



North Idaho College

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February 28, 2023

Dr. Sonny Ramaswamy
Northwest Commission on Colleges and Universities
8060 165th Avenue NE, Suite 200
Redmond, WA 98052

Dear Dr. Ramaswamy:

The purpose of this letter is to fulfill the requirements of the Letter of Action written to North Idaho College on April 1, 2022 to provide a Type 1 Ad Hoc Report following the February 22, 2023 board meeting, and to provide an update on board development.

On the topic of Governance:

- The board meeting agenda and minutes are attached to this report.
- The link to the video of the board meeting can be found [here](#).
- Public comment was accepted and is noted in the minutes.

On the topic of Executive Leadership, there have been no changes made since the January 18 Ad hoc Report.

North Idaho College entered into a contract with the Association of Community College Trustees (ACCT) to build upon the training and development completed by the board with the goal of continuous improvement in NIC's Board knowledge and effectiveness. One anticipated outcome is demonstrable evidence of meeting NWCCU Eligibility Requirements and Standards.

Two consultants from ACCT will meet with trustees both in person and remotely up to four times per month, with the goal of trustees understanding and accepting their roles and responsibilities. One of the trainers is a former college president, while the other is a former trustee. The training will include many topics on governance and ethical behavior, and the trustees should have a better understanding of educational codes, college policy and procedures in relationship with NWCCU Eligibility Requirements and Standards. A follow up letter with additional detail will be sent to the commission once a timeline is finalized.

North Idaho College remains committed to complying with all NWCCU Standards and Eligibility Requirements. Please do not hesitate to let me know if you need any additional information.

Sincerely,

Gregory M. South, Ph.D.
Interim President



North Idaho College

Board of Trustees Meeting

February 22, 2023

Edminster Student Union Building

***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 (revised 02/20/23)

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)(a)(b)(f)*

6:00 p.m. Lake Coeur d’Alene Room**

Connect via Zoom: <https://nic.zoom.us/j/86334596828> or by phone: (669) 900-6833 Webinar ID: 863 3459 6828

Convene/Call to Order/Verification of Quorum Gregory McKenzie
Pledge of Allegiance
Public Comment Gregory McKenzie
Celebrating Success: Student Journey Peggy Bradford

CONSTITUENT REPORTS

ASNIC Damian Maxwell
Faculty Assembly Ben Tschida
Staff Assembly Keri Simonet
Senate Neil Doyle

INTERIM PRESIDENT’S REPORT

Gregory South

CONSENT AGENDA

Gregory McKenzie

Action for Approval of Meeting Minutes for January 18, 2023

UNFINISHED BUSINESS

None

NEW BUSINESS

Tab 1: First Reading/Action: Revised Policy 3.02.23.01 Conflict Resolution/Mediation.	Peggy Bradford
Tab 2: First Reading/Action: Revised Policy 3.02.29 Alternate Work Schedules.	Peggy Bradford
Tab 3: First Reading/Action: Head Start Self-Assessment	Sarah Garcia
Tab 4: First Reading/Action: Head Start Criteria for Selection	Sarah Garcia
Tab 5: First Reading/Action: Head Start Non-Federal Share Waiver Request.	Sarah Garcia
Action/Discussion - Accreditation and Show Cause Update	Gregory South/Steve Kurtz
Action/Discussion - Addressing Presidential Leadership Position(s)	Brad Corkill

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 pm and will not begin earlier than 6 pm, but may convene after 6 pm, whenever the prior executive session portion of the meeting ends.

*** Remarks are subject to NIC Policy 2.01.03. Copies are available from the President's Office.



North Idaho College

BOARD OF TRUSTEES MEETING

Edminster Student Union Building, Lake Coeur d'Alene Room

February 22, 2023

MINUTES

Chair Greg McKenzie called the meeting to order at 5:05 p.m. and verified a quorum was present. Trustee Banducci made a motion to go into executive session under Idaho Code § 74--206(1)(a)(b)(f) 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; 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 roll call vote was taken as follows:

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

At 6:15 p.m. the meeting was recessed.

