

Response to the December 17, 2022 Letter from
Northwest Commission on Colleges and Universities.
Submitted: January 4, 2023



**North Idaho
College**

January 4, 2023

This report from North Idaho College (NIC) is in response to the [December 17, 2022 letter](#) from Northwest Commission on Colleges and Universities (NWCCU or the “commission”) and consists of three sections:

- I. Recommendations from the administration and actions of the Board of Trustees during their December 21, 2022 regular meeting, referenced with the appropriate NWCCU eligibility requirement or standard.
- II. Information and clarification on each of the standards cited in the December 17, 2022 letter from NWCCU, and information related the [April 1, 2022 Action letter](#) from NWCCU that was not included in Section I of this report.
- III. Other pertinent information for NWCCU to consider.

Section I: Board Response to Recommendations in December 21, 2022 Administration Memo

In response to the [December 17, 2022 letter](#) from NWCCU, then acting Co-Leads Lloyd Duman and Sarah Garcia and President’s Cabinet sent a [memo](#) to the NIC Board of Trustees recommending specific, immediate actions to sufficiently demonstrate compliance with NWCCU standards and eligibility requirements.

This section of the report includes the actions of the NIC Board of Trustees from their regular meeting that occurred on December 21, 2022. The administration, in good faith, identified the actions of the Board that occurred during recent meetings and created a “road map” for the trustees to address the concerns from NWCCU. The commission did not include any specific information about Board of Trustees behavior in their letter to NIC. For simplicity, the order of the actions from the administration’s memo do not align numerically with the order of the actions as appear below.

Rescind resolutions 2022-03 and 2022-04 and reinstate all policies suspended in these resolutions (Eligibility Requirements 2, 11 & 22, Standards 2.A.1-4, 2.D.2, 2.F.1 & 2.F.3).

The Board of Trustees voted to “cure” open meeting violations that occurred at the December 5, 2022 meeting when the Board passed Resolutions 2022-03 and 2022-04. The Board voted to rescind the resolutions, making both resolutions null and void, including the suspension of Filling of New and Vacant Positions [Policy 3.02.03](#), Board and College Governance in Relation to Creation, Revision, or Elimination of College [Policy 2.01.04](#), and Presidential Authority [Policy 2.02.01](#).

The Board of Trustees voted to approve [Resolution 2022-03, Fulfilling the Spirit of NIC Policy and New Legal Counsel](#). This resolution included language accepting the resignation of Lyons O’Dowd, PLLC, operating under an agreement from January 29, 2021 until November 25, 2022, documenting the inadequacies of Continuous Professional Services Contracts [Policy 7.01.04](#) for a circumstance where an attorney has resigned and the college is without legal counsel for an indeterminate time, and hired the Law Office of Arthur B. Macomber retroactive to December 5, 2022. The Board resolution did not include the suspension of Board Policy 7.01.04. In this new resolution, the Board acknowledges that the action to suspend the college policy related to continuous professional service contracts, as outlined in the previous resolution, was not necessary to hire legal counsel.

In suspending the two resolutions and revising the content in the follow-up actions that occurred at the December 21, 2022 Board meeting, the NIC Board is now in compliance with Idaho’s Open Meeting Law. All NIC’s policies and procedures are in full force.

Immediately reinstate the President/CEO. (Eligibility Requirements 2, 10 & 22, Standards 2.D.2, 2.F.1 & 2.F.3)

As previously mentioned, the Board voted to cure the open meeting violation of the passage of Resolution 2022-04 that included language of placing the permanent President on administrative leave and suspending the Filling of New and Vacant Positions [Policy 3.02.03](#), Board and College Governance in Relation to Creation, Revision, or Elimination of College [Policy 2.01.04](#), and Presidential Authority [Policy 2.02.01](#).

The Board attorney announced that because of the impending litigation from the current permanent President, who is under administrative leave, the Board will consider the hiring of an Interim President for the duration of the investigation. At the Special Board meeting of December 17, 2022, the Board voted on a motion to have the Board Chair and college attorney to inquire if Dr. Gregory South would be interested and available to serve as Interim President, and if so, then enter into negotiations with Dr. South in order for the institution to meet the college's immediate and urgent need for a CEO. The Board took their responsibility seriously by contacting Dr. South within 24 hours to avoid a leadership vacuum while maintaining compliance with Standard 2.A.3. The Board passed a motion to hire Dr. South as Interim President effective December 22, 2022. Dr. South has nearly 30 years of experience in higher education, most of it exclusively in community colleges, and he has served in varied professional roles that have prepared him well for his tenure as Interim President. Dr. South has 10 years' experience as a vice president, eight years as a dean, and has previously served as an interim president. His academic preparation includes a Ph.D. in Education, specifically in performance psychology, from the University of Idaho.

