



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN
Board of Regents

UOG Station, Mangilao, Guam 96923
Telephone: (671) 735-2995 • Fax: (671) 734-2296

REGULAR MEETING

**Thursday, June 20, 2013, 5:30 p.m., AV Room 1, RFK Library,
Tan Siu Lin Building, UOG Campus, Mangilao, Guam**

AGENDA

- 1.0 CALL TO ORDER**
- 2.0 MEETING MINUTES**
- Action 2.1 Regular Meeting Minutes of May 16, 2013**
- Information 3.0 CHAIRMAN'S REMARKS**
- Information 4.0 PRESIDENT'S REPORT**
- 5.0 REPORTS FROM STANDING COMMITTEES**
 - 5.1 Academic, Personnel and Tenure Committee**
 - Information 5.1.1 Resolution No. 13-15, Relative to Authorizing the Application to the U.S. Department of Health, Administration for Children & Families, Administration for Native Americans (ANA) to Support the University of Guam Grant Proposal, "Estoriayi I Famagu'on-ta; Telling Our Children Our Stories"**
 - 5.2 Student Affairs, Scholarship, Alumni Relations, and Honorary Degree Committee**
 - 5.3 Budget, Finance, Investments and Audit Committee**
 - Information 5.3.1 Collections Report**
 - Information 5.3.2 Procurement Transactions and Contracts Report**
 - 5.4 Physical Facilities Committee**
- 6.0 NEW BUSINESS**
 - Action 6.1 Resolution No. 13-16, Relative to Approving the Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards**
 - Action 6.2 Resolution No. 13-16, Relative to Establishing the Research Corporation of the University of Guam (RCUOG)**
 - Information 6.3 Public Law 32-031, Relative to Providing for Educational Programs for Members of Boards and Commissions**
- 7.0 OPEN PRESENTATION (3 Minute Limit Per Person)**
- 8.0 EXECUTIVE SESSION**
 - 8.1 Presidential Evaluation Committee report**
- 9.0 Voting File**

- Action**
- 9.1 Presidential Evaluation Committee report**
- 10.0 ADJOURNMENT**

Chairperson W. Chris Perez will call the meeting to order.



**UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN**

Board of Regents

UOG Station, Mangilao, Guam 96923
Telephone: (671) 735-2995 Fax: (671) 734-2296

**Regular Meeting Minutes
May 16, 2013**

1.0 CALL TO ORDER

The Regular Meeting of the Board of Regents (BOR) was called to order by BOR Chairperson W. Chris Perez on May 16, 2013, at 5:40 p.m., in AV Room #1, University of Guam RFK Library, Tan Siu Lin Building, notice of such meeting having been duly and regularly provided by the BOR.

QUORUM:

W. Chris Perez	Chairperson
William Leon Guerrero	Vice Chairperson
Marcos Fong	Treasurer
Kathy Sgro	Member
Toni Sanford	Member
Elizabeth Gayle	Member
Anthony Quenga	Member

ALSO PRESENT:

Robert A. Underwood	Executive Secretary
Louise M. Toves	Recording Secretary
Victorina M.Y. Renacia	Legal Counsel

2.0 MEETING MINUTES

2.1 Regular Meeting Minutes of April 18, 2013

Regent Sgro moved for approval of the Regular Meeting Minutes of April 18, 2013 subject to corrections, which was duly seconded. The motion carried.

3.0 CHAIRPERSON'S REMARKS

Chairperson Perez expressed his appreciation to the Regents for their attendance and continued service to the University. He reported that there are two individuals who will soon be ending their service at the University. He thanked Regent Sgro for her service as a Regent, Chairperson of the AP&T Committee and the Presidential Evaluation Committee, and as Vice Chairperson of the BOR, noting that her term is scheduled to end in August, 2013. He also extended the BOR's appreciation to Dr. Helen Whippy, Senior

Board of Regents Regular Meeting Minutes of May 16, 2013

Vice President for Academic and Student Affairs, noting that her contributions toward the stability and progress of UOG are evident throughout her tenure. He reported that Dr. Whippy will be leaving the University at the end of the summer to become provost at Chaminade University in Hawaii.

4.0 PRESIDENT'S REPORT

President Underwood gave the President's report, a summary of which is attached.

5.0 REPORTS FROM STANDING COMMITTEES

5.1 Academic, Personnel, and Tenure Committee

5.1.1 Resolution No. 13-13, Relative to Authorizing the Application to the U.S. Department of Health, Administration for Children & Families, Administration for Native Americans (ANA) to Support the University of Guam Grant Proposal, "Ma'Adahen I Fino Chamorro Gi Koleho" Preservation of Chamorro Language in Post-Secondary Education

Regent Sgro reported that as previously authorized by the BOR, Resolution No. 13-13 was approved by the Chairman to facilitate the submission of the grant proposal, "Ma'Adahen I Fino Chamorro Gi Koleho" Preservation of Chamorro Language in Post-Secondary Education.

5.1.2 Resolution No. 13-14, Relative to Approving the Voluntary Faculty Phased Retirement Program

Regent Sgro introduced Resolution No. 13-14, which was duly seconded. The motion carried.

5.2 Student Affairs, Scholarship, Alumni Relations and Honorary Degree Committee

Regent Fong reported that there was no information to report.

5.3 Budget, Finance, Investments and Audit Committee

Regent Fong reported that the BFIA committee did meet and a financial update was provided, however, there are no action items to be addressed.

5.4 Physical Facilities Update

Regent W. Leon Guerrero provided the Physical Facilities update.

Board of Regents Regular Meeting Minutes of May 16, 2013

5.4.1 Update on UOGEF's USDA Financing of Student Services Center, Engineering Annex, and Refinancing of Jesus S. and Eugenia A. Leon Guerrero SBPA Building

Regent W. Leon Guerrero explained that additional requirements are being requested by the USDA in support of the loan application by UOGEF for the financing of the Student Services Center, Engineering Annex, and refinancing of the Jesus S. and Eugenia A. Leon Guerrero SBPA Building. He moved that the BOR authorize the Chairman of the Board of Regents or the Chairman of the Physical Facilities Committee to review and approve information to be provided to the USDA as required in order to further process the UOGEF's direct loan application, and that the BOR Executive Secretary attest to such approval, as required. The motion was duly seconded and carried.

6.0 AD HOC REPORT: ENDOWMENT FOUNDATION UPDATE

There was no report made.

7.0 NEW BUSINESS

Chairperson Perez noted that a calendar for the BOR meetings for the 2013-2014 academic year has been prepared for planning purposes. He asked that it be posted on the UOG webpage.

8.0 OPEN PRESENTATION (3 Minute Limit per Person)

Chairperson Perez opened the floor for open presentations

Faculty Union President Don Platt reported that Faculty Union election was held 2 weeks ago, and he was elected to his 13th term as President of the Faculty Union. He expressed his appreciation to both Regent Sgro and SVP Whippy for their service to UOG.

Chairperson Perez noted that LTC Scott Bartley, Professor of Military Science at UOG's Senior ROTC program, will be ending his tour at UOG. He asked that LTC Bartley be recognized for his outstanding service to the University prior to his departure.

9.0 EXECUTIVE SESSION

9.1 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. Angeline L. Ames, Associate Professor of Sociology

9.2 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. Grazyna Badowski, Associate Professor of Mathematics

Board of Regents Regular Meeting Minutes of May 16, 2013

- 9.3 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. Frank Camacho, Assistant Professor of Biology**
- 9.4 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. Aubrey Moore, Assistant Professor of Plant Pathology**
- 9.5 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. LisaLinda Natividad, Associate Professor of Social Work**
- 9.6 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Michael Stoil, Associate Professor of Political Science**

10.0 VOTING FILE

Upon returning to Open Session, Chairperson Perez opened the floor to address the recommendations discussed in Executive Session.