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Greg McKenzie convened the meeting at 6:26 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: Gregory South, Interim President
Peggy Bradford, Interim Provost
Sarah Garcia, VP Finance and Business Affairs
Steve Kurtz, Accreditation Liaison Officer
Laura Rumpler, Chief Communications and Government Relations Officer
Art Macomber, College Attorney

PUBLIC COMMENT

Name	Topic
Alex Elliott	Accreditation and Show Cause
Amanda Linarte	Accreditation and Show Cause
Erin Davis	Accreditation and Show Cause

Trevor Miller	Accreditation and Show Cause
Lane Stidham	Accreditation and Show Cause
Kenny Moore	Accreditation
Jennifer Drake	Accreditation
Aryeh Blumenfeld	Accreditation and Show Cause
Julianna Steinback	Accreditation and Show Cause
Trent Derrick	Accreditation
Gregory Green	Accreditation
Anthony Overholt	Accreditation and Show Cause
Caryn Shepler	Head Start
Robert Shepler	Accreditation and Conflict Resolution Policy
Charity	Accreditation
Jimmy McAndrew	Accreditation
Christa Hazel	Presidential Leadership
Brent Regan	Accreditation
Nina Beesley	Accreditation
Rod Schobert	Accreditation
Kecia Berglin	Accreditation
Presley Steele	Accreditation
Bill Green	Board/Accreditation
Randy Neal	Accreditation
Caylee Neal	Accreditation
Peter Miley	Accreditation
Jessica Miley	Accreditation
Ralph Shay	Accreditation
Summer Bushnell	Accreditation
Beth Miller	Head Start
Ralph Day	Accreditation
Eric Klinkhammer	Accreditation and Show Cause
Brian McName	Accreditation
Della Munnich	Accreditation
Terry Tritten	Accreditation
Randy Stolz	Accreditation
Larry Briggs	Accreditation
Tim Plass	Accreditation
Alan Golub	Accreditation
Wayde Spiker	Accreditation
Diana Sheridan	Accreditation
Tom Torgerson	Accreditation
Ray Writz	Accreditation
Howard Kuhns	Accreditation
Rick Currie	Accreditation
Sandy Emerson	Accreditation
Kacen Cook	Accreditation

CELEBRATING SUCCESS

Interim Provost Peggy Bradford introduced Deans Tami Haft, Alex Harris, and Associate Dean Gail Ballard who presented information about the organizational areas that serve to help students navigate their educational journeys at NIC.

CONSTITUENT REPORTSASNIC

ASNIC President Damian Maxwell began by reading a statement from ASNIC regarding harassment and public conduct at recent board meetings. He next discussed activities of student government representatives. He shared concerns he's heard from students and expressed his disappointment that the board has not acknowledged votes of no confidence from college constituent groups.

Faculty Assembly

Chair Ben Tschida reported that during the February 9 meeting of Faculty Assembly, a resolution was passed related to the board's and the president's interactions with students. He read the resolution aloud. He also reported that during that meeting, Faculty discussed retirement benefits and took an advisory vote to hold a special meeting on February 16. He discussed a meeting of the Faculty Assembly Executive Committee during which time, a letter to the board was developed. He went on to report that during the February 16 special meeting, Faculty developed a resolution of censure upon the board of trustees and a resolution of no confidence upon Dr. South, Dr. Peggy Bradford and Dr. Jim Forkum. He proceeded to read each resolution aloud.

Staff Assembly

Chair Keri Simonet reported that Staff Assembly met last on February 9 and she shared that Staff continue to do the work of the college while they await a response from the board of trustees to their multiple votes of no confidence.

Senate

Chair Neil Doyle reported that Senate had met twice since December and focused time on Senate business, adding that no policies or procedures had come to Senate through the governance process.

INTERIM PRESIDENT'S REPORT

Interim President Gregory South opened by acknowledging the seriousness of the issues raised by Faculty Assembly and he expressed his hope for a more open dialog. He went on to comment that the accrediting commission is looking for the board and the college to work together in the best interests of students. Dr. South spoke briefly about ongoing board development with the Association of Community College Trustees and the importance of the board speaking with one voice in representing the college. He discussed recent legislative meetings he had taken part in as well as meetings with leaders from the State Board of Education and with Governor Little. He reported that the Request for Qualifications for legal services had been extended through March 3 to ensure a qualified selection. He touched briefly on the current enrollment decline and shared that dual credit enrollment has increased nearly 5% year over year and he thanked Dr. Bradford and Gail Ballard and their team for the efforts with dual credit. He also shared that late start course enrollment is full and sections may have to be added. He provided clarification that the Lakeland School District Board of Trustees has not taken action to end its dual credit relationship with NIC. He closed his report by sharing that

Math Tutor Brenda Paustian from the Math Education Center had been awarded the Sterling Silver Award for her selection as Employee of the Month for February.

