

Board Book

April 21, 2022

MISSISSIPPI BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING

Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

MEETINGS SCHEDULE

Health Affairs Committee | April 20, 2022, 3:00p | IHL Board Room
IHL Board Meeting | April 21, 2022, 9:00a | IHL Board Room

CALL TO ORDER INVOCATION

Trustee Walt Starr
Trustee Jeanne Luckey

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ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 16-17, 2022**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in Meeting Room 2B at the Mississippi State University Riley Center in Meridian, Mississippi, at 2:00 p.m., and pursuant to notice in writing, to each and every member of said Board said date being at least five days prior to this March 16-17, 2022 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President.

WELCOME

Trustee Bruce Martin welcomed everyone to Meridian and provided a brief history of the Mississippi State University Riley Center.

PRESENTATIONS

The board received presentations from Dr. Alfred Rankins, Jr., Commissioner of Higher Education and Mr. Van Gillespie, Associate Commissioner for Legal Affairs, Risk Management and Special Projects Officer.

At approximately 4:00 p.m. the Board recessed until 9 a.m. March 17, 2022.

The meeting reconvened at approximately 9 a.m. March 17, 2022. The following members were present: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Ms. Teresa Hubbard was absent.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Hubbard absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on February 17, 2022 and February 25, 2022.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 16-17, 2022**

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

LEGAL

1. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 1.)

ADMINISTRATION/POLICY

2. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
 - a. **JSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 24, 2022, Commissioner Alfred Rankins, Jr. approved the budget revisions to the FY 2022 Ayers academic programs after conducting a review. It appears that these revisions were necessary to align 2022 budgets to individual program needs over the remaining months of the year. Per IHL Ayers administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. A copy of the documents is on file at the Board Office.
 - b. **MSU** – On February 21, 2022, Commissioner Alfred Rankins, Jr., approved a Right of Way Easement between Mississippi State University and Clayton Village Water Association, Inc. (CVWA) to allow for the installation of a waterline across MSU property that will connect CVWA’s planned water tower to CVWA’s existing water infrastructure. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
 - c. **UMMC** – On February 21, 2022, Commissioner Alfred Rankins, Jr., approved a Rental Agreement between the University of Mississippi Medical Center and Bunnell, Inc. for UMMC’s rental of LifePulse High Frequency Jet Ventilators and the WhisperJet Patient Box on an as-needed basis. The term of this agreement is one year beginning March 8, 2022 and ending March 7, 2023 at an estimated cost of \$97,500. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
 - d. **UMMC** – On February 21, 2022, Commissioner Alfred Rankins, Jr., approved a Water Service Line Easement, which includes a Memorandum of Understanding, between the City of Jackson and the University of Mississippi Medical Center, for

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 16-17, 2022**

the purpose of laying, installing, constructing, maintaining, operating, inspecting, altering, removing and replacing subsurface pipes, lines and appurtenances for water services to a UMMC owned building located at 746 Lakeland Drive, Jackson, Ms. This is an irrevocable easement from the City of Jackson to UMMC. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- e. **UMMC** – On February 21, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between the University of Mississippi Medical Center (lessor) and Woodrow Wilson Gulf, LLC d/b/a Gulf Auto Care (lessee) for property located at 352 East Woodrow Wilson Avenue, Jackson, MS for lessee’s operation of a service station/convenience store. The term of the lease is 34-months effective March 1, 2022 through December 31, 2024. This is a revenue generating lease with lessee paying annual rent in the amount of \$21,228.13 for year one, \$23,865.96 for year two and \$24,343.32 for year three. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

ANNOUNCEMENTS

- President Starr announced the next meeting is scheduled for April 21, 2022 at the Board Office.

PRESENTATION

The Board received a presentation from Mr. Van Gillespie, Associate Commissioner for Legal Affairs, Risk Management and Special Projects Officer.

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 16-17, 2022**

EXHIBIT

Exhibit 1 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

March 16-17, 2022

1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 2/15/22) from the funds of Mississippi State University. (This statement, in the amount of \$2,305.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,305.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 2/4/22) from the funds of the University of Mississippi. (This statement, in the amount of \$96.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 96.50

Payment of legal fees for professional services rendered by Wise Carter (statement dated 9/27/21) from the funds of the University of Mississippi. (This statement, in the amount of \$10,527.52, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,527.52

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 12/15/21, 1/27/22 and 1/27/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$56,487.66, \$2,031.00 and \$819.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 59,337.76

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statement dated 11/24/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$566.10, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 566.10

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 1/7/22, 1/7/22, 1/7/22 and 1/7/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,359.50, \$864.80, \$1,287.00 and \$520.25, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,031.55

EXHIBIT 1

March 16-17, 2022

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 1/5/22, 1/5/22 and 1/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$231.00, \$1,332.00 and \$10,222.60, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,785.60

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 12/20/21, 12/21/21, 12/21/21, 12/21/21, 12/21/21 and 1/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$108.00, \$94.50, \$297.00, \$621.00, \$351.00 and \$12,148.75, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 13,620.25

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 1/26/22, 1/31/22 and 1/31/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,610.00, \$82.80 and \$267.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,959.80

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/17/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$88.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 88.50

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 2/23/22 and 2/24/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$175.50 and 7,294.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,470.00

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 2/16/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,250.00, represents services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 2,250.00

EXHIBIT 1

March 16-17, 2022

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

Payment of legal fees for professional services rendered by Conley Rose (statement dated 2/7/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Compositions and Methods for Use in Food Processing and Preservation” - \$5,372.00, respectively.)

TOTAL DUE.....\$ 5,372.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 2/9/22, 2/9/22 and 2/9/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$23.00; “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$3,227.50; and “Occidiofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$757.50.)

TOTAL DUE.....\$ 4,008.00

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 1/31/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Stitched Polymer Matrix Composites Using Barrier Layers for Cryogenic Applications and Methods of Making” - \$7,920.00.)

TOTAL DUE.....\$ 7,920.00

Payment of legal fees for professional services rendered by Thomas Horstemeyer (statement dated 1/31/22) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Biologically Active Cannabidiol Analogs” - \$1,309.10; “Biologically Active Cannabidiol Analogs” - \$70.50; “Biologically Active Cannabidiol Analogs” - \$70.50; “Biologically Active Cannabidiol Analogs” - \$70.50; “Biologically Active Cannabidiol Analogs” - \$70.50; “Dyes, Dye-Sensitized Solar Cells and Methods of Making and Using Same” - \$1,903.35; and “Biologically Active Cannabidiol Analogs” - \$248.55, respectively.)

TOTAL DUE.....\$ 3,743.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/21/21, 1/28/22, 1/28/22, 1/28/22 and 1/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$20.00, \$479.60, \$38.00, \$750.00 and \$992.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 2,280.00

EXHIBIT 1

March 16-17, 2022

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 1/18/22, 1/24/22, 1/24/22 and 1/24/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$200.00, \$979.21, \$1,011.66 and \$830.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 3,020.87

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/30/21, 11/30/21, 11/30/21, 1/18/22, 1/18/22, 1/18/22, 1/18/22, 1/18/22, 2/22/22, 2/22/22 and 2/22/22) from the funds of the University of Southern Mississippi. (These statement represents services and expenses in connection with the following patents: “Infrared Detection w Intrinsically Conductive” - \$3,276.00; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$657.50; “An Automated Mechanism to Position Aquaculture Equipment” - \$9,300.00; “Oral Suction Device” - \$1,363.50; “An Automated Mechanism to Position Aquaculture Equipment” – \$3,097.50; “Mesoporous Material Derived” - \$560.50; “Additive Manufacturing of Carbons” - \$619.50; “Transition of Patent Files” - \$95.00; “An Automated Mechanism to Position Aquaculture Equipment” - \$301.50; “Additive Manufacturing of Carbons” - \$177.00; and “Block Co-Polymer Templated Crazing for Membrane Separation” -- \$449.00, respectively).

TOTAL DUE.....\$ 19,897.00

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 31, 2022**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via teleconference at the Board Office in Jackson, Mississippi at 12:00 p.m. on March 31, 2022, and pursuant to notice in writing, to each and every member of said Board. The following members participated via phone: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President.

In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The meeting was held to discuss a litigation matter at the University of Southern Mississippi.

EXECUTIVE SESSION

On motion by Trustee McNair, seconded by Trustee Ogletree, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cummings, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a litigation matter at the University of Southern Mississippi.

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

A motion was made by Trustee McNair to settle the USM – CUSA (Conference USA) matter as recommended by counsel. The motion was seconded by Trustee Martin, all Trustees legally present and participating voted unanimously to approve the motion.

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

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 21, 2022**

1. UM – APPROVAL OF RENAMING EXISTING CENTER OR INSTITUTE

Current Title: McLean Institute for Public Service and Community Engagement
 Proposed Title: **Grisham-McLean Institute for Public Service and Community Engagement**
 Unit Location: Howry Hall
 Effective date: Spring 2022
 Rationale: Dr. Vaughn Grisham is the founding director of the McLean Institute for Community Development. He named it in honor of George McLean, a Tupelo businessman, in 1984, a year after Mr. McLean's death. Dr. Grisham operated the Institute without any upfront funding or McLean family funding. All funding was in-kind by Dr. Grisham or UM. This honor for Dr. Grisham represents a distinct recognition of Professor Vaughn Grisham's 60+ years of making a difference in the lives of others, and it continues to honor the life and work of Mr. McLean. Over the years, Dr. Grisham has taught and remarkably influenced over 30,000 Ole Miss students, established leadership programs in more than 300 U.S. counties, and led community development work in more than 30 states and two Canadian providences, bringing positive recognition and honor to the University of Mississippi and the State.

2. SYSTEM – APPROVAL OF DEGREES TO BE CONFERRED IN SPRING 2022

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

In accordance with Board policy, the institutions below request permission to award degrees at the following levels in Spring 2022, provided each candidate has met all requirements for the degree.

(Placeholder)

Institution	Degree to be Conferred	Number	Subtotal	Total	
Alcorn State University					
	Undergraduate		428		
	Associate of Science in Nursing	18			
	Bachelor of Arts	43			
	Bachelor of Arts in Music	6			
	Bachelor of Music	2			
	Bachelor of Science	314			

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science in Nursing	34			
	Bachelor of Social Work	11			
	Graduate		134		
	Master of Arts in History	1			
	Master of Arts in Teaching	18			
	Master of Business Administration	5			
	Master of Liberal Arts	5			
	Master of Science in Agriculture	12			
	Master of Science in Applied Science and Technology	12			
	Master of Science in Biology	18			
	Master of Science in Biotechnology	1			
	Master of Science in Computer and Information Science	4			
	Master of Science in Nursing	4			
	Master of Science in Elementary Education	1			
	Master of Science in Secondary Education	27			
	Master of Science in Workforce Education Leadership	17			
	Educational Specialist	2			
	Doctor of Nursing Practice	7			
	Total Undergraduate Degrees		428		
	Total Graduate Degrees		134		
	Total Degrees			562	
Delta State University					
	College of Arts and Sciences		131		

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 21, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Arts	12			
	Bachelor of Applied Science	4			
	Bachelor of Fine Arts	9			
	Bachelor of Music Education	6			
	Bachelor of Science	53			
	Bachelor of Science in Education	4			
	Bachelor of Science in Social Justice & Criminology	7			
	Bachelor of Science in Interdisciplinary Studies	7			
	Bachelor of Social Work	19			
	Bachelor of University Studies	10			
	<i>College of Business and Aviation</i>		74		
	Bachelor of Applied Science	1			
	Bachelor of Business Administration	52			
	Bachelor of Commercial Aviation	21			
	<i>College of Education and Human Sciences</i>		73		
	Bachelor of Arts	13			
	Bachelor of Science	36			
	Bachelor of Science in Education	24			
	<i>School of Nursing</i>		14		
	Bachelor of Science in Nursing	14			
	<i>School of Graduate Studies</i>		148		
	Master of Arts in Liberal Studies	1			
	Master of Arts in Teaching	13			
	Master of Business Administration	32			

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 21, 2022**

Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Commercial Aviation	9			
		Master of Education	33			
		Master of Professional Accountancy	9			
		Master of Science in Natural Sciences	3			
		Master of Science in Social Justice & Criminology	7			
		Master of Science in Sport and Human Performance	17			
		Educational Specialist	17			
		Doctor of Education	2			
		Doctor of Nursing Practice	5			
	Total Undergraduate Degrees			292		
	Total Graduate Degrees			148		
	Total Degrees				440	
Jackson State University						
	Undergraduate			641		
		Bachelor of Arts	40			
		Bachelor of Business Administration	90			
		Bachelor of Music	3			
		Bachelor of Music Education	11			
		Bachelor of Science	408			
		Bachelor of Science Education	29			
		Bachelor of Social Work	35			
		Bachelor of University Studies	25			
	Graduate			414		

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Arts	19			
		Master of Arts in Teaching	99			
		Master of Business Administration	14			
		Master of Music Education	3			
		Master of Professional Accountancy	4			
		Master of Public Health	6			
		Master of Public Policy and Administration	2			
		Master of Science	68			
		Master of Science in Education	32			
		Master of Social Work	103			
		Specialist in Education	30			
		Doctor of Education	1			
		Doctor of Philosophy	32			
		Doctor of Public Health	1			
		Total Undergraduate Degrees		641		
		Total Graduate Degrees		414		
		Total Degrees			1,055	
Mississippi State University						
		College of Agriculture and Life Sciences		414		
		Bachelor of Science	341			
		Bachelor of Landscape Architecture	9			
		Master of Agribusiness Management	6			
		Master of Science	44			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Doctor of Philosophy	14			
	<i>College of Architecture, Art, and Design</i>		120		
	Bachelor of Architecture	27			
	Bachelor of Fine Arts	37			
	Bachelor of Science	56			
	<i>College of Arts and Sciences</i>		915		
	Bachelor of Arts	320			
	Bachelor of Science	488			
	Bachelor of Applied Technology	1			
	Bachelor of Social Work	26			
	Master of Arts	20			
	Master of Science	31			
	Master of Public Policy and Administration	9			
	Doctor of Philosophy	20			
	<i>College of Business</i>		620		
	Bachelor of Business Administration	476			
	Master of Business Administration	129			
	Master of Science Information Systems	11			
	Doctor of Philosophy	4			
	<i>College of Education</i>		724		
	Bachelor of Music Education	12			
	Bachelor of Science	502			
	Master of Arts in Teaching	9			
	Master of Arts in Teaching Secondary	75			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Arts in Teaching Special	30			
	Master of Science	67			
	Master of Science in Instructional Technology	7			
	Educational Specialist	12			
	Doctor of Philosophy	10			
	<i>College of Engineering</i>		628		
	Bachelor of Science	564			
	Master of Engineering	4			
	Master of Science	40			
	Doctor of Philosophy	20			
	<i>College of Forest Resources</i>		102		
	Bachelor of Science	78			
	Master of Science	17			
	Doctor of Philosophy	7			
	<i>School of Accountancy</i>		109		
	Bachelor of Accountancy	81			
	Master of Professional Accountancy	24			
	Master of Taxation	4			
	<i>College of Veterinary Medicine</i>		132		
	Bachelor of Science	35			
	Master of Science	3			
	Doctor of Veterinary Medicine	94			
	<i>Academic Affairs</i>		44		
	Bachelor of University Studies – C2C	20			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Applied Science	24			
	Total Undergraduate Degrees		3,097		
	Total Graduate Degrees		712		
	Total Degrees			3,809	
Mississippi University for Women					
	Undergraduate		307		
	Associate of Science in Nursing	35			
	Bachelor of Applied Science	21			
	Bachelor of Art	29			
	Bachelor of Business Administration	45			
	Bachelor of Fine Art	4			
	Bachelor of Music	3			
	Bachelor of Professional Studies	6			
	Bachelor of Science	111			
	Bachelor of Science in Nursing	53			
	Graduate		76		
	Master of Art in Teaching	10			
	Master of Business Administration	5			
	Master of Education	1			
	Master of Fine Art	7			
	Master of Public Health	20			
	Master of Science	21			
	Doctor of Nursing Practice	12			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Total Undergraduate Degrees		307		
	Total Graduate Degrees		76		
	Total Degrees			383	
Mississippi Valley State University					
	Undergraduate		139		
	Bachelor of Arts	29			
	Bachelor of Science	96			
	Bachelor of Social Work	14			
	Graduate		66		
	Master of Art	5			
	Master of Art in Teaching	8			
	Master of Business Administration	16			
	Master of Science	21			
	Master of Social Work	16			
	Total Undergraduate Degrees		139		
	Total Graduate Degrees		66		
	Total Degrees			205	
University of Mississippi					
	College of Liberal Arts		714		
	Bachelor of Arts	604			
	Bachelor of Fine Arts	23			
	Bachelor of Music	19			
	Bachelor of Science	68			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>School of Engineering</i>		207		
	Bachelor of Engineering	15			
	Bachelor of Science in Biomedical Engineering	12			
	Bachelor of Science in Chemical Engineering	25			
	Bachelor of Science in Civil Engineering	22			
	Bachelor of Science in Computer Engineering	3			
	Bachelor of Science in Computer Science	33			
	Bachelor of Science in Electrical Engineering	19			
	Bachelor of Science in Engineering	5			
	Bachelor of Science in Geological Engineering	12			
	Bachelor of Science in Geology	3			
	Bachelor of Science in Mechanical Engineering	58			
	<i>School of Education</i>		218		
	Bachelor of Arts in Education	218			
	<i>School of Business</i>		459		
	Bachelor of Business Administration	459			
	<i>School of Accountancy</i>		186		
	Bachelor of Accountancy	186			
	<i>School of Applied Sciences</i>		388		
	Bachelor of Arts in Sports and Recreation Administration	28			
	Bachelor of Science in Criminal Justice	87			
	Bachelor of Science in Exercise Science	81			
	Bachelor of Science in Public Health and Health Sciences	3			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science	125			
	Bachelor of Social Work	34			
	Bachelor of Science in Law Studies	30			
	<i>School of Journalism and New Media</i>		258		
	Bachelor of Arts in Journalism	35			
	Bachelor of Science (IMC)	223			
	<i>General Studies</i>		97		
	Bachelor of Multi-Disciplinary Studies	70			
	Bachelor of University Studies	27			
	<i>Graduate School</i>		593		
	Master of Accountancy	13			
	Master of Accountancy and Data Analytics	36			
	Master of Arts	87			
	Master of Arts in Teaching	39			
	Master of Business Administration	25			
	Master of Criminal Justice	24			
	Master of Education	50			
	Master of Fine Arts	13			
	Master of Music	15			
	Master of Public Health	3			
	Master of Science	155			
	Master of Science in Exercise Science	3			
	Master of Social Work	4			
	Master of Taxation and Data Analytics	6			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Specialist in Education	42			
	Doctor of Education	15			
	Doctor of Philosophy	63			
	<i>Law School</i>		135		
	Juris Doctor	135			
	<i>School of Pharmacy</i>		103		
	Doctor of Pharmacy	103			
	<i>Total Undergraduate Degrees</i>		2,527		
	<i>Total Graduate/Professional Degrees</i>		835		
	<i>Total Degrees</i>			3,362	
University of Mississippi Medical Center					
	<i>Undergraduate</i>		212		
	Bachelor of Science in Health Informatics and Information Management	5			
	Bachelor of Science in Health Systems Administration	15			
	Bachelor of Science in Histotechnology	3			
	Bachelor of Science in Medical Laboratory Science	8			
	Bachelor of Science in Radiologic Sciences	38			
	Bachelor of Science in Dental Hygiene	17			
	Bachelor of Science in Nursing	126			
	<i>Graduate/Professional</i>		516		
	Master of Health Informatics and Information Management	1			
	Master of Health Systems Administration	4			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Science in Biomedical Sciences	93			
		Master of Science in Biostatistics and Data Science	3			
		Master of Science in Clinical Investigation	4			
		Master of Science in Magnetic Resonance Imaging	5			
		Master of Science in Nuclear Medicine Technology	6			
		Master of Science in Population Health Management	1			
		Master of Science in Nursing	84			
		Doctor of Dental Medicine	40			
		Doctor of Health Administration	6			
		Doctor of Nursing Practice	7			
		Doctor of Medicine	158			
		Doctor of Occupational Therapy	39			
		Doctor of Philosophy	21			
		Doctor of Physical Therapy	45			
		Total Undergraduate Degrees		212		
		Total Graduate/Professional Degrees		516		
		Total Degrees			728	
University of Southern Mississippi						
		College of Arts and Sciences		811		
		Bachelor of Arts	206			
		Bachelor of Fine Arts	26			
		Bachelor of Interdisciplinary Studies	9			
		Bachelor of Liberal Studies	52			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Bachelor of Music	9			
		Bachelor of Music Education	26			
		Bachelor of Science	343			
		Bachelor of University Studies	13			
		Master of Arts	17			
		Master of the Arts in Teaching of Language	10			
		Master of Fine Arts	2			
		Master of Music	14			
		Master of Music Education	5			
		Master of Science	55			
		Doctor of Musical Arts	3			
		Doctor of Philosophy	21			
		<i>College of Business and Economic Development</i>		402		
		Bachelor of Applied Science	8			
		Bachelor of Science	39			
		Bachelor of Science in Business Administration	269			
		Master of Business Administration	26			
		Master of Professional Accountancy	8			
		Master of Science	46			
		Doctor of Philosophy	6			
		<i>College of Education and Human Sciences</i>		596		
		Bachelor of Arts	2			
		Bachelor of Science	366			
		Bachelor of Social Work	40			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Arts	3			
	Master of Arts in Teaching	21			
	Master of Education	20			
	Master of Library and Information Science	35			
	Master of Science	28			
	Master of Social Work	58			
	Specialist in Education	2			
	Doctor of Education	16			
	Doctor of Philosophy	5			
	<i>College of Nursing and Health Professions</i>		267		
	Bachelor of Arts	43			
	Bachelor of Science	72			
	Bachelor of Science in Nursing	81			
	Master of Public Health	25			
	Master of Science	24			
	Doctor of Audiology	10			
	Doctor of Nursing Practice	8			
	Doctor of Philosophy	4			
	<i>Total Undergraduate Degrees</i>		1,604		
	<i>Total Graduate Degrees</i>		472		
	<i>Total Degrees</i>			2,076	
System Total					
				12,620	

*Note: System Total for Spring 2022 represents an increase of 616 from Spring 2021's total of 12,004.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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1. DSU – REQUEST FOR APPROVAL TO AMEND A BOOKSTORE MANAGEMENT AGREEMENT WITH BARNES AND NOBLE COLLEGE BOOKSELLERS, LLC

Agenda Item Request: Delta State University requests approval to amend its agreement with **Barnes and Noble College Booksellers, LLC.**, in order to implement the Company's First Day Complete program.

