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December 8-9, 2005

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MINUTES
REGULAR BOARD MEETING

December 8-9, 2005

I. Consideration of Matters Pertaining to the LSU System Public Hospitals

Chairman Boudreaux called to order the Regular meeting of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College in the System Building, Baton Rouge, Louisiana on December 8, 2005, at 10:10 a.m.

PRESENT

Mr. Bernard E. Boudreaux, Jr. Chairman	Mrs. Dorothy "Dottie" Reese
Mr. Ronald R. Anderson	Mr. Marty J. Chabert
Dr. Jack A. Andonie	Mr. James P. Roy
Mr. Francis M. Gowen, Jr.	Mr. Jerry E. Shea, Jr.
Mr. Louis J. Lambert	Mr. C. Stewart Slack
Mrs. Laura A. Leach	Ms. Lacey D. Spencer
	Mr. Charles S. Weems, III

ABSENT

Mr. Roderick K. West	Mr. Charles V. Cusimano
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1. Hospital Status Report: LSU Health Sciences Center in Shreveport

Dr. John McDonald, Chancellor, LSU Health Sciences Center in Shreveport, called upon Mr. Joe Miciotto, Hospital Administrator, LSU Health Sciences-Shreveport, to present this report. No official Board action is required.

2. Hospital Status Report: Health Care Services Division

Mr. Don Smithburg, CEO, LSU Health Care Services Division, reported on his recent trip to Washington, D.C., in an effort to obtain resources for the LSU Health Sciences Division and LSU Medical Center – New Orleans. He also reported on the recent Special Session of the Legislature, University Hospital, and Elmwood.

3. Reports on Continuing Projects and Issues

Mr. Don Smithburg, Mr. Robert Plaisance and Mr. Jim Howell, University Architect, LSU System, provided this information. No official Board action is required.

4. Financial and Statistical Update on LSU System Hospitals

Mr. Robert Plaisance, Deputy CEO, LSU Health Care Services Division presented this report. No official Board action is required.

5. Recommendation to approve a lease of 48,000 square feet of space in Houma, Louisiana to house the Medical Center of Louisiana's Reference Laboratory and to approve Amendment No. 1 to the lease

Upon motion of Mrs. Reese, seconded by Dr. Andonie, the Board voted unanimously to approve the following recommendation:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College that Dr. William L. Jenkins, President of the LSU System, or his designee, is authorized and empowered for and on behalf of the Board of Supervisors to negotiate, enter into and execute a lease, and any amendments thereto, with Gottlieb Kirk Houma, L.L.C., as Lessor, of the premises at 1815 Prospect Avenue, Houma, Louisiana, consisting of 48,000 square feet of usable space, with adequate parking provided, for the purpose of housing the Reference Laboratory which Reference Laboratory is being temporarily relocated from the Medical Center of Louisiana at New Orleans as a result of the catastrophic and emergency conditions created by Hurricane Katrina on August 29, 2005.

BE IT FURTHER RESOLVED that Dr. William L. Jenkins, President, of the LSU System, or his designee, be and he is hereby authorized and empowered, for and on behalf of and in the name of the Board of Supervisors, to include in said lease agreement and any amendments thereto, any and all provisions and stipulations that he deems wise and in the best interest of the Board of Supervisors, to approve the plans and specifications for the proposed improvements to the tract of land to be leased to the Board, and to take whatever action, with advice of counsel, that may be necessary to consummate this transaction, including but not limited to any and all regulatory approvals.

BE IT FURTHER RESOLVED that any and all lawful acts done and performed by Dr. William L. Jenkins, President of the LSU System, or his designee, on behalf of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College in consideration of the authority hereby granted be, and the same are hereby ratified and confirmed.

6. Approval of the Amended 2005-06 FY Operating Budget for the Health Care Services Division

Mr. Smithburg announced that this item has been deferred until the next regularly scheduled Board meeting in February, 2006.

* * *

The meeting recessed at 12:10 p.m. for lunch.

* * *

The meeting reconvened at 1:45 p.m. Chairman Boudreaux called the meeting to order. A quorum was present.

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Mr. Slack was recognized. He advised that in conjunction with the report of the LSU Health Care Services Division, he offered the following motion:

“to direct the President of the LSU System, after consultation with the Executive Vice President and Chief Executive Officer of the Health Care Services Division and the Acting Chancellor of the LSU Health Sciences Center-New Orleans, to proceed forward as expeditiously as possible with a ‘design-build’ or ‘development model’ strategy for meeting the needs for a new University Hospital in Baton Rouge.

AND FURTHER, to strongly urge the State to cooperate fully in accomplishing this result at the earliest possible time in light of the health care needs of the Baton Rouge region.”

Mr. Lambert seconded, and the Board voted unanimously to adopt Mr. Slack’s motion.

7. Adjournment

Chairman Boudreaux announced that the Audit Committee will meet immediately upon adjournment in the President’s Conference Room.

There being no further business to come before the Board, the meeting was adjourned at 3:45 p.m.

II. Regular Board Meeting

1. Call to Order and Roll Call

Chairman Boudreaux called to order the Regular meeting of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College on December 9, 2005 at 8:45 a.m. in the System Building, Baton Rouge, Louisiana.

The secretary called the roll.

PRESENT

Mr. Bernard E. Boudreaux, Jr. Chairman	Mr. Roderick K. West Chairman-Elect
Mr. Ronald R. Anderson	Mrs. Dorothy “Dottie” Reese
Dr. Jack A. Andonie	Mr. James P. Roy
Mr. Charles V. Cusimano	Mr. Jerry E. Shea, Jr.
Mr. Frances M. Gowen, Jr.	Mr. C. Stewart Slack
Mr. Marty J. Chabert	Ms. Lacey D. Spencer
Mrs. Laura A. Leach	Mr. Charles S. Weems, III

ABSENT

Mr. Louis J. Lambert

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Also present for the meeting were the following: President William L. Jenkins, Mr. P. Raymond Lamonica, General Counsel, LSU System; system officers and administrators from the respective campuses; faculty representatives and interested citizens and representatives of the news media.

2. Invocation and Pledge of Allegiance

Mr. Samuel Franks gave the invocation. Ms. Lakeitha Williams led the Pledge of Allegiance.

Chairman Boudreaux recognized Dr. Robert Cavanaugh, Chancellor, LSU Alexandria.

He introduced:

Dr. Ginger Jones, an Associate Professor of English, has been a member of the faculty at LSU Alexandria since August 2002. Dr. Jones, originally from Shreveport, graduated with Honors in English from Quincy University in Illinois and earned a PhD from the University of Missouri. Last year, she received the Huie-Dellmon Trust Endowed Professorship in Liberal Arts and Sciences.

Dr. Jones is active on a number of campus committees including the General Education Assessment Committee. She currently serves as chair of the Admissions and Standards and Student Grievance Committees. She is also active in the community and serves on the Arts and Humanities Council of Alexandria's Arna Bontemps Museum.

Lakeitha Williams, a sophomore majoring in Social Work, has been enrolled at LSU Alexandria since Fall 2003. Because of her high academic achievement and history of hard work and dedication, for the past two years Ms. Williams was selected to participate in the Charles E. Williams Advanced Leadership Institution at Texas A&M College.