Support the administration in initiating an RFQ for qualified legal services (Eligibility Requirements 2, 8 & 22, Standards 2.D.2, & 2.D.3).

As previously mentioned, the Board voted to hire the Law Office of Arthur B. Macomber retroactive to December 5, 2022. The Board passed a motion to contract with Mr. Macomber for a period of no more than one year, and the CEO was tasked to move forward with an RFP process for the selection of a permanent vendor for legal services. There was discussion during the Board of Trustees meeting about the qualifications of NIC's current legal counsel and his future eligibility to serve in this region. The RFP process for legal services has commenced.

Permit the President/CEO to fill all vacant senior administrative positions immediately. (Eligibility Requirements 2, 10, 11, & 22, Standard 2 Preamble, Standards 2.F.1 & 2.F.3).

With the curing of the open meeting violation created by Board Resolution 2022-04, the administration may proceed with filling senior administrative positions, and Dr. South will move forward to fill all vacant senior administrative positions.

Adhere to Board Member General Conduct Policy 2.01.10: "The Board expects its members to demonstrate ethical and businesslike conduct. This commitment includes proper use of authority and respect in group and individual behavior when acting as Board members." (Eligibility Requirements 8 & 22, Standards 2.D.2 & 2.D.3).

During the December 21, 2022 Board of Trustees meeting, the Board Chair stated he was going to present censure motions for himself and another trustee, but instead reflected and asked the other trustees to move beyond the "post-election heat" and to work together as a team with their CEO to place the college, students, and the mission first. The Board Chair publicly apologized for his mistakes and foul language at

prior meetings, and he pledged to hold himself and the Board of Trustees to a high standard of respect and professionalism.

The Interim President and the Board Chair are committed to immediate training sessions for the Board to demonstrate an improvement with ethical and businesslike conduct, including the proper use of authority, avoiding the appearance of conflicts of interest, and adherence to open meeting laws, during future Board of Trustee meetings. The Interim President and the Board Chair are committed to working with fellow trustees towards building mutual respect with each other, members of the faculty, staff and administration, and the public.

Adhere to Idaho open meeting law statutes and college Policy 2.01.03, Meetings (Eligibility Requirements 8 & 22, Standards 2.D.2 & 2.D.3, & Standard 2 Preamble).

The Board of Trustees passed a motion for the Board to acknowledge an additional violation of the open meeting laws under [Idaho Code Section 74-204, Subsection 4](#) that happened on December 8, 2022 by the passage of a motion to have the college's attorney and Chair McKenzie contact former Interim President Sebaaly to see whether he could consider becoming acting president of NIC for an unknown amount of time, and that this Board “cure” that violation and declare those actions null and void.

The Board followed the administration’s informal recommendation to work with their CEO to coordinate Board development with the goals of the Board understanding and demonstrating behavior complying with the main points of the [Idaho Open Meeting Law Manual](#). Executive sessions are a key for healthy governing boards to function effectively with sensitive items (i.e., as personnel, legal, and other confidential items). The Board has a demonstrative history of refusing to go into Executive Session.

Collaborate with President/CEO and all trustees in establishing agenda items in advance of meetings. Provide President/CEO and all trustees all the materials to be referenced in meetings (Eligibility Requirements 8 & 22, Standards 2.D.2 & 2.D.3).

The Interim President and Board Chair commit to governing board development for understanding and adhering to Responsibilities and Duties [Policy 2.01.02](#) to improve the process so all trustees may submit agenda items and that there is adequate review time before meetings. As previously mentioned, the Interim President has pledged to work with the Board to clarify their roles as trustees, and to allow the administration, through the CEO, to conduct an analysis of each item and present a recommendation, if appropriate. The Interim President and the Board Chair are interested in working with the Board to define several short-term goals, so expectations are clear and to avoid unanticipated agenda items brought up just before or during a meeting with little or no time for the administration and other Board members to adequately prepare to discuss.

