



**UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN**

Board of Regents

UOG Station, Mangilao, Guam 96923

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**Regular Meeting Minutes
February 28, 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 February 28, 2013, at 5:45 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
John Arroyo	Treasurer
William Leon Guerrero	Member
Marcos Fong	Member
Toni Sanford	Member
Anthony Quenga	Member
Elizabeth Gayle	Member
Jillette Leon-Guerrero	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 December 13, 2012

Regent Quenga moved for approval of the Regular Meeting Minutes of December 13, 2012 subject to corrections, which was duly seconded. The motion carried.

3.0 CHAIRPERSON'S REMARKS

Chairperson Perez welcomed everyone back to the Spring 2013 semester. He introduced Dr. Hui Gong, Associate Professor of Agriculture, who was granted tenure at the last meeting and invited her to say a few words.

Dr. Gong stated that she came to Guam six years ago and is honored to be able to express her appreciation on being granted tenure. She spoke briefly about her work at

UOG and looks forward to the opportunity to continue her service at UOG and to the community.

Chairperson Perez thanked the Governor, the Speaker and the Guam Legislature for providing the funds to prevent a tuition increase for the next two years. He extended his condolences to Dr. Underwood and his family on the passing of his brother, Richard Underwood. He also recognized the passing of Dr. Dirk Ballendorf, acknowledged his contributions to UOG and extended condolences to his family.

He asked for prayers and support for the approximately six hundred soldiers from Guam who are leaving for training and then for deployment to Afghanistan. He then individually recognized those who are being deployed and are closely related to members of the UOG community: First Lieutenant. Stephanie Taijeron, wife of Michael Taijeron (Plant Maintenance), Captain Gordon Guerrero, brother of Lavonne Guerrero Meno (MARC), Second Lieutenant Fred M. Storie, husband of Monique Storie (MARC), Sgt. Raymond Aguon, husband of Desiree Calvo Aguon (Admission & Records), Private Zachary Barcinas, husband of Clarissa Barcinas (CNAS), and Private Jason Andrew, husband of Soledad Andrew (Student Health).

Chairperson Perez noted that federal sequestration is scheduled to begin March 1st, but he trusts that UOG administration will ensure the continuity of services at UOG. He reported that Charter Day will be celebrated on Tuesday, March 12th. He then closed, noting that Regent Arroyo will make an announcement later in the meeting.

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. 13-01, Relative to the Approval and Ratification of the Negotiated Agreement between the Board of Regents and the University of Guam Faculty Union, American Federation of Teachers Local 6282 Action

Regent Fong introduced Resolution No. 13-01, which was duly seconded. Chairperson Perez recognized the chief negotiators of both parties, Faculty Union President Platt and SVP Whippy. He then invited them to comment on the process. Faculty Union President Platt gave his remarks, and requested that the document be ratified upon the adoption of the resolution. SVP Whippy reported on her evaluation of the process. The motion carried. President Underwood, SVP Whippy, Chairperson Perez, and Faculty Union President Platt then ratified the agreement. Faculty Union President Platt noted that this is probably the last negotiation that both he and SVP Whippy will work on together.

Regent Fong noted that the 2nd item discussed during the AP&T committee meeting will be discussed later in Executive Session.

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

5.2.1 Resolution No. 13-02, Relative to Approving the Student Financial Assistance Program Rules and Regulations

Regent Fong introduced Resolution No. 13-02, which was duly seconded. Regent Gayle reported on the public hearing that was held on this matter on Tuesday, February 26, 2013. The motion carried.

5.2.2 Resolution No. 13-03, Relative to Approving the Proposed Student Financial Assistance Program FY2014 Budget Including the Yamashita Teacher Corps, which Provides Benefits for AY 2013-2014 for New Applicant and Continuing Recipients

Regent Fong introduced Resolution No. 13-03, which was duly seconded. Regent Fong reported that this is a joint resolution with the BFIA committee and that it finalizes the budget for the upcoming fiscal year. The motion carried.

5.3 Budget, Finance, Investments and Audit Committee

5.3.1 Financial Update

Regent Arroyo provided a report on the Budget, Finance, Investments and Audit Committee and Investment Committee meetings.

5.3.2 Collections Report

Regent Arroyo reported that collections are on track so far this year.

5.3.3 Procurement Transactions and Contracts Report

Regent Arroyo reported that there were no procurement transactions or contracts above the \$100,000 level to report.

5.3.4 Consultation on BOR Resolution No. 12-32, Relative to Approving the Proposed Tuition Rate Changes

Regent Arroyo asked VPAF O'Brien to report on the consultation between the BOR and the President relative to Resolution No. 12-32. VPAF O'Brien reported on the consultation. He noted that outcome was to rescind the 10% tuition increase; however, the approved changes to the non-resident tuition rates will remain in place.