Samuel Franks, a senior majoring in pre-med (biology), has been enrolled at LSU Alexandria since Fall 2002. He is actively involved in several campus organizations including Gamma Beta Phi, an academic honor society, and the Biological Sciences Organization. As recipient of a Summer Undergraduate Research Fellowship, he served as a Research Assistant at the University of Arkansas for Medical Sciences in summer 2004. During the summer 2005, he was a Research Assistant at Harvard Medical School, Division of Medical Sciences under the Summer Undergraduate Research Fellowship program.

3. Introduction of Faculty and Staff Representatives and Other Guests

The faculty and staff representatives from their respective campuses were acknowledged.

4. Approval of the Minutes of the Regular Board Meeting held October 28, 2005

Upon motion of Mr. West, seconded by Dr. Andonie, the Board voted unanimously to approve the Minutes of the Regular Board Meeting of October 28, 2005.

5. Ratification of Interim Personnel Actions approved by the President

Mr. William Silvia, Senior Executive Vice-President and Chief Operating Officer, LSU System, presented this report.

Upon motion of Dr. Andonie, seconded by Mrs. Leach, the Board voted unanimously to ratify the Interim Personnel Actions approved by the President.

6. President's Report

President Jenkins recognized:

Mr. Rudy Niswanger. Rudy graduated in May, 2005 with a 4.0 grade point average in Kinesiology. He's the recipient of the University Medal as well as being named the LSU student-athlete of the year twice, received a national honor and has been named to the 2005 ESPN First Team Academic All-American squad, College Sport Information. He will be recognized in the National Football Foundation Hall of Fame banquet in New York. Rudy has been accepted into the LSU Medical School in Shreveport;

Dr. Robert Cavanaugh, Chancellor, LSU Alexandria, Dean Larry Holier, Acting Interim Chancellor, LSU Health Sciences Center- New Orleans, Dr. Vince Marsala, Chancellor, LSU at Shreveport, Dr. John McDonald, Chancellor, LSU Health Sciences Center – Shreveport, and Dr. Tim Ryan, Chancellor, University of New Orleans. Each Chancellor reported on the reaffirmation of accreditation by the Commission on Colleges of Southern Association of Colleges and Schools;

Mr. Don Smithburg, CEO, LSU Health Sciences Division, Dean Larry Hollier, and Dr. John McDonald, reported on the present residency assignments;

Dr. John Rock, Chancellor Emeritus, LSU Health Sciences Center–New Orleans expressed his gratitude to members of the Board for being given the opportunity to serve as Chancellor.

7. Report on Activities of the Board of Regents

Dr. Carolyn Hargrave, Vice-President, Academic Affairs, LSU System, Mr. William L. Silvia, Executive Vice-President and Chief Operating Officer, LSU System, and Mr. Jim Howell, Assistant Vice President, Property and Facilities, provided these informational reports.

8. Approval of Consent Agenda Items

Chairman Boudreaux offered the following recommendation:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the Consent Agenda items as submitted:

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Upon motion of Dr. Andonie, seconded by Mrs. Reese, the Board voted unanimously to approve the following Consent Agenda Items:

8A. LSU System Consolidated Investment Report

Mr. Silvia presented this report. No official Board action is required.

8A1. Resolution for approval of degrees to be conferred on candidates meeting degree requirements for graduation at commencement exercises on campuses of the LSU System (December 8-December 16, 2005)

LSU Health Sciences Center in New Orleans	December 8, 2005, 4:30 p.m., Pete Maravich Assembly Center
LSU in Shreveport	December 14, 2005, 7:00 p.m. CenturyTel Center
LSU at Alexandria	December 15, 2005, 10:00 a.m. Pentecostals of Alexandria
LSU at Eunice	December 16, 2005, 3:00 p.m. Health & Physical Education Bldg.
University of New Orleans	To Be Announced

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the degrees to be conferred on candidates meeting degree requirements for graduation at commencement exercises on campuses of the LSU System (December 8-December 16, 2005).

8A2. Recommendation to approve naming the auditorium in the Energy, Coast and Environment Building at Louisiana State University, the "Dalton J. Woods Auditorium".

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve naming the auditorium in the Energy, Coast and Environment Building at Louisiana State University, the 'Dalton J. Woods Auditorium'.

9. Committee Reports

9A. Finance, Infrastructure, and Core Development Committee

Mr. Roy, Chair, Finance, Infrastructure, and Core Development Committee, reported that the Committee met and considered the following items. It is the recommendation of the Committee that they receive Board approval.

9A1. Report on the Health Plan

Mr. Forest Benedict, Vice-President for Human Resource and Management, presented this report. No official Board Action is required.

9A2. Recommendation to increase the energy surcharge at selected campuses
(AMENDED)

Discussion was held with regards to the time-frame of this increase and students' not receiving sufficient notice before aforesaid increase goes into effect; therefore, creating a financial hardship on some students. Ms. Spencer, SGA President, LSU in Shreveport, and student Board member, spoke out against this recommendation citing the financial burden of such an increase and implementation on such brief notice. Mrs. Leach concurred with this analysis and requested the staff provide a more efficient process of notification.

Mr. Gowen recommended that this recommendation be amended to assist students requiring financial assistance as follows: "that each campus should provide a mechanism for deferred payment of this surcharge for students needing such reasonable notice thereof."

Upon motion of Mr. Roy, seconded by Mr. Shea, the Board voted with the exception of Ms. Spencer, who voted against this recommendation, approved the recommendation, as amended:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize LSU to assess a utility surcharge of \$14.00 per credit hour with a maximum of \$168.00 for 12 hours for undergraduate students and with a maximum of \$126.00 for 9 hours for graduate students.

BE IT FURTHER RESOLVED that the Paul M. Hebert Law Center assess a utility surcharge of \$14.00 per credit hour with a maximum of \$168.00 for 12 hours of coursework.

BE IT FURTHER RESOLVED that the University of New Orleans assess a utility surcharge of \$4.75 per credit hour with a maximum of \$57.00 for 12 hours for undergraduate students and a maximum of \$42.75 for 9 hours for graduate students.

BE IT FURTHER RESOLVED that LSU at Eunice assess a utility surcharge of \$5.50 per credit hour with a maximum of \$66.00 for 12 hours for undergraduate students.

BE IT FURTHER RESOLVED that LSU at Alexandria assess a utility surcharge of \$5.50 per credit hour with a maximum of \$66.00 for 12 hours for undergraduate students.

BE IT FURTHER RESOLVED that LSU in Shreveport assess a utility surcharge of \$3.50 per credit hour for undergraduate and graduate students.

BE IT FURTHER RESOLVED that the utility surcharges become effective with the spring 2006 semester and that all proceeds from the utility surcharges be placed in restricted accounts and be used solely for the purpose of offsetting the increased cost of energy.

BE IT FURTHER RESOLVED that these utility surcharges be assessed only in FY 2005-2006, FY 2006-2007, and FY 2007-2008.

BE IT FURTHER RESOLVED that the President is authorized to review and approve these utility surcharges each semester and reduce them if justified.

BE IT FURTHER RESOLVED that each campus should provide a mechanism for deferred payment of this surcharge for students needing such reasonable notice thereof.

