

By: Representative West

To: Universities and  
Colleges; Appropriations

HOUSE BILL NO. 840

1 AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF  
3 HIGHER LEARNING SHALL DEVELOP AND MAINTAIN A TRACKING SYSTEM TO  
4 COMPILE INFORMATION REGARDING COLLEGE STUDENTS WHO GRADUATE FROM  
5 INSTITUTIONS OF HIGHER LEARNING ON AN ANNUAL BASIS; AND FOR  
6 RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 37-101-15, Mississippi Code of 1972, is  
9 amended as follows:

10 37-101-15. (a) The Board of Trustees of State Institutions  
11 of Higher Learning shall succeed to and continue to exercise  
12 control of all records, books, papers, equipment, and supplies,  
13 and all lands, buildings, and other real and personal property  
14 belonging to or assigned to the use and benefit of the board of  
15 trustees formerly supervising and controlling the institutions of  
16 higher learning named in Section 37-101-1. The board shall have  
17 and exercise control of the use, distribution and disbursement of  
18 all funds, appropriations and taxes, now and hereafter in  
19 possession, levied and collected, received, or appropriated for  
20 the use, benefit, support, and maintenance or capital outlay  
21 expenditures of the institutions of higher learning, including the  
22 authorization of employees to sign vouchers for the disbursement  
23 of funds for the various institutions, except where otherwise  
24 specifically provided by law.

25 (b) The board shall have general supervision of the affairs  
26 of all the institutions of higher learning, including the  
27 departments and the schools thereof. The board may, in its  
28 discretion, determine who shall be privileged to enter, to remain  
29 in, or to graduate therefrom. The board shall have general

30 supervision of the conduct of libraries and laboratories, the care  
31 of dormitories, buildings, and grounds; the business methods and  
32 arrangement of accounts and records; the organization of the  
33 administrative plan of each institution; and all other matters  
34 incident to the proper functioning of the institutions. The board  
35 may establish minimum standards of achievement as a prerequisite  
36 for entrance into any of the institutions under its jurisdiction,  
37 which standards need not be uniform between the various  
38 institutions and which may be based upon such criteria as the  
39 board may establish.

40 (c) The board shall exercise all the powers and prerogatives  
41 conferred upon it under the laws establishing and providing for  
42 the operation of the several institutions herein specified. The  
43 board shall adopt such bylaws and regulations from time to time as  
44 it deems expedient for the proper supervision and control of the  
45 several institutions of higher learning, insofar as such bylaws  
46 and regulations are not repugnant to the Constitution and laws,  
47 and not inconsistent with the object for which these institutions  
48 were established. The board may prescribe rules and regulations  
49 for policing the campuses and all buildings of the respective  
50 institutions, \* \* \* authorize the arrest of all persons violating  
51 on any campus any criminal law of the state, and \* \* \* have such  
52 law violators turned over to the civil authorities.

53 (d) For all institutions specified herein, the board shall  
54 provide a uniform system of recording and of accounting approved  
55 by the State Department of Audit. The board shall annually  
56 prepare, or cause to be prepared, a budget for each institution of  
57 higher learning for the succeeding year which must be prepared and  
58 in readiness for at least thirty (30) days before the convening of  
59 the regular session of the Legislature. All relationships and  
60 negotiations between the State Legislature and its various  
61 committees and the institutions named herein shall be carried on  
62 through the board of trustees. No official, employee or agent

63 representing any of the separate institutions shall appear before  
64 the Legislature or any committee thereof except upon the written  
65 order of the board or upon the request of the Legislature or a  
66 committee thereof.

67 (e) For all institutions specified herein, the board shall  
68 prepare an annual report to the Legislature setting forth the  
69 disbursements of all monies appropriated to the respective  
70 institutions. Each report to the Legislature shall show how the  
71 money appropriated to the several institutions has been expended,  
72 beginning and ending with the fiscal years of the institutions,  
73 showing the name of each teacher, officer, and employee, and the  
74 salary paid each, and an itemized statement of each and every item  
75 of receipts and expenditures. Each report must be balanced, and  
76 must begin with the former balance. If any property belonging to  
77 the state or the institution is used for profit, the reports shall  
78 show the expense incurred in managing the property and the amount  
79 received therefrom. The reports shall also show a summary of the  
80 gross receipts and gross disbursements for each year and shall  
81 show the money on hand at the beginning of the fiscal period of  
82 the institution next preceding each session of the Legislature and  
83 the necessary amount of expense to be incurred from said date to  
84 January 1 following. The board shall keep the annual expenditures  
85 of each institution herein mentioned within the income derived  
86 from legislative appropriations and other sources, but in case of  
87 emergency arising from acts of providence, epidemics, fire or  
88 storm with the written approval of the Governor and by written  
89 consent of a majority of the Senators and of the Representatives  
90 it may exceed the income. The board shall require a surety bond  
91 in a surety company authorized to do business in this state, of  
92 every employee who is the custodian of funds belonging to one or  
93 more of the institutions mentioned herein, which bond shall be in  
94 a sum to be fixed by the board in an amount that will properly

95 safeguard the said funds, the premium for which shall be paid out  
96 of the funds appropriated for said institutions.

97 (f) The board may elect the heads of the various  
98 institutions of higher learning and \* \* \* contract with all deans,  
99 professors, and other members of the teaching staff, and all  
100 administrative employees of those institutions for a term of not  
101 exceeding four (4) years. The board may terminate any such  
102 contract at any time for malfeasance, inefficiency, or  
103 contumacious conduct, but never for political reasons. It shall  
104 be the policy of the board to permit the executive head of each  
105 institution to nominate for election by the board all subordinate  
106 employees of the institution over which he presides. It shall be  
107 the policy of the board to elect all officials for a definite  
108 tenure of service and to reelect during the period of satisfactory  
109 service. The board may make any adjustments it thinks necessary  
110 between the various departments and schools of any institution or  
111 between the different institutions.

112 (g) The board shall keep complete minutes and records of all  
113 proceedings which shall be open for inspection by any citizen of  
114 the state.

115 (h) The board may contract, on a shared-savings, lease or  
116 lease-purchase basis, for energy efficiency services and/or  
117 equipment as prescribed in Section 31-7-14, not to exceed ten (10)  
118 years.

119 (i) The Board of Trustees of State Institutions of Higher  
120 Learning, for and on behalf of Jackson State University, may  
121 convey by donation or otherwise easements across portions of  
122 certain real estate located in the City of Jackson, Hinds County,  
123 Mississippi, for right-of-way required for the Metro Parkway  
124 Project.

125 (j) The board shall develop and maintain a tracking system  
126 to compile information regarding college students who are  
127 graduating from the state institutions of higher learning on an

128 annual basis. The information shall include, but is not limited  
129 to, the following:

130 (i) The number of students graduating;

131 (ii) The subject area of study of those graduating  
132 students;

133 (iii) The number of graduating students that  
134 remain in Mississippi after graduation; and

135 (iv) The number of students that move outside the  
136 State of Mississippi after graduation.

137 **SECTION 2.** This act shall take effect and be in force from  
138 and after July 1, 2004.