



North Idaho College

Board of Trustees Meeting

September 27, 2023

Edminster Student Union Building

Amended September 27, 2023, 10:50am

Mission statement: *North Idaho College meets the diverse educational needs of students, employers, and the northern Idaho communities it serves through a commitment to student success, educational excellence, community engagement, and lifelong learning.*

This meeting is a business meeting of the board trustees and the NIC administration. The board will take comment on agenda items from members of the public who attend in-person. Commenters will be **required** to provide their name and the agenda topic and will be **strictly** limited to two minutes per person with no “giving of time” to others.

Multiple sign-in sheets will be provided in the meeting room with the desire to accommodate all who sign up before the 6:00 p.m. deadline regardless of the open session convening later. The order of public comment is at the discretion of the chair. No prior requests for public comment will be accepted. In the interest of a timely meeting, the board chair reserves the right to end public comment at any time after 30 minutes. Individuals interested in providing public comment outside of the meeting may send an email to the board of trustees at board@nic.edu.

NIC Policy 2.01.03: “**Public comment shall be limited as determined by the board chair.** The board of trustees may listen to such public comments but is not obligated to provide responses. If the matter presented requires additional dialogue or action, the board of trustees may direct that the matter be placed on the board’s future agenda for further discussion and review. The decision to allow public participation in the meeting is the sole discretion of the board chair.”

AGENDA

5:00 p.m. Driftwood Bay Room

- Convene/Call to Order/Verification of Quorum Gregory McKenzie
- Action: Motion for Executive Session under Idaho Code § 74-206(1)(b)(f)*

6:00 p.m. Lake Coeur d’Alene Room** / Zoom: <https://nic.zoom.us/j/89331281902>

- Convene/Call to Order/Verification of Quorum Gregory McKenzie
- Pledge of Allegiance Gregory McKenzie
- Public Comment Gregory McKenzie
- Celebrating Success: Men’s and Women’s Soccer Nick Swayne/Shawn Noël/
Coaches/Athlete Leadership

➤ CONSTITUENT REPORTS

- ASNIC Michael Habermann
- Faculty Assembly Kathleen Miller-Green
- Staff Assembly Matt Piekarski
- Senate Jason Droesch

- **PRESIDENT’S REPORT** Nick Swayne

➤ INFORMATION ITEMS

- Transfer Programs Nick Swayne/Sherry Simkins
- Student Success Update Nick Swayne/Tami Haft
- Work with Coeur d’Alene Tribe Nick Swayne/Alex Harris/Amy Bardwell
- Disability Support Services and Health Counseling Nick Swayne/Alex Harris/Amy Taylor

- **CONSENT AGENDA**Gregory McKenzie
 - Tab 1: Consent Agenda Items
 - Action: Approve Consent Agenda
 - Board Development/Training Retreat Minutes for August 22, 2023
 - Board Regular Meeting Minutes for August 23, 2023
 - Board Special Meeting Minutes for August 31, 2023
 - Board Policy Subcommittee Meeting Minutes for September 6, 2023
 - The Chair's suggestions are included as an addendum to these minutes

- **UNFINISHED BUSINESS**
 - Tab 2: Board Policy Subcommittee Report Mike Waggoner/Tarie Zimmerman
 - Discussion/Action: First Reading Board Policy 2.01.10 (Board General Conduct Policy)
 - Discussion/Action: Second Reading Board Policy 2.01.11 (New Board Member Orientation)
 - Discussion/Action: Second Reading Board Policy 2.01.12 (Code of Ethics)
 - Discussion/Action: Second Reading Board Policy 2.02.02 (Presidential Performance Review)

- **NEW BUSINESS**
 - Tab 3: NWCCU Accreditation Update Nick Swayne/Steve Kurtz
 - Discussion: Required Special Report to NWCCU and October Site Visit

 - Tab 4: Institutional Memberships and Aligned Partnerships Nick Swayne
 - Discussion: Requested Follow Up on NIC Memberships
 - Action/Discussion: NIC's Partners and NIC's Assistance of Those Partners
 - Action: Motion to Develop Board Policy for Annual Review and Approval of NIC Memberships

 - Tab 5: President's Goals Update Nick Swayne
 - Discussion: Requested Follow Up on President's Goals

 - Tab 6: Resolution Acknowledging Nursing Reciprocity Agreement Gregory McKenzie
 - Discussion/Action: Board Resolution Acknowledging Nursing Reciprocity Agreement between NIC and Washington State

 - Tab 7: Board Response to Faculty Assembly Feedback at 23 August 2023 Meeting .. Gregory McKenzie
 - Discussion/Action: Board Resolution Acknowledging Faculty Assembly Feedback

 - Tab 8: Consideration of Censure of Trustee Gregory McKenzie
 - Discussion/Action: Board Resolution Regarding Trustee Censure

 - Tab 9: President's Evaluation Gregory McKenzie
 - Discussion/Action: President's Evaluation

 - Tab 10: NIC Budget Todd Banducci
 - Discussion/Action: NIC Budget Consideration of Athletics

REMARKS FOR THE GOOD OF THE ORDER***

ADJOURN

*Executive sessions may be called for the purposes of considering personnel matters [Idaho Code § 74--206(1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; [Idaho Code § 74-206(1)(c)], deliberating regarding an acquisition of an interest in real property; [Idaho Code § 74-206(1)(d)] considering records that are exempt from public disclosure; [Idaho Code § 74-206(1)(e)] considering preliminary negotiations involving matters of trade or commerce in which this governing body is in competition with another governing body; [Idaho Code § 74-206(1)(f)] communicating with legal counsel regarding pending/imminently-likely litigation; [Idaho Code § 74-206(1)(i)] communicating with risk manager/insurer regarding pending/imminently-likely claims.

**The open-session portion of the meeting is advertised for 6:00 pm and will not begin earlier than 6:00 pm, but may convene after 6:00 pm, whenever the prior executive session portion of the meeting ends.

***Remarks are subject to [NIC Policy 2.01.03](https://www.nic.edu/policy/all/20103/). (<https://www.nic.edu/policy/all/20103/>)

BOARD OF TRUSTEES MEETING
September 27, 2023

SUBJECT

Executive Session

DISCUSSION

From time to time the board will find it necessary to adjourn to executive session. When an executive session is required, a number of specific steps must be taken. These steps are:

1. Cite Idaho Code § 74-206.
2. Cite one or more specific subsections in the code section and provide sufficient detail to identify the purpose and topic of the executive session but not information sufficient to compromise the purpose of the executive session.
3. Approve a motion to adjourn by two-thirds, roll call vote.
4. Take no action and make no final decisions in executive session.

_____ MOVES THAT THE BOARD, PURSUANT TO IDAHO CODE
§ 74—206, CONVENE IN EXECUTIVE SESSION TO:

_____ Consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student [Idaho Code § 74--206(1)(b)]

_____ Communicate with legal counsel regarding pending/imminently-likely litigation [Idaho Code § 74-206(1)(f)]

Purpose/Topic summary: (Provide sufficient detail to identify the purpose and topic of the executive session but not contain information sufficient to compromise the purpose of the executive session.)

SECONDED BY: _____

Roll call: _____ Banducci
_____ Corkill
_____ McKenzie
_____ Waggoner
_____ Zimmerman

CONVENE AT: _____ ADJOURN AT: _____

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 1

SUBJECT: Consent Agenda Items

BACKGROUND:

Included as Tab 1 Attachment A are the Meeting Minutes for the August 22, 2023 Special Meeting: Board Development & Training Retreat

Included as Tab 1 Attachment B are the Meeting Minutes for the August 23, 2023 Regular Meeting of the Board of Trustees

Included as Tab 1 Attachment C are the Meeting Minutes for the August 31, 2023 Special Meeting of the Board of Trustees

Included as Tab 1 Attachment D are the Meeting Minutes for the September 6, 2023 Board Policy Subcommittee Meeting
(The Board Chair's policy suggestions are included as an addendum to these minutes)

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to approve Consent Agenda items as presented.

Prepared by: Suzy Scura
Board Clerk

Tab 1 Attachment A



North Idaho College
BOARD OF TRUSTEES SPECIAL MEETING
DEVELOPMENT & TRAINING RETREAT
Edminster Student Union Building, Driftwood Bay Room
August 22, 2023
MINUTES


ATTENDANCE:

Nick Swayne, President
Steve Kurtz, NIC Accreditation Liason
Chair Greg McKenzie
Trustee Brad Corkill
Trustee Mike Waggoner
Trustee Tarie Zimmerman
Ken Burke, ACCT Consultant
Debbie DiThomas, ACCT Consultant

- Association of Community College Trustees (ACCT) consultant Debbie DiThomas began the meeting with an agenda review.
- Trustee Waggoner provided an update regarding the policy subcommittee's progress on the proposed policy revisions. The goal is to achieve Board approval at the regular Board of Trustees meeting scheduled for August 23, 2023.
- Debbie DiThomas and Ken Burke reported on their recent meeting with the NWCCU. The Commission states that NIC's Board of Trustees must show evidence that the ACCT training and the new policies are reflected in the BoT meetings. Steve Kurtz outlined the details of NWCCU recommendation #2. He stated that as many policies as possible should be approved at the August 23, 2023 meeting.
- President Swayne shared a graphic explaining the timeline leading up to the NWCCU accreditation report deadline of September 15, 2024.
- Debbie DiThomas presented a review of the 2023-24 Draft NIC Board Goals. The trustees were asked to submit any proposed revisions no later than September 10, 2023, with the objective of finalizing the document at the next development meeting on October 24, 2023.
- Debbie communicated the importance of Strategic Planning, the highest level of planning for NIC. President Swayne advised the trustees and consultants that the RFP process for a strategic plan consultant would be released during the current week.
- Ken Burke explained that the NWCCU is expecting to see board support for both the President and the 2023-24 Draft NIC President Goals. The aim is to finalize the document at the August 23, 2023 regular BoT meeting.
- Development and BoT meeting dates were agreed upon through the end of 2023. No meetings will be held during the month of December.
- The importance of effective board meetings was discussed. Topics included behavior, demeanor, organization of agenda, suggested documentation and time management.

Respectfully Submitted,
Suzy Scura, Board Clerk

Tab 1 Attachment B

 **North Idaho College**
BOARD OF TRUSTEES MEETING
Edminster Student Union Building
August 23, 2023
MINUTES

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Greg McKenzie called the meeting to order at 5:11 p.m. and verified that a quorum was present. He next called for a motion to adopt an amended agenda. Trustee Waggoner made a motion for the board to adopt the amended agenda. The motion was seconded and carried unanimously.

Trustee Waggoner made a motion to go into executive session under Idaho Code § 74--206(1) (b)(c)(f) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; to deliberate regarding an acquisition of an interest in real property; and to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The motion was seconded and roll call vote was taken as follows:

| | |
|-----------------|-----|
| Todd Banducci | aye |
| Brad Corkill | aye |
| Greg McKenzie | aye |
| Mike Waggoner | aye |
| Tarie Zimmerman | aye |

At 6:45 p.m. the meeting was recessed.

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Greg McKenzie reconvened the meeting at 6:53 p.m. and verified that a quorum was present. He next welcomed attendees and led them in the Pledge of Allegiance.

ATTENDANCE

Trustees: Todd Banducci
Brad Corkill
Greg McKenzie
Mike Waggoner
Tarie Zimmerman

Also present: Nick Swayne, President
Art Macomber, College Attorney

Board Development Update

ACCT Consultant Ken Burke acknowledged his colleague Dr. Debbie DiThomas and gave a progress report of the accreditation recommendations, board development trainings, and governance training. He explained that the recommendations made by the NWCCU, NIC's accreditation plan, policy development and Board goals have been the primary focus of the Board Training meetings. The training sessions have been scheduled through the end of the year. Mr. Burke also explained the importance of strategic planning, President's goals and effective board meetings.

PUBLIC COMMENT

| Name | Topic |
|-----------------|-------------------------------------|
| Caryn Shepler | Governance and Legal Representation |
| Ed DePriest | Legal Counsel Services |
| Robert Shepler | Accreditation |
| Michael McGowan | Accreditation |
| Russ McLain | Accreditation |

Celebrating Success

Athletics and Recreation Director Shawn Noel introduced the 2023-24 NIC Women’s Volleyball team and coaches Brittany Tilleman and Melissa Fleshman. Each team member greeted the Board with a brief introduction.

CONSTITUENT REPORTS

ASNIC

ASNIC President Michael Habermann advised that three senator positions were being held open for fall recruitment. He also commented on Welcome Week activities, upcoming events, formal training for senators and future student projects.

Faculty Assembly

Chair Kathleen Miller-Green introduced herself and acknowledged Vice Chair John Gardunia. She reported that the Faculty Assembly met to review concerns of past no-confidence votes and have identified action items and recommendations to address these concerns. (The action items and recommendations are included in these minutes as August 23, 2023 Regular Board Meeting Minutes Addendum A.) Chair Miller-Green also stated that the Faculty Assembly urges the Board of Trustees to hire the most qualified education law firm for the college.

Staff Assembly

Chair Matt Piekarski reported on Staff Assembly’s recent fundraiser and executive goal setting meeting. In addition to welcoming new Staff Assembly members, their discussion included the shared appreciation of the Board’s participation in the ongoing ACCT training sessions and their commitment to following NWCCU’s recommendations. Future meetings will include further discussion regarding past no-confidence votes.

Senate

College Senate Representative Jason Droesch introduced himself and reported that the Senate’s first meeting will occur on August 24, 2023. The main focus will be to onboard new senators and create an overall plan for implementing necessary policy revisions.

PRESIDENT’S REPORT

Dr. Swayne began by thanking the Board for approval of the budget presented at the regular BoT meeting on June 28, 2023. He continued with an accreditation update and timeline for submitting the final report to the NWCCU. He shared that a special ad hoc committee has been formed and will meet weekly to analyze recruitment numbers and their correspondence to scholarships and financial aid. He next commented on grants and external funding which will provide child care for parents wishing to further their education. Dr. Swayne addressed NIC’s participation in Tech Hub and the recently lifted vaccine restrictions for nursing and medical programs. He introduced the new campus SRO, Josh Reneau, assigned from the Coeur d’Alene Police Department, and stated that a security training and audit is scheduled for August

24, 2023. The President closed with comments regarding the college's 90th anniversary celebration, Welcome Week, victories in multiple sporting events, Booster Club initiatives, a minor data breach, Title IV financial aid and Pell grant audits, and ongoing policy review.

