

CON-CON COMMENTARY

By Bernadita T. Seman, Delegate, Third Northern Marianas Constitutional Convention and former Chair, Northern Marianas College Board of Regents.
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Important points have been raised in the discussion about whether the provision in Amendment #13 are adequate as far as the College is concerned. Four main questions have been raised, and the Con-Con delegates considered and discussed each of them. I would like to explain the reasoning behind Amendment #13 as far as the College is concerned.

Should the College have a guaranteed budget?

The most important change made by the delegates, and the one that the College opposed most vehemently, is the deletion of the guaranteed budget amounting to 1% of Commonwealth revenues. The College has argued that this guaranteed budget is needed to assure continued accreditation. That is not true. The College can either maintain or lose its accreditation with or without a guaranteed budget. The College must maintain adequate quality of instruction and course offerings to maintain its accreditation. Quality is the main factor.

Some have pointed out that the College cannot maintain high quality without a guaranteed budget. It is true that the College needs money in order to maintain quality. It is not true that it needs a guaranteed budget for that purpose. The College should justify its budget like every other agency does. That demand for justification is what assures quality. A guaranteed budget has just the opposite effect. If the College does not have to justify what it is doing and to demonstrate that it has an excellent program, an important incentive is missing.

If the College has a guaranteed budget of 1%, and the PSS has a guaranteed budget of 15%, then soon other agencies like public health, public safety, public works, or labor and immigration will also be arguing that they are essential to the well-being of the Commonwealth, and they too deserve a guaranteed annual budget. The Con-Con delegates propose taking out all the guaranteed budgets now in the the Constitution. Nothing in this was specifically aimed at the College.

Guaranteed budgets are a bad policy generally. They are inflexible, and do not allow for changing circumstances in the future.

Will the proposed changes “politicize” education?

Some have suggested that Amendment #13 would place the College at the “whim” of politicians, and that it would thus “politicize” education. That is wrong. First, under the current Constitution, the Governor appoints the Board of Regents. That is already “political”. And second, under the current Constitution, the Legislature has control of all matters involving “the composition of the board of regents and other matters pertaining to its operations and duties.”

That is a double dose of “political.”

There is no escaping the forces of “politics” when public money is being spent. The Legislature is in charge of making decisions about the relative priorities for spending public money. They are elected, so by definition their decisions are “political.” But this “politics” is really an expression of the will of the people. If the legislators do not do what the people want, they will be voted out of office.

We are a democracy. Our legislators are supposed to make the decisions about how our public money is spent. We should not tie their hands with guaranteed budgets that are inflexible.

Is the autonomy and integrity of the College affected?

The autonomy and integrity of the College are protected under Amendment #13. Autonomy does not mean guaranteed budget. It means that the Legislature respects the decisions of the Board of Regents and does not try to influence the hiring, firing, course content, and academic freedom of the College. The Legislature must do this in order to maintain the accreditation of the College.

As I have already explained, under the current Constitution, all matters with respect to the Board of Regents are left to the Legislature.

Has the College been taken out of the Constitution?

The current Constitution deals only with one institution of higher education. Amendment #13 refers to whatever institutions of higher education have been established by the Legislature. This allows the Legislature the flexibility to have vocational schools, business schools, graduate schools, and other post-secondary institutions that may be needed in the future.

If we are looking 25 or 50 years ahead, we cannot say that the College is the only post-secondary educational institution that we will ever need here in the Commonwealth.