Contractor's Legal Name: Barnes and Noble College Booksellers, LLC. (B&N)

History of Contract: This contract is a bookstore services agreement between Delta State University and B&N. This amendment will amend the original contract approved by the Board in June of 2019. The current agreement is scheduled to expire on June 30, 2025.

Specific Type of Contract: Bookstore Management Services Outsourcing agreement

Purpose: The purpose of this amendment is to revise the original contract so that Delta State University's undergraduate students will be able to utilize Barnes and Noble's First Day Complete Program. B&N is currently the institution's exclusive buyer and seller of all required, recommended, or suggested course materials and supplies, including books, course packs, computer software, textbook rentals, and materials published or distributed electronically. This exclusive right includes all educational supplies, notebooks, stationery, desk and room accessories, etc.

The original contract guaranteed a 13.60% commission on gross sales up to \$750,000, a 15.60% commission on gross sales over \$750,000, a 7.0% commission of all gross sales of First day and Digital Sales, \$85,000 toward renovation of the Delta State University bookstore, \$10,000 annually in an athletic sponsorship, \$5,000 annually for textbook scholarships, and a 2% commission on all Okra Kard purchases. It also guaranteed a 10.0% discount on all merchandise available at the Bookstore except adopted textbooks, special orders, sale books, class and alumni rings, computer software, periodicals, discounted merchandise, computer hardware, stamps, health and beauty aids, food snacks, and beverages. Lastly, it provided a 20.0% discount on all authorized departmental purchases except adopted textbooks, special orders, sale books, class and alumni rings, computer software, periodicals, discounted merchandise, computer hardware, stamps, health and beauty aids, food snacks, and beverages

Scope of Work: In addition to the terms of the original agreement, the amendment requires B&N to provide exclusive on-online services through the Bookstore website to operate its First Day Complete Program and any distance learning material needs for the duration of the contract. The First Day Complete Program will offer all textbook materials, whether adopted electronically or hardcopy by faculty, to undergraduate students for rent at \$20 per credit hour. Students will have the options to purchase the book at a greatly reduced price at the end of the semester of use.

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Delta State University estimates that they will realize approximately \$324,000.00 in sales commission revenues over the duration of the contract. In addition to the terms of the original agreement, this amendment requires Delta State University to:

- a. Place the necessary electronic links on its learning management systems no later than two weeks prior to the start of the term.
- b. Provide mutually agreed upon space, in addition to the space within the Bookstore, for inventory and student package delivery and pickup.
- c. Provide Barnes and Noble the course schedule with enrollment information on a daily basis.
- d. Upload each student's complete course schedule at least 12 weeks out from the start of the term through the end of each term to help facilitate the First Day Complete Program.

Term of Contract: The term of the contract will remain the same, with an ending date of June 30, 2025. There is also an option to renew for two additional (1) year periods.

Termination Options: Either party may terminate the agreement with or without cause upon 90 days written notice. If early termination by Delta State University, the institution will be responsible for reimbursement to B&N for the unamortized portion of the financial investment. A straight-line amortization for these investments will be recognized over the remaining years of the contract.

Contract Amount: The agreement guarantees textbooks, both electronic and physical, at a cost of \$20 per credit hour for undergraduate students.

Funding Source for Contract: This is a revenue generating contract.

Contractor Selection Process: Delta State University secured the services of B&N to operate its bookstore operations through an RFP in January 2020. Four vendors responded to the bid. A committee, consisting of nine members, representing the Academy, staff and students, reviewed each proposal. The review resulted in Barnes and Noble receiving the highest rating out of the proposals submitted to the University.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

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2. DSU – REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH CIRRUS AIRCRAFT

Agenda Item Request: Delta State University requests approval to purchase five aircrafts for our Commercial Aviation program.

Contractor’s Legal Name: Cirrus Aircraft

History of Contract: Sealed Bids were received for the purchase of five aircrafts for our Commercial Aviation program. The Office of Purchasing, Travel and Fleet Management (Public Procumbent Review Board) approved this purchase and the use of the Master Lease Program February 7, 2022.

Specific Type of Contract: Purchase Agreement

Purpose: The purpose of this agreement is to purchase five aircrafts using the Master Lease Program to be used in the Delta State University Commercial Aviation Program.

Scope of Work: Build and deliver five SR20TRAC Trainer aircrafts. The specifications are listed in the Purchase agreement and the Bid Proposal.

Term of Contract: Payment is made upon delivery and acceptance of each aircraft.

Termination Options: With the exception of a Loss or Excusable Delay, Cirrus Aircraft shall be deemed to be in default only if Cirrus Aircraft fails to tender for delivery to Purchaser all aircrafts covered by the terms of this Agreement within ninety (90) days from the Scheduled Delivery Date.

Contract Amount: \$2,596,840.00 (\$519,368 per aircraft)

Funding Source for Contract: The additional aircrafts will allow Delta State University to increase the number of students that will be able to get the required number of flight hours. The additional flight fees will generate an additional estimated \$500,000 per semester.

Contractor Selection Process. On January 26, Sealed Bids were received for the purchase of five aircrafts for our Commercial Aviation program. Only one bid was received. The one bid was from Cirrus Design. The Office of Purchasing, Travel and Fleet Management (Public Procumbent Review Board) approved this purchase and the use of the Master Lease Program February 7, 2022.

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*

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expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

3. MSU – REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH BARNES & NOBLE COLLEGE BOOKSELLERS, LLC

Agenda Item Request: Mississippi State University requests approval of a contract amendment with **Barnes & Noble** to allow them to offer the First Day Complete (FDC) program to MSU’s students. Under the program, students will automatically be enrolled to receive required textbooks and electronic codes for their classes at a cost of \$20 per credit hour. Students may opt out of the program and purchase their books and codes elsewhere. Faculty are not limited in their course adoptions.

Contractor’s Legal Name: Barnes & Noble College Booksellers, LLC

History of Contract: MSU has contracted with Barnes & Noble for 17 years.

Specific Type of Contract: The amendment will address implementation of the First Day Complete program with MSU receiving a commission on the sales.

Purpose: The specific purpose of the FDC program is to make sure students have access to course materials on the first day of class for a reduced price which is an important tool to student success.

Scope of Work: B&N will provide required textbooks and course codes to students in the FDC program beginning on the first day of class.

Term of Contract: Effective date of the amendment is July 1, 2022. The existing contract runs through June 30, 2030, with two options to renew for five additional years each.

Contract Amount: Revenue contract – The FDC program is expected to generate an additional \$120,000 in revenue annually for MSU.

Funding Source for Contract: Revenue contract – commissions to MSU will be generated from sales.

Termination Options: The FDC program may be terminated by Mississippi State University each year for the following Fall semester by providing written notice to Barnes & Noble College no later than March of that calendar year.

Contractor Selection Process: For the initial contract beginning July 1, 2020, RFP was utilized. The RFP included the option of adding a FDC type program. A committee of representatives across campus made the selection.

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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 all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

4. MSU – REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH EDR COLLEGE VIEW MS, LLC

Agenda Item Request: Mississippi State University requests approval to lease 1,027 sq. ft. of office space at 385 College View Street for the purpose of locating a grant funded office which is operated by the Division of Student Affairs.

Contractor’s Legal Name: EDR College View MS, LLC

History of Contract: While this is a new lease agreement, the lease is with the company that MSU has partnered with for the Public Private Development, College View. This will be a lease for a portion of the space in that development’s retail area.

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

Purpose: The College View space is more suitable for long-term occupancy and favorably located for the type of services provided by that office than available on-campus space.

Scope of Work: The agreement is to lease approximately 1,027 sq ft of space. MSU will provide base rent and proportionate share of real property taxes, insurance, operating expenses, and utility expenses. Landlord will provide site maintenance, trash collection and recycling, master electric, water and wastewater bills, and other drainage or utility bills

Term of Contract: Beginning Date will be at such time that the space is completed and built out as specified by the University, estimated Beginning and ending dates of the lease are: 8/1/2022 to 7/30/2030. Contract may be renewed for one 5-year period upon written agreement of both parties.

Termination Options: Default by either party; destruction by fire or other cause

Contract Amount: \$254,036.00

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Months	Base Rent Per Square Foot	Base Rent Per Month	Annual Rent
1-12	\$27.42	\$2,346.67	\$28,160.00
13-24	\$28.42	\$2,432.25	\$29,187.00
25-36	\$29.42	\$2,517.83	\$30,214.00
37-48	\$30.42	\$2,603.42	\$31,241.00
49-60	\$31.42	\$2,689.00	\$32,268.00
61-72	\$32.42	\$2,774.58	\$33,295.00
73-84	\$33.42	\$2,860.17	\$34,322.00
85-96	\$34.42	\$2,945.75	\$35,349.00

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

Contractor Selection Process: This location was selected due to the proximity to campus and the existing relationship with the University.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

5. UM –REQUEST FOR APPROVAL TO ENTER INTO CONTRACTUAL SERVICES AGREEMENT WITH CONVERGEONE, INC.

Agenda Item Request: The University of Mississippi Telecommunications Department requests approval to enter into a contract with **ConvergeOne, Inc.** to upgrade existing network switches and wireless access points. UM also requests a waiver to allow prepayment of three-year and five-year licenses pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services.

Contractor’s Legal Name: ConvergeOne, Inc.

History of Contract: This is a new contract.

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

Purpose: The purpose of this project is to renew and modernize network switching and wireless hardware at the University of Mississippi while focusing the planning and design on efficiency and cost savings through a 32% reduction of under-utilized existing edge switching and moving to a cloud managed Wi-Fi system across campus.

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The last major upgrade of the campus edge switching was in 2013. Approximately 60% of these switches are out of software support and will enter end of vulnerability support within two years. UM will replace 100% of the campus' edge switching which will provide a 10GB connection to every building on campus and a 1GB connection to every user device. The current Wi-Fi network supports 17,000 to 20,000 concurrent authentications during business and classroom hours. Approximately two-thirds of these wireless access points are not supported by the current vendor-recommended controller software and will enter end of vulnerability support within two years. The move to a cloud-based controller makes it possible to eliminate an expensive on-premise wireless controller, not only reducing cost but also shifting support and maintenance to the manufacturer, reducing the possibility of system failure.

This project required a significant re-engineering effort that resulted in a new network design that will provide improved performance and reduces support and operational costs. Characteristics of this new design include:

- An increase in the bandwidth to critical buildings from 1GB to 10GB.
- A reduction in the number of switches utilized wherever possible with a port-reduction plan that decreases the total number of replacement switches needed by 32%.
- Eliminates the need to purchase new wireless controllers and associated switching and the need to purchase future and on-going support and software services associated with an on-premise controlled Wi-Fi system.
- A reduction in the equipment footprint through the port reduction scheme that will reduce current power consumption by over 30% for edge switching. The elimination of on-premise wireless controllers and switches will eliminate that portion of power consumption by 100%. Less power consumption on both parts requires less cooling of communications closets and data center space
- A significant cost savings of approximately \$2 million versus one-to-one switch replacement. If the existing equipment was replaced with the current model and without the redesign, the cost would exceed \$6.8 million vs. \$4.6 million as planned.

Scope of Work: The scope of this procurement is to purchase 637 Cisco network switches and the required three-year licensing for Cisco network switches and to purchase 3,387 Meraki wireless access points with five-year licensing. UM network and telecommunications staff will be responsible for the configuration and installation of the network switching and wireless access points across campus.

Term of Contract: The term of this contract will include a three-year license for Cisco network switches and a five-year license for Meraki wireless access points.

Termination Options: This is not applicable as this is a purchase order for equipment and corresponding licenses.

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Contract Amount: The contract amount for this procurement with ConvergeOne, Inc. is \$4,660,883.71. This total includes prepayment to ConvergeOne for the following:

412 Cisco DNA Essentials 3-year licenses in the amount of \$361.32 per 3-year license for a total cost of \$148,863.84. This is Line 8 and 33 on ConvergeOne's bid. Per Cisco, the vendors is required to purchase, at minimum, a prepaid, three-year license of DNA Essentials for every Cisco switch we purchase, regardless of whether the license is utilized or not. We currently do not have the option to purchase a 1-year license or to split the cost of a multi-year license into yearly payments over the course of the licenses' validity.

3,387 Cisco Meraki MR Enterprise Licenses, 5-year in the amount of \$186.02 per 5-year license for a total cost of \$630,049.74. This is line 59 on ConvergeOne's bid. The choice to purchase these 5-year licenses is based on significant fiscal savings over the life of the associated wireless access points as follows:

- A Five-year license is \$186.02 each ($\$186.02 \times 3387 = \$630,049.74$)
- A one-year license would be \$102 with an expected 10% increase each year moving forward, putting the 5-year cycle at \$622.72 each ($\$622.72 \times 3387 = \$2,109,152.64$)
- Considering our volume (3,387 access points) the 5-year license initial purchase results in a savings of \$1,479,102.90.

Funding Source for Contract: The University of Mississippi Telecommunications department will fully fund this procurement through capital R&R reserves.

Contractor Selection Process: The university sought and received approval from ITS to conduct the request for bids process per CP-1 #20220328. A competitive procurement was conducted through a request for bids per Bid File 1020. ConvergeOne, Inc. submitted the lowest bid and met all specifications.

Staff Recommendation: *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.*

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6. UM – REQUEST FOR APPROVAL OF BUDGET ESCALATION FOR AUXILIARY ENTERPRISES

The University of Mississippi requests approval to escalate its **Auxiliary Enterprises Budget** for FY 2022.

The escalation is requested to realign major objects and to provide spending authority for additional revenues in Athletics and for greater than anticipated operating costs in water heating/cooling and treatment auxiliary service centers. Self-generated revenue will be used to fund the increase in operating expenditures.

University of Mississippi FY 2022 Auxiliary Enterprises Budget by Major Object			
Category	Original FY 2022 Operating Budget	Revision/Escalation	Revised FY 2022 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 49,693,136	\$ 894,173	\$ 50,587,309
Travel and Subsistence	8,193,126	28,000	8,221,126
Contractual Services	56,426,713	3,175,772	59,602,485
Commodities	24,565,803	(2,648,945)	21,916,858
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	2,315,955	(92,000)	2,223,955
Mandatory Transfers	21,442,778	-	21,442,778
Non-Mandatory Transfers	6,398,380	-	6,398,380
Increase in Fund Balance	-	-	-
Total	\$ 169,035,891	\$ 1,357,000	\$ 170,392,891

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

7. UMMC – REQUEST FOR APPROVAL TO AMEND LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 30 to the License and Support Agreement with **Epic Systems Corporation (Epic)** to add the base payer platform network for providers license to the current program property licensed under the agreement. The license will allow UMMC, as the provider, to connect to its various insurance payers through a direct portal link. This will facilitate exchange of documentation, claims information, prior authorizations, and communication related to insurance billing.

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Contractor's Legal Name: Epic Systems Corporation

History of Contract: On August 19, 2010, the Board approved the original License and Support Agreement with Epic for licensing and support of UMMC's electronic health record. The agreement subsequently has been amended upon Board approval. The term of the amended agreement is nine (9) years, from August 23, 2010, through August 22, 2024, with an estimated total cost of \$105,083,182.99. A complete history of the Epic contract is on file at the Board office.

Specific Type of Contract: This is Amendment No. 30 to the License and Support Agreement.

Purpose: The purpose of Amendment No. 30 to the License and Support Agreement with Epic Systems Corporation (Epic) to add the base payer platform network for providers license to the current program property licensed under the agreement. The license will allow UMMC, as the provider, to connect to its various insurance payers through a direct portal link. This will facilitate exchange of documentation, claims information, prior authorizations, and communication related to insurance billing.

Scope of Work: Under Amendment No. 30, Epic will:

- Provide the software license and support for the base payer platform network for providers; and
- Provide ongoing maintenance and support for the license.

Term of Contract: The term of Amendment No. 30 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024.

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

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

Contract Amount: There is no cost associated with Amendment 30 as license and maintenance fees are waived. The total cost of the Agreement remains \$105,083,182.99.

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

Contractor Selection Process: UMMC is currently contracted with Epic.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

8. UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH INTUITIVE SURGICAL, INC.

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

Contractor’s Legal Name: Intuitive Surgical, Inc.

History of Contract: UMMC currently owns two (2) diagnostic systems used in bronchoscopy patient navigation that require technology upgrades. Due to advances in technology, the Ion System can improve patient experience from diagnosis through treatment. The technology advancements provided by the Ion System allows physicians to perform minimally invasive lung biopsies, fiducial placement, and ablations with a low risk of complications for patients.

Specific Type of Contract: This is a new Lease Agreement and a new Use, License & Service Agreement.

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

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

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

Term of Contract: The Lease Agreement and the Use, License & Service Agreement shall be in effect for approximately one (1) year, one (1) month, and one (1) week, from April 25, 2022, through June 29, 2023. The term of the Lease Agreement and the Use, License & Service Agreement will begin upon the last date of signature, expected to be on or about April 25, 2022, and will end one (1) year from the delivery date of the Ion System to UMMC. Delivery is anticipated to be on or about June 30, 2022, for an expected termination date of June 29, 2023.

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

- by either party if the equipment is declared a total loss and UMMC pays all accrued sums due; and
- by the non-defaulting party upon written notice to the defaulting party in an event of default such as if:
 - UMMC does not pay on the due date any amount payable by it under the agreement and such default is not cured within ten (10) days;
 - a party does not comply with any term agreement;
 - any representation made or repeated by one party to the other party in the agreement is proved to be incorrect in any material respect when made or deemed to be repeated;
 - a party is unable to pay its debts as they fall due, admits its inability to pay its debts as they fall due, or is otherwise deemed insolvent, or begins negotiations with any creditor for the rescheduling of any of its indebtedness;
 - any step is taken with a view to a moratorium, rehabilitation or composition with any of the party's creditors, a meeting of its shareholders, directors or other officers is convened for the purpose of considering any resolution for, to petition for or to file documents with a court or any registrar for, its winding-up, bankruptcy, dissolution or judicial management or any such resolution is passed or any person petitions for or files documents for the same, an order for its bankruptcy, winding-up, judicial management or dissolution is made or any other analogous step or procedure is taken in any jurisdiction;
 - any provisional attachment, attachment, sequestration, distress, execution or analogous event affects any material asset(s) of a party and is not discharged within fourteen (14) days;

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- it is or becomes unlawful for a party to perform any of its obligations under the agreement, or the agreement is not effective in accordance with its terms;
- an event or series of events occur which, in the reasonable opinion of a party, is likely to result in a total loss;
- a party abandons the equipment or does anything which, in the reasonable opinion of the other party, prejudices the rights of the other party in or over the equipment;
- there is, in a party's reasonable opinion, a material change in the shareholding of the other party or any person, or group of persons acting in concert, acquires control of the other party; or
- an event or series of events occur which, in the reasonable opinion of the party, have or are likely to have a material adverse effect on the financial condition of the other party.

The ULSA may be terminated as follows:

- by Intuitive immediately upon written notice if the system use is not consistent with the manuals, labeling, or instructions for use;
- by Intuitive immediately upon written notice if UMMC permits any third party to modify, disassemble, reverse engineer, alter, or misuse the system or instruments and accessories;
- by Intuitive immediately upon written notice if UMMC permits the system to be moved or operated by non-trained personnel;
- by UMMC upon thirty (30) days prior written notice if an Intuitive individual providing services under the agreement becomes debarred, excluded, or otherwise ineligible for participation in any federal or state health care program;
- by either party upon written notice for a breach of a material term or condition that is not cured within thirty (30) days; and
- by UMMC if Intuitive cannot provide services for thirty (30) consecutive days due to a force majeure event.

Contract Amount: The total estimated cost of the agreement over the one (1) year term is \$500,000. The rental fees are \$120,000 for the term of the agreement, which includes the cost of service.

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

Contractor Selection Process: The Intuitive Ion Endoluminal System and instruments and accessories qualify as clinical commodities under Miss Code Ann. §37-7-1, which are exempted from procurement requirements under §31-7-13.

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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 all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

9. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH LOVE IRRIGATION, INC.**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Services Agreement with **Love Irrigation, Inc. (Love)** to provide irrigation services and system inspection and repairs.

Contractor’s Legal Name: Love Irrigation, Inc.

History of Contract: This is a new agreement with Love. Previously, UMMC contracted with Love to provide irrigation services for an amount less than \$250,000. In September 2021, UMMC issued Request for Proposal (RFP) 8026 for Irrigation Maintenance and Repair. UMMC received two (2) responses to the RFP. Proposals were evaluated based upon cost and quality so that the lowest and best proposal was selected. The UMMC selection committee selected Love as the awarded bidder for irrigation maintenance and repair services.

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

Purpose: The purpose of this agreement is to provide irrigation maintenance and repair services on UMMC campus.

