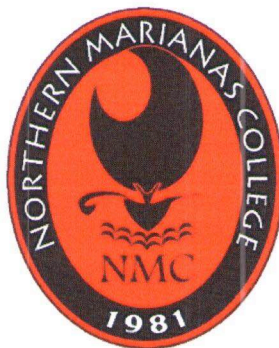


**Progress Report for Special Visit**  
**WASC Accrediting Commission for Senior Colleges and Universities**

Northern Marianas College  
P. O. Box 501250  
Saipan, MP 96950  
[www.marianas.edu](http://www.marianas.edu)

November 1, 2017



Submitted to WSCUC by  
Charlotte PR Cepeda  
Accreditation Liaison Officer

## Table of Contents

Statement on Report Preparation .....	1
Response to Issues identified by the Commission and last Visiting Team	
Issue One – CFR 1.7 .....	2
Institutional Actions Taken .....	2
Next Steps .....	2
Issue Two – CFR 1.7.....	2
Institutional Actions Taken .....	2
Next Steps .....	3
Issue Three – CFR 1.5.....	3
Institutional Actions Taken .....	3
Next Steps .....	3
Issue Four – CFR 1.5, 3.6 .....	3
Institutional Actions Taken .....	3
Next Steps .....	4
Issue Five – CFR 3.6, 3.9, 4.6 .....	4
Institutional Actions Taken .....	4
Next Steps .....	4
Issue Six – CFR 1.7, 3.6 .....	4
Institutional Actions Taken .....	4
Next Steps .....	5
Closing Statement .....	5
List of Appendices	
Appendix A- BOR Special Meeting minutes, December 23, 2016 .....	6
BOR Regular Meeting minutes, February 10, 2017.....	9
BOR Special Meeting minutes, March 10, 2017 .....	13
BOR Special Meeting minutes, April 25, 2017 .....	16
BOR Special Meeting minutes, August 11, 2017 .....	18
BOR Special Meeting minutes, September 22, 2017 .....	21
Appendix B- Public Law 20-26: Regent Nominating Committee .....	24
Appendix C- Policy 1017 Conflict of Interest and Commitment Code	
for Board of Regents and Employees .....	32
Conflict of Interest and Commitment Disclosure Statement (Board) ...	34
Conflict of Interest and Commitment Disclosure Statement	
(Employees) .....	37
Appendix D- Performance Evaluation of the NMC President .....	41

## **Statement of Report Preparation**

The Northern Marianas College values accreditation and works to ensure that continued accreditation remains as one of its strategic imperatives.

On December 1-2, 2016, the Northern Marianas College welcomed a Special Visit Team to campus. The Team focused on NMC's compliance with WASC standards, specifically CFRs 1.5, 1.7, 3.6, 3.9, and 4.6 in regards to the Board of Regents (BOR). The College began to work on all Visit Team recommendations immediately.

The Report of the WSCUC Team Special Visit was provided to the president in December 2016. The president appeared at the WSCUC meeting in February 2017 for a brief presentation on the College's progress with the Commission recommendations. On March 9, 2017, the WSCUC President Mary Ellen Petrisko issued the commission action letter (CAL).

This progress report provides an update on the work completed and the ongoing work to address the recommendations provided in the March 2017 CAL. The report was shared with the Board of Regents, Associated Students of the NMC, Faculty Senate, Staff Senate, and Management Team.

## Response to Issues

### Issue One

**NMC should pursue a broad institutionalized effort to assure the digitization of and access to records, particularly those reflecting Board of Regents appointments and length of terms, with specific dates of appointment and expiration. Furthermore, in order to facilitate increased ease of access and availability to public, these digitized records should be in a searchable format on the NMC web site (CFR 1.7).**

#### Institutional Actions Taken

The Board of Regent's appointments and length of terms, entitled *Regent Terms*, can be found on the NMC website under "Our College." The College has completed the task of digitizing all documents and the entire website is now searchable.

All College documents are digitized and converted into searchable PDF format using the local repository, Alfresco.

Below are three example search options:

1. User can enter keywords through the search engine "Google search" located on the homepage, [www.marianas.edu](http://www.marianas.edu).
2. User can access specific Board of Regents minutes from the main menu under the tab "Our College" submenu "Minutes from the Previous Meeting." This will open a sub webpage, <http://doc.marianas.edu/joomla/>. This page will provide the user the ability to search through all available minutes by entering key words or selecting dates or ranges of dates from the searchable data fields provided.
3. All other documents can be searched by opening the document, clicking on "edit" on the toolbar and then on "find." The final step is to input the keywords in the search field box, the results of which will be highlighted in yellow.

#### Next Steps

The IT department will continuously ensure that all documents are digitized and searchable. The College is in the process of hiring a webmaster who will maintain the website and be responsible for this critical duty.

### Issue Two

**NMC should ensure that the Board of Regents meeting minutes not only memorialize decisions made and actions taken, but include the rationale for all decisions and actions to fully capture this information in the public record (CFR 1.7).**

#### Institutional Actions Taken

The board secretary implemented this recommendation immediately in December 2016. The minutes include a discussion of and the rationale for the action taken. The motions are in



boldface so that they are easy to locate. Copies of the minutes can be found in Appendix A. All minutes have been uploaded to the Board of Regents page and are searchable.

#### Next Steps

The board secretary will ensure continuous compliance with this format and updating of the Board of Regents webpage.

#### **Issue Three**

**To ensure the institution operates with appropriate autonomy, NMC should actively pursue efforts to have the Board of Regents nomination process become an official statutory procedure through legislation passed by the CNMI legislature (CFR 1.5)**

#### Institutional Actions Taken

Senate Bill 20-15 “to establish a Regent Nominating Committee Process in the Selection and Appointment of Regents to the Northern Marianas College Board of Regents; and for other purposes” was introduced by Senator Justo S. Quitugua on February 10, 2017.

The bill was passed by the Senate on May 10, 2017, and passed by the House of Representatives on October 11, 2017. On October 17, the approved bill was transmitted to Governor Ralph DLG. Torres for action.

The bill was reviewed by Attorney General Edward Manibusan and on November 1, 2017, Governor Ralph DLG. Torres signed the bill whereby it became Public Law 20-26. A copy of Public Law 20-26 can be found in Appendix B.

#### Next Steps

The College shall work closely with the Governor’s Office to ensure full implementation of the regent nominating committee process as prescribed by law.

#### **Issue Four**

**The Board of Regents should consider expanding or supplementing the Code of Conduct (BOR Policy 1014) to address issues of conflict of commitment, i.e. cases in which board members may be perceived to have divided loyalty between the NMC Board of Regents and either other boards or their employment in other parts of the government (CFR 1.5, 3.6)**

#### Institutional Actions Taken

At the regular meeting of October 27, 2017, the Board of Regents adopted Policy 1017: Conflict of Interest and Commitment Code for Board of Regents and Employees. This action amended Policy 1017 to add a provision to address conflict of commitment. All board members and employees are required to complete the Conflict of Interest and Commitment Disclosure Statement on an annual basis. New employees and new board members are also required to complete the forms and are provided with the information during orientation. The president monitors this process and the Human Resources Office provides a compliance report on a regular basis. Copies of the Policy 1017 and the Disclosure Statement forms are in Appendix C.

#### Next Steps

The College will implement this policy effective immediately and ensure full compliance on an annual basis. The Conflict of Interest and Commitment Disclosure Statement shall be completed by all board members and employees, and appropriate actions shall be taken as needed.

#### **Issue Five**

**The goals and objectives of the president, as mutually agreed to by the Board of Regents and the president, should be strategic and long-term, as appropriate to the institution's purpose as a higher education institution (CFR 3.6, 3.9, 4.6).**

#### Institutional Actions Taken

At the regular meeting of October 27, 2017, the Board of Regents adopted a revision to the president's evaluation form to include two long-term goals regarding facilities improvements as follows:

##### Item 15:

Long term goal: Construction of new campus building that is state of the art and energy efficient. This project will take 3-4 years.

Year 1: progress will be evaluated based on the following accomplishments:

- 1) Completion of facilities master planning and Board approval to include financing plan:
- 2) Completion of architectural and engineering and design plans.

Year 2: Ground breaking and start construction.

Year 3: Construction ongoing with regular progress reports to Board of Regents.

