



April 1, 2022

REVISED

Dr. Michael Sebaaly
Interim President
North Idaho College
Coeur d'Alene, Idaho 83814

Dear Interim President Sebaaly:

This letter serves as formal notification and official record of action taken on April 1, 2022 by the Executive Committee of the Northwest Commission on Colleges and Universities (NWCCU) related to the November 2, 2021 complaint filed against North Idaho College and the special evaluation visit on January 18, 2022.

This action was taken after consideration of evidence, including the External Peer-Evaluation Report, the Institutional Response to the Peer-Evaluation Report, and information received as part of the institutional representatives meeting with Commissioners.

The Commissioners find North Idaho College to be out of compliance with Eligibility Requirement 9: *Governing Board* and Standards 2.A.1 *Governance* and 2.D.2 *Institutional Integrity*.

Eligibility Requirement 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, described on its website and in its public documents, and provides NWCCU accredited institutions with sufficient autonomy to fulfill its mission.

Standard 2.A.1 Governance: 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.

Standard 2.D.2 Institutional Integrity: 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 a reminder, the Commission received a complaint on March 12, 2021, to which the NIC Board of Trustees submitted a Board Statement on May 28, 2021 and the institution responded on June 10, 2021.

In the Board Statement, signed by all Trustees at the time, they committed to take several actions to address and resolve the concerns of NIC's fulfillment of Eligibility Requirements 7, 9, and 16.

- The Board participated in a retreat conducted by the Association of Community College Trustees (ACCT) and committed *"to engaging fully and authentically in its development process, which it understands will be an ongoing process of continuous evaluation and action."* Actions of the Board since the retreat do not provide evidence for continuous evaluation and action, or Board development according to the principles of ACCT.
- The Board Conduct Policy 2.01.10 was adopted in August 2020 but rescinded in November 2020. Responding to campus concerns, the policy was reinstated with amendments in May 2021. The amendment is described in the institution's June 10, 2021 response as allowing, *"confidential communication between board members and the NIC community,"* which effectively allows Board members to circumvent standard communication channels and communicate directly with NIC community members. According to the Board Statement, the policy was reinstated with these amendments *"pending completion and adoption of the revisions now being developed."* The policy has not been updated since May 2021.
- The Board Statement of May 28, 2021 stated that *"The board values and affirms the legitimate role, both formal and informal, that the faculty, staff, administrators and students have on matters in which each has a reasonable interest. It understands that the views of these constituent groups must be authentically considered."* In your written response, you stated that public comments were not allowed at the monthly Board meetings in September and October 2021, and were allowed again starting in November 2021. Also, there are multiple "no confidence" resolutions by the staff and faculty that do not appear to have been "authentically considered" by the Board.

Despite the commitments made above, per the November 2, 2021 complaint and NWCCU's external evaluation panel's findings, the institution continues to be non-compliant with Eligibility Requirement 9 and Standards 2.A.1 and 2.D.2 relating to the demonstration of high ethical standards in governance and management, including the NIC Board of Trustees' responsibility to ensure integrity in its deliberations and actions, ethical treatment of stakeholders and constituents, adherence to institutional and Board policies, and adherence to conflict of interest policies.

In light of the above, the Commission concludes that the NIC Board of Trustees' actions to date do not provide assurance that the Board has or will follow through with the steps agreed to in the May 28, 2021 Board Statement to restore effective governance at North Idaho College.

Because of the persistent issues with governance at the institution, the Commission has imposed the sanction of *Warning*, as stated in [NWCCU Accreditation Actions Policy](#):

NWCCU may issue a warning to an institution that its accreditation may be in jeopardy when it does not appear to be in compliance with Standards for Accreditation, Eligibility Requirements, Policies, or applicable federal regulations but the institution appears to demonstrate capacity to

make improvements and return to compliance under a written timeline set by the Commission pursuant to 34CFR §602.20(a)(2); and appears to demonstrate capacity to sustain itself in the long term.