Scope of Work: Under the agreement, Love will:

- Repair any irrigation leak on the irrigation mainlines and laterals piping;
- Repair, replace and adjust all sprinkler heads, as needed;
- Repair and troubleshoot on all site controllers, systems, sensors, weather stations and components;
- Respond to all alarms produced by the event log within a 24 hour time period;
- Perform all program changes needed for all locations; and
- Provide monthly systems and field inspections.

Term of Contract: The term of the agreement is five (5) years, from May 1, 2022, through April 30, 2027.

Termination Options: Termination options include the following:

- By either party upon agreement of the other party;

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- By UMMC with or without cause upon sixty (60) days written notice to Love;
- By UMMC in the event Love refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract if not cured within ten (10) days;
- Immediately upon Love's breach of any of the following ongoing representations and warranties that Love, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal healthcare programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs;
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
 - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Contractor being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
 - if Love is to receive any patients' personal health information, Love represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected;
- By UMMC upon thirty (30) days' written notice in the event of a reduction in funds; and
- In the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

Contract Amount: The estimated total cost of the agreement over the five (5) year term is \$404,150. The initial monthly payments are \$5,609.11, with annual increases beginning in year two. UMMC has also included a contingency amount of \$46,796 for additional irrigation materials, as needed.

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

Contractor Selection Process: In September 2021, UMMC conducted RFP 8026, Irrigation Maintenance and Repair. Two (2) bidders submitted proposals, including Rotolo Consultants, Inc. (RCI) and Love Irrigation (Love). Proposals were evaluated based upon cost and responses to specifications so that the lowest and best proposal would be selected. The UMMC selection committee selected Love as the awarded bidder for the services. The following reflects the scoring for the proposals.

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	RFP Score	Cost
RCI	60.84	\$600,000
Love Irrigation	88.57	\$357,355.68

The above costs were calculated based on current needs without factoring additional material cost. The cost for the proposed agreement includes funds for purchase of needed irrigation materials, which accounts for the difference in cost.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

10. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH ROTOLO CONSULTANTS, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Grounds Maintenance and Landscape Management Services Agreement with **Rotolo Consultants, Inc. (RCI)** to provide grounds maintenance and landscape management services. UMMC also requests approval to amend the agreement as needed to add additional services without seeking prior Board approval as long as it does not increase the approved expenditure level.

Contractor’s Legal Name: Rotolo Consultants, Inc.

History of Contract: On June 15, 2017, the Board approved the agreement for grounds maintenance services with RCI for a total of \$2,376,000 over the five (5) year term. The Board approved Amendment 1 in October 2018 and Amendment 2 in August 2020 to broaden the scope of work to include other UMMC locations. The amended cost of the agreement was \$2,691,318.26.

In September 2021, UMMC issued Request for Proposal (RFP) Number 8027 for Grounds Maintenance Services. UMMC received two (2) responses to the RFP. Proposals were evaluated based upon cost and quality so that the lowest and best proposal would be selected. The UMMC selection committee selected RCI as the awarded bidder for grounds maintenance services.

Specific Type of Contract: This is a new grounds maintenance and landscape management services agreement on UMMC’s main campus.

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Purpose: The purpose of this agreement is to provide appropriate grounds maintenance and landscaping services for UMMC's main campus.

Scope of Work: RCI will provide UMMC with the following maintenance services, which will include but, not be limited to:

- Grass and brush cutting;
- Edging, trimming, pruning and fertilizing, including ryegrass overseeding;
- Sidewalk and street blowing;
- Shrub and flowerbed care;
- Planting of replacement trees and shrubs;
- Planting of annual color in the form of flowers, plants and/or shrubs twice yearly;
- Assisting UMMC staff in the monitoring of all landscape areas for proper irrigation;
- Watering of non-irrigated areas;
- Pick-up and proper disposal of trash/debris;
- Six (6) full time staff members on site throughout the year.

UMMC provides for the following services:

- UMMC will be responsible for irrigation and watering of lawn areas and garden beds where sprinkler systems are installed; and
- Replacement trees, shrubs, and other plantings, and mulch will be provided by UMMC, as necessary and at UMMC's discretion.

Term of Contract: The term of the agreement is five (5) years, from July 1, 2022 through June 30, 2027.

Termination Options: Termination options include the following:

- By either party for any reason upon thirty (30) days written notice;
- By UMMC in the event that RCI refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract if not cured within ten (10) days;
- Immediately upon RCI's breach of any of the following ongoing representations and warranties that RCI, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal healthcare programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs;

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- are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
- are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in it being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
- if RCI is to receive any patients’ personal health information, RCI represents and warrants that it has implemented safeguard to ensure that the privacy and confidentiality of patients’ personal health information is protected;
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC; and
- In the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

Contract Amount: The cost of the contract is \$3,000,000 for the five (5) year term. UMMC will be invoiced on a monthly basis in the amount of \$43,539.83 for the first twelve (12) months of the agreement with a one percent (1%) increase after year one (1) and a two and a half percent (2.5%) increase beginning in year three (3). UMMC has also included a contingency amount of \$286,228 for potential additional services needed during the term of the agreement.

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

Contractor Selection Process: In September 2021, UMMC conducted Request for Proposal (RFP) 8027 for Grounds Maintenance Services. Two (2) bidders submitted proposals: RCI and Trisler Landscape Management, Inc. Proposals were evaluated based upon cost and responses to specifications so that the lowest and best proposal would be selected. The UMMC selection committee selected RCI as the awarded bidder for grounds maintenance services. The following reflects the scoring for the proposals. The overall score indicated below is based upon cost and other factors.

Vendors	RFP Score	Cost
RCI	40.00	\$2,713,772.00
Trisler Landscape Management, Inc.	37.83	\$2,860,814.33

The above costs were calculated upon the landscape and grounds maintenance services currently needed on UMMC’s main campus, without factoring in costs for potential additional services. The cost for the proposed agreement includes funds for potential additional services, which accounts for the difference in cost.

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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 all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

11. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SUBSCRIPTION AGREEMENT WITH UPTODATE, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a library database subscription and license agreement with **UpToDate, Inc. (UpToDate)** for use of the *UpToDate Anywhere* database. The subscription and license agreement provides electronic access to the *UpToDate Anywhere* database, a clinical point-of-care tool used by UMMC clinicians and students both on and off campus.

Contractor’s Legal Name: UpToDate, Inc.

History of Contract: On February 21, 2019, the Board approved a three (3) year agreement with UpToDate for the *UpToDate Anywhere* database.

Specific Type of Contract: This is a new library database subscription agreement.

Purpose: The purpose of the agreement is to provide electronic access to the *UpToDate Anywhere* database, a clinical point-of-care tool used by UMMC clinicians and students both on and off campus. The agreement allows UMMC users the ability to access, search, browse, view and print information related to patient care in UpToDate. Authorized users include all students, faculty, staff, and researchers at UMMC.

Scope of Work: UpToDate will provide UMMC with 24/7 access to the database. Access will be provided via IP access to UMMC faculty, students and staff from both on-campus and off-campus.

Term of Contract: The term of the agreement is three (3) years, from May 1, 2022, through April 30, 2025.

Termination Options: The agreement may be terminated as follows:

- By UMMC if UpToDate materially breaches this agreement and such breach is not cured with 30 days of written notice;
- By UMMC with or without cause upon sixty (60) days written notice;
- By UMMC in the event of a reduction in funds;

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- By UpToDate if UMMC or its authorized users breach this agreement and such breach is not cured within 30 days, or 15 days in the case of non-payment; and
- By UpToDate in the event of an intellectual property infringement claim made by a third party against UMMC.

Contract Amount: The total estimated cost of the agreement is \$1,500,000. UMMC has included in the total estimated cost a contingency of thirty percent (30%) of the three (3) year subscription costs to cover any potential increases in the number of sites, clinicians, or students/residents over the allotted amount.

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

Contractor Selection Process: *UpToDate Anywhere* is a clinical point-of-care tool that is proprietary to and offered only by UpToDate. The information represented in the UpToDate database is unique and contains distinct information not available from other subscription providers.

Staff Recommendation: *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.*

12. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A PRICING AGREEMENT WITH VAPOTHERM, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Pricing Agreement with **Vapotherm, Inc.** (Vapotherm) for placement of the Vapotherm Hi-VNI[®] Precision Flow Systems and purchase of related disposables for the treatment of respiratory distress, including hypercapnia, hypoxia and dyspnea. This technology provides non-invasive ventilation for spontaneously breathing patients that allows for quick set up and fast stabilization of infant, pediatric, and adult patients. UMMC also requests approval amend the Agreement to add or remove disposables and placed equipment as needed without seeking prior Board approval, as long as it does not increase the approved expenditure level.

Contractor's Legal Name: Vapotherm, Inc.

History of Contract: On April 15, 2021, the Board approved a Pricing and Placement Agreement with Vapotherm for the placement of the Vapotherm Hi-VNI[®] Precision Flow Systems and purchase of related disposables. The agreement will expire on April 30, 2022.

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

Purpose: The purpose of the Agreement is for the continued placement of forty (40) Vapotherm Hi-VNI® Precision Flow Systems and purchase of related disposables for the treatment of respiratory distress, including hypercapnia, hypoxia and dyspnea. This technology provides non-invasive ventilation for spontaneously breathing patients that allows for quick set up and fast stabilization of infant, pediatric, and adult patients.

Scope of Work: Under the Agreement, forty (40) Vapotherm Hi-VNI® Precision Flow Systems will remain at UMMC at no additional cost in exchange for UMMC's purchase of related disposables. There is no commitment for UMMC to purchase a required volume or amount of disposables.

Term of Contract: The term of the agreement is three (3) years, from May 1, 2022, through April 30, 2025.

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

- by either party upon ninety (90) days' written notice; and
- by UMMC in the event of insufficient funds.

Contract Amount: The total estimated cost of the Agreement over the three (3) year term is \$600,000. UMMC has included a fifteen percent (15%) increase beginning in year two to allow for potential price and volume increases. Vapotherm may increase prices up to three percent (3%) each calendar year.

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

Contractor Selection Process: The Vapotherm Hi-VNI® Precision Flow Systems and related disposables qualify as clinical commodities under Miss Code Ann. §31-7-1, which are exempted from procurement requirements under §31-7-13.

Staff Recommendation: *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.*

13. USM – REQUEST TO ESCALATE THE FY 2022 BUDGET FOR THE GULF COAST RESEARCH LABORATORY

The University of Southern Mississippi (USM) requests permission to escalate its **Gulf Coast Research Laboratory (GCRL) Budget** for FY 2022.

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The escalation is requested to realign spending authority within Revenue, Major Objects and Major Functions. The sources of funding for excess expenditures came from increased facilities and administrative (F&A) cost recovery and an increase in lease revenue. Due to an increase in external funding from federal and state agencies, the F&A revenue has increased. Additionally, casino revenues are at their highest levels which translates to an increase in lease revenue received for the Point Cadet Lease.

Budget Revision by Major Object			
Category	Current Budget	Increase/(Decrease)	Revised Budget
Salaries	4,530,739	100,000	4,630,739
Wages	480,664	-	480,664
Fringe Benefits	1,711,148	33,000	1,744,148
Total Salaries, Wages, and Fringe Benefits	6,722,551	133,000	6,855,551
Travel and Subsistence	96,082	-	96,082
Contractual Services	2,180,939	71,225	2,252,164
Commodities	636,145	-	636,145
Capital Outlay			
Non-Equipment	10,000	-	10,000
Equipment	59,579	-	59,579
Total Capital Outlay	69,579	-	69,579
Mandatory Transfers			
Debt Service	-	-	-
Matching	175,000	-	175,000
Other	-	-	-
Total Mandatory Transfers	175,000	-	175,000
Non-Mandatory Transfers			
Auxiliary Support	-	-	-
Building Projects	-	-	-
Other	-	-	-
Total Non-Mandatory Transfers	-	-	-
Increase in Fund Balance			
Total Uses of Funding	9,880,296	204,225	10,084,521

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

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14. USM – REQUEST FOR APPROVAL TO ENTER INTO A CAMPUS-WIDE SPONSORSHIP AGREEMENT WITH COCA-COLA BOTTLING COMPANY UNITED – GULF COAST, LLC

Agenda Item Request: The University of Southern Mississippi (USM) requests approval to amend its existing contract with **Coca-Cola Bottling Company United – Gulf Coast, LLC**, for the campus-wide beverage pouring rights and sponsorship agreement to adjust the annual sponsorship fees paid to USM relative to changes in on-campus attendance, schedules, and athletic events for FY2020 and FY2021 during COVID-19.

Contractor’s Legal Name: **Coca-Cola Bottling Company United – Gulf Coast, LLC**

History of Contract: Hattiesburg Coca-Cola Bottling Company held the pouring rights under a ten year agreement with a term from December 2005 until December 2015. In February 2015, through a competitive Request for Proposal and award process, Coca-Cola earned the right to continue its exclusive beverage sponsorship of the university, with campus-wide beverage availability rights, on and off campus marketing rights, and exclusive full service beverage vending on campus. USM and Coca-Cola entered into an IHL Board approved 10-year contract term from July 1, 2015 to June 30, 2025.

Specific Type of Contract: Campus Sponsorship and Pouring Rights Agreement

Purpose: The purpose of this contract amendment is to address a loss of sponsorship opportunities missed due to COVID-19 campus closures and canceled athletic events in the spring and summer of FY2020 and continuing into FY2021. This amendment seeks to satisfy Section 16.C.2 and 16.C.3 of the original agreement which allows for adjusted sponsorship fees to reflect a decreased value of sponsorship rights experienced during situations such as these.

Scope of Work: Under the amended agreement, Coca-Cola will continue as the exclusive beverage sponsor for the existing term of the Agreement, and the University will continue to receive the financial benefits of the existing agreement with a reduction in the Sponsorship Fees for Agreement Year 6, and additional sponsorship opportunities beginning in Agreement Year 7.

Term of Contract: The contract term of July 1, 2015, and ending June 30, 2025 is still in effect.

Termination Options: Termination options include the following:

- USM may terminate the agreement if (1) the vendor doesn’t pay as promised, (2) the vendor breaches the terms of the agreement and fails to cure the breach within forty-five (45) days of receiving written notice of the breach, or (3) the vendor becomes insolvent or bankrupt.

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- The vendor may terminate the agreement if (1) USM breaches the terms of the agreement, (2) USM becomes insolvent or bankrupt, (3) USM’s authority to convey any of the rights in the agreement expires or is revoked, in whole or in part, (4) a portion of USM closes for a period of more than one hundred twenty (120) consecutive day, outside of the regularly scheduled breaks, and (5) Athletics activities cease. Vendor must give USM forty-five (45) days written notice when exercising any of its termination rights.

Contract Amount: The total contract value over ten years is \$6,933,822.68 as detailed in the following breakdown:

YEAR	Sponsorship Fees	Marketing & In-Kind	Scoreboards	Sulte & Tickets	Company Beverages to Athletics	Sideline Equipment	Vending Commlsslons	Product Donation	YEARLY TOTAL
2015	\$ 750,000.00								\$ 750,000.00
2016	\$ 390,000.00	\$ 57,000.00	\$ 30,000.00	\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 659,000.00
2017	\$ 390,000.00	\$ 57,000.00		\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 629,000.00
2018	\$ 390,000.00	\$ 57,000.00	\$ 20,000.00	\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 649,000.00
2019	\$ 390,000.00	\$ 57,000.00		\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 629,000.00
2020	\$ 390,000.00	\$ 57,000.00	\$ 20,000.00	\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 649,000.00
2021	\$ 183,822.68	\$ 57,000.00		\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 422,822.68
2022	\$ 390,000.00	\$ 57,000.00	\$ 15,000.00	\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 644,000.00
2023	\$ 390,000.00	\$ 57,000.00		\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 629,000.00
2024	\$ 390,000.00	\$ 57,000.00	\$ 15,000.00	\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 644,000.00
2025	\$ 390,000.00	\$ 57,000.00		\$ 40,000.00	\$ 35,500.00	\$ 10,000.00	\$ 80,000.00	\$ 16,500.00	\$ 629,000.00
TOTALS	\$ 4,443,822.68	\$ 570,000.00	\$ 100,000.00	\$ 400,000.00	\$ 355,000.00	\$ 100,000.00	\$ 800,000.00	\$ 165,000.00	\$ 6,933,822.68

Per this amendment, the Sponsorship Fees are reduced by a total of \$206,177.32 from the original agreement and the overall revenue for the life of the contract changes from \$7,140,000 to \$6,933,822.68.

- Coca-Cola paid the University the Sponsorship Fees of \$390,000 due for Agreement Year 5 (July 1, 2019 to June 30, 2020).
- Both parties agree that Coca-Cola is owed a credit of \$77,910.96 for Agreement Year 5 as a result of interruptions to the University’s Campus and Athletics operations due to the Pandemic from March 16, 2020, through June 30, 2020.
- To satisfy the \$77,910.96 credit, \$38,955.48 of the Sponsorship Fees paid in Agreement Year 5 shall be reallocated and credited toward the Sponsorship Fees earned in Agreement Year 6, and the University will provide the additional sponsorship opportunities to Coca-Cola in Agreement Year 7 (July 1, 2021 – June 30, 2022) with an agreed aggregate value of \$38,955.48.
- Both parties agree the University earned Sponsorship Fees of \$222,778.16 for Agreement Year 6 relative to interruptions in the University’s Campus and Athletics operations due to the Pandemic from July 1, 2020, through June 30, 2021.

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- Sponsorship Fees earned for Agreement Year 6 (\$222,778.16) shall be reduced by the credit (\$38,955.48) to a total of \$183,822.68. Coca-Cola will pay the Adjusted Sponsorship Fees to University within thirty (30) days after the date this Amendment is fully executed.

Funding Source for Contract: A funding source is not applicable as this is a revenue generating agreement.

Contractor Selection Process: The current agreement with Coca-Cola in 2015 resulted after the University issued an RFP (RFP #15-04) on October 17, 2014. Two proposals were received and opened on January 16, 2015. A cross-functional committee evaluated the responses on criteria under the following categories: Financial Structure and Total Economic Value, Pouring Rights Operations and Management Plan, and Personnel, Commitment, and References. After the respondents made presentations, a best and final offer was requested from both respondents. These were received on February 12, 2015, and from those, the Coca-Cola proposal was chosen as the best overall proposal to the University. The agreement was submitted for IHL Board approval.

This first amendment is based on a contractual renegotiation process and mutual agreement by both parties to address impacts of the COVID-19 pandemic related to loss of sponsorship and marketing opportunities. USM and Coca-Cola Bottling Company United – Gulf Coast, LLC, have built a mutually beneficial partnership and the university believes it is advantageous to amend the previously approved sponsorship agreement.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

15. USM-REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ROHDE & SCHWARZ USA, INC.

Agenda Item Request: The University of Southern Mississippi requests Board approval of a purchase from **Rohde & Schwarz USA, Inc.** for a ZNA Vector Network Analyzer.

Contractor's Legal Name: **Rohde & Schwarz USA, Inc.**

History of Contract: This is the first time USM has acquired this equipment.

Specific Type of Contract: This is a new equipment acquisition.

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Purpose: The purpose of the contract is to procure a Vector Network Analyzer for ongoing research on a federally funded grant. No services will occur on campus.

Scope of Work: This contract involves the acquisition of a vector network analyzer (VNA). It is needed to validate the conductivity and electromagnetic interference shielding efficiency (EMI SE), and maintain rapid throughput at varying scales of the scale up. This instrument's ability to scan from 10 MHz to 67 GHz is necessary to scan all frequencies of interest relevant to warfighters in and out of the aerospace envelope. A 4-port VNA delivers the greatest versatility for configuration and testing and detecting transmitted, absorbed, and reflected EMI while simultaneously measuring IF and RF using a second internal source. An external 1 GHz reference frequency input reduces calibration and increasing operational up time. A third and fourth internal source saves wear and tear on antenna switching and increases testing throughput. The ability of pulse modulation at greater than 80 dB is necessary to achieve the desired ratings and sensitivity required by the funding agencies.

Term of Contract: The term of this contract will begin upon issuance of a purchase order and will end upon final payment once the equipment is delivered, accepted, invoiced, and paid. There is approximately a 13-week lead time for the analyzer once the order is placed.

Termination Options: The contract may be terminated as follows:

- If Rohde & Schwarz is unable to meet the Buyer's delivery requirements, including the firm delivery date, alternative arrangements may be agreed. In the absence of such agreement, the Buyer's sole remedy is the right to cancel its order.
- The Buyer may cancel the order no later than 45 days before the scheduled ship date. Rohde & Schwarz may refuse or accept the request, with or without charging the rescheduling/ cancellation fee of 5% of the order value for the affected product.
- If a force majeure event continues for more than 180 days the order may be cancelled by either party.
- Rohde & Schwarz may terminate the software license if Licensee (Buyer) discloses the software to others who are using the Product without Rohde & Schwarz's written consent.

Contract Amount: The total acquisition cost will be \$306,214.

Funding Source for Contract: The equipment purchase will be funded externally through a federal grant from the Air Force Research Laboratory through both Florida State University and The University of Southern Mississippi. The title of the grant is "Design and Scale-up Manufacturing of Aerospace Composites for Enhanced Electromagnetic Multifunctional Performance."

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Contractor Selection Process: The vendor was selected via the University's standard sealed bidding process. The Vector Network Analyzer Bid #22-25 was published December 16, 2021 and opened January 16, 2022. We received three bid responses. Rohde & Schwarz USA was the lowest bid meeting the specifications. We received P-1 approval from DFA (8200061920) for the acquisition on February 23, 2022.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

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

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

Board Policy §905(A), Real Estate Management

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

Board Policy §905(B), Real Estate Management

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

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

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. JSU – GS 103-308 – DINING HALL EXPANSION

Project Request: Jackson State University requests approval to initiate a project, Dining Hall Expansion, and to appoint Durrell Design Group, PLLC as the design professional for the project.

