MINUTES OF THE
BOARD OF REGENTS
Special Meeting
Wednesday, October 12, 2011
10:15 a.m.

I. PRELIMINARY MATTERS

Attendance:
Board of Regents: Regent Elaine Hocog Orilla, Acting Chairperson; Regent Maria (Malua) T. Peter; Regent William S. Torres; Regent Andrew Orsini and Regent Frank Rabauliman.

Honorary Members: Lauren Jardinero, ASNMC Secretary; Dr. John Griffin, Faculty Senate President; and Marie Coleman, Staff Senate Representative.

College Staff and Faculty: Sharon Y. Hart, Ph.D., Executive Secretary to the Board/NMC President; Galvin Guerrero, Office of Institutional Effectiveness Director/Accreditation Liaison Officer; Rogelio Madriaga, CFAO; Frankie Eliptico, OIA Director; Bobbie Merfalen, Dean of Academic Programs and Services; John Manalo, HRO Manager and Helen B. Camacho, OIA Administrative Manager (Recorder).

Others: Jesse Borja, NMC Legal Counsel

The Special Meeting of the Board of Regents was called to order at 10:15 a.m. on Wednesday, October 12, 2011, by Acting BOR Chairperson Elaine Hocog Orilla at the BOR Conference Room in Building P, NMC Saipan Campus.

a. Roll Call

Acting BOR Chairperson Elaine Hocog Orilla called roll call. Five members of the Board of Regents were present. A quorum was established.

b. Review and Adoption of Agenda

Inquiry of Changes to Agenda Prior to Adoption: Regent Orilla requested that any changes that need to be made the agenda be brought up before she moves to adopt the meeting agenda for Wednesday, October 12, 2011. Regent Peter voiced her recommendations to change the agenda items: part IV Section C “To suspend Board Policy No. 1008: Standing Committees of the Board” moved to part III “Old Business” and other additional changes.
Motion: Regent Peter motioned to adopt the meeting agenda with her recommended changes. Regent Orilla echoed the motion.

Second: Regent Torres seconded the motion to incorporate the additional changes.

Discussion: Regent Rabauliman said that although he recalls making the suggestion to suspend the board committees, it is his hope that board members reconsider this action because the report speaks to a lot of the actions made in the standing committees of the board. Acting Chairperson Orilla recommended suspending discussions on this item for later in the agenda. Regent Torres said that the board would adequately discuss Regent Rabauliman’s request during executive session.

After changes have been made to the agenda, adoption of the agenda is reintroduced by Regent Orilla.

Motion: Regent Rabauliman moved to adopt the agenda to include the changes.
Second: Regent Peter seconded the motion.
Vote: The motion passed unanimously.

II. PUBLIC COMMENTS - None

III. OLD BUSINESS

a. WASC Accreditation Update

Regent Orilla informed BOR members and those in attendance that the BOR will always have the “WASC Accreditation Update” at every meeting agenda, and proceeded to invite NMC President Dr. Sharon Y. Hart. At the request of President Hart, Accreditation Liaison Officer Galvin Deleon Guerrero provided such an update.

Deleon Guerrero noted that the latest draft of the NMC October 15, 2011 Follow Up Report to ACCJC has been given to the BOR. He also reiterated that “it’s not like we’re trying to hide something” from the media but that the ACCJC requires strict confidentiality of these reports and will later formally give approval to make document accessible to public. In addition, Deleon Guerrero reports that the College is “on track towards our 2012 evaluation” or “self study.” Since the October 15 Report is complete, they can now “shift gears next week to move forward with self evaluation.” Deleon Guerrero also noted that NMC Dean of Academic Programs and Services, Barbara “Bobbi” Merfalen, has scheduled an entire work day in November for the entire College community to work on “self evaluation.” This upcoming self-evaluation “will expand the scope of evaluation” and will include other less frequently discussed areas of the College including facilities, the Library, and information technology.

Regent Torres voiced his concerns about having the campus community participate, as well as members of the community.

