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.

4:00 p.m.  
**EXECUTIVE SESSION** - Idaho Code Section 74-206*

4:30 p.m.  
**BOARD WORKSHOP** - Reduction in Force Policy

6:00 p.m.  
**CONVENE BOARD MEETING/CALL TO ORDER**  
- Pledge of Allegiance  
- Verification of Quorum/Introduction of Guests  
- Review Minutes  
- Public Comment**  
- Celebrating Success: Northwest Philosophy Conference  
  
  **INFORMATION**  
  - Board Member Conduct Policy  
  - **SPECIAL BUSINESS**  
  - Tab 1: *ACTION:* Election of Officers

  **CONSTITUENT REPORTS**  
  - ASNIC  
  - Staff Assembly  
  - Faculty Assembly  
  - Senate

  **PRESIDENT’S REPORT**  
  - Joe Dunlap

  **KTEC BOARD REPORT**  
  - Judy Meyer/Ron Nilson

  **OLD BUSINESS**  
  - Tab 2: SECOND READING: Policy #3.02.29 Alternate Work Schedules  
  - Tab 3: SECOND READING: Policy #2.01.07 Inspection of Records

  **NEW BUSINESS**  
  - Tab 5: NIC Financial Audit for Year Ending June 30, 2015  
  - Tab 6: FIRST READING: Policy #3.02.XX Reduction in Force
INFORMATION ITEMS
Career Technical Education Facility Update

BOARD CHAIR REPORT
Christie Wood

REMARKS FOR THE GOOD OF THE ORDER**

ADJOURN

* Executive sessions may be called for the purposes of considering personnel matters, deliberating regarding an acquisition of an interest in real property, considering records that are exempt from public disclosure, considering preliminary negotiations involving matters of trade or commerce in which this governing body is in competition with another governing body, communicating with legal counsel regarding pending/imminently-likely litigation, communicating with risk manager/insurer regarding pending/imminently-likely claims or to consider labor contract matters.

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

Upcoming Events

NIC Wind Symphony Concert  November 18-19 at 7 p.m. Boswell Hall
Harding Center Fall Festival  November 19 from 4-7 p.m.
NIC Chamber Orchestra Concert  November 22 at 2 p.m. CDA First Presbyterian Church
NIC Sounds of Christmas Concert  December 12 at 7:30 p.m./December 13 at 2 p.m. Boswell Hall
All Employee Holiday Party  December 4 at 1 p.m. - SUB
NIC Board Meeting  December 16 - SUB
NIC Board Meeting  January 20 – SUB
TENTATIVE: JFAC Hearings  Last week of January
JazzNIC Concert  February 2 at 7 p.m. Boswell Hall
NIC Board Meeting  February 24 - SUB
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:

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 personnel matters [Idaho Code § 74--206(1)(a) & (b)]
— Deliberate regarding an acquisition of an interest in real property [Idaho Code § 74-206(1)(c)]
— Consider records that are exempt from public disclosure [Idaho Code § 74-206(1)(d)]
— Consider 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)(e)]
— Communicate with legal counsel regarding pending/imminently-likely litigation [Idaho Code § 74-206(1)(f)]
— Communicate with risk manager/insurer regarding pending/imminently-likely claims [Idaho Code § 74-206(1)(i)]
— To consider labor contract matters authorized under section 67-2345A [74-206A](1)(a) and (b), Idaho Code.

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
__________ Howard
__________ Meyer
__________ Nilson
__________ Wood

CONVENE AT: ____________ ADJOURN AT: ____________
CALL TO ORDER AND VERIFICATION OF QUORUM
Chair Christie Wood called the meeting to order at 6:00 p.m. and verified that a quorum was present.

ATTENDANCE
Trustees: Todd Banducci
Ken Howard
Judy Meyer
Ron Nilson
Christie Wood

Also present: Joe Dunlap, President
Marc Lyons, Attorney for North Idaho College
Mark Browning, Vice President for Communications and Governmental Relations
Lita Burns, Vice President for Instruction
Chris Martin, Vice President for Finance and Business Affairs
Graydon Stanley, Vice President for Student Services

Chair Wood led the board and meeting attendees in the Pledge of Allegiance. She then asked Trustee Judy Meyer to read, aloud, the college’s mission statement and she then welcomed attendees and guests to the meeting.

APPROVAL OF MINUTES
Chair Wood called for any changes to the minutes from the meeting held on September 23, 2015. There being none, the minutes were accepted, as presented.

At this time, Trustee Ron Nilson made motion to amend the agenda to move Tab 1 Reduction in Force Policy from a first reading under New Business to Information Items to allow the board more time to review the policy proposal. The motion, seconded by Trustee Banducci, carried unanimously.

PUBLIC COMMENT
Karen and Holly Hansen addressed the board regarding access through the alleyway to their garages behind their homes located on Military Drive. Chair Wood commented that the board had directed legal counsel to review the matter and report back, and the expectation was that there may be information made available so that the topic may be brought back up at the November board meeting and she asked Dr. Dunlap to communicate with them about it.

CELEBRATING SUCCESS
NIC Instructor Cal DeHaas discussed the recently held Special Needs Basketball Extravaganza and introduced two of the players.
CONSTITUENT REPORTS

ASNIC
ASNIC President Maria Paluzzi reported on recent student activities including an awareness campaign for student government, an evaluation of the college's nonsmoking areas, training events for the newly adopted Cardinal Sync, and an upcoming craft day for children.

Staff Assembly
Chair Jessica Grantham reported on business from the Assembly’s October meeting including visits by Chief Information Officer Ken Wardinsky who provided an overview of the IT strategic plan and VP Chris Martin who held a Q/A session on the Reduction in Force policy and provided a President’s Cabinet update. Grantham read, aloud, an Assembly resolution in support of the Reduction in Force policy being presented to the board.

Faculty Assembly
Faculty Assembly Chair Erin Davis reported that during their October meeting, the Assembly heard an ad hoc committee report on the faculty status of librarians and voted to support maintaining their status as faculty. She went on to report that the Assembly discussed information provided in September by VP Burns on Institutional Optimization, and that an ad hoc committee had been appointed to review and provide feedback on draft revisions to the Faculty Compensation policy that was brought to them earlier in the month by VP Burns.

Senate
Chair John Trombold reported on policies and procedures that Senate approved following a second reading during the October meeting, and those passed for a first reading. He added that Holiday Pay Policy #3.02.25 was tabled and an ad hoc committee was being formed to further review this policy.

PRESIDENT’S REPORT
Dr. Dunlap reported on several new hires including one to fill the position of director for the Dental Hygiene Program, and two others, all of which fall under the health care grant the college received last year. He also announced that an enrollment specialist had been hired and the position of HR director had been filled by Erin Norvell. He went on to announce several awards the Communications and Marketing Department had received during a recent conference. Dr. Dunlap next asked VP Burns to provide an update on Institutional Optimization. Burns discussed the process through which all program reports will be reviewed and scored by teams of employees over the next two months with plans to finish all reports by the end of the semester. She added that once President’s Cabinet has evaluated the information, they will make recommendations which will be used to inform the budgeting process for FY17.

KTEC REPORT
Trustee Nilson reported that during the last KTEC meeting the board discussed enrollment numbers which are at approximately 429 students and he reported on a recent operator safety training opportunity between the Idaho Transportation Department and the Kootenai Tribe. He added that information is available and will be provided on the number of students moving from specific KTEC programs into like programs at NIC and he closed by reporting that the KTEC Board decided to hold future meetings on a quarterly rather than monthly basis.

NEW BUSINESS
Reduction in Force Policy (Information)
VP Burns provided some background related to the revision of the reduction in force policy, including the work of Dr. Dunlap and members of Faculty Assembly in drafting the proposal for
subsequent presentation to College Senate. She then reviewed the process through which a RIF plan is developed, commenting that the policy honors the board’s responsibility in determining the need for a reduction in force and it speaks to ensuring an equitable process will be followed to implement changes impacting the institution and that no single employee group or category, program or division will be targeted.

Trustee Nilson expressed concern that the policy does not address opportunities to reorganize for efficiencies such as adjusting classroom size.

Dr. Dunlap pointed out that one of the circumstances outlined in the policy provides for the types of changes to which Trustee Nilson alluded. He went on to provide a distinction between the implementation of an across-the-board RIF plan versus operational restructuring that may be applied in response to enrollment declines.

Trustee Howard commented on the criteria for layoff, as outlined in the written procedure, and asked why an employee’s evaluation history or position competency isn’t included.

Trustee Banducci asked which version of the policy revision the board is meant to be reviewing as he wasn’t able to determine what language is new and what is being changed. He went on to comment that the procedure seems extensive and inflexible. VP Burns responded that she understood that what is being presented to the board is a new reduction in force policy. Dr. Dunlap commented that in relation to the length of time spelled out in the procedure, the accreditation process requires that degree programs being eliminated must be taught out to the students in those programs, and that some results of a RIF will not be immediate. He added that this institution upholds employees’ rights to due process.

College Attorney Marc Lyons commented that if there will be a termination of employment through a RIF, there must be a minimum of due process for public employees, which, at NIC, takes place through an appeals process.

Trustee Howard referred to the circumstances constituting an emergency as outlined in the policy, and asked why enrollment trends and industry demand would be evaluated as compared with a period of the previous ten years. Dr. Dunlap responded that the determination of the need for a RIF is made in the context of the history of enrollment and one or two years does not provide enough history to make that determination. Senate Chair John Trombold added that a longer period of time would provide a clearer trend. VP Burns commented that enrollment fluctuates over the course of time and the evaluation of a longer period provides a clearer history.

