

## APPENDIX B-2

## EXECUTIVE ORDER 25, 12 March 1981

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
EXECUTIVE ORDER OF THE GOVERNOREXECUTIVE ORDER NO. 25

WHEREAS, on August 23, 1976, the former resident commissioner issued a proclamation which provides, inter alia, for the establishment and operation of a Northern Marianas Community College; and

WHEREAS, among the impediments to the implementation of a Northern Marianas Community College in 1976 were the lack of funds, inadequate staff, and the lack of suitable facilities for the College; and

WHEREAS, the Task Force established by the Governor on May 23, 1980, has completed its review and study on the feasibility of a community college; and

WHEREAS, the recommendations of the Task Force are contained in a report entitled: "NMCC: A Feasibility Study" which report has been submitted to the Governor and the Legislature, and which report finds that a community college is now feasible; and

WHEREAS, the continued social and economic growth of the Commonwealth is dependent upon the Commonwealth's ability to meet the critical shortages of professional and technical personnel in both the public and private sector; and

WHEREAS, a community college with its unique design and purpose can and will enhance the Commonwealth's ability to meet such shortages of trained manpower; and

WHEREAS, the Governor is in agreement with the concept of a community college for the Northern Marianas as proposed by the Task Force's Report "NMCC: A Feasibility Study"; and

WHEREAS, this Executive Order would affect existing laws, to wit: Public Law No. 1-8, Chapter 14, Section 10; Public Law No. 1-9, Section 3; Public Law No. 2-1; Public Law No. 1-32; Title 3, Chapter 6 of the Saipan Municipal Code; Tinian Municipal Ordinance 1-71; Rota Municipal Ordinance 1-71; Executive Order No. 18; and 61 Trust Territory Code, Section 8; and

WHEREAS, it is the intent of this Executive Order to strengthen the Northern Mariana's Community College; and

WHEREAS, it is the further intent of this Executive Order to consolidate and achieve efficient administration of the various local and federal programs pertaining to training and adult vocational education, and postsecondary and adult education by allocating and placing them under a single administration through the College.

NOW THEREFORE, by virtue of the authority vested in me by the Constitution and the laws of the Commonwealth of the Northern Mariana Islands, I, Carlos S. Camacho, Governor, hereby revoke the Executive Proclamation dated August 23, 1976, entitled: "Proclamation Establishing the Northern Marianas Community College" and supersede that Proclamation with this Executive Order.

Section 1. Establishment. The Northern Marianas Community College is hereby established within the Department of Education under the control and supervision of the Board of Education, which Board shall serve as a Board of Regents for the College.

Section 2. Mandate. In addition to the powers and duties conferred by law, the College shall:

- (a) Plan, organize and administer all post-secondary education programs;
- (b) Assist local residents seeking post-secondary education outside the Commonwealth;
- (c) Develop, consolidate and administer vocational and technical and other education for adults and out-of-school youth and coordinate the same with secondary schools;
- (d) Consolidate and administer all programs of student financial assistance for education;
- (e) Upgrade the skills and abilities of Civil Service personnel, including teachers and nurses, through such means as in-service and on-the-job training, special education programs, internships and administrative fellowships;
- (f) Help employees of private businesses and organizations to acquire skills necessary and appropriate to the local economy;
- (g) Prepare local residents for assimilation into the American political family; and

(h) Explore ways and means to achieve accreditation for the College and its programs and make recommendations accordingly to the Governor and the Legislature.

Section 3. Purposes. The purposes of the College are as follow:

(a) To offer instructional programs for adults and out-of-school youth; such programs shall include, but are not limited to:

- (1) postsecondary preparation for higher education;
- (2) vocational, para-professional and technical training;
- (3) adult educationn;
- (4) postsecondary education for college credit and on a non-credit basis; and
- (5) continuing education.