CONSENT AGENDA

Chair McKenzie requested a motion from the board to adopt the consent agenda as presented. Trustee Waggoner suggested a minor change to 2nd reading: Board Policy 2.01.02 (Responsibilities, Duties and Standards of Good Practice). Chair McKenzie removed Policy 2.01.02 from the consent agenda. Trustee Waggoner made a motion to approve the June 7, 2023 meeting minutes. The motion was seconded, and carried with four votes in favor.

Second Reading: Board Policy 2.01.02 (Responsibilities, Duties & Standards of Good Practice)

Trustee Waggoner made a motion for the Board to adopt the policy with his suggested wording change. The motion was seconded by Trustee Zimmerman. and carried with four votes in favor.

NEW BUSINESS

Tab 3: Resolution on Accreditation

Chair McKenzie requested a motion from the Board to acknowledge receipt of the July 7, 2023 letter from NWCCU, and resolve to address contents to maintain accreditation. Trustee Zimmerman made the motion which was seconded and carried with four votes in favor.

Tab 4: Board Policy Subcommittee Report

Chair McKenzie reminded the Board of the amended agenda and advised that this item is being changed to *Compliance with Open Meeting Law 74-201*. He requested a motion from the Board to move Tab 4 materials to a future open meeting in order to avoid a violation of open meeting rules. Trustee Zimmerman made the motion which was seconded and carried with four votes in favor. The chair advised that a larger sub-committee has been assembled and will meet in the near future to further discuss and revise Board policies.

Tab 5: President's Goals

President Swayne advised that an agreed upon set of goals have been defined following a meeting with the ACCT consultants and a review by Chair McKenzie and Trustee Waggoner. Chair McKenzie requested a motion from the Board to approve the President's goals for the July 2023-June 2024 evaluation cycle. Trustee Waggoner made a motion to approve the goals, as presented. Trustee Corkill seconded the motion and it was carried with four votes in favor.

NIC's Submittal to SBOE and Legislature

Chair McKenzie commented on NIC's funding request to the SBOE involving construction of a law enforcement training center on NIC resources. President Swayne briefly detailed the preliminary plan. Chair McKenzie requested a motion from the board to request a public workshop regarding this matter. Trustee Waggoner made the motion for the President to institute a public workshop for information and discussion on the matter. Trustee Corkill seconded the motion and it was carried forward with four votes in favor.

Establishment of Funding Request Policy

Chair McKenzie requested a Board member make a motion that the President develop a funding request policy addressing information flow to the Board. Trustee Banducci made the motion which was seconded by Chair McKenzie. Following conversation, the Board agreed that

the topic be further discussed in the upcoming subcommittee meeting. Trustee Banducci withdrew his earlier motion regarding the creation of a funding request policy.

INFORMATION ITEMS

Recurring Reports

President Swayne explained that a list of recurring reports has been established. These reports will be regularly presented at further Board meetings.

Human Resources

Chief Human Resources Officer Karen Hubbard presented an overview of NIC's Human Resources department and the current state of the workforce. Her summary covered headcount, recruiting, turnover and aspects of employee retention. (A copy of the presentation is included in these minutes as August 23, 2023 Regular Board Meeting Minutes Addendum B.)

Workforce Training Update

Vicki Isakson, Dean of Instruction, Workforce Education presented a brief synopsis of how the department concluded FY2023. (A copy of the presentation is included in these minutes as August 23, 2023 Regular Board Meeting Minutes Addendum C.) She introduced new hire Colby Matilla as her successor and announced that she is moving to the position of Dean of Workforce Education.

Athletic Conference Update

Athletic Director Shawn Noel presented a past, present and future timeline related to Athletic Conference transition. (A copy of the presentation is included in these minutes as August 23, 2023 Regular Board Meeting Minutes Addendum D.) He also addressed men's and women's basketball scholarship allocation, efforts to improve the student athlete experience, coach recruitment and other efforts currently in progress, including fundraising.

Strategic Plan Update

President Swayne explained that creating a strategic plan is a crucial undertaking and reported that an RFP for a specialized consulting firm will be released within the week.

Campus Security Update

Dean of Students Alex Harris informed that he has been working with the Idaho Office of School Safety to develop a full security audit program for NIC. His goal is for a November 1, 2023 completion date.

UNFINISHED BUSINESS

Tab 2: Legal Counsel Action: Approve Hiring Legal Representation

Attorney Art Macomber addressed his presence at the meeting after withdrawing as counsel in June, 2023. Chair McKenzie recognized the extensive work done by the President and his staff in regards to the legal representation RFP analysis.

Trustee Banducci made the motion that the NIC Board of Trustees maintain its relationship with NIC attorney Macomber in three specific areas and that general counsel for NIC be responsible for other daily NIC legal matters. Mr. Macomber's area of counsel would include:

- NIC Policies
- Summer 2023 President's Evaluation
- Investigation Into Pending Personnel Matter

Included in the motion was that Mr. Macomber would report to the full Board of Trustees and be liable to the Board as his client on NIC matters; he would not be subordinate to or have primary reporting duties to NIC's general counsel. Mr. Macomber would further be requested to work with NIC's general counsel and defense counsel as needed so that knowledge of NIC legal matters is transferred and shared properly with other NIC counsel during the transition. Trustee Waggoner seconded the motion for discussion.

Following discussion of the Board's fiduciary responsibilities and questions involving the details of Mr. Macomber's increased fees and narrowed scope of work, Chair McKenzie called for a vote on the motion. The motion was passed with three votes in favor, two against.

| | |
|-----------------|-----|
| Todd Banducci | aye |
| Brad Corkill | nay |
| Greg McKenzie | aye |
| Mike Waggoner | aye |
| Tarie Zimmerman | nay |

Trustee Banducci made the motion to hire D. Colton Boyles of Boyles Law PLLC as the general attorney for North Idaho College. Trustee Waggoner seconded the motion for discussion. Following discussion involving comparison of the two candidates, a request for a consult with bar counsel, and two requests for Trustee Banducci to withdraw the motion, Chair McKenzie called for a vote. The motion was passed with three votes in favor, two against.

| | |
|-----------------|-----|
| Todd Banducci | aye |
| Brad Corkill | nay |
| Greg McKenzie | aye |
| Mike Waggoner | aye |
| Tarie Zimmerman | nay |

REMARKS FOR THE GOOD OF THE ORDER

Trustee Corkill made a motion that if D. Colton Boyles is hired, he be hired solely as counsel for the Board of Trustees and that Stevens Clay be retained as the legal counsel for the faculty, staff and administration of North Idaho College. Trustee Zimmerman seconded the motion.

Chair McKenzie suggested an amendment to the motion, replacing Stevens Clay with Gordons Rees Scully Mansukhani Llp as the alternate. Trustee Banducci seconded the motion. Trustee Corkill disagreed and stated that his motion stands.

Chair McKenzie informed that his motion was on the floor and called for a vote on the amended motion. The motion failed with two votes in favor and two votes against.

Chair McKenzie called for a vote on Trustee Corkill's original motion. The motion failed with two votes in favor for and two votes against.

Attorney Macomber advised the Board that he would review D. Colton Boyles contract and report his findings to them by the end of the week.

The meeting was adjourned at 9:52 p.m.

Respectfully Submitted,
Suzy Scura, Board Clerk

Faculty Assembly Statements (Final)**Unanimously voted for in the August 17, 2023 Faculty Assembly meeting
Presented at NIC Board of Trustees Meeting on August 23, 2023****Action Items to Address Faculty Votes of No Confidence**

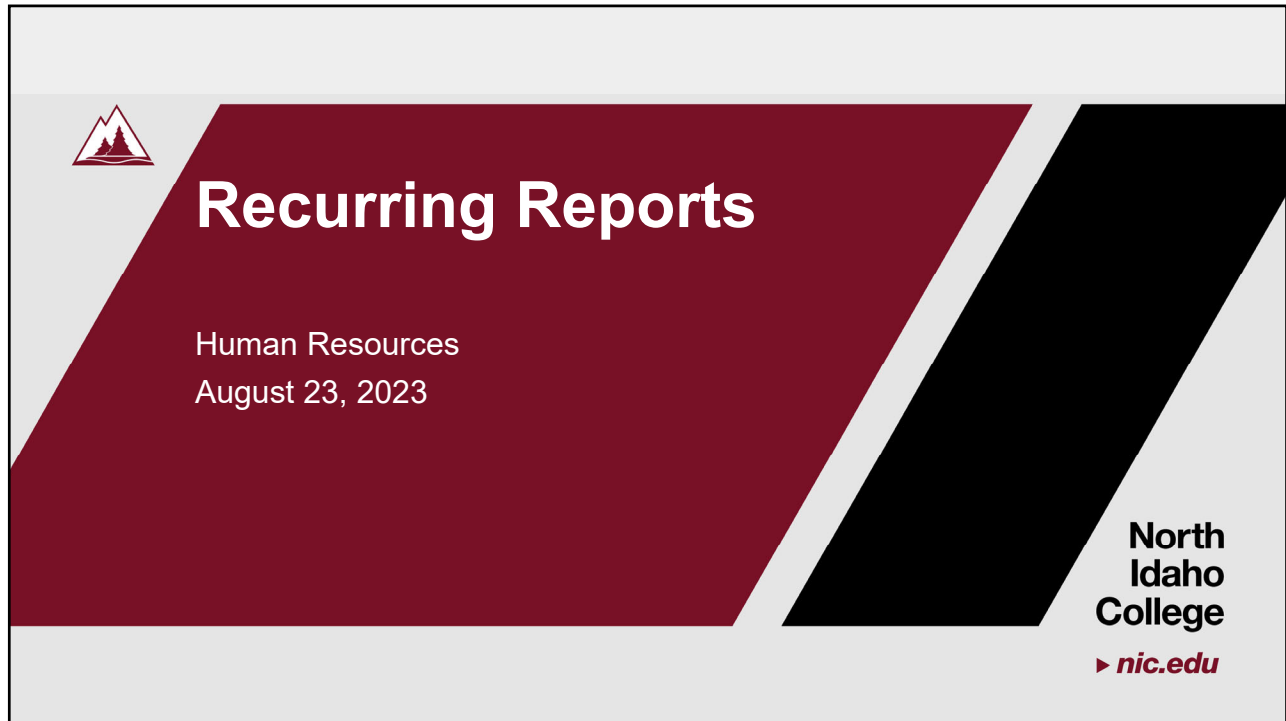
Faculty Assembly has looked over the concerns of past no-confidence votes. In the spirit of cooperation, we are offering three recommendations as initial concrete actions that would begin earning confidence:

1. Commit, in a clearly identified, transparent timeline and detailed action plan, to addressing the NWCCU show cause sanctions in a timely manner to address NIC accreditation. (NWCCU Recommendations 1, 2, 3, & 9)
2. Finish all Board Policy revisions in order to clearly articulate the Board's role, functions, scope – as well as limitations of Board impact on NIC operations, in a way that is consistent with accreditation standards. (NWCCU Recommendations 2, 5, 6, 7 & 8)
3. NIC immediately pay off Dr. Greg South's remaining contract and sever NIC's ties with him as an interim President on administrative leave. This action would confirm that Dr. Nick Swayne is the singular NIC President in charge of all NIC operations. (NWCCU Recommendations 2, 3, 10 & 11)


Statement Concerning Hiring Legal Counsel for the College

- In a vote of unanimous acclamation, the Faculty of North Idaho College urges the Board of Trustees to complete the hiring process for the most qualified educational law firm to support NIC. (NWCCU recommendations 1, 2, 5, 6 & 7)

Kathleen Miller Green, M.A.
Faculty Assembly Chair 2023-2024

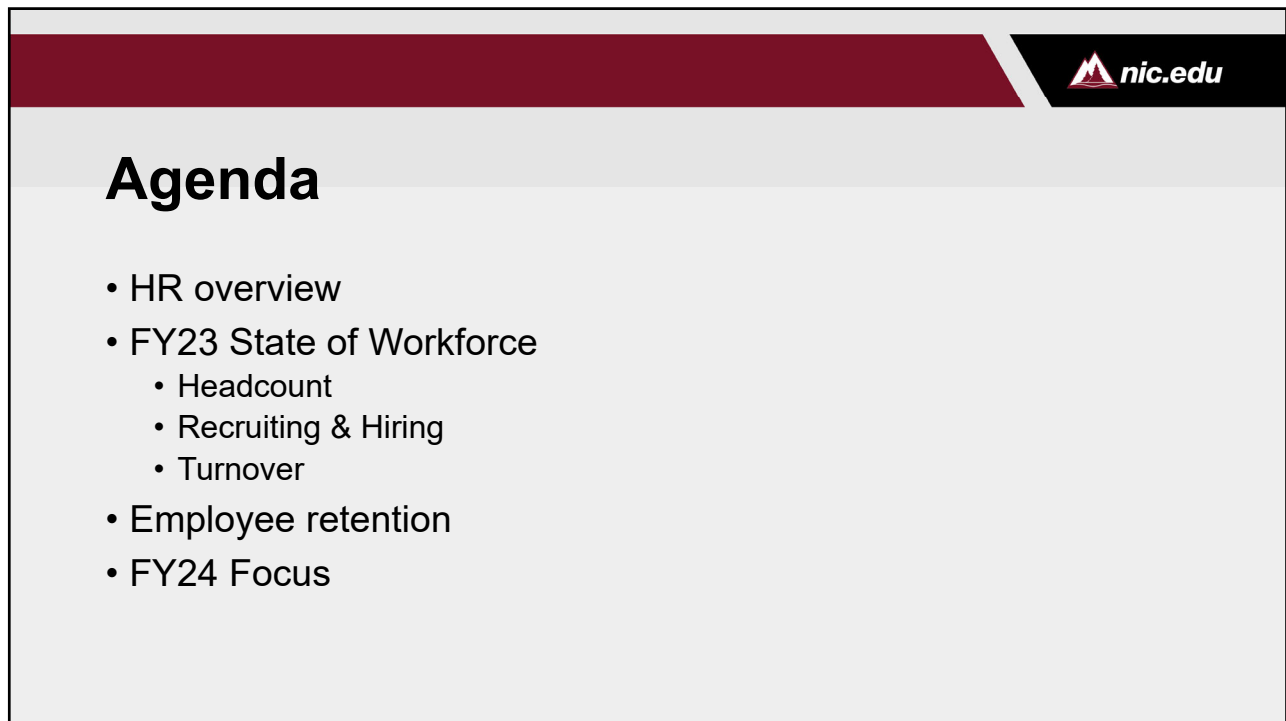


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 **Recurring Reports**

Human Resources
August 23, 2023

**North
Idaho
College**
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The slide has a dark red header bar on the left and a black header bar on the right containing the college logo and website. The main content is on a light gray background.

 nic.edu

Agenda

- HR overview
- FY23 State of Workforce
 - Headcount
 - Recruiting & Hiring
 - Turnover
- Employee retention
- FY24 Focus



Human Resources

HR provides professional assistance to recruit, retain, and engage our most valuable asset - our employees. We are dedicated to clear communication, progressive thinking, and resourceful solutions in support of the mission of NIC.