Deleon Guerrero conceded that “we need to involve our stakeholders” or the community in program review and even, institutional review. Nevertheless, it is still important to consistently and accurately document the “evolution of each program.” President Hart also
informed the BOR that they would be bringing to the next meeting a projected calendar of upcoming meetings and a list of “identified stakeholders,” who they hope will attend the subsequent meetings.

III. NEW BUSINESS

Regent Torres recommended that the BOR make agenda items that require the BOR members to call for executive session to be discussed last so that “we don’t delay anyone.” Items under New Business to be discussed at the end of the meeting include the “NMC October 15, 2011 Follow Up Report to ACCJC” and “Presidential Goals for 2012.”

a. To suspend Board Policy No. 1008: Standing Committees of the Board

President Hart reminded the Board that one of the recommendations made recently by the College Brain Trust consultants was to look at suspending standing committees of the board and coming together as a whole in lieu of the current standing committees of the board. The suggestion was to bring this forward and suspending this board policy. Acting Chairperson Orilla reiterated the recommendation and recognized Regent Rabauliman because he had raised some concerns suspending this policy.

BOARD ACTION

Motion: Regent Peter motioned to suspend Board Policy No. 1008: Standing Committees of the Board.
Second: Regent Orsini seconded the motion.
Discussion: Regent Rabauliman noted that this action contradicts what NMC has reported to ACCJC on how the BOR operates. However, Regent Torres noted that as long as action is justified and documented to ACCJC then would be looked upon as an improvement. President Hart reiterated Regent Torres’ comment and similar actions taken by other colleges.

Regent Orilla acknowledged Regent Torres’s comments that having the BOR act as a singular committee would not only reduce costs but will also help the BOR act more as a more collaborative governing body.

Regent Orsini advocated that these ideas and comments should be “put in writing” before this policy is suspended. These “exact criteria and standards” will allow the BOR to maintain the “status quo of committees we have now.” For example, this is to ensure that certain actions are not immediately approved before being thoroughly discussed simply because members of the BOR are all present. Acting Chairperson Orilla noted that following Robert’s Rules to conduct meetings should be sufficient although Regent Orsini continued to insist on “standards” for the BOR to follow. Regent Torres agreed that there are rules in place but restated the financial and communication benefits of suspending this policy.

Regent Orilla called for copies of Robert’s Rules to be disseminated soon. Galvin Guerrero, Accreditation Liaison Officer stated that the suspension of this policy would meet accreditation standards when it has been properly documented and the action is well justified.
Subsidiary Motion: Regent Torres requested to include in the motion to suspend this policy a motion to try the new method of communication for a 90-day period to test and review its effectiveness. Regent Orilla asked all BOR members if all in favor of those two items.

Second: Consensus.

Action: Board Policy No. 1008 is suspended and action taken regarding a 90 day period to try new replacement communication method and review for effectiveness. Acting Chairperson Orilla announced that the standing committees are dissolved.

Vote: The motion passed unanimously.

III. MISCELLANEOUS

a. Western Interstate Commission for Higher Education (WICHE)

President Hart stated that she would like to “give more information [on the Western Interstate Commission for Higher Education (WICHE)]” to the BOR. Hart said that she and OIA Director Frankie Eliptico recently met with the Lieutenant Governor Eloy Inos about this issue, as well as certain members of the CNMI Legislature and the Senate President when last in Rota. President Hart is currently hoping for a resolution for supporting the CNMI becoming a member of WICHE. Important to note is that WICHE consists of 15 Western states in the U.S. and they currently have not considered a territory or a commonwealth to become a member.

She also noted that the “major benefit, the major impact” would help students afford to go to college in the U.S. mainland because if they attend any institution that is a member of WICHE then they would quality for instate tuition. This represents “huge savings” and would make a “significant financial impact” for students. WICHE has currently helped enroll over 26,000 students last year in college and helped all these students to afford to go to college. President Hart also noted that the Senate and Legislature are considering passing a resolution. However, the ultimate plan is to request that WICHE board members consider making the CNMI a member instead of being a paying member.

