

November 1, 2021

Dr. Sonny Ramaswamy  
President  
Dr. Pamela Goad  
Vice-President  
Northwest Commission on Colleges and Universities  
8060 165th Avenue, NE Ste 200  
Redmond, Washington 98052

**Second Official Letter of Complaint Regarding North Idaho College Board of Trustees to the NWCCU**

Dear Drs. Ramaswamy and Goad:

Following the actions and decisions of the North Idaho College Board of Trustees over the past several months, we are formally submitting a second official letter of complaint charging continued and additional board violations of the NWCCU Eligibility Requirement 9, *Governing Board*. As conveyed to Dr. Rick MacLennan in your July 19, 2021 follow-up communication to North Idaho College's June 10, 2021 response to the complaint against the Board of Trustees of North Idaho College received by the Commission:

*North Idaho College must submit an Ad Hoc Report as an attachment to its 2022 Annual Report, no later than August 1, 2022 for evaluation and possible follow-up monitoring. The report must focus on Eligibility Requirement 9, Governing Board, and the commitment and actions to be taken by the college's governance and administrative leadership as described in the evidence presented in the Board's statement to agree to readdress its roles and responsibilities in relation to the college administration. Per Eligibility Requirement 9, the Commission requires that the Board has "... clearly defined authority, roles, and responsibilities for all entities in a written contract(s)" as well as providing the college "sufficient autonomy to fulfill its mission." (Dr. Sonny Ramaswamy, July 19, 2021)*

With this communication to the Commission, we add an additional complaint concerning Standards 2.A.9 and 10, *Leadership*, which state:

*The institution has an effective system of leadership, staffed by qualified administrators, with appropriate levels of responsibility and accountability, who are charged with planning, organizing, and managing the institution and assessing its achievements and effectiveness. (Standard 2.A.9)*

*The institution employs an appropriately qualified chief executive officer with full-time responsibility to the institution. (Standard 2.A.10)*

**Eligibility Requirement 9, Governance**

In its June 10 response to the Commission, the NIC Board of Trustees included a letter of commitment, signed by all five trustees. In that letter, the trustees acknowledged overstepping the boundaries of their role, as well as misconduct by the board chair. The board committed ". . . to working through the issues raised by the president in order to satisfactorily address the scope of the NWCCU investigation. The Board agrees to readdress the Board leadership roles." To date, the Board has not addressed the complaint against the board chair lodged by the former president, nor has it fulfilled its commitment to redress Board leadership roles.

The Board also committed to participating in a board-training event conducted by consultants from the Association of Community College Trustees. This training was held on June 12, 2021. A significant outcome of the full-day training event was an agreement by all five trustees to follow college and board policies. Citing existing Board policy, the June 10 letter to the Commission also included this policy statement vis-à-vis Board Responsibilities:

*To consider and act on the recommendations of the president in all matters of policy pertaining to the governance and welfare of the college and the welfare of students.  
(NIC Policy 2.01.02)*

NIC's policies on governance and policy development are well defined and have a longstanding tradition of being honored and followed by stakeholders – which prior to the current board composition, included trustees.

*The North Idaho College Board of Trustees is committed to timely and meaningful participation of the college constituent groups, including faculty, staff, and students in the decision-making process. The Board recognizes that such participation enhances the quality of college decision-making and will improve the communication between the Board of Trustees, the administration, the students, staff and faculty. The College Senate, as principal vehicle for participatory governance, shall provide timely input on policy and procedural initiation, changes, or deletions. (NIC Policy 2.01.04)*

Despite its commitment to follow college policies, the board has since demonstrated that it has no intention of doing so. For example, the 2021 Idaho legislature established Idaho Code 33-2145 that reads in part: "The board of trustees of each community college must adopt a policy for measures and procedures to prevent the spread of contagious or infectious disease." The code also indicates that the policy must be adopted in consultation with the public health district in which the college offers in-person classes.

Rather than fulfilling its commitment to utilize and follow the governance policy cited above, a draft policy to address the requirements of Idaho Code 33-2145 was created by an individual trustee (Greg McKenzie) on August 26, placed on the August 26 Board of Trustees special meeting agenda and approved by a vote of 3/2. At this board meeting the two dissenting trustees urged the Board to follow the college's policy and procedures for the development of the policy being presented for adoption. The president reminded the board of its commitments to the NWCCU and its commitment following the

ACCT Board training retreat. He urged them to reconsider not following college policy on this matter, noting that by not following college policy, it would make it very difficult to provide evidence to the Commission that the Board had fulfilled its commitment to readdress its roles and responsibilities in relation to the college administration.

At the September 22, 2021 meeting, Board member Ken Howard revisited the college's policy response to Idaho Code 33-2145. Mr. Howard, who has been recognized as one of the most outstanding prominent tort lawyers in Idaho for decades, warned the board that its response had not, in fact, addressed the requirements of the law – i.e., he pointed out that the trustees had not done their job to prevent the spread of infectious diseases and thus were in violation of the state law.

Howard warned: "I think we all stand in personal liability. We don't need this kind of aggravation and grief. All we need to do is adopt some kind of policy to prevent the spread of contagious diseases. That is what the statute requires."

Howard warned the board that if someone gets sick on campus, they could claim the lack of a mask mandate and sue the college and trustees.

Trustees Wood and Howard again proposed that the president and cabinet, utilizing the college's policy governance structure and process, develop a policy on the spread of infectious diseases in order to meet the intent of Idaho Code 33-2145. The motion was defeated by a 3 to 2 vote. To make matters worse, new board trustee Michael Barnes said such a policy to prevent the spread of disease under the Idaho Code 33-2145 was ludicrous. He went on to indicate that certain statutes 'are wrong,' and don't need to be followed.

#### **Standards 2.A.9 and 10, Leadership**

On August 22, 2021, by a vote of 3/2 the Board terminated, without cause, the employment of Dr. Rick MacLennan as president of North Idaho College. Dr. MacLennan had served as president of two institutions, had over 35 years of higher education administrative experience and had distinguished himself as an exemplary leader during his five years of serving NIC.

After Dr. Lita Burns, NIC Vice-President of Instructions, was chosen that evening to serve as acting president, 18-days later, the three board majority decided they would replace her in November with yet another interim president. She too was speaking truth to power as had Dr. MacLennan.