Refrain from behavior that circumvents the President/CEO or college policy and procedure, including engaging with others, such as an attorney, volunteer, or consultant, to usurp the authority of the President/CEO, disrupt participatory governance and/or bypass college policy and procedure (Eligibility Requirements 2, 8, 10, & 22, Standards 2.A.1-4, 2.D.2, & Standard 2 Preamble).

After viewing the [agenda](#) for the meeting immediately after its release, the administration expressed concern of possible Board action that could be considered non-compliant with NWCCU Eligibility Requirements and Standards, as the Board was considering items without consulting and collaborating with the administration. During the December 21, 2022 Board Meeting, the Board Chair heeded the advice from the administration to work through the CEO as their employee for agenda items such as governing board development, appropriate communication channels, open meeting law training from the

Idaho State Attorney General's Office, and the review of the athletic department. All the Board directives that passed at this meeting were advisory for the CEO to conduct research and analysis for each of the aforementioned agenda items.

With a newly hired Interim President (CEO), the Board of Trustees will work through its Interim President and the administration will work with through the chain of command to align with NWCCU Standards 2.A.1-4, and 2.D.2.

The Board passed two motions that could impact NIC's intercollegiate athletic program. The first motion directs the president to assess if it is feasible and reasonable that NIC return to the National Junior College Athletic Association. The second asks the Interim President to review, consider, and make a recommendation regarding adding women's wrestling for the 2023-2024 season, and states that the Board is willing to consider opening the budget to support an athletic improvement. The Board amended the first motion that their request of the Interim President shall not interfere with the accreditation response and shall be only viewed as a tool to better the institution's enrollment as a low-priority request at this time. The Interim President and administration will reevaluate and organize athletics to align with current best practices of other two-year institutions.

The Faculty Assembly, Staff Assembly, and NIC's Student Government (ASNIC) publicly presented their respective votes of no confidence with the Board of Trustees. The College Senate Chair presented a resolution concerning the Board's suspension of policies. The Interim President will work with the NIC attorney and administration to respond to the recent and past votes of no confidence passed by the Faculty Assembly, Staff Assembly, and the NIC Student Government (ASNIC) in December. The Faculty Assembly's resolution stated it reaffirms three previous resolutions of no confidence presented to the board October 26, 2021, February 2, 2022, and March 18, 2022. See [ASNIC Resolution](#), [NIC College Senate Resolution](#), [Faculty Assembly Resolution](#), and [Staff Assembly Resolution](#).

Section II: Information and clarification from each of the standards cited in the December 17, 2022 letter from NWCCU

2. Preamble. The institution articulates its commitment to a structure of governance that is inclusive in its planning and decision-making. Through its planning, operational activities, and allocation of resources, the institution demonstrates a commitment to student learning and achievement in an environment respectful of meaningful discourse.

The upcoming board governance and development sessions will include information about NWCCU and the functions of institutional accreditation. Although there was not a formal resolution passed, there were several comments at the December 21, 2022 meeting that the Board is committed to adhering to all NWCCU standards, eligibility requirements, policies, and procedures.

As previously mentioned, the Board placed the permanent President on administrative leave and hired an Interim President, but because of pending litigation and because the issue is considered a personnel matter, the college is not at liberty to disclose progress on the current investigation. The results of the investigation and litigation will determine the course of action for the Board regarding the status of the permanent President. Should the college need to move forward in the selection of another permanent President, the administration will recommend to the Board the use a screening committee with representation from students, administration, faculty, and staff, similar to past searches for NIC's permanent presidency. However, that decision is ultimately up to the Board.

With all other permanent hires or searches for hires at North Idaho College, the administration followed appropriate policy and procedure with the use of screening committees consisting of students, faculty, staff, and administration.

