



North Idaho College

Board of Trustees Meeting
January 19, 2022
Edminster Student Union Building

Connect via Zoom: <https://nic.zoom.us/j/83348874308> or by phone: (669) 900-6833 Webinar ID: 833 4887 4308

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

This meeting is a business meeting of the Board Trustees and the NIC Administration. The board will take comment on agenda items from members of the public in person at the meeting, and comment will be limited to 2 minutes per person. A sign-up sheet will be provided in the meeting room. Individuals interested in communicating with the board outside the meeting may send an email to board@nic.edu.

AGENDA

5:00 p.m. **EXECUTIVE SESSION** – Driftwood Bay Room

Convene/Call to Order/Verification of Quorum Todd Banducci
Action for Executive Session under Idaho Code Idaho Code § 74-206(1)(b)

6:00 p.m. **BOARD MEETING** – Lake Coeur d’Alene Room

Convene/Call to Order/Verification of Quorum Todd Banducci
Pledge of Allegiance Todd Banducci
Review Minutes Todd Banducci
Public Comment Todd Banducci
Celebrating Success: Athletics Update Alex Harris and Shawn Noël

CONSTITUENT REPORTS

ASNIC	2 minutes	Cyrus Vore
Faculty Assembly	2 minutes	Molly Michaud
Staff Assembly	2 minutes	Sarah Martin
Senate	2 minutes	Geoff Carr

PRESIDENT’S REPORT 5 minutes Dr. Michael Sebaaly

FOUNDATION LIAISON REPORT 5 minutes Greg McKenzie

UNFINISHED BUSINESS

Trustee Residency Marc Lyons
Tab 1: Third Reading/Action: Revised Employee Benefits Policy 3.02.17 Karen Hubbard
Tab 2: First Reading/Action: Auto-Reply message for board@nic.edu Emails Dr. Michael Sebaaly
First Reading/Action: Board Response to Letter from Coeur d’Alene Tribe Ken Howard

NEW BUSINESS

Action: Board Goals for President	Todd Banducci
Action: Schedule Board Accreditation Workshop	Christie Wood
Tab 3: Action: Trustee Zone 5 Vacancy	Todd Banducci
Action: Appoint Board Liaison to Kootenai Technical Education Campus (KTEC)	Todd Banducci

INFORMATION ITEMS

Dormitory Housing Commission/Facilities Discussion	Sarah Garcia
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BOARD CHAIR REPORT	5 minutes	Todd Banducci
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REMARKS FOR THE GOOD OF THE ORDER**

ADJOURN

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

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

 **North Idaho College**
BOARD OF TRUSTEES MEETING
Edminster Student Union Building
December 15, 2021
MINUTES

Chair Todd Banducci called the meeting to order at 4:07 p.m. and verified a quorum was present. Trustee Howard made a motion to go into executive session under Idaho Code § 74--206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation. The motion was seconded and roll call vote was taken as follows:

Todd Banducci	aye
Michael Barnes	aye
Ken Howard	aye
Greg McKenzie	aye
Christie Wood	aye

At 4:35 p.m. a motion was made to return to open session. The motion was seconded and the meeting was recessed.

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Banducci called the meeting to order at 5:05 p.m. and verified that a quorum was present. Chair Banducci welcomed attendees and led them in the Pledge of Allegiance.

ATTENDANCE

Trustees: Todd Banducci
Michael Barnes
Ken Howard
Greg McKenzie
Christie Wood

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

Chair Banducci called for any changes to the minutes from the meeting held on November 15, 2021. Trustee Barnes made a motion to remove all references to which board member seconds motions and to ensure the exact wording of the motions passed were accurately recorded. The motion was seconded. Following discussion, the motion carried with three in favor and two opposed. There were no other changes noted and the minutes were accepted, as corrected .

PUBLIC COMMENT

Trustee Barnes made a motion to move Public Comment to follow New Business. The motion was seconded. Following discussion, Trustee Howard made an amended motion to remove the twenty-minute limitation the chair put on Public Comment and he stated his opposition to moving it to the end. There was no second on the motion. Following discussion, Trustee Barnes withdrew his motion and Public Comment proceeded.