10.1 Tenure Application of Dr. Angeline Ames

Regent Sgro moved for the approval of the tenure application of Dr. Angeline Ames, which was duly seconded. The motion carried.

10.2 Tenure Application of Dr. Grazyna Badowski

Regent Sgro moved for the approval of the tenure application of Dr. Grazyna Badowski, which was duly seconded. The motion carried.

10.3 Tenure Application of Dr. Frank Camacho

Regent Sgro moved for the approval of the tenure application of Dr. Frank Camacho, which was duly seconded. The motion carried.

10.4 Tenure Application of Dr. Aubrey Moore

Regent Sgro moved for the approval of the tenure application of Dr. Aubrey Moore, which was duly seconded. The motion carried.

10.5 Tenure Application of Dr. LisaLinda Natividad

Regent Sgro moved for the approval of the tenure application of Dr. LisaLinda Natividad, which was duly seconded. The motion carried.

10.6 Tenure Application of Dr. Michael Stoil

Regent Sgro moved for the approval of the tenure application of Dr. Michael Stoil, which was duly seconded. The motion carried.

Board of Regents Regular Meeting Minutes of May 16, 2013

Chairperson Perez asked that all those granted tenure this evening be notified and invited to attend the next BOR meeting to allow the BOR members to meet them.


11.0 ADJOURNMENT

Chairperson Perez adjourned the meeting at 6:08 p.m.



Dr. W. Chris Perez, Chairperson

ATTESTED:

 *acting 6/25/13*

Dr. Robert A. Underwood, Executive Secretary

PRESIDENT'S REPORT
May 16, 2013

1. Good To Great

The University held a UOG Citizens Assembly on Thursday, May 9, 2013. Over 347 staff, faculty, administrators and students attended. I want to thank Regent Kathy Sgro for making the time to attend as well.

2. Commencement

The updated number of graduates for the Spring 2013 semester is now a total of 318, of which 30 are receiving are receiving bachelor of nursing degrees and 80 are receiving master's degrees. The commencement speaker is Mr. Henry Tan, who is an alumnus of UOG and will also be receiving an Honorary Degree at the ceremony.

3. Retirement of Dr. Helen Whippy

Dr. Helen Whippy, Senior Vice President for Academic and Student Affairs, will be retiring and moving to Hawaii in August, where she has been selected to serve as Provost at Chaminade University. Dr. Whippy has served as the rudder for this institution over the past 12 years, helping to stabilize the University and keep it on course in its mission of ina, diskubre, setbe. She is greatly appreciated and will be greatly missed.

4. Alumni Affairs

The G Factor 2, a talent showcase, will be held tomorrow night at the Westin Resort. Since this is our last meeting until the Fall, I would like to also remind you that the Founders Day Gala will also be held on June 8th at the Hyatt Regency Guam.

5. Capital Campaign Donors

This month's business partner is Froots, which is located in both the Agana Shopping Center and the GPO mall. Please tell them you are there to support the Big G, and 20% of your purchase will go to the capital campaign.

I would also like to express condolences to the family of UOGEF Executive Director Mark Mendiolo on the passing of his father, Benny Flores Mendiola. A memorial service will be held at the Seventh-day Adventist Church in Agana Heights on Tuesday, May 21st.

6. Students

At the last meeting, I reported that two faculty members, Dr. John Jenson and Dr. Mark Lander, of UOG's Water and Environmental Research Institute (WERI) were named as the recipients of the 2013 National Institutes for Water Resources (NIWR) National Impact Award for their project analyzing the salinity in the Northern Guam Lens Aquifer. While supervised by Dr. Jenson and Dr. Lander, the project was developed and undertaken by UOG graduate student Mrs. Christine Simard for her thesis research in UOG's graduate Environmental Science program last year. Mrs. Simard's thesis also

earned her the first UOG Presidential Thesis Award, which was presented at the 2012 spring commencement. Mrs. Simard will deliver a presentation on the project at the Universities Council on Water Resources-NIWR Conference at Lake Tahoe in June, along with her advisor on the project, Dr. Jenson. The two-year study produced a comprehensive evaluation of salinity trends in the 153 production wells in the Northern Guam Lens Aquifer (NGLA), beginning with the earliest records dating back to 1973. The NGLA provides 80% of the potable water for the 186,000 residents of Guam.

7. Recognition

Dr. Margaret Hattori-Uchima will be awarded the Distinguished Dissertation Award at the College of Nursing Convocation for Villanova University to be held next week. In a letter from Dr. M. Louise Fitzpatrick, Connelly Endowed Dean and Professor of Nursing, Dr. Hattori-Uchima was informed that the committee found her dissertation “to be of exceptionally high quality that makes a valuable contribution to the literature about health disparities.”

UOG will be paying the Merit Bonus to over 100 employees dating back to 1991, which will total about \$500K for active employees. This will increase when the cost to pay prior employees/retirees is calculated.

The CNMI Senate has passed a resolution thanking the University for its role in providing a quality education for the people of the CNMI, along with other institutions. Over the past 10 years, UOG has served 587 students from the CNMI.

Chairperson W. Chris Perez will give his report.

President Robert Underwood will give his report.

Reports will be given for each of the standing committees.

AP&T Chairperson Regent Kathy Sgro will give her report.



UNIVERSITY OF GUAM
UNIBETSEDÅT GUAHAN
BOARD OF REGENTS

Resolution No. 13-15

RELATIVE TO AUTHORIZING THE APPLICATION TO THE
U.S. DEPARTMENT OF HEALTH, ADMINISTRATION FOR CHILDREN AND FAMILIES,
ADMINISTRATION FOR NATIVE AMERICANS (ANA) TO SUPPORT
THE UNIVERSITY OF GUAM GRANT PROPOSAL, "ESTORIAIYI I FAMAGU'ON-TA;
TELLING OUR CHILDREN OUR STORIES"

WHEREAS, the University of Guam was established in 1952 by Public Law 19-40, as a Government Higher Educational Institution, whose mission is "Ina, Diskubre, Setbe – To Enlighten, To Discover, To Serve;" and

WHEREAS, the University of Guam is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges (WASC) serving the post-secondary needs of the people of Guam and the region; and

WHEREAS, the University is submitting a grant application entitled "*Estoriayi I Famagu'on-ta: Telling our Children Our Stories*" under the Richard Flores Taitano Micronesian Area Research Center (RFT-MARC) to address the crucial need for literary resources that demonstrate Chamorro cultural values and practices in traditional and modern contexts; and

WHEREAS, University of Guam employees are offered membership in the Government of Guam Retirement Plan; and

WHEREAS, the proposed salaries and fees are in line with University of Guam salaries and fee schedules, the Government of Guam pay scale, and the local fair market value; and


WHEREAS, the "*Estoriayi I Famagu'on-ta*" project is approved for the current funding opportunity under Native American Social and Economic Development Strategies (SEDS) CFDA #93.612, for a period of three years, commencing August 2013, and the matching fund requirement is waived by U.S. Public Law 98-454 Title IV, Section 601(b).

NOW, THEREFORE BE IT RESOLVED that upon recommendation of the Administration, the Board of Regents supports and approves the RFT-MARC proposal and authorizes submittal of the application, with the President of the University of Guam authorized to sign all application documents and negotiate on behalf of the University of Guam.

