

**NORTHWEST ARKANSAS COMMUNITY COLLEGE**

**BOARD OF TRUSTEES MEETING**

**March 11, 2024 – Immediately Following Board Retreat – SCGBD Peterson Auditorium**

**Call to Order**

<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>Pledge of Allegiance</b>
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>Recognition, Awards, and Information Items</b> <ul style="list-style-type: none"><li>• None</li></ul>
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Information	<b>Attendance</b>
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Information	<b>Approval of Minutes</b> <ul style="list-style-type: none"><li>• Regular Board Meeting – February 12, 2024</li></ul>
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Information	<b>ENDS Monitoring Report</b> <ul style="list-style-type: none"><li>• E-103: Foundation Update (<i>Mrs. Liz Anderson</i>)</li></ul>
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Information	<b>Executive Limitations Monitoring Report</b> <ul style="list-style-type: none"><li>• EL-206: Asset Protection</li></ul>
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>Committee Reports</b> <ul style="list-style-type: none"><li>• Honorary Associate Degree Committee (<i>Dr. Carolyn Reeves</i>)</li><li>• Finance Committee (<i>Mr. Jonathan Woods</i>)<ul style="list-style-type: none"><li>• Approval of FY2025 Tuition and Fee Adjustment</li></ul></li></ul>
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>President's Report</b> <ul style="list-style-type: none"><li>• NWACC Foundation Plant a Seed (Fri. May 3, 2024)</li><li>• Athletic Launch Party (Tues. March 12, 2024)</li></ul>
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>Chairman's Report</b> <ul style="list-style-type: none"><li>• Executive Session in April</li></ul>
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Information	<b>Other Board Action Items and Considerations</b> <ul style="list-style-type: none"><li>• Provisional Position</li></ul>
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Information	<b>Executive Session: President's Employment Review</b>

**Adjourn**

For upcoming events, please see the Board of Trustees Calendar of Upcoming Events document located in the front pocket of binder.

**NORTHWEST ARKANSAS COMMUNITY COLLEGE  
BOARD OF TRUSTEE MEETING  
Monday, February 12, 2024**

**MINUTES**

Chair Mark Scott called the Board of Trustees of NorthWest Arkansas Community College meeting to order on Monday, February 12 at 4:30 pm in the Burns Hall 3<sup>rd</sup> Floor Board Room.

**Members Present:** Mark Scott (Chair), Todd Schwartz (Secretary), Rachel Harris (Vice Chair), Carolyn Reeves, Ron Branscum, Jonathan Woods, Amber Latimer, and Joe Spivey

**Also in Attendance:** Dr. Dennis C. Rittle and Student Trustee Sammy Massri

**MINUTES**

**January Regular Board Meeting**

Dr. Reeves moved and Mr. Schwartz seconded the motion to approve the minutes of the Regular Board Meeting on January 8, 2023. The motion passed unanimously.

**RECOGNITION**

**Introduction of Mr. Bob Cutch, Director of Operations**

Dr. Rittle announced that Bob Cutch has been hired as NWACC's new Executive Director of Operations. He gave a brief background on Bob and let Bob say a few things to the Board. Bob told the Board what brought him to work at NWACC and expressed gratitude for being a part of the NWACC community.

**2024 COABE Scholarship Award Recipient**

Dr. Rittle announced that Adult Education Instructor, Dakota Shelton, received the 2024 Coalition on Adult Basic Education (COABE) Scholarship Award of \$2,000. She has been an Adult Education Instructor since 2018 and is working towards her master's degree at the University of Arkansas while employed full-time at NWACC. Dakota will be honored at COABE's National Convention in Nashville this upcoming March.

**Faculty member, Sean Fitzgibbon, Receives Kirkus Star for Graphic Novel**

Dr. Rittle announced that adjunct faculty in the Communication Arts Department, Sean Fitzgibbon, has received a Kirkus Star; a literary merit for his graphic nonfiction book "*What Follows is True: Crescent Hotel.*" Kirkus has been the industry-renowned resource among authors, publishers, the media, libraries, booksellers, and readers since 1933. A Kirkus Star is given to approximately 10% of the 10,000 books reviewed each by the magazine and only 2% of independent books like the one Professor Fitzgibbon authored.