Deborah Rose commented on trustee residency
Judyth Hanna commented on gathering place protection
Ann Seddon commented on NWCCU
Austin Smith commented on NWCCU
William Le commented on NWCCU
Matthew Nolan commented on NWCCU
Howard Kuhns commented on the former president
Russ McLain commented on Head Start
Ciara Platt commented on NWCCU
Dan Gookin commented on Roberts Rules of Order
Amanda Linarte commented on Head Start
Dan English commented on Head Start

CONSTITUENT REPORTS

ASNIC

ASNIC President Annie Vladovska introduced incoming ASNIC President Cyrus Vore. Vore reported on student activities and upcoming projects. Ms. Vladovska read, aloud, a student resolution related to the presidential search process.

Faculty Assembly

Chair Molly Michaud expressed thanks to Chair Banducci for speaking with Faculty Assembly and she expressed her thanks and appreciation to each of the outgoing administrators.

Staff Assembly

Chair Sarah Martin reported on activities from the December 9 Staff Assembly meeting and she discussed ongoing work on a resolution of no confidence.

College Senate

Chair Geoff Carr provided an update on policies under review in Senate. He discussed a meeting he and other constituent leaders were invited to attend to speak with Interim Provost candidate Kassie Silvas and he commented on questions that he asked during that meeting.

PRESIDENT'S REPORT

Dr. Sebaaly expressed his thoughts on the current climate of the college and he expressed his gratitude and thanks to VPs Stanley and Burns and to Dean Doyle. He thanked Dr. Silvas and Ms. Garcia for stepping into leadership roles. He went on to discuss recent college events at which trustees were in attendance.

FOUNDATION LIAISON REPORT

Trustee McKenzie reported that 800 tickets had been sold for the upcoming Really BIG Raffle. He also discussed some of the events and opportunities provided through donor gifts raised by the NIC Foundation. He expressed his appreciation to NIC Foundation Board members for the dedication the mission of the NIC Foundation.

UNFINISHED BUSINESS

Adopt Robert's Rules of Order for Board Meetings

Trustee Barnes moved to formally adopt Robert's Rules of Order Newly Revised as the governing rules for running NIC Board meetings, effective immediately. The motion was seconded. Following discussion, Trustee Barnes amended his motion to remove the words "effective immediately." The amendment was seconded. Trustee Barnes further amended his motion to formally adopt Robert's Rules of Order Newly Revised as the governing rules for running NIC Board meetings effective at the next January meeting. The amendment was seconded. Following discussion, the amendment

carried unanimously. The amended motion to formally adopt Robert's Rules of Order Newly Revised as the governing rules for running NIC Board meetings, effective at the next January board meeting, carried with four in favor and one opposed.

Revised Meetings Policy 2.01.03

Trustee Barnes motioned to modify the language in Policy 2.01.03 to remove the phrase under Rules of Order "All meetings of the board of trustees will be conducted in the manner prescribed by the Idaho Code. However, should an issue concerning parliamentary procedure arise that is not addressed by Idaho Code, Robert's Rules of Order, may be used as a guideline." Replace this with the sentence "The rules contained in the current edition of Robert's Rules of Order newly Revised shall govern the NIC Board of Trustees in all cases to which they are applicable and in which they are not inconsistent with Board policies and any special rules of order the Board may adopt." Further, strike the sentence "It is expected that all attendees at the meetings will observe the commonly accepted rules of civility to provide orderly and respectful interaction in public settings." The motion was seconded and following discussion, the motion carried with three in favor and one opposed.

Select Presidential Search Firm

Trustee McKenzie moved to table the determination of the new president's qualifications and the selection of the presidential search firm until the November timeframe of 2022. The motion was seconded. Following discussion, the motion failed with three opposed and one in favor. Trustee Wood made a motion to adopt the Pauly Group's proposal and have them start tomorrow. The motion was seconded. Following discussion, the board took a short recess.

The board reconvened and following discussion, Trustee Wood restated her motion to direct the administration to engage the Pauly Group immediately to begin a presidential search. The motion carried with three in favor and one opposed.