Year 4: Construction completion/furnishing and move in.

##### Item 16:

Long term goal: Repair and expansion of NMC gym.

- A. Architectural and engineering due February 2018.
- B. Completion of gym: estimated 2019.

A copy of the "Performance Evaluation of the NMC President" can be found in Appendix D.

#### Next Steps

The BOR will use the revised president evaluation form that includes two long-term goals. The evaluation process has commenced and will be completed by December 2017.

#### **Issue Six**

**The Board of Regents should reconsider the president's two-year contract limit beyond the president's initial contract, because of the potential effect on performance and implications for recruitment, hiring and retention (CFR 1.7, 3.6).**

#### Institutional Actions Taken

The Board of Regents recognizes the critical importance of presidential leadership stability at the College and its linkage to completion of long term goals. To evidence this, the president was offered a four year initial contract in October 2016; however, a two year contract was signed to expedite the processing and start date. The board discussed the president's longer term contract at the special meeting of December 23, 2016, and it was referred to the Board's Human Resources Committee for further review.

#### Next Steps

Discussions will continue at the HR Committee.

#### **Closing Statement**

The College is committed to ensuring that all the recommendations of the Commission are fully addressed. Actions for Issues One to Five are completed, and full compliance will be ongoing. Deliberations on Issue Six will continue at the Board of Regents Human Resources Committee.

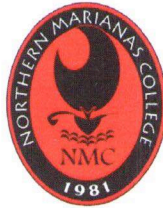
The College community appreciates the Visiting Team and Commission's guidance. The learning experience and opportunity to improve the institution are beneficial and valuable as the College continues to fulfill its mission to meet the education and training needs of the CNMI.



<b>List of Appendices</b>
---------------------------

Appendix A- BOR Special Meeting minutes, December 23, 2016 .....	6
BOR Regular Meeting minutes, February 10, 2017.....	9
BOR Special Meeting minutes, March 10, 2017 .....	13
BOR Special Meeting minutes, April 25, 2017 .....	16
BOR Special Meeting minutes, August 11, 2017 .....	18
BOR Special Meeting minutes, September 22, 2017 .....	21
Appendix B- Public Law 20-26: Regent Nominating Committee .....	24
Appendix C- Policy 1017 Conflict of Interest and Commitment Code	
for Board of Regents and Employees .....	32
Conflict of Interest and Commitment Disclosure Statement (Board) ...	34
Conflict of Interest and Commitment Disclosure Statement	
(Employees) .....	37
Appendix D- Performance Evaluation of the NMC President .....	41





**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Special Meeting of December 23, 2016**

**Minutes**

**I. CALL TO ORDER**

The special meeting of the Board of Regents of the Northern Marianas College was held on Friday, December 23, 2016 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, Chairman called the meeting to order at 4:00p.m. He welcomed everyone to the meeting and called for roll of the members as follows:

**II. ROLL CALL**

Regents Present: Regent Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Michaela U. Sanchez, Treasurer; Regent Zenie P. Mafnas; Regent Juan T. Lizama. Excused Absent: Regent Irene T. Torres; Regent Cynthia I. Deleon Guerrero.

Others Present: Dr. Carmen Fernandez, NMC President; Helen B. Camacho, Board Secretary (Recorder); Jesus C. Borja, BOR Legal Counsel.

**III. REVIEW AND ADOPTION OF AGENDA**

**Regent Orilla moved to adopt the agenda, seconded by Regent Sanchez. The motion carried.**

**IV. PUBLIC COMMENT**

None.

**V. NEW BUSINESS**

**Regent Orilla moved to go into executive session to discuss personnel matters, seconded by Regent Sanchez. The motion carried.**

**A. Consider to change the organizational chart with regards to the Board Secretary position**

Chairman Evangelista stated that the board has discussed this matter extensively during executive session and has decided to address it in a memorandum of understanding. He assigned Regent Lizama to initiate the drafting of the MOU, which clarifies the Board secretary's role.

Counsel Borja recommended that Regent Lizama work with President Fernandez on the drafting of the MOU. **All agreed.**

B. President's contract

Chairman Evangelista stated that this matter was discussed extensively during executive session and the board decided to do further research. **This item is tabled and referred back to HR Committee.**

C. President's evaluation 2016-2017

President Fernandez reminded the board that the evaluation form that is provided in their packet was already adopted at a previous meeting, however, it includes a long term objective as recommended by the special visit team (December 1-2, 2016).

**Regent Sanchez moved to table the President's evaluation 2016-2017 form, seconded by Regent Orilla. The motion carried.**

D. Board Resolution No. 2016-06 – Honoring the life and contributions of Barry Wonenberg

Chairman Evangelista presented the resolution 2016-06: Honoring the life and contributions of Barry Wonenberg who recently passed away. Barry served the Northern Marianas College with distinction as an art faculty member for a quarter of a century and will be missed and remembered by the college.

**Regent Sanchez moved to adopt Board Resolution No. 2016-06: Honoring the life and contributions of Barry Wonenberg with minor amendments to be reviewed by the chair and the president, seconded by Regent Orilla. The motion carried.**

Regent Lizama congratulated the newest member of the board, Ms. Zenie P. Mafnas. He welcomed and thanked her for her willingness to serve on the board. At the same time, Regent Orilla wished everyone a Merry Christmas.

**VI. EXECUTIVE SESSION**

None.

**VII. ADJOURNMENT**

**Regent Sanchez moved to adjourn the meeting, seconded by Regent Orilla. The motion carried. The meeting ended at 6:26p.m.**

Counsel Borja recommended that Regent Lizama work with President Fernandez on the drafting of the MOU. **All agreed.**

**B. President's contract**

Chairman Evangelista stated that this matter was discussed extensively during executive session and the board decided to do further research. **This item is tabled and referred back to HR Committee.**

**C. President's evaluation 2016-2017**

President Fernandez reminded the board that the evaluation form that is provided in their packet was already adopted at a previous meeting, however, it includes a long term objective as recommended by the special visit team (December 1-2, 2016).

**Regent Sanchez moved to table the President's evaluation 2016-2017 form, seconded by Regent Orilla. The motion carried.**

**D. Board Resolution No. 2016-06 – Honoring the life and contributions of Barry Wonenberg**

Chairman Evangelista presented the resolution 2016-06: Honoring the life and contributions of Barry Wonenberg who recently passed away. Barry served the Northern Marianas College with distinction as an art faculty member for a quarter of a century and will be missed and remembered by the college.

**Regent Sanchez moved to adopt Board Resolution No. 2016-06: Honoring the life and contributions of Barry Wonenberg with minor amendments to be reviewed by the chair and the president, seconded by Regent Orilla. The motion carried.**

Regent Lizama congratulated the newest member of the board, Ms. Zenie P. Mafnas. He welcomed and thanked her for her willingness to serve on the board. At the same time, Regent Orilla wished everyone a Merry Christmas.

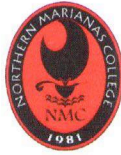
**VI. EXECUTIVE SESSION**

None.

**VII. ADJOURNMENT**

**Regent Sanchez moved to adjourn the meeting, seconded by Regent Orilla. The motion carried. The meeting ended at 6:26p.m.**





**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Regular Meeting of February 10, 2017**

**Minutes**

**I. CALL TO ORDER**

The regular meeting of the Board of Regents of the Northern Marianas College was held on Friday, February 10, 2017 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, BOR Chairman called the meeting to order at 3:38p.m. He welcomed everyone to the meeting and called for roll of the members as follows:

**II. ROLL CALL**

Regents Present: Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Michaela U. Sanchez; Regent Zenie P. Mafnas; Regent Juan T. Lizama.  
Excused Absent: Regent Irene T. Torres; Regent Cynthia I. Deleon Guerrero.

Others Present: Dr. Carmen Fernandez, President; Frankie Eliptico, Dean of Institutional Advancement; Martin Mendiola, Executive Director, Rota Center; Maria Aguon, Executive Director, Tinian Center; Helen B. Camacho, Board Secretary (Recorder); Mark Scoggins, Legal Counsel; Jesus C. Borja, BOR Legal Counsel.