On October 27, 2021 the Board appointed Michael Sebaly as interim president. Mr. Sebaly came to NIC in 2019 to serve as the head coach for the college's wrestling program. While he does hold a doctorate of education, Mr. Sebaly has no record of administrative leadership, either prior to or during his brief tenure at NIC.

Ten internal candidates applied for the interim presidency (it was not opened to external applicants). The board did not discuss the qualifications of seven of those internal applicants, who included:

- Mr. Chris Martin: Vice President for Finance and Business Affairs

- Dr. Graydon Stanley: Vice president for student services
- Ms. Christy Doyle: Dean of instruction, workforce education
- Mr. Jason Drosch: Division chair for the Math, Computer Science, and Engineering Division and an associate mathematics professor
- Mr. Lloyd Duman: Interim associate dean of instruction
- Mr. Jon Gardunia: Director, Idaho Consortium for Physical Therapist Assistant Education
- Molly Michaud: Chair for the English and Humanities division and an English professor

According to the internal job posting, the minimum qualification, and only requirement for the interim appointment, was a master's degree from a regionally accredited institution. Preferences included the following:

- A minimum of five years of experience in higher education administration/senior leadership.
- Progressive senior level administrative experience at community college.
- Experience working in business and industry and/or career/technical education.
- Higher education teaching experience.

Mr. Sebaly met only the higher education teaching preference. In contrast, the requirements published for the 2016 presidential search were much more stringent:

- A student-centered leader who will provide evidence-based leadership, foster innovation, value strategic risk-taking, and work collaboratively with internal and external constituents to support NIC's mission of a comprehensive community college.
- An engaged leader who is visible, approachable, an effective listener, and accessible to the college and the community.
- Demonstrated successful experience working with finance and large complex balanced budgets.
- Experience with building community relationships, engaging with business and industry, K-12 systems, civic organizations, higher education, local government, and state legislature.
- Experienced in working with successful fundraising, federal grant acquisition, capital campaigns, donors, and foundations.
- Fosters and respects genuine collaboration with faculty, staff, administrators, and students within the participatory governance process.
- Experience managing emergency preparedness policies and procedures.
- A comprehensive understanding of accreditation processes.
- Values, appreciates, and has a demonstrated commitment to diversity.
- Experienced and committed to working collaboratively and effectively with an elected board of trustees.
- Successful experience with student services, a commuter and residential campus, and intercollegiate athletics programs.
- Experience working with American Indian communities.
- A leader who demonstrates behavior that reflects integrity, high ethical values, authenticity, and a sense of optimism, and one who inspires conviction and enthusiasm in others.
- A diplomatic communicator who is firm on principle and genuinely enjoys engaging with all constituency groups.

Additionally, the preferred qualifications for the 2016 search included:

- Earned doctorate from a regionally accredited institution.

- Progressive senior level administrative experience at a community college.
- Experience working in business and industry and/or career and technical education.
- Higher education teaching experience.

We believe the 2016 qualifications more appropriately fulfill the requirements of Standards 2.A.9 and 10, *Leadership*, and further, that the Board deliberately diluted the requirements to allow someone not appropriately qualified for this position to be selected. This sentiment was reflected in comments made by Trustee Christie Wood:

*They've (referring to the three trustees who voted in favor of Sebaly's appointment) set the college up for failure. . .Some of these people are just personal acquaintances with the board chair. . .the process has been completely corrupted, and it's been done so by three trustees who had people in mind for the position. It has nothing to do with qualifications to run a higher education institution. It has to do with personal friendships and (political) ideology. (Spokesman Review, October 25; see: [NIC Board Selects Wrestling Coach As Interim President](#))*

The 3-2 vote for Mr. Sebaly was opposed by trustees Christie Wood and Ken Howard, who have indicated that the process was not conducted appropriately.

In our letter to the NWCCU of August 26, 2021, we stated the position that it gave us no pleasure to report that the evidence indicated to us that the new board majority was not taking steps to correct the concerns of the July 19, 2021 letter from the NWCCU to NIC.

In providing this new formal letter of complaint, it is again crystal clear that our concerns in our letter of August 26, 2021 to the NWCCU have been confirmed. As we submit this second letter of complaint, the NIC Board has never recognized or discussed but simply ignored our task forces' complaints to the NWCCU thus showing total disrespect for our human rights work and our many years of commitment to those who have been or are victims of violence, bullying, intimidation, harassment or discrimination including cases on college campuses.

We should all take Chairman Todd Banducci literally and seriously when he wrote in an email to an NIC student on January 12, 2021 (6:09:49 PST) these words: "...I'm battling the NIC 'deep state' on an almost daily basis. The liberal progressives are quite deeply entrenched. We are registering victories and will register more wins, but it takes time..."

Enough time and actions have occurred over the last 11 months under the new board majority to remove any doubt about their willingness to clearly violate individual constitutional rights and well-established accreditation requirements and standards. The question remains how long before corrective action is taken by the NWCCU?

At Wednesday nights October 27 NIC Board meeting, the NIC Faculty Assembly chair announced to the NIC Board the faculty had approved a motion of no confidence in the Board.

Based on the new majority's ideology, it is our view no president or administration will be free to implement policies of the board without micro-management by the board. The freedom from interference to faculty and student constitutional rights has and continues to be abridged.

Based upon the deeply held extreme ideological positions by the three-member Board majority along with their commitment to their dedicated political base, we see no way forward to accommodate their entrenched philosophy with the requirements of the NWCCU.

In our first letter of complaint, it was clear that our action was based on our long time commitment (combined 105 years experience) to counter any actions or policies in violation of our mission promoting human rights, but we failed to present information that in our view gives us additional credibility for our intervention in this matter.

(1) The Kootenai County Task Force on Human Relations over the past 22 years has gifted tens of thousands of dollars to NIC minority student scholarships; gifted 40 years of the KCTFHR human rights historical materials, documents and video to the NIC Molstead Library; partnered with philanthropist Gregory Carr to deed the former Aryan Nations property to the NIC Foundation that has been sold and the funds used to establish the permanently endowed Gregory C. Carr Human Rights Chair at NIC; and for over 35 years the KCTFHR has funded prominent speaker appearances at NIC especially for the annual Dr. Martin Luther King, Jr. Holiday events at the college.

