



**MINUTES OF THE  
BOARD OF REGENTS  
Special Meeting  
Wednesday, November 09, 2011  
10:20 a.m.**

**I. PRELIMINARY MATTERS**

Attendance:

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

**Honorary Members:** Lawrence Camacho, ASNMC President; John Cook representing Dr. John Griffin, Faculty Senate President and Lorraine T. Cabrera, Staff Senate President.

**College Staff and Faculty:** Sharon Y. Hart, Ph.D., Executive Secretary to the Board/NMC President; Dr. Tim Baker, Counseling Services Director; Frankie Eliptico, Office of Institutional Advancement Director; Bobbie Merfalen, Dean of Academic Programs & Services; Galvin Guerrero, Office of Institutional Effectiveness Director/Accreditation Liaison Officer; Solita Barnes, Finance Office; John D. Guerrero, Facilities Manager; Leo Pangelinan, Dean of Student Services; and Helen B. Camacho, OIA Administrative Manager (Recorder).

**Others:** Matthew Smith, NMC Legal Counsel representing Counsel Jesse Borja; Junhan Todeno, Marianas Variety; Mr. Doug Dykstra, ACCJC Visiting Team; Dr. Norv Wellsfry, ACCJC Visiting Team; Ms. Susan Murata, ACCJC Visiting Team; Dr. Helen Whippy, ACCJC Visiting Team; Dawn Chrystal Revilla, Finance Office.

The Special Meeting of the Board of Regents was called to order at 10:20 a.m. on Wednesday, November 09, 2011, BOR Conference Room in Building P, 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. Chairperson Lizama welcomed the ACCJC Visiting Team members. Chairperson Lizama also acknowledged Lorraine T. Cabrera, newly elected Staff Senate President (former Interim President).

**b. Review and Adoption of Agenda**

**Motion:** Regent Torres moved to adopt the Wednesday, November 09, 2011 meeting agenda.

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

**Vote:** The motion passed unanimously.

**II. Review and Adoption of Minutes**

- a. September 29, 2011 – Regular Meeting
- b. October 12, 2011 – Special Meeting

**BOARD ACTION:**

**Motion:** Regent Torres moved to adopt the September 29, 2011 Regular Meeting and October 12, 2011 Special Meeting minutes.

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

**Vote:** The motion passed unanimously.

**III. Public Comment Period:** None

**IV. Board Chair's Remarks:**

Chairperson Lizama made some comments. He highlighted the following points:

- The Board of Regents at the Northern Marianas College are an essential link to the community. We govern on behalf of the public and we must be responsive to the needs of external constituents. We represent the community to this college, and advocate for the college across the CNMI.
- To be an effective Board, we must be educated about NMC; we must focus on establishing policy that gives direction to the institution while allowing the president to implement the policies and manage all aspects of the college.
- As trustees we have responsibilities. This requires sophisticated interpersonal skills as well as the abilities to understand complex information and balance multiple interests. Thus, it is important we:
  1. Honor the “team” nature of the board.
  2. Actively support the college and the president and staff.
  3. Ensure that all college business is channeled through the CEO only.
  4. And that we have a positive, visionary mindset.
- As trustees, we are individuals. However, effective trusteeship occurs only through being a valuable member of a team of people who, together, comprise the legal unit that governs this college. Being successful as a trustee is measured by the effectiveness of the board as a whole.
- Effective trustees are those who make sincere efforts to work with others on the board in a cooperative, collegial manner and who are willing to abide by principles that contribute to board effectiveness. Being a member of the board involves respect and consideration for others and for the responsibilities of trusteeship.

- Our role as a trustee, done well, is an invaluable service to the board, the college and to the CNMI. It requires a significant commitment of time and dedication to learning. The best trustees are open-minded, thoughtful, visionary, and capable of seeing the “big picture.” They have excellent interpersonal skills and work well with diverse people and personalities. They are supportive and benevolent, enthusiastic and energetic. They are trustworthy.
- Reminded everyone on their roles and responsibilities as trustees. Thus, our roles, our conduct, and our behavior at these meetings will be measured. We will then learn from these evaluations and set a plan for continuous improvement.

Chairperson Lizama concluded his remarks and thanked everyone for practicing effective boardsmanship. Regent Torres requested for a privileged speech. Chairperson Lizama acknowledged his request. Regent Torres valued the remarks presented by Chairperson Lizama and also asked him to establish transparency amongst board members. Furthermore, the board members should be afforded an update from his weekly meetings with the President. Chairperson Lizama agreed and believes that there is room for improving the communication mechanism amongst themselves.