5.3.5 Resolution No. 13-04, Relative to Adopting the Results of the Deloitte and Touche LLP Financial Statements Audit and Compliance Audit for the Fiscal Year Ended 30 September 2012

Regent Arroyo asked Dan Fitzgerald to report on the FY2012 Audit. Mr. Fitzgerald provided a brief report the audit process and outcomes. He reported that it is difficult to have no findings when an entity is growing, in the manner of the UOG. He stated that the compliance findings in the audit are not material, that UOG takes its financial activities seriously and manages its growth well. Regent Arroyo introduced Resolution No. 13-04, which was duly seconded. The motion carried.

5.3.6 Resolution No. 13-05, Relative to Approving the FY2014-15 General Operations Budgets

Regent Arroyo introduced Resolution No. 13-05, which was duly seconded. The motion carried.

5.3.7 Resolution No. 13-06, Relative to Approving the FY2014 Non-Appropriated Fund Budgets

Regent Arroyo introduced Resolution No. 13-06, which was duly seconded. The motion carried.

5.3.8 Resolution No. 13-07, Relative to Approving the FY2014 Auxiliary Budgets

Regent Arroyo introduced Resolution No. 13-07, which was duly seconded. The motion carried.

5.3.9 Resolution No. 13-08, Relative to Amending the Approval of Procurement Awards and Contracts

Regent Arroyo introduced Resolution No. 13-08, which was duly seconded. The motion carried.

Regent Arroyo announced that this is his last meeting as a member of the BOR as he has been asked to serve the community in another capacity by serving on another government board. He thanked the President, the staff and the UOG community for their support during his tenure. Chairperson Perez thanked Regent Arroyo for his service. He then appointed Regent Jillette Leon Guerrero to represent BOR on UOGEF Board and Regent Toni Sanford to serve as Chair to the BFIA Committee. Regent Sanford stated that it has been very rewarding to work with Regent Arroyo. Faculty Union President Platt expressed his appreciation to Regent Arroyo for his service.

5.4 Physical Facilities Update

5.4.1 Plant and Facilities Update

Regent Gayle provided the plant and facilities update.

5.4.2 Resolution No. 13-09, Relative to Approving the University of Guam Vision 2025 Physical Master Plan

Regent Gayle introduced Resolution No. 13-09, which was duly seconded. Regent Arroyo reported that a cushion of approximately \$100k per year will be realized in connection with the USDA refinancing of the Jesus S. and Eugenia A. Leon Guerrero SBPA Building, which will go towards the debt service of the Student Services Center. Chairperson Perez acknowledged the leadership on their efforts in obtaining the financing. CPO Okada then provided a report on the UOG Vision 2025 Physical Master Plan. Regent Gayle reported for the record that the company she is employed with, Belt-Collins, was one of the sub consultants to TRMA for a small component of the Plan. The motion carried. President Underwood noted that the campus, rather than just the buildings, would be LEED certified and the Plan anticipates a significant growth in student population who accesses the University using information technology and distance education.

6.0 AD HOC REPORT: ENDOWMENT FOUNDATION UPDATE

President Underwood gave a brief report on the Capital Campaign, which includes the naming opportunities that are identified in the campaign plan in conjunction with the Physical Master Plan. He reported that sequestration will not affect the funding of the loan but may affect the time it takes to process of the loan. Chairperson Perez asked that appreciation be extended to UOGEF Board Chairperson David John for the hard work of their board and staff.

7.0 NEW BUSINESS

There was no new business introduced.

8.0 OPEN PRESENTATION (3 Minute Limit per Person)

Chairman Perez opened the floor for open presentations.

Mr. Rueben Olivas, a retired Government of Guam employee, stated that he wished to testify in favor of saving the planetarium. He stated that he feels closing the planetarium is a step in the wrong direction. He proceeded to rebut several points of discussion which he stated were made at the recent roundtable regarding the planetarium. He stated that the public law which created the planetarium expressed the desire of the community to have such a planetarium. He stated that the only person who presented a plan to save the planetarium was Pam Eastlick. He ended by stating that we should protect the only planetarium that exists in this part of the world, and one of only 3000 in the world.

Faculty Union President Platt expressed his condolences to President Underwood on the passing of his brother. He stated that he wanted to acknowledge the retirement of Dr.

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Don Shuster this month due to a recent decline in his health. Faculty Union President Platt noted Dr. Shuster served many years as chairperson and as a member of the Faculty Union and that he wanted to acknowledge his service to the University. Chairperson Perez asked the Faculty Union President Platt extend well wishes to him on behalf of the BOR.