Proposed Project Professional: Durrell Design Group, PLLC

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

Purpose: Jackson State University is seeking to initiate the project and appoint the design professional as required by Board Policy. This will allow the university to proceed with the pre-planning portion of the project.

Project Scope: This project will consist of a new 30,000+ dining facility to be located to the north of the existing Student Center which is currently the parking lot. The new facility will feature a state-of-the-art kitchen along with more efficient food prep/storage. It will create a modern and open concept that will allow students, faculty, and staff a more spacious and comfortable dining experience, alleviating current space deficiencies. The capacity for student dining is no more than 200 persons at a given time. Expanding the dining area for the campus community will allow more access to dining facilities when desired, improve ADA compliance, and provide a quality facility for students, faculty, and staff.

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Although JSU is initiating the project at \$250,000, this project is anticipated to be \$12M once additional state bond funds have been secured by the university. Once these additional bond funds are released, a request to increase the budget will be submitted for Board approval.

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

Project Initiation Date: April 21, 2022

Date of Original Construction: 2008

Date of Last Renovation: N/A

Proposed Project Budget: (Design Fees Only)

	<u>Estimated</u>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	250,000.00
Misc. Project Costs:	0.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 250,000.00

Funding Source(s): SB 2971, Laws of 2021 (\$250,000)

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

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IHL PROJECTS

2. MSU – IHL 205-323 – SOLAR AND LIGHTING ENERGY SAVINGS PERFORMANCE CONTRACT WITH ENTEGRITY ENERGY PARTNERS, LLC

Project Request: Mississippi State University requests approval to initiate an energy savings performance contract with Entegriy Energy Partners, LLC.

Contractor’s Legal Name: Entegriy Energy Partners, LLC

History of Contract: In January of 2020, the IHL Board approved IHL# 205-303 Investment Grade Audit by Entegriy for Solar Energy and Efficiency Measures. The resulting audit identified numerous renewable energy and energy efficiency measures. Upon detailed review of the various audit measures, MSU has decided to move forward with the proposed scope of solar installation and lighting upgrades

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

Purpose: In accordance with Mississippi Code Section 31-7-14, Mississippi State University is seeking approval to initiate an Energy Savings Performance Contract with Entegriy for the purpose of installing a 1.59-Megawatt solar PV array and retrofitting lighting to LED in 69 campus buildings. The proposed \$8,500,000 scope of solar and lighting will yield a guaranteed minimum annual cost savings of \$913,000 with a 20-year cumulative cost savings of \$23,464,308. In addition to reducing operational costs and cutting annual carbon output by 7%, this project will have a positive impact on Mississippi State University's sustainability, academic, research and outreach goals.

Project Scope: The performance contract will consist of constructing a 1.59-Megawatt solar PV array on campus south of R.L. Jones Circle and retrofit outdated lighting in 69 campus facilities to LED lighting.

Termination Options: Mississippi State University may, at its option, and for any reason whatsoever or for no reason, terminate the contract, in whole or from time to time in part, at any time by giving notice to Entegriy.

MSU will have the right to terminate the contract for cause at any time after the occurrence of any of the following events and any applicable right to cure period:

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1. Entegrity becomes insolvent or files for relief under the bankruptcy laws of the United States.
2. Entegrity makes a general assignment for the benefit of its creditors or fails to pay its debts as the same become due.
3. A receiver is appointed to take charge of Entegrity's property.
4. Entegrity abandons the Work.
5. Entegrity persistently or repeatedly refuses or fails to supply skilled supervisory personnel, an adequate number of properly skilled workers, proper materials, or necessary equipment to prosecute the Work in accordance with the Contract Documents.
6. Entegrity fails to make prompt payment of amounts properly due Subcontractors after receiving payment from University.
7. Entegrity disregards Applicable Code Requirements.
8. Entegrity persistently or materially fails to execute the Scope Work in accordance with the Contract Documents.
9. Entegrity is in default of any other material obligation under the Contract Documents.
10. Entegrity persistently or materially fails to comply with applicable safety requirements.
11. The commencement or completion of any work activity on the critical path is more than 30 days behind the date set forth in the contract schedule for such work activity due to the fault of Entegrity or any Trade Subcontractor, and which results in a delay.

Mississippi State University is seeking to initiate a 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: April 21, 2022

Date of Original Construction: N/A

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Date of Last Renovation: N/A

Project Budget: (Design Fees Only)

		<i>Estimated</i>
Construction Cost:	\$	7,600,000.00
Architectural and Engineering Fees:		125,000.00
Misc. Project Costs:		325,000.00
Furniture & Equipment Costs:		0.00
Contingency:		369,904.00
Total Project Budget	\$	8,500,000.00

Funding Source(s): University Funds from Reduced Energy Expenditures (\$8,500,000)

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

3. MSU – IHL 205-324 – HERZER ROOF REPLACEMENT

Project Request: Mississippi State University requests approval to initiate a project, Herzer Roof Replacement, and to appoint Shafer Zahner Zahner as the design professional for the project.

Proposed Project Professional: Shafer Zahner Zahner

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

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

Project Scope: This project will replace the roof of Herzer Building.

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

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Project Initiation Date: April 21, 2022

Date of Original Construction: 1937

Date of Last Renovation: 2000

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,000,000.00
Architectural and Engineering Fees:	80,000.00
Misc. Project Costs:	20,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>100,000.00</u>
Total Project Budget	\$ 1,200,000.00

Funding Source(s): University Designated Funds (\$1,200,000)

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

4. UM – IHL 207-472 – VAUGHT-HEMINGWAY STADIUM WEST SIDE ADDITIONS & RENOVATIONS

Project Request: The University of Mississippi requests approval to appoint Hellmuth, Obata, & Kassabaum, P.C. (HOK), as the design professional for the Vaught-Hemingway Stadium West Side Additions & Renovations project.

Proposed Project Professional: **Hellmuth, Obata, & Kassabaum, P.C. (HOK)**

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

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

Project Scope: The project will demolish a portion of the existing west side grandstand and press box structure to construct new spaces as site and budget permit. New programmatic needs include: Service Areas (Commissary, Loading Dock, Stadium Storage, and Kitchen), Premium Areas (Field Club/Seating, Ledge Seating,

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Loge Boxes, and Clubs/Suites of varying size), and Press Box for north/south functions.

The exact scope of work is not known at this time. The intention of this request is to appoint the Design Professional. The design professional will assist the University in determining the project scope and budget; and finally produce design/construction documents for the scope determined. Initially, funds will be used for design only. The University will submit a subsequent Board agenda item to increase the budget as required to reflect the established scope of work.

The University of Mississippi is seeking to appoint the design professional for 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, 2021

Date of Original Construction: 1937

Date of Last Renovation: 2016 (North End Zone)

Project Budget: (Design Fees Only)

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

Funding Source(s): UM Athletics / OMAF Foundation (\$1,500,000)

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

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

Project Request: The University of Mississippi Medical Center requests approval to initiate a project, Children’s Cancer Clinic Renovation, and to appoint Cooke Douglass Farr Lemons (CDFL) Architects + Engineers as the design professional for the project.

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Proposed Project Professional: CDFL Architects + Engineers

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

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

Project Scope: This project will renovate the basement floor of the Batson Tower for the Children’s Cancer and Blood Disorders Clinic.

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

Project Initiation Date: April 21, 2022

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,103,608.00
Architectural and Engineering Fees:	190,255.00
Misc. Project Costs:	270,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>436,137.00</u>
Total Project Budget	\$ 3,000,000.00

Funding Source(s): Children’s of Mississippi Philanthropy (\$3,000,000)

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

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

IHL PROJECTS

6. MSU – IHL 205-311 – TRANSPORTATION ALTERNATIVES PROJECT COLLEGEVIEW CONNECTOR

Project Request: Mississippi State University is requesting approval to increase the budget from \$1,750,000 to \$2,000,000 for an increase in the amount of \$250,000. In addition, MSU request to add MSU Designed Funds as a funding source to the project to allow for the budget increase.

Current Project Phase: Design Phase

Design Professional: Neel-Schaffer Inc.

General Contractor: TBD

Purpose/Justification: The purpose of this request is to increase the project budget and add a funding source to the above reference project that will connect the northwest corner of Mississippi State University campus to the City of Starkville for a bike and pedestrian corridor.

Project Scope: The project scope includes design and construction of a multi-use path, connecting Collegview Drive to Highway 182. The connection will provide a needed bike and pedestrian connection from the northwest sector of the campus of Mississippi State University to the improved City of Starkville bike and pedestrian corridor along Highway 182.

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

Project Initiation Date: May 20, 2021

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Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,520,000.00	\$ 1,574,000.00	\$ 54,000.00
Architectural and Engineering Fees	\$ 118,760.00	\$ 300,000.00	\$ 181,240.00
Miscellaneous Project Costs	\$ 35,240.00	\$ 50,000.00	\$ 14,760.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 76,000.00	\$ 76,000.00	\$ 0.00
Total Project Budget	\$ 1,750,000.00	\$ 2,000,000.00	\$ 250,000.00

Proposed Funding Source(s): Mississippi Department of Transportation Alternatives Program (\$1,750,000); MSU Designated Funds (\$250,000)

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

7. UM – IHL 207-440 – NEW BAND PRACTICE FIELD

Project Request: The University of Mississippi is requesting approval to increase the budget from \$65,000 to \$3,500,000 for an increase in the amount of \$3,435,000.

Current Project Phase: Design Phase

Design Professional: Holcombe Norton Partners, LLC

General Contractor: TBD

Purpose/Justification: This project was initiated at IHL in November 2017. At this time the project estimate was \$65,000 (design fees only) and the design professional was appointed. The project lay dormant for a while and was only recently restarted. Now as the university submits this request for a revised budget, the project estimate is \$3,500,000. The University of Mississippi would like to continue with this design team in the interests of moving the project forward and increase the project budget from \$65,000 to \$3,500,000.

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Project Scope: The Ole Miss Pride of The South Band practice facilities have met their useful life. The field is often underwater and muddy after average rains. The director’s tower is approaching a condition where safety will soon be a concern. Access to the field is not sufficient and often causes damage to front ensemble instruments. The University intends to construct a new practice field with proper drainage structures and lights, a new director’s tower, small storage building, and proper field access.

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

Project Initiation Date: November 16, 2017

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 2,760,000.00	\$ 2,760,000.00
Architectural and Engineering Fees	\$ 65,000.00	\$ 185,606.00	\$ 120,606.00
Miscellaneous Project Costs	\$ 0.00	\$ 117,970.00	\$ 117,970.00
Furniture & Equipment Costs	\$ 0.00	\$ 32,000.00	\$ 32,000.00
Contingency	\$ 0.00	\$ 404,424.00	\$ 404,424.00
Total Project Budget	\$ 65,000.00	\$ 3,500,000.00	\$ 3,435,000.00

Proposed Funding Source(s): Internal R&R (\$3,500,000)

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

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APPROVAL OF OTHER REAL ESTATE REQUESTS

8. UM – APPROVAL OF PERPETUAL EASEMENT TO TELEPAK NETWORKS, INC D/B/A CSPIRE

Agenda Request: The University of Mississippi (“UM”) requests that the Board of Trustees of State Institutions of Higher Learning (“IHL”) approve a perpetual easement to Telepak Networks, Inc., d/b/a C Spire for the purpose of installing a C Spire Fiber System.

Purpose: The University requests approval to grant the easement to C Spire to permit installation of the C Spire Fiber System and related service lines and access pedestals or hand holes on the right-of-way and easement herein granted.

Property Description: The easement covers a parcel of land containing 625.0 square feet, more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 17, Township 8 South, Range 3 West, Lafayette County, Mississippi and a parcel of land containing 484.4 square feet, more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 17, Township 8 South, Range 3 West, Lafayette County, Mississippi as per the survey attached as exhibit A to the easement.

Terms: C Spire will pay \$2,400.00 per year to the University, subject to periodic adjustment, in perpetuity or until C Spire’s rights are terminated.

Termination Options: In the event C Spire fails to pay the annual amount within thirty (30) days of written notice from the University that it has not received the annual amount, the University shall have the right, by written notice to C Spire to terminate the easement. In addition, C Spire shall have the right to terminate this easement and its rights granted hereunder upon written notice to the University. The University shall have right to terminate the easement and all the rights granted herein any time after six (6) months of continuous non-use of the easement and the easement area by C Spire.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, and requesting approval of all easements greater than \$100,000.

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

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1. **MSU – APPROVAL TO MODIFY A CONTRACT WITH BROWN AND LANGSTON AS OUTSIDE COUNSEL**

Mississippi State University requests permission to modify a contract with the law firm of Brown and Langston to perform services necessary in assisting the University with intellectual property matters and specifically concerning the filing and prosecution of patent applications. This modification will extend the term of the contract for one year or through May 17, 2023. The blended hourly rate for all attorneys will remain \$165 per hour with a maximum amount payable of \$10,000 under this one-year term. All other provisions of the existing contract remain unchanged. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This request has been approved by the Attorney General.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

2. **MSU – APPROVAL TO CONTRACT WITH CONLEY ROSE, P.C. AS OUTSIDE COUNSEL**

Mississippi State University requests permission to enter into a contract with the law firm of Conley Rose, P.C., to perform services necessary in assisting the University in the areas of intellectual property and patent application matters. The term of the contract is one year beginning May 1, 2022. The hourly rate for all attorneys is \$290 and \$175 per hour for paralegal services with a maximum amount payable of \$75,000 under this one year term. This firm carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. This request has been approved by the Attorney General.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

3. **MSU – APPROVAL TO MODIFY A CONTRACT WITH MENDELSON DUNLEAVY, P.C. AS OUTSIDE COUNSEL**

Mississippi State University requests permission to modify a contract with the law firm of Mendelson Dunleavy, P.C., to perform services necessary in assisting the University with intellectual property matters and specifically concerning the filing and prosecution of patent applications. This modification will extend the term of the contract for one year or through May 1, 2023. The firm will continue to provide legal representation at the following rates: Kevin J. Dunleavy \$350/hour, Steve Mendelson \$350/hour, Garth Dahlen \$350/hour, Tu Phan-Kerr \$350/hour, Sandra Lex \$250/hour, Kristina Sanchez \$200/hour (U.S. Patent Agent only), and Paralegals \$100/hour. The maximum amount payable under this one-year renewal term is \$75,000. All other provisions of the existing contract remain unchanged. This firm carries professional liability insurance coverage in

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the amount of \$1,000,000 per claim with an annual aggregate of \$3,000,000. This request has been approved by the Attorney General.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

4. **SYSTEM – REQUEST FOR APPROVAL FOR FINAL ADOPTION OF AMENDMENTS TO BOARD POLICIES 201.0509 INSTITUTIONAL EXECUTIVE OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH PROCESS AND 201.0510 APPLICATION BY INTERIM OR ACTING INSTITUTIONAL EXECUTIVE OFFICER FOR INSTITUTIONAL EXECUTIVE OFFICER POSITION**

Board approval for final adoption is requested regarding the below proposed amendments to Board Policies 201.0509 and 201.0510 and to waive the requirement of IHL Board Policy 201.0302 for first reading of the policy amendments. These policy amendments were discussed in detail during the March 2022 Board meeting.

201.0509 INSTITUTIONAL EXECUTIVE OFFICER/COMMISSIONER OF HIGHER EDUCATION SEARCH PROCESS

A. General Policy

Pursuant to Art. 8 §213 A of the Mississippi Constitution of 1890, as amended, and Miss. Code Ann. §37-101-15 (f) (1972), as amended, the Board shall have the power and authority to elect the heads of the various institutions of higher learning. The accrediting body for our Mississippi public universities, SACS-COC, requires, in part, within Section 4 of its Principles of Accreditation that the governing board of a university select the institution's chief executive officer. Therefore, the Board of Trustees is legally authorized and required to shall appoint the Commissioner and the Institutional Executive Officers (IEOs). The Board may shall make temporary interim appointments to executive officer and/or commissioner positions as necessary and with such consultation as the Board considers appropriate. The confidentiality of all applicants in a search for an IEO or Commissioner is of upmost importance. The identity of applicants shall not be revealed at any point in time, other than that of the successful applicant after the conclusion of a search.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 3/2011; 5/2011; 4/2012)

B. Board Search Committee

The President of the Board shall appoint a committee of Board members to manage the search for a Commissioner or an IEO. However, any Board

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member who wants to serve on the committee may serve. Board members considering serving on a Board Search Committee should be aware that their service will involve reviewing many documents related to candidates in preparation for committee meetings. It will also involve participation in a number of meetings above and beyond the monthly meetings of the Board of Trustees, including campus listening sessions and candidate interviews. The time commitment for serving in this capacity is considerable. Only those Board members serving on the Board Search Committee will be allowed to vote on matters before that committee. However, all Board members will be invited to attend all meetings of the Board Search Committee and may participate in committee discussions. The President of the Board, with the consent of the Board, shall appoint a member of the committee as chairperson. The President of the Board is encouraged to select a Board Search Committee chairperson that has a relationship with the subject university. The Board shall next announce that a search is underway.

C. Extended Search Process

1. Hiring of a Search Consultant

The Commissioner, in consultation with the Board Search Committee, will make a recommendation to the Board with regard to a search consultant to assist with the search for an IEO. The Board ~~may interview and~~ will select the search consultant, if the Board determines that one is needed. The Board ~~Search Committee~~ may select a search consultant to assist with the search for a new Commissioner.

2. Listening Sessions

As part of the initiation of the IEO search process, the Commissioner and Board Search Committee may consider the input of constituents regarding ~~desired~~ preferred characteristics of a new IEO. The solicitation of input from the university family may be initiated by the Board to ensure that interested parties have an opportunity to be heard. The Board may also consider input from any constituents regarding the ~~desired~~ preferred characteristics of a new Commissioner.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012; 6/2013; 4/2018)

~~D.~~ 3. Campus Search Advisory Committee Constituency

If the Board would like to seek additional constituent input, the Board may, at its discretion, appoint a Search Advisory Constituency (SAC). If the Board chooses to appoint a SAC ~~in~~ in a search for an IEO, the Commissioner and Chair of the Board Search Committee shall prepare a list of the proposed membership of the SAC ~~a Campus Search Advisory Committee, as well as a~~

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~~chair, or co-chairs, of such committee, which must be approved by a consensus of the Board as presented or as revised by the Board. The Campus Search Advisory Committee (“CSAC”) shall be representative of the various constituent groups of the university and representative in terms of diversity, of race and gender. Said SAC will be composed of no more than 15 members. The names of the SAC members shall not be shared with the SAC or with anyone else, other than the Commissioner and Board members. There is no requirement that any particular person be selected because of their position, and no member of the CSAC will report to any group with respect to the search. The Commissioner shall then inform Board members of the proposed membership and chair (or co-chairs) of that committee. After the Board has been provided with the Commissioner’s recommendations for the membership and chair (or co-chairs) of the Campus Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership and chair (or co-chairs) of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified/consulted regarding the Commissioner’s recommendations, the Commissioner may proceed with appointing the membership and chair (or co-chairs) of the Campus Search Advisory Committee. The Commissioner, in coordination with the Chair of the Board Search Committee, shall take appropriate steps to receive written assurances from all of those proposed to serve on the Campus Search Advisory Committee that they have not formed any opinion as to the identity of the particular person that should be selected as the IEO, that they have no personal, professional or other relationship with any person that they understand may be a candidate that would impair their objectivity in fairly considering all candidates, that they will endeavor to remain open to considering all persons that apply in a fair and unbiased manner, that they will not agree with any person to advocate or campaign for the selection of any particular candidate, and that they will not reveal any information about any applicants, before or after the conclusion of the search. The SAC Campus Search Advisory Committee members will be provided with a protocol questionnaire for them to respond to individually and in writing containing their individual recommendations. review the applications received by the date established in the advertisement.—No meeting of the SAC Campus Search Advisory Committee will be held to discuss candidates, since the process seeks to obtain independent and confidential advice from each member of the CSAC without consultation among the members. In order to protect the integrity of the search process and demonstrate respect for potential candidates that prefer that their candidacy or interest in the position remain confidential, the Board of Trustees will not share any input provided by any SAC member with any parties other than IHL Board members, the Board’s~~

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~~staff and the Search Consultant. Each member will submit their recommendations individually and separately as to the candidates to be further considered, and each shall vote for a minimum of five candidates for further consideration.~~—The Commissioner shall accumulate the results of those recommendations and report same to the Board Search Committee members.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012; 6/2013; 4/2018)

~~C.—~~4. Advertisement Schedule-Position Qualifications, Advertisement and Search Schedule

The Board shall approve any candidate profile and minimum qualifications for candidates. If a search consultant is used, †The Commissioner and the Chair of the Board Search Committee, with the assistance of any search consultant (if one is used), shall develop the position advertisement and a general schedule for the search and with the approval of the Board Search Committee. The Board Search Committee shall have maximum flexibility in establishing the schedule for the search. The position shall then be advertised in accordance with the schedule.