HR Team: 6 full time and 1 part time staff



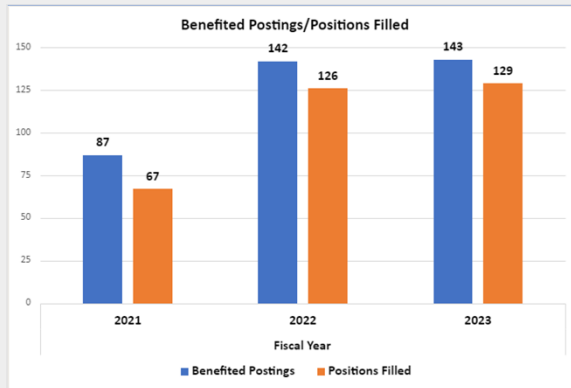
Employee Headcount: 5 year comparison

| Headcount as reported to IPEDS* (Nov) | FY19 | FY23 | Change (Headcount) | Change |
|---|--------------|------------|--------------------|-------------|
| Faculty | | | | |
| Full time | 160 | 131 | -29 | -18% |
| Adjunct | 222 | 151 | -71 | -32% |
| Staff | | | | |
| Full time | 359 | 342 | -17 | -5% |
| Part time (Students and work-study not incl.) | 294 | 223 | -71 | -24% |
| Total | 1,035 | 847 | -188 | -18% |

*IPEDS – Integrated Postsecondary Education Data System



Recruiting & Hiring

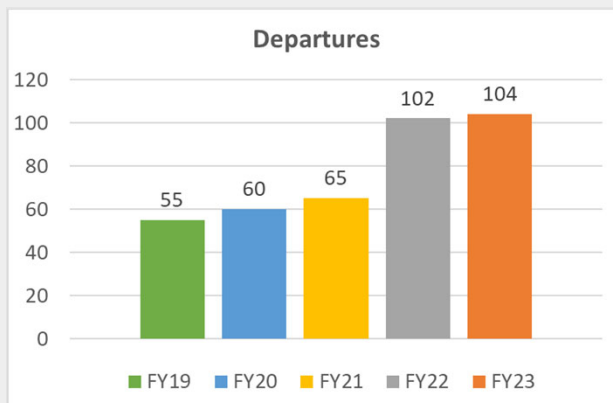


| Average # Applicants Per Job | | |
|------------------------------|------|------|
| FY21 | FY22 | FY23 |
| 16.1 | 8.9 | 8.9 |

An additional 45 *part time* faculty and staff positions were also posted by HR in FY23.



Employee Turnover



- Departures include voluntary (resignations, retirements) and involuntary departures
- FY20 (8) & FY21(6) include a total of 14 employees who accepted early retirement



Exit Survey

- Exit surveys completed by 65 benefits-eligible employees since mid August 2022
- “Employees with a New Job: Reasons to Leave NIC” (N=37)

| | Top Reasons to Leave | Responses* |
|---|--------------------------------------|------------|
| 1 | Better pay or benefits | 59.5% |
| | Better opportunity for career growth | 46% |
| 2 | Better work-life balance | 46% |
| | Better company reputation | 46% |

*Multiple responses allowed



Retention – FY24 Compensation & Benefits

- Compensation
 - 8% salary budget increase (6% structure increase+ step)
 - Need for updated compensation study (Policy 3.02.16); Last study in FY20
- Benefits & Wellness
 - 0% increase in medical insurance premiums
 - Employee wellness focus



Employee Retention in FY23

- Internal promotions
 - Hiring process is same for internal and external applicants (Policy 3.02.03)
 - Current employees are often top candidates
- Professional development opportunities
- Wellness and flexibility
- Contracts issued early



Employee Retention – Engagement

Expressing appreciation and building community in FY23

- Ice cream socials
- Harvest party
- Holiday bingo
- National popcorn day gathering
- Employee Appreciation lunch hosted by PC
- Earth Day celebration
- Benefits and Wellness Fair
- Commencement breakfast
- Taco Tuesday





Employee Engagement



FY24 Focus

- Employee retention
- Policy updates
- Strategic planning



Workforce Training Center

Recurring Report – August 2023

North
Idaho
College
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Executive Director of Workforce and Economic Development

Colby Mattila



WTC Community Impact

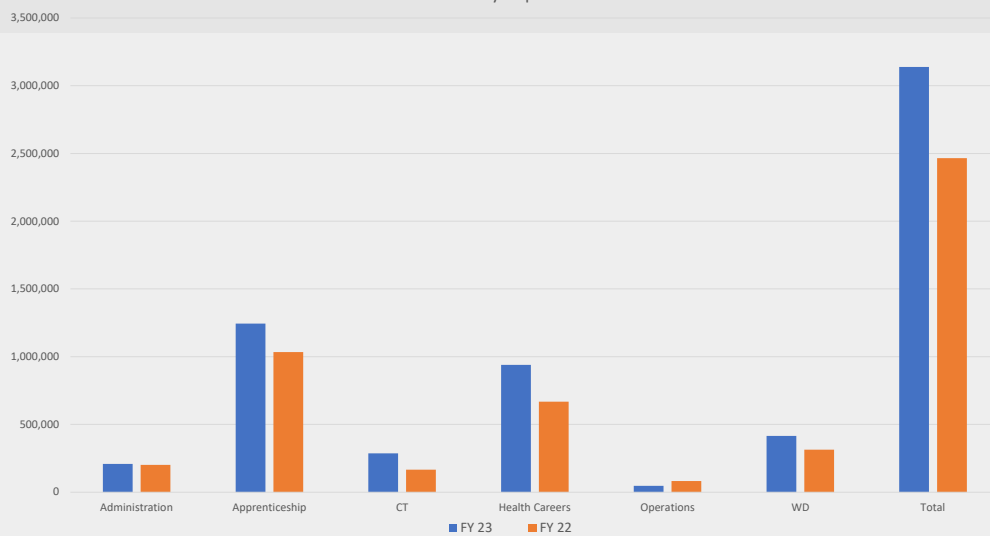
Fiscal Year 2023

- **475 Classes**
- **6684 Enrollments**
- **Completion rate – 87.63%**
- **300+ Business/Industry Contacts**

| | |
|-------------|------------------------------------|
| 24 | Full-time staff/instructors |
| 6 | Part-time staff |
| 130+ | Part-time instructors |