## **V. President’s Report**

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

1. Phi Theta Kappa International Honor Society Induction Ceremony held this Spring. She noted that Phi Theta Kappa is one of the greatest honorary societies in the U.S. In the future, she would like to see the Board invited to attend the induction ceremony because it is a great opportunity to meet the top academic students of the institution.
2. Western Interstate Commission of Higher Education (WICHE) - Attended the membership meeting in Honolulu, Hawaii. She reported on the details of her meeting with WICHE. President Hart talked about the following requirements:
  - a. Membership Applications
  - b. Tuition Rate
  - c. Provided additional documents pertaining to the WICHE proposition. WICHE received a major grant recently and are working together with a number of other colleges to help with transferability of courses.
3. Visited the Rota Instructional Site – President Hart recently traveled to Rota to conduct a site inspection. The review covers the cost analysis of keeping the campus running. We need to be cost effective.
4. Retirement Fund Employer contribution – President Hart noted the third meeting with the Autonomous Agencies re: Proposed Retirement Employer Contribution Rate to the Northern Marianas Islands Retirement Fund (NMIRF); no definite schedule at this time.
5. Maintenance of Effort (MOE) Waiver Status – President informed the Board that on September 23, 2011, the U.S. Department of Education (ED) sent Dean Leo Pangelinan an email with a letter attached informing the College that our MOE waiver

request was reviewed and granted for FY2010, thereby providing the CNMI with its federal fiscal year 2011 award (August 14, 2010 – August 13, 2011) under the College Access Challenge Grant (CACG) program. She thanked Dean Pangelinan and staff for all the hard work.

6. 2011-2012 Grant Award Notification (GAN) – President Hart informed the Board that on October 28, 2011, the U.S. Department of Education (ED) sent Dean Pangelinan an email with a GAN attached notifying the College that it was awarded \$1.5 million under the CACG program for federal fiscal year 2012 (August 14, 2011 – August 13, 2012).
7. President Hart welcomed the ACCJC Visiting Team. She also welcomed Lorraine T. Cabrera as the new Staff Senate President and also thanked Galvin Guerrero, OIE Director/Accreditation Liaison Officer for serving as Acting President during her departure from the Commonwealth.

President Hart concluded her report. Chairperson Lizama asked if the board had any questions or concerns. Regent Torres thought that the President's report was very informative and was well received by the Regents. He also requested for monthly reporting. President Hart agreed and will continue to work closely with the management team to come up with the best monthly report for everyone.

- VI. CFAO Financial Report Update** – Tabled for later in the meeting. CFAO Madriaga is unable to report at this time.

Regent Torres requested for a short break at 11:00 a.m. on Wednesday, November 09, 2011. Chairperson Lizama granted the break. Break ended at 11:06 a.m. on Wednesday, November 09, 2011. The meeting resumed.

Regent Rabauliman recommended preparing a thank you letter expressing the college's gratitude on the recent approval of the College Access Challenge Grant (CACG). President Hart agreed and should get something out soon. For the record, Chairperson Lizama recognized the presence of Jesse Borja, NMC Legal Counsel and Attorney Matthew Smith has left the meeting.

## **VII. Old Business**

### **a. WASC Accreditation Update**

Galvin Guerrero, Director of Institutional Effectiveness/Accreditation Liaison Officer, provided an oral update. Guerrero acknowledged the presence of the ACCJC Visiting Team and noted that the team has been very busy meeting with various members of the NMC community. More importantly, he informed the board that the college is going to be preparing a supplemental report to provide a full update to the accrediting commission on several items that are coming up soon. He highlighted the following important initiative and ongoing activities that have a tremendous bearing several accreditation standards:

1. Senate Legislative Initiative 17-12: To amend Section (b) of Article XV of the Constitution of the Northern Mariana Islands to authorize the Board of Regents to revise the mission statement of the Northern Marianas College.

2. Commissions' Policy on Distance Education – College should provide online courses.
3. 2012 Comprehensive Evaluation Study

For the record, Chairperson Lizama recognized the presence of Regent Elaine Hocog-Orilla, BOR Vice-Chairperson, who just arrived to attend the meeting.

Galvin continued and also added that the goal of the college is to have a draft ready in the spring and really start circulating a draft of the report for the college's review. Chairperson Lizama thanked Galvin for his report. Regent Orsini recognized the presence of the visiting team and hopes that the staff are accommodating their needs.

**b. Presidential Goals for 2012**

President Hart provided a brief update (handout provided). She indicated that the goals were tabled during the last meeting and she is ready to present her Presidential Goals for 2012. Regent Torres hopes that the recommendations that were made during the training with the College Brain Trust can be incorporated. President Hart responded that we could request for that information from the CBT consultants. Regent Rabauliman referred to Goal No. 4: Enhance communications with internal/external constituents. He hopes that President Hart will include the board in her communications.