Adopted this 5th day of May, 2013


Dr. W. Chris Perez, Chairperson

ATTESTED:


Dr. Robert A. Underwood, Executive Secretary



UNIVERSITY OF GUAM

Graduate Studies, Research and Sponsored Programs

UNIBETSIDĀT GUAHAN

OFFICE OF RESEARCH AND SPONSORED PROGRAMS TRANSMITTAL FORM
FOR GRANTS, CONTRACTS, AND PROJECTS

Proposal Title: <i>Estoriagi a Famagu'onta: Telling Our Children Our Stories</i>			
Proposal Submission Date: <i>6/6/13</i>		Submittal No.:	Award Date:
Principal Investigator/Program Director: <i>Monique Stonie</i>		Agency/Sponsor: <i>ANA-SEDS</i>	
Department:	<i>MARC</i>	Agency Contact:	
Tel.:	<i>735 2162</i>	Agency Tel.:	
Email:		Agency Email:	
Fax:	<i>734 7403</i>	Agency Fax:	
Checklist & comments:	<i>Proposal Abstract or Executive Summary attached</i>	<input checked="" type="checkbox"/> Yes	No
	<i>Guidelines attached (if applicable)</i>	Yes	No
	<i>Budget attached</i>	<input checked="" type="checkbox"/> Yes	No
<i>Needs IRB approval</i>	<i>Institutional Review Board Application form attached (for human subjects only)</i>	Yes	No
<i>Needs IACUC approval</i>	<i>Institutional Animal Care & Use Committee form attached (for vertebrate animal subjects)</i>	Yes	No
	<i>Grants.gov submission? (if yes, submission date: <u>6/6/13</u>)</i>	<input checked="" type="checkbox"/> Yes	No
	<i>Cross-Unit Load Form (if applicable)</i>	Yes	No
	<i>FTE % _____</i>	Yes	No

ASSURANCES, CERTIFICATIONS, AND APPROVALS

- Each signatory (PI/PD and all key/senior personnel) certifies that the application is complete, true, and accurate to the best of his/her knowledge and does not infringe on the property rights of others.
- If the application is awarded, the PI/PD agrees to accept responsibility for the conduct of the project and to comply with award terms and conditions and University policies and practices. The PI/PD and key personnel will complete PI/PD training module provided by ORSP.
- Each signatory also acknowledges that any false, fictitious or fraudulent statement or claims may subject him/her to criminal, civil or administrative penalties.
- The PI/PD, and as applicable, other signatories, is/are responsible for informing ORSP of any material changes to compliance certifications that may occur while the application is pending or if awarded, during the duration of support.
- Intellectual Property: the PI/PD, all key/senior personnel and all other University personnel on this project have agreed (or will agree if yet to be hired) to assign to the University all intellectual property rights developed in the course of the project.
- Neither the PI/PD, nor any key/senior personnel or others working on the project (including subrecipients or consultants), are, to the best of their knowledge, debarred, suspended or proposed for debarment by any federal department or agency.

The University President is the final signatory for all grants and contracts.

Title/Role:	Printed Name:	Signature:	Date:
PI/PD	<i>Michael Leon Bevacqua</i>	<i>[Signature]</i>	<i>6/4/13</i>
Co-PI/PD (if applicable)			
Dean/Director			
AVP	<i>[Signature]</i>	<i>6/4/13</i>	
SVP (if applicable)			

ORSP 10/23/2012

Admin. Office: 671-735-2676 Grad. Studies: 671-735-2170 Research & Spon. Prog.: 671-735-2672
GSRSP is located on the first floor of the Health Science Building

Budget Narrative

A. Personnel:

Total Personnel cost for the three year period is \$189,741. MARC will hire a Managing Editor and Graphics Editor. These two people will be responsible for the actual book development. The amount of \$111,000 (or \$37,000 x 3) covers the managing editor's salary. The managing editor is responsible for the development and implementation of program activities, will serve as editor and mentor to authors, and will assist with brand development and marketing. The Managing Editor is a full-time position. The amount \$78,741 covers the Graphics Editor's salary who is responsible for managing artists to meet deadlines, set layout and design work and assist with printing and marketing. This position holds a quarter load or 520 hours during the Academic year and half load or 720 hours during the summer.

B. Fringe Benefits:

Fringe benefits are calculated at the University of Guam at a range of 8% to 28% of the total salary. Fringe benefits include health, dental, and life insurance, retirement, and social security. The percent required for health is contingent upon family size and choice of health plan. The Managing Editor is a FTE position with full benefits i.e. health, dental, and retirement. That amount is \$14,035.

C. Travel

Travel cost is budgeted at \$39,000 for Post-award training and annual ANA Grantee meetings for 2 people. Travel and per diem is requested for Project Director +one project person to attend training in Hawaii and annual meetings in Washington, D.C.

D. Equipment

E. Supplies

Supplies cost amounts to \$6,260 which is allotted for two desktop computers, a laptop computer, software and general office supplies. The desktop computers will be used for grant management, database creation, promotional material and layout and design work. Managers would have access to the internet to the social media websites (i.e. Facebook, blogs, and dedicated website), in order to engage with community members in product development. The laptop computer will be used with In-focus projector (Estimated in-kind contribution \$1,250) for training sessions and CLAG meetings. The amounts listed for the computers were derived from the market price for computers recommended for book publishing or projects that deal with a high amount of graphics and for the software used for desktop publishing. General Office supplies equate to \$500. This cost is for writing instruments, staplers, legal paper, notepads, sticky pads, copier paper, toner cartridge, etc. This amount is conservative as compared to grants of similar size.

F. Other Direct Charges

Other Direct Charges carries the bulk of the budget at \$108,225. Over half or \$60,600 of this allotment is for professional services of the authors and illustrators for their intellectual property.

While the design and layout of the books can be done in Guam, the actual production of the books would be done off-island. The projected cost for a book run is \$3,500 (\$3.50 x 1000 copies). This manufacturing cost is based on online estimates for a work that has 32pages (the average number of pagers in a children's work) with full color processing. We added \$6,000 to cover shipping costs in the event the contracted printer does not include shipping as part of the contract. In addition, \$1,200 is allotted for postage and handling of books to University of Hawaii Press (MARC Book Distributor). UH Press's main distribution center is in Maplewood, Ohio.

To initiate its marketing plan, MARC will spend \$750 for website development. This will allow the Manager to engage with the community with product and conceptual development. MARC will purchase a list of ISBN numbers from Bowker Book Distributors for \$1,075. ISBN Numbers allows MARC to extend its marketing reach to a global scale. This series of numbers will be dedicated to the publishing of Chamorro Children's Books. Stipends of \$2000 will be given to the four participating schools for their assistance with this project. Marketing/Resource materials cover advertisements, lesson plans, activity sheets, and bookmarks.

Children's Chamorro Books
Budget

	YEAR 1	YEAR 2	YEAR 3	ANA Request	Applicant Match
<i>Personnel</i>					
Program Coordinator (Managing)	\$37,000	\$37,000	\$37,000	\$111,000	
Program Coordinator (Graphics)	\$26,247	\$26,247	\$26,247	\$78,741	
Administrative Officer	\$12,750	\$12,750	\$12,750		\$38,250
Director	\$13,991	\$13,991	\$13,991		\$41,973
Total Personnel	\$89,988	\$89,988	\$89,988	\$189,741	\$80,223
<i>Fringe Benefits 28%</i>	\$14,035	\$14,035	\$14,035	\$42,105	
<i>Travel</i>					
Travel - Post ANA Award (2pax)	\$5,000	\$17,000	\$17,000	\$39,000	
Total Travel	\$5,000	\$17,000	\$17,000	\$39,000	
<i>Supplies</i>					
General Office Supplies	\$500	\$500	\$500	\$1,500	
Computers	\$3,100	\$250	\$500	\$2,600	\$1,250
Software & Cloud Technology	\$2,160	\$0	\$0	\$2,160	
Total Supplies	\$5,760	\$750	\$1,000	\$6,260	
<i>Other Direct Cost</i>					
Office Space	\$9,120	\$9,120	\$9,120		\$27,360
Meeting Room Rental	\$600	\$300	\$600		\$1,500
Communications: phones, intern	\$1,500	\$1,500	\$1,500		\$4,500
<i>Professional Services</i>					
*4-Writers	\$10,200	\$10,200	\$10,200	\$30,600	
*4-Illustrators	\$10,000	\$10,000	\$10,000	\$30,000	
*Translator	\$700	\$700	\$700		\$2,100
Stipends	\$2,000	\$2,000	\$2,000	\$6,000	
Postage/Distribution	\$1,200	\$1,200	\$1,200	\$3,600	
Publishing	\$7,000	\$13,500	\$10,000	\$30,500	
Copying/Printing	\$1,000	\$1,000	\$1,000		\$3,000
ISBN Purchase	\$1,075	\$0	\$0	\$1,075	
Website Development	\$750	\$0	\$0	\$750	
Marketing/Resource Materials	\$9,000	\$15,000	\$11,700	\$4,200	\$31,500
Total Other Direct Costs	\$54,145	\$64,520	\$58,020	\$106,725	\$69,960
<i>Indirect Costs (57% of salary)</i>	\$36,683	\$36,683	\$36,683	\$110,050	
Total	\$205,611	\$222,976	\$216,726	\$493,880	\$150,183