North Idaho College continues to have a strong participatory governance model facilitated by the College Senate, which comprises members of Faculty and Staff Assemblies, and the student government organization, all of whom are elected by their respective constituencies. The assemblies and the College Senate are the vehicles through which the constituent organizations of the college are able to participate in the decision-making process by making recommendations through the president to the board. The current Board of Trustees is committed to the participatory governance model. *See Governance Initiation of Policies [Policy 2.01.04](#), and [Procedure 2.01.04](#)*

2.A.1 The institution demonstrates an effective governance structure, with a board(s) or other governing body(ies) composed predominantly of members with no contractual, employment relationship, or personal financial interest with the institution. Such members shall also possess clearly defined authority, roles, and responsibilities. Institutions that are part of a complex system with multiple boards, a centralized board, or related entities shall have, with respect to such boards, written and clearly defined contractual authority, roles, and responsibilities for all entities. In addition, authority and responsibility between the system and the institution is clearly delineated in a written contract, described on its website and in its public documents, and provides the NWCCU accredited institution with sufficient autonomy to fulfill its mission.

The election for the North Idaho College Board of Trustees took place on November 8, 2022, and the elections officer, appointed by the Board, canvassed the official results at the December 5, 2022 Board meeting:

For NIC Trustee Zone 1, Tarie Zimmerman received 28,353 votes and Ronald Hartman received 26,608 votes. For NIC Trustee Zone 2, Diana Sheridan received 27,220 votes and Brad Corkill received 27,662 votes. For NIC Trustee Zone 5, Mike Waggoner received 29,162 votes and Pete Broschet received 25,240 votes.

Trustee Zimmerman and Trustee Corkill were elected to four-year terms while Trustee Waggoner was elected for two years, as the elected individual for the Zone 5 serves for the remaining two years of the term previously vacated in January 2022. Greg McKenzie's and Todd Banducci's trustee zones were not up for election, and they did not run during the November 8, 2022 election. Three trustee zone seats will be up at the next trustee election cycle, with the election date of November 5, 2024.

At the December 5, 2022 regular meeting, the trustees reorganized with Greg McKenzie elected as Chair, Mike Waggoner as Vice Chair, and Brad Corkill as Secretary/Treasurer.

The Interim President and the Board Chair will conduct an onboarding/orientation session for the new members per Board Member Orientation [Policy 2.01.11](#) that was recently adopted by the Board. As previously mentioned, the Interim President and the leadership team are committed to following all the directives from the December 21, 2022 Board meeting with the goal of improved professional conduct, understanding of accreditation, an improved agenda setting process for meetings, and a greater understanding and application of their roles and responsibilities. The Board will gain insight from higher education experts and former presidents with their roles and responsibilities established by Idaho State Statue and North Idaho College Board Policy and Procedure, while also adhering to NWCCU policy, procedures, standards, and eligibility requirements.

In 2019, NIC modified Board and College Governance in Relation to Creation, Revision, or Elimination of College [Policy 2.01.04](#) and [Procedure](#) to allow for a seven-year staggered review cycle of all policies and procedures using a standing committee, parented by the College Senate. The revision in policy and procedure does not include the ten Board of Trustee policies reserved for the trustees in [Section 2, Subsection A](#). Several members of the Board are interested in reviewing and revising governance policy and procedure as six policies in this section have not been reviewed or revised in more than ten years. As previously mentioned, the Interim President is charged with moving forward with obtaining a consultant to assist with governance review. *See Authority, Appointment & Functions [Policy 2.01.01](#), Responsibilities [Policy 2.01.02](#), Communications with Board of Trustees [Policy 2.01.05](#), Board Performance Review [Policy 2.01.08](#), President's Authority and Responsibility [Policy 2.02.01](#), and Presidential Performance Review [Policy 2.02.02](#). See also Meetings [Policy 2.01.03](#), Trustee Emeritus Status [Policy 2.01.09](#), Board General Conduct [Policy 2.01.10](#), and New Board Member Orientation [Policy 2.01.11](#).*

One member of the Board of Trustees and the then Interim President participated in the annual Governance Leadership Institute hosted by the Association of Community College Trustees: Strengthening the Leadership Team of the Board, held March 23-25, 2022 in Philadelphia.

2.A.2 The institution has an effective system of leadership, staffed by qualified administrators, with appropriate levels of authority, responsibility, and accountability who are charged with planning, organizing, and managing the institution and assessing its achievements and effectiveness.

As previously mentioned, the Interim President is working to establish the leadership team.

On November 18, 2022, Sarah Garcia was named Vice President for Finance and Business Affairs after a nationwide search.

