lecturer; salary of \$24,480 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Sarah Laughlin, *former position:* Teacher; *re-employment position:* Lecturer; salary of \$30,000 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Mark Lehman, *former position:* Associate Professor; *re-employment position:* Lecturer; salary of \$30,000 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Rose Lyles, *former position:* Teacher; *re-employment position:* Lecturer; salary of \$30,000 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Charles Mastin, *former position:* Professor; *re-employment position:* Lecturer; salary of \$70,000 per annum pro rata; *re-employment period:* August 16, 2010 to June 30, 2011

Patricia Matthes, *former position:* Director; *re-employment position:* Associate Dean for Technology Services; salary of \$41,720 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Judith Miller, *former position:* Executive Director and Assistant Professor; *re-employment position:* Lecturer; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

William Moore, *former position:* Leader, Mississippi Cooperative Extension Center; *re-employment position:* Sentinel Pilot Coordinator; salary of \$29,846 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Sherry Morgan, *former position:* Principal; *re-employment position:* Supervisor of Student Teachers; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Sydney Pickett, *former position:* Teacher Lauderdale County; *re-employment position:* Instructor; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

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Noel Polk, *former position:* Publications Editor and Professor; *re-employment position:* Editor; salary of \$47,730 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

George Reed, *former position:* Associate Athletic Director; *re-employment position:* Associate Athletic Director and Special Projects; salary of \$46,512 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Anna Schroeder, *former position:* Service Center Director; *re-employment position:* Supervisor; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Leah Stinson, *former position:* Teacher Neshoba Central Elementary; *re-employment position:* Instructor; salary of \$32,010 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

IHL Executive Office

Ray Bailey, *former position:* Superintendent Buildings and Grounds; *re-employment position:* Superintendent Building and Grounds; salary of \$30,775 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Zeleder Barnes, *former position:* Teacher Harrison County Schools; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Lewis Carlisle, *former position:* Director of Technology Rankin County Schools; *re-employment position:* Project Manager/System's Analyst; salary of \$24,960 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

William Chambers, *former position:* Principal Leake County Schools; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Brenda Chaney, *former position:* Counselor Newton County School; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Benjamin Esquibel, *former position:* Principal Pascagoula Public Schools; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Christine Guillotte, *former position:* Director Purchasing and Property; *re-employment position:* Director Purchasing and Property; salary of \$22,575 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

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Michael Haynie, *former position:* Headmaster Oxford University School; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Shirley King, *former position:* Literacy Coach Jackson Public School; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Rebecca Marble, *former position:* Principal Leake County School; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Shirley Nichols, *former position:* Assistant Superintendent Leake County Schools; *re-employment position:* College Coach; salary of \$31,200 per annum pro rata; *re-employment period:* August 30, 2010 to June 30, 2011

Rita Noullet, *former position:* Teacher Harrison County School; *re-employment position:* College Coach; salary of \$31, 200 per annum pro rata; *re-employment period:* September 27, 2010 to June 30, 2011

Peggy Orey, *former position:* Literacy Director Jackson Public Schools; *re-employment position:* College Coach; salary of \$31, 200 per annum pro rata; *re-employment period:* July 1, 2010 to June 30, 2011

Ethel Woodley, *former position:* Teacher North Bolivar School District; *re-employment position:* College Coach; salary of \$31, 200 per annum pro rata; *re-employment period:* September 16, 2010 to June 30, 2011

USM

Rehired Retirees making more than \$20,000 who ARE on contract

Edward Leonard, *former position:* Superintendent of Forest School; *re-employment position:* Visiting Assistant Professor, Department of Educational Leadership and School Counseling; salary of \$25,000 per annum, pro rata; *re-employment period:* August 16, 2010 through May 19, 2011

Perrin Lowrey, *former position:* Assistant Superintendent of Hattiesburg Public Schools; *re-employment position:* Visiting Associate Professor, Department of Curriculum, Instruction, and Special Education; salary of \$34,400 per annum, pro rata; *re-employment period:* August 16, 2010 through May 19, 2011

Aubrey K. Lucas, *former position:* President; *re-employment position:* President Emeritus and Professor, Department of Educational Studies and Research; salary of \$100,000 per annum, pro rata; *re-employment period:* July 1, 2010 through June 30, 2011

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Beth Richmond, *former position*: Associate Professor of Curriculum, Instruction and Special Education; *re-employment position*: Administrative Accreditation Assistant and Associate Professor, Department of Curriculum, Instruction, and Special Education; salary of \$42,976 per annum, pro rata; *re-employment period*: July 1, 2010 through June 30, 2011

Betty Purvis; *former position*: Business Manager; *re-employment position*: Intermittent Worker/Business Manager; salary of \$26,137 per annum, pro rata; *re-employment period* April 1, 2010 to June 30, 2010

2. Change of Status

MSU

Lynne D. Richardson, *from* Dean and Professor, College of Business; salary of \$240,000 per annum, pro rata; E&G Funds; *to*, effective January 1, 2011, Professor, Marketing, Quantitative Analysis, and Business Law, salary of \$151,049 per annum, pro rata; E&G

Change of status of athletic personnel with multi-year contract

MSU

Jerry S. Dudley, *from* Associate Women's Track and Head Cross Country Coach, Athletics, salary of \$56,353; E&G Funds; *to*, effective November 1, 2010, Head Coach, Athletics Track and Field, \$70,000.00 per annum, pro rata, effective November 1, 2010. Approval is requested to award a four-year contract to Mr. Dudley effective November 1, 2010 through October 31, 2014

UM

Mark Beyers, Head Women's Tennis Coach; Athletics; *from* contract period of July 01, 2010 to June 30, 2014; salary of \$97,000 per annum, pro rata; Auxiliary Funds; *to*, effective September 01, 2010, annual salary of \$102,000 per annum, pro rata; Auxiliary Funds; no change in contract period

Michael F. Bianco, Head Men's Baseball Coach; Athletics; *from* contract period of July 01, 2010 to June 30, 2014; salary of \$515,000, per annum, pro rata (\$200,000 Auxiliary Funds and \$315,000 Foundation Funds); *to*, effective September 1, 2010, change in distribution of \$515,000 salary (\$220,000 Auxiliary Funds and \$295,000 Foundation Funds); no change in contract period

Andrew J. Kennedy, Head Men's Basketball Coach; Athletics; *from* contract period of April 1, 2010 to March 31, 2014; salary of \$1,300,000 per annum, pro rata (\$200,000 Auxiliary Funds and \$1,100,000 Foundation Funds); *to*, effective September 1, 2010, change in distribution of \$1,300,000 salary (\$220,000 Auxiliary funds and \$1,080,000); no change in contract period

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Houston D. Nutt, Head Football Coach; Athletics; *from* contract period of January 1, 2010 to December 31, 2013; salary of \$2,625,000 per annum, pro rata (\$200,000 Auxiliary Funds and \$2,425,000 Foundation Funds); *to*, effective September 1, 2010, change in distribution of \$2,625,000 salary (\$220,000 Auxiliary Funds and \$2,405,000 Foundation Funds); no change in contract period

3. Leave of Absence

JSU

Vijaya Gompa, Professor, Department of Mathematics; nine-month contract salary of \$63,638; personal leave of absence for the period August 12, 2010 through December; leave without pay

REGULAR AGENDAS

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1. SYSTEM – APPROVAL OF ACADEMIC PROGRAM PRODUCTIVITY REVIEWS

Academic productivity reviews are triggered when cumulative graduates over the past 3 academic years for a single degree program are <15 for baccalaureate-level degrees, <9 for master-level degrees, and <5 for doctorate and specialist-level degrees. Fifty-three academic programs were evaluated to assess need, potential to grow enrollment, productivity potential, and unnecessary duplication. Based on institution-prepared proposals and subsequent review by the Office of Academic and Student Affairs (OASA), the following recommendations are presented for Board approval.

a. **DELETE** the following **4** academic programs:

ASU Bachelor of Arts in Economics (CIP 45.0601)
ASU Bachelor of Science in Educational Psychology (CIP 42.2806)
DSU Bachelor of Business Administration in Office Administration (CIP 52.0204)
USM Bachelor of Science in Social and Rehabilitative Services (CIP 44.0701)

b. **SUSPEND** enrollment into the following **2** academic programs.