To answer Regent Orsini’s inquiry, this presentation by President Hart is currently only for informational purposes. However, Regent Orsini noted that becoming a member of WICHE should ensure that students should attend NMC for at least one year before moving on to a sister institution. A possible scenario would be to encourage students to pursue an Associates’ degree at NMC and then move to another institution to pursue a degree not available at NMC. President Hart also noted that WICHE board members invited NMC to visit the facilities and “really” research and learn “what it’s all about” before “jumping in” and becoming a member.

Regent Torres also noted that there is some kind of “WICHE agreement” with institutions across the American Pacific to qualify for residency as reflected in tuition rates at the University of Hawaii. Lauren Jardinero, ASNMC Secretary said that this item is very new to her and will have these discussions with her constituent group members. Acting Chairperson Orilla understands and this is all very new to the board as well. President Hart informed the Board that all of the Presidents from the Pacific are very much in favor of NMC trying to
become a member of WICHE. She offered some strategies to the board and hopes to move forward in this endeavor. Acting Chairperson Orilla noted that the board endorses the resigning of this contract. Regent Torres offered some suggestions and talked about tapping into a technical assistance grant through the Office of Insular Affairs. President Hart informed the board that she will conduct further research and will also do a cost analysis of this program.

b. Apprenticeship in the CNMI

President Hart provided a brief update (handout provided). An apprenticeship program was adopted back in 2006 and the college until recently is moving in this direction. Dave Attao, Acting Dean of COMPASS made a brief presentation. Acting Dean Attao referred to a packet containing pertinent documents for the Apprenticeship Program in the CNMI. He indicated that a team of NMC contingents recently attended the Apprenticeship Training in Hawaii on how to administer the apprenticeship program in the CNMI. Attao said that ARRA funds was very critical and essential to make sure that this happens because of the current workforce due to the U.S. public law where every non-resident worker will be phased out by 2014. He listed the following participants:

1. Sharon Y. Hart, Ph.D, NMC President
2. Dave Attao, Acting Dean of COMPASS
3. Bobbie Merfalen, Dean of APS
4. Roy Greenland, Instructor, School of Education
5. Rosa Tudela, Nursing Department
6. John Guerrero, Facilities Manager
7. Ross Manglona, CREEES
8. Larry Lee, Hospitality and Tourism
9. Frances Torres, WIA
10. Ray Alvarez, NMTI
11. Frankie Cepeda, CUC
12. Les Ogumoro, UCEDD
13. Floyd Masga, UCEDD

Acting Dean Attao also informed the board that he is in the process of writing a grant to the Office of Insular Affairs to run this program and he has already spoken to the Saipan Northern Islands delegation for some seed money. Attao addd that they have selected Mr. John Guerrero, Facilities Manager to lead this program because of his technical skills and vast experience in the private sector. He also talked about the number of occupations that will greatly benefit from this program. The key to this is to provide the skilled workers for the current industry, building a skilled workforce and a progression of salary and wages. Attao is also said that upon completing the program, the individual will receive a U.S. Department of Labor certification that can be accepted throughout the country. Regent Orsini applauds Acting Dean Attao in his efforts and recalls a federal program called “School Corp.” He said that it was a very good program. Regent Orsini said that the Commonwealth lacks the skilled workers that it needs and supports everyone’s efforts. Regent Rabauliman talked about an RFP from the Department of Commerce and noted that the funding is specific to this program.
Acting Dean Attao said that he and his team are in the process of writing for this particular RFQ. Regent Peter noted some misleading job announcements and is very concerned that this even happening. Acting Dean Attao offered some examples but assures the board that this program hopefully will be able to alleviate these types of concerns.

c. Ed to Go Contract

President Hart provided a brief update (handout provided). She informed the Board that the beauty of Ed to Go is working with 1800 accredited colleges and universities across the United States in offering over 300 short-term courses (primarily courses that are right around 24 hours) and are very reasonably priced. She added that there are no financial obligations and we should be able to get out of the contract if it does not meet our needs. The Ed to Go will literally provide us with a vehicle of opportunity where students will be able to take online courses from the NMC website.