NEW BUSINESS

Head Start

VP Chris Martin shared that newly issued Head Start Performance Standards require all head Start staff, some contractors and volunteers to be vaccinated against COVID-19, and require universal masking for all individuals two years of age and older. He commented that the college has not been in compliance with this standard as it is not congruent with the board policy on communicable diseases and the board's motion to rescind masking. He explained that Head Start is allowing time for the college to become compliant with the standards and he described options, including compliance in a way that would not impact other areas of the college, or choosing to no longer serve as the grantee agency for Head Start services. He also shared that the federal government could pull back the grant from the college.

Trustee Howard made a motion for North Idaho College to allow the Head Start Program to comply fully with the revised Performance Standards and Interim Final Rule issued on November 28, 2021 for vaccination and masking to reduce the transmission of COVID-19. Further the board authorizes and approves the relocation of the Head Start classroom currently operating in the Lakeside Children's Center to the Harding Head Start Center, for Head Start to utilize American Recovery Plan funds to pay for testing, and that the college work with Head Start to develop procedures for the collection of vaccination records of employees and volunteers, and create testing protocols for the granting of medical and religious exemptions in alignment with the Head Start Performance Standards. The motion was seconded and following discussion, carried with four in favor.

NWCCU

Dr. Sebaaly provided an update on the upcoming site visit of an evaluation team from the Northwest Commission on Colleges and Universities and the process timeline developed by the Commission.

Trustee Residency

College Attorney Marc Lyons provided information related to concerns raised about trustee zone residency. He requested the board authorize him to make an application of the Idaho Attorney General to investigate the matter and provide a legal opinion. Trustee Howard made a motion to authorize the college attorney, in conjunction with the State Attorney General's Office, to determine the issues surrounding the residency issue of Trustee Ken Howard and Trustee Michael Barnes. The motion was seconded. Following discussion, Trustee McKenzie made an amended motion that the matter go before County Clerk Brannon. The motion was seconded. Following discussion, the amendment failed with three opposed and one in favor. The original motion carried with three in favor.

BOARD CHAIR REPORT


Chair Banducci commented on the recent legislative send-off event, ticket sales for the Really BIG Raffle, spring enrollment, the college's recent fiscal audit, and other college events.

REMARKS FOR THE GOOD OF THE ORDER

Trustee Howard expressed appreciation to departing administrators.

There were no other comments and Chair Banducci adjourned the meeting at 8:50 p.m.

Respectfully Submitted,
Shannon Goodrich, Board Clerk

 **North Idaho College**
BOARD OF TRUSTEES SPECIAL MEETING
Edminster Student Union Building
January 5, 2022
MINUTES

CALL TO ORDER AND VERIFICATION OF QUORUM

Chair Banducci convened the meeting at 6:00 p.m. and verified that a quorum was present.

ATTENDANCE

Trustees: Todd Banducci
 Michael Barnes
 Ken Howard
 Greg McKenzie
 Christie Wood

Also present: Michael Sebaaly, Interim President
 Marc Lyons, Attorney for North Idaho College

Approve Training for Robert's Rules of Order

Trustee Howard made a motion for the board to approve reimbursement to Trustee Barnes for the expense of setting up a training program for Robert's Rules of Order. The motion was seconded and following discussion, carried with four in favor.

Approve Automatic Reply for board@nic.edu Email

Trustee Barnes made a motion to adopt an auto reply to the email through the NIC IT Department. The motion was seconded. Following discussion, the motion carried with four in favor.

Trustee Barnes made a motion for the board to discuss the content of the message. The motion was seconded. Trustee Howard made a motion to postpone the matter until the next regularly scheduled meeting. The motion was seconded and carried with four in favor.

Motion to Amend the Agenda

Trustee Howard made a motion to amend the agenda to add a discussion of a letter received from the Coeur d'Alene Tribe. He stated his reason for amending the agenda during the meeting was due to the fact that the letter was received in the previous one or two days and there was not sufficient time to put it on the agenda. The motion to amend was seconded. Following discussion, the motion carried with three in favor and one opposed. The board then directed the administration to draft a letter for the board to discuss during the January 19, 2022 meeting.