ASU Bachelor of Science in Sports Medicine (CIP 51.0913)
USM Master of Science in Recreation and Leisure Management (CIP 31.0101)

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be **deleted or removed from suspension** within 3 academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory.

c. **CONTINUE WITH STIPULATION** the following **10** academic programs (these programs will be subjected to additional review by OASA for two years to assess progress toward future productivity):

ASU Bachelor of Science in Applied Science (CIP 21.0101)
ASU Education Specialist in Elementary Education (CIP 13.1202)
DSU Bachelor of Business Administration in Hospitality Service and Management (CIP 52.0901)
JSU Master of Science in Mathematics (CIP 27.0101)
MSU Master of Fine Arts in Electronic Visualization (CIP 50.0799)
MSU Master of Science in Biological Engineering (CIP 14.0501)
UM Bachelor of Arts in African American Studies (CIP 50.201)
UM Bachelor of Science in Medical Technology (CIP 51.1005)
USM Master of Science in Sports and High Performance Materials (CIP 30.0101)
USM Master of Science in Forensics (CIP 43.0106)

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

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2. SYSTEM – APPROVAL OF NEW ACADEMIC PROGRAMS

In accordance with Board Policy 501: Academic Programs and Units “*All new curricula, departments, programs of study, organized research or services being proposed by any or all of the institutions must be submitted to the Board and must be approved by the Board before being initiated.*” Board approval is requested for establishing eight new academic programs.

- a. *Delta State University* requests permission to offer the **Bachelor of Science in Music Industry Studies** degree.

CIP: 50.1099

Hours to Degree: 124 credit hours

State Need: The proposed program will meet the needs of students seeking careers in audio production, live production/management commercial music, and independent music ventures through an entrepreneurial approach to the music industry.

Employment: (No MS employment statistics available)

Funding: Tuition revenue, existing (no additional) state appropriations, and external grants generated through the Delta Music Institute will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

Enrollment: Based on enrollment trends in courses offered by Delta State’s Delta Music Institute and the need for a BS degree expressed by students enrolled in these courses, approximately 120 students are projected to enroll and 32 are expected to graduate within the 1st six years.

Duplication: USM currently offers a similar BS in Entertainment Industry.

Staff Recommendation: Board staff recommends approval of this item.

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- b. *Delta State University* requests permission to offer the *Educational Specialist in Counseling* degree.

CIP: 13.1101

Hours to Degree: 30 credit hours

State Need: The proposed program will meet the needs of professional school counselors seeking advanced professional preparation in the areas of elementary, middle and high school counseling. The method of delivery will be blended consisting of online and weekend instruction to meet the need of working professionals.

Employment: The proposed program will provide advanced studies for professionals that are already in the workforce. The Mississippi Department of Education (MDE) PK-12 Counseling Model, which redesigned school counseling, will require school counselors to seek additional training, particularly those counselors that have been out of school for some time.

Funding: Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

Enrollment: Based on a January 2010 survey of Mississippi school counselors who are current members of MDE's Drop Out Prevention listserv, approximately 165 students are projected to enroll and 90 are expected to graduate within the 1st six years.

Duplication: UM offers an EdS in counseling; however, because the proposed program will target working professionals, it is not likely that this group will travel to Oxford for this program.

Staff Recommendation: Board staff recommends approval of this item.

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- c. *Mississippi State University* requests permission to offer the *Doctor of Philosophy in Industrial and Systems Engineering* degree.

CIP: 14.3501

Hours to Degree: 68 credit hours beyond the baccalaureate degree

State Need: Currently, 196 students are enrolled in the PhD in Engineering program; 50 of those students are enrolled in the Industrial Engineering concentration. Enrollment in the Industrial Engineering concentration has grown from 22 in fall 2005 to 50 in fall 2009 and it is anticipated that offering this concentration as a stand-alone degree will further increase the demand. Additionally, when trying to recruit these students MSU faculty have found that highly qualified potential PhD candidates for the discipline prefer a stand-alone Industrial Engineering program.

Employment: The proposed degree will prepare working professionals for senior leadership positions in the manufacturing industry and prepare students for careers as higher education scientists and professors.

Funding: Tuition revenue, existing (no additional) state appropriations and external grant funds will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

Enrollment: Based on current enrollment in the PhD in Engineering (Industrial Engineering concentration) program, approximately 42 students are projected to enroll and 42 are expected to graduate within the 1st six years.

Duplication: None. No other institution in the IHL system offers this degree program.

Staff Recommendation: Board staff recommends approval of this item.

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- d. *Mississippi University for Women* requests permission to offer the *Master of Science in Global Commerce* degree.

CIP: 52.0208

Hours to Degree: 36 credit hours

State Need: The proposed program will incorporate a blended mode of delivery consisting of online instruction (mostly) and two extended weekends of face-to-face instruction. The program is designed to train students to utilize the Internet for managing international supply and value chains to increase the competitiveness globally for their employers. The proposed degree will offer concentrations in Accounting, Digital Marketing and Information, and Communication Technology.

Employment: The proposed degree will provide advanced training for professionals already in the workforce.

Funding: Additional adjunct faculty will be hired for instruction. Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program.

Enrollment: Based on the blended mode of delivery and student demand, approximately 133 students are projected to enroll and 98 are expected to graduate within the 1st six years.

Duplication: Although this exact program is not currently offered in the IHL system, the proposed program is similar to MBA programs offered in the system. Currently, MUW is the only institution in the system that does not offer a masters-level business degree. Historically, business degrees have been the top (number awarded) master-level degrees in the system.

Staff Recommendation: Board staff recommends approval of this item.

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- e. The *University of Mississippi* requests permission to offer the *Bachelor of General Studies* degree.

CIP: 24.0102

Hours to Degree: 120 credit hours

State Need: The proposed program will meet the need of students that have acquired 90+ undergraduate hours, but have not earned a baccalaureate-level degree by providing a flexible plan of study that would allow these students to obtain a bachelors degree. Approximately 552 students that have attended UM within the last decade have 90+ hours, are in good standing with the university, and have a GPA of 2.0 or higher.

Employment: The proposed program is designed to prepare students for a wide array of jobs that require a baccalaureate degree, but the program does not require specialization in a given academic discipline.

Funding: Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

Enrollment: Based on February 2009 data collected through UM's Degree Completion Initiative Program Development Plan and plans for aggressive recruitment of adult learners and community college transfers, approximately 340 students are projected to enroll and 286 are expected to graduate within the 1st six years.