23%

Children's Chamorro Books
Budget

Total
\$269,964
\$42,105
\$39,000
\$6,260
\$176,685
\$110,050
\$644,063

SASARHD Chairperson Regent Marcos Fong will give his report.

BFIA Chairperson Regent Marcos Fong will give his report.

BOR regular meeting June 20, 2013 for reporting requirements - Reports from Standing Committees

University of Guam
Collections Report
as of
May 31, 2013

1. SFAP Receivables Data May-31-13				
	Principal \$	Interest \$	Paid \$	Balance
Service Credit	14.2M	N/A	4.1M	10.10M
Deferred	1.55M	N/A	N/A	1.55M
In-School	3.70M	N/A	N/A	3.70M
Paying	1.46M	336K	769K	1.03M
Non-Paying	6.88M	2.01M	1.52M	7.37M
				} 8.40M

3. Combined Total Outstanding				
	May '13	April '13	March '13	Feb. '13
YEC	1,547,079	1,596,907	1,577,628	1,577,501
Merit	2,592,459	2,455,017	2,600,428	2,600,077
Nurses	213,165	207,851	215,313	238,177
DocFellow	588,615	589,115	590,015	590,415
Doc Sanchez	146,713	147,038	147,213	147,613
Pro-Tech	1,112,149	989,726	972,307	1,121,683
Student Loan	2,202,656	2,185,669	2,183,406	2,204,135
Total	8,402,836	8,171,323	8,286,310	8,479,601

1.a. Monthly Aging Summary (Paying/Non-Paying)

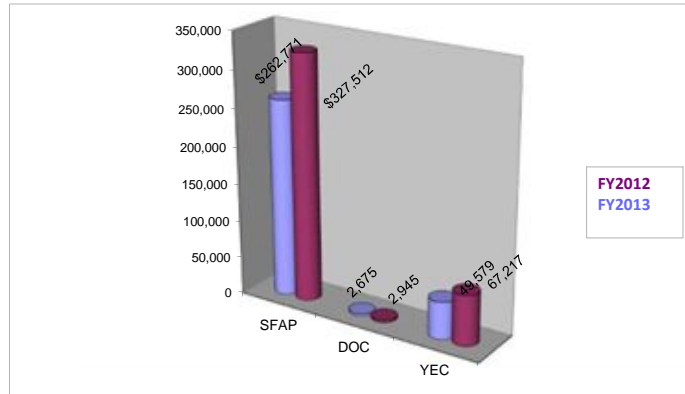
	TOTAL	0-30	31-60	61-90	over 90
YEC	1,547,079	61,302	56,753	21,551	1,407,473
Merit	2,592,459	183,541	97,339	37,668	2,273,911
Nurses	213,165	50,523	10,719	0	151,923
DocFellow	588,615	289,385		0	299,230
Doc Sanchez	146,713	12,394	13,881	11,372	109,066
Pro-Tech	1,112,149	74,754	0	0	1,037,395
Student Loan	2,202,656	63,624	37,753	2,246	2,099,033
Total	\$8,402,836	\$735,523	\$216,445	\$72,837	\$7,378,031

	ACTUAL COLLECTIONS					Forecast by Bursar		7 mo Actual
	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	
SFAP	624,302	491,655	395,951	571,176	614,500	501,629	465,889	262,771
DOC	15,371	16,912	11,520	4,111	5,120	4,445	4,111	2,675
YEC	167,775	123,065	116,420	117,956	98,762	109,950	80,000	49,579
PROJECTION:	\$ 807,448	\$ 631,632	\$ 523,891	\$ 693,243	718,382	616,024	550,000	\$ 315,025
					625,000	625,000	550,000	57% Actual 67% Forecast

Collections Comparison 2012 and 2013 YTD ending May 31, 2013

2. Collections Data

	FY2012	FY2013	YTD 5/12	YTD 5/13
	Month end	Month end	YTD	YTD
	May-12	May-13	May-12	May-13
1 SFAP	\$ 35,634	\$ 26,329	\$ 327,512	\$ 262,771
2 DOC	500	\$ 325	2,945	2,675
3 YEC	3,288	\$ 2,367	67,217	49,579
Total	\$ 39,422	\$ 29,021	\$ 397,674	\$ 315,025



Shaded area is under review



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN

Administration and Finance
Office of the Comptroller

**FY 2013 Procurement Report
As of May 2013**

Compliance with BOR Resolution 05-54 (Adopted 12/5/05): At each monthly Board meeting, the Board requires a listing of approved procurement transactions and contracts greater than \$100,000.

	Purchase Order > \$100k		Vendor	Description
	Count	\$ Value		
October 2012	1	\$228,591.77	G4S Security System (Guam)	Security Service renewal and alarm system maintenance for FY2013
November 2012	0	\$0	NA	NA
December 2012	0	\$0	NA	NA
January 2013	0	\$0	NA	NA
February 2013	0	\$0	NA	NA
March 2013	0	\$0	NA	NA
April 2013	0	\$0	NA	NA
May 2013	1	\$298,494.00	Ellucian/Datatel	Renewal of annual support and maintenance of the UOG Colleague Financial System
June 2013				
July 2013				
August 2013				
September 2013				
	Contracts > \$100k			
October 2012	1	\$177,244.00	James W. Stanford	Review of the Micronesia Bio-security Plan and develop a strategic implementation plan
	2	\$187,477.00	Premier International, inc. dba Carpet Master & The Shutters	Office Graduate Studies UOG BID P41-12 Installation of new storm shutters @ HSS, EC, and Marine Lab
	3	\$144,580.00	U.S. Geological Survey (USGS)	Cooperative Water Program agreements for water resource monitoring (WERI)
	4	\$400,000.00	Guam Cancer Care	Cancer Support Services Guam Cancer Research
November 2012	0	\$0	NA	NA
December 2012	1	\$156,423.00	Department Public Health	CEDDERS Training & technical support for Project Bisita I Families program
	2	\$103,249.00	Social Services	Guam Cancer Registry support of the program
	3	\$405,166.00	Department Public Health Social Services	
	4	\$169,571.40	Office of the Governor	Graduate Studies, SP&R Military Integration and growth initiative Amend to original contract period extension
	5	\$359,990.00	Guam Department of Education	CNAS-CES for School Lunch and breakfast cost study
			Guam Department of Labor	UOG Americorps Success Center In support of the program at UOG
January 2013	0	\$0	NA	NA
February 2013	1	\$109,843.00	Guam Cancer Trust Fund (GCTF)	For youth tobacco cessation UOG Guam Cancer Research Center
March 2013	1	\$177,971.25	SOFTDOCS, INC.	UOG BID P31-12 IT DOCUMENT MANAGEMENT (IMAGING & WORKFLOW APPLICATIONS) for

	2	\$150,000.00	The Edward M. Calvo Cancer Foundation	HRO For support services- Guam Cancer Trust Fund (GCTF)
April 2013	1	\$182,949.66	Guam Department of Agriculture	MOU with CNAS to implement "In Vitro Propagation of Pacific Island Crops of Guam"
	2	\$245,035.00 increase from \$154,896.00	Guam Community College	For Area Health Education Center (AHEC) program Amendment to original contract for the increase
	3	\$227,483.00 increase from \$154,896.00	College of Marshall Islands	For Area Health Education Center (AHEC) program Amendment to original contract for the increase
	4	\$241,296.00 Increase from \$154,896.00	College of Micronesia FSM	For Area Health Education Center (AHEC) program Amendment to original contract for the increase
May 2013	0	\$0	NA	NA
June 2013				
July 2013				
August 2013				
September 2013				

New Business will be introduced at this time.