In 2022, the college temporarily transitioned from a model that had separate vice presidents of student services and instruction to just one position with the combined roles of the Provost Structure (Chief Academic and Student Affairs Officer). The Interim President will continue to use this model.

During the presidential leadership transition, the President's Cabinet was temporarily expanded to include all the deans, the faculty assembly chair, and the director of workforce development to reduce the workload of the interim provost and to ensure adequate communication among the divisional leaders. The Executive Accreditation and Planning team was expanded as well to include all members of President's Cabinet, the deans, and a representative with expertise in the documentation of student achievement. This organizational structure will be reconceptualized for maximized efficiency.

In Spring 2020, the Executive Accreditation and Planning Committee (EAPC) transitioned from the Core Theme Report to a set of measures focusing on improving institutional effectiveness aligned with the performance of the college's current strategic plan, [Cultivate 2020](#). Representatives from the EAPC presented the [evaluation](#) of the NIC's Strategic Plan, including improving institutional effectiveness, to NIC's Board of Trustees on June 22, 2022.

2.A.3 The institution employs an appropriately qualified chief executive officer with full-time responsibility to the institution. The chief executive may serve as an ex officio member of the governing board(s) but may not serve as its chair.

As previously mentioned, the Board of Trustees hired Dr. Gregory South as Interim President on December 21, 2022. Dr. South has extensive experience in vice-presidential roles and served as an interim president. Attached is his CV. Dr. South's qualifications substantiate that NIC meets standard 2.A.3.

2.A.4 The institution's decision-making structures and processes, which are documented and publicly available, must include provisions for the consideration of the views of faculty, staff, administrators,

and students on matters in which each has a direct and reasonable interest.

In 2022, under advice of the then Interim President, the Board instituted a Consent Agenda for regular Board meetings that includes non-controversial agenda items such as meeting minutes and second readings of operational policies. During the Board meetings occurring from February through December 2022, most Consent Agenda items presented to the Board were accepted without debate. There was one item removed from the Consent Agenda, and it was for a correction of minutes in August 2022 that provided clarification on how the Board voted on a particular action item. *See minutes from the [February](#), [March](#), [April](#), [May](#), [June](#), [August](#), [September](#), [October](#), [December 5](#), and [December 21, 2022](#) NIC board meetings.*

The board approved the following policies and actions during that time with the use of a Consent Agenda. The policies below were vetted through and by the College Senate and recommended by the CEO as described in “2. Preamble”:

- Revised Stewardship of College Assets [Policy 2.03.02](#)
- Revised Professional Consulting [Policy 3.02.12](#)
- Revised Employment of Related Parties [Policy 3.02.05](#)
- Revised Establishment of New Positions [Policy 3.02.02](#)
- Revised Filling of New and Vacant Positions [Policy 3.02.03](#)
- Eliminated Filling of Vacant Positions Without Benefits [Policy 3.02.04](#)
- Eliminated Probation, Promotion, Demotion, Transfer of Classified Employees [Policy 3.02.06](#)
- Revised Faculty Employment [Policy 3.02.08](#)
- Acceptance of the [FY2022 Audit Report](#) (second reading)

There were other decisions made by the Board at regular meetings including:

April:

- Approved tenure for the two faculty members presented to the Board for tenure.
- Approved the FY2023 Budget.
- Approved Sandpoint Outreach Center Lease.
- Requested hearing before the ICRMP Board to request and seek recession of decision not to renew college’s property and casualty insurance.

May:

- Approved Head Start Cost of Living and Quality Funds from the Office of Head Start.
- Adopted Communicable Disease [Policy 5.09](#) from recommendation of the then interim president to comply with Idaho State Statues.
- Adopted a resolution that Roberts Rules of Order be used as a *guideline* to run board meetings. Previously the board passed a resolution that Roberts Rules of Order be *strictly* used to run board meetings.
- Directed the CEO to schedule a workshop to discuss upcoming facilities and deferred maintenance projects.

June:

- Passed a resolution not to reserve forgone taxes of \$519,000.
- Tabled changes to Board Conduct Policy 2.01.10 and decided to bring back the revised policy to the Board no later than the October meeting, along with a policy for an ombudsman program.
- Tabled a motion to review a proposed slate of federal holidays.
- Passed a motion requiring the administration to poll the coaches about which athletic conference they would prefer the college affiliates with and a summary from each one describing why.

