



**MINUTES OF THE
BOARD OF REGENTS**
Regular Meeting
Friday, July 24, 2015
10:00a.m.

CALL MEETING TO ORDER

Attendance:

ROLL CALL

Board Members Present:

Regent Juan T. Lizama, Chairperson
Regent Michaela U. Sanchez, Treasurer
Regent Frank M. Rabauliman
Regent Elizabeth D. Rechebei, Ed.D.

NMC Staff/Faculty:

Sharon Y. Hart, Ph.D., Executive Secretary to the Board of Regents/NMC President
Frankie M. Eliptico, External Relations Office Director
Tracy M. Guerrero, Chief Financial Officer
Chavel Green, School of Business Chair
Leo Pangelinan, Dean of Student Services
Lisa HacsKaylo, Institutional Researcher
Becky Sablan, Executive Secretary (Recorder)

NMC BOR Legal Counsel:

Jesus C. Borja

Others:

Mr. William S. Torres

At 10:00a.m., Regent Juan T. Lizama, BOR Chairperson called the Board of Regents Regular Meeting to order. The meeting was held in the BOR Conference Room. All four members were present. A quorum was established.

REVIEW AND ADOPTION OF AGENDA

Mr. Torres stated his name for the record. Chairperson Lizama asked Mr. Torres not to partake in the meeting or else he would call the Police. Mr. Torres asked on what authority. Chair Lizama asked him to refrain from speaking and repeated that if he did not, the Chair would call the authorities (one more time that you speak).

Continuation with the Review and Adoption of Agenda:

Regent Rabauliman motioned to move into Executive Session. However, Chairperson Lizama recommended adopting the agenda first. Regent Rabauliman motioned to adopt the agenda and Regent Rechebei seconded the motion. All members voted yes, the agenda is adopted.

EXECUTIVE SESSION

Regent Rabauliman motioned to go into executive session and seconded by Regent Rechebei. All members voted to move into Executive Session. Legal Counsel Borja requested for the Board to clarify on the record that the Board motions to move into executive session to discuss legal matters.

Regent Rabauliman motioned to move into Executive Session to discuss legal matters. Regent Rechebei seconded the motion. All members present voted yes to move into Executive Session. Motion carries.

For the record, Executive session ended at 12:20 p.m. on July 24, 2015.

For the record, the following members were present:

Regent J. Lizama
Regent F. Rabauliman
Regent E. Rechebei
Regent M. Sanchez

Chairperson Lizama called the meeting back to order. Upon convening the meeting, there were no actions taken. However, the board did ask Counsel Borja to look at the factual aspect of the issue with regard to the boards terms. Regent Rabauliman added that this could be clarified as simply an instruction from the Chair.

Chairperson Lizama indicated that the board has already adopted the agenda. Regent Rechebei asked to add the Adhoc Report to the agenda. Chairperson recommended moving on to the next items on the agenda.

REVIEW AND ADOPTION OF MINUTES

May 22, 2015 – Regular Meeting
June 25, 2015 – Special Meeting

Counsel Borja noted some concerns over draft minutes specifically the May 22, 2015 Regular meeting and continuation on May 26, 2015. In particular, Page 4: Executive session: Regent Torres motioned to enter executive session; separating the minutes. Regent Rechebei indicated she was not present during the May 26th meeting. Counsel Borja also added to what Regent Rechebei said, under heading of the executive session. Does not say when it ended, no action, subject matter that was to be discussed in that executive session should be inserted. On the May 26, 2015 meeting in executive session, there were some matters that were discussed regarding terms that discussion is not noted. Additionally, the two Regents, that he has been tasked to research,

it was not properly noted when they left. Chairperson Lizama said statement should be included. Counsel Borja recommends looking into recordings.

Regent Rechebei motioned to table the minutes and seconded by Regent Sanchez. All members voted yes, the motion carries.

PUBLIC COMMENTS

None.

Chairperson's Report

Chairperson Lizama provided some comments. He mentioned that the President's Contract is pending. The matter will continue to be addressed in Executive Session.

REPORTS AND ACTION FROM STANDING COMMITTEES

Program Committee:

Regent Sanchez indicated that the committee yesterday. The following policies are being recommended for approval.

Board Policy No. 4008 – Student Grievance

Regent Rechebei motioned to adopt policy no. 4008 and seconded by Regent Sanchez. Discussion follows: Leo Pangelinan, Dean of Student Services explained key policy changes that includes: cause for instructional matters to be subject matters that students can bring forward as complaints i.e. discrimination; sexual harassment; key insert is complaints against the Presidents (Student grievances about the President goes to the Board). Looked at the way other schools handled. Dean Leo explaining the procedures.

President Hart indicated that this is the process right now it ends with the President. The only situation is if the grievance is filed against the President. There were some concerns raised such as the board handling every single complaint and not to mention frivolous complaints. President Hart suggested that the college do more research.

After much discussion, the motion did not carry and the item is tabled.

Program Evaluation Policy

Regent Rechebei motioned to adopt this policy and seconded by Regent Rabauliman. All members voted yes. The motion carries. Policy is adopted.

Program Termination Policy: 3000 Series

Regent Rechebei motioned to adopt this policy and seconded by Regent Sanchez. It was noted that Helen normally would assign a number after a policy is adopted. Discussion as follows:

Regent Rabauliman inquired what about the creation of a new program? President Hart indicated that's a different policy. Chairperson Lizama asked if an inventory of terminating program exists.

President Hart indicated that more on a 3-year cycle, data gathering, look at enrollment numbers, student satisfaction, graduation rates, and employment. After much discussion, all members voted yes. The policy is adopted.

