



**MINUTES OF THE
BOARD OF REGENTS
REGULAR MEETING**

Thursday, December 18, 2014
Continued Friday, December 19, 2014
Continued Monday, December 22, 2014
9:30a.m.

CALL MEETING TO ORDER

Chairperson Rabauliman called the meeting to order on Thursday, December 18, 2014 at 9:30a.m. Six members of the Board of Regents were present. A quorum was established.

ROLL CALL:

Board Members Present:

Regent Frank M. Rabauliman, BOR Chairpreson
Regent Elaine Hocog Orilla, Vice-Chairperson
Regent Elizabeth D. Rechebei
Regent Michaela U. Sanchez
Regent Maria (Malua) T. Peter
Regent Juan T. Lizama

NMC Staff / Faculty Present:

Sharon Y. Hart, Ph.D., NMC President
Helen B. Camacho, Board Secretary (Recorder);

Legal Counsel:

Jesus C. Borja, NMC BOR Legal Counsel

Members of the Public Present:

REVIEW AND ADOPTION OF AGENDA

Regent Sanchez motioned to adopt the agenda and seconded by Regent Rechebei. There was discussion about the order of business. Regent Sanchez withdrew her motion. Regent Orilla motioned to suspend the order of business and move into executive session and seconded by Regent Sanchez. All members voted yes, the motion passed. Agenda is adopted.

EXECUTIVE SESSION

Regent Orilla motioned to move into executive session at 9:34 a.m. and seconded by Regent Sanchez. All members voted yes, the motion passed. Executive session ended at 11:05a.m.

Chairperson Rabauliman called the meeting back to order at 12:15p.m. Regent Orilla motioned to move into executive session on Thursday, December 18, 2014 at 12:17p.m.

Regent Orilla motioned to rise out of executive session and seconded by Regent Rechebei. The board elected to recess the meeting and continue its meeting at 2:00p.m. on Friday, December 19, 2014.



**MINUTES OF THE
BOARD OF REGENTS
REGULAR MEETING**

Thursday, December 18, 2014

Continued on Friday, December 19, 2014

Continued on Monday, December 22, 2014

2:20p.m.

Chairperson Rabauliman called the meeting back to order at 2:20p.m on Friday, December 19, 2014. Seven members are present. A quorum is established.

ROLL CALL

Board Members:

Regent Frank M. Rabauliman, BOR Chairperson
Regent Elaine Hocog Orilla
Regent William S. Torres
Regent Michaela U. Sanchez
Regent Juan T. Lizama
Regent Maria (Malua) T. Peter

NMC Staff / Faculty:

President Hart, Executive Secretary to the Board of Regents/NMC President
Frankie Eliptico, External Relations Office Director
Rosa Tudela, Nursing
Charlotte Cepeda, School of Education Director
Amanda Allen, Accreditation Liaison Officer
Chavel Green, Business Department Chair
Barbara Merfalen, Dean of Academic Programs & Services
Leo Pangelinan, Dean of Student Services
Tracy M. Guerrero, Chief Financial Officer
Dave Attao, Dean of Administration
Floyd Masga, Community Development Institute
Jackie P. Che, Director of Office of Institutional Effectiveness (OIE)
Helen B. Camacho, Board Secretary (Recorder).

Legal Counsel:

Jesus C. Borja, NMC BOR Legal Counsel

Others Present:

Dennis Chan, News Reporter

ADOPTION OF AGENDA

Regent Orilla motioned to adopt the agenda with additional items and seconded by Regent Peter. The following items to include are as follows:

1. Board Policy No. 3002 – Graduation Requirements
2. Board Policy No. 3004 - Scholar in Residence
3. Board Policy No. 2005 – Organization of the college
4. Board Policy No. 5011 – Faculty Rank
5. Board Policy No. 6000 – Compensation

All members voted yes, the motion passed. The agenda is adopted as amended.

PUBLIC COMMENTS

None.

ADOPTION OF MINUTES

Regent Orilla motioned to adopt the all the meeting minutes and seconded by Regent Torres. Discussion: Regent Torres asked for clarification for when a motion doesn't pass, does it automatically become a new item or does that continue to be an old item. Counsel Borja believes that when a motion does not pass, it expires. Furthermore, should it be brought back to the table, the item would come back under New Business. Regent Peter also inquired about an action taken during the September 17, 2014 board meeting when it did not pass. Regent Lizama offered some comments and noted that items that did not pass will be taken back as a New Business. Regent Rechebei also indicated that there are reports due to the board. President Hart noted that an update would be provided at the next meeting.

After much discussion, all members voted yes and the motion passed. The following minutes are adopted.

1. September 17, 2014 – Regular Meeting
2. October 01, 2014 – Special Meeting
3. November 07, 2014 – Special Meeting
4. November 25, 2014 – Special Meeting

PUBLIC COMMENTS

None.

CHAIRPERSON'S REPORT

Chairperson Rabauliman indicated that at the advise of counsel, the President's Evaluation will be done again to reflect the actual time period which she needs to be evaluated on.