**III. REVIEW AND ADOPTION OF AGENDA**

**Regent Orilla moved to adopt the February 10, 2017 regular meeting agenda, seconded by Regent Sanchez. The motion carried.**

**IV. SUSPEND THE ORDER OF BUSINESS**

**Regent Orilla moved to suspend the order of business to be able to go into executive session, seconded by Regent Sanchez. The motion carried.**

**V. EXECUTIVE SESSION**

**Regent Orilla moved to go into executive session, seconded by Regent Sanchez. The motion carried.** The board is in executive session at 3:38p.m. Executive session ended at 4:50p.m and Chairman Evangelista called the meeting back to its regular session. Upon convening the meeting, there were no actions taken. But before proceeding with the next items on the agenda, Chairman Evangelista took the opportunity to congratulate Mr. Frankie Eliptico for winning the Regional Communicator Award and for being promoted to Dean of Institutional Advancement.



President Fernandez also lauded that Frankie competed with heavy hitters from ivy league schools. Frankie shared some comments about his experience and also thanked the board and president for the commendation.

## **VI. REVIEW AND ADOPTION OF MINUTES**

A. October 28, 2016 – Regular Meeting

**Regent Sanchez moved to adopt the October 28, 2016 regular meeting minutes, seconded by Regent Orilla. The motion carried.**

B. November 10, 2016 – Special Meeting

**Regent Sanchez moved to adopt the November 10, 2016 special meeting minutes, seconded by Regent Orilla. The motion carried.**

C. December 23, 2016 – Special Meeting

Regent Lizama moved to adopt the meeting minutes, seconded by Regent Orilla.

Discussion: Regent Lizama stated that the meeting time needs to be verified and also more review on the President's long term objective. After discussion, Regent Lizama withdrew his motion.

**Regent Orilla moved to table the meeting minutes, seconded by Regent Sanchez. The motion carried.**

## **VII. PUBLIC COMMENT PERIOD**

None.

## **VIII. STANDING COMMITTEE REPORTS**

A. Finance Committee

None.

B. Audit Committee

None.

C. Human Resources Committee

None.

D. Regent Nominating Committee

None.

E. Program Committee

None.

## **IX. OLD BUSINESS**

A. Policy 6000 – Compensation and Classification

This item is tabled as the HR committee was unable to meet.

#### B. Board Policy No. 1017- Conflict of Interest and Commitment

##### **Committee as a Whole**

**Regent Orilla moved to take this matter up in committee as a whole, as it is an accreditation concern, seconded by Regent Sanchez.** President Fernandez provided a summary and a copy of the policy revision. Basically, the special visit team (Dec 1-2, 2016) reviewed the new board policy no. 1017, Conflict of Interest and recommended adding provisions for Conflict of Commitment. This should address situations that arise regarding conflicts of time commitment for employees and board members.

Chairman Evangelista assigned the policy to Counsel Borja and president for further review. The president will research other institutions and the counsel will review it from a legal standpoint. Counsel Borja raised concern about the word “perceptible” and that it must be clearly defined. The board then returned to the regular agenda.

#### C. Facilities Master Plan

This item is tabled and referred back to Program Committee.

#### D. Memorandum of Understanding

Regent Lizama informed the board that he has not been able to meet with the president regarding this matter. Regent Orilla recommended bringing this item back to the HR committee. **This item is tabled.**

#### E. President’s Evaluation 2016-2017

Regent Orilla informed the board that this item was referred back to the president where she was asked to include her long-term goal as recommended by the special visit team. This matter was referred back to the committee. **This item is tabled.**

### **X. NMC EXECUTIVE REPORTS**

#### A. President’s Report

President Fernandez gave her report, a copy of which was provided.

#### B. WASC Accreditation Update

President Fernandez provided the WASC update. She noted important dates: the commission meeting is scheduled for February 16, 2017; the Interim Report is due March 1, 2017.

#### C. Legislative Update

Frankie Eliptico, Dean of Institutional Advancement gave the legislative updates, a copy of which was provided.

### **XI. BOARD MEETING ASSESSMENT**

Done.

### **XII. EXECUTIVE SESSION**

Done.

### **XIII. ADJOURNMENT**

**Regent Orilla moved to adjourn the meeting, seconded by Regent Sanchez. The motion carried.** The meeting ended at 5:52p.m.



**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Special Meeting of March 10, 2017**

**Minutes**

**I. CALL TO ORDER**

The special board of regents meeting was held on Friday, March 10, 2017 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, BOR Chairman called the meeting to order at 2:15p.m. Chairman Evangelista called for roll call and six board members were present. A quorum was established.

**II. ROLL CALL**

Regents Present: Regent Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Zenie P. Mafnas; Regent Michaela U. Sanchez; Regent Juan T. Lizama; Regent Irene T. Torres; Excused Absent: Regent Cynthia I. Deleon Guerrero.

Others Present: Dr. Carmen Fernandez, President; Andrew Reese, Chief Financial Officer; Helen B. Camacho, Board Secretary (Recorder); Jesus C. Borja, BOR Legal Counsel

**III. REVIEW AND ADOPTION OF AGENDA**

**Regent Orilla moved to adopt the agenda, seconded by Regent Sanchez. The motion carried.**

**IV. PUBLIC COMMENTS**

None.

**V. NEW BUSINESS**

**A. Phase II Salary Adjustment**

**Regent Torres, Finance Committee Chairperson moved to approve the Phase II salary adjustment, seconded by Regent Orilla.**

Discussion: Chairman Evangelista requested for an assurance from the president and chief financial officer that the college is financially capable of taking such action. President Fernandez indicated that the college has the sufficient funding to implement Phase II of the salary increase from the FY2017 Budget. CFO Reese also added that the college can afford this and the funds are available and set aside.



**After discussion, the chairman called for a vote, motion carried. Chairman Evangelista congratulated the college.**

**B. Board of Regents Committees**

Chairman Evangelista approved the appointments as presented by Regent Sanchez.

**Human Resources Committee**

Chair: Regent Juan T. Lizama

Members: Regent Zenie P. Mafnas; Regent Elaine Hocog Orilla

**Finance Committee**

Chair: Regent Irene T. Torres

Members: Regent Michaela U. Sanchez; Regent Zenie P. Mafnas

**Audit Committee**

Chair: Regent Zenie P. Mafnas

Members: Regent Irene T. Torres; Regent Elaine Hocog Orilla

**Program Committee**

Chair: Regent Elaine Hocog Orilla

Members: Regent Irene T. Torres; Regent Cynthia I. Deleon Guerrero

**Regent Nominating Committee**

Chair: Regent Michaela U. Sanchez

Members: Regent Juan T. Lizama; Regent Cynthia I. Deleon Guerrero

Alternate Member: Regent Michael N. Evangelista, Esq., Chairman

**C. FY2018 Appropriations Budget**

Regent Torres informed the board that the finance committee met and reviewed the FY2018 Appropriations Budget. She stated that the committee is ready to present the proposed budget to the full board for adoption.

**Regent Torres moved to approve the FY2018 Appropriations Budget request, seconded by Regent Sanchez.**

Discussion: Chairman Evangelista called upon the president to present the proposed FY2018 Appropriations Budget. President Fernandez provided a brief summary of the budget proposal for FY2018 to include the salary scale and the changes to the organizational chart. CFO Reese presented the following.

FY2018 Appropriations Budget Request (budget document attached):

1. FY2019 budget request total amount of \$10.1M.
2. Total Personnel Cost for existing employees for FY17 and FY18 is approximately the same - \$6.8Million

Breakdown:

Additional funding sources from the government to cover personnel:

CW1 transitional worker fee - \$750k for personnel cost  
BGRT from the casino - \$700k for personnel cost

3. \$6 million – Federal funding
4. \$3.9 million - Tuition and Fees (FY2017)
5. \$14 million total college operations.

Counsel Borja pointed out that the organizational chart still has the Foundation as equal to the Board of Regents. He also added that the Foundation is a subsidiary to the board. Chairman Evangelista stated that the board will approve the budget with the condition that the correction is made to the organizational chart. President Fernandez stated that she will correct it immediately.

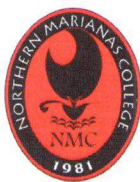
**After discussion, chairman called for the vote, the motion passed.** Chairman Evangelista thanked the college for all the hard work that went into the preparation of the budget proposal.

#### **VI. EXECUTIVE SESSION**

None.