Policy #3.02.29 Alternate Work Schedules
VP Chris Martin presented revisions to the policy covering Alternative Work Schedules stating that clarity has been added to the way alternate work schedules are approved and that some of the definitions had been moved to the procedure. Trustee Howard asked why the efficient use of college facilities and resources is not included in the considerations for designing alternate work schedules. VP Martin responded that they will ensure that has been covered. Trustee Banducci asked about classified employee pay during unplanned closure as noted in the procedure. VP Martin responded that the determination about pay for classified employees is determined for each individual unplanned closure. He added that it has been the practice of the college to pay regularly scheduled classified employees for unplanned closures.
Policy #2.01.07 Inspection of Records
VP Mark Browning presented revisions to the Inspection of Records policy, stating that language was stricken that referred to a policy that is no longer in effect. Trustee Banducci asked if this policy and procedure apply to individuals external to the college or individuals internal to the college such as members of President’s Cabinet or the board of trustees. VP Browning responded the provisions for the inspection of records are for those external to the college and added that the same restrictions, in terms of personnel records or student records, still apply to individuals both internal and external to the college.

College Attorney Marc Lyons pointed out the legal citations in the policy and procedure should be updated to reference Title 74.

INFORMATION ITEMS
Fall 2015 Enrollment Report
VP Graydon Stanley reported fall enrollment numbers for various student populations including a reduction of 7.1% in total for-credit FTE enrollment and a 4% reduction in head count. He highlighted the increase in dual credit headcount of 15.32%, and discussed several ways in which the college is engaging with the high schools that point to higher enrollment. He discussed the college’s efforts to recruit international students and stated that NIC had been approved by the International Research and Exchanges Program (IRX) for a student from Pakistan to attend school this semester and another student from Pakistan to attend next semester.

Career Technical Education Facility Update:
VP Martin reported that the facility had been phased out into six different areas of construction and he provided a four week look ahead including slab reinforcing, the beginning of the full pours of the slabs and he added that steel will begin to be erected by the end of November.

BOARD CHAIR REPORT
Chair Wood and each of the trustees provided a brief report on the sessions they attended during the ACCT Conference.

REMARKS FOR THE GOOD OF THE ORDER
Trustee Meyer commented on a recent article by Mark Browning on the topic of communication with legislators. Trustee Banducci encouraged the college to continue working with veterans.

The meeting was adjourned at 8:20 p.m.
SUBJECT
Election of board officers

BACKGROUND
This item is included on the agenda to enable the board to take action regarding the election of officers pursuant to North Idaho College Policy 2.01.01, Authority, Appointment and Functions of Board of Trustees, which states: “Board meetings are held consistent with the requirements of Idaho Code. At its annual November meeting, the board of trustees elects one of its members as chair and a second as vice chair. The board of trustees also elects a treasurer, and a secretary, and it may at this or a subsequent meeting, appoint one member to serve as liaison to the North Idaho College Foundation and other liaison positions.”

Nominations for Secretary/Treasurer: ______________________ ______________________

Vote Carried: Yes _____ No _____

Nominations for Vice Chair: ______________________________

Vote Carried: Yes _____ No _____

Nominations for Chair: ________________________________

Vote Carried: Yes _____ No _____

COMMITTEE ACTION
None.

FINANCIAL IMPACT
None.

REQUESTED BOARD ACTION
In accordance with Idaho Code 33-2106, the trustees shall elect officers at this meeting. Subsequent to the election of board officers, it is recommended that the board chair-elect conduct the remainder of the meeting.

Prepared by
Shannon Goodrich
NIC President’s Office
TAB 2

SUBJECT
Revised Policy #3.02.29: Alternate Work Schedules

BACKGROUND
Alternate Work Schedules Policy #3.02.29 has been reviewed by appropriate staff as part of the college’s comprehensive policy review process.

DISCUSSION
This policy was revised to provide better direction on the approval of alternate work schedules and add clarity as to when and why an alternate schedule should be considered. The primary change is the inclusion of the following statement: The supervising vice president and director of human resources, in coordination with the direct supervisor, must approve any alternative work schedule prior to an employee beginning to work an alternative work schedule. The definition of Compressed Work Week was moved to the procedure.

COMMITTEE ACTION
This policy has been reviewed and approved by President’s Cabinet and the College Senate.

FINANCIAL IMPACT
None.

REQUESTED BOARD ACTION
Request the board consider a motion to adopt revisions to Alternate Work Schedules Policy #3.02.29.

Prepared by:
Chris Martin, VP for Finance and Business Affairs
In an effort to improve and promote college services and employee morale, North Idaho College supports the use of alternative work schedules for all non-faculty employees. At the discretion of the department supervisor, an employee may initiate the process to observe work schedules that differ from North Idaho College’s regular, published work schedule of five consecutive days per week. In recognition of the challenges employees may face in balancing the demands of the workplace with personal needs, it is the policy of North Idaho College to support the creation of alternate work schedules, either short term or long term duration, as mutually agreed to by the individual employee and the department supervisor. In designing alternate work schedules, consideration should be given to:

a. maintaining a high level of service to the college and its customers/community;

b. maintaining appropriate record-keeping;

c. adherence toward state and federal wage and hour laws;

d. *efficient use of college facilities and resources*;

e. clear communication by the supervisor of employee performance expectations, evaluation, pay, hours of work, etc.; and,

f. implementation of ongoing follow-up and monitoring practices to identify when the alternative work schedule program is working and how it can/should be revised over time.

g. no office is to be closed to accommodate the alternative work schedule.

*Flextime Definition: Working other than the regularly scheduled daily shift where*
start/finish times, break times and lunch times can vary but do satisfy a full day’s work requirement. Flextime requires employees to work a five-day, 40-hour week, but with increased flexibility with regard to selecting their own starting and quitting times. Flextime must support both employee’s and management’s needs. However, emphasis on approving flextime should rest on the service provided to the college.

Compressed Work Week Definition: A compressed workweek is a 40-hour workweek that is condensed into fewer than five days. The most common formula for a compressed workweek is four 10-hour days per week. Days off may vary among individuals.

The supervising vice president and director of human resources, in coordination with the direct supervisor, must approve these any alternative work schedule prior to the an employee working beginning to work an alternate alternative work schedule, unless otherwise designated by procedure.
SUBJECT
Records Inspection Policy #2.01.07

BACKGROUND
As part of the Administration’s on-going effort to review/revise all policies, those policies which require updating and editing undergo review and ultimately Board of Trustee approval in order to be in effect.

DISCUSSION
NIC Policy 2.01.07 deals with transparency and inspection of records by and for the public. Earlier versions referenced a policy, NIC Inspection of Student Records 5.05. This policy has been eliminated due to duplication with local, state and federal reporting requirements and the current proposed version of 2.01.07 now reflects the absence of 5.05 and is in concert with all other campus, state and federal requirements. Additionally, the legal citation has been updated to reflect Idaho Statute 74 and reference to the Family Educational Rights and Privacy Act (FERPA) has been added regarding the inspection of student education records.

FINANCIAL IMPACT
None

REQUESTED BOARD ACTION
Request the board consider a motion to adopt revisions to Inspection of Records Policy #2.01.07.

Prepared by,
J. Mark Browning
VP for Communications and Governmental Relations
Policy

Policy # 2.01.07

Effective Date 6/23/93
Revised 1/28/98

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<th>(Specific Subject Area)</th>
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<td>Inspection of Records</td>
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<tr>
<td>Steve Schenk</td>
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<td>VP Communications</td>
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<tbody>
<tr>
<td>Idaho Code 9-338-Idaho Statutes Title 74, Chapter 1</td>
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Policy Narrative

Most North Idaho College financial and other records are open to inspection to any student or citizen pursuant to the state of Idaho public records laws, per Idaho Code 9-338-Idaho Statutes Title 74, Chapter 1. These laws include the right to charge reasonable fees for copies, provide reasonable regulations to insure the safety of the records, avoid unreasonable disruption of the work in the offices where records are kept and assure efficient and timely release of requested information to the public. Note that gross annual salaries are considered a public record.

Except in the case of legal compulsion or as provided by the public records laws, the following NIC records are not open to public inspection without the prior written consent of the person or persons to whom such records pertain: (1) the personnel records of employees, (2) the transcripts or grades or other education records of students in accordance with the Family Educational Rights and Privacy Act (FERPA), except as provided in the Inspection of Student Records section of Policy 5.05, (3) the medical records of persons as maintained by the vice president for student services in accordance to current Health Information Portability and Accountability Act (HIPPA) procedures, (4) individual records as maintained by a counseling center, or (5) other similar records as provided by the privacy protection and public records laws of United States and the state of Idaho.
SUBJECT
North Idaho College Head Start Policy Council Bylaws
North Idaho College Head Start Criteria for Prioritization of Families Policy
North Idaho College Head Start Program Information Report

BACKGROUND
North Idaho College has served as the grantee for the North Idaho College Head Start since August 1, 1974. NIC Head Start is a school readiness program that provides education and support for young children and their families. NICHRS has nine sites in all five northern counties, currently serving 293 children.

DISCUSSION
In accordance with the Head Start Performance Standards, North Idaho College Head Start Policy Council met and approved the NICHS Policy Council Bylaws on September 18, 2015. The Policy Council added language about a Board liaison, the Vice President of Finance and Business Affairs. They changed the name of the committee to ERSEA Committee and added a Nutrition Committee as a standing committee for Policy Council. They also added a section on Grievance procedure to delineate the grievance steps of each governing board, and the governing board liaison. The PC Bylaws must be reviewed and approved by the NICHS Governing Body, which is the North Idaho College Board of Trustees.

