I. PRELIMINARY MATTERS

Attendance:

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

**Honorary Members:** Alex Shen, Honorary Regent/ASNMC President; Floyd Masga on behalf of Marie Coleman, Honorary Regent/Staff Senate President; Romeo Cuellar on behalf of Amanda Diaz, Honorary Regent/Faculty Senate President.

**College Staff and Faculty:** Dr. Sharon Y. Hart, Executive Secretary to the Board of Regents/NMC President; Dr. Alfred D. Torres, SMHA Chair and NRM Coordinator; Alex Nikolychuk, SMHA Instructor; Frank Trocki, School of Education Director; Matt Pastula, Library Services Director; Floyd Masga, CDI Staff, Amanda Allen, Accreditation Liaison Officer/Distance Education; Kyle Podziewski, SOE Instructor; and Helen B. Camacho, Board Secretary (Recorder).

**Others:** Jesus C. Borja, NMC Legal Counsel; Moneth Deposa, Saipan Tribune News Reporter.

The Regular Meeting of the Board of Regents was called to order at 9:30a.m. on Tuesday, February 05, 2013, BOR Conference Room, NMC Saipan Campus.

II. ROLL CALL

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

a. Review and Adoption of Agenda

**BOARD ACTION:**

Regent Peter motioned to adopt the meeting agenda for Tuesday, February 5, 2013. Regent Orsini inquired if there was an amendment to the original agenda specifically on the “Performance Evaluation of the President.” It is not listed for today’s meeting. Regent Orsini motioned to also include the “Faculty Concerns” as an agenda item under New Business and a BOR Resolution for the late Mayor Juan B. Tudela. It was noted that the Performance Evaluation agenda item is listed under Old Business. It was suggested that the Faculty Concerns should probably fall under the BOR Standing...
Committee report. There were some concerns raised at this point with respect to matters concerning board appointment to the Adhoc committee for an agenda item relating to the faculty concerns. It was recommended to take a quick break to discuss this amongst board members. Regent Orilla motioned to move into executive session 9:56 a.m. and seconded by Regent Orsini. Executive session ended at 10:25 a.m. Chairperson Lizama called the meeting back to order. Upon convening the meeting, no actions were taken.

Regent Orsini requested to add an agenda item to adopt a BOR resolution for the late Honorable Mayor Juan B. Tudela (also served as BOR Vice-Chairperson of the Board of Regents). There were no objections and this item was included to the agenda under New Business (c).

**BOARD ACTION:**

Regent Peter motioned to adopt the agenda and seconded by Regent Orilla. The meeting agenda is hereby adopted with the changes to include the BOR Resolution under New Business (c).

**III. REVIEW AND ADOPTION OF MINUTES**

1. November 09, 2012 Continued on November 13, 2012 – Regular Meeting
2. December 21, 2012 Regular Meeting
3. December 28, 2012 Regular Meeting
4. January 07, 2013 Special Meeting

Regent Orilla motioned to adopt the meeting minutes and seconded by Regent Peter. Regent Orsini requested to receive the minutes within a week after the meeting. Regent Peter recommended tabling the minutes for the next meeting. Regent Orilla withdrew her motion. The meeting minutes are hereby tabled for the next meeting.

**IV. 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 for five (5) minutes.

1. Romeo Cuellar, Disabilities Support Services Coordinator was present to speak to the board on the recommendation to repeal the Human Resources policies and how this would affect the students.

2. Kyle Podziewski addressed the board about the recommendation to repeal the Human Resources policies. There are several concerns that the policies that were rejected by College Council would be re-written. However, to date, copies of the re-written policies have not been received nor has it gone through shared governance.

**V. BOARD CHAIR’S REMARKS** – None.

**VI. EXECUTIVE SESSION –**

**BOARD ACTION:**

Regent Orilla motioned to move into executive session at 10:35 a.m. and seconded by Regent Peter. It was recommended to take up WASC Accreditation Update at the end of the agenda. The motion did not pass.
VII. BOARD POLICY FOR CONSIDERATION – First Reading

1. Repeal of Old Board Policies – Student Services
2. Repeal of Old Board Policies – Human Resources
3. Repeal of Old Board Policies – Finance and Procurement

President Hart requested to refer these items to the board committee.

BOARD ACTION:

Regent Peter motioned to refer these items to the Policy committee and seconded by Regent Torres. Regent Orilla recommended that Regent Torres become the Committee Chairperson on policies. It was also recommended that all of the board become members too. There were no objections, the Policy Committee is created and Regent Torres is the Chairperson. All items are brought to the board first before it is assigned to a committee.