#### **VII. ADJOURNMENT**

**Regent Orilla moved to adjourn the meeting, seconded by Regent Sanchez. The motion carried. The meeting ended at 3:36p.m.**



**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Special Meeting of April 25, 2017**

**Minutes**

**I. CALL TO ORDER**

The special meeting of the Board of Regents of the Northern Marianas College was held on Tuesday, April 25, 2017 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, BOR Chairman called the meeting to order at 10:16a.m. He welcomed everyone to the meeting and called for roll of the members as follows:

**II. ROLL CALL**

Regents Present: Regent Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Michaela U. Sanchez, Treasurer; Regent Juan T. Lizama

Others Present: Dr. Carmen Fernandez, President; Frankie M. Eliptico, Dean of Institutional Advancement; Andrew Reese, Chief Financial Officer; Helen B. Camacho, Board Secretary (Recorder); Jesus C. Borja, BOR Legal Counsel

Review and Adoption of Agenda

**Regent Orilla moved to adopt the agenda, seconded by Regent Sanchez. The motion carried.**

Public Comment

None.

**III. NEW BUSINESS**

A. BOR Resolution No. 2017-01: To update Bank Signatures

Regent Sanchez stated that the Finance Committee met yesterday and indicated that the committee is ready to bring forward its recommendation to the full board for its review and adoption of Board Resolution No. 2017-01: To update bank signatures.

**Regent Sanchez moved to adopt Board Resolution No. 2017-01 that proposes to update the bank signatures, seconded by Regent Orilla. The motion carried.**

#### **B. Corporate Resolution Update**

Regent Sanchez reported that the Finance Committee met and discussed the corporate resolution update for Raymond James, our investment managers. The committee is ready to make its recommendation to the full board for adoption.

**Regent Sanchez moved to adopt the corporate resolution update, seconded by Regent Orilla.**

Discussion: Chairman Evangelista asked if the CFO or the president can provide some background information with respect to the resolution. The CFO replied that a corporate resolution is very common where it is required from public organizations for purposes of the investment banking operations.

**After discussion, the Chairman called for a vote, the motion carried.**

#### **IV. EXECUTIVE SESSION**

None.

#### **V. ADJOURNMENT**

**Regent Orilla moved to adjourn the special meeting, seconded by Regent Sanchez. The motion carried. The meeting ended at 10:29a.m.**





**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Special Meeting of August 11, 2017**

**Minutes**

**I. CALL TO ORDER**

The special meeting of the Board of Regents of the Northern Marianas College was held on Friday, August 11, 2017 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, BOR Chairman called the meeting to order at 3:12p.m. and called for roll of the members. Four members were present and a quorum was established. Chairman Evangelista also took the opportunity to welcome Regent Cepeda back to the board. Regent Cepeda expressed his appreciation for the opportunity to return to the college Board and to supporting the college's goals.

**II. ROLL CALL**

Regents Present: Regent Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Irene T. Torres; Regent Charles V. Cepeda.

Others Present: Dr. Carmen Fernandez, President; Frankie M. Eliptico, Dean of Institutional Advancement; Martin Mendiola, Rota Executive Director; Maria Aguon, Tinian Executive Director; Anita Camacho, PPMO Manager; Konrad Reyes, Personnel Specialist; Johnny Aldan, Nursing faculty; Richard Waldo, Business faculty; Jerry Pangelinan, Personnel Specialist; Floyd Masga, UCEDD Director; Hedwig Hofschneider, Project Proa Director; Amanda Diaz, School of Education Instructor; Dennis Marcelo, Database Administrator; Daisie Camacho, Acting IT Director; Kathy Palacios, Staff Senate President; Andrew Reese, CFO; James Deleon Guerrero, Network Specialist; Patty Coleman, CREES Program lead; Christine Inos, Acting Director of Learning Support Services; Keone Tudela, Supply Specialist; Anemary Yoshida, Admin. Manager; Kaelani Demapan, Program Coordinator; Helen B. Camacho, Board Secretary (Recorder); Jesus C. Borja, BOR Legal Counsel.

**III. REVIEW AND ADOPTION OF AGENDA**

**Regent Orilla moved to adopt the agenda, seconded by Regent Torres. The motion carried.**

**IV. PUBLIC COMMENTS**

None.

**V. OLD BUSINESS**

A. Facilities Master Plan / FEMA funding for the Gym

**Regent Torres moved to adopt the facilities master plan in concept and the FEMA Alternate Project for Permanent Work Program for the repair and expansion of NMC Gym, seconded by Regent Cepeda.**

Chairman Evangelista called upon the president to make the presentation. President Fernandez presented the proposed facilities master plan concept including the gym (reports provided). She highlighted the following details below:

1. College Council met and approved the recommendation for the Facilities Master Plan concept and for the repair and expansion of the NMC Gym.
2. Facilities chronology of events as of August 10, 2017.
  - NMC BOR Resolution No. 2016-03: To proceed with the Rebuilding of the As Terlaje Campus utilizing the Federal Management Agency's Public Assistance Alternate Procedures Permanent Work Pilot Program.
  - NMCs letter dated April 01, 2016 was addressed to the Federal Emergency Management Agency (FEMA) requesting to participate in the Public Assistance Alternative Procedures Pilot Program.
  - FEMA letter dated July 26, 2016: Subaward agreement letter approving \$4.6 million request made on April 01, 2016. This amount (\$4.6M) will be directed towards the repair and expansion of the gym.
  - Project Description: Stage, fitness room, classroom, office; male and female showers; public restrooms; ample parking; 2,000 capacity seating; air conditioning; 24 hour power and water; energy efficient/solar energy.
  - Timeline: 20 months of construction; March or April 2019 completion.
  - March 07, 2017: Site visit by Mr. William Roche, Director Region IX. FEMA.
  - August 2017: BOR joint Finance and Program Committee and College Council reviewed and recommended approval of the proposal.
  - Facilities master planning: Estimated at \$300k to determine the design of the structure and cost estimates; architectural and engineering and construction; proposed to break ground in 2018.

Regent Orilla stated that although she is in support of using the funds for the completion of the NMC Gym, she would like to reassure the students that the board is also very cognizant of their needs. Regent Orilla was referring to the student government office. President Fernandez indicated that the Student Center is a very important priority. The student leadership has a temporary office in Building I and repairs for building D2 student center will commence soon.

Regent Cepeda inquired about the status of the gym and when the students will be able to use the facility. President Fernandez stated that it was destroyed by the typhoon and has been closed. The FEMA project that is proposed will allow for the hardening and expansion of the gym. The gym will reopen in 2019. As for the health and physical education classes, they are being held in classrooms and at the Ada Gym.

Chairman Evangelista asked for clarification about the August 2017 submission deadline for the gym design. President Fernandez stated that the college requested for an extension and it was granted. The new deadline is February 2018. FEMA granted a new deadline for the entire government.

Counsel Borja inquired about the verbal response given by director Roche for the \$4.6Million gym project. President Fernandez explained that FEMA will provide the college with a subaward letter for the project upon board approval of this gym proposal. Counsel Borja is concerned with the verbal approval because it may not be legally binding. He cautioned the board that it is subject to a formal approval by FEMA.

**Regent Torres moved to approve the facilities master plan concept and the FEMA alternate project program for the repair and expansion of the NMC gym, seconded by Regent Cepeda. The motion carried.**

**B. FY2016 AUDIT**

Regent Orilla informed the board that the Audit Committee was not able to meet. A copy of the 2016 audit was provided.

**VI. EXECUTIVE SESSION**

None.

**VII. ADJOURNMENT**

**Regent Orilla moved to adjourn the meeting, seconded Regent Cepeda. The motion carried. The meeting ended at 3:55p.m.**





**NORTHERN MARIANAS COLLEGE  
BOARD OF REGENTS  
Special Meeting of September 22, 2017**

**Minutes**

**I. CALL TO ORDER**

The special meeting of the Board of Regents of the Northern Marianas College was held on Friday, September 22, 2017 in the BOR Conference Room, Saipan Campus. Regent Michael Norita Evangelista, BOR Chairman called the meeting to order at 3:12p.m. and called for roll of the members. Five members were present and a quorum was established. Chairman Evangelista welcomed everyone.