**BOARD ACTION:**

**Motion:** Regent Torres moved to adopt the Presidential Goals for 2012.

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

**Discussion:** None.

**Vote:** The motion passed unanimously.

**The Presidential Goals for 2012 is hereby adopted by the Board of Regents on November 09, 2011.**

**c. Board Policies for Consideration (Second Reading)**

1. Board Policy No. 203.1 – Board Meetings and Agenda
2. Board Policy No. 205.1 – Board and Employee Code of Conduct
3. Board Policy No. 501.2 – Recruitment and Hiring Practices

**BOARD ACTION:**

**Motion:** Regent Torres moved to consolidate all of the Board Policies and to adopt all of the proposed policies. Regent Orilla noted that Board Policy No. 907: Drug Free Workplace, Smoking, Tobacco and Betel Nut Chewing was adopted during the September 29, 2011 Special Meeting and was inadvertently calendared for today's meeting.

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

**Discussion:** Regent Rabauliman noted that policies are not required to go through every reading unless deemed necessary.

**Vote:** The motion passed unanimously.

Break called at 11:51 a.m. on Wednesday, November 09, 2011. Break ended at 12:02 p.m. on Wednesday, November 09, 2011.

**d. Board Calendar**

President Hart presented the Board calendar for their review and subsequent adoption. She highlighted the various aspects of the calendar:

1. Meetings with Stakeholders
2. Program Highlights
3. Board Policy Requirements
4. Board Development
5. Financials
6. Institutional Effectiveness
7. Standing Agenda Items
8. Board Dates

**BOARD ACTION:**

**Motion:** Regent Torres moved to adopt the Proposed Board Annual Calendar.

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

**Vote:** The motion passed unanimously.

**VIII. New Business**

**a. NMC Facilities Master Plan**

President Hart introduced the next presenter. Mr. John G. Guerrero, Facilities Manager gave a brief overview of the proposed NMC Facilities Master Plan and highlighted the following important details of the plan:

1. FMP Format – Beca International had provided a report on the existing conditions.
2. Beca provided a proposed activity zones for the facilities master plan.
3. Program Development
4. Beca provided preliminary cost assessment for phase 1.
5. FMP Purpose of the master plan is to provide a framework for the improvement of the facilities and a strategy for the implementation of the managed program)
6. FMB Objectives is to provide a document that can be used over the next 5-10 years. And to also identify a site for new buildings to supplement some of the older buildings.
7. Campus Wide Input – Beca met on several occasions with key personnel (Deans, Department Chairs, Directors) to go over the master plan.
8. FMB Intended Use of the report is a blueprint of the future development of the college and it is also a briefing document with interested consultants.
9. Utilization Considerations – Beca measured the buildings and met with the various program chairs to determine the suitability desired to be able to accommodate the classroom settings in the next 5 years; develop a large hall that can hold a substantial number of people; and look at modernizing the specialized classrooms; upgrade the student center and library; recommended accommodating the Adult

- Basic Education (ABE) and Community Development Institute (CDI) in the renovation and replacement of classroom spaces.
10. FMP Concept – Beca identified a couple of areas: Academic Zone (Faculty/Staff Office, Academic Classrooms), Campus Heart Zone (Courtyard or wide open area), Community Recreation Zone (existing Gym and sports field), vehicular parking zones (peripheral areas), Residential Zones (Future dormitory), CREES compound, Maintenance Office and Procurement Office.
  11. BECA Recommendations: Finalize land ownership matters and property boundary issues (Galaxy and potential encroachment issues); adoption of the FMP guidelines; proceed with stage 1 by hiring consultants to translate and accommodate the schedule based on the report; and secure funding for phase 1.
  12. NMC Actions to Beca Recommendation – NMC wrote a letter to the Department of Public Lands to request for a boundary survey.
  13. MT approved the FMP and forward to BOR for approval (Copies of the master plan were provided to the BOR).
  14. New A&E – Modify existing plans from the Business and Hospitality Center; Secure funding for at least Stage One.
  15. Beca Cost Estimate for Stage 1 is \$27,540,000 needed to utilize modified existing plans to build large “class room building” at greatly reduced cost.