(2) Tony Stewart during his 38 years as a political scientist at NIC freely donated his time for 36 years to produce the NIC PBS TV Public Forum airing on six PBS stations as well as donated his time to coordinate for 38 years the speakers lecture series known as the NIC Popcorn Forum. (3) The members of the three human rights task forces in Idaho are taxpayers to NIC.

(4) Craig Kelson, representing the Boundary County Human Right Task Force, is a former NIC student.

(5) The Bonner County Human Rights Task Force provides college scholarships, many of which are used to attend NIC.

With heavy hearts based on continued decisions by the present NIC Board, we see difficult and dark days ahead at NIC that include the threat to the health and safety of the students and employees (e.g. banning the face mask mandate); the alleged verbal and physical attack by Trustee Todd Banducci on a female employee that Dr. Rick MacLennan refused to ignore raising the question who will now guard against such grievous acts; a serious crisis in morale that will negatively effect student instruction in the classroom; signs that diversity, cultural sensitivity and global awareness will be under attack due to the extreme philosophy held by the new Board majority emboldened by the supporters of the new NIC regime who are publicly labeling social justice and diversity programs as communist doctrine.

Finally, if NIC is allowed to continue to defy and ignore the NWCCU essential criteria that welcomes, encourages, protects and promotes an inclusive academic institution for the students, employees and the community, this will establish a dangerous precedent and challenge to the NWCCU for its future work with institutions it oversees as to accreditation.

We respectfully submit this latest formal letter of complaint for review by the NWCCU regarding actions by the North Idaho College Board of Trustees.

Once again we express our deep appreciation for the excellent work and standards of the NWCCU.

With this letter of complaint, we are attaching several exhibits as evidence to support our complaint.

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Respectfully Submitted,

*Tony Stewart*

Kootenai County Task Force on Human Relations  
Tony Stewart, secretary  
208-765-3932 & [tony.stewart@roadrunner.com](mailto:tony.stewart@roadrunner.com)

*Dean Lynch*

Spokane County Human Rights Task Force Board  
Dean Lynch, president  
509-280-3326 & [flynch10@comcast.com](mailto:flynch10@comcast.com)

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*Brenda Hammond*

Bonner County Human Rights Task Force Board  
Brenda Hammond, president  
208-290-7961 & [brand1844@hotmail.com](mailto:brand1844@hotmail.com)

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*Craig Kelson*

Boundary County Human Rights Task Force Board  
Craig Kelson, president  
208-669-2252 [craig.kelson1@gmail.com](mailto:craig.kelson1@gmail.com)

P. S. The North Idaho College Foundation has begun receiving calls from some of their longtime sponsors indicating they are not going to continue their contributions for the near future resulting in the loss of millions of dollars for the NIC Foundation programs and scholarships.

**List of Exhibits supporting this second official letter of complaint from Washington and Idaho human rights task forces regarding continued violations of governance, academic freedom, civil liberties and constitutional rights at North Idaho College**

**Exhibit # 1: Op/Ed (October 20, 2021)**

**Exhibit # 2: Emails between NIC Acting President Dr. Lita Burns and the NIC Board for October 21, 2021 (received via public records request on October 26, 2021)**

**Exhibit # 3: Featured article in the “Daily Beast” of October 28, 2021 titled “Corrupted: College Replaces Its Pro Mask President with Wrestling Coach”**

**Exhibit # 4: Coeur d’Alene Press articles “To Coach a College” and “In Good Standing” (October 28, 2021)**

**Exhibit # 5: The Spokesman-Review article “NIC Board Chair Calls for Unity: Faculty Votes no Confidence in Panel: Protest Rally Around Ousted President” (October 28, 2021)**

**Exhibit # 6: Coeur d’Alene Press article titled “Plot Thickens at NIC” (October 29, 2021)**

**Exhibit # 7: Coeur d’Alene Press Editorial titled “NIC Disaster Could be Broader Preview” (October 29, 2021)**

**Exhibit # 8: The Spokesman-Review Opinion titled “NIC Needs Protection from Farcical Board majority” (October 29, 2021)**

**NOTE: We also reference the many articles and information that we have faxed to Dr. Sonny Ramaswamy, president of the NWCCU, over the past several months.**



# Opinion

The Press

Op/Ed

## Stand up and support public educators

We are witnessing organized regional and national aggressive campaign attacks on public educators in K-12 schools and colleges and universities. This deliberate disinformation campaign uses fear to assert that educators are using "critical race theory" to demean white students, resulting in a guilt complex for those students. The real motive behind these fear campaigns is to sow division and distrust among the American people.

We have a long history in the United States of extremists' groups', individuals' and some politicians' use of fear tactics to manipulate segments of the population with the goal in mind of gaining and maintaining political power. One only has to review history in the United States to see the effectiveness of fear as a tool for control, as the following examples demonstrate:

(1) Following the end to the Period of Reconstruction, Southern states enacted unjust laws (i.e., Jim Crow Laws) to deny minority communities their God-given rights;

(2) The use of a fear campaign during the historical Great Migration from Europe to the United States against Irish and Italian Catholics;

(3) The more recent use of fear toward immigrants to the United States; and

(4) The concerted organized campaign to



Tony Stewart

GUEST OPINION

oppose equal rights for the LGBTQ community.

Recently there have been social media posts and letters to the editor in our region labeling social justice

and diversity as a communist doctrine. The real facts are the teachings of social justice, civil and human rights, equality and the merits of diversity are actually well established democratic principles guaranteeing each individual's right to freedom, equality and justice under the law with an emphasis on respect and dignity for our fellow human beings.

The late icon civil rights leader Nelson Mandela put it best when he said: "To deny people their human rights is to challenge their very humanity."

complex due to their race, ancestry, national origin, ethnicity or other categories.

Rather, I have witnessed educators' use of these principles to uplift individuals and demonstrate the worth, dignity and value of each student.

I have great optimism for the future after meeting, working, lecturing and communicating with thousands of students from this region, nationally and in some cases internationally. I find students possess great intellect, wisdom, compassion, love and concern for their fellow human beings. Students understand and support the tenets of a free society that include social justice, human rights and equality while embracing diversity.