**II. ROLL CALL**

Regents Present: Regent Michael Norita Evangelista, Esq., Chairman; Regent Elaine Hocog Orilla, Vice-Chairperson; Regent Michaela U. Sanchez, Treasurer; Regent Irene T. Torres; Regent Charles V. Cepeda.

Others Present: Dr. Carmen Fernandez, President; Andrew Reese, CFO; Kathy Palacios, Staff Senate President; Jack Kiyoshi, HR Director; Frankie Eliptico, Dean of Institutional Advancement; Barbara Merfalen, Dean of Academic Programs & Services and Acting Dean of Student Services; Daisie Camacho, Acting IT Director; Charlotte Cepeda, School of Education Director; Vince Merfalen, Community Development Institute Director; John Cook, Archivist; Daisy Propst, Financial Aid Director; Kenneth Gabrido, ASNMC President; Christine Inos, Acting Director of Learning Support Services; Velma Deleon Guerrero, Liberal Arts Coordinator/Acting SMHA Department Chair; Helen B. Camacho, Board Secretary (Recorder); Jesus C. Borja, BOR Legal Counsel.

**III. REVIEW AND ADOPTION OF AGENDA**

**Regent Orilla moved to adopt the meeting agenda, seconded by Regent Sanchez. The motion carried.**

**IV. PUBLIC COMMENT**

None.

**V. NEW BUSINESS**



#### A. FY2018 Operations Budget

Regent Torres stated that the Finance Committee held its meeting yesterday, September 21, 2017. The committee deliberated and is ready to present the FY2018 Operations Budget to the full board.

**Regent Torres moved to present the FY2018 Operations Budget to the full board for its review and adoption, seconded by Regent Cepeda.**

Discussion: Regent Torres requested a brief summary from Andrew Reese, Chief Financial Officer. CFO Reese provided the following highlights:

1. Budget and Finance Committee (BAFC) met for two weeks to hear office requests and to deliberate the budget.
2. Final Operations Budget  
Revenue Projection 2017 - \$4,400,000  
Fall 2019 FTE (As of 8/28) - \$1,184  
Revenue Projection - \$4,500,000

Regent Orilla asked if there's a formula used because there's a disparity between requests made from programs. President Fernandez explained that in the past, BAFC made ten percent cuts across the board. However, in this budget process every unit came in to present their priorities.

Chairman Evangelista thanked the CFO and asked if President Fernandez had anything else to add to the presentation. President Fernandez stated that in the past years, the board was very concerned about the academic programs not receiving sufficient funding from the operations budget and is pleased to report that it is not the case this year. The biggest percentage (about 21%) is being allocated to the academic programs. Furthermore, the priority continues to be for academic programs. President Fernandez also mentioned that the legislature (House of Representatives) allotted for the first time in history, funding for the Board of Regents.

Regent Orilla asked to hear from the members of the college community. Chairman Evangelista agreed and opened the floor for comments.

#### Comments from NMC Staff:

1. Christine Inos, Acting Director for Learning Support Services stated that she was very pleased with the process and is thankful for the opportunity.
2. Velma Deleon Guerrero, Liberal Arts Coordinator / Acting SMHA Department Chair stated that she noted support from BAFC this year as opposed to previous years especially for the academic programs.
3. Barbara Merfalen, Dean stated that although there were some budget cuts for her department, she remains hopeful for the year ahead.

Chairman Evangelista thanked and commended the BAFC members and the departments for all their hardwork. President Fernandez recognized the BAFC members: Andrew Reese, Frankie Eliptico, Christine Inos, Daisy Propst, Daisie Camacho and Kenneth Gabrido. She especially thanked the nursing department for their patience and continued support.

**After discussion, chairman called for the vote, the motion carried.**

#### **VI. EXECUTIVE SESSION**

**Regent Orilla moved to go into executive session, seconded by Regent Sanchez. Executive session ended at 3:57p.m.**

#### **VII. ADJOURNMENT**

**Regent Orilla moved to adjourn the meeting, seconded by Regent Sanchez. The motion carried. The meeting ended at 3:57p.m.**



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Ralph DLG. Torres**  
Governor

**Victor B. Hocog**  
Lieutenant Governor

The Honorable Arnold I. Palacios  
Senate President, The Senate  
Twentieth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Rafael S. Demapan  
Speaker, House of Representatives  
Twentieth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into law Senate Bill No. 20-15, SD1, entitled, "To establish a Regent Nominating Committee Process in the Selection and Appointment of Regents to the Northern Marianas College Board of Regents; and for other purposes," which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 20-26**. Copies bearing my signature are forwarded for your reference.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. DLG. TORRES", is written over a circular stamp. The stamp contains the text "RALPH DLG. TORRES" in capital letters.

**RALPH DLG. TORRES**

cc: Lt. Governor; Press Secretary; Northern Marianas College; Public Auditor;  
Special Assistant for Administration; Special Assistant for Programs and  
Legislative Review

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 237-2200 Facsimile: (670) 664-2211/2311



THE SENATE  
Twentieth Northern Marianas Commonwealth Legislature  
P. O. Box 500129  
Saipan, MP 96950

October 17, 2017

The Honorable Ralph DLG. Torres  
Governor  
Commonwealth of the Northern Mariana Islands  
Capital Hill  
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action Senate Bill No. 20-15, SD1, entitled: "To establish a Regent Nominating Committee Process in the Selection and Appointment of Regents to the Northern Marianas College Board of Regents; and for other purposes," which was passed by the Senate and the House of Representatives of the Twentieth Northern Marianas Commonwealth Legislature.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dolores S. Bermudes".

Dolores S. Bermudes  
Senate Clerk

Attachments





**THE SENATE**  
**TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**SENATE BILL NO. 20-15, SD1**

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**AN ACT**

To establish a Regent Nominating Committee Process in the Selection and Appointment of Regents to the Northern Marianas College Board of Regents; and for other purposes.

**SENATE ACTION**

**Offered by Senator(s):** Justo S. Quitugua

**Date:** February 10, 2017

**Referred to:** Committee on Education and Youth Affairs

**Standing Committee Report No.:** 20-09 adopted on May 10, 2017

**First and Final Reading:** May 10, 2017

**HOUSE ACTION**

**Referred to:** Education Committee

**Standing Committee Report No.:** 20-77 Adopted on 10/11/17

**First and Final Reading:** October 11, 2017

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A handwritten signature in blue ink, appearing to read "Dolores S. Bermudes", is written over a horizontal line.

**DOLORES S. BERMUDES**  
**SENATE CLERK**



THE SENATE  
TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2017

S. B. NO. 20-15, SD1

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AN ACT

To establish a Regent Nominating Committee Process in the Selection and Appointment of Regents to the Northern Marianas College Board of Regents; and for other purposes.

BE IT ENACTED BY THE TWENTIETH NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:

1        **Section 1. Findings and Purpose.** The CNMI Legislature finds that one of its top  
2 priorities is to ensure that the Northern Marianas College (NMC) continues to maintain  
3 accreditation by the WASC Senior College and University Commission (WSCUC).

4        One way to protect NMC's accreditation is by strengthening the autonomy of the  
5 Board of Regents membership nomination process. The CNMI Legislature recognizes that  
6 the Board is the governing body, responsible for the quality and integrity of the institution  
7 and for ensuring that the institution's mission is being carried out.

8        Therefore, it is the intent of the CNMI Legislature to create an open and systematic  
9 nomination process for membership to the Board. This in turn would strengthen the  
10 autonomy and effectiveness of the Board to insulate NMC from undue government and  
11 legislative influence. Furthermore, the CNMI Legislature intends to make it abundantly  
12 clear to WASC that the People of the CNMI are determined to take the necessary measures  
13 to ensure that NMC maintains its accreditation.

14        **Section 2. Amendment.** Title 3, Division 1, Chapter 3, Article 2 of the  
15 Commonwealth Code is hereby amended by adding a new Section 1317 to read as follows:

16        **§ 1317. Regent Nominating Committee; Establishment.** There is established the  
17 Regent Nominating Committee with sole responsibility to identify, recruit, evaluate and

1 nominate all qualified candidates for non-student membership on the Board of Regents of  
2 the Northern Marianas College.

3 (a) Membership.