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012; 4/2018)

~~F.—~~5. Candidate Screening

The Commissioner and Board Search Committee Chair shall then assess any written recommendations of the individual SAC members and any community and campus input (obtained in Section C. 2. above) for possible use by the Board Search Committee. After candidate applications and resumes have been collected, the Commissioner and Board Search Committee Chair shall then review the applications and resumes of candidates. The Board Search Committee shall then meet and discuss which candidates to interview. At that meeting, the Commissioner and Board Search Committee Chair shall make recommendations to the Board Search Committee regarding which candidates to interview. Any other Board members may attend and participate in this meeting. All Board members will then be informed of those candidates that the Board Search Committee would like to interview. If any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the candidates to be interviewed, a Board teleconference or other meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty-eight hours of being notified of the candidates to be interviewed, the Board Search Committee shall proceed with planning first round candidate interviews. The search consultant shall then be informed of the candidates to be interviewed. The consultant shall next be

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~~informed that he/she may advise the non-selected candidates that they will not be interviewed as part of the initial process, if such notification is deemed prudent by the Board and the search consultant at that point in time. The consultant should, if directed by the Board, remind those candidates that were not invited back for initial interviews that the Board can always add more names to be considered at a later date.~~

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012; 4/2018)

~~E.6. Recruitment~~

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

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012)

~~G. Interview Search Advisory Committee~~

~~Each member of the Campus Search Advisory Committee shall be requested to provide nominations from the membership of that committee to serve on the Interview Search Advisory Committee. The Commissioner and the Chair of the Board Search Committee shall then prepare a list of the proposed membership of an Interview Search Advisory Committee from the membership of the Campus Search Advisory Committee. The Commissioner shall then inform Board members of the proposed membership of that committee. After the Board has been provided with the recommendations from the Commissioner and the Chair of the Board Search Committee for the membership of the Interview Search Advisory Committee, if any Board member expresses a desire to the Commissioner to call a full Board meeting to discuss further the proposed membership of that committee, a Board teleconference meeting shall be properly noticed and called. If no Board member requests such a Board meeting within forty eight hours of being notified/consulted regarding the recommendations, the Commissioner may proceed with appointing the membership of the Interview Search Advisory Committee. The Board of Trustees will determine the role to be played by the~~

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~~Interview Search Advisory Committee with respect to the remainder of the search process.~~

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012; 6/2013; 4/2018)

~~H.—~~7. First Interviews

~~The Board Search Committee and the Commissioner —with such assistance and/or participation from the Interview Search Advisory Committee as the Board deems appropriate and helpful— will conduct the first round of interviews. Interviews should be conducted on the basis that the confidentiality of the candidate is critical to the ultimate success of the search. Except in extraordinary circumstances, more than one candidate should be selected for first interviews. If the Board chooses to allow members of the Interview Search Advisory Committee to participate in the First Interviews, no meeting of those members will be held to discuss candidates, and each member shall independently and confidentially write down his/her comments pertaining to each candidate immediately following that candidate's interview. The Chair of the Board Search Committee shall collect the written comments from each Interview Search Advisory Committee member. Those written comments will be provided to the Board Search Committee without consultation or coordination among Interview Search Advisory Committee members.~~ All Board members will be invited to attend the interviews. The Board's staff and the consultant, if one is used, or the Commissioner if no consultant is used, will conduct a background checks on all candidates that are to be given a first round interview. those candidates participating in the first round of interviews. The results of the background checks will be completed and results reported to the Board Search Committee and Commissioner prior to the commencement of the first round interviews. The Board may, but shall not be required to, proceed to second round interviews.

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012; 4/2018)

~~I.—~~8. Reference Contacts

~~Under the direction of the Commissioner and/or the consultant, reference contacts will may be made on any candidate at any time. Reference contacts must be made on each candidate who is prior to participating in the second round of interviews or any candidate prior to selection. The results of the reference contacts and background checks shall be made known to the Board before or at the conclusion of the second round of interviews and before any selection prior to the second round of interviews.~~

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012; 4/2018)

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~~J.—9. Second Interviews~~

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

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012; 4/2018)

~~K.—10. Preferred Candidate~~Board Discussion of Candidates

Unless the Board Search Committee is prepared to make a recommendation after the initial interviews, ~~A~~after all of the above has been completed, the Board of Trustees will meet to hear from the Board Search Committee regarding an assessment of each candidate. The Commissioner's assessment will be sought. ~~The Board of Trustees will then select and announce their Preferred Candidate.~~

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012)

~~L.—Campus Interview~~

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

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012)

~~M-11. Decision~~

~~The Board of Trustees will meet after the last on-campus interview session to review the feedback and conduct further discussion. The Board of Trustees will then vote to name the Preferred Candidate as the institution's new Institutional Executive Officer, or the Board may vote to delay, suspend or extend ~~continue~~ the search. If a new Institutional Executive Officer is not selected, the Board may also, in its discretion, appoint an interim or acting Institutional Executive Officer, or the Board may ask that the outgoing Institutional Executive Officer stay in the position for some temporary period.~~

(BT Minutes, 1/2008; 3/2011; 5/2011; 4/2012)

~~D.C. Expedited Search Alternative~~

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

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expedited search alternative, processes or to conduct a search in accordance with the extended process described below above, or to delay, suspend or extend the search as required to serve the best interests of the university.

E. Commissioner Search

In a search for a Commissioner, the Board Search Committee may request appropriate individuals or groups to submit unranked recommendations of candidates to be considered for initial interviews. The Board Search Committee shall schedule initial interviews and all members of the Board will be invited to attend the initial interviews and participate in the selection of candidates for final interviews, unless the Board determines a Commissioner should be named based upon the initial interviews. Background checks should be conducted and results reported prior to initial interviews. Any reference contacts should be made prior to an additional interview and prior to hiring. ~~The Board Search Committee may also invite additional individuals to attend and observe the initial interviews conducted by such committee to fill the position of Commissioner.~~ If additional/final interviews are conducted, ~~the Board Search Committee will next develop an interview schedule for the candidates selected for final interviews for the position of Commissioner. The Board shall then meet and conduct final interviews and select the Commissioner, or the Board may vote to delay, suspend or extend the search.~~

(BT Minutes, 4/2000; 11/2005; 12/2005; 1/2006; 1/2008; 3/2011; 5/2011; 4/2012)

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

Upon the recommendation of the Board President and as needed, the Board may, but is not required to, appoint an individual as an acting or interim institutional executive officer (IEO) at an institution. If the Board has chosen to appoint an acting or interim institutional executive officer at an institution, ~~a~~An individual that continues to serve serves as the acting or interim Institutional Executive Officer in that position after the formal circulation of the Advertisement requesting applications for an IEO as (IEO) at a university shall not be considered as a candidate for the permanent IEO position at that university during that search process. However, t~~This policy does not prohibit consideration during the search process of an individual who has completed service as an interim or acting IEO prior to the circulation of the formal Advertisement for applications and who discontinues such service at that time.~~

(BT Minutes, 1/2009; 3/2011; 4/2012; 4/2018)

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STAFF RECOMMENDATION: Board staff recommends approval of this item.

5. **SYSTEM – REQUEST FOR APPROVAL FOR FINAL ADOPTION OF AMENDMENTS TO BOARD POLICIES 402.03 PROMOTIONS IN RANK, 403.0101 MINIMUM STANDARDS FOR TENURED EMPLOYMENT AND 403.0103 POST-TENURE REVIEW**

Board approval for final adoption is requested regarding the below proposed amendments to Board Policies 402.03, 403.0101 and 403.0103 and to waive the requirement of IHL Board Policy 201.0302 for first reading of the policy amendments. These policy amendments were discussed in detail during the March 2022 Board meeting.

402.03 PROMOTIONS IN RANK

Heads of institutions in making decisions regarding ranks and promotions in rank shall take into consideration evidence of professional achievement and academic growth to include but not necessarily be limited to the following:

- Professional training and experience;
- Effectiveness of teaching;
- Effectiveness, accuracy and integrity in communications; The Board endorses the American Association of University Professors' (AAUP) Statement of Principles on Academic Freedom and Tenure, which states in part: "When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution."
- Effectiveness in interpersonal relationships, including collegiality, professional ethics, cooperativeness, resourcefulness and responsibility;
- The absence of malfeasance, inefficiency and contumacious conduct in the faculty member's performance of his/her faculty position at the university;
- Professional growth, such as research, publications and creative activities; and
- Service and other non-teaching activities which reflect favorably upon the institution; and
- Any other criteria for promotions in rank set out in the applicable institution's policies which are not inconsistent with this policy.

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(BT Minutes, 3/91; 2/98, _____)

403.0101 MINIMUM STANDARDS FOR TENURED EMPLOYMENT

All faculty contracts will specify whether the appointment is with tenure, tenure track, or non-tenure track. Beginning with a tenure track appointment to any professorial rank (assistant professor, associate professor, or professor), a faculty member must be reviewed for tenure during the sixth academic year of the probationary period. The review shall include, but not be limited to, the criteria set forth in Section 402.03 Promotions in Rank. Upon written agreement between the institution and the faculty member, credit up to a maximum of five (5) years toward fulfillment of the minimum probationary period may be allowed for service at an institution of higher education. Such credit toward the probationary period must be determined at the time of initial appointment to rank. Such allowance is to be granted only to an individual who possesses exceptional professional qualifications and achievements and is not to be construed as exempting said individual from any other institutional policies and procedures governing the award of tenure.

Once the probationary period has been completed, a tenure track professor of any rank, if reappointed, must be awarded tenure or a terminal contract. ~~For tenure to be awarded, the Institutional Executive Officer must make a recommendation to the Board in writing.~~ Only faculty members of professorial rank can be awarded tenure. The award of tenure is not vested until notice of the award is given in writing by the Institutional Executive Officer, ~~after approval by the Board,~~ and the written notice is actually received by the faculty member.

When an institutional recommendation for the award of tenure is before the Institutional Executive Officer for consideration, the Institutional Executive Officer is to consider the following criteria in deciding to deny or grant tenure:

- Professional training and experience;
- Effectiveness of teaching;
- Effectiveness, accuracy and integrity in communications; The Board endorses the American Association of University Professors' (AAUP) Statement of Principles on Academic Freedom and Tenure, which states in part: "When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational

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officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

- Effectiveness in interpersonal relationships, including collegiality, professional ethics, cooperativeness, resourcefulness, and responsibility;
- The absence of malfeasance, inefficiency and contumacious conduct in the faculty member’s performance of his/her faculty position at the university;
- Professional growth, such as research, publications, and creative activities;
- Service and other non-teaching activities, which reflect favorably upon the institution; and
- Any other criteria for granting tenure set out in the applicable institution’s tenure policies, which are not inconsistent with this policy.

Prior to recommending that tenure be granted to a faculty member, the faculty member’s department chair, dean and provost, when reviewing a faculty member’s dossier for possible advancement to the next level of approval for tenure attainment, must each sign a written statement that certifies that each of the criteria set out within IHL Policy 403.0101 has been satisfactorily met. The written certification statement must contain each of the bulleted criteria set out within IHL Policy 403.0101 and any additional criterion separately set out in the applicable institution’s tenure policies, which are not inconsistent with this policy. In addition, the IEO must also sign the same written certification statement prior to granting tenure to any faculty member.

At the time of initial employment by the Board at the University, a faculty member or an administrative employee whose preceding employment included faculty rank at the level of assistant professor, associate professor, or professor and with tenure may be granted tenure only if so recommended approved by the President/Chancellor and approved by the Board.

There shall be appropriate tenure/grievance committees at the institutions.

(BT Minutes, 3/91; 2/98; 12/2004; 3/2008; _____)

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403.0103 POST-TENURE REVIEW

1. Each institution shall have a post-tenure review process for all tenured faculty. Post-tenure review criteria shall be consistent with the institution's mission and priorities—and shall include the following:
 - Effectiveness of teaching and/or research;
 - Effectiveness, accuracy and integrity in communications; The Board endorses the American Association of University Professors' (AAUP) Statement of Principles on Academic Freedom and Tenure, which states in part: "When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution."
 - Effectiveness in interpersonal relationships, including collegiality, professional ethics, cooperativeness, resourcefulness, and responsibility;
 - The absence of malfeasance, inefficiency and contumacious conduct in the faculty member's performance of his/her faculty position at the university;
 - Professional growth, such as research, publications, and creative activities;
 - Service and other non-teaching activities, which reflect favorably upon the institution; and
 - Any other criteria set out in the applicable institution's post-tenure review policies, which are not inconsistent with this policy.

2. Institutional post-tenure review policies and procedures shall be linked to annual review policies and procedures. Institutional post-tenure review policies and procedures may require a periodic review of all tenured faculty, a review of individual faculty triggered by one or more unsatisfactory annual reviews, or a combination of periodic and triggered reviews.

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3. Institutional post-tenure review policies and procedures shall provide for systematic and comprehensive assessments of performance, peer involvement in the post-tenure review process, and opportunities for faculty development. The policies and procedures shall specify the consequences of unsatisfactory performance, including termination of service as provided in Section 403.0104. The policies and procedures shall provide for appeals by aggrieved faculty.
4. Institutional post-tenure review policies and procedures shall be filed with the Commissioner. The Commissioner shall review the policies and procedures for consistency with Board policy and recommend modifications as appropriate.
5. Each institution shall prepare an annual report of post-tenure reviews. The report shall be in a format specified by the Commissioner, and shall be submitted to the Board by August 1 for the preceding academic year.

(BT Minutes, 4/2000; _____)

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. **Employment**

University of Southern Mississippi

Blaise M. Sonnier; *hired with tenure*; Director and Professor of Accounting; School of Accountancy; salary of \$200,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022

2. **Change of Status**

University of Mississippi Medical Center

Natalie Gaughf, *from* Director of Academic Support and Interim Dean, School of Population Health; salary of \$230,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Assistant Vice Chancellor for Academic Affairs and Interim Dean, School of Population Health; salary of \$300,000 per annum, pro rata; E&G Funds; 12-month contract; effective April 1, 2022

Scott Rodgers, *from* Professor and Chair of Psychiatry and Human Behavior; salary of \$450,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Vice Chancellor for Academic Affairs; salary of \$450,000 per annum, pro rata; E&G Funds; 12-month contract; effective April 1, 2022

3. **Sabbatical**

University of Mississippi

FROM: Annette Trefzer; Associate Professor of English; *from* salary \$75,190 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$37,595 per annum, pro rata during sabbatical period; E&G Funds; effective January 24, 2022 to May 14, 2022 and August 23, 2022 (or start of contract date) to December 31, 2022; professional development [*Originally approved by IHL Board March 18, 2021*]

CORRECTED: Annette Trefzer; Associate Professor of English; salary \$75,190 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 24, 2022 to May 14, 2022; professional development

4. **Tenure**

Mississippi State University

Reuben Burch; Associate Professor; Department of Industrial and Systems Engineering; effective August 16, 2022

Elizabeth Canales; *promotion* to Associate Professor; Department of Agricultural Economics; effective July 1, 2022

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Xin Cui; *promotion* to Associate Professor; Department of Chemistry; effective August 16, 2022

Qiana Cutts; *promotion* to Associate Professor; Department of Counseling, Educational Psychology and Foundations; effective August 16, 2022

Kristine Evans; *promotion* to Associate Professor; Department of Wildlife, Fisheries and Aquaculture; effective August 16, 2022

Jeanette Fontaine; *promotion* to Associate Professor; Department of Music; effective August 16, 2022

Melvin Fugate; Professor; Department of Management and Information Systems; effective August 16, 2022

Antonio Gardner; *promotion* to Associate Professor; Department of Food Science, Nutrition and Health Promotion; effective August 16, 2022

Claire Gipson; *promotion* to Associate Professor; Department of Art; effective August 16, 2022

Cassie Hester; *promotion* to Associate Professor; Department of Art; effective August 16, 2022

Caroline Kobia; *promotion* to Associate Professor; School of Human Sciences; effective August 16, 2022

Mehmet Kurum; *promotion* to Associate Professor; Department of Electrical and Computer Engineering; effective August 16, 2022

Myron Labat; Associate Professor; Department of Educational Leadership; effective August 16, 2022

Braden Leap; *promotion* to Associate Professor; Department of Psychology; effective August 16, 2022

Juyoung Lee; *promotion* to Associate Professor; School of Human Sciences; effective August 16, 2022

Tongyin Li; *promotion* to Associate Professor; Department of Plant and Soil Sciences; effective August 16, 2022

Junfeng Ma; *promotion* to Associate Professor; Department of Industrial and Systems Engineering; effective August 16, 2022

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Jennifer McGillan; *promotion* to Associate Professor; University Library, Department of Special Collections-Manuscripts; effective July 1, 2022

Benjamin McLarty; *promotion* to Associate Professor; Department of Management and Information Systems; effective August 16, 2022

M. Jean Mohammadi-Aragh; *promotion* to Associate Professor; Department of Electrical and Computer Engineering; effective August 16, 2022

Virginia Montiel-Palma; *promotion* to Associate Professor; Department of Chemistry; effective August 16, 2022

Julius Nukpezah; *promotion* to Associate Professor; Department of Political Science and Public Administration; effective August 16, 2022

Anna Osterholtz; *promotion* to Associate Professor; Department of Anthropology and Middle Eastern Cultures; effective August 16, 2022

Lauren Priddy; *promotion* to Associate Professor; Department of Agriculture and Biological Engineering; effective August 16, 2022

Holli Seitz; *promotion* to Associate Professor; Department of Communication; effective August 16, 2022

Megan Smith; *promotion* to Associate Professor; Department of English; effective August 16, 2022

Jessica Smith; *promotion* to Associate Professor; University Library, Department of Special Collections, University Archives; effective July 1, 2022

Courtney Thompson; *promotion* to Associate Professor; Department of History; effective August 16, 2022

Kimberly Wood; *promotion* to Associate Professor; Department of Geosciences; effective August 16, 2022

Mississippi Valley State University

Zainul Abedin; *promotion to* Associate Professor, Department of Mass Communication; effective August 15, 2022

Carolyn Gordon; Associate Professor; Department of Mass Communication; effective August 15, 2022

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

The university requests approval to bestow two honorary degrees at its May 14, 2022 commencement ceremony. Supporting documents are on file at the Board Office.

Staff Recommendation: Board staff recommends approval of this item.

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1. SYSTEM – REQUEST FOR WAIVER OF SECOND READING AND REQUEST FINAL APPROVAL OF PROPOSED AMENDMENT TO BOARD POLICY 602 - FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS, SECTION A – HIGH SCHOOL COURSE REQUIREMENTS BEGINNING WITH STUDENTS ENTERING FALL 2022 (COLLEGE PREPARATORY CURRICULUM)

The following proposed amendments to Board Policy 602 – Freshman Admission Requirements for University System Institutions, Section A – High School Course Requirements Beginning with Students Entering in Fall 2022 (College Preparatory Curriculum) are needed to (1) clarify the Mathematics Requirements; (2) reduce Social Studies Requirements from 3½ units to 3 units based on feedback from IHL Admissions Officers; (3) format the Technology or Computer Science Requirements differently to clarify that the requirement exists for Required and Recommended CPC; (4) remove references stating that the list of courses approved for the College Preparatory Curriculum are housed at the Mississippi Department of Education and will be housed at IHL in the Office of Academic and Student Affairs as they were prior to the last policy amendment; and (5) remove the section referencing high school course requirements through summer 2022.

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.

**1. HIGH SCHOOL COURSE REQUIREMENTS BEGINNING WITH STUDENTS ENTERING IN FALL 2022
(College Preparatory Curriculum)**

<u>Subject Area</u>	<u>Required¹ Carnegie Units and Content/Remarks</u>		<u>Recommended² Carnegie Units and Content/Remarks</u>	
English	4	<i>Units must require substantial communications skills (i.e., reading, writing, listening, and speaking). Compensatory Reading and Compensatory Writing may not be included.</i>	4	<i>Units must require substantial communication skills (i.e., reading, writing, listening, and speaking). Compensatory Reading and Compensatory Writing may not be included.</i>
Mathematics	4	<ul style="list-style-type: none"> • <u>CPC-approved math (1 unit)</u> • Algebra I or its equivalent • Math higher than Algebra I (2 units) 	4	<ul style="list-style-type: none"> • Algebra I or its equivalent • Math higher than Algebra I (3 units)
Science	3	<ul style="list-style-type: none"> • Biology I or its equivalent • Science higher than Biology I (2 units) 	4	<ul style="list-style-type: none"> • Biology I or its equivalent • Science higher than Biology I (3 units)
Social Studies	3½ 3	<i>Units must include integrated courses of social sciences and humanities promoting civic competence</i>	4	<i>Units must include integrated courses of social sciences and humanities promoting civic competence</i>

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<u>Subject Area</u>	<u>Required¹ Carnegie Units and Content/Remarks</u>		<u>Recommended² Carnegie Units and Content/Remarks</u>	
Arts	1	<i>Includes any one Carnegie unit (or two ½ units) of visual and performing arts course(s) meeting the requirements for high school graduation.</i>	1	<i>Includes any one Carnegie unit (or two ½ units) of visual and performing arts course(s) meeting the requirements for high school graduation.</i>
Advanced Electives	2	<ul style="list-style-type: none"> • Option 1: Foreign Language I and Foreign Language II • Option 2: Foreign Language I and one unit from Option 3 • Option 3: (1) Any combination of advanced electives above the required Carnegie units in: (a) as noted in the Mississippi Department of Education Secondary Course Manual <u>(a) as noted in the Office of Academic and Student Affairs CPC Manual</u> and/or (b) any Advanced Placement (AP), Academic or Career and Technical Dual Credit (DC), International Baccalaureate (IB) or Advanced International Certificate of Education (AICE) course. <p>(2) Completion of any two-year Career and Technical course may count as one unit. Example: completion of both Health Sciences I & II will count as an advanced elective.</p>	2	<ul style="list-style-type: none"> • Option 1: Foreign Language I and Foreign Language II • Option 2: Foreign Language I and one unit from Option 3 • Option 3: (1) Any combination of advanced electives above the required Carnegie units in: (a) as noted in the Mississippi Department of Education Secondary Course Manual and <u>(a) as noted in the Office of Academic and Student Affairs CPC Manual</u> and/or (b) any Advanced Placement (AP), Academic or Career and Technical Dual Credit (DC), International Baccalaureate (IB) or Advanced International Certificate of Education (AICE) course. <p>(2) Completion of any two-year Career and Technical course may count as one unit. Example: completion of both Health Sciences I & II will count as an advanced elective.</p>
Technology or Computer Science	1	<p><i>A technology course emphasizes the use of technology as a productivity tool. Instruction should include utilizing various forms of technology to create, collaborate, organize, and publish information. The application of technology as a productivity tool, rather than specific hardware and/or software packages should be the focus of the course.</i></p> <p><i>A computer science course emphasizes computational thinking to solve problems. Courses will involve the study of computers and algorithmic processes,</i></p>	1	<p><u><i>A technology course emphasizes the use of technology as a productivity tool. Instruction should include utilizing various forms of technology to create, collaborate, organize, and publish information. The application of technology as a productivity tool, rather than specific hardware and/or software packages should be the focus of the course.</i></u></p> <p><u><i>A computer science course emphasizes computational thinking to solve problems. Courses will involve the study of computers and</i></u></p>

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<u>Subject Area</u>	<u>Required¹ Carnegie Units and Content/Remarks</u>	<u>Recommended² Carnegie Units and Content/Remarks</u>
	<i>including their principles, their hardware and software designs, their applications, and their impact on society and should include focus on one or more of the following core concepts: computing systems, networks and the internet, data and analysis, algorithms and programming, and impacts of computing. Course equivalent or additional advanced elective may be acceptable for non-Mississippi residents.</i>	<i>algorithmic processes, including their principles, their hardware and software designs, their applications, and their impact on society and should include focus on one or more of the following core concepts: computing systems, networks and the internet, data and analysis, algorithms and programming, and impacts of computing. Course equivalent or additional advanced elective may be acceptable for non-Mississippi residents.</i>
Pre-High School Units	<i>Courses taken prior to high school will be accepted for admission provided the course earns Carnegie credit and the content is the same as the high school course.</i>	
Substitutions	<i>Advanced Placement (AP), International Baccalaureate (IB), Academic or Career Technical Dual Credit (DC), and Advanced International Certificate of Education (AICE) courses may be substituted for each requirement in the College Preparatory Curriculum.</i>	
Course Acceptance	<i>A course may not be used to satisfy more than one requirement.</i>	
Total Carnegie Units	18.5 <u>18</u>	20

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

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

The Required and Recommended College Preparatory Curricula (CPC) are approved by the IHL Board of Trustees and maintained in the IHL Office of Academic and Student Affairs. The Mississippi Department of Education maintains the MDE Secondary Course Manual with CPC Classifications. Refer to the Mississippi Department of Education Secondary Course Manual for the complete list of qualifying courses for advanced electives.