Chairperson Perez called for a brief break, after which the meeting will go into executive session.

9.0 EXECUTIVE SESSION

9.1 Tenure Recommendation from the Academic, Personnel and Tenure Committee for Dr. Amy Owen, Assistant Professor of Geography

9.2 Dean Emerita Recommendation from the Academic Personnel and Tenure Committee for Dr. Mary Spencer

9.3 EEO Matter (EEO-12-001)

10.0 VOTING FILE

Upon returning to Open Session at 7:15 p.m., Chairperson Perez opened the floor to address the recommendations discussed in Executive Session. He also added for action item 10.3 Discussion of Case No. EEO-12-001.

10.1 Tenure Application of Dr. Amy Owen

Regent Marcos Fong recommended the approval of the tenure application of Dr. Amy Owen, which was duly seconded. The motion passed and Chairperson Perez asked that Dr. Owen be informed of her tenure and invited to the next BOR meeting.

10.2 Dean Emerita Application of Dr. Mary Spencer

Regent Fong recommended approval of application, which was duly seconded. The motion carried and Chairperson Perez asked that she be invited to attend the BOR meeting when she is next on island.

10.3 Discussion of Case No. EEO-12-001

Chairperson Perez stated that in Executive Session, the BOR discussed University of Guam EEO Case No. EEO-12-001 and the Investigation Report submitted by the University's investigator. He noted that the BOR needs to act on whether to adopt the findings of the University's investigator with regard to EEO Case No. EEO-12-001 and the recommendations of UOG's outside legal counsel concerning resolution of this matter. Regent Arroyo moved that the BOR adopt the findings of the University's investigator concerning EEO Case No. EEO-12-001 and the recommendations of the University's

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outside legal counsel concerning resolution of this matter. The motion was duly seconded and passed.


11.0 ADJOURNMENT

Regent Sanford moved that the meeting be adjourned, which was duly seconded and passed. Chairperson Perez adjourned the meeting at 7:20 p.m.



Dr. W. Chris Perez, Chairperson

ATTESTED:



Dr. Robert A. Underwood, Executive Secretary

PRESIDENT'S REPORT
February 28, 2013

1. Mourning

I would like to ask for a moment of silence to acknowledge the passing of Dr. Dirk Ballendorf, long time scholar at UOG and former Director of RFT-MARC, and Master Navigator Manny Sikau, who was the first recipient of the University's Honorary Masters of Micronesian Traditional Knowledge degree. Because of his experience using traditional

2. Board/Union Agreement

The Board of Regents/Faculty Union contract has been completed, and one of the changes includes the change from the title of Chairperson of the Faculty Union to President. Congratulations to Faculty Union President Don Platt and to both teams that worked together to negotiate and finalize the Board/Union Contract.

3. FY2012 Audit & FY2014 Budget Request

The FY12 Audit, conducted by Deloitte & Touche, and the FY14 budgets will be adopted later tonight by the Board. Deloitte gave the University a clean (unqualified) audit opinion on the financial statements. There were three compliance findings, but no questioned costs. The audit also showed that the University reached a record high of \$104 million in revenues in 2012, surpassing the \$100 million mark for the first time in its history. A decade ago University revenues were \$56 million. Since then, the University has grown an average of 9% per annum with substantial increases in student enrollment, grants and contracts. We have had a financial surplus in nine of the last ten years. We live within our means, and we are well managed. I congratulate all those who work to manage the University's finances for their hard work and effort on the audit and throughout the year.

The University's FY14 budgets and appropriation requests are also presented. Essentially, we are asking for the same level of appropriations as last year. These budgets reflect affordable, accessible and high quality higher education for our communities. These are our first budgets addressing our theme: Building the Great University of Guam. The general operations budget contains \$0.5 million for investment in good to great, and also includes \$1.47M of tuition support from the legislature and Governor. This support will allow us to continue holding the line for our students on tuition. This will mark five years without a tuition increase, a claim that few universities can match. The SFAP budget reflects our new flexibility in financial aid, enabled by the legislature and Governor. Their support allows us to modernize student financial aid, align federal and local awards and enable the tailoring of awards to policy areas, performance, student retention and degree completion. These are all goals of President Obama's education agenda. Our budget requests will also include the \$1m appropriation for long-term investment in our campus infrastructure for the Student Services Center and Engineering Services Annex under PL31-229.