Historical scholars' research has shown that both America's public educational system and the creation of the middle class are key factors to the establishment and continued protection of our democratic system.

In order to maintain our democratic republic, we must be diligent, dedicated and committed to opposing all threats to these ideals.

In protecting our representative form of government, it will require us to be informed, active in civic matters and avoid the dangers that come from apathy.

*Tony Stewart is a Coeur d'Alene resident and political scientist.*

I had the honor and privilege of teaching these democratic principles to more than 12,000 college students during my almost four decades as an educator, working with distinguished educators and scholars across America, and having spent many years touring and lecturing to college and university students from coast to coast. During these experiences, not once have I witnessed an educator using any of these principles to demean or give any student a guilt

Exhibit 2

**Subject:** Public Information Request to North Idaho College  
**Date:** Thursday, October 21, 2021 at 4:14 PM  
**From:** Tony Stewart <tony.stewart@roadrunner.com>  
**To:** <Laura.Rumpler@nic.edu>

October 21, 2021 ✓

**TO:** Laura Rumpler  
North Idaho College Chief Communications and Government Relations Officer

**FROM:**  
The Kootenai County Task Force on Human Relations  
Spokane County Human Rights Task Force  
Bonner County Human Rights Task Force  
Boundary County Human Rights Task Force

**RE:** Public Information Records Request under Idaho Code 9-338

Dear Ms. Rumpler:

This is a request for the following emails under the public records request pursuant to Idaho Code 9-338 and other related Idaho statutes:

We request all emails between Acting NIC President Dr. Lita Burns and all five board members and any and all emails between or among the five NIC Board members and the administration for Thursday, October 21, 2021.

This request is from Tony Stewart, secretary of the Kootenai County Task Force on Human Relations, on behalf of all four human rights task forces.

Thank you.

Tony Stewart  
208-765-3932  
Tony.stewart@roadrunner.com

**Subject: Public Records Request: Board emails October 21**

**Date:** Tuesday, October 26, 2021 at 9:24 AM

**From:** Laura Rumpler <lkrumpler@nic.edu>

**To:** Tony Stewart <tony.stewart@roadrunner.com>

Attached is the batch of emails to and from Board members on October 21, 2021. Per your public records request, I believe the attached fulfills your request.

Thank you. - Laura

**LAURA RUMPLER**

Chief Communications and Government Relations Officer

North Idaho College / Sherman 102

208.771.3291 cell

**[lkrumpler@nic.edu](mailto:lkrumpler@nic.edu)** <<mailto:lkrumpler@nic.edu>>

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**From:** Lita Burns ✓

**Subject:** Sharing information

**Date:** October 21, 2021 at 10:44:28 AM PDT

**To:** Todd Banducci <tmbanducci@NIC.EDU> , Gregory McKenzie <gmmckenzie@nic.edu> , Ken Howard <khoward@NIC.EDU> , Christle Wood <cdwood@NIC.EDU> , Michael Barnes <mhbarnes@nic.edu>

**Cc:** Marc Lyons <marc@lyonsodowd.com>

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Good Morning,

I wanted to take a moment to communicate information of which I think our board members should be aware.

#### Clinical Placement

As was reported in the October 12, 2021 Board meeting, Erlene Picket, Christy Doyle, and others continued to work with Kootenai Health to find clinical slots for the seven students who had not been placed. Late Tuesday afternoon, KH found spaces for our students; now, all nursing students have clinical placement for fall. They are currently working on spring clinical placements, which will present the same if not a more significant challenges, because more facilities are moving to a vaccine requirement. Thank you for the opportunity to provide accurate information regarding an issue that became extremely public.

#### Dental Clinic

I believe you are all aware that we are proceeding with the renovation of Winton Hall to create a Dental Clinic; completion and opening are scheduled for fall 2022. We received support for this project from Delta Dental (\$243,00) and the Workforce Development Council (\$554,804). There was some concern that this information was not shared with the Board, and I wanted you to have it before the Celebrating Success presentation next week.

#### JFAC

Yesterday I was in Boise for a meeting the President's of Idaho Community Colleges were invited to by JFAC. The meeting was hosted by CWI.

The meeting was an open discussion between the members of JFAC and the presidents. We received excellent questions that allowed us to share the current work the colleges are doing to fulfill the mission of the comprehensive community colleges in Idaho. After the meeting, the president's debriefed the meeting, we concurred that it was a successful meeting and that we received support from the Committee as a whole.

#### Impact of Board Decision

The Board's decision to "terminate the contract of the president without cause" has had a negative impact on North Idaho College. The Foundation received formal

notice that a legacy benefactor has withdrawn a seven-figure gift to NIC. This donation was directed at supporting nursing students, mainly Hispanic students. Also, another long-time benefactor of nursing students notified the Foundation they would no longer contribute to nursing scholarships because of the Board's actions.

The attorney who has provided legal service to North Idaho College students through the Associated Students of North Idaho College (ASNIC) has resigned; he has provided this service for the past 24 years. He stated that he no longer wishes to be associated with NIC while under the current Board Leadership. I will give you a copy of his letter upon request.

Additionally, there is no good way to describe the impact the decision has had on NIC employees. Previously NIC has experienced times of low morale and has recovered. Now there have been expressions of despair and real fear regarding the viability of NIC. This sense of hopelessness had been compounded by community members asking faculty and staff what is going on at NIC and how the community can help. The feeling of despair comes from acknowledging that there is nothing our employees can do to change the trajectory of NIC's path forward.

I am, of course, open to questions regarding any of this information and trust we can find a suitable way to talk without violating open meeting laws.