HIGH SCHOOL COURSE REQUIREMENTS THROUGH SUMMER 2022

The high school course requirements set forth below are applicable to students graduating from high school and entering a public institution of higher learning.

The minimum REQUIRED CPC for full admission into a Mississippi public university is as follows:	The minimum RECOMMENDED CPC for full admission into a Mississippi public university is as follows:
English: 4 Carnegie units	English: 4 Carnegie units
<ul style="list-style-type: none"> • All must require substantial communication skills (i.e., reading, writing, listening, and speaking). Compensatory Reading and Writing may not be included. 	<ul style="list-style-type: none"> • All must require substantial communication skills (i.e., reading, writing, listening, and speaking). Compensatory Reading and Writing may not be included.

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The minimum REQUIRED CPC for full admission into a Mississippi public university is as follows:	The minimum RECOMMENDED CPC for full admission into a Mississippi public university is as follows:
<p>Mathematics: 3 Carnegie units</p> <ul style="list-style-type: none"> ● Algebra I or its equivalent ● Math higher than Algebra I (2 units) 	<p>Mathematics: 4 Carnegie units</p> <ul style="list-style-type: none"> ● Algebra I or its equivalent ● Math higher than Algebra I (3 units)
<p>Science: 3 Carnegie units</p> <ul style="list-style-type: none"> ● Biology I or its equivalent ● Science higher than Biology I (2 units) 	<p>Science: 4 Carnegie units</p> <ul style="list-style-type: none"> ● Biology I or its equivalent ● Science higher than Biology I (3 units)
<p>Social Studies: 3 Carnegie units</p> <ul style="list-style-type: none"> ● U.S. History ● World History ● U.S. Government (½ unit) ● Economics (½ unit) or Introduction to World Geography (½ unit) 	<p>Social Studies: 4 Carnegie units</p> <ul style="list-style-type: none"> ● U.S. History ● World History ● U.S. Government (½ unit) ● Economics (½ unit) ● Introduction to World Geography (½ unit) ● Mississippi Studies (or state/local government course in any other state)
<p>Arts: 1 Carnegie unit</p> <ul style="list-style-type: none"> ● Includes any one Carnegie unit (or two ½ units) of visual and performing arts course(s) meeting the requirements for high school graduation. 	<p>Arts: 1 Carnegie unit</p> <ul style="list-style-type: none"> ● Includes any one Carnegie unit (or two ½ units) of visual and performing arts course(s) meeting the requirements for high school graduation.
<p>Advanced Electives: 2 Carnegie units</p> <ul style="list-style-type: none"> ● Option 1: Foreign Language I and Foreign Language II ● Option 2: Foreign Language I and Advanced World Geography ● Option 3: Any combination of English, Mathematics higher than Algebra I, Science higher than Biology I, Advanced Elective category, any AP course, any IB course 	<p>Advanced Electives: 2 Carnegie units</p> <ul style="list-style-type: none"> ● Option 1: Foreign Language I and Foreign Language II ● Option 2: Foreign Language I and Advanced World Geography ● Option 3: Any combination of English, Mathematics higher than Algebra I, Science higher than Biology I, Advanced Elective category, any AP course, any IB course
<p>Technology: ½ Carnegie unit</p> <ul style="list-style-type: none"> ● A course that emphasizes the use of technology as a productivity tool. Instruction should include utilizing various forms of technology to create, collaborate, organize, and publish information. The application of technology as a productivity tool, rather than specific hardware and/or software packages should be the focus of the course. 	<p>Technology: ½ Carnegie unit</p> <ul style="list-style-type: none"> ● A course that emphasizes the use of technology as a productivity tool. Instruction should include utilizing various forms of technology to create, collaborate, organize, and publish information. The application of technology as a productivity tool, rather than specific hardware and/or software packages should be the focus of the course.
<p>Total Carnegie units: 16½</p>	<p>Total Carnegie units: 19½</p>

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(BT Minutes, 5/92; 9/93; 9/94; 3/95; 10/95; 9/96; 1/98; 2/2005; 5/2005; 9/2005; 8/2006; 2/2007; 2/2009; 3/2010; 11/2010; 5/2015; 6/2018; 2/2021)

STAFF RECOMMENDATION: Board staff recommends waiver of the second reading and final approval of item 1.

2. **SYSTEM – REQUESTS TO ADD NEW ACADEMIC DEGREE PROGRAMS**

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

In accordance with Board Policy 502, Jackson State University, Mississippi State University, and the University of Southern Mississippi request to establish new academic degree programs.

A. **JSU – Bachelor of Business Administration (BBA) in Supply Chain Management**

CIP code: 52.0203

Total credit hours: 121

Effective date: August 2022

Incremental, five-year cost of implementation: \$416,000

Potential five -year, new revenue: \$1,612,650

Program description: The BBA in Supply Chain Management enables JSU to prepare students for the many career opportunities in the field. Strategic and tactical supply chain management allows an organization to create competitive advantages and sustainability in the business environment where the level of uncertainty is growing with globalization and international trade.

Unit where academic program will be housed: College of Business, Department of Business Administration

Number of students expected to enroll in first five years: 390

Number of students expected to graduate in first five years: 134

Institution(s) offering similar program(s): MSU offers a BBA in Supply Chain Management. The following universities offer a concentration or track in this area: UM – Marketing BBA with a concentration in Logistics, USM – Management BSBA with a concentration in Supply Chain Management, DSU – Management BBA with a track in Supply Chain Management, Belhaven – Business BSB with a specialization in Supply Chain Management.

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National and state supply and demand: Jobs in this field are predicted to increase by 30 percent between 2020 and 2030 which is eight percent above average job growth rate expected across all occupations in the US. This increase equates to 56,400 new jobs over a decade. (source: Bureau of Labor Statistics, 2021). Mississippi growth rate is currently seven percent which is the overall growth rate for this profession.

Average wages: National median salary of \$78,750 (source: ASCM Survey Report, 2021); Mississippi average salary as of 2017 was \$78,610 with top earners making \$121,940.

B. MSU – Bachelor of Science (BS) in Data Science

CIP code: 30.7001

Total credit hours: 123

Effective date: August 2022

Incremental, five-year cost of implementation: \$3,459,300

Potential five -year, new revenue: \$8,283,930

Program description: As organizations and business turn to data solutions and artificial intelligence strategies, they are also increasingly creating new positions relating to the practice of data science. Data science is a new emerging field that explores and advances methods, systems, and processes to: represent the world as data objects; extract insights about the world from the data objects and turn these insights into discoveries, decisions, and actions; and create smart systems to perform tasks that have historically required human cognition and human decision-making abilities. The BS in Data Science at MSU is an interdisciplinary program that will provide students with the opportunity to build a strong foundation in the key fields of data science which include computer science, mathematics and statistics, management information systems, communication, management/leadership, design, and ethics.

Unit where academic program will be housed: Office of the Provost and Executive Vice President, Division of Academic Affairs

Number of students expected to enroll in first five years: 410

Number of students expected to graduate in first five years: 139

Institution(s) offering similar program(s): No other university in Mississippi is currently offering a Bachelor of Science in Data Science. Furthermore, no institution is offering a BS in Data Science that covers the five major disciplines within the field of data science as a core program: (1) Computer Science, (2) Mathematics and Statistics, (3) Management Information Systems, (4) Communication, and (5) Management and Leadership. MSU would be the first to offer such a major. MSU currently offers a Master of Science in Data Science which is an interdisciplinary program.

National and state supply and demand: Demand for data science experts has grown 650% since 2012 (source: LinkedIn). The rise of demand for data science expertise will create

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roughly 11.5 million new jobs by 2026 (source: Bureau of Labor Statistics). The World Economic Forum indicates that data science experts will become the number one emerging role in the world.

Average wages: National average salary between \$78,000 and \$150,000 (source: LinkedIn). 2020 median pay was \$126,830 (source: Bureau of Labor Statistics, 2021)

C. USM – Bachelor of Arts (BA) in Sustainability Studies

CIP code: 03.0103

Total credit hours: 120

Effective date: August 2022

Incremental, five-year cost of implementation: \$95,000

Potential five-year, new revenue: \$1,575,000

Program description: This program will provide students with the cultural, social, and scientific understanding of human-nature interaction necessary to achieve meaningful environmental change. The BA in Sustainability Studies is an interdisciplinary program bridging approaches from the humanities, social sciences, and natural sciences to prepare graduates who that take leadership roles in careers in environmental communication, policy, and research. USM’s unique location at the Gulf Coast and established connections with coastal communities provide fertile ground for project-based learning and community outreach where students will learn to develop sustainable solutions for pressing social and environmental problems. Graduates of this program will have a broad appeal to STEM employers.

Unit where academic program will be housed: College of Arts and Sciences, School of Coastal Resilience

Number of students expected to enroll in first five years: 75

Number of students expected to graduate in first five years: 50

Institution(s) offering similar program(s): There are no Mississippi colleges or universities that currently offer a BA in Sustainability Studies. The closest approximations would be the minors in Environmental Studies offered at UM and Millsaps College. MSU currently offers a BS in Sustainable Bioproducts, but this is a substantially different degree plan and focus than the proposed BA in Sustainability Studies.

National and state supply and demand: This program will help meet the need identified by local and state organizations to have more local workers receive postsecondary training in science, technology, engineering, and mathematics (STEM). A 2017 EAB Global study of the demand on the Mississippi Gulf Coast for Marine Science Professionals found that three of the top twenty job titles involved environmental and managerial positions. Gulf Coast employers sought candidates qualified in marine science but also versed in related fields.

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The organizational, budgeting, project management, and soft skills that Gulf Coast employers seek align with the learning objectives of the proposed Sustainability Studies program.

Average wages: According to PayScale.com, early career sustainability specialists with a bachelor's degree can expect a salary range of \$42,000 to \$79,000, which a mid-career sustainability specialist can expect a range of \$42,000 to \$92,000. ZipRecruiter reports that as of March 2021, the average annual salary for a sustainability professional in the U.S. is \$60,547.

D. USM – Bachelor of Science (BS) in Sustainability Sciences (Coastal System Dynamics)

CIP code: 30.3301

Total credit hours: 120

Effective date: August 2022

Incremental, five-year cost of implementation: \$72,000

Potential five-year, new revenue: \$2,250,000

Program description: This program will address topics critical to the human habitation of coastal zones well into the next century. This program will serve as a feeder program for the Coastal Sciences graduate program and will focus more heavily on the human and cultural aspects of coastal dynamics than the proposed BA in Sustainability Studies. Having this degree program establishes USM as a leader in increasing our understanding of the threats that face coastal communities in an ever-changing climate.

Unit where academic program will be housed: College of Arts and Sciences, School of Coastal Resilience

Number of students expected to enroll in first five years: 100

Number of students expected to graduate in first five years: 65

Institution(s) offering similar program(s): There are none.

National and state supply and demand: Environmental Scientists or Specialists field (closest definition to this degree since Sustainability Science is new) are predicted to increase by eight percent between 2020 and 2030 which is considered the average job growth rate (source: Bureau of Labor Statistics, 2021).

Average wages: Environmental Scientists have a national median salary of \$73,230 (source: Bureau of Labor Statistics, 2021)

E. USM – Master of Arts in Teaching (MAT) in Inclusive Elementary Education

CIP code: 13.0101

Total credit hours: 33 (fully online with six hours of internship that must be completed in a partner school district)

Effective date: May 2022

Incremental, five-year cost of implementation: \$250,000

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Potential five-year, new revenue: \$247,016 per year

Program description: This program will prepare post baccalaureate students to enter the teaching profession. Graduates will be eligible to pursue a 5-year educator license in Elementary Education (K-6) with an endorsement in Special Education (K-8).

Unit where academic program will be housed: College of Education and Human Sciences, School of Education

Number of students expected to enroll in first five years: 162

Number of students expected to graduate in first five years: 162

Institution(s) offering similar program(s): As a result of the MS Residency grant program, six Mississippi institutions will have a master's level pathway to initial licensure at the elementary (K-6) level. Only two Mississippi institutions will offer the MAT pathway to licensure in Special Education.

State supply and demand: According to the Mississippi Department of Education, during the 2020-21 school year there were 3,036 certified teacher vacancies in Mississippi: 958 in elementary, 543 in middle school, 822 in high school, and 654 K-12 positions.

Average wages: The February 2022 state superintendent report lists the average classroom teacher salary at just north of \$46,000. Because students graduating from this program will enter the teacher pay scale at the AA level, their lifetime earning potential will be higher than if pursuing licensure at the bachelor's level.

STAFF RECOMMENDATION: Board staff recommends approval of item 2.

3. **JSU – REQUEST TO ADD NEW INSTITUTE**

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

Institute Title: **Institute of Social Justice and Race Relations**

Unit Location: College of Liberal Arts

Scope: Extensive Scope and Outreach

Type: Type 1 (Academic, Teaching, or Research) and Type 2 (Student, Faculty, or Community Service)

Effective Date: April 2022

Total number of current faculty/ Total number of new faculty: 5/0

Total number of current staff/ Total number of new staff: 2/0

Five-year cost of implementation: \$500,000

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The Institute of Social Justice and Race Relations existed at JSU from 2013-2017 as a Title III program. A team at JSU revised the goals to be more aligned with the university's mission and today's student needs. The Institute is once again supported by funds from a US Department of Education Title III grant. For this fiscal year, JSU will receive \$100,000 which covers all the Institute's expenses. The Institute's director expects that this will continue to be the case over the next four years. Institute personnel will seek competitive grants for external funding from private organizations.

Purpose: The Institute will draw its faculty members from liberal arts disciplines and will bring together the humanities and the social sciences to examine and address pressing contemporary societal problems. The Institute will collaborate with centers and academic departments on the campus. The Institute will provide training in and the development of digital platforms, tools, and skills for contemporary communication, scholarship, and civil discourse. The Institute will engage the community on the humanities and other topics of interest in areas such as business, public health, and sociology. The Institute appears to be the only such center or institute at a state-supported institution of higher learning in Mississippi.

STAFF RECOMMENDATION: Board staff recommends approval of item 3.

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1. SYSTEM–PRESENTATION AND APPROVAL OF FY 2023 APPROPRIATIONS AND APPROPRIATION ALLOCATION

There will be an overview of the FY 2023 appropriations from the Legislature with a presentation of the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center.

Allocation will be provided under separate cover.

Staff Recommendation: Board Policy 701.04 says *“The Commissioner, after consultation with the Institutional Executive Officers, shall use the Adequate Funding Model to prepare and submit for approval by the Board an annual request for allocation of funds appropriated by the Legislature for the use of the several institutions and separately budgeted units.” Board staff recommends FINAL approval of the FY 2023 allocation.*

2. SYSTEM – REQUEST FOR APPROVAL OF FY 2023 TUITION, ROOM AND BOARD RATES AND WAIVER OF THE 30-DAY REVIEW PERIOD

Agenda Item Request: Approval is requested to waive the required 30-day review period and to give final approval for the tuition, room and board rates effective FY 2023.

Additional information will be submitted to the Board under separate cover.

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

Staff recommends that the Board waive the thirty-day review requirement of the proposed FY2023 tuition, room and board rates and adopt for FINAL approval.

3. SYSTEM–SALARY GUIDELINES FOR FY 2023

Board Policy requires the Commissioner and the Institutional Executive Officers to determine annual salary guidelines in preparation for the upcoming budget. Salary increases for FY 2023 should be based on one or more of the following:

1. meritorious performance,
2. market or equity adjustments, and
3. faculty/staff promotions.

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

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

4. ASU – REQUEST TO INCREASE STUDENT ACTIVITY FEE (FINAL READ)

Agenda Item Request: Alcorn State University requests permission to increase the Student Activities Fee (SAF) to better support registered student organizations in their mission and to offer students comprehensive engagement and development opportunities that prepare them to compete in the global economy.

Specifically, ASU requests permission to increase the current Student Activity Fee from \$15.00 per student, per semester to \$50 per student, per semester. This is an increase of \$35.00 per student, per semester from the current fee to be used for the purpose of providing robust student development opportunities for our students to include an allocation of program funding for our registered student organizations. We are requesting this increase effective Fall 2022.

Estimated Revenue: Based on current enrollment, the proposed fee increase is projected to generate an additional \$200,000 annually, all of which will be recorded in a student activity fee account.

STUDENT SUPPORT AND ASSESSMENT OF NEEDS

Last year (April 2020), the Alcorn State University student body voted to raise the Student Activity Fee. Of 1,004 students who voted, 663 students (66 percent) supported the increase; similarly, 64 percent of students who voted supported the increase to \$50.00 per student, per semester.

Election Results:

- 663 Increase Student Activity Fee
- 341 No Change to Student Activity Fee

The Office of Student Development recently acquired a new student engagement management system, *Presence*. *Presence* will allow us to capture the engagement trends of our students, including student organization management and membership, programs and community service, and co-curricular transcript generation. The software will allow

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us to measure and collect participation information that will help to inform programming priorities and drive effective decision making. Analyzing trends and patterns will provide us with strategies to enhance co-curricular involvement, effectively allocate resources and create a better student experience.

Staff Recommendation: Per Board Policy 702.02 “tuition is the basic, comprehensive, multi-purpose charge all students are required to pay as a condition of enrollment.” Because this fee will be charged to all students as a condition of enrollment, this Capital Improvement Fee meets the definition of tuition. Board staff recommends approval of this item subject to the uses described.

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

Staff recommends that the Board waive the thirty-day review requirement of the proposed fee and adopt for FINAL approval.

5. MSU – REQUEST TO INCREASE STUDENT ACTIVITIES FEE (FINAL READ)

Agenda Item Request: Mississippi State University requests permission to increase the Student Activities Fee (SAF) to better support registered student organizations, improve University Recreation, and increase student life programming for the purpose of facilitating a stronger sense of belonging for students at MSU and to improve overall student well-being.

Specifically, MSU requests permission to increase the current \$5.00 per semester Student Activities Fee applicable to all Starkville campus students during the Fall and Spring semesters to \$25.00 per semester for the Fall and Spring semesters. Students will not be charged the fee during the Summer or other intersession terms. The Student Activity Fee currently generates approximately \$180,000 annually.

This was a Student Association initiative requested by the Student Association President. On October 5th, a campus wide student poll was taken with a final vote tally of 4,261-1,398, a 75.29% affirmation rate. Additionally, a Student Association Senate resolution was passed on November 11th, reaffirming Student Association’s support for greater funding for student activities

The Student Activity Fee will be distributed to support registered student organization activities through the Student Association’s appropriations process; to support University Recreation improvements; and to increase campus-wide programming.

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Estimated Revenue: Based on the Fall 2021 enrollment of 18,172 Starkville campus students and Spring 2021 enrollment of 16,778 Starkville campus students, MSU projects this increased fee to generate approximately \$700,000 of new revenue annually.

Staff Recommendation: Per Board Policy 702.02 “tuition is the basic, comprehensive, multi-purpose charge all students are required to pay as a condition of enrollment.” Because this fee will be charged to all students as a condition of enrollment, this Capital Improvement Fee meets the definition of tuition. Board staff recommends approval of this item subject to the uses described.

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

Staff recommends that the Board waive the thirty-day review requirement of the proposed fee and adopt for FINAL approval.