9A3. Discussion of allocating capital outlay funds for equipment needs of the state's public hospitals

Mr. Silvia presented this report.

9A4. Discussion of budget reductions mandated by Executive Order KBB 2005-82 and by HB 156 of the 2005 Extraordinary Session

Mr. Silvia presented this report.

9A5. Discussion of establishing Advisory Groups on Best Practices

Mr. Silvia presented this report.

9A6. Discussion of LSU System Tuition Policy

Chancellor Sean O'Keefe, Louisiana State University, presented this policy.

Upon motion of Mr. Roy, seconded by Mr. Shea, the Board voted unanimously to approve the following recommendation:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does endorse the reintroduction and passage of the Board of Regents statewide tuition policy as contained in HB 619 of the 2005 Regular Session of the State Legislature.

9A7. Recommendation to approve naming the Nicholson Hall observatory at Louisiana State University, the "Landolt Astronomical Observatory"

Upon motion of Mr. Roy, seconded by Mr. Shea, the Board voted unanimously to approve the following recommendation:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve naming the Nicholson Hall observatory at Louisiana State University, the 'Landolt Astronomical Observatory'."

9A8. Proposal to Amend Article VII of the Bylaws by adding a new section to be designated Section 8 and to address matters related thereto (New) (Added to Agenda)

Mr. Roy moved to waive prior formal notice and place the proposed Bylaws Amendment on the agenda. Mr. Gowen seconded the motion, and the Board with a two-thirds vote, added this matter to the agenda.

Mr. Roy advised that the purpose of this proposal: (1) to clarify administrative procedures; including on how the Board's Agenda is set; (2) clarify and codify what matters are considered by this Board to matters significant enough requiring this Board's approval, and (3) set up for the first time clear, emergency and "time of the essence" procedures to quickly deal with emerging either crises or demands from our campuses and our facilities that require Board approval of a significant matter, but quickly when it can't wait for a Board meeting (this is new section).

Mr. Roy also noted that he wanted it clearly understood that this is not an attempt to micro manage. The LSU System is a \$3 billion dollar enterprise and in order to manage such an entity delegation of authority to Chancellors, Administrators and the President must be appropriately designated. This amendment is essential to accomplish this undertaking, and approval by the Board is requested.

Upon motion of Mr. Gowen, seconded by Mr. Anderson, the Board voted unanimously to approve the following amendment of the *Bylaws* and *Regulations*:

Article VII of the *Bylaws* of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College are hereby amended to add the following new section, to be designated Section 8:

Section 8. Setting of Board and Integrated Committee(s) Agenda, Matters Requiring Express Board Approval, Functions of the Executive Staff and Related Matters

A. Executive Committee Sets Board and Integrated Committee Agenda

1. No matter shall be placed on the regular board meeting agenda, including integrated committee meeting(s), without having first been submitted to the Executive Committee for its review and determination as to whether to place the matter on the agenda. The Executive Committee shall meet prior to each board meeting for such review. The President and Executive Staff, as defined in paragraph C hereof, after compliance with the procedures set forth in paragraph B hereof (as applicable), shall submit potential board meeting and integrated committee meeting(s) agenda items, with supporting analysis, as appropriate, by the Executive Staff, to the Executive Committee at least five working days prior to the Executive Committee meeting. The President and Executive Staff shall be available to the Executive Committee for information and recommendation.

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2. The Executive Committee agenda shall be set by the Chairman after consultation with the President and Executive Staff. Additionally upon request of five board members, an item shall be placed on the Executive Committee agenda. Such request shall be received by the President or the Chairman at least five working days prior to the scheduled Executive Committee meeting.

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B. **Report by Executive Staff to Executive Committee.** Prior to each Executive Committee meeting, the Executive Staff shall conduct a review of the matters proposed for an upcoming Board Meeting (and integrated committee meetings) and shall report in writing to the Executive Committee and the President on proposed items for which a report is reasonably necessary or appropriate. The report on each matter shall include: (1) a summary of the matter in reasonable detail; (2) a review of the business plan or equivalent, as applicable, including a clear statement of the fiscal impact upon the campus in question and the LSU System; (3) a review of the matter or transaction proposed and related documents to determine their sufficiency and appropriateness; and (4) any other matter the Executive Committee or Executive Staff determines will assist in understanding the matter presented. The President and the Executive Staff shall make a recommendation to the Executive Committee, which recommendation may be (a) to approve, (b) to disapprove, (c) to amend and approve, (d) to defer, or (e) to take such other action as the President and the Executive Staff may recommend and deem appropriate under the circumstances. The Executive Committee shall determine which matters shall be placed on the upcoming board (and integrated committee meetings) agenda--both regular and consent. Advance notice (by telephone, email or fax) to all members of the Board shall be given of the Executive Committee meeting date, time, place and agenda.

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C. **Composition and Authority of Executive Staff and Duty to Cooperate.** For purposes of these Bylaws, the Executive Staff shall be composed of the Senior Executive Vice-President and Chief Operating Officer, the Vice-President for Academic Affairs and the System General Counsel (or such equivalent officers designated by the Board). All administrators and their staffs shall have a duty to cooperate fully with the Executive Staff for accomplishing the purposes of this section, as well as in furtherance of any other request for information by the Executive Staff, the President, Board, Board officers and members, or the Executive Committee. Such cooperation shall include, but not be limited to, preparation of a written report or reports and related necessary due diligence for compliance with this section, with supporting documents. Cooperation shall be with a duty of full candor and disclosure as to, including, but not limited to, (i) related existing or reasonably contemplated future transactions, (ii) financial consequences, (iii) parties in interest and (iv) policy implications. A submission or presentation shall constitute a certification that to the person's knowledge, information and belief that this duty is being met.

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D. Procedure to Add Additional Agenda Item In Exceptional Circumstances

1. In exceptional circumstances, when a matter has arisen or changed substantially between the Executive Committee meeting and the forthcoming Board Meeting, the President may request that the Chairman, in his discretion, place the matter on the Agenda for the Board, integrated board committee(s), or both, without following the above procedures

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2. Upon request of five board members made in writing or at a regular Board meeting, an item shall be added to the next following regular Board meeting agenda.

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E. Board Approval of Capital Outlay and Operating Budget Shall Not Constitute Board Authority to Proceed. The Executive Staff need not review matters included in capital outlay requests. Board approval of any capital outlay request or item, or approval of an operating budget shall not be considered direct or indirect approval of any program, action or authority to proceed in undertaking such matter, unless such matter is separately and expressly approved by the Board after full compliance, review and specific Board approval pursuant to this Section.

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F. Significant Board Matters Requiring Board Approval

1. No Significant Board Matter, as defined herein, shall be undertaken or approved by or for any campus, campus-equivalent division or the System without prior review and approval of the Board.

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2. "Significant Board Matter" means any matter having a significant fiscal (primary or secondary) or long term educational or policy impact on the System or on any of its campuses or campus-equivalent divisions. The following are illustrative, not exclusive, Significant Board Matters:

a. The assignment, lease, transfer, encumbrance or sale of land, mineral rights, rights-of-way, servitudes, or other immovable property owned or controlled by LSU. Provided however, a lease (or guarantee of a lease) wherein a LSU System entity is a lessee or lessor of building space not exceeding 5,000 gross square feet, upon recommendation of a chancellor or equivalent with full particulars presented to the Executive Staff may be approved by the President. Reasonably related leases may not be structured to avoid Board approval requirements. All such transactions shall contain the maximum protections reasonably afforded by law in favor of LSU.