Sincerely,  
Lita

**Lita A. Burns**  
Acting President  
(208) 769-3302  
lita.burns@nic.edu  
[www.nic.edu](http://www.nic.edu)

1000 W. Garden Ave. | Coeur d'Alene, ID | 83814



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**From:** cdwood@nic.edu <cdwood@nic.edu>  
**Subject:** Re: Sharing information  
**Date:** October 21, 2021 at 12:46:26 PM PDT  
**To:** Lita Burns <maburns@NIC.EDU>  
**Cc:** Todd Banducci <tmbanducci@NIC.EDU> , Gregory McKenzie <gmmckenzie@nic.edu> , Ken Howard <khoward@NIC.EDU> , Michael Barnes <mhbarnes@nic.edu> , Marc Lyons <marc@lyonsodowd.com>

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Lita,

Thank you for your clear communication to the Board. It is important we hear all of the information and nothing is filtered. These are definitely troubling times and I am deeply concerned about future decisions and continuing fall out. Since we are all publicly elected officials working on behalf of a public organization that receives public funding I think it's critical that we are open and transparent on all these discussion points. It's our job to inform the public on the operations and challenges of the college. I will never agree to private conversations about real issues affecting the institution. I am going to reach out to the leadership of the Foundation Board and offer my support. Thank you for your service to this Board.

Christie

Sent from my iPhone

On Oct 21, 2021, at 10:44 AM, Lita Burns <maburns@nic.edu> wrote:

Good Morning,

I wanted to take a moment to communicate information of which I think our board members should be aware.

#### Clinical Placement

As was reported in the October 12, 2021 Board meeting, Erlene Picket, Christy Doyle, and others continued to work with Kootenai Health to find clinical slots for the seven students who had not been placed. Late Tuesday afternoon, KH found spaces for our students; now, all nursing students have clinical placement for fall. They are currently working on spring clinical placements, which will present the same if not a more significant challenges, because more facilities are moving to a vaccine requirement. Thank you for the opportunity to provide accurate information regarding an issue that became extremely public.

Exhibit # 3

<https://www.thedailybeast.com/idaho-community-college-board-dumps-pro-mask-prez-rick-maclennan-taps-wrestling-coach-instead?source=articles&via=rss>

Sent from my iPhone

**TO: Dr. Sonny Ramaswamy President of the Northwest  
Commission on Colleges and Universities**

**FROM:**

**Kootenai County Task Force on Human Relations  
Spokane County Human Rights Task Force  
Bonner County Human Rights Task Force  
Boundary County Human Rights Task Force**

**Dr. Ramaswamy:**

**The above https address features an article in the "Daily Beast"  
on October 28, 2021 that is an article clearly outlining the recent  
issue at North Idaho College.**

**THE ARTICLE IS TITLED: "CORRUPTED: COLLEGE  
REPLACES ITS PRO MASK PRESIDENT WITH WRESTLING  
COACH"**



EXhibit 4



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**Thursday**  
October 28, 2021

## To coach a college

From wrestling mat to president's office,  
Sebaaly 'excited, humbled'

By HANNAH NEFF  
Staff Writer

**COEUR d'ALENE**  
— Less than 48 hours  
after being named  
interim president for  
North Idaho College,  
head wrestling coach

Michael Sebaaly said  
Wednesday that he's  
still surprised.

"It was a shock," he  
said. "I'm excited and  
I'm humbled."

See SEBAALY, A6

## In good standing?

Acting NIC president warns board must act to save accreditation

By HANNAH NEFF  
Staff Writer

Unless swift action  
is taken by the North  
Idaho College board of  
trustees, the college's  
accreditation status  
may be in danger, said

NIC Acting President  
Lita Burns at the board  
meeting Wednesday  
night on NIC's main  
campus.

"I am critically  
concerned about NIC's  
ability to remain in  
good standing," Burns

said. "Our employees  
know that there's  
nothing more that they  
can do to protect NIC's  
accreditation status. Our  
future lies in the hands

See NIC, A7

EXhibit 4

# SEBAALY

from A1

The NIC board of trustees selected Sebaaly from a list of 10 internal applicants in a 3-2 vote Monday night.

"I applied for this position because I believe what we do matters and I believe in the mission of a community college," Sebaaly told The Press in a phone interview. "I believe in serving the needs of all our students and I believe in serving our communities."

Sebaaly said that by taking care of their students and community, NIC stays relevant. He believes it's important for the college to work toward common solutions.

While Sebaaly's bio doesn't include higher education administration/senior leadership experience, he said he's a firm believer that leadership is leadership. He said his

experience recruiting, retaining, advising and academically supporting his athletes as their coach is similar to the major businesses of a college president in a smaller setting.

"I like to consider a head coach of a college program as a small CEO," Sebaaly said. "They are running and they're taking care of and mentoring athletes and others on their staff just like a president will do."

Sebaaly said he hopes to educate and create stability by serving the community and supporting the opportunities and access to education NIC provides throughout the five northernmost counties.

"I'm just excited to get going and what excites me the most is the great support system," Sebaaly said. "I'm excited to work with everybody that's a part of the president's cabinet and to continue to promote

and make sure that NIC remains relevant."

Starting his third year at NIC, Sebaaly said he's developed professional relationships with many people, but can't speak to his relationship with Board Chair Todd Banducci specifically.

Trustee Christie Wood said she knows for a fact that Banducci and Sebaaly are personal friends. She believes that friendship, more than actual qualifications, got Sebaaly the interim job paying \$180,000 a year.

Sebaaly said that in working with trustees, his role is to listen to faculty and staff and serve the students and community.

"In athletics there's often background noise, and you got to focus on what your mission and vision is," Sebaaly said. "I am going to serve our students, listen to our faculty and staff and promote and support this institution and I will do that with the Board."

Sebaaly said it's too



**North Idaho College head wrestling coach Michael Sebaaly addresses the board of trustees at the meeting Wednesday night in the Student Union Building on NIC's main campus.**

HANNAH NEFF/Press

early to decide if he'll apply for the permanent position.

When asked, he declined to express a position on a mask mandate. Former President Rick MacLennan was fired shortly after implementing a mask mandate on campus.

"I ended up here at North Idaho College because I thought it was a great spot to live and raise a family and I really love the community," Sebaaly said. "I just look at the amazing opportunity that this is and what we can do."

Sebaaly completed his doctorate in educational

leadership from Southwestern College in Winfield, Kan. Prior to NIC, he coached five seasons at Northwest Kansas Technical College in Goodland, Kan.

The Lancaster, N.Y., native resides in Coeur d'Alene with his wife and five children, ages 1 through 11.