Passed a motion requiring the administration to discuss with the Northwest Athletic Conference their willingness to release NIC sports programs, and to recommend a plan with associated costs and timeline.

July:

There was no regular meeting as the college does not typically have a monthly Board of Trustees July meeting.

August:

Board passed a resolution to take the matter of the Board Conduct Policy and an ombudsman program from the table.

Board passed a resolution that the Board separate the issues of the Board Conduct Policy and an ombudsman program.

Approved changes to Board Conduct [Policy 2.01.10](#).

Approved the correction of the Scrivener's error to correct the President's employment contract by striking the words "either party" from section 12.1 and replacing them with the words "the President," and that the correction be acknowledged by the President and the Board chair.

Approved a motion to award trustee emeritus status to Christie Wood.

Board did not take action after presentations relating to security and athletic conference affiliation.

September:

Approved a motion to table the topic of an ombudsman program, indefinitely.

October:

Adopted Resolution 2022-02 to enter the appraisal into the record and authorize the President or his designee to execute the documents necessary to purchase the property of 717 Military Drive.

Approved a resolution to adopt a process to evaluate the CEO quarterly rather than providing a summative evaluation at the end of the year.

November:

The regular Board meeting of November 30, 2022 was postponed until December 5, 2022 due to the college being closed for inclement weather.

December 5, 2022:

The Board reorganized by electing officers and representatives.

The Board approved student fees for the new POST Detention Academy.

Approved a motion amending previous meeting minutes.

Even though the Board has overall responsibility for curriculum matters by Idaho State Statue, the Board has delegated this operational responsibility to the CEO. The CEO has delegated this responsibility to the administration and the faculty through the Curriculum Council (CC). The process to approve and modify curriculum remains strong with faculty involved in the design, approval, implementation, and revision of the curriculum through the well-defined processes and responsibilities of NIC's CC. To ensure a broad cross-section of representation, the CC voting members are from 11 designated instructional groups. See Committees [Policy 2.03.01](#) and [Procedure 2.03.01](#). During this academic year, the CC has approved or modified ten degree and certificate programs. See [AY 2023 NWCCU Substantive and Minor Changes Update – January 4, 2023](#).

2.D.2 The institution advocates, subscribes to, and exemplifies high ethical standards in its management and operations, including in its dealings with the public, NWCCU, and external organizations, including

the fair and equitable treatment of students, faculty, administrators, staff, and other stakeholders and constituencies. The institution ensures that complaints and grievances are addressed in a fair, equitable, and timely manner.

As previously mentioned, the Board of Trustees voted to cure open meeting violations of the December 5, 2022 Board Meeting regarding Resolution 2022-03 and 2022-04. The Board is committed to working with their CEO for training by the Idaho State Attorney General's Office as soon as possible.

As previously mentioned, the Board voted to allow the CEO to work with the college attorney on the development of a response to the recent and past no confidence motions passed by the Faculty Assembly, Staff Assembly, the College Senate, and the NIC student government (ASNIC).

Since NWCCU issued the action letter on April 1, 2022, the Board of Trustees has allowed the opportunity for public comment during every regular, monthly Board meeting. There were vocal disruptions during the special board meeting of December 10, 2022 about the lack of public comment. There is no public comment posted on the agenda during special board meetings; public comment is posted on the agenda for the regular, monthly meetings of the Board of Trustees. *See related board minutes included in 2.A.4.*

Since May 2022, the Board of Trustees has continued the practice of permitting each constituency group the opportunity to orally present their respective reports to the trustees. The Faculty Assembly was concerned about the apparent decision of the administration to only have written reports available for the trustees during the April 27, 2022 regular meeting. Typically, constituency reports are not presented during the June meeting.

2.D.3 The institution adheres to clearly defined policies that prohibit conflicts of interest on the part of members of the governing board(s), administration, faculty, and staff.

Three members of the Board of Trustees and the college's attorney were named in a [civil complaint](#) filed on December 20, 2022. Although the complaint does not specifically address NIC policy or procedure, the college attorney is subject to the Conflict of Interest [Policy 3.02.15](#). The college attorney is working with the trustees on the response to this complaint and will work with the Idaho State Bar Association with follow up, if needed.

As previously mentioned, the CEO will work on development with the Board. Conflict of interest training will be a subject of both induction and training.