UNIVERSITY OF GUAM
UNIBETSEDÅT GUAHAN
BOARD OF REGENTS

RESOLUTION NO. 13-16

RELATIVE TO APPROVING THE ELECTIONS RULES PERTAINING TO DIRECTORS,
NORTHERN AND SOUTHERN SOIL AND WATER CONSERVATION DISTRICT BOARDS

WHEREAS, the governance and control of the University of Guam is vested in the Board of Regents (BOR) of the University of Guam; and

WHEREAS, the provisions of Chapter 71, Title 5, of the Guam Code Annotated, establishing the Northern and Southern Soil and Water Conservation District and District Boards, require the University of Guam to conduct, every three years, the election of all district directors, and in conjunction therewith, promulgate the necessary rules by which farmers, farm land owners, and land occupiers shall nominate and elect, from among their number, district directors; and

WHEREAS, the President of the University of Guam through his designee, the Dean/Director of the College of Natural and Applied Sciences, conducted a public hearing on June 14, 2013 for the Proposed Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards; and

WHEREAS, having taken into consideration the testimonies presented during the aforementioned public hearing, the attached Proposed Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards is submitted herewith for adoption; and

WHEREAS, the Dean of the College of Natural and Applied Sciences has certified that the Proposed Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards complies with the appropriate Public Laws and University Rules and Regulations; and


WHEREAS, the Administration recommends to the Board for approval the Proposed Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards.

NOW, THEREFORE BE IT RESOLVED, that Board of Regents hereby approves the Election Rules Pertaining to Directors, Northern and Southern Soil and Water Conservation District Boards.

Adopted this 20th day of June, 2012.


W. Chris Perez, M.D., Chairman

ATTESTED:


Robert A. Underwood, Ed.D., Executive Secretary



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN

College of Natural and Applied Sciences

**ELECTION RULES PERTAINING TO DIRECTORS,
NORTHERN AND SOUTHERN SOIL AND WATER CONSERVATION DISTRICT BOARDS**
[As Authorized by Chapter 71, Title 5 of the Guam Code Annotated.]

I. DEFINITIONS.

1. **Director, or district director**, means a member of either the Northern or Southern District Board.
2. **District** means the Northern Soil and Water Conservation District and the Southern Soil and Water Conservation District.
3. **Northern Soil and Water Conservation District, or Northern District**, means the entire land area that is situated to the North of Route 4 that extends from Agana Bay Paseo Loop Bridge to Pago Bay Bridge.
4. **Southern Soil and Water Conservation District, or Southern District**, means the entire land area that is situated to the South of Route 4 that extends from Agana Bay Paseo Loop Bridge to Pago Bay Bridge.
5. **District Board** means the government of Guam board comprised of individuals elected by local farmers, farmland owners or land occupiers to fulfill the duties of Chapter 71, 5GCA.
6. **Northern Soil and Water Conservation District Board, or Northern District Board**, means the District Board which shall govern the Northern District as described in 3 above.
7. **Southern Soil and Water Conservation District Board, or Southern District Board**, means the District Board which shall govern the Southern District as described in 4 above.
8. **Farmer** means a resident registered as a farmer by the Department of Agriculture.
9. **Farmland Owner** means a person, firm, or corporation who is an owner or operator of land used for the purpose of producing aquaculture products, bushes, crops, fruit or nut-bearing trees, herbs, livestock, ornamentals, timber or vines.
10. **Land Occupier** means any person, firm, or corporation who holds title to or, in the case of leased land, the person, firm, or corporation who holds possession of any lands lying within a district.

12. **Registry of Active District Members** means the official listing of eligible voters and district director candidates for the district as required by law to be maintained and periodically updated by each district board.

13. **University** means the University of Guam.

II. NOMINATIONS AND ELECTION OF DIRECTORS, COMPOSITION OF DISTRICT BOARDS, TENURE OF DIRECTORS; AND BOARD VACANCIES.

1. **Nomination and Election of Directors.** Farmers or farm land owners or land occupiers from within each district shall nominate individuals, from among their number, to serve as non-partisan district directors; and shall elect five (5) directors from among those nominated.

2. **Composition of District Boards.** Each Soil and Water Conservation District Board shall: (a) be composed of five (5) directors, each of whom is largely engaged in farming and is a land occupier of the district to which they are elected to serve; (b) select a chairperson and a vice chairperson from among the five (5) directors, who shall be elected by at least three (3) affirmative votes; and (c) have assigned to it an advisor from the University.

3. **Tenure of Directors.** Each district director shall be elected to serve for a term of three (3) years.

4. **Board Vacancies.** Vacancies shall be filled for an unexpired term. The selection of a successor to fill a vacancy for an unexpired term shall be made by I Maga'láhen Guåhan within thirty (30) days of the notification of such vacancy; such selection to be subject to the advice and consent of I Liheslaturan Guåhan.

III. ELECTION PROCEDURES.

1. **Election Overseer.** The University, via the Dean/Director of the College of Natural and Applied Sciences (CNAS) or his/her designee(s), shall oversee the entire election process. Prior to each election cycle, the Dean/Director or his/her designee(s) shall: (a) obtain an updated copy of the Registry of Active District Members from each District Board, (b) call for nominations from each district, (c) develop and print ballots for election, (d) effectuate media coverage about the election as much as possible in both print and electronic media, (e) conduct the actual election, (f) tabulate the election results and forward same to the President of the University for certification purposes.

2. **Election Frequency.** Commencing August 2013, the Election of District Directors shall be held every three years thereafter.

3. **Number of Officials to be Elected.** As provided by law, a total of five (5) directors shall be elected for the Northern District and a total of five (5) directors shall be elected for the Southern District.

4. **Nominators, Candidates and Voters.** Only those individuals who are listed on the Registry of Active District Members are eligible to Nominate, to be nominated as a candidate for the office of district director and vote in their respective district.

5. **Call for Nominations of Candidates.** The call for nominations of candidates for both districts shall commence on the 15th day of July of an election year.

6. **Nomination Form.** The CNAS Dean/Director's Office shall make available nomination forms for use by eligible nominators in submitting names of eligible nominees. The nomination form shall include the "Consent to Nomination" provision indicating the nominee's willingness to accept and perform the duties and responsibilities of a district director upon successful election.

7. **Dual District Active Member.** In the event a Farmer, Farmland Owner and/or Land Occupier farms and/or owns farmland/land in both districts, said Farmer, Farmland Owner and/or Land Occupier shall be restricted to participating in nominating, voting and running for district director in ONLY one district. Said Farmer, Farmland Owner and/or Land Occupier shall decide as to which district he/she will exercise his/her rights to nominate, vote and run for district director.

8. **Deadline for Nomination of Candidates.** The deadline to submit all completed nominations forms shall be at 12:00 NOON on the First (1st) Friday of August of an election year.