(b) To conduct and support research relevant to the needs of the Northern Mariana Islands;

(c) To provide educational support services, including but not limited to: financial aid; career counseling; academic counseling; library services; and audio-visual and other study resources;

(d) To provide community services, including but not limited to:

- (1) non-formal educational and cultural programs; and
- (2) public use of college facilities, resources, and services.

Section 4. Powers of the Board. In addition to any other powers provided by law, the Board shall have such powers as are necessary to carry out the mandate and the purposes of the College as set forth in this Executive Order, including the following:

(a) To establish rules, regulations, and policies for the operation of the College;

(b) To establish the qualifications, term of

office and compensation of the Dean;

(c) To establish and periodically review, upon recommendation of the Dean, the general policies governing the operation of the College;

(d) To act upon recommendation of the Dean regarding curricula and courses of instruction, personnel policies, and the administration of the College;

(e) To recommend to the Governor the annual budget of the College, and to propose appropriate legislation to the Legislature;

(f) To administer the programs awarding financial assistance to students of the Commonwealth of the Northern Mariana Islands;

(g) To acquire property by lease, option, purchase or otherwise, as necessary for the operation of the College, and to dispose of the same in any manner which is now or may hereafter be provided by law;

(h) To accept gifts, grants, donations, bequests and other contributions;

(i) To establish tuition rates and fees for courses of instruction, and such other charges as are reasonable for the use of programs and facilities of the College;

(j) To authorize the granting of diplomas, certificates and degrees to students of the College;

(k) To adopt a seal of the College;

(l) To act on behalf of the College with respect to federal programs; and

(m) To perform all acts necessary to carry out the mandate and purposes of the College.

Section 5. Dean. The College shall be headed by a Dean who shall be appointed by the Governor upon the recommendation of the Board, and who shall serve as the Chief Executive of the College. The Dean shall be responsible for the overall day-to-day administration of the College and shall report to the Board through the Superintendent of Education. The Dean may be removed from office by the Governor for cause or upon the recommendation of the Board.

Section 6. Duties and Responsibilities of the Dean.  
The Dean shall:

- (a) Direct the operation and general administration of the College in accordance with the purposes of the College and in conformity with the policies established by the Board;
- (b) Exercise all powers delegated by the Board and carry into effect the policies of the Board;
- (c) Formulate and recommend to the Board new or revised policies affecting the College;
- (d) Make recommendations to the Board concerning the annual budget and possible legislation for the College;
- (e) Administer the finances of the College in accordance with the approved annual budget and submit to the Board a monthly report on revenues and expenditures of the College;
- (f) Establish and maintain a program of effective recruitment, selection, orientation, development, and retention of personnel;
- (g) Make recommendations to the Board concerning the establishment of new educational programs of the College, and review and make recommendations to the Board concerning existing educational programs;
- (h) Develop community service programs, including but not limited to: seminars, workshops, symposia, concerts, lectures, and non-credit courses; and establish and maintain an effective program of community relations;
- (i) Take such steps as are appropriate to insure faculty participation in the orderly and effective development of the College;
- (j) Undertake such steps and research projects as are appropriate to insure effective long-range planning and projection for orderly development of the College;
- (k) Prepare and submit an annual report of operations and finances of the College to the Board within 90 days following the end of the fiscal year, a copy of which shall also be furnished to the Governor and each house of the Legislature of the Commonwealth of the Northern Mariana Islands, and formulate such other reports as shall be required by the Board and the local and federal government agencies;

(l) Hire all necessary staff of the College subject to applicable Civil Service laws and regulations; and

(m) Perform such other duties as may be prescribed by the Board and the law.

Section 7.

(a) There is hereby established in the Commonwealth Treasury a fund that shall be known as the "Community College Trust Fund" (hereinafter referred to as the "Fund") which shall be maintained separate and apart from all other funds of the Commonwealth. The members of the Board shall be the trustees of the Fund and shall administer it in accordance with this section.

(b) All monies received by the College from whatever source shall be deposited in the Fund.