REPORTS AND ACTIONS FROM STANDING COMMITTEE

Fiscal Committee Meeting Report:

Regent Torres, Chairperson provided an update. He highlighted the following:

1. Progress on facility financing.
2. Completed work on the FY2015 Tuition and Fees Budget
3. Board of Regents Budget updates for FY2015

Regent Torres motioned to add an item to the agenda item “BOR Budget” under old business and seconded by Regent Rechebei. There were no objections, the motion passed.

Program Committee Meeting Report:

Regent Rechebei, Program Committee Chairperson provided an update. She highlighted the following:

1. College Completion Agenda
2. Board Policy No. 3002 – Graduation Requirements
Committee Recommendation: The committee will be making its recommendation to the full board.
3. Board Policy No. 3003 – Student Teaching Requirements
Committee Recommendation: The committee decided that this is a procedural matter and will not be making a recommendation to the full board.
4. Board Policy No. 3004 – Scholar in Residence
Committee Recommendation: The committee will be making its recommendation to the full board.
5. Board Policy No. 4008 – Student Grievance Process for Instruction & Grade Related matters.
Committee Recommendation: The committee sent this item back to the college for further review.
6. 2013 Composite Report
7. WASC Senior requirements
8. IPEDS
9. CWAP Plan

Personnel Committee Meeting Report:

Regent Juan T. Lizama, Personnel Committee Chairperson provided an update. He noted the following highlights.

1. Board Policy No. 2005 – Organization of the College
Committee Recommendation: The committee will be making its recommendation to the full board.
2. Board Policy No. 5011 – Faculty Rank
Committee Recommendation: The committee will be making its recommendation to the full board.
2. Board Policy No. 6000 – Compensation
Committee Recommendation: The committee will be making its recommendation.

Agenda Added under New Business:

Board Action: Regent Torres motioned to add under item VI. (c) – Policy cycle review and seconded by Regent Rechebei. All members voted yes, the motion passed.

Board Policy No. 3002 – Graduation Requirements

Board Policy No. 3004 – Scholar in Residence

Board Action: Regent Orilla motioned to adopt Board Policy No. 3002 – Graduation Requirements; Board Policy No. 3004 – Scholar in Residence and the motion was seconded by Regent Rechebei.

Regent Torres motioned that any proposed policy emanating out of the committee shall be attested by the Chair of the committee as having been discussed and approved by the committee and seconded by Regent Rechebei. Discussions ensued about the policy and President Hart addressed some concerns. After much discussion, all members voted yes and the motion passed. Board Policy No. 3002 – Graduation Requirements and Board Policy No. 3004 – Scholar in Residence is hereby adopted.

Board Policy No. 2005 – Organization of the College

Board Action: Regent Lizama motioned to adopt Board Policy No. 2005 – Organization of the College and seconded by Regent Torres. Regent Lizama added that he is in support of this policy and believes that it is in line with what we are trying to achieve at this college.

Regent Torres made some comments regarding legal sufficiency review and should it be made part of the board’s purview when considering future policies. He felt that unless a legal opinion is rendered, he will remain unsure and uncertain whether or not this can be done. President Hart offered some comments and also referred to Board Policy No. 1006 – Duties of the President wherein the president’s specific duties and responsibilities includes the following:

1. Be responsible for the organization and administration of the college. She added that this means that the board through board policy has already given the president that authority to be responsible for the organization of the institution. Furthermore, the policy attempts to clarify to what extent does a president have to organization the institution.

Regent Lizama recommended taking a short recess. There were no objections, the board is on break. Chairperson Rabauliman called the meeting back to order at 4:10p.m.

Regent Torres requested if the mover of the motion could reconsider the motion until such time the legal counsel has clarified some of the issues that were raised earlier. Regent Lizama recommended moving into executive session.

EXECUTIVE SESSION

Regent Torres motioned to move into executive session and seconded by Regent Orilla. All members voted yes, the motion passed.

Executive Session ended at 4:26p.m. Chairperson Rabauliman called the meeting back to order. He noted that the board requested legal review of the following items:

1. Board Policy No. 2005 – Organization of the College
2. Board Policy No. 6000 – Compensation
3. WASC Senior eligibility requirement No. 4

Regent Torres motioned to recess at 4:31p.m. and seconded by Regent Orilla. The meeting recessed and will resume on December 22, 2014 at 10:00a.m.



**MINUTES OF THE
BOARD OF REGENTS
Regular Meeting
Thursday, December 18, 2014
Continuation Friday, December 19, 2014
Continuation Monday, December 22, 2014
10:20a.m.**

CALL MEETING TO ORDER

Chairperson Rabauliman called the meeting back to order at 10:20a.m on Monday, December 22, 2014. Seven members are present. A quorum is established.

ROLL CALL

Board Members:

Regent Frank M. Rabauliman
Regent Elaine Hocog Orilla
Regent William S. Torres
Regent Michaela U. Sanchez
Regent Maria (Malua) T. Peter
Regent Juan T. Lizama
Regent Elizabeth Rechebei.

NMC Staff / Faculty:

Sharon Y. Hart, Ph.D., Executive Secretary to the Board of Regents/NMC President
Helen B. Camacho, Board Secretary (Recorder)

Legal Counsel:

Jesus C. Borja, NMC BOR Legal Counsel

Others Present:

None.