Mr. Guerrero concluded his report. Chairperson Lizama thanked him for the presentation. John entertained some questions from the audience. Discussions ensued especially on classroom use, building sizes, land boundaries and funding sources. It was noted that land matters and funding should be first addressed prior to implementing the plan. Chairperson Lizama referred to the recent campus visit by Mr. Tony Babauta, Assistant Secretary for Interior Insular Affairs in relation to a separate CIP grant for roof repairs and some renovations. Mr. Guerrero said that the visit came about very suddenly but very timely. Secretary of Interior Babauta assured the college he is going to find additional funds after seeing the condition of the current structural buildings first hand. Regent Torres raised the concern that there are not enough considerations for student facilities. Mr. Guerrero responded that phase 1 of the plan covers that concern. Lawrence Camacho, ASNMC President inquired on whether or not a student lounge will be part of the master plan. Mr. Guerrero said that there are open area courtyards and student gathering indoor areas that is being proposed in the master plan. Dean Leo Pangelinan also added that in his discussions with Beca International, one of the key features being proposed is the flagship building where the student center will be constructed. President Hart said that the most important aspect is to determine the direction the board would like to take so key people of the college can look at creative ways to finance this plan. Chairperson Lizama clarified the motion to adopt the plan in principle. Counsel Borja responded that it is the board’s decision whether they want to adopt it in principle or not. Chairperoson Lizama sought for clarification on the paramaters of adopting something in principle. Counsel Borja stated that in his opinion, adopting something in principle is really a broad acceptance of the plan, which means it can be subject to change later on. Chairperson Lizama wanted to be reassured that the action is to adopt the plan in principle only and subject to changes down the road.

## **BOARD ACTION**

**Motion:** Regent Torres moved to adopt in principle the NMC Facilities Master Plan as prepared for NMC by Beca International.

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

**Vote:** The motion passed.

Yes – Regent Orilla  
Regent Rabauliman  
Regent Orsini  
Regent Torres

Abstain – Chairperson Lizama

Lunch break called at 1:21p.m on Wednesday, November 09, 2011. Break ended at 2:06p.m. Chairperson Lizama called the meeting back to order. He also recognized the presence of Regent Peter who arrived to attend the board meeting.

#### **b. International Student Enrollment**

At the request of President Hart, Dean of Student Services Leo Pangelinan provided the report on International Student Enrollment. He noted that there is going to be two parts of the presentation. The first portion of the presentation will be on International Student Enrollment and International Student Services Fee. Dean Pangelinan informed the Board that the team will also share the results of a recent survey conducted with the international students in dealing with the new immigration law. Pangelinan also added and reiterated the need for the institution to adopt a policy requiring international students to have health insurance. Peer institutions show that international students are required to have health insurance. It is especially important because the Department of Commerce which certifies our school to be able to allow international students to enroll are encouraging the college to do so. Commerce plans to revise its policy to reflect this requirement. President Hart informed the Board that a policy will be coming forward to address this recommendation.

Dr. Tim Baker, Director of Counseling Services facilitated the power point presentation and highlighted the following details: **NMC's International Student Profile (Powerpoint Presentation)**.

1. International Student Resource Management
2. NMC's International Student Profile
3. Previous 5 year International Student Enrollment Data
4. Projection on the next 5 years of International Student Enrollment Data based on 2012 Institutional Priorities.
5. Projection in the next 5 years of International Student Enrollment with International Student Fee of \$400 per year - \$922,600.00
6. Capital Disbursement
7. Peer College Tuition Rates

Chairperson Lizama raised some concerns on the procedural aspects of the presentation. He recommends that the staff bring this matter back to the Board but foremost give the students the opportunity to provide their input.

**BOARD ACTION:**

**Motion:** Regent Torres moved to concur by the recommendation with Student Services.

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

**Motion:** Regent Torres withdrew his motion.

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

**Motion:** Regent Orsini moved to table this item and to bring it back during the board's next meeting.

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

**Vote:** The motion passed unanimously.

**c. Board Policies for consideration – First Reading**

**1. Board Policy No. 303.1 – Program Guarantee Policy**

Bobbie Merfalen, Dean of Academic Program and Services, provided a brief overview of Board Policy No. 303.1 – Program Guarantee (handout provided). The policy is brand new. Dean Merfalen indicated that the reason's this policy is being presented is to show the colleges commitment to the students of NMC to be able to enter the workforce after completing their academic program. The policy if approved will allow students to be able to enroll up to eight credits. Here is an excerpt of the draft policy:

“Northern Marianas College (NMC) offers education and training designed to enable students to acquire the entry level vocational/technical competencies necessary to enter the workforce. NMC stands behind the training provided and will guarantee to provide at least six additional credits of retraining under the following conditions:

- The employer certifies that the student lacks the target job competencies normally expected of an entry-level employee who has graduated from the same vocational/technical program, or
- The student has not secured employment within six months following graduation.