4. Capital Campaign Donors

I'd like to recognize the most recent donor to UOG's capital campaign:

Core Tech Foundation joined the ranks of the 21st Century Visionaries in January. Representatives President Ho Eun, Vice President Juno Eun, Treasurer Chit Bathan and Board Member Tony Sgro presented a check for \$100,000.00 to the University of Guam for its 60th Anniversary Capital Campaign.

5. Good to Great Force

This morning I held my first meeting with the Good to Great Force, which I have created to take the next steps in moving the Good to Great initiative forward. 17 university citizens, to include staff, faculty and administrators, from various areas across the campus have committed to working with the senior administration to develop a Good to Great Statement and the metrics/evidence to be used in the evaluation and review of all UOG programs. I anticipate that the next conversations will be held with the UOG community at large in early May to discuss the results of the Force's work.

6. Presidential Lecture Series

On January 24th, Jeremy R. Barns, Director of the National Museum of the Philippines gave a presentation entitled, "Guam and the National Museum of the Philippines: Our Shared History." This was the sixteenth presentation in the Presidential Lecture series

Filipino-American businesswoman, author, attorney and social civic leader Loida Nicolas-Lewis was the 17th lecturer in UOG's Presidential Lecture Series on February 19th. Her talk was entitled, "Reflections of a Global Philanthropist on the Filipino Diaspora and Business Success." Nicolas-Lewis practiced law in the Philippines and New York and has the distinction of being the first Filipino woman to pass the New York bar without attending law school in the United States. Nicolas-Lewis' late husband Reginald Lewis was one of the most successful American business leaders in the 1980s and was the first African American to build a billion dollar company, Beatrice Foods. Copies of his book can be purchased at the UOG Bookstore.

Barney Frank, Chris Smith and John Lewis have been invited to be lecturers and when confirmed, the lectures will be announced.

7. Students

A team of University of Guam accounting students has won the Association of Government Accountants (AGA) Annual Government Finance Case Challenge in Washington, D.C. for the second year in a row. The team prepared a Citizen-Centric Report for Loudoun County Public Schools, Virginia, which included a paper summarizing the criteria and justification the team used to decide what information to include and exclude in the report. The team attended the AGA National Leadership Conference in Washington, D.C. on February 12-13, 2013 where they presented their finalized solutions before a panel of federal/state/local government leaders, corporate partners and chief financial officers. UOG Assistant Professor of Accounting Dr. Doreen Crisostomo organized the student team, which is composed of Ms. Cindelle Maye O.

Sazon, Ms. Angeline Corpus Nieto, Mr. Steven Patrick Delgado and Mr. Russell Jon Miranda Bala-an. The students were all in Dr. Crisostomo's Fall 2012 Government Accounting class.

Two students from the University of Guam Japanese Studies program have been awarded the Dr. Theodore M. Critchfield Japanese Language Scholarship. Kristine Jane Tuazon and Hilary Gonzales Miranda, who are both sophomore English as Second Language (ESL) & Japanese Studies Double Majors were each awarded the \$505 scholarship.

8. Recognition

University of Guam professor Thomas Marler has reached the 15 year mark of uninterrupted service to the American Society for Horticultural Science as a section editor for their popular scientific journal HortScience. According to M. LeRon Robbins, editor-in-chief for HortScience, Marler is the only current editor who has been on the editorial board even longer than himself.

Roland Quitugua, University of Guam Extension Agent was recently appointed to the Invasive Species Advisory Committee by U.S. Secretary of the Interior Ken Salazar. The committee is responsible for providing guidance and recommendations to the National Invasive Species Council. Quitugua's appointment is for three years. Quitugua has been active with invasive species in Guam and the Micronesia region as the Operations Chief for the Guam Coconut Rhinoceros Beetle (CRB) Eradication Program and as Co-Director for Micronesian Biosecurity Plan (MBP) at the University to prevent invasive species from damaging the environment, economy and cultural resources in Micronesia. Quitugua holds a bachelor of science in agriculture from UOG and a masters degree in plant pathology from the University of Hawai'i.

The University of Guam's Pacific Center for Economic Initiatives (PCEI) is pleased to release its 17th technical report entitled **The Buy Local Initiative on Guam and Its Effectiveness**, authored by its resident development economist and UOG Professor of Economics, Dr. Maria Claret Ruane on December 27, 2012. You can download the report on the UOG website.

UOG's Center for Excellence in Developmental Disabilities Education, Research & Service is celebrating its 20th year as a nationally designated Center of Excellence. Their efforts have touched an entire generation of individuals as those who were born in 1993 are either completing college degrees or have joined the workforce. It is important to note that in the past 20 years, CEDDERS has managed to secure over \$100M in federal funding - \$101,602,336, which has been used to help improve the lives of thousands of individuals on Guam and throughout the Pacific region.