MINUTES OF THE
BOARD OF REGENTS
Regular Meeting
Friday, December 16, 2011
12:50 p.m.

I. Preliminary Matters

Attendance:

Board of Regents: Regent Juan T. Lizama, Chairperson; Regent Orilla, Vice-Chairperson; Regent William S. Torres; Regent Andrew Orsini; Regent Frank Rabauliman and Regent Maria (Malua) T. Peter.

Honorary Members: Lawrence Camacho, ASNMC President; Dr. John Griffin, Faculty Senate President.

College Staff and Faculty: Sharon Y. Hart, Ph.D., Executive Secretary to the Board/NMC President; Galvin Guerrero, OIE Director/Accreditation Liaison Officer; Barbara Merfalen, Dean of Academic Programs and Services; Bobbie Hunter, Acting HRO Manager; John Cook, CNMI Archivist; Cynthia Guerrero, Director of Admissions and Records; Rosaline Cepeda, Admissions and Records staff; Julene Santos, Admissions and Records staff and Helen B. Camacho, President’s Office (Recorder).

Others Present: Jesse Borja, NMC Legal Counsel

The Regular Meeting of the Board of Regents was called to order at 12:55 p.m. on Friday, December 16, 2011, Building D, Room No. 1, NMC Saipan Campus.

a. Roll Call

BOR Chairperson Juan T. Lizama called roll call. Six members of the Board of Regents were present. A quorum was established.

b. Review and Adoption of Agenda

BOARD ACTION

Motion: Regent Orilla moved to adopt the Friday, December 16, 2011 Regular Board Meeting agenda.
Second: Regent Orsini seconded the motion.

Discussion: Regent Torres had indicated that there are some pending old agenda items that had not been included for today’s meeting. Torres asked if the items could be included under old business. Chairperson Lizama requested for clarification and Regent Torres listed the following items:

1. CEO Evaluation
2. Board Evaluation
3. Annual Financial Report to the Governor and the CNMI Legislature
4. BOR Policy 203.1 – Meetings and Agenda
5. BOR Policy 1015.3 – Posting of Agenda

Chairperson Lizama noted the concern and indicated if it could be addressed at the appropriate section of the agenda. Regent Torres agreed with the recommendation. Chairperson Lizama acknowledged the arrival of Regent Rabauliman.

Vote: The motion passed unanimously.

c. Review and Adoption of Minutes

1. November 09, 2011 – Special Meeting
2. November 28, 2011 – Special Meeting

BOARD ACTION

Motion: Regent Orilla moved to adopt the November 09, 2011 Special meeting and the November 28, 2011 Special meeting minutes.

Second: Regent Peter seconded the motion.

Vote: The motion passed.

Discussion: Regent Orsini noted his reason for voting “Nay” during the November 28, 2011 Special meeting pertaining to the approval of Board Policy No. 704.601 (Other Fees): International Student Fee increase for foreign students. Orsini explained his vote was based from reports that the students were not given ample time to submit their input on this issue. He felt that it was premature of him to decide on something that was not fully publicized to those who will be affected.

Vice Chairperson Orilla interjected and asked for the adoption of the meeting minutes for November 09, 2011 and November 28, 2011 Special meeting minutes.

Regent Torres also registered his comments with regard to Board Policy No. 704.601 (Other Fees): International Student Fee. Torres said that it was his contention during the board’s last meeting when this matter was taken up that the instruction then was for the staff to go back and disseminate the information to the students. Torres added that although Dean Leo Pangelinan disseminated the information to all the affected students, unfortunately not everyone responded. Furthermore, he noted that the ASNMC President also made the effort to reach out to the students. Regent Torres also stated that he
vehemently opposed the imposition of the fees absent adequate public notice and public discussion at which he noted during the November 09, 2011 Special meeting.

Chairperson Lizama noted the comments and recommended to address such issues at the appropriate portion of the agenda.

II. Public Comments Period: Individuals may orally testify on items on this agenda during the Public Comment Period: Written testimony is also accepted. Testifiers are requested to limit their testimony to five (5) minutes.

1. Liana S. Hofschneider, Private Citizen provided some brief comments. She highlighted some points regarding the Western Undergraduate Exchange (WUE) and Western Interstate Commission for Higher Education (WICHE) program. Hofschneider asked the board to look carefully at the cost analysis and the impact of being a member of WICHE. Ms. Hofschneider concluded her comments.

Chairperson Lizama thanked Ms. Hofschneider for her comments and praised her for her endeavor to offer some insights.

2. Cynthia Deleon Guerrero, Private Citizen, was present to share some comments pertaining to the NCHEMS Peer study. She prepared a written report too and noted that she is willing to defer her comments at this time. President Hart indicated that this item has been calendared for board review. Regent Torres interjected and recommended that Ms. Guerrero proceed. Chairperson Lizama agreed. President Hart indicated that the board has not been given the information and it would be very premature to allow a staff member provide the information when the board has not even seen it. Hart recommended postponing this portion until the board has that opportunity.