AGENDA ITEMS - Continuation from Friday, December 19, 2014

Board Policy No. 5011 – Faculty Rank

Regent Orilla motioned to adopt Board Policy No. 5011 – Faculty Rank and seconded by Regent Lizama.

Regent Torres would like more information and indicated some concerns as follows:

1. How would this policy reconcile with the existing policy on the Faculty Qualifications.
2. There are categories that are not necessarily reflected.
3. Requested documents: Faculty Qualification Policy
4. Continuing referencing to the administrative procedures act. Is the college subject to the administrative procedures act?
5. Requested for a written legal opinion on whether or the Administrative Procedures Act is applicable to past and future board actions.

Subsidiary Motion:

Regent Torres made a subsidiary motion with some changes as follows:

1. The first and last sentence of the first paragraph.
2. The words “shall” change to “will.”
3. The last sentence of the paragraph with respect to tenure.

All members voted yes, the motion passed. Board Policy No. 5011 – Faculty Rank is adopted as amended.

Break called at 11:10a.m. Chairperson Rabauliman called the meeting back to order at 11:20a.m. on Monday, December 22, 2014.

BOR Budget for FY2015

Regent Torres indicated that the committee is seeking to have authority over its own budget. He added that the core of the budget revolves around important matters as follows:

1. Reviewing of board policies
2. Additional support staff for the BOR office
3. Providing the board with the necessary training with the new accrediting body (WASC Senior)
4. Foundation fundraising
5. BOR Retreat

Regent Torres mentioned that the committee is going to present its recommendation at the next regular meeting on the exact figures for FY2015. Regent Lizama made some comments that it is his believe that board’s budget for the most part are formulated through a process that is handled independent of the board.

CONSENT AGENDA - Policy Cycle Review

A recommendation was made to include this item at the upcoming BOR Retreat.

EXECUTIVE SESSION

Executive session was called at 12:00p.m. Executive session ended at 12:07p.m. on Monday, December 22, 2014. Upon returning from executive session, the following action was taken.

CW FY15 Plan and Proposed Budget

Regent Torres motioned to approve the CW FY15 Plan and proposed budget. Regent Peter seconded the motion. All members voted yes, the motion passed.

Supplemental budget for the Business, Education and Nursing Departments

Regent Torres motioned to adopt the allocation of \$14,290.11 for the Nursing, Education and Business programs and seconded by Regent Orilla. All members voted yes, the motion passed.

Lunch break called at 12:30p.m. Chairperson Rabauliman called the meeting back to order at 12:55p.m. All members were present with the exception of Regent Lizama.

President's Report

WASC Accreditation Update:

Amanda Allen, Accreditation Liaison Officer (ALO) provided an update. She highlighted the following items:

WASC Senior College and University Commission Independent Board Policy

1. Relevant WSCUC Standards and Policies
2. Conflict of Interest and Related Policies
3. Qualifications of Governing Board Members
4. Frequency of Board Meetings
5. Board Committees and Committee Structure
 - a. Finances
 - b. Planning and Budgeting
 - c. Financial Audit
 - d. Academic Affairs
 - e. Nominating Committee
6. Size of the Governing Board

Chief Financial Report

Tracy M. Guerrero, Chief Financial Officer Report provided a report. She highlighted the following:

1. Presented the income statement to date to include the different sources of funding:
 - General
 - Appropriations
 - Federal
 - Special – ETC Donations; Program Revenue
 - Total
2. 2014 Final unaudited income statement.
3. 2015 Year to date figures.
4. Schedule a meeting with the auditors.
5. Scheduled a meeting with Jason Miyashita, Endowment fund (Smith Barney).
6. Total Appropriations for FY15 4.4 million dollars.

In sum, the college ended the year in the positive.

Legislative Updates

Frankie M. Eliptico, External Relations Director (ERO) provided an update. He highlighted the following:

1. Listing of all the legislations (Bills and Resolutions) that were introduced during the past two years in the legislature.
2. Proposed Legislative Roundtable discussions to be scheduled as soon as the new members are in office.

President's Report

Sharon Y. Hart, Ph.D., NMC President provided an update. She highlighted the following:

1. 2016 Pacific Circle Conference in Fiji
2. Hired a Dean of CREES and will start in a couple of months.
3. Testing for PSS the Dean of Student Services
4. Online Registration launched
5. Complete College America
6. ACCT Leadership Congress in Chicago – Dean Bobbi presented at the conference. Regent Lizama was also in attendance.
7. Met with the University of Hawaii with CREES staff

President's Annual Evaluation

President's Annual evaluation is tabled and the board will meet in a Special Meeting on Tuesday, January 06, 2015 at 10:00a.m. Two items: President's Annual Evaluation and Election of Officers.

BOR Retreat

Proposed dates were discussed.

Upcoming Board Activities

Meeting with Mr. Joseph Diego, USDA Area Director on January 21, 2015 on potential facility financing opportunities.

ADJOURNMENT

Regent Peter motioned to adjourn and seconded by Regent Orilla. The meeting ended at 3:00p.m.