VIII. BOARD POLICY FOR CONSIDERATION – Second Reading

1. Board Policy No. 206 – Policy Introduction, Amendment, Passage and Suspension – Referred to the board committee. There were concerns on how Robert’s Rules would apply.
2. Board Policy No. 206.3 – Budget, Audit and Finance Committee – Referred to the Budget and Finance committee for review. Chairperson Lizama clarified that it was the Finance Committee that was reinstated. Regent Torres recommended revisiting the existing standing committees. It was clarified that the Training and Development Committee and Legislative Committee are meant for short-term purposes.
3. Board Policy No. 402 – Student Health Insurance – Referred to the Budget and Finance committee. A timetable (progress update) on all policies was recommended. It was noted that the administration was tasked at looking into the available health providers that is available. The committee has yet to receive this update.
4. Proposed Administrative regulations of the Northern Marianas College to enforce its Drug Free Workplace, Smoking, Tobacco and Betel Nut Policy.

Chris Timmons, HR Director/Legal Counsel provided a brief summary. He indicated that this request is for enforcing the policy. A group was formed to draft the procedures for this policy that included enforcement mechanisms to include imposing small fines for faculty, staff and students who violate it as well as disciplinary actions on members of the general public. Because this particular policy applies both internally and externally, the Administrative Procedures Act requires the college to adopt this policy as an administrative procedure. The staff is requesting to consider this procedure to be adopted as a regulation, which would be required to be published in the Commonwealth Registry.

Regent Torres is concerned with this procedure because this is a fundamental departure from the way the board has been dealing with its policy procedure; maybe setting precedent and could affect our autonomy. Counsel Borja said that we should tread carefully and digress from taking action. Chairperson Lizama agreed. The board members requested for a legal opinion. The legal opinion will be submitted to the Chair and then the chair will disseminate to the members.

IX. PRESIDENTIAL GOALS FOR FY2013 – Tabled.

X. ESTABLISHMENT OF NEW FACULTY SALARY FLOOR -
Chris Timmons provided a brief summary. There was some discussion about the policy versus the law and setting a faculty salary floor for new instructors. There was some discussion about the salary/qualification during the announcement period. Timmons talked about the classification and salary ranges that a person ultimately is able to receive. He informed the board that there is a big discrepancy. The staff is requesting to amend its policy to provide a salary floor for new faculty.

Counsel Borja reminded the board that they have a policy on suspending policies. The board should follow its own policy. The proposed suspension has to be stated in the agenda.

**BOARD ACTION:**

Regent Peter motioned to refer this matter to the policy committee for its expeditious action and seconded by Regent Orsini. There were no objections, the motion passed.

**XI. LEGISLATIVE UPDATE**

Frankie Eliptico, External Relations Office Director provided some highlights. The college is planning a meeting & tour for the legislators that resulted from the Standard IV meetings. The purpose of this meeting is to help the legislators especially with the newly elected leaders familiarize themselves with accreditation. In an effort to facilitate this process, the college is working with the leaders of both the House and Senate Education committees to help disseminate this idea. The proposed date is for February 20, 2013. A draft (tentative) agenda was provided. Regent Torres indicated that this is an excellent idea.

Frankie presented the draft annual report. Public Law 17-47 requires that the college submit a financial report with a list of accomplishments. He provided the board with a draft copy of the 2012 Annual report. A final color copy will be provided.

**XII. REPORTS**

A. President’s Report –

1. ASNMC Report – Alex Shen highlighted some important events and also mentioned some concerns about the registration process; online registration; it will cost at least $800,000 for this type of software or system.
2. Staff Senate Report – None.
3. Faculty Senate Report – Romeo Cuellar provided some highlights.
4. President’s Report – President Hart provided a monthly report (handout provided). She also introduced Dr. Trocki as the new School of Education Director. Dr. Hart informed the board that she is now serving on the committee for faculty hires. There was a low turnout during the intersession. She talked about looking into factors that may have contributed to the low turnout. Dr. Hart also gave a WICHE update.
5. Dean of Administration Report – Dave Attao, Dean of Administration provided an update and highlighted some important matters: FY2012 $17.6 million; FY2011 $11 million but because of the ARRA funds; Expense of $17.3 million; $200,000 savings. He also talked about the Morgen Stanley report.
XIII. BOR STANDING COMMITTEE

1. Budget and Finance Committee – None.
2. Program Committee – None.
3. AdHOC Committee – None.

XIV. BOR RESOLUTION FOR THE LATE MAYOR HONORABLE JUAN B. TUDELA – The Board adopted the resolution for the Late Mayor Honorable Juan B. Tudela by Acclimation.

XV. PROGRAM HIGHLIGHTS – MATH DEPARTMENT

Alex Nikolychuk, an instructor at the Math department presented some data pertaining to math proficiency and also compared the process against the Guam Community College.

Executive Session was called at 3:28p.m. Executive session ended at 4:50p.m. Upon reconvening the meeting, there were no actions taken.

XVI. ADJOURNMENT

BOARD ACTION:

Regent Orsini motioned to schedule a Special meeting on February 19, 2013 and seconded by Regent Torres. All seven members voted yes, the motion passed.

BOARD ACTION:

Regent Orsni motioned to adjourn the meeting and seconded by Regent Torres. The meeting ended at 4:55p.m.