# THE SPOKESMAN- REVIEW

## THE SNOW MUST GO ON

**OUTDOORS:** This weekend's Spokane Ski and Snowboard Expo steps up to fill the gap made by the cancellation of several Spokane-area ski swaps. **SPORTS, 6**

**THURSDAY,** October 28, 2021

139th VOL... ISSUE 142 - EST. MAY 19, 1883

# NIC BOARD CHAIR CALLS FOR UNITY

Faculty votes no confidence in panel; protest rallies around ousted president

By Greg Mason

THE SPOKESMAN-REVIEW

The leader of North Idaho College's board called on the campus to unite behind head wrestling coach Michael Sebaaly as the new interim president.

"The future here is bright, and I think he's going to be an excellent leader for the college," Board Chair Todd Banducci said Wednesday evening at a meeting where Sebaaly was formally introduced as the incoming interim leader.

But Sebaaly's promotion, approved in a contentious 3-2 vote on Monday, appears to have deepened controversy on campus about the board's leadership of the college.

See **PROTEST, 5**



Marchers make their way to North Idaho College in Coeur d'Alene in support of former NIC President Rick MacLennan prior to the regularly scheduled meeting of the NIC board on Wednesday.

KATHY PLONKA/THE SPOKESMAN-REVIEW

## FROM THE FRONT PAGE



**Former North Idaho College President Rick MacLennan listens to speakers during a gathering to protest his firing prior to the regularly scheduled meeting of the NIC Board of Trustees to appoint wrestling coach Michael Sebaaly as interim president on Wednesday.**

KATHY PLONKA/THE SPOKESMAN-REVIEW

## PROTEST

Continued from 1

Sebaaly is expected to step into the role no later than Nov. 10. The board chose Sebaaly with Banducci, Vice Chair Greg McKenzie and Trustee Michael Barnes in support.

Sebaaly will take the reins at NIC during a national search for a full-time replacement for Rick MacLennan, who was fired by the college last month.

Earlier in the meeting before Sebaaly's interim presidency was announced, NIC Faculty Assembly Chair Molly Michaud announced the assembly has voted no confidence in the board.

A few hours before that,

at least 100 people took part in a protest march and rally on the NIC campus in support of MacLennan. The march started near Northwest Boulevard and Hubbard Avenue before ending with a gathering at Eisenwinter Field. A banner that led the procession read "March for MacLennan. Defend North Idaho College."

MacLennan attended the rally following the march, standing in the back of the crowd to watch the speakers. MacLennan, who did not speak during the rally, declined to comment.

"Faculty and staff assemblies have both forcibly stated their support for, and appreciation of, Rick's leadership," said Michelle

Lippert, a former NIC professor and a Post Falls school board member. "He showed up at many student events to support them and cheer them on — not just wrestling. Rick did his job."

The march was organized by second-year NIC student Ciara Platt. Platt said the rally was meant not only to support MacLennan and call out the actions by Banducci and the NIC board, but to speak out against the political extremism that she's seen bleed onto the campus.

Speakers accused groups, including the Kootenai County Republican Central Committee, of propagating extremist views with their support of certain candidates, be it for school board or other pub-

lic offices in North Idaho.

Platt said she's noticed polarized divides within campus populations become wider as the COVID-19 pandemic has continued. Classes, for example, are split between those who wear masks and those who don't, she said.

"When you have somebody who's trying to censor other people or bully them or fire them without cause, that's not community," she said. "Ultimately, I wanted people to come together so we can acknowledge this and talk about it because it's been an elephant in the room and it needs to be talked about."

*Greg Mason can be reached at (509) 459-5047 or [gregm@spokesman.com](mailto:gregm@spokesman.com).*

EXhibit # 6

Friday  
October 29, 2021

# Plot thickens at NIC

## Human rights task forces to file second complaint



HANNAH NEFF/Press

Around 130 North Idaho College affiliates and community members marched through campus Wednesday prior to the board meeting to show support for former college President Rick MacLennan, who was fired by the board of trustees Sept. 22.

By HANNAH NEFF  
Staff Writer

**COEUR d'ALENE** —  
North Idaho College  
Acting  
President Lita  
Burns warned  
the board  
of trustees  
Wednesday  
night that

**Inside**

• NIC's  
broader  
implications  
/ A4

unless swift action is  
taken, NIC's accreditation  
may be affected.

Burns  
said that  
while NIC's  
accreditation  
is in good  
standing  
now, without  
a pattern of  
change in  
the board's  
behavior, accreditation  
could be at risk



Burns

"You may think I  
am speaking as an  
alarmist," Burns said. "Let

me assure you I am not."  
With over  
30 years of frontline  
experience in the  
accreditation process,  
Burns said she and others  
are willing to assist the  
board in any way to  
fulfill its commitment  
to the Northwest  
Commission on College  
and Universities.

See NIC, A9

## The Press

### NIC from A1

NIC's accreditation is under review by the NWCCU after a complaint filed by the Kootenai County Task Force on Human Relations and the human rights task forces for Bonner, Boundary and Spokane counties March 12.

The complaint cites actions of Board Chair Todd Banducci, Vice Chair Greg McKenzie and Trustee Michael Barnes as "counter to the civil and human rights and civil liberties protected by the United States Constitution, Federal laws, Idaho laws and NIC policies for all NIC employees and students."

The four human rights task forces sent two follow-up letters to the NWCCU, on Aug. 26 and Sept. 10.

Tony Stewart, representative for the task forces, said in an email to The Press on Thursday they have informed the NWCCU they will be filing a second detailed complaint regarding NIC next week.

The NWCCU has required the college to submit an ad-hoc report by next Aug. 1. Burns said the report will focus on the college's governance and administrative leadership.



**Banducci**



**Barnes**



**McKenzie**

A May 28 statement to the NWCCU says the board is committed to addressing and resolving the concerns. It acknowledges that competing views on board authority, roles and responsibilities have resulted in board action and actions by individual board members perceived to be directing college operations. It further recognizes that its powers, duties and limitations are established by statute and policy.

In response to the NWCCU investigation, the board went through training in June from the Association of Community College Trustees, reinstated

Policy 2.01.10 on Board Conduct with amendments, which was rescinded in November 2020, and said they will address the concerns of constituent groups. They restated that they value the advice of all interested individuals and groups in the solution of its educational and financial concerns.

The board statement also said trustees recognize the complaint references allegations of significant misconduct by Banducci and is committed to work through the issues to satisfactorily address the scope of the NWCCU investigation, along with readdressing board leadership roles.