The NICHS Criteria for Prioritization of Families Policy was reviewed by the Policy Council Criteria subcommittee in March and September, and approved by Policy Council in September 2015. One adjustment in the formula of criteria points given to enrollees for family stressors was added. Expanded definitions were added for foster children and family members seeking further education. Verbiage about NIC Children’s Center families’ eligibility for enrollment was also added. This criteria for selecting families that can benefit the most from Head Start services must be reviewed annually and approved by both the Policy Council and the NIC Board of Trustees.

North Idaho College Head Start Program Information Report is attached for board review for grant year 2014/2015. These statistics will be included in our Annual Report and will be published along with other important benchmarks for our previous year services in January 2016.

FINANCIAL IMPACT
The Head Start grant is federally funded from the Department of Health and Human Services/Office of Head Start.

REQUESTED BOARD ACTION
This is a first reading and no action is requested at this time for the Policy Council Bylaws or the Criteria for Prioritization of Families Policy.

Prepared by
Beth Ann Fuller
North Idaho College Head Start Director
Policy Council Bylaws

ARTICLE I Name
The name of this organization shall be the North Idaho College Head Start Policy Council, hereafter in these Bylaws called Policy Council.

ARTICLE II Purposes and Functions

Section I Purpose
The purpose shall be to comply with the requirements of Improving Head Start for School Readiness Act of 2007, Section 642 and to implement Head Start Performance Standards, 45 CFR Subpart D Program Design and Management, 1304.50 Program Governance “(1) Grantee and delegate agencies must establish and maintain a formal structure of shared governance through which parents can participate in policy making or in other decisions about the program”.

Policy Council is responsible to work with the governing body and staff to be involved in the decision-making process, prior to the point of seeking approval, for planning and coordinating for the Head Start program, and establish and maintain procedures for hearing and resolving community complaints about the program. This Policy Council serves the counties of Kootenai, Shoshone, Boundary, Bonner, and Benewah in the State of Idaho.

Section II Functions
The functions of the Policy Council:
1. Develop and approve the goals and objectives for Head Start within the agency, and establish ways to meet them within the Administration for Children and Families (ACF) guidelines.
2. Review the Community Assessment, approve the Target Service Areas, and assure that these meet the required standards.
3. Develop a plan for recruitment and selection of eligible children using the current ACF guidelines.
4. Establish the composition of Policy Council and determine committees for dealing with individual program procedures.
5. Serve as a link to the Center Parent Committees, Center Staff, North Idaho College Board Liaison as designated by the Board of Trustees, North Idaho College Board of Trustees, public and private organizations, and the communities they serve.
6. Assist and develop a plan to help Center Parent Committees in communicating with parents enrolled in all program options to insure that they understand their rights, responsibilities, and opportunities in Head Start, and to encourage their participation in the program.
7. Assist and develop a plan to help Center Parent Committees in planning, coordinating, and organizing program activities for parents with the assistance of staff, and insuring that funds set aside from program budgets are used to support parent activities.
8. Establish and maintain procedures for hearing and resolving complaints about the program.
9. Collaboratively develop Personnel Policies with the Staff Development Committee and the Director. Approve Personnel Policies.
10. With the Director, establish criteria, procedure, and approval for the selection and release of all staff personnel.
11. Approve or disapprove request for funds and proposed work programs, based upon the recommendations of the Director.
12. Approve or disapprove major changes in the operating budget and operations and monitoring system while the program is in operation.
13. Participate with program staff to identify needs to provide assistance for recruitment for volunteers and community resources. Participate in a yearly self-evaluation of the program.
14. Be a link between the community resources and Head Start parents.
15. To follow Mediation Procedures, Article VII.

**ARTICLE III  Membership and Meetings**

**Section I Composition**

The Policy Council shall be composed of no less than 51% parents currently enrolled in Head Start and no more than 49% representatives from the community. Representatives are elected before the October Policy Council Meeting. Each Head Start Center Parent Committee elects voting representatives as follows:

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<tr>
<th>Centers / Parent Committees</th>
<th>Center Enrollment Slots</th>
<th>Number of Parent Representatives</th>
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<tr>
<td>Center A</td>
<td>61-90</td>
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<tr>
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**Section II Selection Policy Council Parent Representatives**

1. Each Head Start Center Parent Committee elects Policy Council Representatives by the first Friday in October. Center Policy Council Representatives are comprised exclusively of the parents of children currently enrolled at the center. This allows for their attendance and training at the October meeting.
2. Their term of office will be October through October.
   a. This allows for the October meeting to have experienced members from the previous program year present to run the meeting.
   b. Policy Council Representatives, elected during the year will be seated at the first possible meeting after their election at the Center Parent Committee with their term going through the following October meeting.
3. No Grantee staff or members of their immediate families may serve on Policy Council.

**Section III Selection Policy Council Community Representatives**

1. Representatives from the community may include individuals selected from the following community groups by the Policy Council: Community representation will be considered from all our communities when positions are available.
   a. State service agencies
   b. Private service agencies
   c. Community organizations
   d. Public and private school personnel
   e. Parents of former Head Start children, including those holding an office with any of the following agencies: Idaho Head Start Association, Region X Head Start Association, or National Head Start Association
   f. A representative from Grantee Board of Trustees
   g. Health Care Professionals
   h. Recommended interested community citizens.
2. Prior to the October Policy Council meeting, permission is obtained from proposed representatives from the community to submit their names for nomination to the Policy Council. Policy Council members, Head Start staff, and Grantee Board may submit nominations to the Policy Council. Nominations for community representative will be submitted throughout the program year as needed.

**Section IV Term of Office**

Policy Council representatives shall serve for a term of thirteen (13) months beginning with the October meeting and ending with the October meeting. No representative shall serve on the Policy Council for more than three (3) terms, subject to any changes in Head Start Performance Standards and/or regulations.

**Section V Meetings**

1. Regular meetings of this Policy Council will be held monthly, usually the third Friday of the month. Meeting dates are subject to change as decided by the Policy Council.
2. The Chair may call special meetings of the Policy Council as needed. Advance notice of at least forty-eight (48) hours must be given.
3. The North Idaho College Head Start Staff Recorder will maintain Policy Council minutes for all regular and special meetings. The Staff Recorder shall see that a record of minutes is kept on file at the Head Start Central Office and sends out copies of minutes to each member, the North Idaho College Board Liaison as designated by the Board of Trustees, and the North Idaho College Board of Trustees Chair. The staff recorder has no membership privileges.
4. Notice of regular meeting - written notices are mailed or emailed to each Policy Council representative at least five (5) days prior to the date of each regular meeting. An agenda for forthcoming meeting is enclosed. Minutes of the past meeting are mailed or e-mailed within two weeks of the meeting. Notice of special meetings shall be by personal or electronic contact.
5. Quorum - 1/3 of the seated representatives of Policy Council must be present to constitute a quorum for regular meetings or special meetings to transact business, no less than 51% must be parents.
7. Voting Rights - Each Policy Council representative shall have one (1) vote.
8. Policy Council parent members, in order to participate fully, may receive, when necessary, reimbursement/payment for reasonable expenses incurred by the members.

**Section VI Duties of Representatives**

1. Due to the progressive nature of the work and responsibilities of Policy Council and to support informed decision-making, representatives shall maintain good standing. Representatives in good standing attend and arrive on time for all regularly scheduled monthly meetings.
2. Representatives attend selected and/or required committee meetings.
3. Notify Policy Council Vice-Chair, or Policy Council Advisor when unable to attend. In the case of an emergency, contact your respective center.
4. Actively participate in meetings by reading the previous meeting minutes and agenda for the upcoming meeting prior to the meeting and discussing matters to be considered with the group he/she represents.
5. Notify the Policy Council Advisor if they can no longer serve as a Policy Council Representative.
   a. The Policy Council Advisor notifies the Area Supervisor when a vacancy occurs.
7. Community representatives shall provide verbal reports to Policy Council at each Policy Council meeting.
8. Parent representatives shall meet with Area Supervisor or Center Assistant and prepare a center report for Policy Council prior to each Policy Council meeting.
9. Parent representatives report back to their Center Parent Committees any actions taken by the Policy Council that have not been declared confidential.
10. Submit agenda items to the chairperson at least eleven (11) days prior to the forthcoming meeting.
11. Serve on committees as established by Policy Council.

Section VII Attendance

1. Roll is taken at each meeting anyone not in attendance is marked absent.
   i. Late arrivals will be indicated on the meeting attendance, voting privileges will be suspended for the meeting.
   ii. Extenuating circumstances for late arrivals being counted present and voting privileges will be considered by the Policy Council Chair.
2. Representatives should be present at all regular monthly meetings and assigned sub-committee meetings.
3. Policy Council minutes will reflect all absences.
4. A representative in good standing will miss no more than three (3) meetings.
   a. When one of the representatives has three (3) absences, Policy Council will determine by a 2/3 vote of members in attendance at the Policy Council meeting whether or not the representative should be retained.
   b. The Policy Council retains the right to consider extenuating circumstances.
   c. The Policy Council Advisor notifies the respective Area Supervisor of Policy Council’s action to unseat a representative from a position.
      i. If it is the decision of the Policy Council to replace the non-participating representative, a new representative will be elected through the respective Center Parent Committee.

ARTICLE IV Officers and Delegates

Section I Officers

1. Chair
2. Vice-Chair
3. Secretary
4. Treasurer

Section II Election and Term of Office

All officers shall be elected for a one (1) year term at the October meeting. Term of office begins at the November meeting. Officers can only serve in one officer position. Officers demonstrate commitment to leadership duties and attendance at all meetings.

