



# North Idaho College

NIC Board of Trustees Meeting Agenda  
September 23, 2020

*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.*

6:00 p.m. **BOARD MEETING** Zoom connect: <https://nic.zoom.us/j/98213339068> or by phone: (669) 900-6833  
meeting ID: 982 1333 9068

Convene/Call to Order	Joe Dunlap
Verification of Quorum	Joe Dunlap
Review Minutes	Joe Dunlap
Public Comment**	Joe Dunlap
Celebrating Success: Fall 2020 Opening: Return to the Mother Ship	Lita Burns and Graydon Stanley

## CONSTITUENT REPORTS

ASNIC	Kai Sedlmayer-Nardi
Faculty Assembly	Chris Pelchat
Staff Assembly	Jeff Davis
Senate	Steve Kurtz

## PRESIDENT'S REPORT

Rick MacLennan

## KTEC REPORT

Todd Banducci

## OLD BUSINESS

Tab 1: Second Reading/Action Approve Amended Faculty Assembly Constitution and Bylaws	Chris Pelchat
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## NEW BUSINESS

No new business

## INFORMATION ITEMS

FY2022 Budget Development	Chris Martin
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## BOARD CHAIR REPORT

Joe Dunlap

## 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.



**North Idaho College**  
**BOARD OF TRUSTEES MEETING**  
Held by Video Conference  
August 24, 2020  
**MINUTES**

**CALL TO ORDER AND VERIFICATION OF QUORUM**

Chair Dunlap called the meeting to order at 6:00 p.m. and verified that a quorum was present. The meeting was conducted by way of Zoom video conference.

**ATTENDANCE**

Trustees: Todd Banducci  
Joe Dunlap  
Ken Howard  
Brad Murray  
Christie Wood

Also present: Rick MacLennan, President  
Lita Burns, VP for Instruction  
Chris Martin, VP for Finance and Business Affairs  
Graydon Stanley, VP for Student Services  
Laura Rumpler, Chief Communications and Government Relations Officer  
Marc Lyons, Attorney for North Idaho College

Chair Dunlap called for any changes or additions to the minutes from the meeting held on June 24, 2020 and the workshop held on August 3, 2020. There were no changes noted and the minutes were accepted, as presented.

**PUBLIC COMMENT**

There was no public comment.

**CELEBRATING SUCCESS**

Dr. MacLennan reviewed the results from the college's accreditation evaluation earlier in the year, including the five commendations and two recommendations received from the Northwest Commission on Colleges and Universities reaffirming the college's accreditation status. He discussed the importance and necessity of maintaining accreditation status in good standing and he expressed his gratitude for the work of accreditation team members. Dr. MacLennan provided special recognition for the five individuals who provided the essential leadership for the self-study process and who edited and produced the final version of the report. They are:

Dr. Lita Burns, VP for Instruction  
Dr. Larry Briggs, Dean of General Studies  
Dr. Steve Kurtz, Accreditation Liaison Officer  
Dr. Karen Ruppel, Health Professions Division Chair  
Ms. Cathy Sparks, Sr. Administrative Assistant, Office of Instruction

Chair Dunlap and trustees expressed appreciation to faculty, staff, and members of President's Cabinet for their efforts in the successful evaluation outcome.

## **CONSTITUENT REPORTS**

### ASNIC

ASNIC President Kai Sedlmayer-Nardi reported on activities occurring throughout the summer, including the development of an officer handbook and other documentation that members of student government may use as working resources, and she discussed efforts to revise ASNIC constitution and bylaws. She went on to discuss activities for the week of welcome and ways they are engaging student clubs and supporting students.

### Faculty Assembly

Chair Chris Pelchat reported on the first Faculty Assembly meeting of the academic year, during which faculty conducted a second reading of amendments to their constitution and bylaws, and discussed a revised policy and procedure for faculty evaluation. He closed by reporting on efforts of the Diversity Council to encourage faculty to include a statement within their syllabus informing students of the existence and availability of the Council on campus.