Duplication: ASU, MSU and MUW all offer similar programs; however, this is an academic program that all 4-year institutions should have, since it enhances baccalaureate degree attainment for non-traditional students, and it can enhance retention and graduation rates.

Staff Recommendation: Board staff recommends approval of this item.

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- f. The *University of Mississippi* requests permission to offer the *Bachelor of Science in Integrated Marketing Communications* degree.

CIP: 09.0702

Hours to Degree: 124 credit hours

State Need: The proposed program will prepare students to function as developers and managers of digital communications media, which represents a directional change in the needs within the industry.

Employment: The United States Department of Labor Bureau of Labor Statistics projects an increase of 6-17% in the number of employment opportunities in this industry over the next 10 years.

Funding: Tuition revenue, existing (no additional) state appropriations and a \$5.3 million endowment will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

Enrollment: Based on the number of students seeking a BA in Journalism and plans for aggressive recruitment of high school students and community college transfers, approximately 525 students are projected to enroll and 180 are expected to graduate within the 1st six years.

Duplication: No other IHL institution offers this degree program.

Staff Recommendation: Board staff recommends approval of this item.

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**3. SYSTEM – APPROVAL OF PROPOSED AMENDMENTS TO BOARD POLICY
 602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM
 INSTITUTIONS (FIRST READING)**

~~*BEGINNING IN THE SUMMER OF 2012, THE FOLLOWING COLLEGE
 PREPARATORY CURRICULUM WILL APPLY.*~~

**602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM
 INSTITUTIONS**

*The high school course requirements set forth below are applicable to students
 graduating from high school and entering a public institution of higher learning
 beginning in the summer of 2012.*

A. HIGH SCHOOL COURSE REQUIREMENTS
(College Preparatory Curriculum)

<u><i>Subject</i></u>	<u><i>Carnegie Units</i></u>	<u><i>Contents and Remarks</i></u>
<i>English</i>	4	<i>Compensatory Reading and Compensatory Writing may not be included.</i>
<i>Mathematics</i>	4	<i>Includes Algebra I, Geometry, Algebra II, and any one Carnegie Unit of comparable rigor and content. (e.g., Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)</i>
<i>Science</i>	4	<i>Includes Biology I, Chemistry I, and any two Carnegie Units of comparable rigor and content. (e.g., Physics, Physical Science, Biology II, Chemistry II, AP Chemistry, Physics II, AP Physics B, AP Physics C— Electricity and Magnetism, AP Physics C— Mechanics, Botany, Microbiology, or Human Anatomy and Physiology.)</i>

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~~*Social Studies* — 4 — *Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies. (Credit earned for a State/Local Government course in any other state may stand in lieu of Mississippi Studies.)*~~

~~*Arts* — 1 — *Includes any one Carnegie Unit of visual and performing arts course(s) meeting the requirements for high school graduation.*~~

~~*Advanced Electives* — 2 — *Includes any two Carnegie Units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language (I) or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.*~~

~~*Computer Applications* — 1/2 — *Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.*~~

~~*Pre High School Units* — — *Algebra I, first year Foreign Language, Mississippi Studies, or Computer Applications Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.*~~

<u>Subject Area</u>	<u>Required¹ Carnegie Units and Content/Remarks</u>	<u>Recommended² Carnegie Units and Content/Remarks</u>
<u>English</u>	<u>4</u> <u>All must require substantial communications skills (i.e. reading, writing, listening, and speaking).</u>	<u>4</u> <u>Compensatory Reading and Compensatory Writing may not be included.</u>
<u>Mathematics</u>	<u>3</u> <u>Includes Algebra I, Geometry, and Algebra II</u>	<u>4</u> <u>Includes Algebra I, Geometry, Algebra II, and</u>

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any one Carnegie unit of comparable rigor and content. (i.e. Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)

<u>Science</u>	<u>3</u>	<u>Biology, Advanced Biology, Chemistry, Advanced Chemistry, Physics, and Advanced Physics or any other science course with comparable rigor and content. One Carnegie unit from a Physical Science course with content at a level that may serve as an introduction to Physics and Chemistry may be used. Two of the courses chosen must be laboratory based.</u>	<u>4</u>	<i><u>Includes Biology I, Chemistry I, and any two Carnegie units of comparable rigor and content (i.e. Physics, Physical Science, Biology II, Chemistry II, AP Chemistry, Physics II, AP Physics B, AP Physics C-Electricity and Magnetism, AP Physics C-Mechanics, Botany, Microbiology, or Human Anatomy and Physiology).</u></i>
<u>Social Studies</u>	<u>3</u>	<u>Courses should include U.S. History (1 unit), World History (1 unit with substantial geography component), Government (½ unit), and Economics (½ unit) or Geography (½ unit).</u>	<u>4</u>	<i><u>Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies (credit earned for state/local government course in any other state may stand in lieu of Mississippi Studies).</u></i>
<u>Arts</u>	=	=	<u>1</u>	<i><u>Includes any one Carnegie unit of visual and performing arts course(s) meeting the requirements for high school graduation.</u></i>
<u>Advanced</u>	<u>2</u>	<u>Requirements may be met by</u>	<u>2</u>	<i><u>Includes any two Carnegie</u></i>

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<u>Electives</u>	<p>earning 2 Carnegie units from the following areas/courses, one of which must be in Foreign Language or World Geography.</p> <ul style="list-style-type: none"> • <u>Foreign Language</u> • <u>World Geography</u> • <u>4th year lab-based Science</u> • <u>4th year Mathematics</u> 	<p><i><u>units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language I or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</u></i></p>
<u>Computer Applications</u>	$\frac{1}{2}$	$\frac{1}{2}$
	<p><u>Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.</u></p>	
<u>Pre-High School Units</u>	<p><u>Algebra I, first year Foreign Language, Mississippi Studies, or Computer Applications taken prior to high school will be accepted for admission provided the course content is the same as the high school course.</u></p>	
<u>Total</u>	<u>15.5</u>	<u>19.5</u>

¹High school Carnegie units required for regular admission to an IHL institution

²Recommended high school Carnegie units to enhance preparedness for college-level work

Staff Recommendation: Board staff recommends approval of this item.

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4. SYSTEM – APPROVAL OF PROPOSED AMENDMENTS TO BOARD POLICY
605 PROOF OF IMMUNIZATION (FIRST READING)

605 PROOF OF IMMUNIZATION

A.Measles, Mumps, and Rubella

Proof of immunization of measles, mumps, and rubella is required (two doses of the MMR vaccine) of all students, unless exempt because of (a) actual or suspected pregnancy (measles or rubella vaccines are not required for females who are pregnant; if pregnancy is suspected, a valid certificate of medical exception from a health provider is required until pregnancy is resolved), (b) medical contraindication, or (c) birth prior to 1957. Temporary waivers may be granted for students enrolled in distance learning courses and/or programs where their time on campus is limited to a minimum number of hours as determined by the admitting IHL institution.

B.HEPATITIS B

Proof of hepatitis B vaccination is required for students who are involved in health education programs that cause them to be potentially exposed to blood or other bodily fluids.

C. TUBERCULOSIS

Proof of test screening for tuberculosis by chest x-ray is required for all international students.

Staff Recommendation: Board staff recommends approval of this item.