4 (1) The Committee shall consist of seven (7) members:

5 i. One (1) member of the NMC Board of Regents to be  
6 appointed by the NMC Board of Regents;

7 ii. one (1) Mayor-member to be appointed by the Mayor's  
8 Council – the Mayors of Saipan, Rota, Tinian, and Northern Islands shall  
9 serve on a rotational basis;

10 iii. one (1) member of the Associated Students of Northern  
11 Marianas College to be appointed by the Associated Students of Northern  
12 Marianas College;

13 iv. one (1) member of the NMC Faculty Senate to be appointed  
14 by the NMC Faculty Senate;

15 v. one (1) member of the NMC Staff Senate to be appointed by  
16 the NMC Staff Senate;

17 vi. one (1) member of the NMC College Council to be  
18 appointed by the NMC College Council;

19 vii. one (1) member of the NMC Alumni Association to be  
20 appointed by the NMC Alumni Association;

21 (2) Committee members shall serve a one year term.

22 (3) The NMC Board of Regents member shall serve as chairperson, and  
23 shall convene the meetings of the Committee. At its first meeting the Committee  
24 shall elect from among its members a vice-chairperson. The chairperson shall  
25 preside at all meetings of the Committee, shall act as the spokesperson of the  
26 Committee, and perform such other duties as the Committee shall direct.

27 (4) The vice-chairperson shall succeed to the duties of the chairperson in the  
28 absence or inability of the chairperson to serve. From among its members, the  
29 Committee shall select a secretary and any other officers that the Committee may



1 deem necessary.

2 (b) Duties.

3 (1) The Committee shall develop a statement of the selection criteria to be  
4 applied and a description of the responsibilities and duties of a regent, and shall  
5 distribute this to potential candidates.

6 (2) In making its nominations, the Committee shall consider 3 CMC § ~~1311~~  
7 1312(b): Board of Regents Establishment: Terms and Qualifications and the needs  
8 of the College; locate potential candidates; maintain a list of their names and  
9 contact information; match potential candidates with projected vacancies; review  
10 candidates' qualifications and references; conduct interviews; and carry out other  
11 recruitment and screening activities as necessary.

12 (3) The Committee shall be responsible for submitting a list of at least one  
13 (1) and no more than three (3) qualified candidates for every vacancy on the Board  
14 to the Governor.

15 (4) Nominations shall be made thirty (30) days prior to the expiration of a  
16 term, or within thirty (30) days following an unforeseen vacancy. ~~The CNMI~~  
17 ~~Legislature finds that it is critical that a vacancy on the Board be filled promptly.~~  
18 Therefore, the Governor shall make the appointment of the qualified candidate  
19 from a list of candidates provided by the Committee, which list shall contain at  
20 least one (1) and no more than three (3) qualified candidates submitted by the  
21 Committee within forty-five (45) days of a vacancy, subject to the ~~advice and~~  
22 ~~consent of Senate~~ requirements of 3 CMC §§ 1311 and 1312. ~~Provided that the~~  
23 The Governor may reject the candidates on the list provided by the Committee. If  
24 the Governor rejects the candidates on the list provided by the Committee, the  
25 Governor shall inform the Committee of said rejection and the Committee shall  
26 submit new candidates for consideration within 30 days. ~~The Committee shall~~  
27 ~~provide candidates for consideration within 30 days of the rejection of the list(s)~~  
28 ~~until the Governor appoints a candidate from the list generated by the Committee.~~

29 (5) The Committee shall make an annual report to the Governor and the



1 CNMI Legislature at the termination of each fiscal year setting forth a summation  
2 of its activities and any recommendations.

3 (c) Committee Meetings. The Committee shall hold at least one (1) meeting  
4 quarterly and as often as necessary. The Committee shall conduct its first meeting within  
5 thirty (30) days after approval of this Act. A majority of the Committee members shall  
6 constitute a quorum. The vote of five (5) Committee members shall be required for any  
7 action of the Committee. The Committee may adopt rules to govern its procedures.


8 (d) Support Services. The President of NMC shall provide administrative and  
9 support services for the Committee and shall serve as ex-officio member on the  
10 committee."

11 **Section 3. Severability.** If any provision of this Act or the application of any such  
12 provision to any person or circumstance should be held invalid by a court of competent  
13 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
14 circumstances other than those to which it is held invalid shall not be affected thereby.

15 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not  
16 be construed as affecting any existing right acquired under contract or acquired under  
17 statutes repealed or under any rule, regulation, or order adopted under the statutes.  
18 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant  
19 to prior law. The enactment of the Act shall not have the effect of terminating, or in any  
20 way modifying, any liability, civil or criminal, which shall already be in existence on the  
21 date this Act becomes effective.

22 **Section 5. Effective Date.** This Act shall take effect upon its approval by the  
23 Governor or becoming law without such approval.


CERTIFIED BY:

  
STEVE K. MESNGON  
ACTING PRESIDENT OF THE SENATE

ATTESTED BY:

  
JUSTO S. QUITUGUA  
SENATE LEGISLATIVE SECRETARY

Approved this 1<sup>st</sup> day of November, 2017

  
RALPH DLG. TORRES  
Governor  
Commonwealth of the Northern Mariana Islands

Northern Marianas College  
**Board of Regents Policy**

<b>SUBJECT:</b>	Board Operations	<b>EFFECTIVE:</b>	<b>October 27, 2017</b>
<b>SECTION:</b>	<b>1017</b>	<b>POLICY NAME:</b>	Conflict of Interest and Commitment Code for Board of Regents and Employees
<b>WASC SCUC Standard/Policy:</b>	<b>Standards 1&amp;3; CFR 1.5; 1.7; 3.6-3.10; IGBP; §95-10-805; AGB</b>		

The Northern Marianas College shall adopt this Conflict of Interest and Commitment Code which shall apply to all governing board members and employees.

All Board members and employees of the College are expected to perform their duties with conscience, honesty, integrity, and with the best interests of the College as an academic institution in mind. All Board members and employees must comply with applicable federal and CNMI laws. Board members and employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All Board members and employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of applicable federal or CNMI law or NMC Board of Regents policy is encouraged to communicate with a supervisor or the President.

The President shall publish this Conflict of Interest and Commitment Code, circulate the code annually to the Board of Regents and employees, and obtain up-to-date signed statements from each Board member and employee. Signatories agree to disclose potential and actual conflicts and to act in accordance with the code. Board members and employees should be mindful of everyone's conflicts and invoke the policy as situations arise, noting in writing any recusals and absences resulting from conflict.<sup>i</sup>

**DEFINITION OF CONFLICT OF INTEREST:**

A conflict of interest occurs when a board member or employee has a direct or indirect financial or other interest that may benefit him/her and/or immediate family members, as defined in procedure. Conflicts can arise if board members or employees and/or their immediate family members are:

- Employees of the educational institution.
- Persons with an ownership or investment interest in any entity that has transactional or other relation with the educational institution.
- Persons with contractual or other compensated relationships with the educational institution (such as the employee of a bank, the College's lawyer, or a consultant to the College).
- Persons who are appointed to the board by another entity to which they have ties.

<sup>i</sup> WASC SCUC Independent Governing Board Policy  
<https://wascsenior.org/content/independent-governing-board-policy>



Board members or employees who have interests that fall into these categories are considered “interested” persons, meaning they have multiple interests that may come into conflict with the interests of the educational institution. Not all “interested” persons will have a conflict of interest.<sup>ii</sup>

**DEFINITION OF CONFLICT OF COMMITMENT:**

A conflict of commitment occurs when an NMC employee engages in non-college activities that are substantial or demanding on the employee’s time and attention and adversely affects the discharge of the employees’ responsibilities to the college. In the case of the Board of Regents members, a conflict of commitment exists when the Regent’s external activities will or reasonably can be expected to significantly interfere with the Regent’s time and energy devoted to College activities. NMC employees and Board members shall disclose Conflicts of Commitment. Employees are required to obtain written approval prior to engaging in any activity that may give rise to a Conflict of Commitment.<sup>iii</sup>

**INTERESTED PERSONS MUST:**

- Disclose fully in writing the details of the interest to the President, and follow such person’s guidance regarding additional steps to be taken.
- Refrain from participating in or attending discussions, meetings, or votes on any matters that relate to the conflict.<sup>iv</sup>
- All disclosures shall be made using the Conflict of Interest and Commitment Disclosure Statement for Northern Marianas College.
- Members of the Board of Regents and employees shall disclose not less often than annually any and all relationships that may be perceived by constituent groups as influencing judgment pertaining to any issue before the Board. This includes but is not limited to immediate family members. The disclosure form shall be developed by the President of the College.<sup>v vi</sup>
- The President’s disclosure statement shall be submitted to the Board of Regents. The Board of Regents disclosure statement shall be submitted to the Office of the Board of Regents.