### Staff Assembly

Chair Jeff Davis reported that during the first Staff Assembly meeting of the academic year, members of President's Cabinet attended and shared information about planning efforts for fall semester.

### College Senate

Chair Steve Kurtz reported that during their first meeting of the academic year, Senate reviewed Roberts Rules of Order and discussed the upcoming review of the administrative section of the policy manual.

## **PRESIDENT'S REPORT**

Dr. MacLennan began by acknowledging efforts of college members since the beginning of pandemic to the time leading up to the first day of the fall semester, and he reported on activities of the first few days of classes, including ambassador tables manned by college personnel to assist new and returning students. He reported that the very few issues with noncompliance of the face mask mandate were easily corrected and he reiterated the relationship of the college's requirement for face masks to be worn by all and the college's ability to remain open and offer classes in person.

Trustee Wood commented on the importance of college constituents' efforts in helping the college remain open to serve students.

## **OLD BUSINESS**

### Board Member Conduct Policy

Trustee Howard commented on the process to draft the document and the various efforts for review and revision. He made a motion for the board to adopt the board member general conduct policy. Trustee Wood seconded the motion then moved to amend the motion to revise bulleted item number 7 on page two to read: Work to support the interests of North Idaho College ("NIC") and the Board. The amended motion was seconded by Chair Dunlap. Trustee Banducci expressed concern that this passage in the policy discourages dissent among trustees when interpreting what may or may not be in the best interest of the college. The amended motion carried with four in favor and one opposed.

Trustee Wood moved to amend the last sentence in the first paragraph on page three to read: To prevent the appearance of impropriety or unethical conduct and to avoid the use of undue and inappropriate influence over College personnel, Board members shall inform the president

of College related contact and interactions with College personnel. Trustee Howard seconded the motion. The amended motion carried with four in favor and one opposed.

Trustee Wood moved to eliminate bulleted item number 3 on page three and she explained incidents when such action would be inappropriate. Trustee Murray seconded the motion. Trustee Howard explained the provision of this entry and following some discussion, Trustees Howard and Wood agreed to instead amend the passage to read: To intercede with students, faculty, administrators or any other employee of the College on behalf of any person or program without informing the Board. The amendment carried with four in favor and one opposed.

Trustee Wood moved to amend the last sentence on page four under "Relationship with the Press" to read: However, the Board recognizes elected officials will speak to the press when they feel it is appropriate. The motion was seconded by Trustee Howard and carried with four in favor and one opposed.

Trustee Wood commented on the item on page five related to conflict of interest, and expressed that matters of conflicts of interest should follow state law and potential conflicts should be reviewed by legal counsel. College Attorney Marc Lyons affirmed that conflict of interest in the state of Idaho refers to pecuniary interest, but there may be other incidences that arise from time to time that raise other questions and if there is confusion or questions at those times, then those should be simple to review, if that is what the board desires. The board directed legal counsel to develop alternative language for the board to review and adopt at a future meeting regarding state law, conflict of interest and counsel's individual review. The motion to approve the policy, as amended, with the proviso that the board may bring it back for further amendments, carried with four in favor with one opposed.

#### Institutional Review Board Policy

Dr. MacLennan presented for a second reading, the policy covering activities of the college's institutional review board created to review any human subjects research conducted at NIC. Trustee Wood made a motion to approve the policy. The motion was seconded by Trustee Murray. There was no discussion and the motion carried unanimously.

#### FY21 Budget

VP Chris Martin provided an overview of the budget proposal presented earlier in the spring, highlighting minor changes made since the board's first and second readings. He informed the board that the proposal now includes the 5% state holdback, an increase for new property on the roles, a 3% property tax increase based on final calculations from the county, and other additions to revenue. He went on to explain that at the board's request, three scenarios for a salary step increase are being presented, including no step increase, a half step increase, and a full step increase.

Following a request from Chair Dunlap, VP Martin reviewed updated enrollment numbers, which are down 4.6% year over year versus the forecasted decrease of 9%.