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b. Final agreements relating to the purchase, sale, assignment or licensing of any intellectual property rights, including patents, copyrights and trademarks.

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c. Final agreements relating to the joint venture, use, purchase, sale, assignment or licensing of any invention, device, formula, system, process or such similar things, as well as any agreements relating to the granting of royalties or profit participation to any current or past employee.

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d. Construction contracts or a series of related construction contracts aggregating \$150,000, or more, in a single fiscal year or a series of related construction contracts aggregating \$250,000 or more within two or more fiscal years.

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e. Use agreements relating to the granting of rights to any System or campus property or property rights involving a total of \$100,000, or more, in one fiscal year or an aggregate of \$150,000, or more, in two or more fiscal years.

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f. Educational leave and sabbatical leave in excess of three months during any twelve-month period.

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g. Granting of tenure, faculty promotions, and termination of tenured faculty.

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h. [New Positions]

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(1) The creation of and compensation related to any new System, campus or division salaried or contract employee, administrator, staff or faculty position. Provided however, in exceptional circumstances involving the prospective hiring of a new employee otherwise required to be approved by the Board, when time is of the essence and advance Board approval is not practicable, the President may conditionally approve the terms of such hiring: (i) after full particulars (including but not limited to the information and documents described in subparagraph (2) below) are transmitted to the President, Executive Staff and Executive Committee, and (ii) the President recommends and transmits approval to the Executive Committee, and (iii) within three working days after receipt by the Executive Committee, no three members of the Executive Committee object. The approval of such new position shall be conditioned upon Board ratification. Additionally, the Executive Committee may grant approval pursuant to paragraph I hereof.

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(2) All sources of compensation, the nature of the appointment, and all proposed employment contracts, letters of appointment and other compensation or special benefits-related agreements in connection with such new position shall be transmitted promptly to the President and Executive Staff and presented for approval by the Board. Provided however, that if the general terms of an employment contract approved by the Board expressly authorizes additional means of compensation other than state funds or grants, then such additional sources of compensation and related documentation need not be further reported to the Board except as required by law.

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(3) Approval of an annual budget shall not preclude the necessity of compliance with the provisions of this Section, nor the obligation to limit expenditures to the resources available.

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i. [Vacant Positions]

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(1) The filling of any vacant position, as defined herein, when either (i) the annual compensation for such position exceeds \$100,000, including payments from all sources associated with employment, or (ii) the position is vacant because an employee was laid off or furloughed pursuant to a Board-approved plan addressing institutional change or exigency. Provided however:

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(i) In exceptional circumstances when time is of the essence and advance Board approval is not practicable, the President may conditionally approve the terms of such hiring: (1) after full particulars (including but not limited to the information and documents described in subparagraph (3) below) are transmitted to the President, Executive Staff and Executive Committee, (2) the President recommends and transmits approval to the Executive Committee, and (3) within three working days after receipt by the Executive Committee, no three members of the Executive Committee object. The approval of such filling of a vacancy shall be conditioned upon Board ratification. Additionally, the Executive Committee may grant approval pursuant to paragraph I hereof.

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(ii) The filling of a vacant position, as defined herein, when the annual compensation does not exceed \$100,000, including payments from all sources associated with employment, need not be presented to the Board for approval if the President approves the action after review by the Executive Staff. The information and documents described in subparagraph (3) below shall be transmitted to the Board.

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(2) A vacant position is: (i) one that existed and was filled on the effective date of this Section and subsequently became vacant, (ii) a vacancy in a new position that was approved by the Board and subsequently became vacant, or (iii) one that became vacant pursuant to a Board-approved plan addressing institutional change or exigency.

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(3) All sources of compensation, the nature of the appointment, and all proposed employment contracts, letters of appointment and other compensation or special benefits-related agreements shall be transmitted promptly to the President and Executive Staff and presented to the Board. Provided however, that if the general terms of an employment contract approved by the Board expressly authorizes additional means of compensation other than state funds or grants, then such additional sources of compensation and related documentation need not be further reported to the Board except as required by law.

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(4) Approval of an annual budget shall not preclude the necessity of compliance with the provisions of this Section, nor the obligation to limit expenditures to the resources available.

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j. [Raises, Contract Extensions/Amendments]

(1) The granting of any pay raise to or granting of an extension or amendment of any letter of appointment or other employment agreement for existing or future positions of employment, including but not limited to administrative, staff and faculty positions, when: the total compensation is reasonably anticipated to be \$100,000 or more during any twelve month period, (2) the term of such agreement exceeds twelve months, or (3) such agreement contains any special termination, reassignment or special benefits.

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(2) Compensation relating to a pay raise shall include payments from all sources of funds associated with employment, including joint appointments and funding.

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(3) All sources of compensation, the nature of the appointment, and all proposed employment contracts, letters of appointment and other compensation or special benefits-related agreements in connection with such pay raise or contract extension or amendment shall be transmitted promptly to the President and Executive Staff and presented for approval by the Board. Provided however, that if the general terms of an employment contract approved by the Board expressly authorizes additional means of compensation other than state funds or grants, then such additional sources of compensation and related documentation need not be further reported to the Board except as required by law.

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(4) All pay raises shall be prospective only, and shall not be effective or payable before Board approval. In exceptional circumstances with specific justification and recommendation of the President, the Board may approve a retroactive pay raise otherwise in accordance with law.

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(5) Approval of an annual budget shall not preclude the necessity of compliance with the provisions of this Section, nor the obligation to limit expenditures to the resources available.

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k. Head coaches contracts and amendments.

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l. Conferring emeritus titles and all honorary degrees.

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m. Leave without pay for one year or more or special leave with any pay or benefits for thirty days or more within any twelve month period.

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n. Cooperative endeavor, joint venture, partnership and similar agreements, and agreements directly relating thereto.

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- o. Affiliation agreements (non academic).

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- p. New academic degree programs.

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- q. Contracts of greater than \$100,000 for design or acquisition of academic or administrative or billing software systems in one fiscal year or \$150,000 in any consecutive two or more fiscal years; or aggregating within the system and/or collective campuses during any fiscal year \$150,000, or aggregating \$200,000 in any two or more consecutive fiscal years.

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- r. Contracts greater than \$100,000 to any single person or entity or related or affiliated persons or entities for or relating to design of any single or related capital project. Related projects shall be considered in computing the amounts.

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- s. Renovation or repairs to any LSU building or structure involving more than \$100,000 or related renovation or repair projects involving more than \$150,000.

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- t. Contracts for the construction of new fraternity and sorority houses, original leases and substantial amendments or modifications thereto or arising out of same.

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- u. Appointment of and compensation for the President, all chancellors or equivalents, and all positions above that of dean or equivalent, if not otherwise covered by this paragraph or by law.