**ADDITIONAL ACTIONS TO BE TAKEN BY MEMBERS OF THE BOARD OF REGENTS AND THE PRESIDENT:**

- Members of the Board of Regents and the President shall file annual statement of financial interest in accordance with the applicable provisions of the Commonwealth Government Ethics Code Act of 1992, as amended.

**HISTORY: Replaces Board Policy No. 1022; Revised 8/8/2013; Revised 11/10/2016; Revised 10/27/2017**

<sup>ii</sup> Office of Sponsored Projects Conflicts of Interest Policy, Dartmouth College.

<http://www.dartmouth.edu/~osp/resources/policies/dartmouth/cofinterest.html#Section1>

<sup>iii</sup> Adapted from the University of Vermont and University of British Columbia

<sup>iv</sup> University of Guam Guidelines for Completing Annual Conflicts of Interest or Commitment Disclosure Form

<sup>v</sup> AGB Board of Directors’ Statement on Conflict of Interest and Guidelines on Compelling Benefit

<http://agb.org/statements/2012/agb-statement-on-conflict-of-interest>

<sup>vi</sup> CNMI Law Administrative Code, Title 95

<http://www.cnmilaw.org/admincode/Title95/T95.html>



**Northern Marianas College**  
**Conflict of Interest and Commitment**  
**Disclosure Statement**

Name: \_\_\_\_\_

Position at College: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Regents Policy 1017 defines the criteria for Conflicts of Interest and Commitment. It covers members of the College community (members of the Board of Regents and employees). For guidance on completing this form, please see the attached guidelines as well as BOR Policy 1017.

In completing this form, I certify that:

1. I have received a copy of Board of Regents Policy 1017;
2. I have read and understand the policy;
3. I agree to comply with the policy;

Additionally:

- ☐ I do not have any actual or potential Conflicts of Interest or Conflicts of Commitment, as defined by BOR Policy 1017
- ☐ I am disclosing the following potential Conflicts of Interest, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ I am disclosing the following potential Conflicts of Commitment, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Further, I agree:

- To update this disclosure between annual disclosures at the time the potential for a conflict is first identified.
- To comply with any conditions or restrictions imposed by the College to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.
- To cooperate in the development of a Management Plan, should one be necessary to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.

I hereby confirm that the disclosure made above are complete and correct to the best of my information and belief.

\_\_\_\_\_  
Board Member Signature

\_\_\_\_\_  
Date

Reviewed: \_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Date

**Northern Marianas College**  
**Procedure Guidelines for Completing**  
**Conflict of Interest and Commitment Disclosure Statement**

*The Disclosure Statement must be filed by November 1 of each calendar year with the Human Resources Office. All employee forms will be forwarded with comment to the President within 30 days of filing. Board member forms shall be filed with the board secretary and reviewed by the Chairman of the Board.*

**WHO SHOULD FILE:** The Conflict of Interest and Commitment Disclosure Statement should be completed in accordance with Northern Marianas College Board of Regents Policy 1017 – Conflict of Interest and Commitment Policy. Per Policy 1017, members of the Board of Regents and all employees should complete this form not less often than annually.

**CONFLICT OF INTEREST:**

A conflict of interest occurs when a board member or employee has a direct or indirect financial or other interest that may benefit him/her and/or immediate family members, as defined in procedure. Conflicts can arise if board members or employees and/or their immediate family members are:

- Employees of the educational institution.
- Persons with an ownership or investment interest in any entity that has a transactional or other relation with the educational institution.
- Persons with contractual or other compensated relationships with the educational institution (such as the employee of a bank, the College's lawyer, or a consultant to the College).
- Persons who are appointed to the board by another entity to which they have ties.

Board members or employees who have interests that fall into these categories are considered "interested" persons, meaning they have multiple interests that may come into conflict with the interests of the educational institution. Not all "interested" persons will have a conflict of interest.

A College employee should disclose any fiduciary or other interest(s) that might affect his or her employment or the interests of the College.

**I. Compensated/Uncompensated Activities:**

A College employee should disclose any compensated or uncompensated activities outside College employment that involves a reduction of the individual's time and energy devoted to College activities. All outside employment must be approved by the President.

**II. Outside Financial Interests and Relationships:**

An employee should disclose if (s)he or any members of employee's immediate family received any payments (including honoraria or royalties) for employment, consulting, board memberships, or other relationship with, or have an ownership or equity interest in, any company or other entity that has a relationship with employee's College activities in any way, such as: the company/entity/sponsors research or teaching activities in which employee is directly involved; the company/entity has made gifts to the College which are under employee's control or directly benefits employee's research or teaching activities; the company/entity has products or research interests that could benefit significantly from employee's research activities; the company/entity licenses College intellectual property in which employee has any interest as an inventory; the company/entity sells materials or services to the College that are used in employee's research or teaching. (Adopted from MIT)

### **III. Family/Domestic Partnerships at the College**

An employee should disclose the name(s) of all immediate family or domestic partnership relationships at the College, including the assigned unit and location of employee's immediate family member or domestic partner.

#### **CONFLICT OF COMMITMENT:**

A conflict of commitment occurs when an NMC employee engages in non-college activities that are substantial or demanding on the employee's time and attention and adversely affects the discharge of the employees' responsibilities to the college. In the case of the Board of Regents members, a conflict of commitment exists when the Regent's external activities will or reasonably can be expected to significantly interfere with the Regent's time and energy devoted to College activities. NMC employees and Board members shall disclose Conflicts of Commitment. Employees are required to obtain written approval prior to engaging in any activity that may give rise to a Conflict of Commitment.



Name: \_\_\_\_\_

Position at College: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position at College: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Regents Policy 1017 defines the criteria for Conflicts of Interest and Commitment. It covers members of the College community (members of the Board of Regents and employees). For guidance on completing this form, please see the attached guidelines as well as BOR Policy 1017.

In completing this form, I certify that:

1. I have received a copy of Board of Regents Policy 1017;
2. I have read and understand the policy;
3. I agree to comply with the policy;

Additionally:

- ☐ I do not have any actual or potential Conflicts of Interest or Conflicts of Commitment, as defined by BOR Policy 1017
- ☐ I am disclosing the following potential Conflicts of Interest, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

- ☐ I am disclosing the following potential Conflicts of Commitment, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

Further, I agree:

- To update this disclosure between annual disclosures at the time the potential for a conflict is first identified.
- To comply with any conditions or restrictions imposed by the College to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.
- To cooperate in the development of a Management Plan, should one be necessary to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.

I hereby confirm that the disclosure made above are complete and correct to the best of my information and belief.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Reviewed: Immediate Supervisor Date

Reviewed: \_\_\_\_\_ Date \_\_\_\_\_

Approved: \_\_\_\_\_ Date \_\_\_\_\_

**Northern Marianas College**  
**Conflict of Interest and Commitment**  
**Disclosure Statement**

Name: \_\_\_\_\_

Position at College: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Regents Policy 1017 defines the criteria for Conflicts of Interest and Commitment. It covers members of the College community (members of the Board of Regents and employees). For guidance on completing this form, please see the attached guidelines as well as BOR Policy 1017.

In completing this form, I certify that:

1. I have received a copy of Board of Regents Policy 1017;
2. I have read and understand the policy;
3. I agree to comply with the policy;

Additionally:

☐ I do not have any actual or potential Conflicts of Interest or Conflicts of Commitment, as defined by BOR Policy 1017

☐ I am disclosing the following potential Conflicts of Interest, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

\_\_\_\_\_

☐ I am disclosing the following potential Conflicts of Commitment, as defined by BOR Policy 1017 (please attach separately in a sealed envelope if necessary):

\_\_\_\_\_

Further, I agree:

- To update this disclosure between annual disclosures at the time the potential for a conflict is first identified.
- To comply with any conditions or restrictions imposed by the College to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.
- To cooperate in the development of a Management Plan, should one be necessary to manage, reduce, or eliminate actual, potential, or perceived conflicts of interest.