2.F.1 Faculty, staff, and administrators are apprised of their conditions of employment, work assignments, rights and responsibilities, and criteria and procedures for evaluation, retention, promotion, and termination.

Please refer to the information in Standard 2 Preamble for applicable information to this standard.

2.F.3 Consistent with its mission, programs, and services, the institution employs faculty, staff, and administrators sufficient in role, number, and qualifications to achieve its organizational responsibilities, educational objectives, establish and oversee academic policies, and ensure the integrity and continuity of its academic programs.

In 2022, the then Interim President hired an Interim Provost filling both roles of the Chief Student Affairs and Chief Academic Officer position(s). This model will continue as the current Interim President structures the NIC leadership team. In addition, the administration recommends the filling of dean positions that are currently listed as interim status. These actions will provide a stable administration regardless of the status of a permanent president or interim president.

2. OPERATIONAL FOCUS AND INDEPENDENCE: The institution's programs and services are predominantly concerned with higher education. The institution has sufficient organizational and operational independence to be held accountable and responsible for meeting and sustaining NWCCU's Standards for Accreditation and Eligibility Requirements.

NIC is governed by a Board of Trustees, composed of members who are elected for staggered four-year terms. The Board derives its authority from the [Idaho Code for Community College District Law, Sections 33-2101 through 33-2144](#). The college president is appointed by the Board in accordance with Presidential Authority and Responsibility [Policy 2.02.01](#).

North Idaho College is one of four comprehensive community colleges in the state of Idaho. NIC's programs and services are predominantly concerned with higher education and the college operates in accordance with policies established by the North Idaho College Board of Trustees (the Board) and by the Idaho State Board of Education (SBOE).

NIC's state appropriation requests, curriculum, and other matters are also governed by the SBOE [Policy III.A](#). While the Board governs the college and its academic programs, the Idaho State Division of Career and Technical Education (ICTE) provides leadership and coordination for NIC's career and technical education programs. The ICTE derives its authority from the SBOE as outlined in [Chapter 22, Sections 33-2202](#) of Idaho Code. ICTE is responsible for the secondary, postsecondary, and adult career and technical programs delivered throughout Idaho's public-school districts and six technical colleges. NIC is included as one of the six career and technical schools in Idaho. See [SBOE Governing Policy IV.E, Division of CTE](#).

The Board has recognized the importance of being sufficiently autonomous to make decisions in the best interest of the institution and is taking responsible to assure proper steps are taken to strengthen this responsibility.

See responses cited in Section I, and in 2.A.1 in Section II.

8. INSTITUTIONAL INTEGRITY: The institution establishes and adheres to ethical standards in all its academic programs, operations, and relationships.

See responses cited in Section I, and in 2.D.2, and 2.D.3 in Section II.

9. GOVERNING BOARD: The institution has a functioning governing board(s) responsible for the quality and integrity of the institution and for each college/unit within a multiple-unit district or system, to ensure that the institution's mission is being achieved. The governing board(s) has at least five voting members, a majority of whom have no contractual or employment relationship or personal financial interest with the institution. Institutions that are part of a complex system with multiple boards, a centralized board, or related entities, shall have, with respect to such boards, clearly defined authority, roles, and responsibilities for all entities in a written contract(s). In addition, authority and responsibility between the system and the institution is clearly delineated in a written contract detailed on its website and in its public documents and provides NWCCU accredited institutions with sufficient autonomy to fulfill its mission.

See responses cited in Section I, and in 2.A.1- 2.A.4, 2.D.2, and 2.D.3 in Section II, and Eligibility Requirement 2 (above).

10. CHIEF EXECUTIVE OFFICER: The institution employs an appropriately qualified chief executive officer who is appointed by the governing board and whose full-time responsibility is to the institution. The chief executive officer may serve as an ex officio member of the governing board(s) but may not serve as chair.

See responses cited in Section I, and in 2.A.2 and 2.A.3 in Section II.

22. RELATIONSHIP WITH NWCCU: The institution understands and accepts the Standards and policies of NWCCU and agrees to comply with these Standards and policies. Further, the institution agrees that NWCCU may, at its sole discretion, make known the nature of any action, positive or negative, regarding the institution's status with NWCCU to any agency or member of the public requesting such information.