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- v. Such other matters that are not expressly delegated herein or hereafter by the Board to the President or the chancellor or a campus head or equivalent and which reasonably should be considered to be a Significant Board Matter as generally defined above and as construed in light of the illustrative listings, and therefore should be effected only with Board approval.

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- w. Any matter the Executive Committee or the Board hereafter may determine to be a Significant Board Matter.

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- G. Exceptions Relating to Funding Sources**

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- 1. Board approval pursuant to the provisions of paragraphs F.2.h [New Positions], F.2.i [Vacant Positions], and F.2.j [Pay Raises, Contract Extensions/Amendments] is not required when the funding for the position from non-state sources, such as federal or private grants, exceeds eighty per centum of the total compensation for the position; provided however, the provisions of paragraph F.2.j shall be applicable when the state portion of funding for compensation for the position is \$100,000, or more, or the proposed pay raise would result in the total state funds used for purposes of the compensation for the position is reasonably anticipated to be \$100,000, or more, during any twelve month period.

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2. All sources of compensation, the nature of the appointment, and all proposed employment contracts, letters of appointment and other compensation or special benefits-related agreements shall be transmitted to the Board, whether or not prior Board approval is required.

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H. **Grant of Authority By Board to President**

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1. The President is authorized to take any action not expressly required to be presented to the Board by these Bylaws and not otherwise required by law to be acted upon by the Board.

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2. When there is reasonable doubt as to the applicability of this Section to the transaction under consideration, the President shall seek an advisory opinion from the members of the Executive Committee as to whether a matter is a Significant Board Matter. The President may request the Executive Staff to review and advise the Executive Committee in regard to same. When the Executive Committee is of the opinion that the transaction is not a Significant Board Matter, such opinion shall be transmitted to all members of the Board by fax or e-mail. The President may rely upon the advisory opinion of the Executive Committee unless, within seven work days of the transmission, five members of the Board object to the advisory opinion, after which objection the transaction shall be deemed to be a Significant Board Matter and shall be placed on the next regular Board meeting agenda upon compliance with the normal procedures for consideration of the matter.

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3. The President additionally is authorized to delegate to chancellors or equivalents authority vested in him when he deems it to be in the best interests of the University. All prior delegations of such authority not inconsistent with this section shall remain in effect until amended or supplemented by the President or the Board.

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I. **Emergency Actions By Executive Committee.** When emergency or exigent circumstances exist or the usual delays required by this Section make compliance with the provisions of this Section wholly impracticable, the President, after consultation with Executive Staff, or the Chairman, may present the matter to the Executive Committee, and the Executive Committee, upon its determination of application of this paragraph, shall have full authority to act on the matter without further Board action. If applicable, the Executive Staff analysis and report shall be furnished to the Executive Committee prior to committee action. A report of the Executive Committee action, including the reasons justifying Executive Committee action pursuant to this paragraph, promptly shall be provided to all members of the Board.

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J. The provisions of this section shall create no rights in third parties. The failure to follow the procedures set forth herein shall not affect the validity of any Board action.

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K. All other provisions of the Bylaws, Regulations, Permanent Memoranda (including conflicting portions of PM-69) and Policy Statements, general grants of authority from the Board to the President or to any Chancellor or equivalent or other writings in conflict with this Section are repealed, cancelled or withdrawn.

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L. This section of the Bylaws is effective upon approval by the Board, and upon such approval the President shall disseminate this new section of the Bylaws to all chancellors or equivalents and deans or equivalents for their review and further dissemination as appropriate.

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9B. Legislative, Public Policy, and Information Committee

Mr. Marty Chabert, Vice Chair, Legislative, Public Policy, and Information Committee, reported that the Committee met and received the following reports.

9B1. Report on Committee Meeting of November 17, 2005

Mr. James Marchand, staff, System Counsel, provided this informational report. No official Board action is required.

9B2. Report on the recent Special Session of the Louisiana Legislature

Mr. James Marchand, staff, System Counsel, provided this informational report. No official Board action is required.

9B3. Information Update from the Vice President for Communications and External Affairs

Mr. Charles Zewe, Vice President for Communications and External Affairs, presented this report. No official Board action is required.

9C. Academic and Student Affairs and Achievement and Distinction Committee

Mrs. Leach, Chair, Academic and Student Affairs and Achievement and Distinction Committee, reported that in addition to the items for consideration the Committee added to its agenda the "Recommendation to approve establishment of the Bernice and Smiley Raborn Chair to Recognize Max Faget in the Department of Mechanical Engineering, College of Engineering at LSU." It is the Committee's recommendation that these items receive Board approval:

Upon motion of Mrs. Leach, seconded by Mrs. Reese, the Board voted unanimously to approve the following recommendations:

9C1. Recommendation to approve establishment of the Bert S. Turner Chair in Engineering at LSU

WHEREAS, Bert S. Turner has made a substantial donation to the LSU Foundation, including therein a specific donation totaling \$600,000 to the Board of Regents Support Fund for the establishment of an endowed chair in the College of Engineering; and

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1983 as R.S. 17:3384, providing herein for multiple \$400,000 challenge grants to be awarded on a one-to-one and one half matching basis; and

WHEREAS, this donation of \$600,000 qualifies for inclusion in the Board of Regents Support Fund matching grants under the matching program; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed chair established under the matching program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the Bert S. Turner Chair in Engineering at LSU; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the Louisiana State University System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named chair.

9C2. Recommendation to approve the establishment of the Leonard and Mary Anne Selber Endowed Professorship in the College of Liberal Arts, Louisiana State University in Shreveport

WHEREAS, friends and members of the Selber family have made a substantial donation and pledge to the Louisiana State University in Shreveport Foundation, including therein a specific donation totaling \$60,000 to the Board of Regents Support Fund for the establishment of an endowed professorship in the College of Liberal Arts at Louisiana State University in Shreveport; and

WHEREAS, the Leonard and Mary Anne Selber Endowed Professorship for History and Social Sciences in the College of Liberal Arts will provide critically needed funds annually to support and maintain a highly qualified faculty member in the History and Social Sciences Department at Louisiana State University in Shreveport.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation and pledge of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the Leonard and Mary Anne Selber Professorship for History and Social Sciences in the College of Liberal Arts, Louisiana State University in Shreveport.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

9C3. Recommendation to approve the establishment of the BlueCross and BlueShield of Louisiana Endowed Professorship in the College of Business Administration, Louisiana State University in Shreveport

WHEREAS, BlueCross and BlueShield of Louisiana has made a substantial donation and pledge to the Louisiana State University in Shreveport Foundation, including therein a specific donation totaling \$60,000 to the Board of Regents Support Fund for the establishment of an endowed professorship in the College of Business Administration at Louisiana State University in Shreveport; and

WHEREAS, the BlueCross and BlueShield Endowed Professorship in the College of Business Administration will provide critically needed funds annually to support and maintain a highly qualified faculty.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation and pledge of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the BlueCross and BlueShield Endowed Professorship in the College of Business Administration, Louisiana State University in Shreveport.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

9C4. Recommendation to approve the establishment of the James K. Elrod Super Professorship in Health Administration in the College of Liberal Arts at Louisiana State University in Shreveport

WHEREAS, the James K. Elrod Professorship in Health Administration was established at LSUS in 2000 after receiving a \$60,000 private donation and \$40,000 in LA State Board of Regents Matching Support fund.

