

## Exhibit 3

### **STATEMENT on Board of Trustees Ethics and Behavior North Idaho College Staff Assembly, February 23, 2021**

The Staff Assembly of North Idaho College stands united in the College's mission to meet the diverse educational needs of the students, employers, and the northern Idaho communities it serves through a commitment to student success, educational excellence, community engagement, and lifelong learning.

The recent conflict between members of the NIC Board of Trustees is casting a dark shadow over this mission. The behavior of Board members is causing inefficiencies of governance at NIC, distracting from its mission, and bringing into question the College's ability to maintain accreditation standards. We oppose Board members together, or as a whole, acting as adversaries of the college administration, and we call on the Board to understand and embrace its role as an advocate for the students, staff, faculty and North Idaho community, which it serves.

Current NIC policy 2.01.02 calls for the behavior of trustees to exemplify the principles of ethical leadership. We expect that you, as Board Trustees, will act with civility and courtesy as you set an example for our students and the community by demonstrating that a diverse group of individuals can be united for a common mission. We respect the diversity of opinions among the members of the Board of Trustees and envision those differences enriching perspective and discussions within appropriate forums outlined by policy and law.

The members of the NIC Board of Trustees are expected to understand and demonstrate the Board's code of ethics, policies and procedures; state and federal laws regarding employee rights, including Title IX of the U.S. Higher Education Authorization Act (Title IX) and Idaho's Public Records Act and Open Meetings Law. The current Board has demonstrated ignorance or disregard of these laws, putting the safety and reputation of North Idaho College at risk.

During the November 2020 Board meeting, the current Board of Trustees voted to rescind "Board Conduct" policy 2.01.10, removing the Board's agreement to hold itself accountable to unethical behavior and to take action when those agreements are broken. We expect the NIC Board of Trustees to immediately reinstate "Board Conduct" policy 2.01.10 as a first step toward restoring the confidence of the students, faculty, and staff in the Board's ability to govern this institution.

Current Board Chair Todd Banducci has been accused by various college stakeholders of unethical and possibly illegal behavior since he joined the Board in 2012. Trustee Banducci was privately censured by the Board of Trustees on April 8, 2020 and has allegedly continued to exhibit this behavior, violating NIC policy 3.03.05 regarding disruptive, hostile, or violent behavior.

Given the subsequent inability of the Board to address the allegations against Trustee Banducci, Staff Assembly recommends an independent investigative firm or agency be hired immediately by the College to investigate these allegations, in the interest of safety for students, volunteers, and employees, and in fairness to Trustee Banducci.

We make this recommendation in order to ensure that NIC Board members' decisions about these allegations are based on factual, unbiased information, and we expect that appropriate actions will be taken by the NIC Board of Trustees based on the results of this investigation. We also expect the findings of the investigation to be forwarded to any external agencies, when appropriate, and to the College's stakeholders, including Staff and Faculty assemblies.

In the wake of a worldwide pandemic and declining enrollment and in a country crippled by partisan interests, we need a unified, nonpartisan board to help North Idaho College weather this storm. The unprofessionalism displayed by NIC Board members creates division and concern in our community, among employees, and most importantly, it affects our students. We need a board that instills confidence in itself and in NIC as an institution. We need a board that always puts the safety of students, employees, and community members first.

The Staff Assembly stands united with faculty in our mission to serve our students and the community. We ask the NIC Board of Trustees to strive for and demonstrate this same unity.

Adopted by Vote of the Assembly (February 23, 2021)

**RESOLUTION on Board of Trustees Ethics and Behavior  
North Idaho College Staff Assembly, February 23, 2021.**

NIC staff, faculty, and Board of Trustees have a shared goal to meet 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.

Higher education is built upon the principles of civil discourse. It is vital that our leaders emulate civil behavior at the highest level. NIC Trustees are the stewards of access to education for our community and must act accordingly.

**Whereas:** The NIC Staff Assembly stands united with NIC Faculty Assembly in our mission to serve our students and the community;

**Whereas:** NIC Faculty Assembly's Feb. 2 **RESOLUTION on Board of Trustees Ethics** includes a vote of "no confidence" in the current Board Chair's ability to serve the College's best interest, and calls for him to step down as Chair;

**Therefore,** as the Staff Assembly of North Idaho College,

- We support and concur with NIC Faculty's Feb. 2 **RESOLUTION on Board of Trustees Ethics**;
- We vote "no confidence" in the current Board Chair's ability to serve in the College's best interest, and call for him to step down as Chair.

Adopted by Vote of the Assembly (February 24, 2021)