Section III Duties of Officers

1. Chair
   a. Presides at all regular and special Policy Council meetings.
   b. Demonstrates a clear understanding of the Policy Council By-Laws.
   c. Explains each motion before it is voted upon.
   d. Calls the meeting to order and formally closes it.
   e. Calls special meetings when necessary.
   f. Appoints committee chairperson and supervises committee appointments if needed.
g. Reviews and approves the agenda for each regular meeting and sees that it is distributed to representatives.

h. Receives Staff Development Committee report for general business and serves on the Scholarship and Award Committee.

i. Receives and handles all mail addressed to the Policy Council and is responsible for all official correspondence.

j. May delegate duties as needed to Vice Chair.

k. Communicates with the North Idaho College Board Liaison as designated by the Board of Trustees for any issues that require Board of Trustees attention.

l. Votes only in the case of a tie vote of the Policy Council representatives.

m. A Chair who fails to perform his/her duties may be removed from office by a 2/3 vote of members in attendance at the Policy Council meeting.

2. Vice-Chair

a. Presides over the Policy Council meeting and all duties associated with that meeting in the absence of the Chair.

b. Assists with the secretary duties in the absence of the Secretary.

c. In the case of resignation of the Chair, assumes the office of Chair until the Policy Council elects a permanent Chair.

d. Chairs the Bylaws Committee.

e. Notes whether a quorum is present.

f. Receives notice from Policy Council Representatives when a member will be absent from a meeting.

g. Maintains records of Policy Council member attendance and reports to the Policy Council Chair when a representative has three (3) absences.

h. A Vice-Chair who fails to perform his/her duties may be removed from office by a 2/3 vote of members in attendance at the Policy Council meeting.

3. Secretary

a. Keeps a Policy Council notebook that includes: A copy of the Bylaws, a copy of the current Policy Council member list, , and the agenda and minutes for the last twelve (12) months.

b. Ensures that the Policy Council notebook is available at all Policy Council meetings.
   a. The Policy Council notebook is stored in the Policy Council’s locked cabinet.

c. Assist chair as Time keeper.

d. A Secretary who fails to perform his/her duties may be removed from office by a 2/3 vote of members in attendance at the Policy Council meeting.

4. Treasurer

a. Reviews and signs all travel and childcare reports.

b. Keeps an accurate record of the Policy Council's expenditures.

c. Distributes an itemized budget report covering all Policy Council expenditures.

d. Chairs the Policy Council Budget Committee.

e. A Treasurer who fails to perform his/her duties may be removed from office by a 2/3 vote of members in attendance at the Policy Council meeting.

Section IV – Delegates

1. State Representative to the Idaho Head Start Association (IHSA)

a. One Delegate is elected for a one-year term.
b. The Delegate must be a current or past Head Start parent or legal guardian and Policy Council Representative at the time they are elected.

c. Delegates may serve up to two, one-year terms.

d. One State Representative Alternate shall be elected who is a current or past Head Start parent or legal guardian with voting rights in the absence of the Delegate.
  i. The State Representative Alternate will automatically fill the Delegate’s vacancy if needed for the remainder of the elected term. A new State Representative Alternate will be elected to finish the current term.

e. Election of the State Representative Delegate and the State Representative Alternate occurs prior to the annual IHSA membership meeting.

f. Term of office shall be one year.

g. Duties of the Delegate include, but are not limited to:
  i. Attend all Policy Council meetings.
  ii. Attend all funded State meetings.
  iii. Provide a written and oral report to the Policy Council following each State meeting.
  iv. Attend other meetings as needed with administration, staff, and Policy Council representatives.

h. A State Representative Delegate or State Representative Alternate who fails to perform his/her duties may be removed from position by a 2/3 vote of members in attendance at the Policy Council meeting.

ARTICLE V Committees

Representatives select committees to serve on at the Committee Meeting Session prior to the October Policy Council meeting. When representatives/officers change, the committee roster is updated by the Staff Recorder.

Section I Personnel Committees

1. Center Personnel Committee: Policy Council Representatives and/or Center Parent Representatives are involved in the interview and selection process for hiring staff. (Refer to Personnel Policies Section 3.03)

2. Executive Personnel Committee: This committee shall consist of at least three (3) Policy Council representatives including the Chair and is called by the Head Start Director as needed.

Section II ERSEA (Eligibility, Recruitment, Selection, Enrollment, Attendance) Committee

1. Committee shall consist of at least three (3) Policy Council representatives.

2. The committee shall design the recruitment and enrollment criteria, that includes the criteria for selection of families, to be used for enrolling families in the Head Start program.

Section III Program Self Assessment Committee

1. Committee consists of at least two (2) Policy Council Representatives.

2. Members will attend Self-Assessment training prior to conducting the program self-assessment.

Section IV Grant Planning Committee

1. Consists of the Administration Team, (1) one staff representative from each center, at least (3) Policy Council representatives, (1) one of, which must represent a rural program serving less than twenty-three (23) families, as voting representatives.
2. This committee meets up to three (3) times a year to plan the grant for the next program year.
3. Grant Planning reports are presented to Policy Council.

Section V Bylaws Committee
1. Consist of Policy Council Vice-Chair and at least three (3) Policy Council Representatives.
2. Meets at least once during the program year and when needed to review all By-Laws and make recommendations for revision.

Section VI Program Policies Committee
1. Consist of all administrative team, designated staff from each component, and at least three (3) Policy Council representatives.
2. This committee meets semi-annually to review changes and make recommendations for the following year.

Section VII Policy Council Budget Committee
1. Consists of Policy Council Treasurer as chair and two current parent representatives. The Fiscal Coordinator serves as an advisor.
2. Complete an inclusive Policy Council budget with categories covering all areas of expenditures and present to the Council.
3. Meet to update budget at the beginning of each fiscal year.
4. Review and update, as needed, the Policy Council Childcare and Transportation Policy.

Section VI Nutrition Committee
1. Consist of at least three (3) Policy Council representatives.
2. This committee meets semi-annually to review changes and make recommendations for the following year.

Section VIII Scholarships and Awards Committee
1. Consists of Policy Council Chair, Staff Development Committee Chair and Staff Development Committee Scholarships and Awards sub-committee members.
2. Reviews all applications for Scholarships and Awards.
3. Selects all finalist applications.
   a. The program submits the selected finalists to the National Head Start Association complying with the defined timelines.
4. Plans for recognition and celebrations for all applicants.

Section IX Special Committees
1. The chairperson or Policy Council appoints special Committees as the need arises. Membership of Special Committees may include Center Parent Representatives.

ARTICLE VI Conflict of Interest
The purpose of the following policy and procedures is to prevent the personal interest of staff members, board members, and volunteers from interfering with the performance of their duties to North Idaho College Head Start (NICHS), or result in personal financial, professional, or political gain on the part of such persons at the expense of or its members, supporters, and other stakeholders.

Definitions:
a. **Conflict of Interest** (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a Policy Council Representative.

**Procedures:**

Full disclosure, by notice in writing, shall be made by the interested parties to the full Policy Council in all conflicts of interest, including but not limited to the following:

- A **Policy Council Representative is related to a staff member by blood, marriage or domestic partnership.**
- A **Policy Council Representative stands to benefit from an NICHS transaction receives payment from NICHS for any subcontract, goods, or services other than reimbursement for reasonable expenses incurred as provided in the bylaws and NICHS policy.**
- A **Policy Council Representative who is formally considering employment with NICHS must notify the Policy Council Chair (or Vice-chair if it is the Chair) and will not participate on the hiring committee nor as a voting member during the specific Policy Council meeting when hiring for said position. If hired this will terminate their membership as a Policy Council Representative.**

Following full disclosure of a possible conflict of interest or any condition listed above, the Policy Council shall determine whether a conflict of interest exists and, if so the Policy Council shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect NICHS’s best interests.

This **Conflict of Interest** policy, as part of the Policy Council By-laws, is given to all Policy Council Representatives, through the Policy Council notebooks. The Policy Council By-laws are also available through the Program’s Operation and Monitoring System (OMS).

**ARTICLE VII  Grievance Procedure**

If a grievance is brought to Policy Council, the Policy Council will work to resolve the grievance.

Should no resolution be met for the grievance, then the Policy Council Chair will present the grievance to the North Idaho College Board Liaison as designated by the Board of Trustees.

The North Idaho College Board Liaison will present the grievance to the North Idaho College Board of Trustees for action.

**ARTICLE VIII  Mediation Procedures**

Head Start Grantees must inform the responsible ACF Regional Office as soon as possible after becoming aware that there is a conflict between the Grantee agency and the Policy Council, especially those which, if not resolved, could lead to termination, or denial of refunding, of the Head Start grant. This notification must be made within ten days of the Grantee becoming aware of the conflict and in the case of a Policy Council proposing not to approve the Grantee’s refunding application; such notification must be made at least 90 days prior to the Grantee’s refunding date. If the situation leading to the Policy Council’s decision to withhold its approval occurs within 90 days of the Grantee’s refunding date, the Grantee must notify its responsible Regional Office immediately.

The Regional Administrator, or a Regional staff member designated by the Regional Administrator, will hold one or more meetings, as appropriate, which the Grantee’s Executive Director, the Grantee’s Head Start Director, and the Policy Council Chair are required to attend.
The attendance of Grantee Board members at any or all of these meetings is encouraged. The purpose of these meetings is to attempt to resolve the issues between the Grantee and the Policy Council to the mutual satisfaction of both parties and thus avoid the possibility of an adverse action against the Grantee.

If the meetings are not successful in resolving the issues between the Grantee and the Policy Council, the Grantee should, within 10 days of the meeting, submit the dispute to the offices of a professional mediator. The Regional Office will provide assistance to the Grantee in selecting a mediator. The Grantee is requested to advise the Regional Office of the time and location of the first scheduled meeting. The Grantee and the Policy Council are expected to attend any meetings requested by the mediator.