9. **Ballots and Write-In Candidates.** The University shall prepare two sets of ballots, one for the northern district and one for the southern district. Only those nominees listed on the Registry of Active District Members will be placed on the respective set of ballots. Provisions for write-in candidates will be made on the ballots but only those write-in candidates whose names appear on the Registry of Active District Members will be considered in the counting.

10. **Election Day.** The election will be held on the Third (3rd) Tuesday of August of an election year.

11. **Voting Poll and Hours.** The voting of directors shall be held in a suitable building on the campus of the University and voting shall be held from 8:00 A.M. until 7:00 P.M.

12. **Absentee Voting.** There shall be no provisions for absentee voting.

13. **Ballot Counting.** The counting of the ballots shall commence the day after the election and will be conducted by designated University employees under the supervision of Dean/Director of CNAS at a designated building on the campus of the University. Up to two witnesses from each of the two districts shall be present at the counting as designated by each district board.

IV. CERTIFICATION OF ELECTION

1. The Dean/Director of CNAS shall present an Election Results Report, in writing, to the President, University of Guam, indicating the final tabulation of ballots to include the total number of votes each candidate received as well as to enumerate the winning candidates from one (1) through five (5) for each district.

2. Upon receipt of the Election Results Report and to his satisfaction, the President shall certify the results and a copy of the results be immediately transmitted to the Governor of Guam, the Speaker of the Guam Legislature, the Chairman of the Legislative Committee that oversees the Soil and Water Conservation Districts, and the respective District Boards.

3. All election related documents such as nomination forms, ballots and tabulations will be made available for review and will be kept in the Office of the Dean/Director of CNAS for a period of sixty (60) working days before they are destroyed. The report will be kept indefinitely for historical purposes.

-End-



**UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN
BOARD OF REGENTS**

RESOLUTION NO. 13-17

**RELATIVE TO ESTABLISHING THE RESEARCH CORPORATION
OF THE UNIVERSITY OF GUAM (RCUOG)**

WHEREAS, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges (WASC) serving the post-secondary needs of the people of Guam and the region; and

WHEREAS, the governance and well-being of UOG is vested in the Board of Regents (BOR); and

WHEREAS, over the last decade, UOG's revenues from grants and contracts have grown to \$50 million, an over 200% increase; and

WHEREAS, these grants and contracts complement the government of Guam's appropriation to UOG by adding new revenues that assist in sustaining UOG and enabling it to grow; and

WHEREAS, this rate of increase has led to challenges in managing such remarkable growth and puts the University's ability to seek and achieve further grant and contract growth at risk; and

WHEREAS, there are over 200 research corporations at or affiliated with universities in many states and jurisdictions that have led to dramatic growth in grant and contract awards through infrastructure, regulations and systems that are tailored to research environments; and

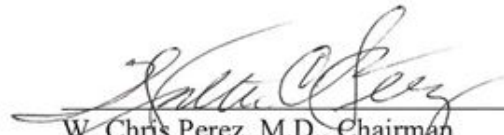
WHEREAS, UOG has the capacity to grow and expand its economic, social and environmental benefits to the people of Guam and the region while fulfilling its mission as the premier institution of higher education in the region by continuing to increase its engagement in research and educational programs funded by private and federal sponsors, to include business development through commercialization of research and public-private partnerships; and

WHEREAS, the goals of the Research Corporation of the University of Guam include: i) Grow the University's capacity to address community and regional needs; ii) Grow science, engineering and other graduate programs thus building the next generation of regional researchers; iii) Enhance the research infrastructure and facilities to support Principal Investigators and Grant Administrators; iv) Create a fiscally realistic opportunity for business development through commercialization of research and public-private partnerships; and v) Serve as a public policy opportunity to move from good to great in competing for and growing grants; and


WHEREAS, the Research Corporation of the University of Guam will exist to support UOG in meeting its mission, "Ina, Diskubre, Setbe - To Enlighten, to Discover, To Serve."

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents hereby endorses the establishment of the Research Corporation of the University of Guam.

Adopted this 20th day of June, 2013.


W. Chris Perez, M.D., Chairman

ATTESTED:

 *acting 6/25/13*

Dr. Robert A. Underwood, Executive Secretary

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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Bill No. _____

Introduced by: (B.)J.F. Cruz

**AN ACT TO ADD A NEW CHAPTER 28 TO DIVISON 2 OF TITLE
17 GUAM CODE ANNOTATED RELATIVE TO THE
ESTABLISHMENT OF THE RESEARCH CORPORATON,
UNIVERSITY OF GUAM (RCUOG)**

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent and Findings. *I Liheslaturan Guahan* finds that the University of Guam has the capacity to grow and expand its economic, social and environmental benefits to the people of Guam and the region, while fulfilling its mission as the premier institution of higher education in the region, by engaging more in research and educational programs funded by private and federal sponsors, to include business development through commercialization of research and public-private partnerships. These private contracts and federal grants complement the government of Guam's appropriation to the University by adding new revenues that assist in sustaining the University and enabling it to grow.

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1 *I Liheslaturan Guahan* further finds that in 2011 University of Guam
2 revenues from grants and contracts amounted to \$49 million, growing \$11 million
3 (29%) over the prior year. Since 2004 the University has more than doubled the
4 value of federal grants and contracts. This rate of increase has led to challenges in
5 managing such remarkable growth and puts at risk the University's ability to seek
6 and achieve further grant and contract growth.

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7 *I Liheslaturan Guahan* further finds that states and jurisdictions
8 have implemented over 200 research corporations at or affiliated with universities
9 that have led to dramatic growth in grant and contract awards through
10 infrastructure, regulations and systems that are tailored to the research
11 environment. These states have crafted legislation that provides best practice; the
12 flexibility required for grants management while remaining compliant with rules
13 and regulations such as federal OMB Circulars A-21 and A-133; and the agility
14 needed to grow grants and contracts to the benefit of their jurisdictions and
15 constituents.

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16 THEREFORE, it is the intent of *I Liheslaturan Guahan* to create a new
17 entity, to be called the Research Corporation of the University of Guam (RCUOG).

18
19 **Section 1. A new Chapter 28 is hereby added to Division ~~32~~ of Title 17**
20 **Guam Code Annotated to read as follows;**

21 **“Chapter 28.**
22 **RESEARCH CORPORATION OF THE UNIVERSITY OF GUAM**
23 **(RCUOG)**

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- 24
25 **§2801. Establishment of Research Corporation.**
26 **§2802. Purpose.**

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- 1 **§2803. Administration.**
- 2 **§2804. Officers and Employees of the Research Corporation.**
- 3 **§2805. Authorized Activities**
- 4 **§2806. Procurement**
- 5 **§2807. Annual Report**
- 6 **§2808. Dissolution**
- 7 **§2809. Special Account**
- 8 **§28010. Severability**
- 9 **§2811. RCUOG Excepted from certain Guam Laws.**

12 **§2801. Establishment of Research Corporation.** There is established as a
13 body corporate, the Research Corporation of the University of Guam (RCUOG).
14 The research corporation shall be a 501(c)(3) public corporation incorporated on
15 Guam and shall operate as an integral part of the University of Guam
16 (“University”, “UOG”).

17 **§2802. Purpose.** The purposes of the research corporation shall include, but
18 not be limited to, the promotion of assigned educational, scientific, and literary
19 pursuits of the University by:

20 (a.) encouraging, initiating, aiding, developing, and conducting training,
21 research, and study in the physical, biological, and social sciences, humanities and
22 all other branches of learning;

23 (b.) encouraging and aiding in the education and training of persons for the
24 conduct of the training, investigations, research, and study;

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1 (c.) furnishing the means, methods, and agencies by which the training,
2 investigation, research, and study may be conducted, in support of the mission and
3 best practices of the University of Guam.

4 (d.) assisting in the dissemination of knowledge by establishing, aiding, and
5 maintaining professorships or other staff positions, fellowships, scholarships,
6 publications, and lectures.

