SENATE CONCURRENT RESOLUTION NO. 547

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

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

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

Section 213A. The state institutions of higher learning in Mississippi, to wit: University of Mississippi, Mississippi State University of Agriculture and Applied Science, Mississippi University for Women, University of Southern Mississippi, Delta State University, Alcorn State University, Jackson State University, Mississippi Valley State University, and any others which may be organized or established by the State of Mississippi, shall be under the management and control of a board of trustees,
to be known as the Board of Trustees of State Institutions of Higher Learning. The Governor shall appoint the members of the board with the advice and consent of the Senate. The Governor shall appoint only persons who are qualified electors residing in the district from which each is appointed, and at least twenty-five (25) years of age, and of the highest order of intelligence, character, learning and fitness for the performance of such duties, to the end that such board shall perform its high and honorable duties to the greatest advantage of the people of the state and such educational institutions, uninfluenced by any political considerations. The board of trustees shall be composed of twelve (12) members. The members of the board of trustees as constituted on January 1, 2004, shall continue to serve until expiration of their respective terms of office. Appointments made to fill vacancies created by expiration of members' terms of office occurring after January 1, 2004, shall be as follows: The initial term of the members appointed in 2004 shall be for eleven (11) years; the initial term of the members appointed in 2008 shall be for ten (10) years; and the initial term of the members appointed in 2012 shall be for nine (9) years. After the expiration of the initial terms, all terms shall be for nine (9) years. Four (4) members of the board of trustees shall be appointed from each of the three (3) Mississippi Supreme Court districts and, as such vacancies occur, the Governor shall make appointments from the Supreme Court district having the smallest
number of board members until the membership includes four (4) members from each district. In case of a vacancy on the board by death or resignation of a member, or from any cause other than the expiration of such member's term of office, the board shall elect his successor, who shall hold office until the end of the next session of the Legislature. During such term of the session of the Legislature, the Governor shall appoint the successor member of the board from the district from which his predecessor was appointed, to hold office for the balance of the unexpired term for which such original trustee was appointed, to the end that one-third (1/3) of such trustees' terms will expire each three (3) years.

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

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

Nothing herein contained shall in any way limit or take away the power the Legislature had and possessed, if any, at the time
of the adoption of this amendment, to consolidate, abolish or change the status of any of the above named institutions.

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

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