If the conflict relates to the Grantee’s refunding, the mediation process must be completed 15 days prior to the Grantee’s refunding date unless the mediator has indicated to the Regional Office, in writing, that additional time for mediation will likely result in a successful resolution of the conflict, in which case the Regional Administrator may extend the current Head Start grant. The refusal of either party to engage in a mediation process shall be taken into consideration by the ACF Regional Office in determining what course of action is warranted.

ARTICLE VIII Amendments

These By-laws will be reviewed annually by the By-laws Committee and presented to Policy Council and the Grantee Board of Trustees for approval.

These By-laws may be amended by sending a copy of the proposed amendment to each Policy Council member at least one (1) week before the meeting in which the amendments are considered. Amendments must be approved by a quorum of the Policy Council.

Policy Council Approval __September 18, 2015__________

North Idaho College Board of Trustees Approval________________
**Criteria for Prioritization – Selection of Children for Enrollment**

**Reviewed: recommended changes**

Criteria for Prioritization of Families Policy: North Idaho College Head Start serves families who have the greatest opportunity to benefit the most from our services. The point system provides a method of determining eligibility based on: family income or categorical eligibility, formal referral, child’s age, and/or disabilities and other family stressors.

<table>
<thead>
<tr>
<th>Criteria for Prioritization</th>
<th>Points Allowable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Verified Income (Percent below Federal Poverty Guidelines**)</td>
<td>0, 21, 28</td>
</tr>
<tr>
<td>2. Age* (Four years old on or before September 1st of program year)</td>
<td>20</td>
</tr>
<tr>
<td>3. Diagnosed Disability</td>
<td>20</td>
</tr>
<tr>
<td>4. Suspected Disability</td>
<td>15</td>
</tr>
<tr>
<td>5. Formal Referral from Agency/Professional (including Early Head Start/Head Start) * (Written documentation is required)</td>
<td>10</td>
</tr>
<tr>
<td>6. Transition from Early Head Start / Head Start program</td>
<td>5</td>
</tr>
<tr>
<td>7. Foster Child (meets definition for State placement) or Child in Custody/Care of Someone other than the Biological Parent(s). (removal by full body)</td>
<td>10</td>
</tr>
<tr>
<td>8. Homelessness (as determined by the McKinney-Vento Homeless Assistance Act of 1987)</td>
<td>10</td>
</tr>
<tr>
<td>9. Family Violence (includes physical, verbal or emotional abuse/violence, child abuse, neglect, or abandonment)</td>
<td>10</td>
</tr>
<tr>
<td>11. Substance Abuse or other addictions</td>
<td>10</td>
</tr>
<tr>
<td>13. Parent/Guardian in Incarceration and/or Returning from Incarceration</td>
<td>5</td>
</tr>
<tr>
<td>15. Mental Health Issue – Child and/or Family</td>
<td>5</td>
</tr>
<tr>
<td>16. Additional Household Stressors: (one or two = 5 points; three or more = 10 points)</td>
<td>5 or 10</td>
</tr>
</tbody>
</table>

Chronic Health Issue and/or Disability within the Family
Death of a Family Member in the Household(s)
Families in Crisis (emergency relocation, natural and/or family disaster)
Family Legal Issues
Limited Opportunities for Socialization (child/family)
Parent Working Out of the Area
Parent Working Multiple Jobs or Working and Going to School (moved to stand-alone item)
Points are determined through the application process. Children whose families have completed an Application prior to the enrollment selection date are placed on the Waiting List.

Area Supervisors select the children/families from the prioritization list generated by the program’s child data collection system. Area Supervisors then fill enrollment slots to correspond with the Enrollment Policy (FCP/201).

When an opening occurs, the family selected from the prioritization list is immediately notified and an enrollment appointment is scheduled. Notification can be by phone. (If no phone is available notification can be by mail.) At time of notification, a family is considered selected. After the enrollment appointment, the child’s status changes to “accepted”. North Idaho College Head Start strives to have all enrollment vacancies filled within three working days.

(Added and reviewed and approved by Policy Council – September 18, 2015.)

All efforts are made to provide continuous enrollment when:

1. A family relocates to another community within the North Idaho College Head Start Service Area.
2. A family no longer meets criteria for enrollment at the North Idaho College Children’s Center by being a staff member or student.

Their acceptance for continued enrollment is based upon the families’ desire to remain enrolled in the program and the receiving Center having a concurrent open enrollment slot. If the receiving Center does not have an open enrollment slot, the family is put on the Center’s waitlist.

*Child must be three-years old according to NICHS criteria

<table>
<thead>
<tr>
<th><strong>Percent of Poverty Guideline is:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Between 0% and 50% = 28 points</td>
</tr>
<tr>
<td>Between 51% and 100% = 21 points</td>
</tr>
<tr>
<td>Over-income = 0 points</td>
</tr>
</tbody>
</table>

*If needed to maintain full enrollment, the income ratio between 101% and 130% may be considered. This income status would not count towards the allotted 10% over-income standard.*

Policy Council Approval: March 20, 2015 and September 18, 2015

Board of Trustees Approval: _____________________________
Program - Head Start has 1 Program(s)

- The PIR Performance Indicators highlight annual program PIR data in areas of frequent interest and are not intended to serve as a full summary of programs’ performance.
- The PIR Performance Indicator Formulas document provides the question numbers used for indicator calculations and is available at [http://eclkc.ohs.acf.hhs.gov/pir](http://eclkc.ohs.acf.hhs.gov/pir).
- Numerators and denominators are included in the report to supply context for percentages.

### Enrollment - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative Enrolled Children</td>
<td>338</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>Percentage (%) of children enrolled for multiple years</td>
<td>63</td>
<td>18.64%</td>
</tr>
<tr>
<td>102</td>
<td>Percentage (%) of children enrolled less than 45 days</td>
<td>15</td>
<td>4.44%</td>
</tr>
<tr>
<td>103</td>
<td>Percentage (%) of children and pregnant women (if EHS) who left the program and did not re-enroll</td>
<td>51</td>
<td>15.09%</td>
</tr>
</tbody>
</table>

### Services to All Children at Beginning of Enrollment Year Compared to End of Enrollment Year (based on Cumulative Enrollment) - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative Enrolled Children</td>
<td>338</td>
<td></td>
</tr>
<tr>
<td>Children Enrolled less than 45 Days</td>
<td>15</td>
<td>4.44%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number at Beginning of Enrollment Year</th>
<th>Percentage at Beginning of Enrollment Year</th>
<th>Number at End of Enrollment Year</th>
<th>Percentage at End of Enrollment Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>111.1</td>
<td>Percentage (%) of children with health insurance</td>
<td>333</td>
<td>98.52%</td>
<td>334</td>
<td>98.82%</td>
</tr>
<tr>
<td>112.1</td>
<td>Percentage (%) of children with a medical home</td>
<td>331</td>
<td>97.93%</td>
<td>337</td>
<td>99.70%</td>
</tr>
<tr>
<td>113.1</td>
<td>Percentage (%) of children with up-to-date immunizations, all possible immunizations to date, or exempt</td>
<td>308</td>
<td>91.12%</td>
<td>327</td>
<td>96.75%</td>
</tr>
<tr>
<td>114.1</td>
<td>Percentage (%) of children with a dental home</td>
<td>252</td>
<td>74.56%</td>
<td>326</td>
<td>96.45%</td>
</tr>
</tbody>
</table>

### Services to All Children (based on Cumulative Enrollment) - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative Enrolled Children</td>
<td>338</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>121</td>
<td>Percentage (%) of children with an IFSP or IEP</td>
<td>80</td>
<td>23.67%</td>
</tr>
<tr>
<td>122</td>
<td>Percentage (%) of children up-to-date on a schedule of preventive and primary health care per the state's EPSDT schedule at the end of enrollment year</td>
<td>273</td>
<td>80.77%</td>
</tr>
<tr>
<td>123</td>
<td>Of the children up-to-date on health screenings, the percentage (%) of children diagnosed with a chronic condition needing medical treatment</td>
<td>20</td>
<td>7.33%</td>
</tr>
<tr>
<td>124</td>
<td>Of the children diagnosed with a chronic condition needing medical treatment, the percentage (%) of children who received medical treatment</td>
<td>11</td>
<td>55.00%</td>
</tr>
</tbody>
</table>
### Services to Preschool Children (based on Cumulative Enrollment) - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative Enrolled Preschool Children</td>
<td>338</td>
</tr>
<tr>
<td>Cumulative Enrolled Preschool Children with an IEP for one of the Primary Disabilities Reported in the PIR</td>
<td>80</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>131</td>
<td>Percentage (%) of preschool children that received special education or related services for one of the primary disabilities reported in the PIR</td>
<td>80</td>
<td>100.00%</td>
</tr>
<tr>
<td>132</td>
<td>Percentage (%) of preschool children completing professional dental exams</td>
<td>324</td>
<td>95.86%</td>
</tr>
<tr>
<td>133</td>
<td>Of the preschool children receiving professional dental exams, the percentage (%) of preschool children needing professional dental treatment</td>
<td>54</td>
<td>16.67%</td>
</tr>
<tr>
<td>134</td>
<td>Of the preschool children needing dental treatment, the percentage (%) of preschool children who received dental treatment</td>
<td>25</td>
<td>46.30%</td>
</tr>
</tbody>
</table>

### Family Services - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Head Start Families</td>
<td>312</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>141</td>
<td>Percentage (%) of families who received at least one of the family services reported in the PIR</td>
<td>310</td>
<td>99.36%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Families Experiencing Homelessness that were Served During the Enrollment Year</td>
<td>63</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>142</td>
<td>Percentage (%) of families experiencing homelessness during the enrollment year that acquired housing during the enrollment year</td>
<td>28</td>
<td>44.44%</td>
</tr>
</tbody>
</table>