BOARD ACTION

Motion: Regent Peter moved to break at 1:16 p.m. on Friday, December 16, 2011. Second: Regent Torres seconded the motion. Vote: The motion passed.

Regent Orilla called for a short break at 1:17 p.m. on Friday, December 16, 2011. The meeting resumed at 1:21 p.m on Friday, December 16, 2011.

Chairperson Lizama called the meeting back to order. Ms. Guerrero indicated that she is in agreement to defer her comments at this time. Chairperson Lizama thanked Ms. Guerrero for her time and understanding.

III. Board Chair’s Remarks

Chairperson Lizama provided some comments and wished everyone the best of Holidays!

IV. Reports
a. Associated Students of NMC

Lawrence Camacho, ASNMC President provided a brief update (handout provided). He highlighted the following:

1. Investiture Ceremony
2. Held elections for the Treasurer and Senator.
4. Spring Semester - The officers decided to
5. Charter Day will be held in Spring.
6. Concerns
   a. CNMI Scholarship
   b. Better recruitment ideas were suggested by the students.
   c. Coordinated with OSAL to come up with more activities for the students.
   d. Student Activity fee

Regent Torres shared some comments and also talked about better services for the students. A calendar for student activities should result from today’s meeting. ASNMC President Camacho thanked Regent Torres for his encouragement and words of wisdom. Student Regent Camacho noted the concern with the Student Activity Fee and indicated that the authority should rest on the student body (ASNMC committee). Chairperson reminded himself that the board is only here to produce the policies or guidelines and should not intervene in the daily activities of the college. Lizama thanked the Student Regent for his comments and acknowledged Regent Orsini.

Regent Orsini requested for some information pertaining to the student activity fees. He asked for an update at the next meeting. He also raised some concerns in regards to the scholarship program. Orsini inquired if there were any problems during registration for the spring semester. Student Regent Camacho indicated that there was one particular problem at which such time the student will not be able to enroll until she clears her balance for the previous semester. President Hart offered some comments. She indicated that Dean Pangelinan is meeting with the Scholarship Board to try to get all of these concerns resolved.

b. Staff Senate – No report.

c. Faculty Senate – Mr. John Cook representing Dr. John Griffin, Faculty Senate President (handout provided). He highlighted the following:

1. Faculty Roster (28 instructional, 46 non-instructional, 39 adjuncts, pending reclassification of employees).
2. Faculty remains concerned and interested about changing the 2-year contract system that is currently in place.
3. 10-month faculty will be returning on January 09.
Mr. Cook concluded his report and wished everyone a Merry Christmas and a Happy New Year!

d. President’s Report

President Hart provided a report (handout provided). She highlighted the following:

1. Northern Marianas College Retreat held recently to get everyone moving forward in relation to the Accreditation report.
2. Follow Up Visiting Report received and returned it with some minor editing for factual information.
3. ACCJC Meeting in January 2012.
4. Start Smart held recently, very successful.
5. Take Over Day
6. Met with PSS Commissioner Dr. Rita Sablan and key managers of PSS to continue collaboration’s between the two institutions.

President Hart concluded her report. Chairperson Lizama asked the Regents if anyone had any questions or concerns. In response to Regent Orsini’s concerns with regard to the adjunct overloads, President Hart informed the Board that this matter would be discussed later in the agenda especially since it deals with the budget shortfall that NMC is currently facing.

1. CFAO Financial Report Update – Rogelio Madriaga, CFAO provided a report (handout provided). He highlighted the following:

   a. FY2012 Appropriations Budget Update
      1. Projections: $1,555,566.46 Million shortfall expected.

   b. FY2012 Tuition and Fees Update
      2. 2nd Quarter is expected next month.

Madriaga concluded his report. In response to Regent Torres’ inquiry that the drop in collections corresponds with the decline in enrollment, President Hart stated that it does not. Furthermore, the money was appropriated for the scholarships.

**BOARD ACTION**

Motion: Regent Peter moved to suspend the order of business and go to New Business (d): Program Review and Outcomes and Assessment Committee (PROAC) Composite Report 2011.

Second: Regent Orilla seconded the motion.

Vote: The motion passed unanimously.
e. Program Review Outcomes and Assessment Committee (PROAC) Composite Report 2011

Galvin Guerrero, Office of Institutional Effectiveness Director provided a report and highlighted the following:

2. Integrated Postsecondary Education data systems (IPEDS).
3. Narrow choices from 300 to 80 to 6 institutions (Chipola College; Great Basin College; Northern New Mexico; Edison State College; Kent State; Guam Community College.

Mr. Guerrero concluded his report and the board voted to go into executive session.