Academic Calendar

Chavel Green, Acting Dean of Academic Programs & Services presented the academic calendar. She gave an outline of the 3-year calendar (2015-2017) projected two years in advance.

Regent Rechebei motioned to approve the academic calendar and seconded by Regent Sanchez. Moved to approve the Academic Calendar. All members voted in favor of the motion. The academic calendar is approved.

Program Approval Policy

This matter is tabled for its next meeting.

Voter Registration Policy

This item is removed from the agenda.

Degree Credit and Non-Degree Credit

Regent Rechebei motioned to adopt the Degree Credit and Non-Degree Credit and seconded by Regent Sanchez. All members voted yes, the motion carries. The policy is adopted.

House Bill 19-04 (Substitute Bill) Letter to Representative Felicidad Ogunoro

Regent Rechebei motioned to approve the letter to Representative Ogunoro in relation to H.B. 19-04 (Substitute Bill) and seconded by Regent Sanchez. President Hart added that during the committee meeting, there was a fiscal concern and hopes that in the future the college can do something similar like PSS, put in place their 25%. Right now we are at 1%.

Counsel Borja referred to a legal opinion that he had prepared regarding the boards constitutional duties. He added that he wouldn't want someone to say, you support the delegation, and no prohibition that others can't do it, may take away funding that NMC needs.

Personnel Committee Report:

Regent Rabauliman, committee chair informed the full board that the committee discussed the Legal Counsel's contract, which sets to expire in September. The contract includes both Attorneys Borja and Matt Smith. The committee decided to recommend to the full board an RFP for its own legal counsel. Committee decided to separate Legal Counsels. Board will review contract.

Regent Rabauliman motioned and seconded by Regent Rechebei. Discussion follows: Counsel Borja made a clarification that in the first RFP, the contract was worded to the extent that if NMC did not have a Legal Counsel the boards counsel can be used where appropriate. All members voted yes, the motion passed. An RFP will be expedited.

There was a recommendation that the boards Executive Committee review legislative matters, consisting of committee Chairs. Regent Rabauliman indicated that in the past the responsibility was given to the fiscal and legislative committee. Chairperson Lizama said that a committee should be created for that purpose. President Hart said that the current policy does not have one for executive committee. Discussion continues about the committee's roles and responsibilities.

Fiscal Committee:

Board Policy No. 7012 - Tuition and Fees

Looked at this policy several months ago. CFO indicated that this policy is high priority; committee therefore recommends its adoption. The tuition and fees are fees for all students. Board will approve fees when applies to all students.

President added that anytime there is a new structure fee like the Daito Bunka, MOUs could be treated differently. Chairperson wanted an explanation in figures. President Hart explained that for example when a student from Daito Bunka comes, pays same fee, no double charges, anytime we have something separate like that it comes to the Board. Chairperson Lizama talked about having something that is similar to that of a

scholarship. Regent Rechebei said that it is a good and idea and recommended to table this item. There were no objections; the item is tabled.

Board Policy No. 7015 - Tuition Waivers

Regent Rechebei motioned to approve this policy and seconded by Regent Sanchez. All members voted yes, the motion passed. The policy is adopted.

Naming Building Policy

Counsel Borja wanted the board to be aware that a local bill has authority over naming building. President Hart indicated that it is common practice in Higher Ed and done within campus. Chairperson Lizama added that it can be a way of resolution. Regent Rabauliman recommend gathering the legislatures support. Chairperson Lizama said it is an administrative college matter but how you implement it is a totaling different matter. Regent Rechebei recommends that the legal counsel do research and ascertain whether or not the college can have a policy that has to do with the subject of naming buildings (existing and future buildings). All members voted yes. The item is tabled for further research from Counsel Borja.

NMC Audit Report and Exit Conference with Auditor

President Hart informed the board that we had our exit session with the Auditor. Auditor gave recommendations for the future and also went into some extensive details with governmental changes. Tracy M. Guerrero, CFO said that we finished the 2014 audit with positive results; commented one of the best in Saipan and even on Guam. There were some audit findings but nothing that were significant in nature. We continue to see improvement in our audits. Overall, the results of the audit were in very good standing. The auditors also provided training to the members.

Audit Committee

President Hart informed the board that the Senior Commission recommends a strong auditing and financial background. We received a letter regarding what the composition of the members of the board should be. Recommended to hold on to the letter and channel through the chairperson.

Appropriations Budget

Regent Rabauliman indicated that the committee would like to make an update (status report) on the Appropriations Budget. Additionally, information has just come out that the House has accepted the governors' stand on the appropriations for NMC. They stated that they would look at the CNMI Department of Labor on how they will disseminate the CW Fees between NMC and NMTI. President Hart informed the board that the college is looking at maybe \$500,000 less.

President Hart said that the college is out there working aggressively. Putting grants out and waiting to hear back. The college has written a substantial number of grants. Regent Rabuliman indicated that the auditors noted that USDA should give more grants. President Hart said that we get Title 4 grants. Need to look into, legal footing, on indirect cost.

****Break was called at 2:20 p.m. Break ended at 2:33 p.m.****

EXECUTIVE SESSION

Regent Rechebei motioned to go into executive session and seconded by Regent Rechebei. All members voted yes, the motion passed. Chairperson Lizama called the meeting back to regular meeting. Upon convening the regular meeting, no actions were taken. The discussion focused on personnel and legal cases.

ADJOURNMENT

Regent Sanchez motioned to adjourn the meeting and seconded by Regent Rechebei. The meeting ended at 3:35p.m.