CONSENT AGENDA

The consent agenda containing minutes of the January 18, 2023 meeting of the board was approved without objection.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Revised Policies 3.02.23.01 Conflict Resolution/Mediation and Policy 3.02.29 Alternate Work Schedules

Interim Provost Peggy Bradford presented revisions to the policy on Conflict Resolution and Mediation and the policy on Alternate Work Schedules. Related to policy 3.02.023.01, Chair McKenzie requested consideration of an amendment that requires the president to report to the board of trustees when parties are utilizing an uninvolved mediator unless one of the parties objects in writing. There was no other discussion, and no action was taken on Policy 3.02.23.01. Following a request by Chair McKenzie, Trustee Corkill made a motion to adopt revisions to Policy 3.02.29. The motion was seconded and carried unanimously.

Head Start Self-Assessment

VP Finance and Business Affairs Sarah Garcia presented this item on behalf of NIC Head Start. She described the annual process to review goals and objectives of the Program and the development of a plan for assessment. This was a first reading, and no action was taken.

Head Start Criteria for Selection

VP Garcia presented additions to the criteria for prioritization for eligibility for Head Start as recommended by the Policy Council. She shared that no changes were being recommended to the policy for Eligibility, Recruitment, Selection, Enrollment, and Attendance. This was a first reading, and no action was taken.

Head Start Non-federal Share Waiver Request

VP Garcia presented a request for Head Start Non-Federal Share Waiver of 40% of the for the NIC Head Start Grant. This was a first reading and no action was taken.

Accreditation and Show Cause Update

Dr. South made some introductory remarks. Accreditation Liaison Officer Steve Kurtz reviewed elements of the letter from the Northwest Commission on Colleges and Universities in which the Commission placed NIC on a Show Cause order. He shared that the college will need to respond in writing to show demonstrable evidence as to why accreditation should not be removed as well as prepare a teach out plan.

Dr. South shared information from the recent meeting with NWCCU leadership and specifics required in the teach out plan. He discussed that the Commission is evaluating the board's progress and public response to the board. He outlined the timeline and process the Commission will undertake and reviewed steps involved in the college's response, including implementation of ongoing board education and goal setting aligned with the college's planning processes.

Trustee Zimmerman commented on the letter to the board from Faculty Assembly, which focused on several points, including current legal counsel. She recommended releasing Mr. Macomber as legal counsel and finding different interim representation. No action was taken.

Chair McKenzie read, aloud, a statement from the board regarding its desire for the college to remain an accredited institution with the NWCCU. He requested a motion to approve the statement. Trustee Waggoner made a motion for the board to approve the statement. The motion was seconded and carried unanimously.

Chair McKenzie stated his commitment and that of the board of trustees to work for the success of the college.

Addressing Presidential Leadership Position(s)

Trustee Corkill stated his belief that President Swayne was hired following a legitimate hiring process and the first step in the healing process for the show cause is to reinstate President Swayne. He made a motion to reinstate President Swayne immediately. The motion was seconded and following discussion, the vote was taken as follows:

Trustee Zimmerman	yes
Trustee Corkill	yes
Trustee Banducci	no
Trustee Waggoner	no
Chair McKenzie	no

Chair McKenzie made a motion for Dr. South and the Board Chair to serve as points of contact on behalf of the college with its defense attorney Kelly Drew related to the two lawsuits now pending. The motion was seconded and carried unanimously.

Following a request from the Chair, Trustee Banducci made a motion to authorize the Board Chair to work with NIC's attorney Kelly Drew to explore the terms of settlement with Dr. Swayne and his legal counsel. The motion was seconded and carried with three in favor and one opposed. Chair McKenzie did not vote.

REMARKS FOR THE GOOD OF THE ORDER

Chair McKenzie commented on upcoming athletic events.

The meeting was adjourned at 10:43 p.m.

Respectfully Submitted,
Shannon Goodrich, Board Clerk