President Hart responded to Regent Orsini’s question that this program is for non-credit courses. This will not overlap with WICHE. Regent Torres wanted to know if the program is a revenue-generating vehicle. Acting Dean Attao said that it is a revenue-generating proposition. He also gave examples of the current system with the Community Development Institute where they are able to generate over $240,000 in revenue. This program will enable the college to increase the revenue by ten folds. President Hart also added some comments and noted that West Virginia College got into this about three years ago and this has become a major player for them that they are in partnership with six different similar entities offering a different of variety. As a result of this, they have been contracted by the government of West Virginia to provide and to service that vehicle to work with the unemployed in the State of West Virginia. Ed to Go has become huge revenue generating for that college.

Acting Chairperson Orilla informed President Hart that the Board wholeheartedly supports this proposition. President Hart said that with the support of the Board, they would go forward and sign the agreement. Regent Torres was concerned with the cost factor involved and is afraid that there will be. Acting Dean Attao responded that the cost factor is very minimal compared to what we’ll be gaining. The utility cost is negligible. Regent Torres requested for counsel’s input. Counsel Borja noted some concerns that he did raise with regard to this contract. He noted the following opinions that he raised in the past:

1. Provisions that contract cannot be terminated during a semester.
2. Technical issues
3. Agreement requires arbitration in Los Angeles.
4. Marketing support in terms of NMC giving up its logo.
5. Matters of concern are not insurmountable.

Acting Dean Attao noted the concerns of the counsel and said that the addendum can be done. The concerns are well taken and have been discussed with Ed to Go about them. President Hart added that her research showed that West Virginia College has nothing but a great opportunity working with Ed to Go. Acting Chairperson Orilla said that if the concerns noted
by the legal counsel have been addressed then the board endorses the signing of this contract. President Hart thanked the Board and mentioned that they plan press coverage.

b. NMC State of the College Address

President Hart noted that it is the Board's responsibility to collect information at the end of every address from stakeholders. President Hart shared provided a copy of her speech with the Board members. She also plans to have meetings with all staff at the end of the semester.

Regent Torres offered some comments on this matter pertaining to evaluating what the president has accomplished. President Hart said that the Board would hear about the progress in a monitoring report. She also added that the college community would be appraised too.

IV. Executive Session (At any time during the scheduled meeting of the Board of Regents may be required to enter into executive session to discuss matters deemed privileged and confidential)

**BOARD ACTION**

**Motion:** Regent Peter moved to break at 12:07 p.m and to also enter into executive session on Wednesday, October 12, 2011.
**Second:** Regent Rabauliman seconded the motion.
**Vote:** The motion passed.

Executive Session ended at 2:20 p.m. on Wednesday, October 12, 2011. Upon convening the regular session, the board took the following action.

V. New Business

a. NMC October 15, 2011 Follow Up Report to ACCJC

**BOARD ACTION**

**Motion:** Regent Orsini moved to accept and adopt the NMC October 15, 2011 Follow Up Report to ACCJC with the recommended changes as discussed with the Galvin Guerrero, Accreditation Liaison Officer.
**Second:** Regent Peter seconded the motion.
**Vote:** The motion passed unanimously.

b. Presidential Goals for 2012

Acting Chairperson Orilla said that the Board received the President’s Goals for 2012 during executive session and will be taking it up in the next meeting.
VI. ADJOURNMENT

BOARD ACTION

Motion: Regent Peter moved to adjourn the meeting at 2:20 p.m. on Wednesday, October 12, 2011.
Second: Regent Orsini seconded the motion.
Discussion: Acting Chairperson Orilla requested for Counsel Borja to provide the board with a legal opinion on the Retirement fund law. Counsel Borja clarified the request. Acting Chairperson Orilla said the research is on what NMC wants to do regarding the Retirement Fund law.

Acting Regent Orilla requested for agenda items for the next meeting. The board listed some items:

1. Retirement Fund
2. Presidential Goals
3. Revenue Generation
4. NMC Facilities Plan Update
5. Deferred BOR policies
6. Organizational chart

The meeting ended 2:30 p.m. on Wednesday, October 12, 2011. Next meeting is scheduled for November 8, 2011 at 10am or 11am.