To be eligible for retraining, a student must have graduated from an associate in science, an associate in applied science degree program, or bachelor's degree program. In addition, a student must have registered for services provided through the Career Services Office and actively pursued employment in their occupational field or a related field.”

**BOARD ACTION:**

**Motion:** Regent Torres moved to adopt Board Policy No. 303.1- Program Guarantee for first reading.

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

**Vote:** The motion passed unanimously.

**d. Legislative Update**

**1. Senate Legislative Initiative No. 17-12: “To amend Section (b) of Article XV of the Constitution of the Northern Mariana Islands to authorize the Board of Regents to revise their mission statement of the Northern Marianas College.”**

Frankie Eliptico, Director of Institutional Advancement, provided an update on S.L.I. No. 17-12. He noted that the bill has been calendared for tomorrow’s House Session at 1:00p.m. Eliptico went on to say that the bill proposes to change the mission statement of the college. Recently, Eliptico and President Hart met with the Speaker Eliceo Cabrera seeking his assistance and support by helping steer the initiative through the House of Representatives. He added that ultimately if passed would go to the people at the next election. Because the mission statement of the college is embedded in the constitution, a constitutional amendment is required to make any changes. The initiative also seeks to make the mission statement a function of the Board of Regents and not the constitution. Regent Torres noted some concerns. He referred several questions to Counsel Borja listed below:

1. Page 2 –Is it necessarily prohibitive and limiting or is it broad enough to accommodate whatever changes pursuant to the desire of the findings.

In response to Regent Torres’ question, Counsel Borja agreed that this was a concern in the very beginning and Frankie did some research. He referred to Eliptico to respond based on his findings whether the current language is broad enough to encompass the concern that Dr. Hart had. Regent Torres preferred a more legal position on this concern. Counsel Borja said that it depends on the definition of mission. He added that there are some states that Frankie found that would include or would interpret the word mission as including the mission statement, there would be other states that did not include and that the word mission is separate from the word mission statement. Counsel Borja noted that Frankie also found that the majority of the existing states would view such language. Based on the findings, it would be better if we change the word. It was conceded that based on the language, the board cannot issue a mission for the college.

Eliptico said that since the language of the constitution was adopted, the college has also adopted the mission. The initiative would allow the board to have a clearer authority to identify the mission statement by changing the word mission to purpose giving it a more general sense. President Hart reminded everyone that has been an issue with the ACCJC and they would be ultimately be following the outcome of this proposed change. She also added that the ACCJC recently made some changes to their policy where they are now requiring the programs to follow its mission.

**BOARD ACTION:**

**Motion:** Regent Orilla moved to endorse Senate Legislative Initiative No. 17-12.

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

**Vote:** The motion passed unanimously.

**2. Senate Resolution No. 17-71: “Supporting the Commonwealth of the Northern Mariana Island’s (CNMI) application for membership in the Western Interstate Commission for Higher Education.”** – For information purposes only.

**3. Pending Legislation on Apprenticeship Program**  
**“To repeal and re-enact Public Law 15-5; and for other purposes.**

Frankie Eliptico, OIA Director, provided a brief update (handout provided). Eliptico informed the Board that the draft legislation seeks to re-establish and identify funding for the establishment of an apprenticeship program at the Northern Marianas College. The bill has not been introduced yet because it is still in the draft stages. The staff met recently with Speaker of the House, Eliceo Cabrera and he had agreed to help spearhead the bill.

Regent Torres requested to defer this item for next meeting. There were no objections, the board all agreed to table this item.

**e. Peer Institutions** – President Hart noted that this is for information purposes only.

**f. BOR Resolution No. 2011-05 – Acquisition of a Credit Card**

President Hart had to step away from the meeting to meet with the ACCJC visiting team members for the exit interview. President Hart asked Galvin Guerrero to take her place. Mr. Guerrero assumed the role and presented the B.R. 2011-05 – Acquisition of a Credit Card. Solita Barnes, Finance Chief Accountant presented on behalf of CFAO Madriaga. Barnes noted some concerns in terms of the procedures to track all expenditures. Guerrero noted that all of the purchases made from the credit card would be bound by all of the college procurement policies. The Board had a number of concerns and felt that it would be best to table this item for the next meeting.

The Board agreed to table this matter.

**g. Request to repeal Board Policy No. 2320 – Finance and Procurement**

The board agreed to table this matter.

**IX. 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)

**X. Board Self-Evaluation** - Tabled.

**XI. Adjournment**

The meeting ended at 7:30p.m on November 09, 2011.