Revenue by Department





FY 2023

July 1, 2022 – June 30, 2023

Total Revenue

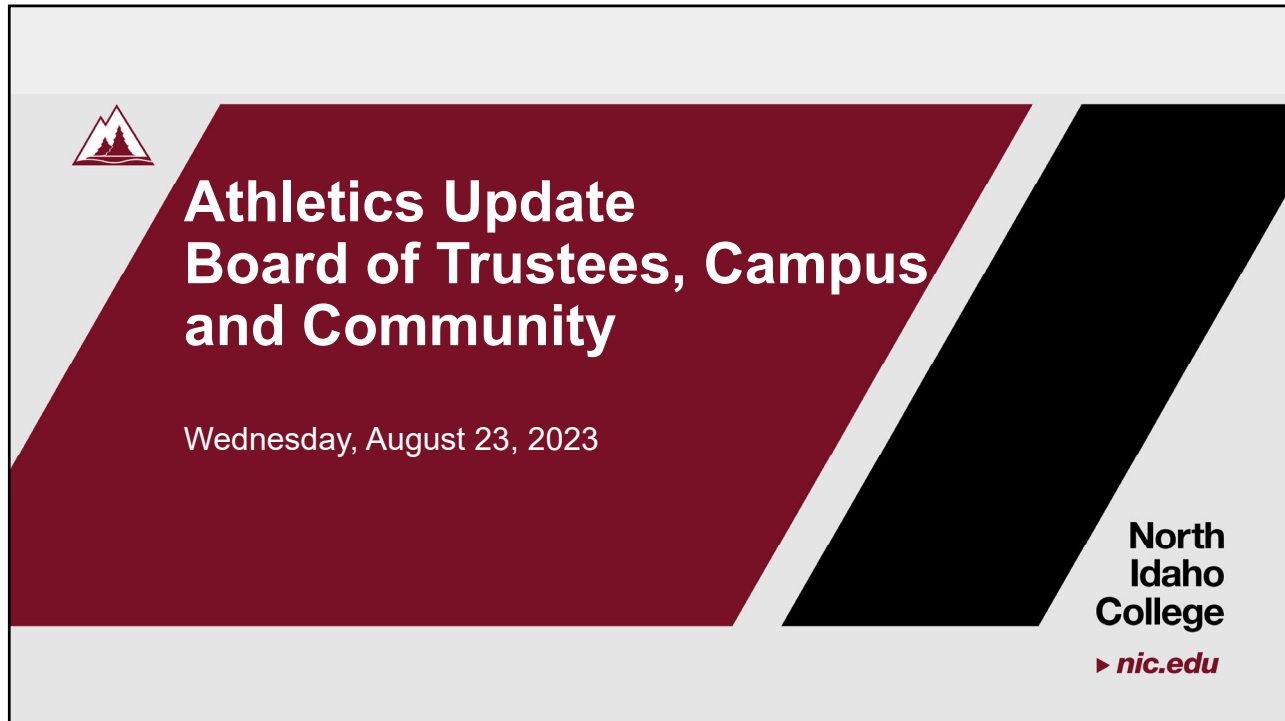
21% ▲
\$3,138,397


Total Enrollments

13% ▲
FY 2023 – 6,684

Course Quality Scores

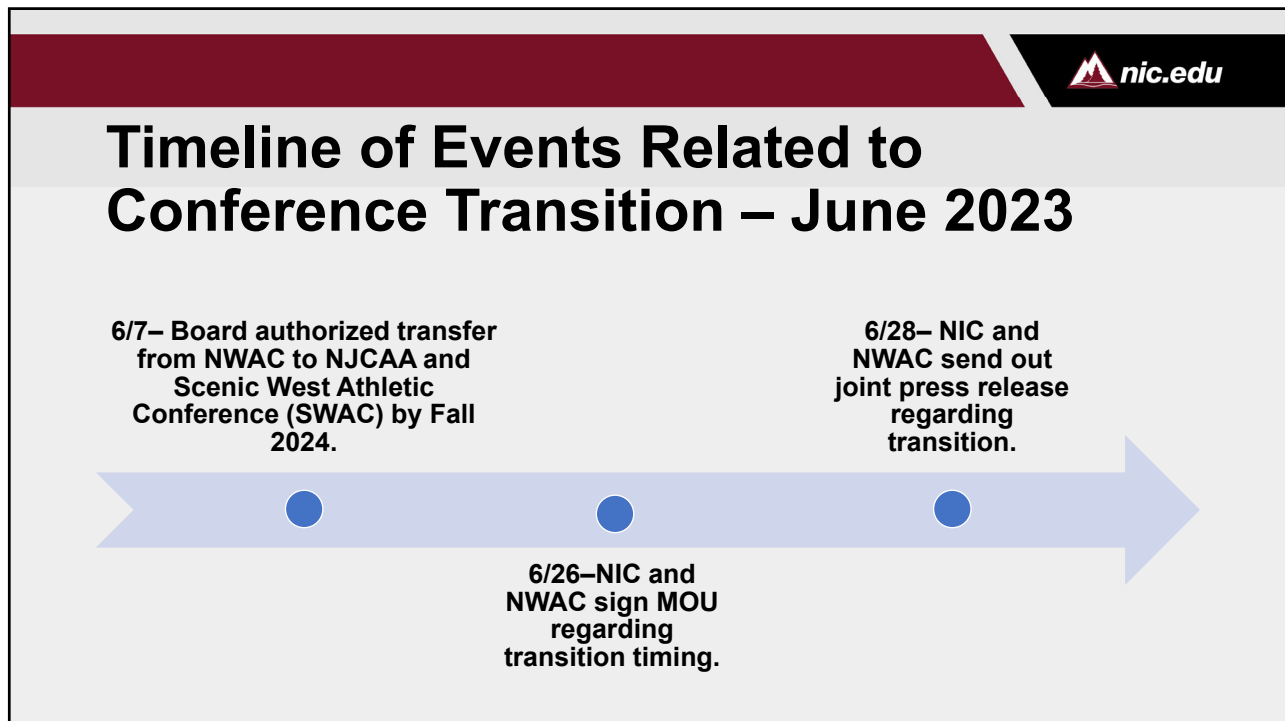
FY 2023 – 97%
FY 2022 – 99%




 **Athletics Update
Board of Trustees, Campus
and Community**

Wednesday, August 23, 2023

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Idaho
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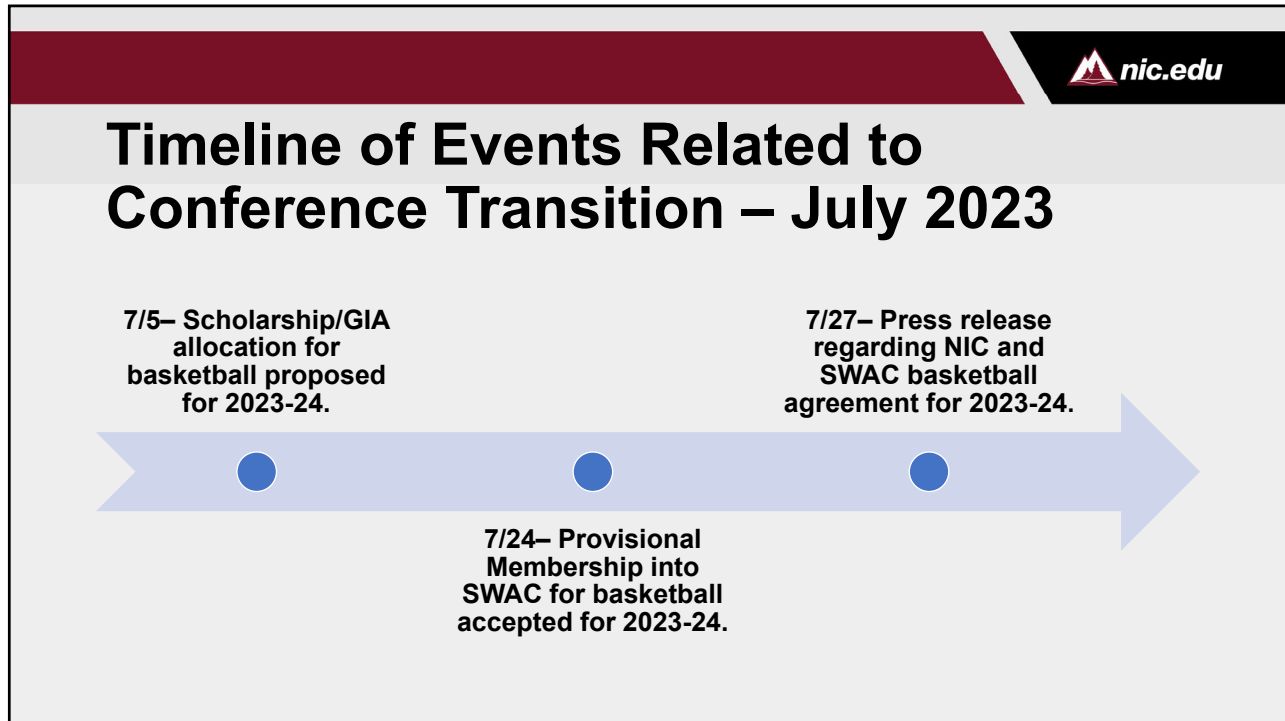
 nic.edu

Timeline of Events Related to Conference Transition – June 2023

6/7– Board authorized transfer from NWAC to NJCAA and Scenic West Athletic Conference (SWAC) by Fall 2024.

6/26–NIC and NWAC sign MOU regarding transition timing.

6/28– NIC and NWAC send out joint press release regarding transition.



| Transition between Conferences | |
|---|--|
| <p><u>2023-24</u></p> <p>NWAC</p> <ul style="list-style-type: none"> • Men’s and Women’s Soccer • Women’s Volleyball • Softball • Men’s and Women’s Golf <p>NJCAA/SWAC</p> <ul style="list-style-type: none"> • Men’s and Women’s Basketball • Men’s Wrestling | <p><u>2024-25*</u></p> <p>NJCAA/SWAC</p> <ul style="list-style-type: none"> • Men’s and Women’s Soccer • Women’s Volleyball • Softball • Men’s and Women’s Golf • Men’s and Women’s Basketball • Men’s Wrestling <p><i>*Contingent on approval from SWAC</i></p> |



2023-2024 Men's and Women's Basketball Scholarship Allocation

- NJCAA allows a maximum of 15 full scholarships/GIAs
- NIC will fund tuition and course related fees for up to 15 student athletes



Improving Student Athlete Experiences


- Student Athlete Weight Room
 - Student Athlete weight room temporarily moved to the Student Wellness and Recreation Center multi-purpose room (Due to remodeling of Winton Hall.
 - Dedicated workout times for teams
- Coaching Updates
 - Hired full time head golf coach
 - Hired additional assistant wrestling coach (stipend)
 - Recruiting assistant golf coach (stipend)



In Progress

- Additional academic support for student athletes
- Indoor Facility/Fieldhouse (Due to remodeling of Hedlund)
- Budget and scholarship/GIA proposals for next fiscal year
- Athletic Fundraising

Tab 1 Attachment C

**North Idaho College**
BOARD OF TRUSTEES SPECIAL MEETING
Edminster Student Union Building
August 31, 2023
MINUTES

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Greg McKenzie called the meeting to order at 5:02 p.m. and verified that a quorum was present. He next called for a motion to go into executive session to hear from legal counsel and hold discussion of personnel matters amongst the Board, and at the discretion of the chair.

Trustee Waggoner made a motion to go into executive session under Idaho Code § 74--206(1) (b)(f) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; and to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The motion was seconded and failed. A roll call vote was taken as follows:

| | |
|-----------------|-----|
| Todd Banducci | aye |
| Brad Corkill | no |
| Greg McKenzie | aye |
| Mike Waggoner | aye |
| Tarie Zimmerman | no |

At 5:07 p.m. the meeting was recessed.

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair McKenzie reconvened the meeting at 6:33 p.m. and verified that a quorum was present. He next welcomed attendees and led them in the Pledge of Allegiance.

ATTENDANCE

Trustees: Todd Banducci
Brad Corkill
Greg McKenzie
Mike Waggoner
Tarie Zimmerman

Also present: Nick Swayne, President
Colton Boyles, College Attorney
Art Macomber, Attorney

NEW BUSINESS

Respond to Personnel Matter

Chair McKenzie requested a board member make the motion to authorize college attorney Art Macomber, under direction of the chair, to negotiate terms of settlement for presentation to the Board for approval. A written copy of the motion was provided to each board member. Trustee Banducci made the motion. The motion was seconded for discussion.

Discussion ensued about the insurance company's ongoing investigation, and whether or not a settlement should be considered at the present time. Following discussion, Chair McKenzie called for a vote. Trustees Banducci and Waggoner voted in favor. Trustees Corkill and Zimmerman voted against, and the Chair voted in favor. The vote was carried with three in favor.

The meeting was adjourned at 6:44 p.m.

Respectfully Submitted,
Suzy Scura, Board Clerk

Tab 1 Attachment D



North Idaho College
BOARD OF TRUSTEES SUBCOMMITTEE MEETING – BOARD POLICY
Edminster Student Union Building
September 6, 2023
MINUTES

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Greg McKenzie called the meeting to order at 2:31 p.m. and verified that a quorum was present. He then explained that this policy subcommittee meeting is being held publicly for transparency purposes.

ATTENDANCE

Trustees: Brad Corkill
 Greg McKenzie
 Mike Waggoner
 Tarie Zimmerman

Also present: Nick Swayne, President
 Debbie DiThomas, Consultant

OLD BUSINESS

Board Policy Subcommittee

Chair McKenzie explained that this item was removed from the August 23, 2023 regular Board of Trustees meeting agenda to be in accordance with Idaho’s open meeting law.

Trustee Waggoner reported that the Policy Subcommittee has steadily progressed towards updating Board policies in accordance with NWCCU requirements. He explained that preliminary updates will be included in the accreditation report due to the NWCCU the following week. He then stated that the subcommittee would continue to meet several times over the coming year.

ACCT Consultant Debbie DiThomas clarified that prior meetings regarding Board policies were subcommittee meetings and as such, were not in violation of Idaho’s open meeting law. She further explained that any recommendations made by the subcommittee were brought to the full Board in an open meeting.

CHAIR MCKENZIE LED THE ATTENDEES IN THE PLEDGE OF ALLEGIENCE

Discussion: Board Policy 2.01.10 (Board General Conduct Policy)

- Communications Protocols
 The subcommittee’s proposed updates were shown alongside Chair McKenzie’s suggestions. It was agreed that his suggestions related to procedure rather than policy. Subcommittee members Waggoner and Zimmerman agreed to discuss procedure development and procedure priorities at the next subcommittee meeting. Trustee Waggoner agreed to prepare a list of suggested procedures and present it to the Board for discussion at the October regular board meeting. It was unanimously agreed that Chair McKenzie’s suggested edits be used to develop a new Procedure 2.01.10 and to make it a priority.
- Complaints Regarding Individual Board Member
 The subcommittee’s proposed changes were shown alongside Chair McKenzie’s suggestions (included in these minutes as Board Policy Subcommittee Meeting Minutes Addendum). A discussion ensued regarding the differences between Meeting Policies and

the Board General Conduct Policy. It was decided that Trustee Waggoner would consult with legal counsel before the Board continues their discussion of this policy. Chair McKenzie agreed to streamline his edits prior to submitting the policy to the attorney for review.

Discussion: Board Policy 2.01.11 (New Board Member Orientation)

The subcommittee's proposed updates were shown alongside Chair McKenzie's suggestions. It was agreed that the draft would be presented to the full board at the next regular board meeting as the subcommittee had drafted it with no additional modifications.

Discussion: Board Policy 2.01.12 (Code of Ethics)

There were no additional suggestions from Chair McKenzie to the subcommittee's proposed draft. It was agreed that the draft would be presented to the full board at the next regular board meeting as the subcommittee had drafted it with no additional modifications.

Discussion: Board Policy 2.02.02 (Presidential Performance Review)

The subcommittee's proposed updates were shown alongside Chair McKenzie's suggestions. A discussion ensued regarding the cadence of evaluations and the requirements needed to meet the Idaho Statute. It was agreed to add the sentence from the President's contract regarding frequency. Following discussion regarding the storage and controlled access to the President evaluation records, it was agreed to keep that language as it was drafted by the subcommittee without additional modifications. It was agreed that the draft with the changes discussed would be presented to the full board at the next regular board meeting.

The meeting was adjourned at 3:57 p.m.

Respectfully Submitted,
Suzy Scura, Board Clerk

Comments by Chair McKenzie

Policy

Policy #2.01.10Effective Date: 8/24/20Rescinded: 12/16/20Revised and Reinstated: 5/26/21Revised: 8/22/22

| <i>(Impact Area - Dept Name)</i> | <i>(General Subject Area)</i> | <i>(Specific Subject Area)</i> |
|----------------------------------|-------------------------------------|--------------------------------|
| Board of Trustees | Board of Trustees | Board Member General Conduct |
| | Author: Board of Trustees | Supersedes Policy |

1. Requests for information from the Board of Trustees will be communicated directly to the President. Answers to these questions will be provided to all trustees. The President has the discretion to manage college resources needed to provide these answers. Requests will be responded by the President will include a tracking number along with a response time-estimate, or if information is denied and still being requested by a Trustee will be placed on the next board's agenda for Board guidance. Individual Trustees requesting information that will require a material amount of staff time to compile, or the preparation of a special report, or that may be disruptive shall make such requests to the Chairperson of the Board. The Board Chairperson may approve the request or, at his or her discretion, have the request placed on the agenda of the next Board

Complaints Regarding Individual Board Member

In the event the College or any trustee receives a complaint about a Trustee from a member of the public or from a College employee, the complaint shall be referred to the Board Chairperson or, if the complaint is against the Chairperson, to the Vice Chairperson. The Trustee that is the subject of the complaint shall be notified and given an opportunity to respond. The Board shall have the discretion to investigate the complaint, including the authority to engage ~~either the free services of the Department of Labor or an outside consultant~~ an independent party to undertake the an

investigation. Any report from an outside consultant shall be disseminated to all Board members prior to any action being taken against the Board member unless the Board fails to go into executive session and subsequently motions otherwise. Meetings to hear complaints or to consider the conduct of a Board member shall initially take place in executive session. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the complaint. If the Board decides to ~~take action~~ (such as censure), such action may be a private admonishment or, if the Board decides the conduct justifies public admonishment, may announce censure (or other appropriate sanction) at an open meeting.

This is important as “any report” from an outside consultant means verbal report or written report. If Trustees feel the need to obstruct Board business then the Board should not be left in the dark on the situation and at least have the option to somehow move forward.

NWCCU is looking to ensure NIC adheres to policy and while bad for the Board to fail to go into executive session, it's doubly-bad to not adhere to policy regarding determining future course of actions.

- Public censure by the Board (by motion or resolution in an open meeting)

Prior to such action, the Trustee will be entitled to a hearing before the Board in executive session to hear the charges and to allow the Trustee to respond. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the potential action. The decision of a majority of the Board is final.

The Board shall cause a record to be made of any private censure such complaint proceedings. These records and deposit such record in a confidential file maintained by the Secretary of the Board. will be stored in the office of the Executive Assistant to the President in an isolated, secure, and safe manner-locked, fire proof box. Access to the ~~box-associated personnel file~~ is controlled by limited to the Board Clerk and the Secretary/Treasurer of the Board Chairperson, who is required to can provide secure viewing of the private censure to the president or individual trustees upon request or delegate to an appropriate authority to facilitate, such as the college's retained attorney or the Board Clerk. A viewing log will be maintained adjacent to the associated personnel file. Archiving of the associated personnel file(s) will follow North Idaho College Policy 2.01.06 "Retention of Records." ~~A viewing log will be maintained within the box by the Board Clerk and Secretary/Treasurer of the Board. Archiving of the file(s) within the box will follow North Idaho College Policy 2.01.06 "Retention of Records."~~

Note: double "s" in proceedings was removed

Mainly consistency of controlled secure-access for Board level personnel files and see the note on president's personnel file conflict of interest. This is more appropriate for the Board Chair to facilitate controlled secure-access.

Policy

Policy #2.01.11

Effective Date: 5/25/22
 Revised: 08/23/2023 (if passed)

| | | |
|---|--|--|
| <i>(Impact Area - Dept Name)</i> Board of Trustees | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> New Board Member Orientation |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: | |

for personal gain. Inform the board chairperson and/or the entire board when a matter under consideration might involve or appear to involve a conflict of interest. Each Trustee shall sign and abide by the NIC Annual Trustee Affirmation.

F. The president will adopt procedures to administer this policy.

~~*As a North Idaho College Trustee,*~~

~~*I affirm that I will:*~~

~~*— I will wWork to support the interests of North Idaho College (“NIC”) and the Board.*~~

Why have the affirmation statement twice, just refer to the NIC Annual Trustee Affirmation in 2.01.10?