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1. MSU – Approval of Contracts with Cotton Mills Development Group

Mississippi State University requests approval of three related contracts with Cotton Mill Development Group, LLC (CMDG). The first contract is a contract to purchase real estate totaling 8.447 acres located behind the Cooley Building for a total of \$2.88 million. CMDG will use this land to build a hotel, a conference center, and a parking garage with at least 400 spaces. The second contract is a lease of the Cooley Building and the land on which it sits and the land directly in front of the building. The lease term is 41 years. CMDG will renovate the building suitable for professional offices. Cooley is on the historical records and is anticipated to cost approximately \$18 million to renovate. CMDG will pay MSU \$300,000 for this lease. The third contract is a leaseback of a portion of the Cooley Building for office space for MSU. Cooley has approximately 90,000 square feet and MSU will lease 35,865 square feet for \$600,000. The term of the lease is ten years. MSU has the option to renew the lease for two 10-year periods at prevailing market rates.

The agenda item for each of the three contracts follows:

Contractor's Legal Name: Cotton Mills Development Group, LLC

History of Contract: New Agreements

- a. Agenda Item (Project) Request:** Mississippi State University requests permission to sell approximately 8.447 acres of land in the amount of \$2,880,000, the average of two appraisals, to Cotton Mills Development Group.

Specific Type of Contract: Land Sale

Purpose: Cotton Mills Development Group has approached MSU about purchasing approximately 8.447 acres which consist of two parcels of land. The first parcel of land is approximately 7.817 acres located at Highway 12, Russell Street, and Mill Street in Starkville, Mississippi. The second parcel of land includes 0.63 acres of land as well as the Writing and Thinking Institute Building located at 518 Russell Street in Starkville, Mississippi. Two independent appraisals were obtained for each parcel of land for a total average appraisal price of \$2,880,000. The average of the two independent appraisals for the first parcel of land that includes 7.817 acres is \$2,620,000. The average of the two independent appraisals for the second parcel of land that includes 0.63 acres is \$260,000. An offer of \$2,880,000 was made by Cotton Mills Development Group to purchase the two parcels of land which is the average of the two independent property appraisals for the two parcels of land. A copy of the property description and legal documentation has been provided to the Office of Real Estate and Facilities.

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Terms of Contract: Cotton Mills Development Group will purchase the 8.447 acres for \$2,880,000 the average of the two property appraisals. Cotton Mills Development Group agrees to pay the cost for the Buyer's Attorney fees, Deeds, Title Certificates, Surveys, Appraisals, and other Certificates related to closing. Cotton Mills Development Group shall reimburse Mississippi State University one-half of the costs for the two completed appraisals as well as for the entire amount of the completed surveys and market surveys previously done. The closing date shall be on or before March 31, 2011. Cotton Mills Development Group has the right to close earlier with thirty (30) days written notice to Mississippi State University. Should the Cotton Mills Development fall through for any reason, Mississippi State University reserves the right to repurchase the 8.447 acres from Cotton Mills Development Group for the original purchase price of the property.

Staff Recommendation: Based on Board Policy 905(A), Real Estate Management, prior Board approval is required for the sale of real property. The agreement has been reviewed and approval by the Attorney General's Office. A recommendation by Board staff is pending upon receipt and review of a complete feasibility report.

- b. **Agenda Item Request:** Mississippi State University requests approval to enter into a lease agreement with Cotton Mills Development Group, LLC to lease the Cooley Building and parking area in front of the building.

Specific Type of Contract: Lease Agreement

Purpose: The purpose is to lease the Cooley Building to Cotton Mills Development Group for renovation and subsequent subletting.

Scope of Work: Cotton Mills Development Group, LLC is required to renovate the Cooley Building to specifications set forth by the university and the Mississippi Department of Archives and History.

Term of contract: MSU will lease to CMDC the Cooley Building and the land in front of the Cooley Building for a term of 41 years which will begin as soon as the renovation is complete or two years after the document is signed, whichever is sooner. MSU will then lease back the Cooley Building will be for an initial term of 10 years with two 10-year renewal options. CMDC may only sublet the renovated building to professional entities such as law firms, accounting firms, and physician offices.

Termination Options: Mississippi State University may cancel the lease due to failure to pay any installment and failure to keep lease covenants, including use of

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the facility for any purpose incompatible with the university's mission and policy.

Contract Amount: CMDG will pay MSU \$300,000 per year for the lease of the Cooley Building, the land upon which it sits, and the area in front of the Cooley Building for total payments of \$12,300,000 over the 41 year term. Additionally, CMDG will provide MSU with up to \$850,000 in cash to pay relocation expenses for MSU staff currently located in the Cooley Building to another location.

Funding Source for Contract: Revenue contract

Contractor Selection Process: Over the past few years several firms have approached MSU with similar concepts. CMDG brought the best plan acceptable to MSU. MSU had PKF Consulting USA conduct a feasibility study to verify the probability of success of this endeavor which has resulted in a contract with CMDG.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approval by the Attorney General's Office. A recommendation by Board staff is pending upon receipt and review of a complete feasibility report.

- c. **Agenda Item Request:** Mississippi State University requests approval to lease back portions of the renovated Cooley Building.

Specific Type of Contract: Lease Agreement

Purpose: The purpose is to lease the Cooley Building, approximately 35,865 square feet, and parking space in front of the building.

Scope of Work: Mississippi State University will lease approximately 35,865 for office space in the renovated Cooley Building.

Term of contract: The lease back of the Cooley Building will be for an initial term of 10 years with two 10-year renewal options beginning at the date of satisfactory renovation of the Cooley Building.

Termination Options: The lease may be terminated for breach of covenant or failure to comply with material conditions.

Contract Amount: MSU will lease office space from CMDG in the amount of \$600,000 per year for 10 years. Additionally, MSU will guarantee use of the Conference facility in the amount of \$400,000 per year to include conference

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room rental and food costs associated with use of the conference facility. Subsequent lease terms will be for fair market value at the time of renewal. The first ten year lease will total \$10,000,000 including both the annual lease and conference facility use. MSU will also be responsible for the upkeep of a pro-rata share of common areas during the lease for an undetermined amount, estimated to be \$50,000 annually. Because subsequent renewal periods are for an undetermined future market value, an accurate estimate of future renewals cannot be stated. MSU is not required to use the conference facility after the first 10 year term.

Funding Source for Contract: The rent will come from a transfer of funds currently being paid to rent other property.

Contractor Selection Process: Over the past few years several firms have approached MSU with similar concepts. CMDG brought the best plan acceptable to MSU. MSU had PKF Consulting USA conduct a feasibility study to verify the probability of success of this endeavor which has resulted in a contract with CMDG.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approval by the Attorney General's Office. A recommendation by Board staff is pending upon receipt and review of a complete feasibility report.

2. SYSTEM – Presentation of the AYERS ACCOUNTABILITY MANUAL

Staff will make a presentation to the Board of Trustees of the *Ayers* Accountability Manual which was approved by the Board at the September retreat. In accordance with the *Ayers* Settlement Agreement, the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information.

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**1. UM – APPROVAL TO SETTLE UM-IHL SELF-INSURED WORKERS’
COMPENSATION CLAIM**

The University of Mississippi is seeking Board approval for the settlement of Claim No. 1997668.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. UMMC – APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of Tort Claim No.1625.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. USM – APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi is requesting Board approval to settle Amacker v. USM, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. USM – APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi is requesting Board approval to settle Fitzgerald v. USM, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

5. USM – APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi is requesting Board approval to settle Fox v. USM, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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6. USM – APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi requests Board approval to settle Agrusa v. USM, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

7. USM – APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi requests Board approval to settle Krell v. USM, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

8. USM - APPROVAL TO SETTLE LAWSUIT

The University of Southern Mississippi requests Board approval to settle Pinion Properties, LLC v. Hadden, et al.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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1. JSU – OFFERING AN EXISTING ACADEMIC PROGRAM VIA DISTANCE LEARNING

Jackson State University is offering the *Bachelor of Science in Childcare and Family Education* program online to expand student access by providing an alternative program delivery method to traditional classroom instruction.