6. UM – REQUEST TO INCREASE STUDENT ACTIVITIES FEE (FINAL READ)

Agenda Item Request: The University of Mississippi (UM) requests permission to increase the Student Activities Fee (SAF) to better support registered student organizations in their mission to positively affect the student experience as well as enhance the individual student involvement opportunities.

Specifically, UM requests permission to increase the current \$5.00 per semester Student Activities Fee applicable to all students during the Fall and Spring semesters to \$2 per credit hour for the Fall and Spring semesters. Students will not be charged the fee during the Summer semester or any intersession terms.

The Student Activities Fee will maintain its current three categories of eligible funding and expand the large-scale programming category. The three categories include: Registered Student Organization (RSO) allocations, Diversity, Equity and Inclusion (DEI) programming, and Large Scale programming. This expansion will allocate funds with the specific intention to support student-body wide programming, support individual students (e.g., conference participation), and increase the amount per semester that an RSO can receive for DEI programming from \$2,000 to \$5,000.

Fee Calculations: The table below uses proposed Cost of Attendance (COA) for 2022-2023 from OLEMISS.EDU. Proposed SAF cost assumes average of 15 hours enrolled Fall and Spring semesters.

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	<i>Current Undergraduate COA</i>	<i>Proposed Undergraduate COA</i>	<i>Percent Increase</i>
<i>Tuition</i>	\$8,934	\$8,934	—
<i>Capital Improvements Fee</i>	\$100	\$100	—
<i>Student Activity Fee</i>	\$10	\$60	—
Total In-State	\$9,044	\$9,094	0.55%
<i>Additional Fee for Nonresidents</i>	\$16,842	\$16,842	—
Total Out-of-State	\$25,886	\$25,936	0.19%

Estimated Revenue: Based on the Fall 2021 enrollment of 18,800 students and Spring 2021 enrollment of 17,649 students, UM projects this increased fee to generate approximately \$911,225 of new revenue annually.

Staff Recommendation: Per Board Policy 702.02 “tuition is the basic, comprehensive, multi-purpose charge all students are required to pay as a condition of enrollment.” Because this fee will be charged to all students as a condition of enrollment, this Capital Improvement Fee meets the definition of tuition. Board staff recommends approval of this item subject to the uses described.

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

Staff recommends that the Board waive the thirty-day review requirement of the proposed fee and adopt for FINAL approval.

7. MVSU – REQUEST FOR APPROVAL TO ENTER INTO A CAPITAL LEASE PROGRAM WITH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE EQUIPMENT

Agenda Item Request: Mississippi Valley State University (MVSU) requests approval to enter into a participating user agreement with the State of Mississippi, represented by and acting through the **State of Mississippi Department of Finance and Administration** to participate in the Master Lease Program and to have acquired by lease purchase or refinance under the Master Lease Purchase Agreement certain items of equipment.

Contractor’s Legal Name: State of Mississippi Department of Finance and Administration

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History of Contract: This is a new agreement.

Specific Type of Contract: This is a participating user agreement.

Purpose: The purpose of this contractual agreement is to participate in the Master Lease Program and to have acquired by lease purchase or refinance under the Master Lease Purchase Agreement certain items of equipment.

Scope of Work: To purchase a garbage collection truck and a tractor

Term of Contract: This is a five-year agreement from July 1, 2022 through June 30, 2027

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

- Appropriations for all items of the Equipment described in the Equipment Schedule for the ensuing fiscal year have not been made by the 10th day prior to the last Participating User Lease Payment and the Participating User notifies DFA not later than five (5) days prior to the date of the last Participating User Lease Payment for the then current fiscal year;
- There shall have occurred the termination of the lease term of each item of User Equipment; and Participating User shall have paid to DFA all amounts which the Participating User is obligated to pay hereunder; or
- DFA shall not have entered into the Master Lease Agreement by April 2022.

Contract Amount: The total cost of the contract is \$354,225.03. Payment will be issued on a semi-annual basis:

- October 2022 - \$35,422.51
- April 2023 - \$35,422.51
- October 2023 - \$35,422.51
- April 2024 - \$35,422.50
- October 2024 - \$35,422.50
- April 2025 - \$35,422.50
- October 2025 - \$35,422.50
- April 2026 - \$35,422.50
- October 2026 - \$35,422.50
- April 2027 - \$35,422.50

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

Contractor Selection Process: The Department of Finance and Administration (DFA) on behalf of the State of Mississippi is authorized to develop a Master Lease Purchase

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Program and to execute on behalf of the State master lease purchase agreements for the purchase of equipment to be used by agencies or departments of the State of Mississippi.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

8. SYSTEM – REQUEST FOR APPROVAL TO AMEND A CONTRACTUAL SERVICES AGREEMENT WITH CLIFTON LARSON ALLEN, LLP

Agenda Item Request: The IHL System requests approval of an amendment to the multi-year agreement for annual external audit services with **Clifton Larson Allen, LLP (CLA)**.

Contractor's Legal Name: Clifton Larson Allen, LLP

History of Contract: The original agreement between the IHL and CLA was to provide external audit services for the entire IHL System for a term of the four (4) annual reporting periods of Fiscal Years Ending June 30, 2018, 2019, 2020 and 2021. The Office of the State Auditor is also a party to this contract. This amendment is to extend the agreement with CLA to continue to provide external audit services for Fiscal Years Ending June 30, 2022, 2023 with an option to renew for two additional years for auditing services for Fiscal Years Ending June 30, 2024, and 2025.

Specific Type of Contract: Audit service agreement amendment

Purpose: The purpose of the amendment is to continue external audit services for the entire IHL System for a term of the two (2) annual reporting periods of Fiscal Years Ending June 30, 2022, and 2023 with an option to renew for two additional years for auditing services for Fiscal Years Ending June 30, 2024, and 2025 and to increase the total spending authority from \$4,000,000 to \$6,000,000.

Scope of Work: CLA agrees to perform an external audit examination of the IHL System's records for two (2) additional annual reporting periods. All professional services will be performed in accordance with current applicable auditing standards and all deliverables will meet guidelines established by regulatory bodies. Annual reporting periods covered under this agreement include Fiscal Years Ending June 30, 2022, and 2023 with an option to renew to cover Fiscal Years Ending June 30, 2024, and 2025.

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Term of Contract: The agreement will become effective upon full execution of all parties. The agreement will expire after the conclusion of the last services performed for the FY 2023 audit unless the option to renew is exercised.

Termination Options: Termination options include the following:

- Failure to perform by either party
- By IHL without cause with 15 days' notice

Contract Amount: The total contracted price for this two-year amendment is expected to be \$2,047,311. Fees are based on anticipated cooperation from IHL personnel in preparation of confirmations and requested schedules.

CLA may also bill in excess of this amount for the following additional services:

- Bookkeeping
- Unanticipated changes in organizational structure or accounting records
- Deterioration of accounting records
- Significant new accounting issues
- Mergers, acquisition, or other business combinations
- New or unusual transactions
- Changes in audit scope
- Erroneous or incomplete accounting records
- Material weakness in internal controls
- Regulatory examination matters
- Implementation of new accounting, reporting, regulatory, or tax requirements
- New financial statement disclosures
- Changes in timing due to delays caused by IHL system personnel

Approval is requested to increase spending authority due to additional service needs of the type listed above from \$4,000,000 to up to \$6,000,000.

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

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

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

A summary of the four proposals is presented below:

Vendor	RFP Evaluation Score	Total Contract Cost
CLA	176.0	\$ 3,465,000
KPMG	175.0	3,779,000
Cherry Bekaert	169.0	3,930,000
BKD	158.5	4,680,000

CLA’s proposal was scored the highest on the rating criteria. In addition, CLA’s bid was the lowest cost.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

9. JSU – REQUEST FOR APPROVAL TO ENTER INTO AN EQUIPMENT, SUBSCRIPTION, AND SERVICE AGREEMENT WITH CDW* GOVERNMENT LLC

Agenda Item Request: Jackson State University requests approval to enter into an Agreement with **CDW*Government, LLC** for the installation of a new firewall and virtual private network (VPN). Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods or Services*, JSU requests a waiver to allow payment of the annual subscription, maintenance, or service fee in advance of the coverage year.

Contractor’s Legal Name: CDW Government, LLC (CDWG), is a Cisco authorized reseller, installer and maintenance provider.

History of Contract: This is a new agreement.

Specific Type of Contract: Information Technology – Equipment, Subscription, and Service.

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Purpose: Jackson State University wishes to implement a new firewall and virtual private network (VPN) solution to enhance defenses, while also providing a "dashboard view" of all subnets to simplify security management. The firewall equipment will be used to secure Jackson State University's enterprise data network by monitoring incoming and outgoing network traffic. This equipment is critical and will allow the University Information Technology staff to secure the network. JSU's current firewall equipment is over 12 years old.

The Cisco firewall is a cybersecurity perimeter-defense appliance that combines firewall, antivirus, intrusion prevention, and virtual private network (VPN) capabilities, all meant to stop threats from making it onto corporate networks. A compromise of the device is akin to unlocking the front door of our enterprise network for storming cyber-attackers. Our current equipment has reached the end of life and patches to address the most recent vulnerabilities are not available, therefore we must update our system as soon as possible to protect from new exploits.

Scope of Work: The agreement sets out the terms under which CDWG will provide JSU with Cisco Firewall hardware, software, and maintenance to secure the University's enterprise data network. The Cisco Threat Defense Threat Protection - Subscription License is a fully outsourced, managed security service. It rapidly detects and responds to security events by analyzing your network traffic, evaluating security telemetry, and using global intelligence. Threat Defense takes ownership of the network security event lifecycle. It covers detection, confirmation, mitigation, and remediation. The Cisco service covers detection, confirmation, and mitigation, as well as provides remediation recommendations.

Cisco FirePOWER 4125 NGFW - security appliance – with 2 x NetMod Bays. The Cisco Firepower 4100 series is a family of seven threat-focused Next-Generation Firewall (NGFW) security platforms. Their throughput range addresses data center and Internet edge use cases. They deliver superior threat defense, at faster speeds, with a smaller footprint. Cisco Firepower 4100 series supports flow-offloading, programmatic orchestration, and the management of security services with RESTful APIs.

The Cisco 10GBASE-LR-S SFP Module delivers a wide variety of 10-Gigabit Ethernet connectivity options for data center, enterprise, and service provider applications over single-mode fiber. This hot-swappable input/output transceiver plugs into an Ethernet SFP+ port of a Cisco switch and offers optical interoperability with 10GBASE XENPAK, 10GBASE X2, and 10GBASE XFP interfaces on the same link

Term of Contract: This is a five (5) -year term commencing on May 1, 2022, and continuing through May 1, 2027.

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Termination Options: A party has the right to terminate this Agreement if the other party breaches a material provision of this Agreement; further, this Agreement contains an “Availability of Funds” provision.

Contract Amount: The estimated total cost over this period is \$370,500.00. No training or implementation costs will be necessary.

Funding Source of Contract: Higher Education Emergency Relief Fund administered by the US Department of Education.

Contractor Selection Process: Contractor Selection Process: On September 21, 2021, JSU conducted RFP 22-03, Cisco Firewall Equipment. Two (2) bidders submitted proposals, including ConvergeOne and CDW*Government, LLC (CDWG). Proposals were evaluated based upon cost and responses to specifications so that the lowest and the best proposal would be selected. The JSU selection committee selected CDWG as the awarded bidder for the services. The following reflects the scoring for the proposals. RFP Score and Cost: ConvergeOne (98) and (\$378,828.00), CDW*Government, LLC. (100) and Cost: \$\$370,500.00.

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. Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.*

10. MSU- REQUEST FOR APPROVAL TO ENTER INTO A FOOD SERVICE AGREEMENT WITH ARAMARK EDUCATIONAL SERVICES, LLC

Agenda Item Request: Mississippi State University, on behalf of its Department of Athletics, requests approval to enter into a Food Service Management Agreement with **Aramark Educational Services, LLC** for the provision of food service at Templeton dining facility in the Department of Athletics’ Templeton Athletic Academics Center.

Contractor’s Legal Name: Aramark Educational Services, LLC

History of Contract: MSU has contracted with Aramark since 2007 to manage the University’s campus food services program. To-date, Templeton has been one of the University’s general dining facilities. Because MSU and Aramark have agreed to manage the Templeton dining facility differently than other dining facilities at MSU, the parties are entering into a Food Service Management Agreement specific to food service provisions at Templeton.

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Specific Type of Contract: Food Service Management Agreement.

Purpose: To better accommodate the needs of MSU's student-athletes and to better manage food service costs of MSU's Athletics Department, MSU and Aramark have agreed to operate the Templeton dining facility on a "cost-plus" basis. This approach will allow for customization of menus to better meet the unique dietary needs of MSU's student-athletes and provide predictability of costs.

Scope of Work: Aramark will manage MSU Athletics' food service program at Templeton dining facility. Aramark will oversee the daily operations of the facility, including ordering and preparation of all food served, provision of staffing, general maintenance, and cleaning.

Term of Contract: July 1, 2022 through June 30, 2025

Contract Amount: MSU will pay Aramark on a monthly basis for reimbursable costs associated with operating the Templeton facility, which includes direct costs, allocated charges, and a 5% general and administrative expense allowance. MSU anticipates the total costs to operate the facility will not exceed \$2,000,000 annually.

Funding Source for Contract: MSU Athletic Funds

Termination Options: Either party may elect to terminate the Agreement by giving the other party sixty (60) days' written notice of its intention to terminate; provided, however, neither party may give notice of its intention to terminate during the first ninety (90) days of operation under the Agreement.

Contractor Selection Process: MSU is already under contract with Aramark for the provision of food services on MSU's campus.

Staff Recommendation: *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.*

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
APRIL 21, 2022**

1. **SYSTEM – INTENT TO OFFER AN EXISTING DEGREE PROGRAM BY DISTANCE LEARNING**

A. **JSU – Bachelor of Business Administration (BBA) in Business Administration**

Total credit hours: 121
CIP Code, Sequence: 52.0201, 5117
Cost to offer by distance learning: \$0
Effective date: Spring 2022

B. **MSU – Master of Science (MS) in Plant and Soil Sciences**

Total credit hours: 30
CIP Code, Sequence: 26.0301, 4573
Cost to offer by distance learning: \$2,000
Effective date: Spring 2022

C. **MSU – Doctor of Philosophy (PhD) in Plant and Soil Sciences**

Total credit hours: 40
CIP Code, Sequence: 26.0301, 1237
Cost to offer by distance learning: \$2,000
Effective date: Spring 2022

STAFF RECOMMENDATION: Board staff recommends acceptance of item 1 as information.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION ITEM
FINANCE
April 21, 2022

**1. SYSTEM – MISSISSIPPI INFORMATION TECHNOLOGY SERVICES
AMENDMENT TO THE SOFTWARE LICENSE WITH ENVIRONMENTAL
SYSTEMS RESEARCH INSTITUTE, INC. (ESRI)**

The attached exhibit represents the approval of MS-ITS of the Amendment 1 to the Software License Agreement with Environmental Systems Research Institute, Inc. (ESRI) on behalf of the IHL System. The purpose of the amendment is to extend the agreement three years through February 22, 2025. Attorney General's staff assigned to the MS-ITS reviewed the agreement prior to execution. The agreement is between Environmental Systems Research Institute, Inc. (ESRI) and MS-ITS on behalf of the IHL System.

See Exhibit 1.

**2. SYSTEM – MISSISSIPPI INFORMATION TECHNOLOGY SERVICES
AMENDMENT TO THE TEAMMATE GLOBAL LICENSE AND SUPPORT
SERVICES AGREEMENT WITH WOLTERS KLUWER FINANCIAL SERVICES,
INC.**

The attached exhibit represents the approval of MS-ITS of the Amendment 2 to the TeamMate Global License and Support Services Agreement with Wolters Kluwer Financial Services, Inc., on behalf of the IHL System. The purpose of the amendment is to extend the agreement for an additional term through February 28, 2025. Attorney General's staff assigned to the MS-ITS reviewed the agreement prior to execution. The agreement is between Wolters Kluwer Financial Services, Inc., and MS-ITS on behalf of the IHL System.

See Exhibit 2.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
APRIL 21, 2022**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
FEBRUARY 17, 2022 BOARD MEETING SUBMISSION DEADLINE**

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

Board Policy §904(A), Board Approval

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

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

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

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
APRIL 21, 2022**

ALCORN STATE UNIVERSITY

1. ASU- GS 101-297– TECHNOLOGY CLASSROOM BUILDING

Approval Request #1: Change Order #12

Board staff approved Change Order #12 in the amount of \$3,105.92 and zero (0) additional days to the contract of Flagstar Construction Company.

Approval Status & Date: APPROVED, March 31, 2022

Change Order Description: Change Order #12 includes the following: exploratory digging and relocation of DI-2 was done.

Change Order Justification: This change was due to latent job site conditions.

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$395,153.80.

Project Initiation Date: June 20, 2013

Design Professional: Allred Stolarski Architects, P.A.

General Contractor: Flagstar Construction Company

Total Project Budget: \$23,200,000.00

2. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PACKAGE A ELEVATORS

NOTE: This is a Bureau of Building project

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Canizaro Cawthon Davis

Approval Status & Date: APPROVED, February 9, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 9, 2022

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
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APRIL 21, 2022**

Project Initiation Date: June 20, 2019
Design Professional: Canizaro Cawthon Davis
General Contractor: TBD
Phased Project Budget: \$1,802,134.00
Total Project Budget: \$4,870,000.00

3. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PACKAGE B – INTERIOR

NOTE: This is a Bureau of Building project

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Canizaro Cawthon Davis

Approval Status & Date: APPROVED, February 9, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 9, 2022

Project Initiation Date: June 20, 2019
Design Professional: Canizaro Cawthon Davis
General Contractor: TBD
Phased Project Budget: \$1,623,456.00
Total Project Budget: \$4,870,000.00

4. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PACKAGE C – EXTERIOR

NOTE: This is a Bureau of Building project

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Canizaro Cawthon Davis

Approval Status & Date: APPROVED, February 9, 2022

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
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REAL ESTATE
APRIL 21, 2022**

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 9, 2022

Project Initiation Date: June 20, 2019

Design Professional: Canizaro Cawthon Davis

General Contractor: TBD

Phased Project Budget: \$1,444,410.00

Total Project Budget: \$4,870,000.00

DELTA STATE UNIVERSITY

1. DSU- GS 102-271- NURSING SCHOOL EXPANSION AND RENOVATION

UNAPPROVABLE Request #1: Award of Construction Contract

Board staff DID NOT approve the Award of Contract in the amount of \$10,454,000.00 to the apparent low bidder, Richard Womack Construction, LLC.

Approval Status & Date: UNAPPROVED, April 1, 2022

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects

General Contractor: Richard Womack Construction, LLC

Total Project Budget: \$11,875,000.00

JACKSON STATE UNIVERSITY

2. JSU- GS 103-295- ELECTRICAL INFRASTRUCTURE REPAIRS

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on March 8, 2022 to approve the initiation and design professional for the Electrical Infrastructure Repairs project.

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Interim Approval Status & Date: APPROVED, March 8, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$835,000.00 to the apparent low bidder, McInnis Electric Systems.

Approval Status & Date: APPROVED, March 9, 2022

Project Initiation Date: December 9, 2021

Design Professional: Schultz Wynne, P.A.

General Contractor: McInnis Electric Systems

Total Project Budget: \$1,241,806.89

MISSISSIPPI STATE UNIVERSITY

3. MSU- IHL 205-287– PARKING GARAGE NORTH - REBID

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$133,796.84 and eighty-four (84) additional days to the contract of Amason & Associates, Inc.

Approval Status & Date: APPROVED, March 3, 2022

Change Order Description: Change Order #2 includes the following item: removed abandoned storm pipe under the garage and parking area; added additional pipe bollards to protect the elevator; added data and power to two (2) site signage locations, two (2) gate locations; added cameras, WAP's and data cabling upgrade; added wall infill at the north stairwell first level; rerouted storm drainage at the northeast corner site; modified existing storm drain inlet and cut a tree at the northeast corner of the site; concrete masonry unit wall infill at gaps at the elevator shaft; modifications to the south concrete flume; added a low segmental block wall near the existing water oak at the northwest corner of the site; installed a French drain under the north end of the west drive; and eighty-four (84) days to the contract..

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

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$208,559.97.

Project Initiation Date: August 19, 2010

Design Professional: McCarty Architects, Professional Association

General Contractor: Amason & associates, Inc.

Total Project Budget: \$16,000,000.00

4. MSU- IHL 205-291– NEW TRANSIT FACILITY

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the credit amount of \$5,145.00 and zero (0) additional days to the contract of J.T. Harrison Construction Co., Inc.

Approval Status & Date: APPROVED, February 28, 2022

Change Order Description: Change Order #5 includes the following items: credit issued for the remaining HVAC controls allowance; and credit to delete all duct detectors except for one required.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$274,247.69.

Project Initiation Date: April 18, 2019

Design Professional: Shafer-Zahner-Zahner

General Contractor: J. T. Harrison Construction Co., Inc.

Total Project Budget: \$4,950,000.00

5. MSU- IHL 205-306– IED PARKING LOT IMPROVEMENTS

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the credit amount of \$980.00 and zero (0) additional days to the contract of Burns Dirt Construction, Inc.

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Approval Status & Date: APPROVED, February 23, 2022

Change Order Description: Change Order #3 includes the following item: credit issued for unfinished landscaping awaiting completion of the sidewalk project.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$142,750.00.

