

By: Senator(s) Harkins, Kirby, Tollison

To: Rules

## SENATE CONCURRENT RESOLUTION NO. 547

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 213A OF THE MISSISSIPPI CONSTITUTION OF 1890 TO DELETE THE  
3 PROVISION WHICH LIMITS THE BOARD OF TRUSTEES OF STATE INSTITUTIONS  
4 OF HIGHER LEARNING TO APPROVING EMPLOYMENT CONTRACTS FOR  
5 INSTRUCTORS, FACULTY AND ADMINISTRATIVE STAFF FOR A TERM NOT  
6 EXCEEDING FOUR YEARS; AND FOR RELATED PURPOSES.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
8 MISSISSIPPI, That the following amendment to the Mississippi  
9 Constitution of 1890 is proposed to the qualified electors of the  
10 state:

11 Amend Section 213A, Mississippi Constitution of 1890, to read  
12 as follows:

13 Section 213A. The state institutions of higher learning in  
14 Mississippi, to wit: University of Mississippi, Mississippi State  
15 University of Agriculture and Applied Science, Mississippi  
16 University for Women, University of Southern Mississippi, Delta  
17 State University, Alcorn State University, Jackson State  
18 University, Mississippi Valley State University, and any others  
19 which may be organized or established by the State of Mississippi,  
20 shall be under the management and control of a board of trustees



21 to be known as the Board of Trustees of State Institutions of  
22 Higher Learning. The Governor shall appoint the members of the  
23 board with the advice and consent of the Senate. The Governor  
24 shall appoint only persons who are qualified electors residing in  
25 the district from which each is appointed, and at least  
26 twenty-five (25) years of age, and of the highest order of  
27 intelligence, character, learning and fitness for the performance  
28 of such duties, to the end that such board shall perform its high  
29 and honorable duties to the greatest advantage of the people of  
30 the state and such educational institutions, uninfluenced by any  
31 political considerations. The board of trustees shall be composed  
32 of twelve (12) members. The members of the board of trustees as  
33 constituted on January 1, 2004, shall continue to serve until  
34 expiration of their respective terms of office. Appointments made  
35 to fill vacancies created by expiration of members' terms of  
36 office occurring after January 1, 2004, shall be as follows: The  
37 initial term of the members appointed in 2004 shall be for eleven  
38 (11) years; the initial term of the members appointed in 2008  
39 shall be for ten (10) years; and the initial term of the members  
40 appointed in 2012 shall be for nine (9) years. After the  
41 expiration of the initial terms, all terms shall be for nine (9)  
42 years. Four (4) members of the board of trustees shall be  
43 appointed from each of the three (3) Mississippi Supreme Court  
44 districts and, as such vacancies occur, the Governor shall make  
45 appointments from the Supreme Court district having the smallest



46 number of board members until the membership includes four (4)  
47 members from each district. In case of a vacancy on the board by  
48 death or resignation of a member, or from any cause other than the  
49 expiration of such member's term of office, the board shall elect  
50 his successor, who shall hold office until the end of the next  
51 session of the Legislature. During such term of the session of  
52 the Legislature, the Governor shall appoint the successor member  
53 of the board from the district from which his predecessor was  
54 appointed, to hold office for the balance of the unexpired term  
55 for which such original trustee was appointed, to the end that  
56 one-third (1/3) of such trustees' terms will expire each three (3)  
57 years.

58 The Legislature shall provide by law for the appointment of a  
59 trustee for the La Bauve Fund at the University of Mississippi and  
60 for the perpetuation of such fund.

61 Such board shall have the power and authority to elect the  
62 heads of the various institutions of higher learning, and contract  
63 with all deans, professors and other members of the teaching  
64 staff, and all administrative employees of the institutions \* \* \*;  
65 but the board may terminate any such contract at any time for  
66 malfeasance, inefficiency or contumacious conduct, but never for  
67 political reasons.

68 Nothing herein contained shall in any way limit or take away  
69 the power the Legislature had and possessed, if any, at the time



70 of the adoption of this amendment, to consolidate, abolish or  
71 change the status of any of the above named institutions.

72 BE IT FURTHER RESOLVED, That this proposed amendment shall be  
73 submitted by the Secretary of State to the qualified electors at  
74 an election to be held on the first Tuesday after the first Monday  
75 of November 2019, as provided by Section 273 of the Constitution  
76 and by general law.

77 BE IT FURTHER RESOLVED, That the explanation of this proposed  
78 amendment for the ballot shall read as follows: "This proposed  
79 constitutional amendment deletes the provision which limits the  
80 Board of Trustees of State Institutions of Higher Learning to  
81 approving employment contracts for instructors, faculty and  
82 administrative staff for a term not exceeding four years."

