



**MINUTES OF THE
BOARD OF REGENTS
Regular Meeting
Monday, April 29, 2014
Continued Tuesday, April 30, 2014
1:10p.m**

PRELIMINARY MATTERS

Chairperson Rabauliman called the meeting to order on Monday, April 29, 2014 at 1:10p.m. Six members of the Board of Regents were present. A quorum was established.

ROLL CALL

Board Members Present:

Regent Frank M. Rabauliman, Chairperson
Regent Elaine Hocog Orilla, Vice-Chairperson
Regent William S. Torres
Regent Michaela U. Sanchez
Regent Juan T. Lizama
Regent Elizabeth D. Rechebei

Six (6) members present, there is quorum.

Excused Absent:

Regent Maria (Malua) T. Peter

NMC Staff/Faculty Present:

Sharon Y. Hart, Ph.D., Executive Secretary to the Board of Regents/NMC President
Helen B. Camacho, Board Secretary
Chris Timmons, HR Director/Legal Counsel
Barbara Merfalen, Dean of Academic Programs and Services
Lorraine T. Cabrera, ABE Director
Ross Manglona, CREES Director

Legal Counsel:

Mark Scoggins, NMC BOR Legal Counsel

Members of the Public Present:

Junhan Todeno, Marianas Variety News Reporter

ADOPTION OF AGENDA

Regent Orilla motioned to adopt the agenda and seconded by Regent Sanchez. All six members voted yes, the motion passed. The agenda is adopted.

MEETING MINUTES FOR ADOPTION

Regent Orilla motioned to adopt the Regular meeting minutes of March 31, 2014 and seconded by Regent Sanchez. Chairperson Rabauliman talked about the committee reports being incorporated as part of the record of the board meeting minutes. The board will be reviewing legal counsel's opinion on the matter. Regent Torres recommended holding back from adopting the meeting minutes until the board deliberates on this matter. After much discussion, Regent Orilla withdrew her motion. The adoption of the minutes is tabled.

PUBLIC COMMENT PERIOD

There is no public comment.

REPORTS AND ACTION FROM STANDING COMMITTEES

Fiscal Committee Report:

Regent Torres, Fiscal Committee Chair provided an update. He highlighted the following:

1. Foundation
2. Facilities: Capital Spending and Debt Exploration
3. Budget: Revisiting the budget for purposes of advocacy and best effort in trying
4. Investors for Student Housing / Student Center

Program Committee Report:

Regent Elizabeth D. Rechebei, Program Committee Chair provided an update. A committee report was provided. She highlighted the following:

1. **Board Policy No. 2004 - College Surveys:** The committee decided to table this item pending the WASC Senior Accreditation process.
2. **Board Policy No. 2005 – Speech: Time, Place and Manner:** The committee has reviewed the policy as well as the legal opinion submitted by Counsel Borja. The committee will be making its recommendation.
3. **Board Policy No. 3006 – Articulation:** The committee recommended some minor changes. The reason for the minor change is to allow for recognized International institutions or organizations to be eligible for this program. The committee will be recommending for adoption.
4. **Board Policy No. 3029 – Course Challenges & Prior Learning Credit**
The committee recommended to include other programs and disaggregated information from time to time or depending on the availability of data. The committee will be recommending for approval.

5. **Board Policy No. 3030 – Academic Calendar:** The committee will recommend for adoption.
6. **Review of CNMI disaggregated data** – This item was included by mistake; no discussions.

Personnel Committee Report:

Regent Juan T. Lizama, Personnel Committee Chair provided an update and highlighted the following items:

1. **Board Policy No. 6000 – Compensation:** The committee will recommend approval.
2. **Board Policy No. 907 – Drug Free Workplace, Smoking:** The committee will recommend approval. The policy will be renumbered to Board Policy No. 5004.
3. **Organizational Chart** – Tabled for further review.

OLD BUSINESS

Board Annual Evaluation:

The board completed its Annual Evaluation. A compilation of the results is on hand.

Board Policies for Consideration:

1. **Board Policy No. 2004 – College Surveys:** Tabled pending the WASC Senior accreditation visit and thus, will remain with the program committee.
2. **Board Policy No. 2005 – Speech: Time, Place and Manner:** The committee agreed that this is not necessary as a policy. There were no objections to eliminate this policy from the board agenda.
3. **Board Policy No. 3006 – Articulation:**
Regent Rechebei indicated that the committee is ready to make its recommendation for adoption. Regent Lizama motioned to adopt Board Policy No. 3006 – Articulation and seconded by Regent Orilla. Discussion ensued about the policy pertaining to the second to the last word of the last sentence, the word reputable. The committee recommended to change the word “reputable” to “recognized.” After much discussion, Regent Lizama withdrew his motion. Regent Torres noted that the President should also reflect on the ability of the institution on how this may impact on the eligibility of US Department of Education federal assistance. This item is tabled and referred back to the program committee.
4. **Board Policy No. 5004 – Drug Free Workplace, Smoking:**
Regent Lizama motioned to adopt Board Policy No. 5004 – Drug Workplace, Smoking and seconded by Regent Rechebei. Regent Torres raised a concern on the language stated in the policy where there is a declaration that there shall be an internal policy. Regent Lizama talked about the aspect of implementation and there were a lot of variations on how the implementation was going to be handled. This item is tabled and will be discussed in executive session. Counsel Scoggins will provide an opinion then.
5. **Board Policy No. 6000 – Compensation:** This item is tabled pending discussion in executive session.