Project Initiation Date: June 18, 2020
Design Professional: Pickering Firm, Inc.
General Contractor: Burns Dirt Construction, Inc.
Total Project Budget: \$2,000,000.00

6. MSU- IHL 205-314– ALLEN HALL STRUCTURAL INFILL

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Architecture South

Approval Status & Date: APPROVED, February 23, 2022

Project Initiation Date: July 27, 2021
Design Professional: Architecture South
General Contractor: TBD
Total Project Budget: \$1,196,564.70

7. MSU- IHL 205-321 – SUMMER PAVING 2022

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, January 14, 2022

Approval Request #2: Waiver Design Development Documents

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Board staff approved the Waiver of Design Development Documents as submitted by Neel Schaffer, Engineers & Planners, Inc.

Approval Status & Date: APPROVED, January 14, 2022

Approval Request #3: Contract Documents

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

Approval Status & Date: APPROVED, March 21, 2022

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 21, 2022

Project Initiation Date: December 7, 2021

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

General Contractor: TBD

Total Project Budget: \$1,200,000.00

8. MSU- JOHN W. STARR FOREST TIMBER SALES

Approval Request #1: (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on February 8, 2022 for the sale of timber of less than \$500,000.00 from the John W. Starr memorial Forest in Winston County, MS.

Interim Approval Status & Date: APPROVED, February 8, 2022

9. MSU- IHL 205-312- LAKEVIEW DRIVE RELOCATION

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,609,960.00 to the apparent low bidder, Burns Dirt Construction, Inc.

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Approval Status & Date: APPROVED, March 21, 2022

Project Initiation Date: May 20, 2021

Design Professional: Smithers Engineers

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$2,900,000.00

10. MSU- IHL 405-002– Kinesiology Building / Autism Services Building

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Eley Guild Hardy / Dale Partners - A Joint Venture.

Approval Status & Date: APPROVED, February 28, 2022

Project Initiation Date: May 18, 2017

Design Professional: Eley Guild hardy / Dale Partners – A Joint Venture

General Contractor: TBD

Total Project Budget: \$55,000,000.00

**11. MSU- IHL 413-144 – Sustainable Bioproducts Facilities Phase II – Building 4/
General Works**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$72,669.67 and zero (0) additional days to the contract of Construction Services, Inc.

Approval Status & Date: APPROVED, February 28, 2022

Change Order Description: Change Order #1 includes the following items: added additional sprinkler heads; credit issued for changes made to site power and a fire alarm; and added an additional retaining wall.

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

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$72,669.67.

Project Initiation Date: June 18, 2020

Design Professional: PryorMorrow PC

General Contractor: Construction Services, Inc.

Phased Project Budget: \$3,700,000.00

Total Project Budget: 5,000,000.00

MISSISSIPPI UNIVERSITY FOR WOMEN

12. MUW- GS 104-188– Culinary Arts

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$11,465.55 and thirty-one (31) additional days to the contract of West Brothers Construction LLC.

Approval Status & Date: APPROVED, March 9, 2022

Change Order Description: Change Order #1 includes the following items: electrical, gas piping, concrete, masonry wall and steel gates modification to relocate site electrical enclosure; added an additional automatic door operator; added additional slab reinforcing rebar; installed owner provided electronic drinking fountains; revised the utility trench system; added additional footing and rebar; reduction & relocation of the site dumpster enclosure walls; credit reconciliation of allowance concerning HVAC controls; thirty-one (31) days to the contract of which twenty-one (21) for weather delays.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$11,465.55.

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: West Brothers Construction LLC

Total Project Budget: \$19,555,613.00

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UNIVERSITY OF MISSISSIPPI

13. UM- IHL 207-449– LYCEUM EXTERIOR WINDOW RESTORATION

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$2,400.00 and fourteen (14) additional days to the contract of Tombigbee Contractors, LLC.

Approval Status & Date: APPROVED, February 7, 2022

Change Order Description: Change Order #3 includes the following items: prep, prime and paint eight (8) windows and trim in the Chancellor’s office and conference room and fourteen (14) days to the contract.

Change Order Justification: This change was necessary due to user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$19,656.00.

Project Initiation Date: February 21, 2019

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

General Contractor: Tombigbee Contractors, LLC

Total Project Budget: \$1,725,000.00

**14. UM- IHL 207-457– TRACK AND FIELD LOCKER ROOMS – PKG J
ELECTRICAL**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$4,547.20 and forty-one (41) additional days to the contract of Advanced Electric.

Approval Status & Date: APPROVED, March 23, 2022

Change Order Description: Change Order #2 includes the following items: provided power to the interior signage; provided power to the air compressor at the dryer; installed

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a fire alarm dialer; and forty-one (41) days to the contract of which twenty-seven (27) are weather related days.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; latent job site conditions; and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$11,465.55.

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: Advanced Electric

Phased Project Budget: \$421,108.25

Total Project Budget: \$3,700,000.00

**15. UM- IHL 207-470 – OXFORD-UNIVERSITY STADIUM (SWAYZE FIELD) –
ADA RAMP**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by A2H, PLLC.

Approval Status & Date: APPROVED, March 11, 2022

Approval Request #2: Waiver Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by A2H, PLLC.

Approval Status & Date: APPROVED, March 11, 2022

Project Initiation Date: October 21, 2021

Design Professional: A2H, PLLC

General Contractor: TBD

Total Project Budget: \$1,000,000.00

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16. UM- IHL 207-474 – SOUTH OXFORD CENTER – 2ND FLOOR COSTUME & CRAFT SUITE

Approval Request #1: Contract Documents

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

Approval Status & Date: APPROVED, February 7, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 7, 2022

Approval Request #3: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,083,000.00 to the apparent low bidder, J P Corp General Contractors.

Approval Status & Date: APPROVED, April 6, 2022

Project Initiation Date: January 20, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$1,178,790.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

17. UMMC- IHL 209-555– CHILDREN’S OF MISSISSIPPI EXPANSION

Approval Request #1: Change Order #16

Board staff approved Change Order #16 in the credit amount of \$64,002.00 and fifty-four (54) additional days to the contract of Brasfield & Gorrie General Contractors.

Approval Status & Date: APPROVED, February 23, 2022

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Change Order Description: Change Order #16 includes the following items: credit at the Methodist Rehabilitation Hospital site; CSPD costs; changed the circuit breakers at the elevators; added fire/smoke dampers in the clinic area; revised the delayed egress doors on the PICU and NICU levels; headwall faceplates provided in the patient rooms; added electrical connecting system to the fixed furniture; added exhaust to two (2) communication and soiled rooms in the clinic area; relocated med gas outlets in both MRIs; installed an air compressor on a level and the associated pipint to the CSPD area; replaced electrical panels; installed engraved switch plates for the headwalls in the patient rooms; mechanical grills were added at the shell space; added push to exit buttons and corresponding door hardware and revised the exit sign locations; revised the entry door/ramp at the elevator penthouse, caulked fire-rated enclosures, and mechanical changes; added OR suites and added three (3) cross corridor doors and revised the hardware for two (2) OR doors; revised the fire shutter at the transaction window from a fusible link to a motorized door; added a raceway and power for a drain valve at the medical air storage tank; added a guardrail on the south side of the building; added cleaning services; credit issued for standard light fixtures; ductwork replaced at the NICU isolations rooms exhaust from 8” to 12” for air flow; the installed desiccant wheel to AHU 3 & 4 was relocated by way of a temporary bypass; a temporary lens was provided for some of the light fixtures; added firewrap for a mechanical duct; revision for a contractor ledger error; glass handrail mock up built; weather delays reconciled against the substantial completion date; accounting correction done for the additions that were not calculated in the amount issued back to the owner; drywall patching and repair done at light fixtures; and fifty-four (54) days to the contract.

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

Total Project Change Orders and Amount: Sixteen (16) change orders for a total credit amount of \$64,002.00.

Project Initiation Date: April 21, 2016

Design Professional: HDR Architects

General Contractor: Brasfield & Gorrie General Contractors

Total Project Budget: \$189,000,000.00

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18. UMMC- IHL 209-577– EMERGENCY RESPONSE STATION – NORTH

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by JH&H Architects

Approval Status & Date: APPROVED, February 9, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 9, 2022

Project Initiation Date: March 2, 2021

Design Professional: JH&H Architects

General Contractor: TBD

Phased Project Budget: \$676,015.00

Total Project Budget: \$1,250,000.00

19. UMMC- IHL 409-001 – RESEARCH AHU REPLACEMENT

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Dean and Dean Architects

Approval Status & Date: APPROVED, February 9, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 9, 2022

Project Initiation Date: January 20, 2022

Design Professional: Dean and Dean Architects

General Contractor: TBD

Total Project Budget: \$2,122,624,00

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UNIVERSITY OF SOUTHERN MISSISSIPPI

**20. USM- GS 114-027 – GULF PARK EXECUTIVE EDUCATION AND
CONFERENCE CENTER**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Unabridged Architecture. The total project budget is \$200,000.00 (Design Fees Only).

Approval Status & Date: APPROVED, February 22, 2022

Project Initiation Date: February 21, 2019

Design Professional: Unabridged Architecture

General Contractor: TBD

Total Project Budget: \$200,000.00

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 LEGAL
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1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 1/1/22, 1/1/22, 3/1/22 and 3/1/22) from the funds of Jackson State University. (These statements, in the amounts of \$52.38, \$35.93, \$56.15 and \$38.92, respectively, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 183.38

Payment of legal fees for professional services rendered by Armstrong Law (statement dated 9/1/21) from the funds of Jackson State University. (This statement, in the amount of \$2,000.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,000.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 3/15/22) from the funds of Mississippi State University. (This statement, in the amount of \$1,718.75, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,718.75

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/1/22, 2/1/22, 3/1/22 and 3/31/22) from the funds of Mississippi State University. (These statements, in the amounts of \$40.65, \$665.00, \$539.00 and \$535.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 1,779.65

Payment of legal fees for professional services rendered by Brunini (statement dated 3/15/22) from the funds of the University of Mississippi. (This statement, in the amount of \$675.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 675.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/7/22, 2/7/22, 2/11/22, 2/11/22, 2/11/22 and 2/23/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$531.00, \$118.00, \$1,524.00, \$3,333.50, \$7,541.50 and \$649.00, respectively, represent services and expenses in connection with general legal advice.)

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TOTAL DUE.....\$ 13,697.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 3/1/22, 3/1/22, 3/1/22, 3/1/22 and 3/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$99.14, \$83.94, \$106.04, \$155.54 and \$2,500.00, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 2,944.66

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statement dated 3/10/22) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$6,838.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 6,838.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/7/22, 1/19/22, 2/15/22, 2/15/22, 2/15/22, 2/15/22, 2/22/22, 2/22/22, 3/14/22, 3/14/22, 3/14/22, 3/14/22, 3/14/22, 3/14/22 and 3/14/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,583.05, \$15,339.45, \$2,688.50, \$11,919.00, \$796.50, \$9,369.60, \$847.00, \$3,893.15, \$8,071.40, \$7,356.40, \$1,592.45, \$17,897.00, \$66.00, \$33.00 and \$733.75, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 85,186.15

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 1/27/22, 2/8/22 and 2/8/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,491.20, \$6,268.78 and \$693.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,452.98

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 1/26/22, 2/25/22 and 2/25/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$751.20, \$577.50 and \$1,369.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,698.20

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 12/27/21, 12/27/21, 2/8/22, 2/8/22, 2/8/22, 2/8/22, 2/8/22, 2/8/22 and 2/8/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of

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\$5,366.23, \$775.50, \$558.10, \$66.00, \$7,590.00, \$742.50, \$199.70, \$2,786.40 and \$146.40, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 18,230.83

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 2/17/22 and 3/22/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,145.00 and \$2,585.00 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,730.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 2/3/22, 2/3/22, 2/7/22, 3/8/22 and 3/11/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$693.00, \$57.00, \$12,952.50, \$132.00 and \$10,614.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 24,448.50

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 2/8/22, 2/8/22, 2/8/22, 2/10/22, 3/2/22, 3/2/22 and 3/3/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$247.50, \$2,459.00, \$66.00, \$17,649.50, \$2,574.00, \$132.00 and \$3,630.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 26,758.00

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 1/31/22, 2/10/22, 2/10/22, 2/10/22, 2/15/22, 2/23/22, 3/1/22, 3/8/22, 3/8/22 and 3/9/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$15,578.72, \$1,536.00, \$1,723.50, \$14,494.40, \$9,612.65, \$10,590.00, \$642.00, \$468.00, \$4,518.10 and \$2,556.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 61,719.37

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 3/14/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$312.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 312.00

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Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/22/22 and 3/23/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$9,194.96 and \$12,822.10, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 22,017.06

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 3/1/22, 3/1/22, 3/1/22, 3/1/22, 3/1/22 and 3/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$3,000.00, \$2,250.00, \$2,250.00, \$2,250.00, \$2,250.00 and \$2,250.00, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 14,250.00

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 (statements dated 2/22/22, 2/22/22, 2/22/22 and 2/22/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “IP and Regulatory Matters” - \$781.00; “Sequence Specific Phage-Based Antimicrobials” - \$2,903.00; “Live Attenuated Edwardsiella ictaluri Vaccine and Method of Using Same” - \$1,622.50; and “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - \$263.50.)

TOTAL DUE.....\$ 5,570.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 3/7/22, 3/7/22 and 3/7/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$2,719.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxini and Cytotoxin” - \$2,670.00; and “Occidiofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$2,979.00.)

TOTAL DUE.....\$ 8,368.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 2/17/22, 3/25/22, 3/25/22 and 3/25/22) from the funds of Mississippi State University. (These statements represents services and expenses in connection with the following patents: “A Novel Process for Converting Natural Gas to Petrochemicals” - \$416.00; “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - \$659.73; “Coal Char-Production and

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Properties” - \$47.50; and “Compositions of Food Grade Coatings to Control Pest Infestations and Methods of Applications” - \$290.00, respectively.)

TOTAL DUE.....\$ 1,413.23

Payment of legal fees for professional services rendered by Thomas|Horstemeyer, LLP (statements dated 2/28/22, 2/28/22, 2/28/22, 2/28/22, 2/28/22, 2/28/22 and 2/28/22) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Biologically Active Cannabidiol Analogs” - \$264.00; “Biologically Active Cannabidiol Analogs” - \$264.00; “Biologically Active Cannabidiol Analogs” - \$264.00; “L-y-Methylglutamine Compounds, Methods of Forming the Same, and Methods of Use Thereof” - \$2,697.40; “Biologically Active Cannabidiol Analogs” - \$703.50; “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - \$206.68; and “Biologically Active Cannabidiol Analogs” - \$264.00.)

TOTAL DUE.....\$ 4,663.58

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 2/11/22, 3/11/22, and 3/11/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$754.00, \$952.00, \$546.50, \$512.50, \$560.50, \$5,979.00, \$2,313.00, \$2,120.50, \$1,686.00, \$2,039.19, \$538.50, \$565.50, \$564.50, \$338.00 and \$85.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 19,555.19

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 2/28/22, 2/28/22, 2/28/22, 2/28/22, 3/10/22 and 3/10/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$145.00, \$3,507.50, \$80.00, \$537.50, \$2,685.00 and \$80.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 7,035.00

2. JSU – EMERGENCY APPROVAL TO CONTRACT WITH SPENCE PARTNERS LAW FIRM AS OUTSIDE COUNSEL

Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved JSU’s emergency request to hire the Spence Partners law firm as outside counsel for legal representation in a litigation matter filed in the Chancery Court of Shelby County, Tennessee styled *Summitt Management Corporation v. Jackson State*

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University, et al. JSU needed approval of this request prior to the April 2022 Board meeting in order to secure outside counsel in Tennessee in time to respond to the Complaint. The term of the contract began on April 11, 2022 and will expire upon resolution of the case unless terminated sooner by either party. The hourly rates are \$425 for the lead attorney and \$350 for associate attorneys with a maximum amount payable under this agreement of \$75,000. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000. This request is has been approved by the Attorney General.

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1. **SYSTEM – 2022 SPRING COMMENCEMENT SCHEDULES**

Alcorn State University

Time/Date: 9:00 a.m., Saturday, May 14, 2022
Location: Jack Spinks and Marino Casem Stadium/Dwight Fisher Field
Speaker: TBD

Delta State University

Graduate and Undergraduate

Time/Date: 10:00 a.m., Friday, May 6, 2022
Location: Walter Sillers Coliseum
Speaker: Mr. Walt Bettinger, President and CEO, The Charles Schwab Corporation

Jackson State University

Graduate

Time/Date: 9:00 a.m., Friday, April 29, 2022
Location: Lee E. Williams Athletics and Assembly Center
Speaker: Ms. Thasunda Brown Duckett, President and Chief Executive Officer of Teachers Insurance and Annuity Association of America (TIAA)

Undergraduate

Time/Date: 9:00 a.m., Saturday, April 30, 2022
Location: Veterans Memorial Stadium
Speaker: Homer Wilkes, Ph.D., Under Secretary for Natural Resources and Environment

Mississippi State University

Meridian Campus

Time/Date: 11:00 a.m., Thursday, May 12, 2022
Location: MSU Riley Center
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Starkville Campus

College of Education, College of Business, and ACCESS

Time/Date: 3:00 p.m., Thursday, May 12, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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College of Arts and Sciences and College of Architecture, Art and Design

Time/Date: 9:00 a.m., Friday, May 13, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Bagley College of Engineering, College of Agriculture and Life Sciences, College of Forest Resources, College of Veterinary Medicine, and Academic Affairs

Time/Date: 3:00 p.m., Friday, May 13, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Mississippi University for Women

College of Nursing and Health Sciences – Nursing Pinning/Degree Conferral Ceremony

Time/Date: 2:00 p.m., Saturday, May 6, 2022
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

College of Arts & Sciences and College of Business and Professional Studies

Time/Date: 11:00 a.m., Saturday, May 7, 2022
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

School of Education, College of Nursing and Health Sciences

Time/Date: 2:00 p.m., Saturday, May 7, 2022
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

Mississippi Valley State University

Time/Date: 8:00 a.m., Saturday, May 7, 2022
Location: Rice-Totten Stadium
Speaker: Ms. Ifa Bayeza, Award-Winning Playwright, Director, Composer, Novelist, and Educator.

The University of Mississippi

Time/Date: 8:00 a.m., Saturday, May 7, 2022
Location: The Grove
Speaker: Mr. Bradford Cobb, Partner, Direct Management Group

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The University of Mississippi Medical Center

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

Time/Date: 10:00 a.m., Friday, May 27, 2022
Location: Mississippi Coliseum
Speaker: No Speaker

The University of Southern Mississippi

Graduate Students – All Colleges

Time/Date: 6:00 p.m., Thursday, May 12, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

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

Time/Date: 9:00 a.m., Friday, May 13, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Undergraduates – College of Arts and Sciences

Time/Date: 2:00 p.m., Friday, May 13, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

Coast – Graduates and Undergraduates – All Colleges

Time/Date: 3:00 p.m., Saturday, May 14, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS
Speaker: No Speaker

2. **DSU – AWARD ONE HONORARY DEGREE THAT WAS POSTPONED DUE TO THE PANDEMIC**

On November 21, 2019, the IHL Board approved Delta State University's request to bestow one honorary degree at its May 2020 commencement ceremony. This ceremony was postponed due to the COVID-19 pandemic. The University now plans to confer this honorary degree at its May 2022 Commencement. Supporting documents are on file at the Board Office.

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3. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

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

- a. **MSU** – On March 10, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the MSU Research & Technology Corporation for approximately 704 square feet of space in the Thad Cochran Research, Technology & Economic Development Park, as well as the request to prepay the monthly lease payments under this agreement. The leased space is for the use of the Boots to Business Revenue Grant Program. The term of the lease begins March 15, 2022 and ends February 28, 2027, at a cost of \$880 per month. These monthly rent payments are payable in advance on the first day of each calendar month, pursuant to paragraph 4 of the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- b. **MSU** – On March 15, 2022, Commissioner Alfred Rankins, Jr., approved Amendment No. 1 to a Rental Agreement between Mississippi State University and S. Everett Rushing for approximately 1, 368 square feet of office space located at 2654 Ridgewood Road, Suite B., Jackson, MS, for use by employees of the Office of Nutrition Education (ONE). This Amendment renews the term of the Agreement for one-year effective April 26, 2022 through April 25, 2023, at a cost of \$1,850 per month, payable in advance on or before the 7th of each month, for a total cost of \$22,200 for the twelve month renewal period. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- c. **MSU** – On March 30, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and EDR College View MS LLC for use as a temporary student housing for between 2 and 14 students who have been displaced as a result of damage to a university residence hall. The term of the lease agreement is three months from February 14, 2022 to May 14, 2022. Though the students have moved into the space, there was a delay in the completion of the contract over the negotiation of insurance provisions. The monthly base rent per bed for a 2 bedroom/2 bath unit is \$773.50 with a maximum of 2 beds and \$623.50 for a 4 bedroom/2 bath unit with a maximum of 12 beds. The total cost for the three-month term is not to exceed \$29,000. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- d. **MSU** – On April 5, 2022, Commissioner Alfred Rankins, Jr., approved the Grant of Right of Way between Mississippi State University and the City of Starkville.

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The Grant of Right of Way grants the City of Starkville an easement that allows them to maintain the roadway from the University to an existing City maintained roadway. There is no clear delineation between the City and University property along the roadway. The Right of Way will become effective on the date of execution. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 905 Real Estate Management. A copy of the documents is on file in the IHL Board Office.

- e. **UM** – On March 30, 2022, Commissioner Alfred Rankins, Jr., approved the Assumption and Assignment of Lease among Deke Property Group (Assignor), DKE-CHI, LLC (Assignee) and IHL/The University of Mississippi (Lessor) for Lot #317 on the University of Mississippi’s campus. This is the second assignment and assumption of the existing lease with the original lessee Rampant Lion Foundation previously assigning the lease to Deke Property by agreement dated December 1, 2021. Deke Property now seeks to assign and convey all rights, title and interest in the primary lease with the IHL to DKE-CHI, LLC. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.