Policy

Policy # 2.02.02Effective Date 4/25/01Revised Date 10/28/09Revised: 08/23/2023 (if passed)

| | | |
|--|--|---|
| <i>(Impact Area - Dept Name)</i> Administration | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> Presidential Performance Review |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: President | |
| Legal Citation (if any): | | |

Policy Narrative

[Page 1 of 1]

The board of trustees recognizes the importance of having exceptional executive leadership and that such leadership is dependent upon constructive review of how that responsibility is exercised. To further this end, the board of trustees ~~may~~will ~~at a~~at a ~~minimum~~ annually review the president's stewardship in order to strengthen his or her performance, to enable the president and the board of trustees to reset mutually agreed upon goals, and to inform annual decisions on compensation and other terms of employment.

The annual performance review of the president should include a written management review statement by the president and a written report on goals from the previous 12 months, as mutually agreed upon by the president and the board of trustees. It may also include proposed goals for the subsequent 12 months. The annual performance review should be completed on a schedule consistent with the college's annual compensation-setting process.

“At a minimum” provides the Board the flexibility to conduct more performance reviews if the Board deems that wise. How it currently is written does limit the Board to providing feedback to the president solely once a year only in an annual evaluation. More often may be appropriate for certain circumstances.

NWCCU is looking for the Board to adhere to our its policies and as written without the words “at a minimum” then the future Board(s) may wish to do more frequently and be barred from doing so.

An external evaluator will be selected by the board to assist in the president's evaluation.

The Board will meet in executive session to discuss the evaluation prior to providing the evaluation to the President. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the President's evaluation.

The president's personnel file will be stored in the office of the Executive Assistant to the President in an isolated, secure, and safe manner. Access to the president's personnel file is controlled by the Board Chairperson, who either will provide viewing to the president or individual trustees upon request or delegate to an appropriate authority to facilitate, such as the college's retained attorney or the Board Clerk. A viewing log will be maintained adjacent to the personnel file. Archiving of the file(s) within the box will follow North Idaho College Policy 2.01.06 "Retention of Records."

The Board Clerk was just hired by the NIC President and is subject to the President's influence over maintaining the position. Potential conflict of interest exists for access when granted by Board Clerk.

The middle paragraph needs to exist for two reasons.

- 1) Best practice for Board to assess the evaluation reflects Board sentiment
- 2) Board able to still function if Trustees choose to obstruct Board functioning.

The Board Chair should be responsible for controlled secure-access.

Policy

Policy #2.01.10Effective Date: 8/24/20Rescinded: 12/16/20Revised and Reinstated: 5/26/21Revised: 8/22/22

| | | |
|---|--|--|
| <i>(Impact Area - Dept Name)</i> Board of Trustees | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> Board Member General Conduct |
| | Author: Board of Trustees | Supersedes Policy |
| Relates to Procedure # | Impact: Board of Trustees | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

Page 1 of 86

Pursuant to Idaho Code Title 33 Chapter 21; 33-2107 entitled General Powers of the Board of Trustees, the Board of Trustees of each community college district shall have the power to adopt policies and regulations for its own government and the government of the college. In furtherance of this power the Board of Trustees establishes this policy regarding Board Conduct.

Purpose

The purpose of this policy is to prescribe processes, behaviors, and methods of appropriate communications for effective and efficient Board operations. This policy is not intended to infringe upon individual first amendment rights nor interfere with

personal relationships. Utilizing proper procedures and channels of communications and exercising respectful behaviors results in a more effective and efficient organization.

General Guidelines for Conduct

The Board expects its members to demonstrate ethical and businesslike conduct. This commitment includes proper use of authority and respect in group and individual behavior when acting as Board members.

The Board of Trustees recognizes that it has authority to act only as a unit and that individual Board members have no authority to act in College matters without approval of the Board. Consistent with this and other Board Policies, an individual Trustee shall not purport to act for, bind, or commit the College to any act or course of conduct without prior approval of the Board. The College can be bound only by formal action of the Board.

The Board will enforce upon itself and its members effective practices to govern and discharge its duties effectively and efficiently. The Board and individual Board member's self-discipline will apply at all times and to such matters including, but are not limited to attendance, respect for others, proper decorum, confidentiality with sensitive information, speaking with one voice for external communications, and adherence to the policies and rules of the College and the Board. The Board will take appropriate action to enforce the obligations imposed hereunder, including without limitation, limiting or suspending Board privileges, private or public censure. or other such action as the Board deems appropriate.

Each Board member is subject to and shall conform his or her behavior in accordance with Board and general College policies regarding ethical and professional conduct.

Interaction with College Personnel Guidelines

College personnel regard a visit by a Board member, except for consultation with the President, as a special occasion. Ongoing interaction can create confusion as to the roles of the Board and the College Administration. To prevent the appearance of impropriety or unethical conduct and to avoid the use of undue and inappropriate influence over College personnel, Board members shall inform the president about contact and interactions with College personnel. Board members should be afforded communication with the NIC community. Nothing herein shall be construed to prohibit or discourage communications between board members and members of the faculty, staff, administration or community.

Individual Trustees, however, must refrain from communicating or acting in a manner that violates, interferes with or circumvents College policy and administrative procedures and guidelines. Trustees are responsible for familiarizing themselves with

College policies, adhering to those policies, procedures, and guidelines and complying with the spirit and intent of those policies.

The Board recognizes the rights of students, faculty, administrators and other employees of the College to hold private meetings and to carry on the day-to-day operations of the College without the participation of Board members. Accordingly, it is improper for Board members:

1. To attend or participate in private meetings of students, faculty, administrators or other employees of the College where College business is to be considered, unless the Board member has been invited to attend as an observer only, or the Board as a whole is invited to attend and has decided to participate, or the Board member has been officially designated by the Board to attend or participate;
2. To participate in the day-to-day operations of the College without official Board approval;
3. To intercede with students, faculty, administrators or any other employees of the College on behalf of any person or program without informing the Board.
4. To threaten or harass or intimidate any employee or student of the College or anyone doing business with the College; and
5. To borrow money, solicit funds or accept gratuities of any kind from any employee of the College, unless the activity, is conduct involving election, campaigning, or free speech or is otherwise protected by constitution or statute.

Communications ~~Pro~~cedures/~~Board Members Request for Information~~

In order to assure that internal and external communication between the Board, the public and the college staff are clear and represent the unity and maintain the integrity of the Board acting as a whole, these policies will be followed as individual responsibilities of each Trustee. Trustees should be continually conscious of the potential that their position is viewed as one of power and may unduly influence college employees

~~1. Requests for information from the Board of Trustees will be communicated directly to the President. Answers to these questions will be provided to all trustees. The President has the discretion to manage college resources needed to provide these answers. Requests will be responded by the President will include a tracking number along with a response time-estimate, or if information is denied and still being requested by a Trustee will be placed on the next board's agenda for Board guidance. Individual Trustees requesting information that will require a material amount of staff time to compile, or the preparation of a special report, or that may be disruptive shall make such requests to the Chairperson of the Board. The Board Chairperson may approve the request or, at his or her discretion, have the request placed on the agenda of the next Board~~

~~meeting for the consideration of the Board of Trustees. Compilations and reports prepared pursuant to this provision will be available to all Trustees. Individual Trustees shall not make such requests directly to an employee of the College.~~

~~2.1. Individual Trustees with questions regarding the operations of the College, such as inquiries concerning employment or admission to the College, complaints for or about students, complaints from or about faculty and staff, complaints or questions about administrative decisions, and complaints or questions from or about facilities, shall convey such to the Office of the President for consideration and possible action;~~

~~3. When discussing community concerns, issues involving the College, and actions taken by the Board of Trustees and the administration, Trustees should carefully delineate between opinions that are personal and held as an individual citizen versus opinions that reflect officially approved policies or action of the Board or College;~~

~~2.~~

~~4. Trustees should make no announcement of nor give any information about action taken by the Board until such action has been communicated by the Board Chairperson or President through regular official channels;~~

~~5.1. Consistent with this and other Board Policies, an individual Trustee shall not purport to act for, bind, or commit the College to any act or course of conduct without prior approval of the Board. The College can be bound only by formal action of the Board.~~

~~6.~~

~~7.1. Communication with Legislators, Public Officials, and Community Leaders~~

Unless authorized by the Board, when communicating with legislators, public officials, and Community leaders, Communication with Legislators, Public Officials, and Community Leaders~~individual Trustees~~Board members, should take reasonable care to clarify that they are acting as individuals and not on behalf of the Board or the College and should strive to maintain consistency with established board decisions, policies and plans.

~~3.~~

~~8.~~

~~9. Relationship with the Press~~

~~10.~~

~~11.4.~~ The Board Chairperson and the President, or their respective designees, shall be the spokespersons to the press on College matters. In most cases, Board members should refer inquiries from reporters to the Chairperson and/or President, or designee. The goal is to speak with one voice on College matters and to remove the potential of conflicting statements. However, the Board

recognizes elected officials will speak to the Press when they feel it is appropriate.

Conflict of Interest

Trustees will avoid any situation to use their position as an NIC Trustee to bring themselves benefit or personal gain. Examples of Trustee personal gain may involve:

- (a) a member of the Board, or
- (b) a member of his or her immediate family or close relative ("immediate family" means the employee's spouse, parent, step-parent, guardian, brother, sister, mother-in-law, father-in-law, child, or stepchild; "close relative" means the employee's grandmother, grandfather, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, first cousin, or grandchild.), or
- (c) an organization with which a member of the Board is affiliated, such as an existing relationship, serving as a Board member, administrator, or employee.

~~At first knowledge of any of these situations, the Trustee must disclose such real or potential conflict by informing the Board chairperson or the entire Board. If the conflict involves the Board chairperson, the chairperson will inform the entire Board. Where a conflict is determined to exist, Trustees will abstain from involvement in decision-making. As required by state law, if a Board member's outside activity (employment, participation or involvement in another business, corporation, institution or other entity) constitutes a conflict of interest, then the Board member will (a) disclose to the Board such conflict or the potential conflict; (b) absent herself/himself from discussion regarding any issue which involves his or her role as a Board member and his or her outside activity, and (c) refrain from voting on any such issue.~~

Trustee Usage of Facilities

Trustees are not prohibited from using College facilities for professional or personal reasons provided such facilities are normally available to the public, and the Trustee is subject to the same conditions, goes through the same procedures and pays the same compensation as would a member of the public who is not a College employee or are specifically authorized by Board policy.

Complaints Regarding Individual Board Member

In the event the College or any trustee receives a complaint about a Trustee from a member of the public or from a College employee, the complaint shall be referred to the Board Chairperson or, if the complaint is against the Chairperson, to the Vice Chairperson. The Trustee that is the subject of the complaint shall be notified and given an opportunity to respond. The Board shall have the discretion to investigate the complaint, including the authority to engage either the free services of the Department of Labor or an outside consultant an independent party to undertake ~~the an~~

investigation. Any report from an outside consultant shall be disseminated to all Board members prior to any action being taken against the Board member unless the Board fails to go into executive session and subsequently motions otherwise. Meetings to hear complaints or to consider the conduct of a Board member shall initially take place in executive session. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the complaint. If the Board decides to ~~take action~~ (such as censure), such action may be a private admonishment or, if the Board decides the conduct justifies public admonishment, may announce censure (or other appropriate sanction) at an open meeting.

Potential Action for Trustee Violation of Policy

A Trustee violation of this policy will be subject to the following potential action as determined by the Board as a whole:

- Loss of Board appointments to committees.
- Loss of officer status (e.g. designation as Chair, Vice-Chair, Secretary, Treasurer, etc.).
- Private censure in executive session by other Board members.
- Public censure by the Board (by motion or resolution in an open meeting)

Prior to such action, the Trustee will be entitled to a hearing before the Board in executive session to hear the charges and to allow the Trustee to respond. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the potential action. The decision of a majority of the Board is final.

The Board shall cause a record to be made of any ~~private censure such complaint proceedings~~. These records and deposit such record in a confidential file maintained by the Secretary of the Board will be stored in the office of the Executive Assistant to the President in an isolated, secure, and safe manner locked, fire proof box. Access to the box associated personnel file is controlled by limited to the Board Clerk and the Secretary/Treasurer of the Board Chairperson, who is required to can provide secure viewing of the private censure to the president or individual trustees upon request or delegate to an appropriate authority to facilitate, such as the college's retained attorney or the Board Clerk. A viewing log will be maintained adjacent to the associated personnel file. Archiving of the associated personnel file(s) will follow North Idaho College Policy 2.01.06 "Retention of Records." ~~A viewing log will be maintained within the box by the Board Clerk and Secretary/Treasurer of the Board. Archiving of the file(s) within the box will follow North Idaho College Policy 2.01.06 "Retention of Records."~~

Annual Trustee Affirmation

As a North Idaho College Trustee,

I affirm that:

- I will work to support the interests of North Idaho College ("NIC") and the Board.
 - I will recognize that authority over the organization is only vested in the Board when it meets in legal session;
 - I recognize my authority exists only when acting collectively with my fellow board members, and that our authority is derived from, and obliged to serve, the interests of our entire community;
 - I will devote time, thought, and study to the duties of a trustee, and engage in an ongoing process of in-service education and continuous improvement;
 - I will consider information received from all sources and base decisions upon all available facts while maintaining confidentiality of privileged information;
 - I will work with fellow trustees in a spirit of harmony and co-operation, and respect differences of opinion;
 - I will respect the majority decisions of the Board.
 - I will demonstrate discretion when making public statements in person, online or in other forums, so as to minimize the impression that such statements reflect the opinion of NIC or the Board. This includes full disclosure to participants when attending meetings as an ordinary citizen.
 - I will be prepared to participate in open, honest, and civil deliberation with my colleagues, vote my conscience rather than to advance any special interests, and respect the decisions we make;
 - I will deal appropriately with sensitive issues and respect the confidentiality of discussions that take place during executive sessions;
 - I represent everyone the College serves, not a particular interest group;
 - I will declare any potential conflict of interest. I will not participate in, vote on, or exert influence on, any decision in which I cannot be unbiased;
 - I will abide by the Code of Ethics (Policy reference will be added once approved);
 - I will honor the division of responsibility between the Board and the CEO/president and staff and contribute to creating a spirit of true cooperation and a mutually supportive relationship in support of our community.
-

Trustee Signature

Date

Policy

Policy #2.01.11Effective Date: 5/25/22Revised: 08/23/2023 (if passed)

| | | |
|---|--|--|
| <i>(Impact Area - Dept Name)</i> Board of Trustees | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> New Board Member Orientation |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

[Page 1 of 1]

- A. It is the expectation of the board of trustees that each new board member is afforded the opportunity to participate in a structured onboarding process to facilitate a transition into board knowledge, participation and support trustee effectiveness.
- B. North Idaho College offers a comprehensive orientation program and ongoing board development to support trustees and their board roles. The program includes both an orientation to the college provided by the president, and effective board participation and governance provided by the chair, legal counsel, other administrative designees and/or current trustees.
- C. At the annual organization meeting, or whenever there is a change in the composition of the board, either through appointment, election, or vacancy, all trustees will reaffirm their commitment to NIC policies, procedures, and board of trustees' ~~Code of ethics~~ Ethics Policy outlined in (~~Policy 2.01.12 once approved 2.01.02~~) and Board General Conduct Guidelines for Conduct Policy (~~outlined in Policy 2.01.10~~).
- D. Within the first year of their service, the newly onboarded trustee will be expected to attend a professionally sponsored board member training.
- E. Avoid any situation to use the position as a community college trustee to benefit

for personal gain. Inform the board chairperson and/or the entire board when a matter under consideration might involve or appear to involve a conflict of interest. Each Trustee shall sign and abide by the NIC Annual Trustee Affirmation.