### Preschool Staff and Classes (Head Start and Migrant/Seasonal preschool staff only) - PIR Performance Indicators

<table>
<thead>
<tr>
<th>Context</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preschool Classroom Teachers</td>
<td>17</td>
</tr>
<tr>
<td>Preschool Classes</td>
<td>13</td>
</tr>
<tr>
<td>Preschool Classroom Assistant Teachers</td>
<td>13</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2015 #</th>
<th>PIR Performance Indicator</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>151</td>
<td>Percentage (%) of preschool classroom teachers that meet the degree/credential requirements of Section 648A.(2)(A) (BA or higher - ECE/related) that will become effective September, 2013</td>
<td>13</td>
<td>76.47%</td>
</tr>
<tr>
<td>152</td>
<td>Percentage (%) of preschool classes in which at least one teacher meets the teacher degree/credential requirements of Section 648A.(3)(B) (AA or higher - ECE/related) that became effective October, 2011</td>
<td>4</td>
<td>30.77%</td>
</tr>
<tr>
<td>153</td>
<td>Percentage (%) of preschool classroom assistant teachers with a CDA/equivalent or higher, or are enrolled in a CDA or ECE degree program</td>
<td>12</td>
<td>92.31%</td>
</tr>
<tr>
<td>Filter Name</td>
<td>Filter Value</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Year</td>
<td>2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Types</td>
<td>HS, EHS, Migrant HS, Migrant EHS, AIAN HS, AIAN EHS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Programs</td>
<td>10CH0056 - 000 - North Idaho College Head Start</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SUBJECT
External Financial Audit for FY15

BACKGROUND
An annual financial audit report for North Idaho College is prepared by an external audit firm. This year the college has engaged a new audit firm, Eide Bailly, LLP, of Boise, to perform the audit.

DISCUSSION
Jodi Daugherty and Kristin Diggs of Eide Bailly, LLP will present the audit along with any findings. A detailed audit exit conference was conducted by Ms. Daugherty and Ms. Diggs on November 12, 2015, via video conference, attended by Trustee Judy Meyer, Vice President for Finance, Chris Martin, and NIC Controller Sarah Garcia. Any questions as a result of the audit will be addressed and answered at the board meeting.

COMMITTEE ACTION
None.

FINANCIAL IMPACT
None.

REQUESTED BOARD ACTION
It is recommended that the board consider a motion to accept of the audit of FY2014-2015.

Prepared by
Chris Martin
Vice President for Finance and Business Affairs
SUBJECT
Reduction in Force (RIF) Policy

BACKGROUND
In the past two years, the staff, faculty and administration of North Idaho College have engaged in the review of all institutional policies. However, policy 3.02.26, Staff Reduction Due to Financial Exigency, was initially evaluated and revisions were proposed in the spring of 2011. The proposed revisions were debated by the College Senate with counter proposals offered over the course of the past four years.

DISCUSSION
The proposed Reduction in Force Policy 3.02.XX, dated July 8, 2015 [Attachment A], and associated RIF Procedure [Attachment B] being presented to the Board of Trustees at this time, represent the work of President Joe Dunlap, members of the Faculty Assembly and the College Senate in revising previously proposed RIF policies. Also included in this TAB 6:

Attachment C: White paper discussion of considerations for development and implementation of a RIF policy
Attachment D: An approximate chronology of RIF implementation
Attachment E: The previous revision, policy 3.02.XX undated
Attachment F: The previous revision, procedure 3.02.XX [Both Attachments E and F were prepared in 2013 by College Attorney Marc Lyons]
Attachments G & H: Reduction in Force due to Financial Exigency Policy and Procedure #3.02.26, which are currently in effect.

COMMITTEE ACTION
The proposed Reduction in Force policy has been approved by President’s Cabinet, Faculty and Staff Assemblies and College Senate.

FINANCIAL IMPACT
None

REQUESTED BOARD ACTION
This is a first reading and no action is requested at this time.

Prepared by
Joe Dunlap, President
Draft Policy

REDUCTION IN FORCE

Applicability: All Employees

Purpose and Scope:

North Idaho College highly values the contribution of all employees and recognizes the significant personal consequences related to a reduction in force. The board does recognize that any reduction in force will have an impact on the individual employees affected. Therefore, the North Idaho College Board of Trustees (the “Board”) seeks, by this policy and the associated procedure, to ensure that an equitable process will be followed to implement changes associated with a reduction in force plan. The plan will be administered without prejudice and will seek to sustain collegiality, respect, and professionalism among employees and to minimize disruptions to students. The focus of the plan will be to continue to maintain and achieve the college’s mission and goals.

The North Idaho College Board of Trustees (the Board) acting in its governing capacity and in its sole discretion, may adopt a Reduction in Force Plan to more efficiently dedicate resources to achieve the primary purposes and goals of North Idaho College (NIC). As part of its evaluation of whether reduction in force is appropriate, the Board will direct the President to prepare a Reduction in Force Plan for Board consideration. A Reduction in Force Plan may be adopted when the Board, in the exercise of its governing responsibilities, declares a financial emergency. A financial emergency means a demonstrable condition of significant financial stress that adversely affects the institution as a whole. This emergency may be caused by circumstances that may include, but are not limited to, the following:

1. Inadequate or significant reduction in funding for a period projected to be more than one year;
2. Reduction in overall institutional enrollment and industry demand compared to the previous ten years;
3. Sudden degradation of program or college facilities due to natural disasters;
4. Organizational changes that prompt an across-the-college adjustment to staffing needs.

The Board’s adoption of a Reduction in Force Plan is discretionary and is not subject to appeal or contest by any employee in any grievance or appeal procedure; however, employees specifically identified for layoff under this policy may appeal the decision to the President who will evaluate whether the Reduction in Force procedures were followed and appropriate criteria were applied in arriving at the decision to lay off the employee. The provisions of this policy are not to be used for the termination of an employee if the sole cause is substandard performance, incompetence, or misconduct.
This policy’s procedure prescribes the manner in which NIC employees may be released should a reduction in force be announced by the Board. Alternatives to layoffs will be evaluated before a reduction in force occurs. A reduction in force may involve the elimination of courses, majors, degree tracks, programs and/or departments, resulting in the layoff of tenured faculty, non-tenured faculty, contract employees before the end of their contract term, and other employees. A reduction in force may also result in the non-renewal of annual contracts.

It is understood that this policy and its corresponding procedures shall not apply in termination for cause and/or resignations, layoffs and dismissals unrelated to the Board’s direction to implement a RIF.

This Reduction in Force Policy is not superseded by any NIC employment termination policies or procedures. Any employee remedies for termination of employment due to RIF are limited to the due process rights contained in the associated procedure.
Procedure

3.02.xx

REDUCTION IN FORCE

Effective date:

Applicability: All Employees

Revised:

Developing the Board of Trustees Directed Reduction in Force Plan:

Once a decision is made by the Board of Trustees to implement a Reduction in Force [RIF] the President shall formally inform the college campus that the college administration will be formulating a RIF plan. Institutional data from a variety of sources, such as Institutional Optimization and program reviews, will provide the foundation for that plan. Once the draft plan is developed, the President shall submit the plan to the College Senate for distribution to constituent groups affected and allow a minimum of four (4) weeks for review by the College Senate, during which time the College Senate will prepare and deliver a written response to the President articulating recommendations for the President to consider. Thereafter, the President shall provide a written Reduction in Force Plan to the Board for approval. Recommendations from the College Senate that are not incorporated into the final plan by the President will be provided to the Board, together with the final written plan proposed by the President.

When developing the plan, the primary focus will be on maintaining and achieving the college’s mission and goals, including student success, instructional and educational excellence, and community engagement.

RIF Principles:

1. A RIF will not be used to target specific employee groups. The entire college community and all employee groups will be considered in RIF implementation.
2. College financial reserves may be used for a duration of not more than the current fiscal year to mitigate or offset temporary effects of the proposed RIF in order to provide the college time to determine if contributing conditions leading to a RIF stabilize prior to implementation.
3. Institutional data, including Institutional Optimization and program review data, will provide the foundation for evaluating programs and service areas. Other data sources may also be used as necessary to support the decision-making process.
4. The RIF will only extend to the degree that is necessary to accomplish the goal.
5. The RIF plan will include consideration of employees who have decided to depart or retire from the institution by the end of the fiscal year.
6. Consideration will be given to employees’ tenure, seniority, specialty, and or qualifications.
7. Affected employees may have bumping rights throughout the college based on seniority and qualifications for other positions within the college.
8. Non-tenured faculty will be impacted prior to tenured faculty.
9. Low enrolled courses will not automatically be considered for elimination depending on whether there is a documented need to offer these courses that are required for graduation. Examples may include General Education, Transfer and CTE courses.
10. Since any layoff is a severe economic and personal loss, options for reduction of overtime/overloads, offering furloughs, reassignment within the college to vacant positions for which employees are qualified, and other alternatives will be considered.
11. Deans and divisional chairs will provide recommendations to their respective VPs to be considered in development of the RIF plan.

**Final Reduction in Force Plan submitted to the Board of Trustees for Approval will include but not be limited to the following:**

1. Rationale for the Reduction in Force decision.
2. The financial goal in implementing the RIF.
3. How enrollment and labor data trends are considered in the process.
4. What departments, programs, service areas, courses, majors, or degree tracks may be directly impacted and the degree to which that area may be affected, what employee positions may be directly affected, and the basis for these considerations.
5. How departments, service areas, programs, courses, majors or degree tracks may be impacted, including the number of positions that will be directly affected, how students will be impacted, and the expected duration of the RIF to include time to teach-out existing students enrolled in an affected program.
6. What categories of employees within the framework of the plan may be directly affected
7. The fiscal impact of the plan on the college.
8. A bumping plan which will articulate consideration and opportunity for employees to bump other employees based on seniority and qualifications.
9. Relevant Institutional Optimization data supporting decisions.
10. Any other data deemed pertinent.