I hereby confirm that the disclosure made above are complete and correct to the best of my information and belief.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Reviewed: \_\_\_\_\_  
Immediate Supervisor

\_\_\_\_\_  
Date

Reviewed: \_\_\_\_\_  
Dean/Director

\_\_\_\_\_  
Date

Approved: \_\_\_\_\_  
President

\_\_\_\_\_  
Date

**Northern Marianas College**  
**Procedure Guidelines for Completing**  
**Conflict of Interest and Commitment Disclosure Statement**

*The Disclosure Statement must be filed by November 1 of each calendar year with the Human Resources Office. All employee forms will be forwarded with comment to the President within 30 days of filing. Board member forms shall be filed with the board secretary and reviewed by the Chairman of the Board.*

**WHO SHOULD FILE:** The Conflict of Interest and Commitment Disclosure Statement should be completed in accordance with Northern Marianas College Board of Regents Policy 1017 – Conflict of Interest and Commitment Policy. Per Policy 1017, members of the Board of Regents and all employees should complete this form not less often than annually.

**CONFLICT OF INTEREST:**

A conflict of interest occurs when a board member or employee has a direct or indirect financial or other interest that may benefit him/her and/or immediate family members, as defined in procedure. Conflicts can arise if board members or employees and/or their immediate family members are:

- Employees of the educational institution.
- Persons with an ownership or investment interest in any entity that has a transactional or other relation with the educational institution.
- Persons with contractual or other compensated relationships with the educational institution (such as the employee of a bank, the College's lawyer, or a consultant to the College).
- Persons who are appointed to the board by another entity to which they have ties.

Board members or employees who have interests that fall into these categories are considered "interested" persons, meaning they have multiple interests that may come into conflict with the interests of the educational institution. Not all "interested" persons will have a conflict of interest.

A College employee should disclose any fiduciary or other interest(s) that might affect his or her employment or the interests of the College.

**I. Compensated/Uncompensated Activities:**

A College employee should disclose any compensated or uncompensated activities outside College employment that involves a reduction of the individual's time and energy devoted to College activities. All outside employment must be approved by the President.

**II. Outside Financial Interests and Relationships:**

An employee should disclose if (s)he or any members of employee's immediate family received any payments (including honoraria or royalties) for employment, consulting, board memberships, or other relationship with, or have an ownership or equity interest in, any company or other entity that has a relationship with employee's College activities in any way, such as: the company/entity/sponsors research or teaching activities in which employee is directly involved; the company/entity has made gifts to the College which are under employee's control or directly benefits employee's research or teaching activities; the company/entity has products or research interests that could benefit significantly from employee's research activities; the company/entity licenses College intellectual property in which employee has any interest as an inventory; the company/entity sells materials or services to the College that are used in employee's research or teaching. (Adopted from MIT)



### **III. Family/Domestic Partnerships at the College**

An employee should disclose the name(s) of all immediate family or domestic partnership relationships at the College, including the assigned unit and location of employee's immediate family member or domestic partner.

#### **CONFLICT OF COMMITMENT:**

A conflict of commitment occurs when an NMC employee engages in non-college activities that are substantial or demanding on the employee's time and attention and adversely affects the discharge of the employees' responsibilities to the college. In the case of the Board of Regents members, a conflict of commitment exists when the Regent's external activities will or reasonably can be expected to significantly interfere with the Regent's time and energy devoted to College activities. NMC employees and Board members shall disclose Conflicts of Commitment. Employees are required to obtain written approval prior to engaging in any activity that may give rise to a Conflict of Commitment.



### **Performance Evaluation of the NMC President**

One of the most important responsibilities of the NMC Board of Regents is to evaluate the NMC President. The importance of this task is recognized in the opening statement of BOR Policy No. 1012: “The Board of Regents will appraise the performance of the President of the College annually.”

For the evaluation process to be a reasonable one, those competencies and characteristics the Board of Regents considers important for evaluation purposes should be essentially the same ones the Board uses as criteria in the selection of a president. Consequently, the importance of the Board’s responsibility for selection and appointment, as well as the Board continuing responsibility for evaluation, are recognized.

### **Functional Assignment of the President as provided by the Northern Marianas College Board of Regents**

*A review of the duties and responsibilities of the President as provided by the NMC Board of Regents indicates the following primary function assigned to the President:*

The primary goal and objective set by the Board of Regents for the President was to focus on accreditation work so that the College would achieve continuing reaffirmation.

### **Evaluation Procedure**

1. The period that is being evaluated is from October 4, 2016 to September 30, 2017.
2. The president and the governing board shall mutually agree on the goals and objectives of the president annually. At the same time, the board shall review the responsibilities outlined in the job description of the president.
3. The board chair shall consolidate each board member’s evaluation into one written report. The consolidated report shall be discussed and approved in closed session and discussed with the president no later than December 2017.
4. The evaluation report will be signed by all parties when final. A signed copy will be retained by the president, and a signed copy will be placed in the president’s personnel file in a sealed envelope marked “To Be Opened Only by the Evaluatee or a Voting member of the Governing Board.”



Performance Evaluation of the NMC President

EVALUATION FORM

**Instructions:** Please rate the performance of the President with regard to the following responsibilities; include comments in the appropriate sections:

- 1. (Accreditation Efforts) Provides the leadership necessary for the College to maintain continued accreditation reaffirmation.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 2. Provides direction and leadership in the development and implementation of a research, planning, and evaluation system to assure institutional effectiveness and that the results of such activity will be used for institutional improvement and the establishment of priorities.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 3. Ensures that various entities of the College have a substantive and clearly-defined role in institutional governance.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:





4. Recommends to the Board new and revised policies and establishing administrative procedures for Board operations; Finance and procurement; Educational programs; Human resources; Student services; and Administrative services.

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

5. Develops an effective program of staff evaluation and improvement.

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

6. Prepares a budget in line with the needs of the College, and approves expenditure of funds appropriated to the College by the federal or Commonwealth government or donated to the College by any other entity.

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:



- 7. Guides capital improvement activities and ensures safe and adequate facilities and grounds in order to maintain a quality learning environment.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 8. Represents the College to the community and maintains an adequate public information service.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 9. Enters into contracts, cooperative agreements, and such other transactions as may be helpful to conduct the business of the College.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:



**10. Appoints and terminates staff and faculty consistent with applicable Human Resources rules and regulations.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

**11. Accepts gifts, grants, donations, bequests, or other contributions on behalf of the Board and depositing the same in a College Trust Fund for the exclusive use and expenditure of the College, as approved by the Board.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

**12. Formulates reports required by local and federal agencies.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:





- 13. Approves regulations and activities of groups and organizations functioning within the College.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 14. Subject to prior review and approval by the Board, establishes respective faculties and staff for the various departments and other divisions of the College, approves their programs and courses of studies, and modifies or disestablishes the same as the President may deem most appropriate to carry out the policies, goals, and general directions established by the Board for the College.**

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

- 15. Long term goal: Construction of new campus building that is state of the art and energy efficient. This project will take 3-4 years.**

Year 1: progress will be evaluated based on the following accomplishments:

- 1) completion of facilities master planning and Board approval to include financing plan;
- 2) completion of architectural and engineering and design plans.

Year 2: Ground breaking and start construction.

Year 3: Construction ongoing with regular progress reports to Board of Regents.

Year 4: Construction completion/furnishing and move in.

Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:



**16. Long term goal: Repair and expansion of NMC gym.**

A. Architectural and engineering due Feb. 2018.

B. Completion of gym: estimated 2019.

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Outstanding	Above Average	Satisfactory	Limited	Not Acceptable
5	4	3	2	1

Comments:

**Overall Rating:**

Board Chair:

*Commendations:* \_\_\_\_\_

*Recommendation:* \_\_\_\_\_

*General Comments:* \_\_\_\_\_

**Signatures:**

Board Chairman: \_\_\_\_\_

Board Vice-Chair \_\_\_\_\_

Board Treasurer: \_\_\_\_\_

Regent: \_\_\_\_\_

Regent: \_\_\_\_\_

Regent: \_\_\_\_\_

Regent: \_\_\_\_\_

Date of Evaluation: \_\_\_\_\_