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SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 19, 2010 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.

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1. ASU – GS 101-282 – Campus Safety & Security

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$250,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 20, 2010

Project Initiation Date: August 20, 2010

Design Professional: The Power Source

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$250,000

Funding Source(s): HB 246, Laws of 2007 IHL Discretionary Fund

2. ASU – GS 101-283 – Student Health Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$750,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 5, 2010

Project Initiation Date: August 5, 2010

Design Professional: M3 Architects

General Contractor: N/A

Contract Award Date: N/A

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Project Budget: \$750,000

Funding Source(s): HB 1701, Laws of 2010

3. ASU – GS 101-284 – Building Envelope Repairs

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$1,000,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 5, 2010

Project Initiation Date: August 5, 2010

Design Professional: Burris/Wagnon

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,000,000

Funding Source(s): HB 1701, Laws of 2010 (\$500,000); DFA Discretionary Funds (\$500,000)

4. DSU – GS 102-226 – Science Lab Renovation – Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$5,709.02 and two (2) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$13,519.94 and five (5) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

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Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$38,673.82 and eleven (11) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1-2) August 11, 2010; (#3) August 31, 2010

Change Order Justification: **Change Order #2** is necessary to install a gas shut-off valve at existing 2” underground service to Caylor Building, repair one section of 18” storm drain along 4th Avenue and installation of new Pump Station and associated sewer and electrical lines in a different location. **Change Order #3** is necessary to repair unforeseen existing electrical service encountered during foundation installation, to restore power to classrooms affected by the resultant outage, and to re-route the existing electrical service outside the area of the foundation. **Change Order #4** is necessary to modify structural pile layout and foundation details, re-route existing sewer line encountered, to repair existing electrical service encountered during foundations installation in order to restore power to occupied spaces affected by the resultant outage, and to re-route existing electrical service outside and above the area of the new foundation installation.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$114,554.75

Project Initiation Date: August 21, 2008

Design Professional: Architecture South P.A.

General Contractor: Century Construction and Realty, Inc.

Contract Award Date: December 16, 2009

Project Budget: \$4,750,000

Funding Source(s): HB 1641, Laws of 2008 (\$1,000,000); HB 1722, Laws of 2009 (\$3,750,000)

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5. JSU – GS 103-219 – Johnson/Dansby Replacement Phase I (Johnson Replacement)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$83,771.77 and zero (0) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 23, 2010

Change Order Justification: The change order is necessary to add ice and water shield membrane under all parapet wall caps, provide various Using Agency changes, accommodate furniture and equipment installation, and extend the sanitary sewer line to the existing S.S. manhole. Also, the change order will allow for the addition of 17 fire dampers and additional rated wall framing in 3 locations.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$188,081.11

Project Initiation Date: November 20, 2003

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: March 30, 2009

Project Budget: \$13,773,590

Funding Source(s): SB 2010, Laws of 2004; HB 246, Laws of 2007 (\$11,773,590); HB 1641, Laws of 2008 (\$2,000,000)

6. JSU – GS 103-256 – Mechanical Upgrades

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by The CGM Group, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids**. Approval is requested from the

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Bureau of Building, Grounds, and Real Property. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 11, 2010

Project Initiation Date: August 20, 2009

Design Professional: The CGM Group

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,200,000

Funding Source(s): HB 1722, Laws of 2009 (\$1,200,000); HB 246, Laws of 2007 (\$1,000,000)

7. JSU – GS 103-256 – Mechanical Upgrades – Phase I (T.B. Ellis)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$7,750.00 and thirty-two (32) additional days. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: September 8, 2010

Change Order Justification: The change order is necessary to due to the wiring to the cooling tower that is being replaced being undersized for the old tower requirements and is therefore undersized for the new tower requirements. The change order will place a new raceway with underground bore below asphalt drive to accommodate the tower connection requirements.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$7,750.00

Project Initiation Date: August 20, 2009

Design Professional: The CGM Group

General Contractor: N/A

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Contract Award Date: N/A

Project Budget: \$2,200,000

Funding Source(s): HB 1722, Laws of 2009 (\$1,200,000); HB 246, Laws of 2007 (\$1,000,000)

8. MSU – GS 105-310 – Harned Hall Renovation – Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$375,304.55 and zero (0) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 28, 2010

Change Order Justification: The change order is necessary to install conduit and junction boxes for future “Smart Board”, (2) add new communications box in front of Hilbun Hall to replace existing, provide additional underground communications conduit from new box to existing, (2) add chain link fence at elevator equipment room, add two new door frames and doors, (3) sandblast existing walls to remove existing paint then repair plaster to acceptable finish, and add lab casework umbilical enclosures.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$607,177.64

Project Initiation Date: May 1, 2007

Design Professional: Eley Guild Hardy Architects

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: April 7, 2009

Project Budget: \$17,000,000

Funding Source(s): SB 2010, Laws of 2004 (\$5,000,000); HB 246, Laws of 2007 (\$12,000,000)

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9. MSU – GS 105-314 – Middleton Hall Renovation Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$30,319.20 and zero (0) additional days to the contract of Weathers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 31, 2010

Change Order Justification: The change order is necessary for the removal of additional Asbestos Containing Material (ACM) that was discovered in concealed locations during the demolition process.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$30,319.20

Project Initiation Date: November 18, 2005

Design Professional: Shafer & Associates

General Contractor: Weathers Construction, Inc.

Contract Award Date: April 23, 2010

Project Budget: \$3,750,000

Funding Source(s): HB 246, Laws of 2007 (\$3,000,000); SB 2010, Laws of 2004 (\$750,000)

10. MSU – GS 113-117 – Wise Center Storm Repairs

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of (\$4,838.00) and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 26, 2010

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Change Order Justification: The change order is a request for credit with no extension of the contract time. This change order eliminates the exterior stucco in the project and replaces it with brick veneer, which will require less maintenance, and will match the original finish of the building.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$4,838.00

Project Initiation Date: October 20, 2006

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Thrash Commercial contractors, Inc.

Contract Award Date: January 25, 2010

Project Budget: \$6,790,000

Funding Source(s): HB 1634, Laws of 2006 (\$1,726,000); HB 1641, Laws of 2008 (\$3,000,000); HB 1722, Laws of 2009 (\$2,000,000); MSU-CVM (\$64,000)

11. MSU – IHL 205-235-B – New Residence Hall Complex

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of (\$196,777.04) and eleven (11) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: August 2, 2010

Change Order Justification: The change order is necessary to add HVAC Access Panels, Floor drains, addition of two drinking fountains, raise Catwalk, Rice Hall Loop Changes, Addition of Butterfly Valves, additional Doors & Cabinets, Media Walls (2-4), Shutoff Valves on 2nd & 4th floor, Joist Replacement, Revised Boiler Vents, Fiber Change, a request for credit with no extension of the contract time. This change order eliminates the exterior stucco in the project and replaces it with brick veneer, which will require less maintenance, and will match the original finish of the building.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$243,603.06

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Project Initiation Date: April 16, 2008

Design Professional: LPK Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: June 22, 2009

Project Budget: \$29,960,000

Funding Source(s): EBC Bonds

12. MSU – IHL 205-245 – Spencer Track Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of (123,726.22) and twenty-eight (28) additional days to the contract of Panola Construction Company.