(c) There shall be established within the Fund, a separate account consisting of any monies appropriated to the College out of the financial assistance granted to the Commonwealth under Section 702(a) of the Covenant and reserved for a special education training fund. Such other accounts may be established within the Fund as are necessary for efficient administration and control, or to comply with the terms of any grant or any contribution.

(d) The Director of Finance shall disburse monies from the Fund upon the lawful order of the trustees, or their designee, to pay the expenses of the College incurred pursuant to this Executive Order.

(e) The Director of Finance shall keep the official books of the Fund. The Board, in consultation with the Director of Finance and the Public Auditor, shall establish and maintain a system of internal accounting which is in accordance with generally accepted accounting principles applicable to colleges and universities.

Section 8. Campus and Facilities. Not later than 180 days after the effective date of this Executive Order, the Board shall submit to the Governor and the Legislature a thorough and comprehensive study of facility requirements of the College. The Board shall make recommendations concerning suitable sites and facilities including housing, if any, for faculty and students. The recommendations made by the Board concerning sites and facilities shall be considered by the Governor in consultation with the Board and the Marianas Public Land Corporation, and the Governor shall make a

determination and designation of site, with the approval of the Marianas Public Land Corporation, and facilities subject to the overall needs of the Commonwealth Government for office facilities. Pending the formal designation of facilities for the College, the Governor and the Department of Education shall obtain, as necessary, and provide facilities for temporary occupation and use by the College.

Section 9. Interagency Cooperation. The College and other agencies and instrumentalities of the Government of the Northern Mariana Islands shall work closely and cooperate in the development, implementation, and operation of the College's programs.

Section 10. Designation of College as State Agency for certain Federal Programs. The College is hereby designated as the state agency of the Northern Mariana Islands for federal grants for postsecondary education programs.

Section 11. Interacademic Cooperation. The College is authorized to enter into such agreements as it shall deem necessary or appropriate, consistent with its mandate and purposes, with other institutions of higher learning.

Section 12. Transition. The incumbent Higher Education Coordinator shall serve as Acting Dean until such time as the Governor appoints a permanent Dean pursuant to Section 5 of this Executive Order.

Section 13. Transfer of Functions, Funds, and Programs. The following functions, programs, funds, personnel, and properties are hereby allocated and transferred to the College:

(a) Funds available pursuant to Article III, Section 9(a) of the Constitution at the levels of Sections 1(n)(4), 2(b)(4) and 10(c) of Title II of Public Law 2-1; Provided, that the Department of Education shall retain for elementary and secondary education curriculum development, the level of the amount of funds appropriated and obligated for elementary and secondary education curriculum development in FY 1980 from funds appropriated by Public Law 2-1, Title II, Section 1(n)(4);

(b) Funds and programs relating to teacher training, adult and vocational education, education information center, higher education, student services and scholarships and any programs funded by the United States Government for higher, adult and vocational education.


Section 14. Severability. If any provision of this Executive Order or any rule, regulation, or order promulgated

hereunder, or the application of any such provision, rule, regulation, or order to any person or circumstance shall be held invalid, the remainder of this Executive Order, or any rule, regulation, or order promulgated pursuant thereto and the application of such provision, regulation, rule, or order to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 15. Inconsistent Provision of Laws, Rules or Regulations. Public Law 1-8, Chapter 14, Section 10; Public Law 1-9, Section 3; Public Law 2-1, Title II, Sections 1(n)(4), 2(b)(4), 10(c) and 10(d); Public Law 1-32, Title III, Chapter 6 of the Saipan Municipal Code; Tinian Municipal Ordinance 1-71; Rota Municipal Ordinance 1-71; 61 Trust Territory Code, Section 8(k) and those portions of Executive Order No. 18 relating to the use of Covenant training funds, are hereby superseded by the provisions of this Executive Order upon its effective date.

Section 16. Effective Date. This Executive Order shall take effect 60 days from its submission to the Legislature unless specifically modified or disapproved by the majority of members of each house of the Legislature.

March 12, 1981  
Date

  
CARLOS S. CAMACHO  
Governor, Northern Mariana Islands