7 (e.) engaging in other means of making the benefits of training,
8 investigations, research, and study available to the public; and

9 (f.) Taking any and all other actions reasonably designed to promote these
10 purposes in the interest of promoting the general welfare of the people of the
11 Guam.

12
13
14
15 **§2803. Administration.** The affairs of the research corporation shall be under the
16 general management and control of the RCUOG Board of Directors.

17 (a.) Composition of Board of Directors.

18 (1.) The Board of Directors shall consist of up to ten members, as
19 follows.

20 Ex Officio Chief Executive Officer -- University of Guam President

21 Ex Officio Member – Senior Vice President of Academic and Student
22 Affairs

23 Ex Officio Member – Vice President of Administration and Finance

24 UOG President Appointee of up to four (4) Members (minimum of
25 two representing the community at large)

26 UOG Research Council Appointee of up to two (2) Members

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1 UOG Faculty Senate Appointee of one Member.

2
3 (2.) All members of the Board of Directors shall serve without pay,
4 but shall be entitled to reimbursement for necessary expenses while
5 attending meetings and while in the discharge of duties and responsibilities.

6 (3.) The Chairperson of the Board of Directors shall be the President,
7 University of Guam. The Senior Vice President and Vice President for
8 Administration and Finance shall serve as ex-officio members of the Board.

9 **§2804. Officers and Employees of the Research Corporation.**

10 (a.) RCUOG employees shall be governed by the RCUOG Board of
11 Directors. Rules and regulations governing the selection, compensation,
12 promotion, performance evaluation, disciplinary action and other terms and
13 conditions of employment affecting RCUOG personnel shall be adopted by the
14 Board. The Board may establish or abolish positions as necessary for the purposes
15 herein.

16 (b.) The Board of Directors shall appoint ~~the Assistant Vice President for~~
17 ~~Graduate Studies and Research and Sponsored Programs or another senior~~
18 ~~administrator of the University of Guam as~~ the Executive Director of RCUOG.

19 (c.) The RCUOG Board of Directors shall establish an employment policy
20 for the Research Corporation as necessary in administering the affairs of the
21 RCUOG.

22 (d.) Employees of the Research Corporation shall be unclassified public
23 employees. The Board of Directors shall set the employees' duties, responsibilities,
24 salaries, holidays, leaves, hours of work, and working conditions. The Board of
25 Directors may grant such other benefits to its employees as it deems necessary and
26 in accordance with RCUOG's employment policy and federal employment laws.

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1 (e.) Employees of the research corporation shall not be entitled to any
2 benefits conferred under [4GCA PUBLIC OFFICERS AND EMPLOYEES
3 CHAPTER 4 PERSONNEL POLICY AND THE CIVIL SERVICE
4 COMMISSION] relating to civil service, [4GCA PUBLIC OFFICERS AND
5 EMPLOYEES CHAPTER 4 PERSONNEL POLICY AND THE CIVIL SERVICE
6 COMMISSION] relating to public service, [4GCA PUBLIC OFFICERS
7 &EMPLOYEES CH 8 RETIREMENT OF PUBLIC EMPLOYEES] relating to
8 pension and retirement systems, and the appropriate collective bargaining
9 agreement, executive order, executive directive, or rule.

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10
11 **§2805. Authorized Activities.**

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12 (a.) To create, adopt, amend, and repeal bylaws governing the conduct of its
13 business and the exercise of the powers and performance of duties granted to it or
14 imposed upon it by law;

15 (b.) To enter into and perform such contracts, leases, cooperative
16 agreements, grants or other transactions on behalf of the University as it may be
17 necessary to facilitate the conduct of the authorized activities described in sections
18 herein.

19 (c.) To buy sell, lease, rent, hold, maintain, use and operate any property,
20 real, personal, or mixed, tangible or intangible, in accordance with the conditions
21 under which it was received and under the purposes of the RCUOG;

22 (d.) To submit each year for the approval of the board of directors an annual
23 budget. Such budget will include projected income, including indirect/Facilities
24 and Administrative revenue and a cost of operating expenses of the corporation as
25 well as the distribution plan of the net proceeds for the University's use, which
26 shall include a reasonable corporate reserve. The allocation of indirect/Facilities
27 and Administrative cost will be determined by the Board of Directors.

|

1 (e.) To receive through University policies and procedures by gifts, grants,
2 devises, bequests, or otherwise from private or public sources, any property, real
3 personal, or mixed, intangible or tangible, absolutely or in trust, to be used and
4 disposed of, either the principal or the income therefrom, in accordance with the
5 conditions under which it was received; except that no gift to the research
6 corporation shall be accepted unless approved or confirmed by the RCUOG Board
7 of Directors;

8 (d.) To operate according to project or calendar year management rather than
9 fiscal year and to operate multi-year contracts;

10 (e.) To have a corporate seal;

11 (f.) To sue and to be sued in its own name and to indemnify the University
12 against losses incurred specific to that activity;

13 (g.) To serve as trustee or beneficiary under terms of any gift, indenture, or
14 will;

15 (f.) To apply for, take out, receive by purchase or gift, hold administer, and
16 dispose of copyrights, patent rights, licenses, assignments of inventions,
17 discoveries, processes, and other property, rights or interests therein, the income
18 thereof, absolutely or subject to such conditions or trusts as may be attached
19 thereto or be imposed thereon, and to obligate itself to perform and execute any
20 and all such conditions or trusts in coordination with UOG's Intellectual Property
21 Policy;

22 (g.) To conduct research, studies, experiments, investigations, and tests in
23 all fields of knowledge; to promote and develop the scientific and commercial
24 value of inventions, discoveries, and processes; and to make published, and
25 distribute the results thereof;

1 (f.) To do any and all other acts reasonably necessary to carry out the objects
2 and purposes of the research corporation and the University, as approved by the
3 University and the RCUOG Board of Directors.

4 (g.) To coordinate and correlate activities and projects of the research
5 corporation with the work of Guam agencies for the purpose of relating research
6 work to the economic development of Guam whenever practical or desirable;

7 (h.) To stimulate and promote cooperative research projects and activities;

8 (i.) To establish and maintain, or to assist in establishing and maintaining,
9 scholarships, fellowships, and professorships, and other staff positions for the
10 purpose of aiding in the acquisition and dissemination of knowledge and to enter
11 into agreements or contracts with other corporations, organizations, institutions, or
12 persons for this purpose and to pay the necessary and appropriate expenses
13 therefor;

14 (j.) To prepare, print, or publish any manuscript, research article, report,
15 study, discussion, reference, collection, or any pictorial or schematic representation
16 or group or collection thereof, whether it belongs to or is the work of any Guam
17 agency or its employees, or the university or one of its faculty members or
18 employees, or the research corporation or its employees, or a contractor of the
19 research corporation. The printing or publication may be accomplished through
20 whatever person, company, or agency is deemed most appropriate by the board of
21 directors;

22 **§2806. Procurement.** RCUOG shall adopt a procurement policy approved
23 by RCUOG Board aligned with sound business practices and consistent with
24 federal program rules and regulations as applicable to grants, and contracts, such as
25 but not limited to OMB Circulars A-21 and A-133.

26 (Need to add terms for procurement with the use of public funds)

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1 **§2807. Annual Report.** The research corporation shall submit an annual
2 report to the University Of Guam Board of Regents, the Governor of Guam, and
3 the Guam Legislature

4 . The report shall include but not be limited to the Corporation’s audited
5 financial statements including its balance sheet, statement of income and expense,
6 and statement of cash flows and progress and accomplishments during the year.

7 **§2808. Dissolution.** In the event of the dissolution of the Research
8 Corporation, all of its property, real personal, and mixed and wheresoever situated,
9 shall vest immediately and absolutely in the University of Guam.