**Criteria for Layoff:**

The President may consider factors including, but not limited to, the following, when identifying employees for a reduction in force:

1. The impact on the college’s mission.
2. Most recent institutional data, including Institutional Optimization and program reviews.
3. The need to maintain necessary programs or services
4. The need to provide students with the ability to complete a program.
5. The position(s) and/or classification(s) affected.
6. An employee’s contributions to the mission of the college.
7. An employee’s length of service and/or tenure at NIC.
8. An employee’s specialized training, skills, licenses or special certification for a particular function.
9. An employee’s total work experience in the field, including applicable non-NIC college experience.

**Notice Requirements:**

Upon approval of a Reduction in Force Plan by the Board, the President shall communicate the following information, in writing, not less than thirty (30) days in advance of the effective date of the reduction in force plan, to each affected employee. The college will make an effort to ensure that affected faculty members are able to complete instruction of their respective course(s) for the semester. The written notice will include the following:

1. The reason(s) for the reduction in force.
2. The effective date.
3. A description of the basis and criteria for the decision to terminate the affected employee.
4. The benefits to which the employee is entitled.
5. The opportunity and process for the affected employee to appeal and respond in writing to the President.

**Notice of Openings:**

The College will make a reasonable effort to retain contact information of employees laid off for two years following the effective date of the RIF, but the employees will have the primary responsibility for updating their contact information with the human resources office. The College will make a reasonable effort during that time to notify such employees of an opening at the College pertaining to their prior position with the College and inviting them to apply for the opening.

**Appeal:**

Employees who are identified for layoff by the President, may appeal the decision to the President within fifteen (15) days of receipt of notice of layoff, by submitting a written request for appeal to the President setting forth the grounds for the appeal and an explanation of the facts supporting the employee’s appeal. The President will evaluate whether the established and approved procedures were followed and whether appropriate criteria were accurately applied in arriving at the decision within 60 days of the receipt of the appeal. The decision of the President is final.

**Benefits:**

Employees laid off pursuant to this policy are entitled to the benefits to which any laid off employee would be entitled under law and Board Policy.
DRAFT

Madam Chair and Trustees

I am presenting the first reading of a proposed Reduction in Force Policy noted in your board book as Policy 3.02.XX, dated July 8, 2015. A copy of the associated procedure is also included. I have also included the last proposed policy the trustees provided to the college approximately three years ago noted in your board book as 3.02.XX, undated. An approximate chronology of RIF actions is included with this white paper.

Background
A Reduction in Force is a complex personnel action that is often misunderstood. A misguided implementation of a RIF can result in significant litigation for an organization, wasted time and effort and ill will throughout a community and campus. Although it is virtually impossible for any employer to ever truly obtain risk-free status in implementing workforce reductions, carefully planned and executed downsizing plans used in conjunction with good documentation and termination policies can mitigate exposure to allegations of discrimination and future litigation.

I therefore suggest an examination of the purpose of a RIF, considerations for a RIF, timeline for a RIF and suggested criteria and steps for implementation of a RIF.

First of all, a RIF is an involuntary termination of full-time permanent positions, as opposed to a temporary layoff with an expectation that those positions may return in the near future, and would suggest that before a decision is made to implement a RIF, alternatives are examined that may include: reductions of budgets, reduction of hours worked, elimination of part-time and adjunct positions, job sharing, pay freezes or pay reductions, to name a few.

The purpose of the proposed Reduction in Force (RIF) policy and procedures document is to provide equitable, compassionate and consistent guidelines and procedures in the event that economic or operational factors require NIC to reallocate its workforce.

Considerations for a RIF Implementation Should Include:

1. Careful documentation of business related reasons behind the RIF--Identify in writing, the reasons for the workforce reduction, including economic savings and increases in efficiency.
2. Establishment of a firm timeline for planning and conducting the RIF.
3. Careful development and documentation of objective criteria for selecting employees for the RIF.
4. Provision of a written internal statement of well-defined selection criteria.
5. Identification of a Selection Procedure and Decision-Makers--Determine the decision sequence and persons responsible (e.g., particular supervisors or a layoff committee) for selecting employees to be included in the reduction in force.
6. Assurance that RIF policies are followed and development of a communications plan--Assure that all relevant policies are known and followed by decision-makers responsible for administering the reduction in force.

7. Identification of unneeded functions--When consolidating operations, identify unneeded functions on a reasoned basis and, where possible, without reference to individuals currently occupying the affected positions.

8. Base selection criteria on ability to perform remaining functions--Performance-based selection criteria should be related to functions remaining after the reduction in force is completed.

9. Evaluation process is critical--Where fewer than all incumbents in a particular organization or classification are laid off, each employee should be evaluated before making the retention decision.

Timeline for RIF
When presented last month as an information item, there was concern expressed by Trustee Banducci regarding the timeline for implementation of a RIF. There are several considerations that contribute to a perceived lengthy timeline that include:

1. Development of a RIF plan and appropriate selection criteria.
2. Worker Adjustment and Retraining Notification Act requirements.
3. Due process afforded public employees.
4. Accreditation criteria that states: “Federal regulations implementing the Higher Education Opportunity Act require that accrediting agencies require a teach-out plan from an institution in the event the institution notifies the Commission that it will cease instruction in one or more degree programs before all students have a reasonable opportunity to graduate.”

I have included a sample timeline that addresses these considerations.

Selection Criteria
Criteria for determining which employees will be affected by a RIF is arguably the most important issue in implementation. There are several options that may include:

1. Seniority-Based Selection--With seniority-based selection, the “last hired/first fired” concept is used. Because seniority-based systems reward employees for their tenure, there is a lower risk that older workers will sue employers for age discrimination under the ADEA. However, using seniority does not protect the employer from further risks for potential discrimination against other protected groups.

2. Employee Status-Based Selection--Employers who have part-time or contingent workers on their payrolls may want to lay off those workers first to ensure greater job security for remaining core workers. Unless an employer’s workforce is made up largely of contingent workers, this method alone may not be sufficient to meet downsizing needs, and it may need to be used in conjunction with other selection criteria.

3. Merit-Based Selection--Although this method of selection is often a preferred choice among many managers because of its added flexibility for weeding out marginal or poorly performing employees, it should be scrutinized carefully. Because merit selection criteria are based either in part or in whole on performance evaluation information
(which is not always objective and may contain rater biases), this method has not been proven to provide an accurate qualitative means for ranking the differences among individual employees’ performance in selecting employees for layoff. Courts have sustained performance-based Reductions in Force where there is evidence that the employer made thorough and conscientious performance evaluations of affected employees, based on expressly determined skill categories which were utilized in past performance appraisals. NIC has a comprehensive performance appraisal system that includes both qualitative and quantitative elements.

4. Skills-Based Selection--With this type of system, it is sometimes possible for employers to retain those workers who have the most sought-after skills. However, be aware that this method may cause a company to retain younger workers with needed and versatile skill sets, and to lay off older workers who may not have the necessary skills. The older workers are protected from discrimination by the Age Discrimination in Employment Act.

5. Multiple Criteria Ranking--Although all of the above methods can be equally effective when planned carefully, it has been argued that perhaps the most effective method of selection is using a combination of all the criteria previously discussed. Below is a sample of the ranking criteria used by some organizations that have implemented selection policies that are based on multiple criteria such as seniority, skill, and performance considerations.
   a. Employee’s promotability and attitude
   b. Employee’s skills, abilities, knowledge, and versatility
   c. Employee’s education and experience levels
   d. Employee’s quantity and quality of work
   e. Employee’s attendance history
   f. Employee’s tenure within the company

Summary
Proposed policy and procedure 3.02.XX incorporates these aforementioned considerations. Trustees, Staff, Faculty and Administrators have spent considerable time trying to develop an equitable and efficient policy that addresses complexities, considerations and concerns associated with eliminating permanent positions while minimizing institutional risk and liability.

I would urge you to approve the proposed policy with minimal alteration.
Approximate RIF Chronology

Day 1--After consideration of the circumstances related to financial emergency or institutional efficiency outlined in the RIF policy, the board determines that a reduction in force may be appropriate and directs the president to prepare a Reduction in Force Plan for their consideration.

~Day 6--Once the President receives the board’s directive to prepare a RIF Plan, the President will formally inform the college campus that the administration will be formulating a RIF plan.

~Day 36--Once the plan is developed, utilizing the principles and elements outlined in the RIF Procedure, the President shall submit the plan to College Senate for distribution to the affected constituent groups and allow a minimum of four weeks for review by College Senate, during which time the College Senate will prepare and deliver a written response to the President articulating recommendations for the President to consider.

~Day 51--Following receipt of College Senate’s response, the president will provide a written RIF Plan to the Board for its approval. Recommendations from College Senate that are not incorporated into the final plan by the President will be provided to the Board, together with the final written plan proposed by the President.

~Day 61-71--Upon approval of a RIF Plan by the board, the President shall communicate specifics of the approved plan, in writing, and as outlined in the RIF Procedure, not less than 30 days in advance of the effective date of the RIF Plan to each affected employee. The college will make an effort to ensure that affected faculty members are able to complete instruction of their respective course(s) for the semester.

~Day 76-86--Employees who are identified for layoff by the President, may appeal the decision to the President with 15 days of receipt of notice of layoff, by submitting a written request for appeal to the President in accordance with the RIF procedure.