At 6:36 p.m. Chair Banducci requested a motion to go into executive session. Trustee Howard made a motion to go into executive session under Idaho Code § 74--206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation. The motion was seconded and roll call vote was taken as follows:

Todd Banducci	aye
Michael Barnes	aye
Ken Howard	aye
Greg McKenzie	aye
Christie Wood	aye

At 7:15 p.m. Trustee Howard made a motion to return to open session. The motion was seconded and the meeting was adjourned.

Respectfully Submitted,
Shannon Goodrich, Board Clerk

BOARD OF TRUSTEES MEETING
January 19, 2022

TAB 1

SUBJECT

Revised Policy # 3.02.17: Employee Benefits (current policy title: Fringes)

BACKGROUND

Policy 3.02.17 has been reviewed through the established policy review process as part of the college's comprehensive policy review process.

At the second reading in October 2021, the Board requested to have more information included in the policy on the benefits provided. The policy has since been revised to include additional information that had previously been in the procedure.

DISCUSSION

Revisions have been made to reflect current terminology and the current employee benefits offered to employees in benefits eligible positions.

COMMITTEE ACTION

This policy was initially reviewed and approved by President's Cabinet and the College Senate.

The revised version was reviewed and approved by President's Cabinet and provided to the Senate.

FINANCIAL IMPACT

None.

REQUESTED BOARD ACTION

Request the board consider a motion to adopt revisions to Employee Benefits Policy #3.02.17.

Prepared by Karen Hubbard
Chief Human Resources Officer

Policy

Policy # 3.02.17

Effective Date 3/22/00

Revised Date _____

<p><i>(Impact Area - Dept Name)</i></p> <p>Benefits Eligible Employees</p>	<p><i>(General Subject Area)</i></p> <p>Conditions of Employment</p>	<p><i>(Specific Subject Area)</i></p> <p>Fringe Employee Benefits</p>
	<p>Author:</p> <p>Michael Burke, President Human Resources</p>	<p>Supersedes Policy #</p> <p>3.02.17</p>
<p>Relates to Procedure #</p> <p>3.02.17.01 & 3.02.17.02</p>	<p>Impact:</p>	
<p>Legal Citation (if any):</p>		
<p>North Idaho College</p>		

Policy Narrative

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FRINGE BENEFITS

North Idaho College is committed ~~to attracting and retaining the most qualified faculty and staff possible~~ **demonstrates a commitment to attracting and retaining the most qualified faculty and staff possible employees by offering a competitive employee benefits package.** ~~Toward this end, the College offers a competitive package of fringe benefits. Some employee positions are benefited, while others are not. In general, North Idaho College employees who are employed 50 percent of full time or greater, for five months or more, are entitled to participate in the North Idaho College benefits program. While some features of this benefit program will vary, major components include the following:~~

The core benefits for benefits eligible active employees include the following:

- Medical, Dental, and Vision Insurance
- Flexible Spending Account (FSA) – medical and dependent care
- Life and Accidental Death & Dismemberment (AD&D) insurance

- Short-term and Long-term Disability insurance
- Tax-advantaged medical accounts (may include: Health Reimbursement Account (HRA), Health Savings Account (HSA))
- Employee Assistance Program (EAP)
- Wellness program
- Retirement Plans
 - Public Employees Retirement System of Idaho (PERSI)– Idaho Statue 33-107A -
 - Classified employees
 - Optional Retirement Plan (ORP)
 - All other benefits eligible employees
- Paid Leave Benefits

The benefits listed above are in addition to applicable required state and federal benefit programs such as unemployment insurance, social security, COBRA, and workers compensation.

1. State and Federal Benefits

The college participates in a variety of state and federal benefit programs including Social Security, Workman’s Compensation, Unemployment Insurance, and the Public Employees Retirement System of Idaho.

2. Medical and Life Insurance

North Idaho College provides a comprehensive health and life insurance program. Program benefits, costs, and coverage’s vary and are set annually through the college’s meet and confer and budget processes.

3. Professional Liability Insurance

North Idaho College provides professional liability insurance for all employees, officers, and board of trustees members.