~~F. The president will adopt procedures to administer this policy.~~

~~As a North Idaho College Trustee,~~

~~I affirm that I will:~~

- ~~— I will wWork to support the interests of North Idaho College ("NIC") and the Board.~~
- ~~— I will r Recognize that authority over the organization is only vested in the Board when it meets in legal session;.~~
- ~~— I recognize my authority exists only when acting collectively with my fellow board members, and that our authority is derived from, and obliged to serve, the interests of our entire community;~~
- ~~I will dDevote time, thought, and study to the duties of a trustee, and engage in an ongoing process of in-service education and continuous improvement; in order to be effective and provide credible service.~~
- ~~I will cConsider information received from all sources and base personal decisions upon all available facts while maintaining confidentiality of privileged information;.~~
- ~~I will wWork with fellow trustees in a spirit of harmony and co-operation, and respect in spite of differences of opinion;.~~
- ~~I will r Recognize that authority over the organization is only vested in the Board when it meets in legal session.~~
- ~~Maintain the integrity of the Board and the position of the trustee when communicating and interacting with outside individuals and agencies. This includes full disclosure to participants when attending meetings as an ordinary citizen.~~
- ~~Respect the majority decisions of the Board.~~
- ~~I will dWork to support the interests of North Idaho College ("NIC") and the Board.~~
- ~~Demonstrate discretion when making public statements in person, online or in other forums, so as to minimize the impression that such statements reflect the opinion of NIC or the Board when they do not. This includes full disclosure to participants when attending meetings as an ordinary citizen.~~
- ~~I will bMaintain the highest standards of civility and respect accorded to public office through the absence of unwarranted criticism of fellow Board members, the Board, NIC administration or employees.e prepared to participate in open,~~

~~honest, and civil deliberation with my colleagues, vote my conscience rather than to advance any special interests, and respect the decisions we make;~~

- ~~• I will dDeal appropriately with sensitive issues and respect the confidentiality of discussions that take place during executive sessions;~~
- ~~• I Rrepresent everyone the College serves, not a particular interest group;~~
- ~~— I will dDeclare any potential and be transparent about any known conflict of interest. I will not participate in, vote on, or exert influence on, any decision in which I cannot be unbiased have any interest;~~
- ~~— I will aAbide by the NIC Guidelines for ConductedCode of Ethics policyoutlined in Policy 2.01.10;~~
- ~~• I will honor the division of responsibility between the Board and the CEO/president and staff and contribute to creating a spirit of true cooperation and a mutually supportive relationship in support of our community.~~

Trustee Signature

Date

Policy

Policy # 2.02.02Effective Date 4/25/01Revised Date 10/28/09Revised: 08/23/2023 (if passed)

| | | |
|--|--|---|
| <i>(Impact Area - Dept Name)</i> Administration | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> Presidential Performance Review |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: President | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

[Page 1 of 1]

The board of trustees recognizes the importance of having exceptional executive leadership and that such leadership is dependent upon constructive review of how that responsibility is exercised. To further this end, the board of trustees ~~may~~ will at a minimum annually review the president's stewardship in order to strengthen his or her performance, to enable the president and the board of trustees to reset mutually agreed upon goals, and to inform annual decisions on compensation and other terms of employment.

The annual performance review of the president should include a written management review statement by the president and a written report on goals from the previous 12 months, as mutually agreed upon by the president and the board of trustees. It may also include proposed goals for the subsequent 12 months. The annual performance review should be completed on a schedule consistent with the college's annual compensation-setting process.

An external evaluator will be selected by the board to assist in ~~evaluation~~ the president's evaluation.

The Board will meet in executive session to discuss the evaluation prior to providing the evaluation to the President. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the President's evaluation.

The president's personnel file will be stored in the office of the Executive Assistant to the President ~~in a locked, fire proof box~~ in an isolated, secure, and safe manner. Access to the president's personnel file ~~box is limited~~ controlled to the Board Clerk and the Secretary/Treasurer of the ~~by the~~ Board Chairperson, who is required to ~~can provide~~ secure viewing to the president or individual trustees upon request or delegate to an appropriate authority to facilitate, such as the college's retained attorney or the Board Clerk. A viewing log will be maintained ~~within the box~~ adjacent to the personnel file ~~by the Board Clerk and Secretary/Treasurer of the Board~~. Archiving of the file(s) ~~within the box~~ will follow North Idaho College Policy 2.01.06 "Retention of Records."

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 2

SUBJECT: Board Policy Subcommittee Report

BACKGROUND:

This topic was moved from the August 23, 2023 meeting agenda to the September 27, 2023 agenda in order to avoid a violation of open meeting rules.

Included as Tab 2 Attachment A is the Board Policy Subcommittee work in progress summary sheet

Included as Tab 2 Attachment B is the latest revision of Board Policy 2.01.10 (Board General Conduct Policy)

Included as Tab 2 Attachment C is the latest revision of Board Policy 2.01.11 (New Board Member Orientation)

Included as Tab 2 Attachment D is the latest revision of suggested new Board Policy 2.01.12 (Code of Ethics)

Included as Tab 2 Attachment E is the latest revision of Board Policy 2.02.02 (Presidential Performance Review)

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to adopt the policies, as presented. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

Tab 2 Attachment A

| Policy # | Title | Remit | Last Revised | Last Reviewed | Status | Notes |
|---------------------------|---|---------|--------------|---------------|---|---|
| 2.01.01 | Authority, Appointment, and Functions | Board | 24 May 2023 | 24 May 2023 | completed | website update pending |
| 2.01.02 | Responsibilities, Duties, and Standards of Good Practice | Board | 28 Oct 2009 | 28 Oct 2009 | completed | website update pending |
| 2.01.03 | Meetings | Board | 25 May 2022 | 25 May 2022 | completed | website update pending |
| 2.01.04 2.01.14 | Governance - Creation, Revision, or Elimination of College Policy and Procedure | Board | 30 Jan 2020 | 30 Jan 2020 | 2.01.04 not started 2.01.14 new | College responsibilities 2.01.04 Board responsibilities 2.01.14 |
| 2.01.05 | Communications with Board of Trustees | Board | 24 May 2022 | 24 May 2022 | completed | website update pending |
| 2.01.06 | Retention of Records | College | 24 Sep 2014 | Unknown | | |
| 2.01.07 | Inspection of Records | College | 18 Nov 2015 | Unknown | | |
| 2.01.08 | Board of Trustees Performance Review | Board | 24 May 2023 | 24 May 2023 | completed | website update pending |
| 2.01.09 | Trustee Emeritus Status | Board | 17 Dec 2018 | Unknown | not started | |
| 2.01.10 | Board General Conduct Policy | Board | 22 Aug 2022 | 30 Aug 2023 | in process | legal counsel review pending for next subcommittee meeting |
| 2.01.11 | New Board Member Orientation | Board | 25 May 2022 | 30 Aug 2023 | in process | draft ready for September regular Board meeting |
| 2.01.12 | Code of Ethics | Board | NA | NA | new | draft ready for September regular Board meeting |
| | | | | | | |
| 2.02.01 | President's Authority and Responsibility | Board | 24 May 2023 | 24 May 2023 | completed | website update pending |
| 2.02.02 | Presidential Performance Review | Board | 28 Oct 2009 | 30 Aug 2023 | in process | draft ready for September regular Board meeting |

Tab 2 Attachment B

Policy

Policy #2.01.10

Effective Date: 8/24/20

Rescinded: 12/16/20

Revised and Reinstated: 5/26/21

Revised: ~~8/22/22~~09/27/2023 (if passed)

| | | |
|--|---|---|
| <p><i>(Impact Area - Dept Name)</i></p> <p>Board of Trustees</p> | <p><i>(General Subject Area)</i></p> <p>Board of Trustees</p> | <p><i>(Specific Subject Area)</i></p> <p>Board Member General Conduct</p> |
| | <p>Author: Board of Trustees</p> | <p>Supersedes Policy</p> |
| <p>Relates to Procedure #</p> | <p>Impact: Board of Trustees</p> | |
| <p>Legal Citation (if any):</p> | | |
| <p><i>North Idaho College</i></p> | | |

Policy Narrative

Page 1 of 8

Pursuant to Idaho Code Title 33 Chapter 21; 33-2107 entitled General Powers of the Board of Trustees, the Board of Trustees of each community college district shall have the power to adopt policies and regulations for its own government and the government of the college. In furtherance of this power the Board of Trustees establishes this policy regarding Board Conduct.

Purpose

The purpose of this policy is to prescribe processes, behaviors, and methods of appropriate communications for effective and efficient Board operations. This policy is not intended to infringe upon individual first amendment rights nor interfere with

personal relationships. Utilizing proper procedures and channels of communications and exercising respectful behaviors results in a more effective and efficient organization.

General Guidelines for Conduct

The Board expects its members to demonstrate ethical and businesslike conduct. This commitment includes proper use of authority and respect in group and individual behavior when acting as Board members.

The Board of Trustees recognizes that it has authority to act only as a unit and that individual Board members have no authority to act in College matters without approval of the Board. Consistent with this and other Board Policies, an individual Trustee shall not purport to act for, bind, or commit the College to any act or course of conduct without prior approval of the Board. The College can be bound only by formal action of the Board.

The Board will enforce upon itself and its members effective practices to govern and discharge its duties effectively and efficiently. The Board and individual Board member's self-discipline will apply at all times and to such matters including, but are not limited to attendance, respect for others, proper decorum, confidentiality with sensitive information, speaking with one voice for external communications, and adherence to the policies and rules of the College and the Board. The Board will take appropriate action to enforce the obligations imposed hereunder, including without limitation, limiting or suspending Board privileges, private or public censure. or other such action as the Board deems appropriate.

Each Board member is subject to and shall conform his or her behavior in accordance with Board and general College policies regarding ethical and professional conduct.

Interaction with College Personnel Guidelines

College personnel regard a visit by a Board member, except for consultation with the President, as a special occasion. Ongoing interaction can create confusion as to the roles of the Board and the College Administration. To prevent the appearance of impropriety or unethical conduct and to avoid the use of undue and inappropriate influence over College personnel, Board members shall inform the president about contact and interactions with College personnel. Board members should be afforded communication with the NIC community. Nothing herein shall be construed to prohibit or discourage communications between board members and members of the faculty, staff, administration or community.

Individual Trustees, however, must refrain from communicating or acting in a manner that violates, interferes with or circumvents College policy and administrative procedures and guidelines. Trustees are responsible for familiarizing themselves with

College policies, adhering to those policies, procedures, and guidelines and complying with the spirit and intent of those policies.

The Board recognizes the rights of students, faculty, administrators and other employees of the College to hold private meetings and to carry on the day-to-day operations of the College without the participation of Board members. Accordingly, it is improper for Board members:

1. To attend or participate in private meetings of students, faculty, administrators or other employees of the College where College business is to be considered, unless the Board member has been invited to attend as an observer only, or the Board as a whole is invited to attend and has decided to participate, or the Board member has been officially designated by the Board to attend or participate;
2. To participate in the day-to-day operations of the College without official Board approval;
3. To intercede with students, faculty, administrators or any other employees of the College on behalf of any person or program without informing the Board.
4. To threaten or harass or intimidate any employee or student of the College or anyone doing business with the College; and
5. To borrow money, solicit funds or accept gratuities of any kind from any employee of the College, unless the activity, is conduct involving election, campaigning, or free speech or is otherwise protected by constitution or statute.

Communications ~~Protocol~~~~cedures~~/Board Members Request for Information

In order to assure that internal and external communication between the Board, the public and the college staff are clear and represent the unity and maintain the integrity of the Board acting as a whole, these policies will be followed as individual responsibilities of each Trustee. Trustees should be continually conscious of the potential that their position is viewed as one of power and may unduly influence college employees

~~1. Requests for information from the Board of Trustees will be communicated directly to the President. Answers to these questions will be provided to all trustees. The President has the discretion to manage college resources needed to provide these answers. Requests will be responded by the President will include a tracking number along with a response time estimate, or if information is denied and still being requested by a Trustee will be placed on the next board's agenda for Board guidance. Individual Trustees requesting information that will require a material amount of staff time to compile, or the preparation of a special report, or that may be disruptive shall make such requests to the Chairperson of the Board. The Board Chairperson may approve the request or, at his or her discretion, have the request placed on the agenda of the next Board~~

Commented [KH1]: Suggested change reserved for consideration in Procedure 2.01.10 to be drafted: "Requests will be responded by the President will include a tracking number along with a response time estimate, or if information is denied and still being requested by a Trustee will be placed on the next board's agenda for Board guidance."