Chair Dunlap commented that the board has three budget decisions to make, including a salary step, property taxes, and the overall budget proposal. He asked if there were other areas of the budget that the board would like to discuss separately and Trustee Banducci expressed concern about the current status of athletics and the Booster Club in light of recent personnel changes. Dr. MacLennan responded that athletics is not being treated any differently than other units in the college as it relates to assessing the needs for positions in light of position turnover. He

added that transitions within the Booster Club have been positive in terms of the culture of athletics and the provision of athletics programs for students.

Trustee Wood commented on the board's history of rarely adopting a 3% property tax increase and she commented on the intent of the governor's proposal for cities and counties that do not take a tax increase to supplement their budgets with CARES Act funds. She asked for clarification as to whether or not this proposal also applies to higher education. VP Martin confirmed that the Governor's proposal does not apply to higher education and that it is intended to supplement policing expenses. Trustee Wood continued by expressing her hope that faculty had considered a half step increase as she had discussed earlier in the spring, adding that although she does support some compensation increase, the college is in the difficult position in which everyone should pull together. She went on to make a motion for the board to adopt a 3% property tax increase, a mid-year salary step increase, and authorization for the administration to access the fund balance.

Trustee Howard requested that the board consider each budget element separately and Trustee Wood made a motion for the board to adopt a 3% property tax increase. The motion was seconded by Trustee Howard. Trustee Banducci expressed his concern with taking a property tax increase at this time when other entities are not taking an increase. Chair Dunlap commented on the state's budget reductions when Idaho is the fastest growing state, economically, with considerable reserves that do not get allocated for higher education, but are used to reduce property taxes. He expressed his support for the motion to adopt a 3% property tax increase. Trustee Murray asked what impact a 3% property tax increase would have on property owners. VP Martin explained that because of the increased valuation in Kootenai County this year, a homeowner would have a lower tax bill with this tax increase. The motion carried with four in favor and one opposed.

Trustee Wood made a motion for the board to approve a half-step salary increase at mid-year in the amount of \$232,875 and benefit costs of \$46,775. The motion was seconded by Trustee Murray. Trustee Howard commented on previous input from faculty and staff related to their understanding of the college's position of uncertainty this year related to enrollment and the state's budget holdbacks and reductions, adding that he does not support a salary increase at this time. Trustee Wood commented that fall enrollment is better than projected and she feels that a mid-year half step increase is a good compromise for employees. The motion carried with three in favor and two opposed.

Following a question from Trustee Wood about the administration's need for the board to approve use of a portion of the fund balance at this time or if the board would amend the budget at a later time to transfer requested funds. VP Martin responded that the administration is requesting that the board approve the use of fund balance at this time so that the college can move forward with the budget. He confirmed that the administration requests the transfer of \$1,118,482 from the fund balance to the general fund. Trustee Wood made a motion for the board to authorize the transfer of \$1,118,482 from the general fund balance. The motion was seconded by Trustee Murray. Trustee Howard asked about the current balance of the fund and if there are any outstanding obligations. VP Martin responded that currently, the capital reserve is at \$13.7 million with no outstanding obligations, with the exception of a potential expansion of Meyer Health and Sciences Building that is scheduled to come before the board later in the year. He added that the general fund balance is currently \$7.5 million. The motion carried with three in favor and two opposed.

Trustee Howard requested clarification about the new legislation requiring an entity to reserve forgone taxes that have already been reserved. VP Martin confirmed that the legislation does not require an entity to declare forgone taxes that have already been reserved, but does require the board to approve a declaration to reserve additional forgone going forward.

### **NEW BUSINESS**

Chair Dunlap commented that no action is needed on the resolution to reserve the current year forgone taxes because of the board's approval of the full 3% property tax increase this year.

#### *Amended Faculty Assembly Constitution and Bylaws*

Faculty Assembly Chair Chris Pelchat reviewed amendments to the Assembly's constitution and bylaws developed over the course of the last several months and approved by Faculty Assembly during their August 2020 meeting. This was a first reading and the document will come before the board during their September meeting for ratification at that time.

