

DATE July 03, 1985

TO: Delegate Juan T. Lizama
Chairman
Committee on Governmental Institutions
Second Northern Marianas Constitutional
Convention

FROM: Jesus M. Concepcion

SUBJECT: Written testimonies to the committee on Governmental Institutions
on proposals:

1. 32-85 - To establish an independent system of education in the Northern Marianas.
2. 33-85 - To make the Department of Education autonomous.
3. 106-85 - To delete "Superintendent" and insert "Director"
4. 107-85 - To Elect a Board of Regents for the education system with powers to appoint a President of the Northern Marianas College.

Dear Mr. Chairman:

Thank you for allowing me to share with you some of my opinions on the above proposals. My testimonies are arranged as numbered above.

1. 32-85 - TO ESTABLISH AN INDEPENDENT SYSTEM OF EDUCATION IN THE NORTHERN MARIANAS.

I would like to begin by saying that in order to provide an uninterrupted, free from governmental interferences educational processes to our children, the present educational system, elementary, secondary and post secondary, must be established as autonomous agencies.

This proposal is an improvement over Section 13, of Article III and Article XV of our Constitution, but I have grave concerns over the following:

A. Section 1, Right to free Education

I am concern that requiring the government a blanket support to church operated, "non-public" schools, we maybe violating the basic concept of separation of church and state.

This section is also very similar to that of the Voucher System which has been proven ineffective, unworkable, and has long been abandoned.

B. Section 2, Foreign Person

I would like to invite the committee to look closely to the:

1. Discriminatory nature of the provision which can make it unconstitutional,
2. Lack of provision for collection
3. Restrictive nature by limiting the amount expended per student from Covenant Funds.

C. Section 3, Board of Education

I would like to recommend that the number of Governor's appointment be increased from two (2) to four (4) of which two (2) would be students, one from the public high school and one from the private high school. We must not overlook the importance of input from the students.

I would also like to see the elimination of Carolinian representative since we are one people. Such specific provision only advance the cause of separation or advocates sectionalization of our citizens.

D. Section 4, Duties and Responsibilities

It is my believe that to require the Board of Education to prepare an educational plan every ten years to improve the quality of education is unrealistic without a provision for modification. By the time the ten years is up, many of the plan may be absolete.

To specify that the altimate result of the educational plan should be the achievement level of our students comparable to the national standard is directing the department to device a miniature U.S. educational system. The problem here is that as long as we have the desire to maintain our own identity, to provide our students with educational programs unique to our people, and relevant programs for our people, we should not be overly concern with national level.

From what I have learned of computers, the greatest enemies of the equipment are heat, humidity and dust or dirt. Are we ready to spend a fortune to purchase the equipment, soft-wares, and to air conditioned our classrooms? This is a matter for the Board of Education to decide and has no room in the constitution.

This section is also not clear about the separation of the Elementary/ Secondary from the college. I enterpret this section to mean that the college is under the Board of Education. This, in my opinion, is a regression from what is already achieved.

I highly recommend stricking out anything that has to do with the college.

E. Section 5, Powers

To allow the Board the power to levy sales taxes is to impose an extra burden upon our people. The people, as it is now, are being affected by the high costs of commodities and to add another burden of paying sales tax is creating more hardship upon them. My recommendation is to leave the taxing power to the legislature.

2. 33-85 - TO MAKE THE DEPARTMENT OF EDUCATION AUTONOMOUS.

While the proposal is aimed at making the Department of Education an autonomous agency, the text of Proposal 33-85 is not indicating how the department is to achieve such a status and how the agency is to be funded. Since there are other proposals that better serve the purpose, I recommend disregarding Proposal 33-85 in its entirety.

3. 106-85 - TO DELETE "SUPERINTENDENT" AND INSERT "DIRECTOR"

If the Department of Education is to remain as it is, then I support the change so that every department head is referred to as the "Director". Otherwise, I prefer the word "Superintendent" because of the management responsibilities.

4. 107-85 - TO ELECT A BOARD OF REGENTS FOR THE EDUCATION SYSTEM WITH POWER TO APPOINT A PRESIDENT FOR THE NORTHERN MARIANAS COLLEGE.

My highest regards to the Delegates who are proposing to make the Department of Education and the Northern Marianas College autonomous. This proposal will meet the long desire of many people and could be considered as a way to ensure uninterrupted, progressive educational processes for our children

With modifications of the present format, I am highly recommending its acceptance.

The modifications I am recommending are:

1. The change of a small letter "d" to a capital letter "D" for the Department of Education.
2. Separate Board for the Department of Education and the Northern Marianas College.
3. If the Delegates like to see only one Board, I highly recommend the word Trustees in place of the word Regents.

Board of Regents is normally referring to a governing body of an institution of higher learning.

Mr. Chairman, ladies and gentlemen, the above testimonies should be considered as my sole opinions and should be accepted or rejected as such.

THANK YOU


JESUS M. CONCEPCION