4. Retirement Plans

State regulations determine which North Idaho College employees are eligible to participate in the Public Employees Retirement System of Idaho (PERSI). All other benefited employees are covered by one of several optional retirement programs (ORPs).

5. Continuation of Insurance Benefit

As provided in the procedures section of this policy, North Idaho College employees who meet the eligibility requirements may remain as members of the college medical insurance program.

6. Early Retirement Incentives

At its sole discretion, North Idaho College may from time to time offer special early retirement incentives to its employees. The eligibility criteria, eligibility periods, and

~~incentives for early retirement shall be determined by the college and will be announced as early retirement incentive programs become effective.~~

~~7. Miscellaneous Benefits~~

~~North Idaho College offers employees tuition waivers and free admissions to college events as specified in the procedures section of this policy.~~

BOARD OF TRUSTEES MEETING
January 19, 2022

TAB 2

SUBJECT

Auto-reply message for board@nic.edu

BACKGROUND

The topic of the board's adoption of an automatic reply to emails sent to board@nic.edu was postponed from a previous special meeting of the board of trustees to allow time for the board to provide input on the content of the response.

DISCUSSION

Draft language for Auto-Reply from Board@nic.edu:

Thank you for contacting the Board of Trustees of North Idaho College.

Every Trustee receives a copy of your email, along with the Clerk of the Board.

While you may receive a personal response from an individual trustee, please know that the Board cannot engage in any collective discussion with you or each other, related to your communication due to Idaho Open Public Meetings law.

Any discussion by the Board may occur in a future public meeting. If you need assistance about an operational issue at the college, the chairman or a board member may refer your inquiry to the NIC President's Office to expedite a response.

Thank you for your outreach. Trustees read the emails sent to them and appreciate the opportunity to hear from the community they represent.

*Regards,
Board of Trustees
North Idaho College*

COMMITTEE ACTION

None.

FINANCIAL IMPACT

None.

REQUESTED BOARD ACTION

This is a first reading; however, the board may choose to forego a second reading and consider a motion to adopt an automatic reply to emails sent to board@nic.edu.

Prepared by,
Laura Rumpler
Chief Communications and Government Relations Officer

BOARD OF TRUSTEES MEETING
January 19, 2022

TAB 3

SUBJECT Trustee Zone 5 Vacancy

BACKGROUND

In accordance with Idaho Code 33-2106, "Elections of trustees of community college districts shall be biennially in even-numbered years, and shall be held on a date authorized in section 34-106, Idaho Code. Vacancies on the board of trustees shall be filled by appointment by the remaining members, but if by reason of vacancies there remain on the board less than a majority of the required number of members, appointment to fill such vacancies shall be made by the state board of education. Any person so appointed shall serve until the next trustee election, at which time his successor shall be elected for the unexpired term. The trustees shall take and subscribe the oath of office required in the case of state officers and said oath shall be filed with the secretary of state."

DISCUSSION

Process to solicit interest and fill vacancy on board of trustees:

The board should consider a motion to direct the administration to publicize the vacancy for Trustee Zone 5, and request letters of interest for the seat by a specified deadline.

Letters of interest should be sent to the board of trustees through the president's office.

Once the deadline has passed the president's office will provide all letters to each trustee to review in preparation for interviews at the regularly scheduled February meeting.

The interim trustee will be sworn in at the next regularly scheduled meeting.

The Trustee Zone 5 position will be added to the ballot for the November 2022 election and the winner of the election will serve out the remainder of the term for this seat which ends in 2024.

FINANCIAL IMPACT

None.

REQUESTED BOARD ACTION

Request the board consider a motion to direct the administration to publicize the vacancy for Trustee Zone 5 and solicit letters of interest to be sent to the board of trustees through the NIC President's Office no later than noon on February 4, 2022.

Prepared by,
Shannon Goodrich, Board Clerk

BOARD OF TRUSTEES MEETING
January 19, 2022

SUBJECT

Executive Session

DISCUSSION

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

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

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

- _____ Consider 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
_____ McKenzie
_____ Wood

CONVENE AT: _____ ADJOURN AT: _____