### **BOARD CHAIR REPORT**

Chair Dunlap reported that the fall convocation event, emceed by ASNIC President Kai Sedlmayer-Nardi, went well and he expressed his appreciation for the safety measures instituted by the administration for students and employees in this time of COVID-19. He went on to state that the next meeting is scheduled for September 23, and he asked VP Burns to report on the decision to close the Aerospace Program. VP Burns discussed the challenges with maintaining sufficient enrollment and the high cost of operating the program. She went on to report that course outcomes had not been as good as anticipated, as well as ongoing issues with the airline industry, including the impact of COVID-19. She discussed efforts to find alternative programs of study for students who have expressed interest in the program this fall. She expressed her appreciation for the program director Pat O'Halloran and industry partners and she discussed the institution's hope to be able to convert the program into an apprenticeship program.

### **REMARKS FOR THE GOOD OF THE ORDER**

College Attorney Marc Lyons clarified the need for the board to provide approval of the FY21 budget, adding that the board had approved amendments to the budget, but had not approved the budget proposal as amended. Trustee Wood made a motion to approve the FY21 budget as amended. The motion, seconded by Trustee Murray, carried with four in favor and one opposed.

Trustee Wood expressed her appreciation for the efforts of college leaders throughout the decision-making process related to closure of the Aerospace Program and she expressed her hope that the college can find positions for program personnel. She thanked college employees for their efforts during COVID. There were no other comments and Chair Dunlap adjourned the meeting at 7:50 p.m.

Respectfully Submitted,  
Shannon Goodrich, Board Clerk

## Faculty Assembly Constitution and Bylaw Amendments

Below are the approved changes to the Faculty Assembly Constitution and Bylaws after the second reading during the 8/20/2020 meeting. 113 faculty were in attendance for the approval of these amendments with no more than 4 faculty voting in opposition to a given amendment.

Items with a strikethrough are to be removed. Items in italics are to be added. Amendments are organized in the order and cluster they were voted on.

### **Amendment Vote 1:**

#### **Constitution**

#### ARTICLE V - AMENDMENTS TO THE CONSTITUTION

##### Section 2

Requirements for amendment passage include the following:

4. *If 60% of the membership is not present during the second reading, a vote facilitated through a secured digital platform may be executed and tabulated.*
  
45. The amendment to the Constitution is subject to ratification by the Board of Trustees.

**Rationale:** Article 5 Section 2 Item 4 is an entirely new item being proposed as an amendment. This provides us an official process to ensure we can meet the 60% threshold. The second amendment would need to be made in order to accept this amendment which is to change the Item number from 4 to 5 of the original item 4. These will be voted on together.

#### **Bylaw**

#### ARTICLE VII: AMENDMENTS TO THE BY-LAWS

*Section 3. If 60% of the membership is not present during the second reading a vote facilitated through a secured digital platform may be executed and tabulated.*

**Rationale:** Article 7 Section 3 is an entirely new section being proposed as an amendment. This provides us an official process to ensure we can meet the 60% threshold. The second amendment would need to be made in order to accept this amendment which is to change the Item number from 4 to 5 of the original item 4. These will be voted on together.

### **Amendment Vote 2:**

#### ARTICLE IV: MEETINGS

*Section 7. All votes considered during a faculty assembly meeting need majority support of the Faculty members present and voting. Abstentions represent a non-vote and thereby lowers the majority threshold.*

**Rational:** Article 4 Section 7 is an entirely new section being proposed as an amendment. Clarity needs to be provided about how to handle abstentions cast by voting members.

### **Amendment Vote 3:**

#### ARTICLE IV: MEETINGS

Section 3. Notice of all meetings must be given to the Assembly members in writing specifying time, place, and proposed agenda at least three (3) working days prior to the meeting.

**Rational:** Adding the (3) matches the style of the rest of the document.

#### ARTICLE VI: FACULTY SENATORS

##### Section 1. Elections

4. In the event of a vacancy in the Senate, a member shall be ~~electioned~~ elected by and from the Faculty Assembly to serve the remainder of the unexpired term. In the interest of continuity, preference shall be given to current alternatives.