V. 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)

Discussions ensued whether or not to allow the honorary regents to attend the executive session meeting. President Hart indicated that she does not see any problems with that but it would have to be up to the board to make that decision. Regent Torres requested for legal input. Counsel Borja indicated that in his opinion, should the board decide to include the honorary members, the question may arise as to “Why are you going to go into executive session if others, other than the board members are going to be included?” Borja added that we have to be sure that we comply with the law especially if it deals with sensitive personnel matters.

President Hart agreed and indicated that the report does cover a lot of sensitive issues. John Cook, Faculty Senate Representative indicated that he understands the sensitive nature of the report but also believes that the voice of the honorary members should be heard. He assured the members of the Board and President Hart that he is determined to keep it confidential. President Hart stated that there is going to be no decision to be made in executive session.

After much discussion, the board voted to go into executive session and excused the honorary regents from the meeting. Chairperson Lizama indicated that this is a topic that can be deliberated on at another time.

**BOARD ACTION**

**Motion:** Regent Peter moved to go into executive session at 2:27 p.m on Friday, December 16, 2011.

**Second:** Regent Orilla seconded the motion.

**Vote:** The motion passed unanimously.
The executive session ended at 3:32 p.m. on Friday, December 16, 2011. Upon reconvening, the board did not take any action.

VI. Public Comment Period: Individuals may orally testify on items on this agenda during the Public Comment Period. Written testimony is also accepted. Testifiers are requested to limit their testimony to five (5) minutes.

Chairperson Lizama called on Ms. Cynthia Deleon Guerrero. Lizama talked about the nature of her comments. Ms. Guerrero indicated that she is present to speak about the use of data through the NCHEMS report provided earlier. She indicated that the data was already provided to the NMC community. Chairperson Lizama noted that the Board does not get involved with management issues. Regent Torres indicated that perhaps Ms. Guerrero is referring to the methodology of the report. Chairperson Lizama said that the problem with that is that it is a management issue and the board should not get involved because it is directly linked to management. Ms. Guerrero responded clarified that she is going to talk about methodology and not on the content of the report.

President Hart explained that every office would be given an opportunity to meet with Galvin pertaining to the data. This way any concerns or issues can be discussed with him. President Hart said that protocol is in place for these types of concerns. Ms. Guerrero inquired what was the purpose of presenting this information to the board. President Hart explained that the information that is being presented to the board is information that is going to be coming forward on the process that is being used to look at and to gather this information (selection process of the peer institutions and how it is going to be utilizing the final data). Furthermore, the data needs to be in its final form before the board acts on it because this will become part of the final decision.

Chairperson Lizama thanked Ms. Guerrero for her comments and hopes that she will meet with college officials on all of her concerns.

VII. Program Highlights – School of Education

Mr. Roy Greenland, School of Education Instructor provided an update (handout provided). He highlighted the following:

1. Four main concentrations: Elementary, Rehabilitation and Human Services; Child Development;
2. Room for growth
3. Building T is not a great building right now and another building will be identified before the next school year. He hopes that the phase 1 of the facilities master plan will be a new building for the school of education.

Regent Torres asked about the distinction with the senior commission. NMC is fully accredited with the school of education. The program is fully accredited.
Mr. John Cook said that we are still full accredited and we are just on sanction. Dean Merfalen said that we are still under the ACCJC because a lot of the courses are managed by the ACCJC.

VIII. New Business

a. Organizational Structure of NMC Foundation – This item was deferred for another meeting until such time we are able to confirm a joint meeting with the Foundation Board of Directors. Regent Peter requested for foundation related documents (financial, history, etc.). The Board members requested a legal review of this matter and for supporting documents.

b. Board Policy for Consideration – First Reading

1. Board Policy No. 512 (Personnel) Employee Grievance – This item was deferred for next meeting.

c. Legislative Update

1. Residency Requirement Bill (Action Item)

President Hart referred to Counsel Borja to provide the board with a brief update. Counsel Borja highlighted the following (handout provided):

• Presented a draft of the proposed bill as it pertains to the residency requirement.
• “The Northern Marianas College Board of Regents may allow exceptions to this 12-month rule similar to those found in other public institutions of higher education in other U.S. jurisdictions.”

Regent Torres supported the President’s approach but cautioned her to be prepared for when the legislature inquire on the specifics, i.e. military, WICHE, etc. Counsel Borja indicated that they did consider these concerns but advised that it would be best if we left it in the general form. Regent Torres agreed and also recommended to add more meat to the “findings and purpose” sections.

BOARD ACTION

Motion: Regent Orsini moved to approve the proposed bill subject to include the changes recommended by Regent Torres.
Second: Regent Rabauliman seconded the motion.
Vote: The motion passed unanimously.

IX. Board Self-Evaluation – This item was deferred and the form will be emailed to the board.
X. Adjournment

**BOARD ACTION**

**Motion:** Regent Orsini moved to adjourn the meeting at 4:38 p.m. on Friday, December 16, 2011.
**Second:** Regent Orilla seconded the motion.
**Vote:** The motion passed.

The meeting ended at 4:38pm on Friday, December 16, 2011.