NEW BUSINESS

Board Policies for Consideration (First Reading)

1. **Board Policy No. 3029 – Course Challenges & Prior Learning Credit**
Regent Rechebei motioned to adopt this policy and seconded by Regent Orilla. All members voted yes, the motion passed.
2. **Board Policy No. 3030 – Academic Calendar**
Regent Lizama motioned to adopt this policy and seconded by Regent Sanchez. Regent Torres had an inquiry about the policy. After much discussion, all six members voted yes, the motion passed.
3. **Foundation** – This item will be discussed in executive session.
4. **ACCT Awards** – Presentation made by Dr. Hart about how ACCT provides annual awards in numerous categories. The recommendation is to move forward with the application. President Hart mentioned that the nominee for the Trustee Award would be former Board Chairperson Regent Juan T. Lizama for this award, especially as he helped steer and navigate the college through difficult times. For the record, the board supports NMCs participation.

NMC EXECUTIVE REPORTS

WASC Accreditation Update:

President Hart provided an update on accreditation matters. She noted the WASC Senior Visit this week. Amanda Allen, Accreditation Liaison Officer shared a packet with the board and discussed the schedule for the visit with WASC Senior.

Chief Financial Officer Report:

Tracy M. Guerrero, CFO provided an update (handout provided) on the fiscal status of the college. She highlighted the following:

1. Overall operating in positive revenue.
2. Revenues by Source (General, Appropriations, Federal Sources, Tuition).
3. Shortfall Revenue expected by 5 percent and the College implemented a 50% in cost savings.
4. Expenditures by Function (Instructional, Administration, Student expense, Student Services) as of 2/28/14.
5. FY 2014 YTD Operations Budget Variance as of March 30, 2014.

Legislative Updates:

Frankie M. Eliptico, External Relations Office Director provided an update. He presented on S.L.I. No. 18-03, “To amend Article III, SS 9 (a) of the NMI Constitution to cap the government annual expenditure legal at \$104,320,000, which is the legal of fiscal year 2013, to require any surplus revenue collected to be distributed to supplement the public health, safety and education programs, the NMI Retirement government obligations and land compensation payments, and to establish a trust account for any surplus funds; and for other purposes. Meaningful discussions ensued however; the board opted not to support the bill.

President’s Report: Handout provided.

BOARD MEETING ASSESSMENTS

The board agreed to work on the assessment tomorrow, April 30, 2014 at 9:00a.m.

EXECUTIVE SESSION

Regent Rechebei motioned to go into executive and seconded by Regent Orilla at 4:02p.m. Executive Session ended at 5:00p.m. Upon returning to the meeting, no actions were taken. The meeting recessed for Wednesday, April 30, 2014 at 9:00a.m.



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Regular Meeting
Tuesday, April 29, 2014
Continued Wednesday, April 30, 2014
9:10a.m.**

PRELIMINARY MATTERS

Regent Frank M. Rabauliman, Chairperson called the meeting back to order at 9:10a.m on Wednesday, April 30, 2014. A quorum was established.

ROLL CALL

Members Present:

Regent Frank M. Rabauliman, Chairperson
Regent Elaine Hocog Orilla, Vice-Chairperson
Regent William S. Torres
Regent Juan T. Lizama
Regent Elizabeth D. Rechebei
Regent Michaela U. Sanchez

Excused Absent:

Regent Maria (Malua) T. Peter

NMC Staff/Faculty:

Sharon Y. Hart, Ph.D., Executive Secretary to the Board of Regents/NMC President
Helen B. Camacho, Board Secretary
Anita Camacho, Procurement Director
Jonathan Liwag, IT Director

Legal Counsel:

Jesus C. Borja, Board of Regents Legal Counsel

Members of the Public:

Junhan Todeno, Marianas Variety News Reporter

SOLE SOURCE JUSTIFICATION FOR POWER CAMPUS

Mr. Jonathan Liwag, Information Technology Director and Anita Camacho, Procurement Director presented a draft service work order that encompasses training for the deployment of power campus system and academic plan services. The staff added that the Power Campus system is set to increase student access and integration of the current systems by Fall 2014. Other benefits include faster connectivity and streamlining the registration process. The immediate concerns that were raised by the board are the start and end dates are the same. Also, it was recommended that Counsel Borja review the language of the agreement before moving forward. It was agreed for Chairman Rabauliman and Counsel Borja work together to iron out the details. Regent Torres requested that the fiscal committee look at the fiscal allocation component of the system. Chairperson Rabauliman agreed and went on to other matters. Regent Torres provided some comments pertaining to the Foundation and requested through the Chairperson that the President submit a prioritization list for the use of the foundation funds.

EXECUTIVE SESSION

Regent Orilla motioned to go into Executive Session at 9:40a.m. and seconded by Regent Sanchez. Executive Session ended at 10:35a.m. Upon convening the meeting, no actions were taken. Regent Elaine Hocog Orilla called the meeting back to order and indicated to the President that the board are in agreement that there is an understanding on the issue with the foundation. Regent Torres informed the President that the board agreed that we should have a policy and to desegregate the foundation funds.

UPCOMING BOARD ACTIVITIES

Charter Day scheduled - Friday, May 16, 2014, NMC Campus Grounds.

Officer Commissioning Ceremony – May 17, 2014, American Memorial Park.

Nursing Pinning Ceremony – May 21, 2014, World Resort – Taga Hall

Graduation Day – May 24, 2014

Proposed Dates:

Committee Meetings – May 22, 2014

Regular Meeting – May 23, 2014

May Agenda Items:

- a. Fiscal Committee Items - Establishment of Tuition and Fees for Fall 2014
- b. Program Committee Items: Board Policy No. 4001 - Residency Classification; Joint NMC/PSS Agreement; Policy 2004 – College Surveys; Board Policy No. 3006 – Articulation
- c. Personnel Committee Items: Board Policy No. 5004 – Drug Free Workplace; Board Policy No. 6000 - Compensation; Organizational Chart

ADJOURNMENT

The meeting ended at 11:02a.m.