WHEREAS, James K. Elrod has made a substantial additional contribution and pledge of \$60,000 to the Louisiana State University in Shreveport Foundation to the Board of Regents Support Fund for the enhancement of this endowment to a Super Professorship in the College of Liberal Arts at Louisiana State University in Shreveport; and

WHEREAS, the Super Professorship will provide critically needed funds annually to support highly qualified faculty.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program.

WHEREAS, the law provided that the Louisiana Board of Regents shall approve the establishment of any endowed super professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the LSUS James K. Elrod Super Professorship in Health Administration in the College of Liberal Arts at Louisiana State University in Shreveport.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

9C5. Recommendation to approve the establishment of the India Studies Program Endowed Super Professorship in the College of Liberal Arts at Louisiana State University in Shreveport

WHEREAS, the India Studies Program Endowed Professorship in the College of Liberal Arts was established at LSUS in 1995 after receiving a \$60,000 private donation and \$40,000 in LA State Board of Regents Matching Support fund.

WHEREAS, members of the India Community have made a substantial additional contribution and pledge of \$60,000 to the Louisiana State University in Shreveport Foundation to the Board of Regents Support Fund for the enhancement of this endowment to a Super Professorship in the College of Liberal Arts at Louisiana State University in Shreveport; and

WHEREAS, the Super Professorship will provide critically needed funds annually to support highly qualified faculty.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program.

WHEREAS, the law provided that the Louisiana Board of Regents shall approve the establishment of any endowed super professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the LSUS India Studies Program Endowed Super Professorship in the College of Liberal Arts at Louisiana State University in Shreveport.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

- 9C6. Recommendation to approve the establishment of the Tom and Martha Burch and Delta & Pine Land Company Professorship in Cotton Production or Genetics in the LSU Agricultural Center

WHEREAS, Dr. Tom and Martha Burch has made irrevocable donations to establish an endowed professorship in the LSU Foundation for the benefit of the LSU Agricultural Center,

WHEREAS, Delta & Pine Land Company has also made irrevocable donations to establish an endowed professorship in the LSU Foundation for the benefit of the LSU Agricultural Center,

WHEREAS, this professorship will provide critically needed funds annually to secure and maintain highly qualified faculty members in cotton research programs in the LSU Agricultural Center;

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the Tom and Martha Burch and Delta & Pine Land Company Professorship in Cotton Production or Genetics in the LSU Agricultural Center.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

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9C7. Recommendation to approve the establishment of the Doyle Chambers Distinguished Professorship in the LSU Agricultural Center

WHEREAS, Dr. Doyle Chambers, Vice Chancellor Emeritus of the LSU Agricultural Experiment Station, LSU Agricultural Center, has made a significant contribution to the LSU Foundation through a Prudential Life insurance policy for the establishment of an distinguished professorship in the LSU Agricultural Center;

WHEREAS, this distinguished professorship will honor Dr. Doyle Chambers and his distinguished service to the LSU Agricultural Center and his notable contributions to Louisiana agriculture.

WHEREAS, this professorship will provide critically needed funds annually to secure and maintain a highly qualified faculty members in the LSU Agricultural Center.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the Doyle Chambers Distinguished Professorship in the LSU Agricultural Center

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C8. Recommendation to approve the establishment of the Luella Dugas Chambers Distinguished Professorship in the School of Human Ecology, LSU Agricultural Center

WHEREAS, Dr. Doyle Chambers, Vice Chancellor Emeritus of the LSU Agricultural Experiment Station, LSU Agricultural Center, has made a significant contribution to the LSU Foundation through a Prudential Life insurance policy for the establishment of an distinguished professorship in the School of Human Ecology, LSU Agricultural Center;

WHEREAS, this distinguished professorship will honor Luella Dugas Chambers, former wife of Dr. Doyle Chambers and granted to recognize the important role of advanced education in the family life curriculum in the School of Human Ecology.

WHEREAS, this professorship will provide critically needed funds annually to secure and maintain a highly qualified faculty members in the School of Human Ecology, LSU Agricultural Center.

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WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the Luella Dugas Chambers Distinguished Professorship in the School of Human Ecology, LSU Agricultural Center

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C9. Recommendation to approve the establishment of the Doyle Chambers Professorship in Animal Science the LSU Agricultural Center

WHEREAS, Dr. Doyle Chambers, Vice Chancellor Emeritus of the LSU Agricultural Experiment Station, LSU Agricultural Center, has made a significant contribution to the LSU Foundation through a Prudential Life insurance policy for the establishment of an distinguished professorship in the Department of Animal Science, LSU Agricultural Center;

WHEREAS, this distinguished professorship will honor Dr. Doyle Chambers and his distinguished service to the LSU Agricultural Center and his notable contributions to Louisiana agriculture and animal sciences.

WHEREAS, this professorship will provide critically needed funds annually to secure and maintain a highly qualified faculty members in the Department of Animal Science, LSU Agricultural Center.

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the Doyle Chambers Professorship in Animal Science in the LSU Agricultural Center

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BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C10. Recommendation to approve the establishment of three (3) Florence Avalon Daggett Professorships in Rice Research in the LSU Agricultural Center

WHEREAS, Mrs. Florence Avalon Daggett, a alumnae of LSU, left a bequest of a 500 acre rice farm near Elton Louisiana to the LSU Foundation for the establishment of three (3) above named endowed professorships to benefit the LSU Agricultural Center;

WHEREAS, the proceeds of the sale of this rice farm will be used to establish three professorships at the Rice Research Station in Crowley, La. to honor Mrs. Daggett,

WHEREAS, all three (3) professorships shall be named in memory of Mrs. Florence Avalon Daggett accordingly,

WHEREAS, these professorships will provide critically needed funds annually to secure and maintain highly qualified faculty members in rice research programs in the LSU Agricultural Center;

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$180,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of three Florence Avalon Daggett Professorships in the LSU Agricultural Center

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C11. Recommendation to approve the establishment of the Jack E. and Henrietta Jones Professorship in the LSU Agricultural Center

WHEREAS, Dr. Jack E. and Henrietta Jones and Monsanto Corporation has made irrevocable donations to establish an endowed professorship in the LSU Foundation for the benefit of the LSU Agricultural Center,

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WHEREAS, this professorship will provide critically needed funds annually to secure and maintain highly qualified faculty members in cotton genetics, production, and/or physiology programs in the LSU Agricultural Center;

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the Jack E. and Henrietta Jones Professorship in the LSU Agricultural Center.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C12. Recommendation to approve the establishment of the L. D. Newsom Professorship in Integrated Pest Management in the LSU Agricultural Center

WHEREAS, during a prestigious teaching and research career serving Louisiana and the LSU AgCenter as professor and head of the Department of Entomology,

WHEREAS, Dr. Newsom developed a well-earned international reputation in applied entomology and integrated pest management,

WHEREAS, Dr. Newsom was the first agriculturalist to be named Boyd Professor at LSU,

WHEREAS, family, friends, and colleagues of Dr. L. D. Newsom, has made irrevocable donations to establish an endowed professorship in the LSU Foundation for the benefit of the LSU Agricultural Center,

WHEREAS, Mrs. Imo Brown, friend of Dr. and Mrs. L. D. Newsom, has made a large donation to the endowed professorship,

WHEREAS, this professorship will provide critically needed funds annually to secure and maintain highly qualified faculty members in integrated pest management in the Department of Entomology in the LSU Agricultural Center;

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

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WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the L. D. Newsom Professorship in Integrated Pest Management in the LSU Agricultural Center.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9C13. Recommendation to approve the awarding of the posthumous degree, Bachelor of Science, to Caroline Allison Ogden by Louisiana State University

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Louisiana State University does hereby authorize Louisiana State University to award the Bachelor of Science degree to Caroline Allison Ogden, posthumously.