Staff Approval Date: July 26, 2010

Change Order Justification: The change order is necessary for the lowering of the grades, changing the substrate, and adding drainage to the track infield at the request of MSU.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$123,726.22

Project Initiation Date: June 18, 2009

Design Professional: CHA Sports

General Contractor: Panola Construction Company

Contract Award Date: March 2, 2010

Project Budget: \$3,200,000

Funding Source(s): MSU Athletic Department Funds

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13. MSU – IHL 205-251 – ICET – SERC Pilot Scale Facility

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shafer and Associates, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Shafer and Associates, design professional.

Staff Approval Date: August 2, 2010

Project Initiation Date: January 21, 2010

Design Professional: Shafer and Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,200,000

Funding Source(s): Federal Grant from the U.S. Dept. of Energy

14. MVSU – GS 106-201 – J. H. White Library Enhancements

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Duvall, Decker & Associates. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids**. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 13, 2010

Project Initiation Date: February 22, 2008

Design Professional: Duvall, Decker & Associates

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General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$11,500,000

Funding Source(s): HB 1641, Laws of 2008 (\$250,000); Laws of 2004 (\$250,000); SB 2988, Laws of 2003 (\$255,000) and SB 3158, Laws of 2001 (\$745,000); AYERS (\$7,500,000); HB 1722, Laws of 2009 (\$2,500,000)

15. MVSU – GS 106-230 – Stadium Seating Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$1,000,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: September 2, 2010

Project Initiation Date: September 2, 2010

Design Professional: JBHM Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,000,000

Funding Source(s): HB 1701, Laws of 2010

16. MVSU – GS 106-231 – MVSU Dorm Security

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$275,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

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Staff Approval Date: September 2, 2010

Project Initiation Date: September 2, 2010

Design Professional: The Power Source

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$275,000

Funding Source(s): HB 1722, Laws of 2009

17. UM – GS 107-284 – Faser Hall 3rd Floor

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the amount of (\$0) and sixteen (16) additional days to the contract of Panola Construction Company.

Staff Approval Date: August 2, 2010

Change Order Justification: The change order is due to a delay as a result of the University's integration of the Building Controls System for the space. The work could not be completed until the Control system was commissioned and activated by University personnel.

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$206,633.35

Project Initiation Date: November 17, 2005

Design Professional: Cooke Douglas Farr Lemons

General Contractor: CIG Contractors

Contract Award Date: June 25, 2007

Project Budget: \$3,600,000

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Funding Source(s): SB 2010, Laws of 2004

18. UM – IHL 207-258 – New Law School

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$75,180.34 and eight (8) additional days to the contract of W. G. Yates Construction.

Staff Approval Date: August 24, 2010

Change Order Justification: The change order is necessary to modify the site left in place by previous work, add Audio Visual Racks, to reduce length of cabling runs to the central communication closet on each floor, add communication closets at three locations, relocate thermostats, provide and install transformers for the 264 VAV boxes that were excluded from mechanical controls proposal, site modifications at various locations, change cleanouts from round to square, add panelboard to 1st floor electrical room, move fire hydrant, and add conduit due to additional communications needs in two locations.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$754,352.13

Project Initiation Date: April 21, 2005

Design Professional: Eley Guild Hardy Architects

General Contractor: W. G. Yates Construction

Contract Award Date: March 27, 2008

Project Budget: \$50,000,000

Funding Source(s): HB 246, Laws of 2007, GO Bonds (\$10,000,000); Educational Building Corporation (EBC) Bonds (\$19,977,699.06); Private Gifts and Federal Grant (\$20,022,300.94)

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19. UM – IHL 207-279 – Old Chemistry Interiors

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$10,636.26 and zero (0) additional days to the contract of Panola Construction Company.

Staff Approval Date: August 24, 2010

Change Order Justification: The change order is necessary to remove existing HVAC ductwork from attic to allow installation of stainless steel ductwork for fume hood, install additional tee's in existing mechanical system piping, add acid waste piping needed for exhaust fans on 4th floor, add seven sprinkler heads due to ceiling furr down changes, disconnect power, move projection screen and reconnect power to screen in Room 319, remove remnants of existing VCT and install new VCT in elevator, examine all plumbing fixtures in the male & female bathrooms on four floors of the building, and replace projection screen wall switches.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$259,908.96.

Project Initiation Date: May 18, 2006

Design Professional: The McCarty Group

General Contractor: Panola Construction Company

Contract Award Date: February 18, 2009

Project Budget: \$4,500,000

Funding Source(s): Internal R&R

20. UM – IHL 207-306 – Center for Manufacturing Excellence

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of (\$43,677.91) and zero (0) additional days to the contract of Panola Construction Company.

Staff Approval Date: July 19, 2010

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Change Order Justification: The change order is necessary for waterproofing of below grade wall, termite pre-treatment, change size of prairie stone, additional closet to be made out of space adjacent to room 208, an alcove added to space adjacent to room 213, and changes to the plaza area including waterproofing/insulation.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$402,014.14

Project Initiation Date: November 15, 2007

Design Professional: Cooke Douglas Farr Lemons

General Contractor: Panola Construction Company

Contract Award Date: November 13, 2008

Project Budget: \$17,700,000

Funding Source(s): Mississippi Development Authority

21. UM – IHL 207-321 – North Residential College – Bid Package A

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$3,680.81 and zero (0) additional days to the contract of M & N Excavators, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$7,910.90 and zero (0) additional days to the contract of M & N Excavators, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$19,892.00 and zero (0) additional days to the contract of M & N Excavators, Inc.

Staff Approval Date: July 19, 2010

Change Order Justification: **Change Order #3** is necessary due to the wet ground in courtyard, the construction equipment traffic sank deeper into the mud than typical and damaged the storm drain pipes that had been installed to carry the water out of this area. **Change Order #4** is necessary to furnish & install footing wall at sidewalk plaza in order

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to install retaining wall and extend sidewalk and plaza concrete as requested by UM Housing. **Change Order #5** is necessary to furnish & install re-work of Phase II parking lot as requested by University Administration.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$37,483.71

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglas Farr Lemons/Eley Guild Hardy – A Joint Venture

General Contractor: M & N Excavators, Inc.

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R & R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

22. UM – IHL 207-321 – North Residential College – Bid Package C

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$14,740.00 and zero (0) additional days to the contract of Selective Masonry.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$275.00 and zero (0) additional days to the contract of Selective Masonry.

Staff Approval Date: July 19, 2010

Change Order Justification: **Change Order #2** is necessary to furnish & install wall around proposed trash dumpster location and extend sidewalk and plaza concrete as requested by UM Housing. **Change Order #3** is necessary to furnish & install the electrical, mechanical, plumbing, glazing, framing & rough-in changes to the Servedy, Food Prep and Kitchen areas.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$16,215.

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Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Selective Masonry

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

23. UM – IHL 207-321 – North Residential College – Bid Package E

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$2,624.00 and zero (0) additional days to the contract of Pitman Glass Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$8,577.00 and zero (0) additional days to the contract of Pitman Glass Company.