~Day 136-146--Within 60 days of receipt of an appeal, the President will evaluate whether the established and approved procedures were followed and whether the appropriate criteria were accurately applied in arriving at the decision. The President’s decision is final.

~The College will make a reasonable effort during the two years following the effective date of a RIF to notify laid off employees of an opening at the College pertaining to their prior position with the College and invite them to apply for the opening.
Policy

REDUCTION IN FORCE

Applicability: All Employees  Effective date: Revised:

Purpose and Scope:

North Idaho College highly values the contribution of all employees and recognizes the significant personal consequences related to a reduction in force. The board does recognize that any reduction in force will have an impact on the individual employees affected.

The North Idaho College Board of Trustees (the Board) acting in its governing capacity and in its sole discretion, may adopt a Reduction in Force Plan to more efficiently dedicate resources to achieve the primary purposes and goals of North Idaho College (NIC). As part of its evaluation of whether reduction in force is appropriate, the Board will direct the President to prepare a Reduction in Force Plan for Board consideration. A Reduction in Force Plan may be adopted when the Board, in the exercise of its governing responsibilities, declares a condition affecting an academic or other unit of the college, caused by circumstances that may include, but are not limited to, the following:

1. Reduction in funding;
2. Reduction in overall institutional enrollment;
3. Insufficient enrollment in a particular program;
4. Need for reorganization or personnel reclassification;
5. Reduction in enrollment projections;
6. Sudden degradation of program or college facilities due to natural disasters;
7. Changes in technology;
8. Reduction in demand for a program, course or service.
9. Other organizational changes that might prompt an adjustment to staffing needs.

As used in this policy and procedure, the term “unit” means any identifiable component of the NIC college community as defined by Departmental Budget Codes. The Board’s adoption of a Reduction in Force Plan is discretionary and is not subject to appeal or contest by any employee in any grievance or appeal procedure; however, employees specifically identified for layoff under this policy may appeal the decision to the President who will evaluate whether the Reduction in Force procedures were followed and appropriate criteria were applied in arriving at the decision to lay off the employee. The provisions of this policy are not to be used for the termination of an employee if the sole cause is substandard performance, incompetence or misconduct.

This policy and related procedure also prescribe the manner in which NIC employees may be released should a reduction in force be announced by the Board. A reduction in force may
involve the elimination of courses, majors, degree tracks, programs and/or departments resulting in the layoff of tenured faculty, non-tenured faculty, contract employees before the end of their contract term, and other employees. A Reduction in Force may also result in the non-renewal of annual contracts and the revocation of tenure-track status positions.

This Reduction in Force Policy is not superseded by any NIC employment termination policies or procedures. Any employees remedies for termination of employment due to RIF are limited to the due process rights contained in the associated procedure.
Procedure

3.02.xx

REDUCTION IN FORCE

Applicability: All Employees

Effective date:

Revised:

Writing the Reduction in Force Plan:

The President shall inform appropriate vice presidents, directors, and division chairs of the Reduction in Force, and may direct the Vice President for Instruction to order relevant program evaluations prior to developing the Reduction in Force Plan. The President shall submit the plan to the College Senate for distribution to constituent groups affected and allow a minimum of four (4) weeks for review by the College Senate, during which time the College Senate will prepare and deliver a response to the President articulating recommendations for the President to consider. Thereafter, the President shall provide a written Reduction in Force Plan to the Board for approval. Recommendations from the College Senate that are not incorporated into the final plan by the President will be provided to the Board, together with the final written plan proposed by the President.

Composition of the Written Reduction in Force Plan:

The plan may outline relevant issues including, but not limited to, the following:

1. The reason for the Reduction in Force;
2. What departments, programs, courses, majors, or degree tracks may be directly impacted and the basis for this decision;
3. How the departments, programs, courses, majors or degree tracks may be impacted, including the number of positions that will be directly affected;
4. What categories of employees within the framework of the plan may be directly affected;
5. The employee positions that may be directly affected;
6. The fiscal impact of the plan;
7. and other pertinent information.

Criteria for Layoff:

The President may consider factors including, but not limited to, the following, when identifying employees for a reduction in force:

1. The position(s) and/or classification(s) affected;
2. The impact on the college’s mission;
3. An employee’s contributions to the mission of the college;
4. The need to maintain necessary programs or services;
5. An employee’s specialized training, skills, licenses or special certification for a particular function;
6. An employee’s total work experience in the field, including applicable non-NIC college experience;
7. Relevant Academic Program Evaluations.

Notice Requirements:

Upon approval of a Reduction in Force Plan by the Board, the President shall communicate the following information, in writing, not less than thirty (30) days in advance of the effective date of the reduction in force plan, to each affected employee as follows:

1. The reason(s) for the reduction in force;
2. The effective date;
3. A description of the basis and criteria for the decision to terminate the affected employee;
4. The opportunity for the affected employee to respond in writing or orally before the decision is made;
5. The benefits to which the employee is entitled and the manner in which the reduction in force will affect the employee’s benefits;

Appeal:

Employees who are identified for layoff by the President, may appeal the decision to the President within fifteen (15) days of receipt of notice of layoff, by submitting a written request for appeal to the President setting forth the grounds for the appeal and an explanation of the facts supporting the employee’s appeal. The President will evaluate whether the established and approved procedures were followed and whether appropriate criteria were applied in arriving at the decision. The decision of the President is final.

Benefits:

Employees laid off pursuant to this policy are entitled to the benefits to which any laid off employee would be entitled under law and Board Policy.
When economic conditions adversely affect the college to such a degree that severe curtailments must be made to the existing college budget, the college board of trustees may formally declare that the College is in financial exigency. After such a declaration, the administration will be directed by the board to curtail, modify or eliminate programs and services and/or reduce staff to ensure the financial solvency of the institution. It is understood that such decisions will be made with the idea of preserving a balance of programs, services and staff that relate directly to the stated instructional mission of the college. Any reductions in programs, services and staff will be made according to established written procedures printed in the board policy manual.
PROCEDURE

PROGRAM/SERVICES REDUCTION:

Once a college-wide plan has been determined by the president and President’s Cabinet to reduce funds, any recommendation to reduce programs and or services will be made by the vice president responsible for that which is being reduced. The vice president will consult with appropriate assistant vice presidents, directors and division chairs and constituent groups before making recommendations to the president. Criteria used for making such decisions such as low enrollments, programs with high costs and relatively low enrollments or programs or services not essential to maintaining the mission and objectives of the college shall be included in the recommendation. After reviewing the vice president’s recommendation, the president will consult with the College Senate before a recommendation is made to the board of trustees for a final decision.

Before a reduction in force occurs, alternatives, including, but not limited to the following will be considered:

1. Voluntary action including retirement, early retirement, resignation, extended sabbatical leave or leave without pay, severance pay, or voluntary movement from full-time to part-time status.
2. Across-the-board pay cuts.
3. Not filling existing faculty and staff vacancies or vacancies resulting from resignation, retirement or death.
4. Reduction of benefits
5. Restrictions in student enrollment

STAFF REDUCTIONS:

A reduction in staff may occur across the institution, by sub-unit within the college, by employee, or by any combination thereof. It is recognized that any layoff may be a severe economic and personal loss to an employee. Therefore, the college will give notice in writing to employees who are affected at least 30 days prior to the time of layoff. The notice will include: the effective date of the layoff, the reason for the layoff, the opportunity for appeal and the employee's reinstatement rights. Recommendations for layoff will be made by vice presidents to the president after consultation with appropriate assistant vice presidents, directors and division chairs, and constituent groups. Criteria that may be considered when making recommendations for layoff are tenure, length of service, special talents necessary for continued maintenance of programs and services, assurance of affirmative action, and quality of work. The president will consult with the College Senate before a recommendation for layoffs is made to the board of trustees for a final decision. Employees affected by the layoff will be given written notice that will be sent by certified mail with return receipt requested. The date of the hand-delivery or the posting of the registered letter will constitute the beginning of the notice period.

REASSIGNMENT:

The college will make a good faith effort to reassign any employee recommended for layoff to an existing vacant position within the college for which the employee is qualified.

APPEALS:

All full-time employees who are recommended for layoff are entitled to a prompt appeals hearing if they request it in writing to the director of human resources within 15 calendar days of the receipt of the notice of layoff. A hearing body composed of no more than eight people determined by the College Senate and a designee from the president's office will be established to hear the appeal and make a recommendation to the president. The following timeline shall be followed to process the appeal:

1. The appeal should be written and filed with the director of human resources within 15 calendar days of receipt of the notice of layoff.
2. The director of human resources will arrange a meeting between the person filing the appeal and the appointed hearing body in not less than 30 calendar days after receipt of the notice of appeal.
3. The person filing the appeal shall submit in writing to the hearing body any documentation, data or other information which is thought necessary to support the appeal.

4. Within 30 calendar days of the hearing, a written decision of the hearing body shall be sent to the president for a final decision.

Unless otherwise required by law or state regulation, the appeal procedure continued herein shall not delay the effective date of the layoff.

**REINSTATEMENT RIGHTS:**

In cases of layoff of an employee occupying a general fund (including vocational technology) full-time position, the position concerned may not be filled by replacement within a period of two years from the effective date of the layoff unless the employee has been offered a return to employment in that position and has not accepted the offer within 15 calendar days after the offer has been extended. (The date of the offer shall be established by the date of a certified letter containing the offer.) If an offer of reinstatement is not accepted, the employee's name may be deleted from the reinstatement list, and if so deleted, the board has no further obligation to the laid off employee. An employee who is reinstated will resume the status held at the time of layoff, be credited with any sick leave accrued as of the date of layoff and be paid a salary commensurate with the salary progression on the salary schedule at the time such employee is reinstated.