The Commission further informs North Idaho College that it has been placed by the Commission on a status of *Monitoring* ([34 CFR Part 602.19](#) and [Part 602.20](#)) and expect it will be in compliance with Eligibility Requirement 9 and Standards 2.A.1 and 2.D.2 by the time of its Mid-Cycle onsite evaluation visit, scheduled for Spring 2023, as noted below.

Additional areas of concern that are the subject of *Monitoring*, which may be the result of the issues in the area of governance noted above, include departures from the college's administrative and academic leadership ranks, financial sustainability, and academic freedom.

Recommendations: January 2022 Special Evaluation – Areas Out of Compliance

Given that the Commission finds that North Idaho College is out of compliance with the NWCCU Standards for Accreditation, and per U.S. Department of Education Regulation 34 CFR 602.20 and Commission Policy, NWCCU requires that the institution will take appropriate action to ensure these Recommendations are addressed and resolved during the prescribed period.

The Commission requires that:

1. The College's Board of Trustees be constituted to include the minimum of five Trustees. (Eligibility Requirement 9).
2. The Board of Trustees reviews, affirms, and adheres to institutional and Board policies, particularly those pertaining to appropriate roles and responsibilities, expectations, professional conduct and ethics, and grievance procedures. (Eligibility Requirement 9 and Standards 2.A.1, 2.D.2)

Recommendations: January 2022 Special Evaluation – Areas Substantially in Compliance, but in need of improvement

The Commission recommends that:

3. The institution works to rebuild its administrative and academic leadership team. This includes:
 - a. The appointment of a permanent president utilizing a process that permits an appropriate level of engagement by institutional stakeholders. (Standards 2.A.3, 2.A.4 and ER 10)
 - b. Hiring for the currently vacant/interim Vice President positions after the permanent president is identified. (Standard 2.A.2 and ER 11)

Monitoring

Ad Hoc Report Type 1: Within seven calendar days of each meeting of the Board of Trustees, the institution shall submit Ad Hoc reports until the Spring 2023 Mid-Cycle Review Visit, covering the following topics:

Governance

- Agenda and draft minutes for the Board meeting
- Notification of any changes in the Board membership
- Links to video recordings of Board meetings
- List of public comments, if any

Executive Leadership

- Report on progress to fill vacant and current interim positions at the level of Vice President and higher

Ad Hoc Report Type 2: Immediately after the census date for each academic term, the institution shall submit an Ad Hoc report providing FTE Enrollment data for the term, comparing the current term enrollment to same term for the previous year.

Future Evaluations

The institution will undergo its regularly scheduled Mid-Cycle Review in Spring 2023; Policies, Regulations, and Financial Review in Spring 2026; and Evaluation of Institutional Effectiveness in Spring 2027.

The Ad Hoc report in response to the March 17, 2021 complaint pertaining to governance and other issues, required to be submitted in August 2022, is rescinded.

The sanction of *Warning* to North Idaho College will be reevaluated after the Spring 2023 Mid-Cycle Evaluation Visit or earlier, as determined by the Commission. The sanction of *Warning* may be removed or continued based on the results of the Spring 2023 onsite visit. Lack of demonstrable evidence of progress to address the issues raised above could result in a sanction of *Probation* or *Show Cause*.

NWCCU is committed to an accreditation process that adds value to institutions while contributing to public accountability, and we you for your continued support of this process. If you have questions about any of the information in this letter, please contact NWCCU.

Sincerely,



Sonny Ramaswamy
President

cc: Dr. Kassie Silvas, Interim Provost
Dr. Steve Kurtz, Accreditation Liaison Officer
Mr. Todd Banducci, Chair, North Idaho College Board of Trustees
Dr. Marc Johnson, Special External Peer-Evaluation Panel Chair
Dr. Thayne McCulloh, Chair, NWCCU Board of Commissioners