~~meeting for the consideration of the Board of Trustees. Compilations and reports prepared pursuant to this provision will be available to all Trustees. Individual Trustees shall not make such requests directly to an employee of the College.~~

~~2.1. Individual Trustees with questions regarding the operations of the College, such as inquiries concerning employment or admission to the College, complaints for or about students, complaints from or about faculty and staff, complaints or questions about administrative decisions, and complaints or questions from or about facilities, shall convey such to the Office of the President for consideration and possible action;~~

~~3. When discussing community concerns, issues involving the College, and actions taken by the Board of Trustees and the administration, Trustees should carefully delineate between opinions that are personal and held as an individual citizen versus opinions that reflect officially approved policies or action of the Board or College;~~

~~2.~~

~~4. Trustees should make no announcement of nor give any information about action taken by the Board until such action has been communicated by the Board Chairperson or President through regular official channels;~~

~~5.1. Consistent with this and other Board Policies, an individual Trustee shall not purport to act for, bind, or commit the College to any act or course of conduct without prior approval of the Board. The College can be bound only by formal action of the Board.~~

~~6.-~~

~~7.1. Communication with Legislators, Public Officials, and Community Leaders~~

Unless authorized by the Board, when communicating with legislators, public officials, and Community leaders, Communication with Legislators, Public Officials, and Community Leaders~~individual Trustees~~Board members, should take reasonable care to clarify that they are acting as individuals and not on behalf of the Board or the College and should strive to maintain consistency with established board decisions, policies and plans.

~~3.~~

~~8.-~~

~~9.- Relationship with the Press~~

~~10.~~

~~11.4.~~ The Board Chairperson and the President, or their respective designees, shall be the spokespersons to the press on College matters. In most cases, Board members should refer inquiries from reporters to the Chairperson and/or President, or designee. The goal is to speak with one voice on College matters and to remove the potential of conflicting statements. However, the Board

recognizes elected officials will speak to the Press when they feel it is appropriate.

Conflict of Interest

Trustees will avoid any situation to use their position as an NIC Trustee to bring themselves benefit or personal gain. Examples of Trustee personal gain may involve:

- (a) a member of the Board, or
- (b) a member of his or her immediate family or close relative ("immediate family" means the employee's spouse, parent, step-parent, guardian, brother, sister, mother-in-law, father-in-law, child, or stepchild; "close relative" means the employee's grandmother, grandfather, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, first cousin, or grandchild.), or
- (c) an organization with which a member of the Board is affiliated, such as an existing relationship, serving as a Board member, administrator, or employee.

At first knowledge of any of these situations, the Trustee must disclose such real or potential conflict by informing the Board chairperson or the entire Board. If the conflict involves the Board chairperson, the chairperson will inform the entire Board. Where a conflict is determined to exist, Trustees will abstain from involvement in decision-making. As required by state law, if a Board member's outside activity (employment, participation or involvement in another business, corporation, institution or other entity) constitutes a conflict of interest, then the Board member will (a) disclose to the Board such conflict or the potential conflict; (b) absent herself/himself from discussion regarding any issue which involves his or her role as a Board member and his or her outside activity, and (c) refrain from voting on any such issue.

Trustee Usage of Facilities

Trustees are not prohibited from using College facilities for professional or personal reasons provided such facilities are normally available to the public, and the Trustee is subject to the same conditions, goes through the same procedures and pays the same compensation as would a member of the public who is not a College employee or are specifically authorized by Board policy.

Complaints Regarding Individual Board Member

In the event the College or any trustee receives a complaint about a Trustee from a member of the public or from a College employee, the complaint shall be referred to the Board Chairperson or, if the complaint is against the Chairperson, to the Vice Chairperson. The Trustee that is the subject of the complaint shall be notified and given an opportunity to respond. The Board shall have the discretion to investigate the complaint, including the authority to engage either the free services of the Department of Labor or an outside consultant an independent party to undertake ~~the an~~

investigation. Any report from an outside consultant shall be disseminated to all Board members prior to any action being taken against the Board member unless the Board fails to go into executive session and subsequently motions otherwise. Meetings to hear complaints or to consider the conduct of a Board member shall initially take place in executive session. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the complaint. If the Board decides to take action (such as censure), such action may be a private admonishment or, if the Board decides the conduct justifies public admonishment, may announce censure (or other appropriate sanction) at an open meeting.

Commented [KH2]: Subcommittee recommended Trustee Waggoner seek guidance from legal counsel

Potential Action for Trustee Violation of Policy

A Trustee violation of this policy will be subject to the following potential action as determined by the Board as a whole:

- Loss of Board appointments to committees.
- Loss of officer status (e.g. designation as Chair, Vice-Chair, Secretary, Treasurer, etc.).
- Private censure in executive session by other Board members.
- Public censure by the Board (by motion or resolution in an open meeting)

Prior to such action, the Trustee will be entitled to a hearing before the Board in executive session to hear the charges and to allow the Trustee to respond. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward regarding the potential action. The decision of a majority of the Board is final.

The Board shall cause a record to be made of any private censure such complaint proceedings. These records and deposit such record in a confidential file maintained by the Secretary of the Board, will be stored in the office of the Executive Assistant to the President in an isolated, secure, and safe manner locked, fire proof box. Access to the box associated personnel file is controlled by limited to the Board Clerk and the Secretary/Treasurer of the Board Chairperson, who is required to can provide secure viewing of the private censure to the president or individual trustees upon request or delegate to an appropriate authority to facilitate, such as the college's retained attorney or the Board Clerk. A viewing log will be maintained adjacent to the associated personnel file. Archiving of the associated personnel file(s) will follow North Idaho College Policy 2.01.06 "Retention of Records." A viewing log will be maintained within the box by the Board Clerk and Secretary/Treasurer of the Board. Archiving of the file(s) within the box will follow North Idaho College Policy 2.01.06 "Retention of Records."

Commented [KH3]: Subcommittee recommendation was for Trustee Waggoner to seek guidance from legal counsel.

Annual Trustee Affirmation

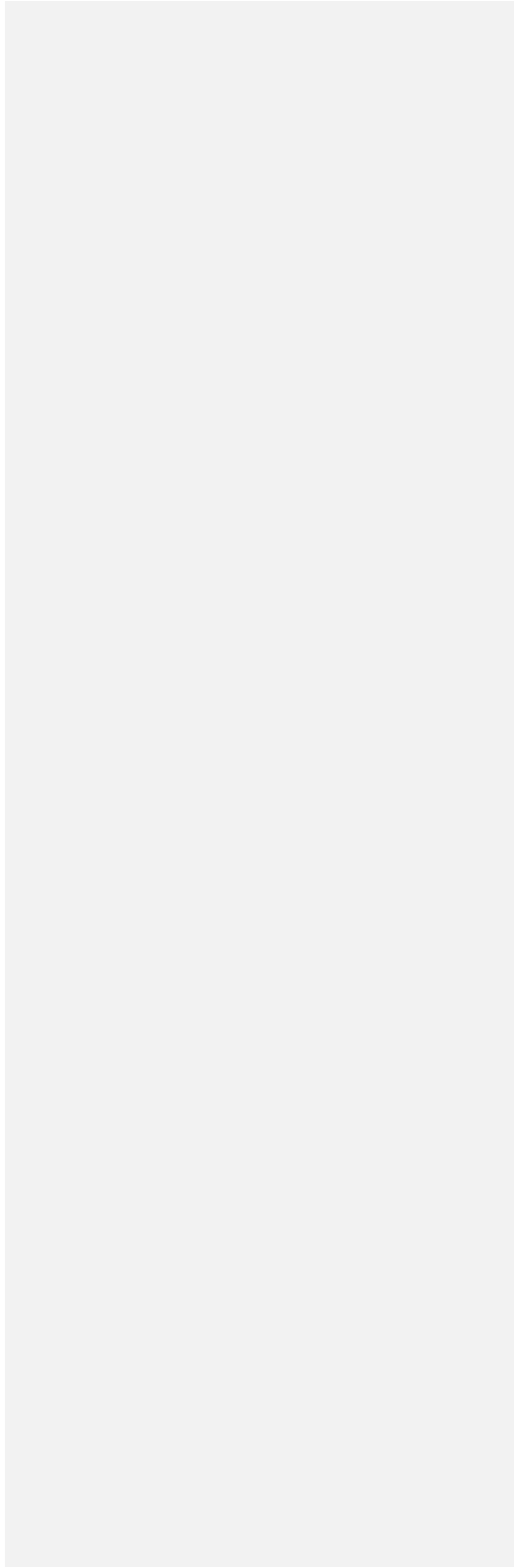
As a North Idaho College Trustee,

I affirm that:

- I will work to support the interests of North Idaho College ("NIC") and the Board.
 - I will recognize that authority over the organization is only vested in the Board when it meets in legal session;
 - I recognize my authority exists only when acting collectively with my fellow board members, and that our authority is derived from, and obliged to serve, the interests of our entire community;
 - I will devote time, thought, and study to the duties of a trustee, and engage in an ongoing process of in-service education and continuous improvement;
 - I will consider information received from all sources and base decisions upon all available facts while maintaining confidentiality of privileged information;
 - I will work with fellow trustees in a spirit of harmony and co-operation, and respect differences of opinion;
 - I will respect the majority decisions of the Board.
 - I will demonstrate discretion when making public statements in person, online or in other forums, so as to minimize the impression that such statements reflect the opinion of NIC or the Board. This includes full disclosure to participants when attending meetings as an ordinary citizen.
 - I will be prepared to participate in open, honest, and civil deliberation with my colleagues, vote my conscience rather than to advance any special interests, and respect the decisions we make;
 - I will deal appropriately with sensitive issues and respect the confidentiality of discussions that take place during executive sessions;
 - I represent everyone the College serves, not a particular interest group;
 - I will declare any potential conflict of interest. I will not participate in, vote on, or exert influence on, any decision in which I cannot be unbiased;
 - I will abide by the Code of Ethics (Policy reference will be added once approved);
 - I will honor the division of responsibility between the Board and the CEO/president and staff and contribute to creating a spirit of true cooperation and a mutually supportive relationship in support of our community.
-

Trustee Signature

Date



Tab 2 Attachment C

Policy

Policy #2.01.11

Effective Date: 5/25/22

Revised: 09/27/2023 (if passed)

| | | |
|---|--|--|
| <i>(Impact Area - Dept Name)</i> Board of Trustees | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> New Board Member Orientation |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

[Page 1 of 1]

- A. It is the expectation of the board of trustees that each new board member is afforded the opportunity to participate in a structured onboarding process to facilitate a transition into board knowledge, participation and support trustee effectiveness.
- B. North Idaho College offers a comprehensive orientation program and ongoing board development to support trustees and their board roles. The program includes both an orientation to the college provided by the president, and effective board participation and governance provided by the chair, legal counsel, other administrative designees and/or current trustees.
- C. [At the annual organization meeting, or whenever there is a change in the composition of the board, either through appointment, election, or vacancy, all trustees will reaffirm their commitment to NIC policies, procedures, and board of trustees' ~~Code of ethics~~ ~~Ethics Policy outlined in \(-Policy-2.01.12 once approved 2-01-02\)~~ and ~~Board General Conduct Guidelines for Conduct Policy \(outlined in Policy-2.01.10\)~~.](#)
- D. Within the first year of their service, the newly onboarded trustee will be expected to attend a professionally sponsored board member training.
- E. [Avoid any situation to use the position as a community college trustee to benefit](#)

for personal gain. Inform the board chairperson and/or the entire board when a matter under consideration might involve or appear to involve a conflict of interest. Each Trustee shall sign and abide by the NIC Annual Trustee Affirmation.

F. The president will adopt procedures to administer this policy.

As a North Idaho College Trustee,

I affirm that I will:

- I will wWork to support the interests of North Idaho College ("NIC") and the Board.
- I will r Recognize that authority over the organization is only vested in the Board when it meets in legal session.
- I recognize my authority exists only when acting collectively with my fellow board members, and that our authority is derived from, and obliged to serve, the interests of our entire community;
- I will dDevote time, thought, and study to the duties of a trustee, and engage in an ongoing process of in-service education and continuous improvement; in order to be effective and provide credible service.
- I will cConsider information received from all sources and base personal decisions upon all available facts while maintaining confidentiality of privileged information.
- I will wWork with fellow trustees in a spirit of harmony and co-operation, and respect in spite of differences of opinion.
- ~~I will r Recognize that authority over the organization is only vested in the Board when it meets in legal session.~~
- Maintain the integrity of the Board and the position of the trustee when communicating and interacting with outside individuals and agencies. ~~This includes full disclosure to participants when attending meetings as an ordinary citizen.~~
- Respect the majority decisions of the Board.
- I will dWork to support the interests of North Idaho College ("NIC") and the Board.
- Demonstrate discretion when making public statements in person, online or in other forums, so as to minimize the impression that such statements reflect the opinion of NIC or the Board when they do not. This includes full disclosure to participants when attending meetings as an ordinary citizen.
- I will bMaintain the highest standards of civility and respect accorded to public office through the absence of unwarranted criticism of fellow Board members, the Board, NIC administration or employees. e prepared to participate in open,

honest, and civil deliberation with my colleagues, vote my conscience rather than to advance any special interests, and respect the decisions we make;

- I will dDeal appropriately with sensitive issues and respect the confidentiality of discussions that take place during executive sessions;.
- I Rrepresent everyone the College serves, not a particular interest group;.
- I will dDeclare any potential and be transparent about any known conflict of interest. I will not participate in, vote on, or exert influence on, any decision in which I cannot be unbiasedhave any interest;.
- I will aAbide by the NIC Guidelines for ConductedCode of Ethics policyoutlined in Policy 2.01.10;
- I will honor the division of responsibility between the Board and the CEO/president and staff and contribute to creating a spirit of true cooperation and a mutually supportive relationship in support of our community.

Trustee Signature

Date

Commented [KH1]: Following 06 Sep 2023 subcommittee discussion, the recommendation is to keep the NIC Annual Trustee Affirmation as part of 2.01.11.

Tab 2 Attachment D

Policy

Policy #2.01.12

Effective Date: (new--not yet approved)

| | | |
|---|--|--|
| <i>(Impact Area - Dept Name)</i> Board of Trustees | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> Code of Ethics |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

[Page 1 of #]

I. Code of Ethics

The NIC Board of Trustees maintains a high level of ethical conduct by adhering to the following performance standards.