Staff Approval Date: July 19, 2010

Change Order Justification: **Change Order #5** is necessary to furnish & install mirrors in fitness room including outlet covers. **Change Order #6** is necessary for changes to Servery, food prep and kitchen area as requested by Aramark Food Service.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$35,746.00

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Pitman Glass Company

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Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

24. UM – IHL 207-321 – North Residential College – Bid Package G

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$10,692.70 and zero (0) additional days to the contract of Clinton Interiors.

Staff Approval Date: July 19, 2010

Change Order Justification: The change order is necessary to furnish and install millwork, drywall in elevator equipment room, two shower doors for residence bathroom tubs, also to install a temporary dust wall at South College kitchen, remove and replace curbs at server, change swing of door, frame and drywall one plumbing chase and one chase wall, tear out walls and replace drywall around freezer at South College.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of (\$43,891.80).

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Clinton Interiors

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

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25. UM – IHL 207-321 – North Residential College – Bid Package H

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$1,720.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$2,404.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.

Staff Approval Date: (#1) July 19, 2010; (#2) July 26, 2010

Change Order Justification: **Change Order #2** is necessary to paint exposed sprinkler pipe for ease of identification as requested by the Fire Marshall (City of Oxford). **Change Order #3** is necessary to furnish & install paint at stairwell handrails at stairs 1 & 2.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$6,874.00.

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Specialty Finishes, Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

26. UM – IHL 207-321 – North Residential College – Bid Package I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$8,435.00 and zero (0) additional days to the contract of Craft Croswell, Inc.

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Staff Approval Date: July 26, 2010

Change Order Justification: The change order is necessary to furnish and install material and labor necessary to patch floor and wall tile in food prep and kitchen areas.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$16,583.00

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: Craft Croswell, Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

27. UM – IHL 207-321 – North Residential College – Bid Package M

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$771.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$28,112.00 and zero (0) additional days to the contract of South central Heating & Plumbing Co., Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$1,136.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

Staff Approval Date: August 2, 2010

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Change Order Justification: **Change Order #6** is necessary in order to furnish and install fire damper in the lower level. **Change Order #7** is necessary to add FS-1 and additional sanitary sewer piping and to furnish and install re-heat piping, insulation and controls for the re-heat piping at ERV's 1 & 2. **Change Order #8** is necessary to furnish and install 30 gallons of chemical treatment to the closed loop system in the existing CMP system as per the direction of the engineer to keep the system from being damaged.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of (\$4,379.00).

Project Initiation Date: April 21, 2005

Design Professional: Cooke Douglass Farr Lemons/Eley Guild Hardy – A Joint Venture

General Contractor: South Central Heating & Plumbing Co., Inc.

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R & R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

28. UM – IHL 207-321 – North Residential College – Bid Package N

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #13** in the amount of \$48,316.50 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

Staff Approval Date: July 26, 2010

Change Order Justification: The change order is necessary to furnish and install electrical outlets in the communication rooms, furnish and install site lighting needed for the south, west and Faculty Row areas, electrical revision to provide server expansion, and to furnish and install electrical panel LB and 45 KVA dry type transformer in the CMP to serve future bike rack and boiler control panel.

Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of \$137,463.25

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Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Advance Electric Co., Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

29. UM – IHL 207-329 – Triplett Alumni Center Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$63,567.60 and zero (0) additional days to the contract of Hooker Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$8,160.00 and zero (0) additional days to the contract of Hooker Construction Company.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$3,840.00 and zero (0) additional days to the contract of Hooker Construction Company.

Staff Approval Date: (#1) July 26, 2010 (#2) August 2, 2010 (#3) August 13, 2010

Change Order Justification: **Change Order #4** is necessary due to an additional cost of control system above the allowed amount, to add a sink in Tim's office, and to add three compartment sinks and water heater in Kitchen Room 110. **Change Order #5** is due to test and balance of HVAC not included in the construction documents. **Change Order #6** is necessary to insulate under portion of old roof.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$94,006.40

Project Initiation Date: September 17, 2009

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Design Professional: Foil-Wyatt Architects

General Contractor: Hooker Construction Company

Contract Award Date: December 16, 2009

Project Budget: \$1,998,091.37

Funding Source(s): Internal R&R (\$999,045.68); Private Gifts (\$999,045.69)

30. UMMC – IHL 209-515 – Surgical Short Stay Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$112,058.00 and ninety-eight (98) additional days to the contract of Evan Johnsons and Sons.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$11,500.00 and five (5) additional days to the contract of Evan Johnsons and Sons.

Staff Approval Date: (#1) July 26, 2010; (#2) August 30, 2010

Change Order Justification: **Change Order #2** is necessary due to existing structural issues with changing pipe supports, to remove asbestos floor tile and pipe insulation in Area B, to install conduit and wire to Panel EDPI, to relocate voice & data receptacles, to remove metal panels that were inside walls between shell space and Area B, to make piping modifications to accommodate the 5 East Project, MTU location change, to demo existing metal framing, conduits, mechanical and install a CMU wall inside the existing masonry wall, for corrections and modifications with plumbing for the fast track project area, and to install a topping slab in Area B. **Change Order #3** is necessary for re-routing of 2 inch electrical conduit and wiring to re-feed service to panel on hospital third floor.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$203,896.00

Project Initiation Date: November 21, 2008

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Evan Johnsons and Sons

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Contract Award Date: June 10, 2009
Project Budget: \$7,735,000

Funding Source(s): Hospital Patient Revenue

31. UMMC– IHL 209-521 – Pediatric ICU Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$16,645.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: August 2, 2010

Change Order Justification: The change order is necessary to provide a new data room within the Educator’s Office to accommodate a server and a dedicated VAV box to handle the cooling needs of the room, change hardware to provide ease of access by staff by using “punch style” locksets in lieu of keyed locks, and to change upper cabinet depth on work station cabinets.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$35,423.00

Project Initiation Date: March 19, 2009

Design Professional: The McCarty Group

General Contractor: Fountain Construction Company

Contract Award Date: September 1, 2009

Project Budget: \$3,122,978

Funding Source(s): Hospital Patient Revenue

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32. UMMC – IHL 209-527 – Ophthalmology Renovations-764 Lakeland

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Dale and Associates design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Fountain Construction Company, the lower of twelve (12) bidders, for a total contract amount of \$2,538,000. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1-2) July 26, 2010; (#3) September 1, 2010

Project Initiation Date: August 20, 2009

Design Professional: Dale and Associates

General Contractor: Fountain Construction Company

Contract Award Date: September 1, 2010

Project Budget: \$5,279,000

Funding Source(s): Interest Income and Restricted Funds

33. UMMC – IHL 209-532 – Cardiovascular Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons design professional.

Staff Approval Date: August 20, 2010

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglass Farr Lemons

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General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$17,182,052

Funding Source(s): MCEBC Funds

34. UMMC – IHL 209-535 – Learning Resources Renovations 2010

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Cooke Douglass Farr Lemons design professional.

Staff Approval Date: August 11, 2010

Project Initiation Date: April 14, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,850,000

Funding Source(s): Interest Income (\$850,000); MCEBC Funds (\$2,000,000)

35. USM– GS 108-255 – Textbook Services Center Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$108,102.00 and one hundred seventy-five (175) additional days to the contract of DC General Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

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Staff Approval Date: August 13, 2010

Change Order Justification: The change order is necessary for installation of a new water line connecting the University water service to the City of Hattiesburg water system due to water pressure problems with other sprinkler systems on the campus near the site.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$111,480.25

Project Initiation Date: February 21, 2008

Design Professional: Landry and Lewis Architects, P.A.