10 **§2809. Special Account.** The Research Corporation shall be authorized to
11 set up a special account for depositing moneys received from either public or
12 private contracts, or from private or public grants, awards, or gifts. All
13 disbursements shall be drawn on the special account upon checks prepared and
14 signed, as approved by the Executive Director of the RCUOG and at least one
15 other RCUOG officer or employee authorized by the RCUOG Board of Directors.

16 **§2810. Severability.** If any provision of this Act, or the application thereof
17 to any person or circumstances is held invalid, the invalidity does not affect other
18 provisions or applications of the Act which can be given effect without the invalid
19 provisions or application, and to this end the provisions of this Act are severable.

20 **§2811. RCUOG Excepted from certain Guam Laws.**

21 (a.) Anything relating to procurement with the use of public
22 financing[5GCA GOVERNMENT OPERATIONS CH. 22 GENERAL FISCAL
23 POLICIES AND CONTROLS]

24 (b.) Anything relating to civil service [4GCA PUBLIC OFFICERS AND
25 EMPLOYEES CHAPTER 4 PERSONNEL POLICY AND THE CIVIL SERVICE
26 COMMISSION]

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1 (c.) Anything relating to public employment [4GCA PUBLIC OFFICERS
2 AND EMPLOYEES CHAPTER 4 PERSONNEL POLICY AND THE CIVIL
3 SERVICE COMMISSION]
4 (d.) Anything relating to advertising for bids and purchases to be made in
5 Guam whenever public moneys are expended; 5GCAGOVERNMENT
6 OPERATIONS CH. 5GUAM PROCUREMENT LAW
7
8
9

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DRAFT



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAY 10 2013

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 5/10/13
Time: 9:24a
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 65-32 (COR) "AN ACT TO ADD A NEW §43116 TO ARTICLE 1 OF CHAPTER 43, DIVISION 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR EDUCATIONAL PROGRAMS FOR MEMBERS OF BOARDS AND COMMISSIONS" which I signed into law on May 10, 2013 as Public Law 32-031.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill



**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session**

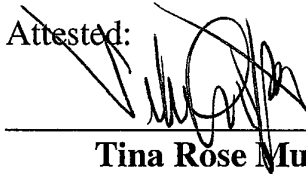
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 65-32 (COR)**, "AN ACT TO ADD A NEW §43116 TO ARTICLE 1 OF CHAPTER 43, DIVISION 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR EDUCATIONAL PROGRAMS FOR MEMBERS OF BOARDS AND COMMISSIONS", was on the 30th day of April, 2013, duly and regularly passed.



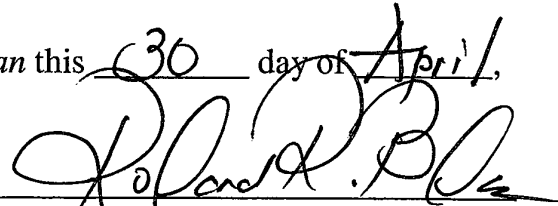
**Judith T. Won Pat, Ed.D.
Speaker**

Attested:



**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'lahaen Guåhan* this 30 day of April, 2013, at 2:00 o'clock P.M.



**Assistant Staff Officer
Maga'laha's Office**

APPROVED:



**EDWARD J.B. CALVO
*I Maga'lahaen Guåhan***

Date: MAY 10 2013

Public Law No. 32-031

I MINA TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 65-32 (COR)

As amended by the Committee
on General Government Operations and
Cultural Affairs.

Introduced by:

Michael F. Q. San Nicolas

T. C. Ada

V. Anthony Ada

Frank B. Aguon, Jr.

B. J.F. Cruz

Chris M. Dueñas

Michael T. Limtiaco

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

Vicente (ben) C. Pangelinan

R. J. Respicio

Dennis G. Rodriguez, Jr.

Aline A. Yamashita, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW §43116 TO ARTICLE 1 OF
CHAPTER 43, DIVISION 4 OF TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO PROVIDING FOR
EDUCATIONAL PROGRAMS FOR MEMBERS OF
BOARDS AND COMMISSIONS.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Short Title.** This Act *shall* be cited as the “Responsible Boards
3 and Commissions Education Act.”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
5 that Public Law 24-191 established a single educational program at the University

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1 of Guam to train members of boards and commissions. This educational program
2 was repealed by Public Law 28-76.

3 *I Liheslaturan Guåhan* further finds that, although the existence of training
4 for board members is beneficial to the operations of boards and commissions, each
5 board and commission generally has its own specific statutes and rules and
6 regulations which it must follow. Such a program should be optimized to deal with
7 matters most relevant for each board and commission.

8 Additionally, *I Liheslatura* finds that errors by the members of boards and
9 commissions can result in procurement delays, as well as litigations, which have
10 historically cost the government significant sums.

11 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish training and
12 curriculum to educate members of boards and commissions on the various statutes,
13 rules and regulations which they must follow, and of which they must be aware to
14 accomplish the purposes for which each board or commission is established, by
15 adding a new §43116 to Title 5 GCA.

16 **Section 3. Boards and Commissions Educational Programs.** A new
17 §43116 is hereby *added* to Article 1 of Chapter 43, Division 4 of Title 5, Guam
18 Code Annotated, to read:

19 **“§ 43116. Boards and Commissions Educational Programs.**

20 (a) Development of Training and Curriculum. Each board or
21 commission *shall* have an educational program established to prepare
22 its members for the duties of the board or commission to which they
23 are appointed. Such educational program *shall* cover procurement
24 laws, as applicable, applicable statutes, executive orders, and rules
25 and regulations which govern the board or commission and their
26 respective areas of purview. Each educational program *shall* be
27 established, within ninety (90) days of the enactment of this Section,

1 by the Director of the agency with which the board or commission is
2 associated, or his designee; or, if there is no such agency, then *I*
3 *Maga'lahi* (the Governor), or his designee. Each educational program
4 *shall* be updated, as needed, *no less than* annually, to reflect any
5 changes to procurement laws, applicable statutes, and rules and
6 regulations. The Director of each agency *shall* report to *I Maga'lahi*
7 (the Governor) within thirty (30) days when member(s) of an
8 associated board or commission complete the applicable educational
9 program. The Director, or his designee, *shall* conduct the training
10 sessions at a time and location to be determined by the Director, in
11 compliance with the Americans with Disabilities Act and other
12 relevant statutes.

13 (b) Education of Current Board and Commission Members.
14 Each current member of a board or commission *shall* complete the
15 applicable educational program within thirty (30) days of the
16 establishment of the program.

17 (c) Education of New Board and Commission Members.
18 Each new member of a board or commission *shall* complete the
19 applicable educational program within thirty (30) days of his election
20 and qualification, or his confirmation by *I Liheslatura* to the board or
21 commission.

22 (d) Continuing Education for Board and Commission
23 Members. Each year, the members of each board and commission
24 *shall*, as a form of continuing education, complete the applicable
25 educational program for the board or commission on which they
26 serve.

1 (e) Failure to Complete an Educational Program. Failure to
2 complete an educational program within one hundred eighty (180)
3 days of a board or commission member's appointment *shall* result in
4 the member's removal and the appointment of a new member to fill
5 the vacancy, pursuant to §2101 of Chapter 2, Title 4, Guam Code
6 Annotated. Actions of a board or commission *shall not* be invalidated
7 by the failure of a member to complete the applicable educational
8 program.”

The floor is now open for presentations by the public. Presentations are limited to 3 minutes only.

The BOR will enter Executive Session at this time.

The Presidential Evaluation Committee will present their report at this time.

The BOR members will vote on items discussed in Executive Session as needed.

The BOR members will vote on the recommendation(s) made in the Presidential Evaluation Committee Report.

Chairperson W. Chris Perez will adjourn the meeting.