As a member of the NIC Board, I am required to:

- devote time, thought, and study to the duties and responsibilities of a community college board member, so that I may render effective and creditable service and comport myself in accordance with NIC Board policies;
- work with my fellow Board members to build trust and cooperation regardless of differences of opinion that arise during vigorous debates of points of issue;
- base my individual decisions upon all available facts, unbiased by private interest or partisan pressure, and abide by and uphold the final majority decision of the Board;
- remember at all times that as an individual I have no legal authority. The legal authority rests with the Board as a whole;
- remember that I derive authority from, and am accountable to, the community and that I must always act as an advocate on behalf of the entire community, honestly debate issues that affect it, and speak with one voice once a decision or policy is made by the Board;
- recognize that it is important for me to understand the needs of the community,

to represent the voice of the community to the College, and to monitor the results of the College in meeting those needs;

- avoid using my position as an NIC Trustee to bring myself benefit or personal gain. Inform the Board chairperson and/or the entire Board when a matter under consideration might involve or appear to involve a conflict of interest as per Policy 2.01.10.
- speak with one voice as a Board member once a Board decision or policy is made.

Tab 2 Attachment E

Policy

Policy # 2.02.02

Effective Date 4/25/01

Revised Date 10/28/09

Revised: 08/23/2023~~09/27/2023~~ (if passed)

| | | |
|--|--|---|
| <i>(Impact Area - Dept Name)</i> Administration | <i>(General Subject Area)</i> Board of Trustees | <i>(Specific Subject Area)</i> Presidential Performance Review |
| | Author: | Supersedes Policy # |
| Relates to Procedure # | Impact: President | |
| Legal Citation (if any): | | |
| <i>North Idaho College</i> | | |

Policy Narrative

[Page 1 of 1]

The board of trustees recognizes the importance of having exceptional executive leadership and that such leadership is dependent upon constructive review of how that responsibility is exercised. To further this end, the board of trustees ~~may~~will annually review the president's stewardship in order to strengthen his or her performance, to enable the president and the board of trustees to reset mutually agreed upon goals, and to inform annual decisions on compensation and other terms of employment. The Board may also elect to have more frequent reviews (for example, semiannual or quarterly reviews) as determined by the Board in its discretion.

The annual performance review of the president should include a written management review statement by the president and a written report on goals from the previous 12 months, as mutually agreed upon by the president and the board of trustees. It may also include proposed goals for the subsequent 12 months. The annual performance

Commented [KH1]: Recommendation from 06 Sep 2023 subcommittee meeting to add this sentence from the President's contract.

review should be completed on a schedule consistent with the college's annual compensation-setting process.

An external evaluator will be selected by the board to assist in ~~evaluation~~ the president's evaluation.

The Board will meet in executive session to discuss the evaluation prior to providing the evaluation to the President. If the Board fails to go into executive session then by a subsequent Board motion will direct a path forward in compliance with existing law regarding the President's evaluation.

Commented [KH2]: Recommendation from 06 Sep 2023 subcommittee meeting

The president's personnel file will be stored in the office of the Executive Assistant to the President in a locked, fire-proof box. Access to the box is limited to the Board Clerk and the Secretary/Treasurer of the Board, who can provide viewing to the president or individual trustees upon request. A viewing log will be maintained within the box by the Board Clerk and Secretary/Treasurer of the Board. Archiving of the file(s) within the box will follow North Idaho College Policy 2.01.06 "Retention of Records."

Commented [KH3]: Recommendation from 06 Sep 2023 subcommittee meeting

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 3

SUBJECT: NWCCU Accreditation Update

BACKGROUND: New Business

Discussion: Required Special Report to NWCCU and October Site Visit

The peer evaluation team onsite visit will occur on October 30-31 and November 1, 2023. The special report was released on September 15, 2023 and was posted on the NIC website

<https://www.nic.edu/media/nic-main/departments/communications-and-marketing/key-point-documents/North-Idaho-College-Special-Report,-Fall-2023.pdf>

Prepared by: Suzy Scura
Board Clerk

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 4

SUBJECT: Institutional Memberships

BACKGROUND: New Business

Discussion: Requested Follow Up on NIC Memberships

Included as Tab 4 Attachment A is a summary of NIC's institution-wide memberships

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion that the Board direct the Policy Subcommittee to develop a policy for consideration by the Board with the intent to have institution-wide College memberships presented to the board on an annual basis for review and approval of the Board. The policy should include the purpose of each membership, the amount of dues, and the duration of the membership. It should also categorize the memberships by national, state, or local entities. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

Tab 4 Attachment A

Tab 4 Attachment: Institutional Memberships

| Date | Entity | Cost | Activity Type | Budget |
|----------|---|--------------|---------------------------------|---------------------------|
| 07/19/23 | NJCAA | \$ 3,200.00 | 22/23 Membership | Athletics |
| 08/30/23 | NWAC | \$ 10,000.00 | 22/23 Membership | Athletics |
| 09/27/22 | American Assoc of Community Colleges | \$ 8,089.00 | Membership | Institutional Memberships |
| 10/22/22 | ASCAP | \$ 1,079.30 | Music License | Institutional Memberships |
| 07/01/22 | Assoc of Community College Trustees | \$ 4,710.00 | Membership | Institutional Memberships |
| 11/01/22 | Broadcast Music Inc | \$ 1,111.93 | Music License | Institutional Memberships |
| 03/27/23 | Coeur d'Alene Regional Chamber | \$ 850.00 | Leadership CDA | Institutional Memberships |
| 08/17/23 | Costco Membership | \$ 180.00 | Membership | Institutional Memberships |
| 07/01/22 | EAB Global | \$ 20,243.00 | <i>**not renewed for FY24**</i> | Institutional Memberships |
| 03/02/23 | Greater Sandpoint Chamber of Commerce | \$ 150.00 | Membership | Institutional Memberships |
| 09/07/22 | Hayden Chamber of Commerce | \$ 250.00 | Chamber Dues | Institutional Memberships |
| 02/03/23 | Inland Northwest Partners | \$ 150.00 | Membership | Institutional Memberships |
| 01/31/23 | Jobs Plus, Inc. | \$ 15,000.00 | Membership | Institutional Memberships |
| 11/16/22 | Membership | \$ 4,200.00 | Membership | Institutional Memberships |
| 07/01/22 | Mountain States Assn of Community Colleges | \$ 450.00 | Membership | Institutional Memberships |
| 07/01/22 | NACCE | \$ 900.00 | Membership | Institutional Memberships |
| 09/19/22 | Northwest Commission on Colleges and Universities | \$ 19,950.00 | Membership | Institutional Memberships |
| 07/01/22 | Post Falls Chamber of Commerce | \$ 300.00 | Chamber Dues | Institutional Memberships |
| 07/21/22 | Post Falls Chamber of Commerce | \$ 850.00 | River City Leadership | Institutional Memberships |
| 01/10/23 | Rathdrum Area Chamber of Commerce | \$ 199.00 | Chamber Dues | Institutional Memberships |
| 01/03/23 | SESAC | \$ 548.25 | Music License | Institutional Memberships |
| 12/12/22 | Wallace Chamber of Commerce | \$ 65.00 | Chamber Dues | Institutional Memberships |
| 07/01/22 | Western Washington University | \$ 3,000.00 | Washington Campus Compact | Institutional Memberships |

Total \$ 95,475.48
 Total excluding EAB Global \$ 75,232.48
 Total excluding Athletics \$ 62,032.48

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 5

SUBJECT: President's Goals Update

BACKGROUND: New Business

Discussion: Requested Follow Up on President's Goals

Prepared by: Suzy Scura
Board Clerk

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 6

SUBJECT: Resolution Acknowledging Nursing Reciprocity Agreement

BACKGROUND: New Business

Discussion/Action: Board Resolution Acknowledging Nursing Reciprocity Agreement between NIC and Washington State

Included as Tab 6 Attachment A is Resolution Acknowledging Nursing Reciprocity Agreement

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to acknowledge the Nursing Reciprocity Agreement between NIC and Washington State, as presented. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

Tab 6 Attachment A

Tab 6: Resolution Acknowledging Nursing Reciprocity Agreement

Board Resolution Acknowledging Nursing Reciprocity Agreement

Whereas, the North Idaho College Nursing Program submitted a request to the Washington State Board of Nursing's Program Approval Panel to allow enrolled students who have successfully completed the first clinical course to be eligible to apply for Nurse Technician licensure in Washington State;

Whereas, the Washington State Board of Nursing's Program Approval Panel convened on September 11, 2023, to review the request and granted approval;

Therefore, be it resolved:

The NIC Board of Trustees extends gratitude to the faculty and staff of the Nursing Division, the Board of Nursing, and the Washington State Department of Health for their continued partnership and collaboration in advancing nursing education through North Idaho College.

The NIC Board of Trustees acknowledges and commends NIC's Nursing Program for consistently demonstrating a commitment to providing high-quality nursing education and contributing to the healthcare workforce of our region.

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 7

SUBJECT: Board Response to Faculty Assembly Feedback at 23 August 2023 Meeting

BACKGROUND: New Business

Discussion/Action: Board Response to Faculty Assembly Feedback

Included as Tab 7 Attachment A is Board Response to Faculty Assembly Feedback at 23 August 2023 Meeting

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to response to Faculty Assembly as presented. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

Tab 7 Attachment A

Board Resolution Acknowledging Faculty Assembly Feedback

Whereas, the North Idaho College Faculty Assembly worked diligently to distill the previous two years of collected votes of no confidence into concise points of focus for the Board as presented at the 23 Aug 2023 Regular Meeting;

Whereas, maintaining accreditation in Good Standing with the Northwest Commission on Colleges and Universities (NWCCU) is of paramount importance to the Board, the College, and the community at large;

Whereas, the feedback provided by the Faculty Assembly represents a valuable perspective on the efforts of the Board to address issues cited by the NWCCU in order to return to Good Standing accreditation status;

Therefore, be it resolved:

The NIC Board of Trustees acknowledges and appreciates the dedication and hard work of the Faculty Assembly in articulating their concerns into succinct points of emphasis. The and commitment shown by the Faculty Assembly is essential to the shared goal of returning to Good Standing with the Northwest Commission on Colleges and Universities.

The Board of Trustees will continue to collaborate with the President in addressing the concerns raised by the Faculty Assembly and other constituent groups. We are dedicated to fostering an environment where all voices are heard, valued, and considered in the Board's decision-making role.

The Board of Trustees reaffirms its commitment from 23 August 2023 to its pursuit of maintaining accreditation with NWCCU and recognizes that hearing and considering the concerns raised by the College constituency groups is a crucial step in achieving this goal. We are fully dedicated to taking appropriate actions and making necessary improvements to return to Good Standing with the accrediting body.

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 8

SUBJECT: Consideration of Censor of Trustee

BACKGROUND: New Business

Discussion/Action: Board Resolution Regarding Trustee Censure

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to _____. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 9

SUBJECT: President's Evaluation

BACKGROUND: New Business

Discussion: President's Evaluation

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to _____ . Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

BOARD OF TRUSTEES MEETING
September 27, 2023

TAB 10

SUBJECT: NIC Budget

BACKGROUND: New Business

Discussion/Action: NIC Budget Consideration of Athletics

Included as Tab 10 Attachment A is NIC Budget Consideration of Athletics Meeting Minutes of September 25, 2023

SUGGESTED MOTION FOR BOARD ACTION

[Board Member] make the motion to_____. Request a second, then discussion. Following discussion, call for the vote.

Prepared by: Suzy Scura
Board Clerk

Tab 10 Attachment A

**ADHOC WORKING GROUP MEETING – NIC BUDGET CONSIDERATION OF
ATHLETICS
September 25, 2023**

SUBJECT: NIC Budget Consideration of Athletics

ATTENDANCE:

Nick Swayne, President
Greg McKenzie, Board Chair
Todd Banducci, Trustee
Sarah Garcia, VP Finance and Business Affairs
Alex Harris, Dean of Students

BACKGROUND:

- Initial conversations picked up from last meeting refreshing everyone's memories and starting on same page.
- Funding levels are currently for 15 slots at 50/50 in-state and out-of-state tuition for a total of 226k with in district funding for basketball.
- Conversation started around clarity of booster club and foundation not committing funds towards NIC's regular items that exist in NIC's current budget, but instead targeted towards large goals. Dr. Swayne suggested giving Booster club and the foundation a large goal such as raise a matching 1 million dollars towards the field house.
- The booster club Jim Stevens is the new Vice-Chair and recent activities has spanned towards a local grocer's partnership for the athletics fueling station.
- The national signing date of November 1, 2023 is approaching and everyone was looking to finalize numbers.
- Conversation changed to increased funding levels targeted towards athletics and other cohorts that would produce a positive culture on campus. Trustee Banducci asked the NIC administration's support and Trustee Banducci shared his prepared motion and requested feedback and thoughts.
- NIC administration supported if it's the Board's will to make it happen and discussion will ensure Wednesday on the agenda item.
- Trustee Banducci mentioned if the President saw a board email related to Fort Ground Grill property and some community member's interest in the property.
- From the discussion surrounding the email to the Board the discussion of Gizmo partnership and similar rent arrangement and Chair McKenzie asked the question if NIC's grants people could assist Gizmo with their grants writing and help that organization. NIC partners with other 501C3 foundations such as the NIC Foundation and Chair McKenzie expressed his interest in Gizmo succeeding.
- Constructive input for a more detailed motion surrounding airfare details regarding funding student athletes occurred and what was allowed by NJCAA.

- Discussion occurred related to Title IX compliance with NIC's current compliance status and how possibly adding Women's Wrestling would assist in better compliance but NIC's current facilities demand by athletes is currently the limitation.
- Related to the facilities expansion, Chair McKenzie requested for the schedule related to the main campus expansion map being produced by Architects West and also the community education event for both legislatures and the Board of Trustees which neither had a hard date, but before the legislature session started was the goal. The college is currently focused on October 5th when Idaho launch educational community events will occur and that is the main focus right now.
- Total funding levels related to sports was discussed with various additions. Very rough estimates were provided with more accurate numbers in the works providing incremental costs. NIC currently has 5 women's sports and 4 men's teams.
- Conversation related to student's burden already historically been expanded by the Student Wellness Center which is fully funded by student feeds.
- Idaho Launch provides local Idaho residents 8k and the conversation was ended with how NIC can benefit from that funding stream generated by Idaho students.

Prepared by: Suzy Scura
Board Clerk