The Board is committed to adhering to all NWCCU standards and eligibility requirements.

Section III: Other pertinent information for NWCCU to consider

On the Consent Agenda, the Board approved the acceptance of NIC's Financial Audit for Year Ending June 30, 2022. During the November meeting, Barry Weber from the auditing firm of Eide Bailly presented the fiscal audit for the year reporting a clean audit with no findings.

Moody's Investors Service issued a [letter](#) to NIC on December 21, 2022 stating that NIC's rating for the college and outstanding bonds was under review (referred to a rating under review "RUR"). The annual review of NIC financials was scheduled for February and Moody's moved up the date due to the concerns over Board of Trustees governance issues.

NIC secured liability insurance with an effective date of October 1, 2022. The cost for the liability coverage is \$500,000 for one year. Both liability and property were previously \$321,000 with ICRMP. NIC's coverage levels are similar, but deductibles are larger with the new policy.

NIC has made progress addressing the two recommendations from the April 2020 Year Seven Visit. The College was part of the recent Mission Fulfillment Fellowship Program (third cohort), and used the time and resources of the fellowship to improve the documentation of general education (GEM) and program assessment practices. The Student Learning Outcomes Assessment Committee worked through the past two academic years, which culminated with the adoption of a strategy. The other recommendation update was reference in 2.A.2. See [excerpt](#) submitted in partial fulfillment of the NWCCU Fellowship Program.

NIC is a member of the Postsecondary Data Partnership (PDP) of the National Student Clearinghouse, and was one of the first two-year college to participate in the Student Insights Dashboard – an extension of the PDP that shares verified student progress and outcome information with the public. Most of the participants are also currently participating in the PDP Accelerator Grant, a joint project of the Northwest Commission on Colleges and Universities and the Southern Association of Colleges and Schools funded in part by a grant from the Bill and Melinda Gates Foundation. The PDP de-identified all data included in the dashboards, which are available for [public view](#).

Under advice given during the PDP Accelerator Program, the college has used the PDP dashboards to dive down in related areas of concern, identifying equity gaps, and identifying improvement initiatives as a result of an analysis of the data from the annual evaluation of the college's strategic plan. Members of the President's Cabinet, including faculty and staff representatives, have been reviewing each of the PDP dashboards and identify equity gaps in the areas of market penetration rates (enrollment), dual credit enrollment, retention, persistence, and gateway course momentum. See related slideshow presentations in [Strategic Planning Evaluations and PDP Analysis folder](#), President's Cabinet notes of [September 27, 2022](#), [October 11, 2022](#), [October 25, 2022](#), [November 1, 2022](#), [November 8, 2022](#) and President's Cabinet Agendas of [September 27, 2022](#), [October 11, 2022](#), [October 25, 2022](#), [November 1, 2022](#), [November 8, 2022](#).

Conclusion

The language of a potential adverse action from the Commission along with the timing of the letter with the holiday campus closure has taken an increased toll on NIC's faculty and staff.

The incoming administration has pledged to work with the Board to organize the development of and to guide and coach trustees on the principals of good governance, including ethical behavior, with the goal of making continued progress outlined in the Action Letter of April 1, 2022 and any other deficiencies the Commission deems necessary.

The Interim President and his leadership team have provided this response with information necessary per the letter of December 17, 2022. The letter from the Commission did not contain specific actions of the Board to address. In good faith of their knowledge of events of the previous NIC Board of Trustee meetings, members of the administration worked during the college's winter break closure to piece together concerns for the Board about their actions and provided a "road map" to the Board to demonstrate conduct that may be used as evidence regarding compliance with NWCCU standards, eligibility requirements, policies, and procedures.

The administration respectfully requests of NWCCU the opportunity to host a team on campus before any adverse action is considered by the Commission. An on-campus visit allows the college to personally showcase that college operations have continued to thrive even with board governance concerns. As previously highlighted, the college has made great strides with the two recommendations from the July 2020 reaffirmation letter from NWCCU and had worked to reduce the enrollment impact from the Warning sanction. There are many other great stories of resilience, success, and community impact that NIC students, faculty, and staff may be able to share with a visiting team.

On behalf of the faculty, staff, and students of NIC, thank you for your time and commitment to the peer review process. The Interim President and administration look forward to our continued work with you to strengthen access to education and opportunity in North Idaho.