**Rationale:** This amendment is to correct the tense of the word elect that was used incorrectly.

### **Amendment Vote 4:**

#### ARTICLE IV: MEETINGS

Section 1. The first regular meeting of the Faculty Assembly shall be held the ~~first~~ week *of convocation*. ~~the faculty are required to be on campus at the beginning of the Fall Semester.~~

**Rational:** This amendment adds clarity to when the first Assembly meeting occurs.

### **Amendment Vote 5:**

#### ARTICLE III: OFFICERS

Section 1. The Assembly ~~€~~Chairperson, ~~∨~~Vice ~~€~~Chairperson, ~~corresponding~~ Secretary, and ~~€~~Treasurer, and *Adjunct Faculty Representative* are the officers of the Faculty Assembly and shall be elected from the voting membership by the Faculty Assembly ~~at~~ by the last regular meeting of the academic year (typically ~~May~~). The newly elected officers shall begin their terms of office ~~at~~ after the ~~first~~ last meeting of the ~~next~~ present academic year (typically ~~August~~). Members of the Senate are not eligible to serve concurrent terms as Faculty Assembly Officers.

**Rationale:** Adding an Adjunct Faculty Representative to the Executive Committee provides a necessary outlet for adjunct faculty voice. Loosen the language about the vote for officers gives us more flexibility to ensure we have leadership in place. There are also new obligations of the Faculty Assembly Chair that require them to take their seat earlier than the prep week before Fall Semester. This includes BOT and Presidential Advisory Council responsibilities. The rest is capitalization edits to match document and removal of the word corresponding when referring to the secretary as it is does not match language elsewhere.



### **Amendment Vote 6:**

#### ARTICLE III: OFFICERS

Section 2. The Executive Committee shall be composed of the Assembly Officers and the three immediate past chairpersons (*or past vice-chairs may substitute if any of the three previous chairs are no longer employed by NIC*), and is empowered to act for the Assembly in matters pertaining to the immediate governance of the Assembly. The Committee is responsible to and reports to the Assembly, which retains the authority to review actions taken by the Committee.

1. The Executive Committee shall provide continuity for the Faculty Assembly from year to year.
2. The Executive Committee shall provide a member to represent the Faculty Assembly at meetings or other functions when the Chair is unable to do so.
3. The Executive Committee shall assist the Chair in preparing the agenda for each Faculty Assembly meeting.
4. The Executive Committee shall nominate faculty representatives for all ~~Senate and Assembly~~ Standing Committees. The nominations shall become effective upon the affirmative vote of a majority of Faculty members present and voting at the next Assembly meeting.
5. The Executive Committee shall appoint ~~a recording secretary and a parliamentarian for the Faculty Assembly meetings~~ an Adjunct Faculty Representative to the committee by October and February each year.
6. The Treasurer has the responsibility for the collection and deposit of all monies donated to the Assembly.
7. The Assembly Chairperson will have the sole authority for withdrawal of funds from any Assembly account.

**Rationale:** These needs to be a bit of flexibility with the three past chair language to ensure we can fill those seats if someone no longer works for NIC. Standing committee language changed to match policy 2.03.01. The secretary is now voted in as an officer so the EC will not appoint them. The Adjunct Faculty Representative cannot be selected until Fall and Spring LOA's have been confirmed so they must be appointed not elected. The rest of the edits in the amendment fix capitalization to match document.

### **Amendment Vote 7:**

#### ARTICLE II: MEMBERSHIP

Section 2. Those Assembly members who do not qualify for voting participation under this section may be appointed by the Executive Committee, upon mutual consent, to serve ~~with vote on Senate~~ as voting member of standing and ad hoc committees.

**Rationale:** This amendment allows us to place Adjuncts on committees and give them voting rights. It also updates the language to match policy and procedure 2.03.01.

### **Amendment Vote 8:**

#### ARTICLE II - MEMBERSHIP and VOTING ELIGIBILITY

The Faculty Assembly shall consist of all personnel under faculty contract or faculty letter of appointment. Voting membership shall consist of all members under full-time faculty contract. ~~Voting~~

participation shall be extended to those members who have served at least four consecutive semesters on at least half time appointment as reflected by contracts and letters of appointment.