General Contractor: DC General Contractors

Contract Award Date: May 12, 2009

Project Budget: \$1,500,000

Funding Source(s): HB 1641, Laws of 2008

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 7/1/10, 7/1/10, 7/1/10, 7/1/10, 8/1/10, 8/16/10, 9/1/10, 9/1/10, 9/1/10 and 9/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$118.70, \$59.90, \$2,500.00, \$1,500.00, \$2,500.00, \$2,000.00, \$5.10, \$6.20, \$14.14 and \$14.14, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 8,718.18

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 6/21/10, 7/26/10 and 7/26/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice-UMMC North Clinic - \$6,518.00, General Rep. of the Medical School and Facility Practice Plans-UMMC North Clinic - \$43.00 and General Advice-UMMC North Clinic - \$1,925.00, respectively.)

TOTAL DUE.....\$ 8,486.00

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 6/30/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Kermode* (Federal Case) - \$6,270.00; *Monique Varnado* - \$4,224.00; UMMC - General - \$390.00; *Tajudin Jaralah* - \$1,354.50 and *Danielle Ziegler* - \$4,158.00.)

TOTAL DUE.....\$ 16,396.50

Payment of legal fees for professional services rendered by James C. Mingee/The Mark It Place (statements dated 6/20/10, 6/20/10 and 6/28/10) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$290.00, \$290.00 and \$1,196.25, respectively, represent services and expenses in connection with trademark/service mark and copyright matters.)

TOTAL DUE.....\$ 1,776.25

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Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statements dated 6/17/10 and 7/9/10) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,545.31 and \$465.11, respectively, represent services and expenses in connection with the *Bernard v. UMMC* case.)

TOTAL DUE.....\$ 2,010.42

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 6/15/10, 6/15/10, 6/15/10, 6/15/10, 6/15/10, 6/15/10, 6/15/10, 7/15/10, 7/15/10, 7/15/10, 7/15/10, 7/15/10, 7/15/10, 7/15/10, 7/15/10, 8/16/10, 8/16/10, 8/16/10, 8/16/10, 8/16/10, 8/16/10, 8/16/10 and 8/16/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compact Time-of-Flight Spectrometer-Canada" - \$475.50; "Compact Time-of-Flight Spectrometer-UK" - \$152.20; "Compact Time-of-Flight Spectrometer-Japan" - \$132.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$1,675.00; "Live Attenuated Catfish Vaccine" - \$132.20; "Method of Transformation of Cotton and Organogenic Regeneration" - \$2,565.00; "Srinivasan-Elusieve Processing CIP Application" - \$175.50; "Compact Time-of-Flight Mass Spectrometer-Canada" - \$327.44; "Compact Time-of-Flight Mass Spectrometer-Germany" - \$408.57; "Compact Time-of-Flight Mass Spectrometer-UK" - \$2,542.75; "Compact Time-of-Flight Mass Spectrometer-Japan" - \$220.00; "Organic Wood Preservatives" - \$34.00; "High Power Density, Full-Bridge Parallel Loaded Resonant DC" - \$98.20; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$569.70; "Live Attenuated Catfish Vaccine" - \$25.50; "Steele-Prov. Patent on Anhydrosugar Production 2009.0732" - \$25.50; "Compact Time-of-Flight Mass Spectrometer-Canada" - \$42.50; "Compact Time-of-Flight Mass Spectrometer-Germany" - \$582.51; "Compact Time-of-Flight Mass Spectrometer-Japan" - \$138.00; "Organic Wood Preservatives" - \$25.50; "High Power Density, Full-Bridge Parallel Loaded Resonant DC" - \$25.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$408.00; "Live Attenuated Catfish Vaccine" - \$42.50 and "MOS Charge Pump" - \$575.00, respectively.)

TOTAL DUE.....\$ 11,399.07

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\$133.50; “Raucher/US/Targeted Delivery of Medicaments Including Doxorubicin” - \$65.00; “Raucher/JP/Targeted Delivery of Medicaments Including Doxorubicin” - \$54.00; “Vig/Therapeutic Use of Dopamine D2 Receptor” - \$133.50; “Zwick/Saliva-Based Protein Profiling” - \$306.34; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device” - \$2,578.81; “General IP” - \$40.50; “Raucher/US/Targeted Delivery of Medicaments Including Doxorubicin” - \$992.00; “Raucher/JP/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$58.79; “Raucher/Modular Thermally Targeted Biopolymers for Drug Delivery” - \$4,538.26; “Zwick/Saliva-Based Protein Profiling” - \$93.00; Abell/Miniature Wireless Gastric Electrical Stimulators” - \$155.00; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$40.50; “Raucher/Modular Thermally Targeted Biopolymers for Drug Delivery” - \$327.18; “Raucher/Canada/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$725.32; “Raucher/Europe/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$250.00; “Vig/Thermally Targeted Delivery of Therapeutic Peptides to the Cerebellum” - \$3,179.60; “Zwick/Saliva-Based Protein Profiling” - \$0.00; “Abell/Miniature Wireless Gastric Electrical Stimulators” - \$750.40; “Abell/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$91.50; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device” - \$414.90; “Hiser/Cell Culture Model for Demyelination Remyelination” - \$148.82; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$412.50; “Abell/Miniature Wireless Gastric Electrical Stimulators” - \$3,020.90; “Abell/CIP/Gastric Electrical Stimulation Device and Method for Treating Gastroparesis” - \$152.50; “Bridger/Medical Gas Utility Stand” - \$1,590.00; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$5,735.00; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$1,753.80; “Raucher/Cell Penetrating Peptide Fused Elastin-Like Polypeptides” - \$3,308.30; “Raucher/Targeted Delivery of Therapeutic Peptides” - \$213.30; “Abell/Miniature Wireless Gastric Electrical Stimulators” - \$127.00; “Abell/CIP/System for Diagnosis & Prediction of Therapy for Nutritional and Metabolic Disorders” - \$183.00; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$3,576.46; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$3,500.80; “Raucher/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$310.00; “Raucher/Cell Penetrating Peptide Fused Elastin-Like Polypeptides for Delivery Agents” - \$428.90 and “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$4,598.40, respectively.)

TOTAL DUE.....\$ 53,323.03

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SYSTEM – COMMISSIONERS’ NOTIFICATION OF APPROVAL

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

1. **MSU** – On September 30, 2010, approval was granted to enter into a one-year lease renewal with Coblenz Properties, LLC to lease approximately 2,500 square feet of office space located in Starkville, MS for the Mississippi Migrant Education Center.
2. **UM** – On October 5, 2010, approval was granted to enter into a thirty-year lease with Par Avion, LLC to lease hanger space located at the University-Oxford Airport.
3. **System** – On October 5, 2010, approval was granted to the Fiscal Year 2010 Complimentary Athletic Tickets Report, as required by Board Policy 613 (C) Athletics – Athletic Tickets.
4. **System** – On October 12, 2010, the IHL Commissioner reviewed and approved the IHL System’s *Summary of Participation and Optional Fees* for Fiscal Year 2010-11. This summary is a required financial report mandated from IHL Board Policy 702.03 Approval of Tuition, Fees, and Other Student Charges.