In January, a Press public records request showed an email from former college President Rick MacLennan in which he said he was an eyewitness to Banducci's physical assault of a female college employee at a college-sponsored event on Dec. 10, 2019. MacLennan said he did not initially recognize it as an assault.



**Wood**

After receiving the email from MacLennan, Trustee Christie Wood asked Banducci

to resign as board chair immediately for what she described as "inappropriate, aggressive or threatening behavior."

Wood said she also experienced physically threatening and verbally abusive behavior from Banducci, citing an incident in 2012 when she

said Banducci pointed his finger at her and said, "I ought to take you outside right now and kick your ass."

On Feb. 10, a motion by Wood for Banducci's resignation failed by a 3-2 vote, with Trustee Ken Howard supporting Wood's motion.

MacLennan's contract was terminated without cause in the Sept. 22 board meeting. The vote was 3-2, with Banducci, McKenzie and Barnes agreeing to fire the president.

Burns said Wednesday she's concerned about the lack of progress the board has made toward fulfilling its commitments to the NWCCU.

She presented the board with an accreditation response action plan prepared by the executive accreditation and planning committee, listing 10 action steps for the board.

Included are:

1: Ensure that the contracts or resolutions for the Interim and Permanent President retain the language outlined in the NIC Employment Agreement with the President, Section 2 — Responsibilities.

2: Reinstate Public Comment at all regularly scheduled meetings of the board. The board has disallowed public comment in recent meetings.

3: Demonstrate respect and consideration of the recommendations of the college president.

4: Actively engage in and continue board training.

5: Work in good faith with the Senate to complete the revision process and

adoption of Policy 2.01.10., Board Conduct.

6: Demonstrate respect and consideration of the views of constituent groups.

7: Demonstrate collective adherence to the Standard of Good Practice.

8: Re-Address Board Leadership Roles.

9: Show understanding of duties of offices, particularly the Chair.

10: Address allegations of specific misconduct by the board chair.

Additional actions and suggestions include strict adherence to open meeting laws to remove any hint of impropriety or irregularity in any regular or special scheduled meeting, allowing for input from the constituency groups with the selection of a permanent president, and effort by the board to work collectively and as individual members to bolster a culture of "One NIC," among other action items.

NIC's page of FAQs on the investigation states that accreditation is important for the college to remain in operation, as it enables NIC to offer federal financial aid to students, ensure credits earned at NIC transfer to other institutions, and allows the eligibility for NIC graduates to sit for

licensure examinations.

It states, "The goal of institutional accreditation is to ensure that education provided by institutions of higher education meets acceptable levels of quality."

After receiving the Ad-Hoc response, NIC states that should the NWCCU decide to impose a sanction on the college there are three options:

• Warning: When the commission finds that NIC has pursued a course that, if continued, could lead to more serious sanctions, it may issue to the institution a warning to correct its deficiencies, to refrain from certain activities, or to initiate certain activities within a stated period of time. A warning is a public sanction and does not affect the accredited status of NIC.

• Probation: A negative sanction indicating that NIC failed to respond to the concerns (including warning) communicated by the commission, or when the college deviates significantly from the commission's standards, policies, or eligibility

requirements, but not to such an extent as to warrant the issuing of a show-cause order or withdrawal of candidacy or accreditation, NIC may be placed on probation for a specified period of time.

• Show Cause: This is the last step prior to removing accreditation. A show cause order would be issued requesting that the institution respond to the stated concerns of the commission within a specified time. The burden of proof rests with NIC to demonstrate why its accreditation should be continued.

"There is a heavy dark cloud of uncertainty hanging over this beautiful campus of ours," Burns said Wednesday. "Students and community members are calling with greater frequency about NIC's accreditation status. We respond by saying, 'Right now — heavy emphasis on right now — NIC is in good standing.' Unless action is taken by the board, our response will likely change in the near future."





Photos by HANNAH NEFF/Press  
Approximately 130 people showed their support for former North Idaho College President Rick MacLennan at the march Wednesday, prior to the board of trustees meeting. MacLennan was terminated without cause Sept. 22.



Ciara Platt, a 25-year-old NIC student and organizer of the March for MacLennan, opens the floor for speaking on the soccer field at North Idaho College on Wednesday prior to the board of trustees meeting. Shawn Keenan, a Coeur d'Alene native and NIC alumnus, stands to the right holding a sign for one of the protesters.

Exhibit # 7

# Opinion

## Editorial

# NIC disaster could be broader preview

**Microcosm, noun:** A community, place, or situation regarded as encapsulating in miniature the characteristic qualities or features of something much larger.

**Microcosm, Kootenai County:** See North Idaho College.

As voters warm up their black pens and thinking caps for Tuesday's local elections, they need look no further than the mess at NIC to see what's wrong with ideology and extremism taking over local governments.

For years now, the Kootenai County Republican Central Committee has been working feverishly to get their anointed in charge of every elective office in the county. It's a microcosm of the plan for Idaho Freedom Foundation, which is trying to do the same thing for every elective office in the state. Lo and behold, the head of KCRCC, Brent Regan, also happens to be chairman of IFF's board.

The bad news is that in the last election, KCRCC succeeded in getting its three-person majority on the NIC board of trustees. Those three, Chair Todd Banducci, Greg McKenzie and Michael Barnes, are faithfully wrecking a fine community college.

The good news is the same as the bad news — but only if voters see what's happening at NIC and care enough to ensure it doesn't happen again, on multiple levels, at the polls Tuesday.

NIC is a mess, and not a cheap one, either, from alleged fiscal conservatives. Firing president Rick MacLennan without cause is costing \$270,000 — and that's before a lawsuit could tack on a large number.

Continued  
Next  
Page

At a pro-rated \$180,000 per year, the trustee trio elevated the college's wrestling coach to interim president. In fairness, let's see what Mike Sebaaly can do with his hands on the reins. If he can keep the horse from breaking a leg and facing a bullet, maybe he will prove to be a prudent interim choice.

On the horizon, board chair Todd Banducci has indicated he wants to hire additional legal counsel. The college has received excellent counsel from Marc Lyons for years, so why hire another lawyer unless you want someone telling you what you want to hear, rather than what you need to hear? And after being accused of promoting the wrestling coach on the basis of their friendship, Banducci will face yet another chorus of criticism if he hires one of his and the KCRCC's cronies.