**Rationale:** The timeline for LOAs combined with the limited capacity of HR software makes it difficult to determine eligible adjuncts in this category and leaves quorum unknown for the first few months. Adjunct voice is amended to be captured in Motion 5, regarding Article 3 Section 1 and Article 2 Section 2

### **Amendment Vote 9:**

#### ARTICLE VIII: STANDING COMMITTEES

##### Section 1: Faculty Instructional Development Committee

###### **Function**

Faculty Development is a program of planned learning experiences to promote the achievement of the broad professional goals of faculty, collectively and as individuals, through the enhancement of their knowledge of instructional methodology and their respective content area. By helping faculty to become better instructors, the ultimate faculty development goal of improving the quality of teaching and learning is achieved. In order to effect this goal, the College appropriately allocates resources, monetary and human, to the program to provide education opportunities not readily available to NIC instructors.

###### **Structure**

Faculty membership shall be one member from each division selected by the Assembly Executive Committee. Any division members, with the exception of the division chairperson, may represent the division. In the case of an individual being assigned to two divisions, s/he may represent only one. To the extent practical, committee members shall serve two-year staggered terms. Two non-voting administrative members shall also serve on FIDC: the Vice President of Instruction, or appointed representative, and the Director of Professional Development.

##### Section 2: Faculty Tenure Committee

While Tenure policy falls within the jurisdiction of the College Senate, decisions regarding the tenure of individual faculty members lie within the jurisdiction of the Faculty Tenure Committee.

###### **Function**

This committee shall assume faculty responsibilities as outlined in the official policy established by the Board of Trustees.

###### **Structure**

Members and alternates of the Tenure Committee shall be elected by the Executive Committee from among the tenured members of the faculty. This committee shall consist of five members and three alternates, designated in order. At least three members must be retained from the previous year. It is recommended that voting members be selected from the previous year's alternates.

##### Section 3: Meet and Confer

###### **Function**

The Meet and Confer Committee is to represent the faculty in negotiating with the administration in matters concerning salaries and working conditions.

###### **Structure**

There shall be six members of the Meet and Confer Committee, each of whom shall serve for two

years. To assure continuity, only two members will be replaced each year. Committee members may succeed themselves.

#### Section 4: Sabbatical Leave Committee

##### **Function**

The Sabbatical Leave Committee shall rate and recommend applicants for sabbatical leave in accordance with the Sabbatical Leave Policy.

##### **Structure**

The Sabbatical Leave Committee shall consist of five members and an alternate appointed by the Executive Committee of the Faculty Assembly. Should any of the Committee members apply for sabbatical, alternates shall replace those members on the committee.

#### Section 5: Faculty Handbook Committee

##### **Function**

The Faculty Handbook Committee shall review the Faculty Handbook annually and provide a forum to seek consensus regarding any proposed amendments or revisions.

##### **Structure**

The Faculty Handbook Committee shall consist of up to six members: up to three representatives from the College Administration, appointed by the President of the College or his/her designee and three representatives from the faculty, selected by the Faculty Assembly from its own membership in the following manner:

- Two positions will be elected from the Faculty Assembly at large to three-year rotating terms. To begin rotation, one member will be elected for two years and the other member for three years.
- The third member will be appointed by the Faculty Assembly Executive Committee from the membership of the Executive Committee itself.
- Committee members shall be limited to two consecutive terms.

*Section 1: It is the Faculty Assembly Chair's responsibility to gather reports from the following Standing Committees; Curriculum Council, Teaching and Learning Council, Tenure, Sabbatical Leave, Meet and Confer, Faculty Handbook.*

*Section 2: Committee reports can be in writing or presented directly to the Assembly at a minimum of once annually.*

**Rationale:** The committee process has been reworked in recent years and is now governed by policy 2.03.01. This amendment clears out old committees and allows for committee management that is in line with the aforementioned policy and procedure that was supported by faculty. The new language ensures proper communication between key Standing Committees and the Assembly to ensure our collective voice is represented.