BE IT FURTHER RESOLVED that said act of lease shall contain such additional provisions and stipulations as the said William L. Jenkins, President, may deem wise and in the best interest of the Board of Supervisors, subject to approval of General Counsel, LSU System.

9C14. Recommendation to approve establishment of The Bernice and Smiley Raborn Chair to recognize Max Faget in the Department of Mechanical Engineering, College of Engineering at LSU (Added to Agenda)

WHEREAS, Mr. Francis "Buzz" Raborn has made a substantial donation to the LSU Foundation, including therein a specific donation totaling \$600,000 to the Board of Regents Support Fund for the establishment of an endowed chair in the Department of Mechanical Engineering, College of Engineering; and

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1983 as R.S. 17:3384, providing herein for multiple \$400,000 challenge grants to be awarded on a one-to-one and one half matching basis; and

WHEREAS, this donation of \$600,000 qualifies for inclusion in the Board of Regents Support Fund matching grants under the matching program; and

WHEREAS, the law provides that the Louisiana Board of Regents shall approve the establishment of any endowed chair established under the matching program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of The Bernice and Smiley Raborn Chair to Recognize Max Faget, Department of Mechanical Engineering, College of Engineering at LSU.

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BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the Louisiana State University System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named chair.

9D. Athletic Committee

Mr. Shea, Chair, Athletic Committee, reported that the Committee recommends approval of the amendment to the contract of employment for Dennis Shaver, Head Men's and Women's Track and Field Coach and approval of the 2005-2006 Peach Bowl Budget.

9D1. Recommendation to approve amendments to the existing contract for Dennis Shaver, Head Men's and Women's Track and Field Coach

Upon motion of Mr. Shea, seconded by Mr. Chabert, the Board voted unanimously to approve the following contract of employment:

It is recommended that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College approve the following amendments to the contract of employment for Dennis Shaver, Head Men's and Women's Track and Field Coach at Louisiana State University.

Dennis Shaver

Salary: Increases annual salary from \$110,000 to \$113,000

Miscellaneous: This is a new section that has been added to the contract.

(Copy of Contract of Employment on file in the Office of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College)

9D2. Approval of the 2005-06 Peach Bowl Budget

Upon motion of Mr. Shea, seconded by Mr. Chabert, the Board voted unanimously to approve the 2005-2006 Bowl Budget.

(Copy of 2005-06 Bowl Budget on file in the Office of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College)

9E. Audit Committee

Mr. Gowen, Chairman, Audit Committee, reported that the Audit Committee adopted the following amendments to the LSU System Internal Audit Charter in order to provide a clarified and improved organizational structure for the function of the System Internal Audit Department. It is the Committee's recommendation that these amendments receive Board approval.

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Upon motion of Mr. Gowen, seconded by Mr. Roy, the Board unanimously voted to approve the following recommendation:

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the following amendments to the LSU System Internal Audit Charter:

INTRODUCTION

The Louisiana State University System Internal Audit function is an objective assurance and consulting activity that is independently managed within the LSU System and guided by a value-driven philosophy of partnering with other units to continuously improve the operations of the LSU System. Internal auditing is *centrally managed by the LSU System Director of Internal Audit (System Director) who serves as the System's "Chief Audit Executive" as defined by the Standards for the Professional Practice of Internal Auditing.* ~~System, Campus, and Health Care Services based, and is managed by Directors. Professionalism and commitment to excellence are facilitated by operating within a framework of professional practice established by the Institute of Internal Auditors.~~
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ROLE

~~Internal audit staff members can serve as advisors to the entire LSU System community on a wide range of issues related to the mission, scope, goals, and objectives, as well as business activities.~~

Management of each of the System's component institutions has the responsibility to ensure that assets are properly safeguarded, internal controls are established and are sufficient to ensure compliance with applicable laws and regulations, and procedures are sufficient to detect errors and fraud in a timely manner. Campus Heads are also responsible for providing input into the annual risk assessment and audit plan and for ensuring that internal audit findings are resolved in a timely manner.

Internal Audit's role is to measure and evaluate the effectiveness of internal controls within the accounting, financial, and operating systems of the LSU System. Internal Audit furnishes impartial, independent analyses, appraisals, recommendations, and pertinent comments on the business activities of the institution.

ORGANIZATION

The LSU System Director of Internal Audit reports to the Board of Supervisors (*Board*) *through the Audit Committee.* ~~Campus internal audit based Directors report to the Board through the System Director and to the Campus Head Chancellor of their respective institution, and the Health Care Services based Director reports to the Chief Executive Officer of that institution.~~ *Appointment of campus directors of internal audit requires prior notice to and participation of the System Director and approval of the President. The System Director should participate in the entire selection process including the establishment of required qualifications.*

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PROFESSIONAL STANDARDS

Professionalism and commitment to excellence are facilitated by operating within a framework of professional practice. Internal Audit staff will meet or exceed the Standards for the Professional Practice of Internal Auditing promulgated by the Institute of Internal Auditors. In addition, Government Auditing Standards promulgated by the Comptroller General of the United States will be followed when required by law, regulation, agreement, contract, or policy. Also, Internal Audit staff members have a responsibility to the interest of those they serve and should refrain from entering into any activity that may create a conflict of interest. They have an obligation of self-discipline above and beyond the requirements of laws and regulations. They should demonstrate qualities to include integrity, objectivity, confidentiality, and competency consistent with the Institute of Internal Auditors Code of Ethics.

AUTHORITY

The LSU System Internal Audit office is authorized full and unrestricted access to all areas and information sources (i.e. records, property, and personnel, et cetera) within the entire LSU System. ~~Campus and Health Care Services~~-based offices are authorized full and unrestricted access to all areas and information sources (i.e. records, property, and personnel, et cetera) within their respective institutions. Documents and information given to the Internal Audit staff during an engagement are handled in the same prudent manner as by those employees normally accountable for them.

Acting in the capacity of an Internal Auditor, audit staff should not perform any operational duties for the LSU System or its affiliates, initiate or approve accounting transactions external to Internal Audit, or direct the activities of any LSU System employee not employed by Internal Audit, except to the extent such employees have been appropriately assigned to auditing teams or to otherwise assist the internal auditors.

RESPONSIBILITIES

The System Director with the assistance of the campus directors has ~~Internal Audit Directors and staff members~~ have a responsibility to:

- Develop a flexible annual audit plan using an appropriate risk-based methodology, including any risks or control concerns identified by management, and submit that plan to the Board of Supervisors for review and approval, as well as periodic updates.

Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by management and the Board of Supervisors.
- Maintain a professional audit staff with sufficient knowledge, skills, and experience.
- As it relates to Internal Audit issues, evaluate and assess significant merging/consolidating functions and new or changing services, processes, operations, and control processes coincident with their development, implementation, and/or expansion.
- Issue periodic reports to the Board of Supervisors and management summarizing results of audit activities.
- Keep the Board of Supervisors informed of emerging trends and successful practices in internal auditing.

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- Perform investigations of significant suspected fraudulent activities within the LSU System and notify management and the Board of Supervisors of the results.
- Consider the scope of work of the external auditors and other regulatory agencies, as appropriate, for the purpose of providing optimal audit coverage to the LSU System at a reasonable overall cost.

PLANNING

~~A~~ One-year internal audit plans (based on a facilitated risk assessment process) shall be systematically developed *annually* for the System *as a whole*. *The risk assessment shall consider risks within and across all components of the System. Each campus audit director is responsible for soliciting input from appropriate members of management at their respective campus for this purpose. These data are to be used to develop a risk-based audit plan for the campus* and for each Campus and Health Care Services based office, by the appropriate Director. Once *the System Director concurs with the plan and it is* approved by the appropriate *Campus Head* Chancellor/Chief Executive Officer, the System Director will incorporate these plans into a System-wide plan that will be submitted for ~~written~~ comment to the *Senior* Executive Vice President *and Chief Operating Officer*. The original plan and *any* comments will then be submitted to the Board of Supervisors for review and approval. The objective is to continually assess all high-risk areas of the LSU System and to evaluate critical business processes throughout the LSU System as resources permit.

~~The Directors work together with the President, Executive Vice President, Vice Presidents, Chancellors/Executive Directors, Provosts, Vice Chancellors, Deans, and other administrators on a list of key areas that should be evaluated within each organizational unit. Requests for assurance and advisory services are encouraged at any time from the Board of Supervisors and management personnel based on known or perceived risk areas that should be appropriately evaluated by the Internal Audit staff.~~

When demands for services exceed available resources that would significantly impact the approved annual work plan, each Director will establish project priorities subject to the approval of the *Senior* Executive Vice President *and Chief Operating Officer* for the System or *the approval of Audit Committee if the changes to the plan are substantial*. ~~Chancellor/Chief Executive Officer for the Campus and Health Care Services based offices.~~

REPORTING

Internal Audit ensures that the results of audits and other services are properly communicated to the appropriate management or operating personnel in the form of written reports, consultation, advice, or any other means. Written reports include, or will be followed by, management comments itemizing specific actions taken or planned to resolve the reported finding and to ensure that operational objectives are achieved. *The System Director will authorize the issuance of all internal audit reports.* The System Director shall report not less than quarterly to the *Audit Committee and annually to the entire* Board of Supervisors on all System, Campus and Health Care Services based internal and external audits. *Upon presentation to and acceptance by the Audit Committee, copies of the quarterly report will be provided to the Board.* ~~System reports shall be addressed to the President and the Board of Supervisors. Campus and Health Care Services based reports shall be addressed to the Chancellor/Chief Executive Officer, and the President of the LSU System.~~

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RELATIONSHIPS WITH EXTERNAL AUDITORS AND CONSULTANTS

Internal Audit works cooperatively with external auditors and consultants to avoid duplication of efforts and to ensure optimum audit coverage is obtained.

CONTINUING PROFESSIONAL DEVELOPMENT

Audit work will be conducted by a staff of recognized professional auditors who possess a high level of technical knowledge of, or experience in, internal auditing techniques. Professional development activities will be planned and carried out by both Internal Audit offices and the auditor. In addition to on-the-job guidance, each Director will provide for training through courses offered by internal and external sources, in appropriate circumstances. Also, auditors with professional certifications should obtain sufficient continuing professional education to satisfy requirements related to the professional certification(s) held. Those auditors not presently holding appropriate certifications are encouraged to pursue an educational program that supports efforts to obtain professional certification(s).

APPROVED:

Francis M. Gowen, Jr.
Chairman, Audit Committee

William L. Silvia, Jr.
**Senior Executive Vice President and Chief
Operating Officer**

Bernard E. Boudreaux
Chairman, Board of Supervisors

William L. Jenkins
President

10: Other Business:

Mr. Ray Lamonica, General Counsel, LSU System, advised that there are ongoing discussions to attempt to settle the so-called "land grant" issues which are not part of the long-standing desegregation suit and consent decree which ends shortly. While the action has not been filed and LSU denies any liability in connection with any possible future civil action, it may be in the best interests of the State and University to resolve those issues in connection with the conclusion of the existing consent decree. Therefore, authority is requested to authorize the President to act on behalf of the Board if a reasonable resolution of this potential issue can reasonably be resolved prior to the next regularly-scheduled Board meeting.

He further noted that the University did not receive official notice until yesterday, December 8, 2005; consequently, creating the necessity to present to the Board at this meeting. Mr. Lamonica further noted that it is the University's position that the Consent Degree terminates on December 31, 2005.

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10A. Recommendation to authorize the President to act regarding the land grant issues
(Added to Agenda)

Upon motion of Mr. Roy, seconded by Mr. Gowen, the Board, with a two-thirds vote, added the following recommendation to the agenda.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College that authority is granted to the President of the Louisiana State University System to act on its behalf prior to the next regularly scheduled meeting of the Board if action regarding the land grant issue is reasonable and necessary and deemed to be in the best interests of the University.

BE IT FURTHER RESOLVED that this authority is limited to circumstances and conditions involving no fiscal impact upon the University.

Upon motion of Mr. Weems, seconded by Mr. Gowen, the Board voted unanimously to approve the above resolution regarding the desegregation "land-grant" issue.

10A1. Recommendation to authorize the President to approve leases in connection with temporary health-care facilities as a result of Hurricanes Katrina and Rita
(Added to Agenda)

Mr. Lamonica also requested that the Board consider adding to the agenda the recommendation authorizing the President to approve leases in connection with temporary health-care facilities required as a result of Hurricanes Katrina and Rita.

Upon motion of Mr. Roy, seconded by Mrs. Reese, the Board, with a two-thirds vote, added the following recommendation to the agenda.

Upon motion of Mrs. Reese, seconded by Mr. West, the Board voted to approve the following recommendation:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University State University and Agricultural and Mechanical College hereby authorizes the President to approve leases in connection with temporary health-care facilities required as a result of Hurricanes Katrina and Rita.

11. Chairman's Report

Chairman Boudreaux commented that one of the most significant matters that the Board considered and acted upon was the recommendation presented by Mr. Slack regarding the LSU Health Care Services Division requesting that the staff pursue a course of action designed to solicit a developer to design-build and lease back a hospital facility in Baton Rouge.

Chairman Boudreaux recognized Mr. Slack. Mr. Slack noted that it was not a suggestion, but a mandate. He noted the more expeditiously this matter is addressed the strategy for health care needs can be accomplished.

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* * *

U.S. Senator Mary Landrieu addressed the Board with regards to Congressional action concerning the devastation to our state and university.

12. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:10 a.m.

Carleen N. Smith
Administrative Secretary