Now then, if all of that hasn't challenged the intestinal ability to hold down your breakfast, maybe this will. At Wednesday night's board meeting, Banducci's chosen hold-the-fort leader, highly respected Lita Burns, delivered a message the trustee trio did not want you to hear.

"I am critically concerned about NIC's ability to remain in good standing," Burns said. "Our employees know that there's nothing more that they can do to protect NIC's accreditation status. Our future lies in the hands of North Idaho College's board of trustees."

If NIC loses accreditation because of neglect or malfeasance from the trustee trio, vast sums of funding and the college's outstanding reputation will be lost. Students will be unable to transfer credits. This shining star on the lake will lose far more than its luster.

And if the community moves forward with the KCRCC's radical takeover plan at the polls Tuesday ...

**Macrocosm, noun:** The whole of a complex structure ... contrasted with a small or representative part of it.

NIC's catastrophic leadership becomes not the exception, but the rule.

# OPINION

FRIDAY, October 29, 2021

## NIC needs protection from

## farcical board majority

If John Owen was never president of North Idaho College, then no wrestling coach ever should be.

Sorry for the deep cut. If you know anything and care anything about NIC – as the current board majority does not – then you know that Owen was a legendary wrestling coach there in the 1970s, '80s and '90s. He won eight national team championships, reached the pinnacle of his profession, and still somehow never found himself in the running to preside over the whole damned institution.

Michael Sebaaly, though, after three years coaching the wrestling team and teaching PE, has so impressed the Three Stooges – NIC Board Chairman Todd Banducci, Vice Chair Greg McKenzie and Trustee Michael Barnes – that they gave him the job of interim president though he's never held an administrative position of any kind.

If these guys aren't trying to destroy the college, then what they're doing makes no sense. If you want a clear picture of what happens when incompetent bullies take over your education system, look no further than the consequences being wrought in Coeur d'Alene by Larry, Moe and Curly.

This board majority has put



**SHAWN VESTAL**

SPOKESMAN COLUMNIST



the school at real risk of losing its accreditation, and the reckless, slapdash hiring of an unqualified interim president seems bound to only deepen that risk. They have brought down a lawsuit upon the school that it seems poised to lose, from the former president they

fired after overruling his mask mandate as COVID-19 cases from the delta variant were soaring.

And they have now invited ridicule from every quarter for making a laughingly bad hiring decision at the top – a decision that came with no public process of any kind, after the job requirements were watered down, and in which qualified candidates with administrative experience were ignored.

"Some of these people are just personal acquaintances with the board chair," said Christie Wood, a board member who has been trying, along with Trustee Ken Howard, to protect the college

from the majority.

"The process has been completely corrupted, and it's been done so by three trustees who had people in mind for the position. It has nothing to do with qualifications to run a higher education institution. It has to do with personal friendships and (political) ideology."

It's truly a farce, though not at all amusing.

Now the same four human-rights organizations that first raised public concerns in March about the board - and especially Banducci - are expanding their complaint.

In March, the human rights task forces from Kootenai, Bonner, Boundary and Spokane counties complained about the board violating the civil liberties of students and staff to the Department of Justice and the Northwest Commission on Colleges and Universities.

"The future of the college was in great peril and we couldn't just stand by," said Tony Stewart, a longtime human rights champion, former NIC political scientist and secretary of the Kootenai County Task Force on Human Relations.

(Wood is president of the task force, but recuses herself in matters relating to NIC.)

Their letter raised concerns

about attacks by Banducci on diversity programs, his overt politicizing of interactions with students and staff, and an allegation of a verbal and physical assault against a student witnessed by former President Rick MacLennan.

The examples of Banducci's aggressive, bullying behavior - including an instance where he told Wood that his wife is going to slap her - were so out-of-bounds that the board censured him last April.

The NCCU opened an investigation into the complaint, with a deadline to finish by next August. It is looking into whether NIC meets its requirements in three areas: academic freedom, nondiscrimination, and board governance.

As the probe proceeds, NIC and the board have been tasked with taking some interim steps, such as adopting certain board policies and attending workshops to show progress on the areas of concern.

In a letter to the commission at the end of August, the human rights groups raise concerns that the majority "has given only lip service, or even worse, has defied" those commission requirements.

"It gives us no pleasure to reach the conclusion that the

new NIC Board majority intends to take advantage of the generous year extended to them by the NWCCU to implement their radical ideology and agenda that will reverse decades of policies based on the protection of civil liberties, civil rights, human rights, and inclusion, not to mention the harm to the governance structure," the letter reads. "We yet do not realize the extent to which such negative actions will harm and damage the institution."

The hope behind the filing of the complaint is that the commission can exert pressure on the board to get its act together - or, short of that, that it will place the college under the oversight of the state or another institution.

The risk is that these board members won't lift a finger to prevent a disastrous result - given how apparent it has become that they simply don't care about silly things such as the value of credits a student receives at NIC.

However it plays out, the school won't be safe until control of the board is wrestled away from the Three Stooges.

*Shawn Vestal can be reached at (509) 459-5431 or at [shawnv@spokesman.com](mailto:shawnv@spokesman.com).*

**Subject: From: The Four Human Rights Task Forces**  
**Date: Friday, October 29, 2021 at 11:49 AM**  
**From: Tony Stewart <tony.stewart@roadrunner.com>**  
**To: Shawn Vestal <ShawnV@SPOKESMAN.com>**

**Good Morning Shawn:**

Your column today regarding the NIC issue as always was very powerful and informative to your readers. Just one important error. Today you indicated that the alleged victim and Chairman Todd Banducci reported by Dr. Rick MacLennan was a student rather than a fulltime female employee. In an earlier column some days ago, you had also said a student rather than a female employee that you corrected on line.

In our March 12, 2021 letter of complaint to the NWCCU on age 2 point (C), we quoted Dr. MacLennan identifying the alleged victim as a female employee. I am sure you will want to make the correction again on line.

Shawn, thank you for all your excellent work.

Have a great weekend and stay safe.

Tony Stewart  
On behalf of the four human rights task forces