**Practical Nursing receives Candidacy**

Dr. Rittle announced that NWACC's practical nursing program has been deemed eligible to participate in the candidacy process. This process is the prerequisite step toward formal review for ACEN initial accreditation. Eligibility for the program is valid for one year and will expire in January 2025.

## **ENDS MONITORING REPORT**

### **E-105: Testing Center**

Dr. White introduced Jennifer Ockinga, Interim Director of Testing Services. Jennifer proceeded with a presentation and explained that NWACC's Testing Center is a National College Testing Association (NCTA) Certified Center. NWACC is the first in the state to be certified and one of the first in the nation to be recertified. Recertification lasts for five years; the next recertification will be in 2026. Being an NCTA Certified Center means that strict guidelines are set in place and there are resources for them to stay up to date with best practices in testing. NWACC's Testing Center is also a participant of the NCTA's Proctoring Network, which allows NWACC to serve its community by allowing local students who attend other colleges to take tests needed to career advancement. NWACC's Testing Center also gives the Accuplacer exam at its main location on the Benton County Campus and at the 27 subsites at high schools throughout Northwest Arkansas. Between all high school locations, there are 102 trained proctors, students pay a reduced fee for testing, and an NWACC staff member assists when requested. The Testing Center also offers NWACC Course Exams such as online course exams, classroom make-up exams, and exams for students with accommodations. To better serve students, the Testing Center extended evening hours.

Dr. Reeves asked for clarification on what the Accuplacer is. Jennifer answered saying Accuplacer serves as an alternative for any student who does not have ACT or SAT scores to aid in placing students in the correct college courses for them.

Jennifer continued by saying that NWACC's Testing Center also offers community testing, including proctoring services, CLEP, and DSST exams. These exams allow students to earn college credit through testing instead of taking a course. These services are available to NWACC students and non-NWACC community members. Other exams offered by the Testing Center include Measure Learning, often used for Athletic or Personal Trainers for their recertification, Kyrterion, used by companies such as Google and Salesforce, Automotive Service Excellence (ASE), of which, NWACC is the only center in Northwest Arkansas to offer the ASE exam, and Pearson VUE. Of the exams listed, Person VUE is the largest company the Testing Center works with and offers a variety of tests including GED, Arkansas Real Estate, Cybersecurity, Microsoft, and Amazon Web Services. She explained that part of being NCTA Certified means being required to conduct customer satisfaction surveys. Every fall, the Testing Center surveys NWACC students, Accuplacer customers, and proctoring services customers and asks them questions regarding the facilities, staff, scheduling, and overall experience. So far, 95% of the responses rated the center as being 'good' or 'excellent' – 76% of the responses are 'excellent.' Pearson VUE customers are also surveyed and asked questions regarding the testing procedures, facilities, staff, and overall satisfaction. The responses reflect a 97.87% overall satisfaction rating from July 2023 to January 2024. Some of the comments from surveys commend the staff for being exceptional and making the customers feel prepared for their exams.

Mr. Spivey asked if the Testing Center offers ACT Testing. Jennifer responded the center does not because the ACT Exam is a group exam. Currently, the Testing Center only offers individual testing.

Ms. Frank asked what the Testing Center struggles with most. Jennifer replied that space and staffing have been the biggest hurdle for the center.

Mr. Woods commended the center as a former customer of theirs and asked what the center would need to expand the tests they can offer. Jennifer replied by saying some tests are provided by companies that have requirements that the center cannot currently accommodate. Primarily, limitations of the space available prevent the center from partnering with other testing companies.

### **Approval of E-105 Monitoring Report**

Mr. Spivey moved and Mr. Woods seconded the motion to approve the ENDS-105 Monitoring Report. The motion passed unanimously.

## **EXECUTIVE LIMITATIONS MONITORING REPORT**

### **EL-200: Executive Constraint**

Dr. Rittle stated that the President shall not cause or allow any practice, activity, decisions, or organizational circumstance, which is either unlawful, imprudent or in violation of commonly accepted business and professional ethics or Board of Trustee policy.

He then referred to the definitions and the details regarding NWACC's completed 2022 financial audit and upcoming 2023 financial audit.

### **Approval of EL-200 Monitoring Report**

Mrs. Harris moved and Mr. Schwartz seconded the motion to approve the Executive Limitations Monitoring Report. The motion passed unanimously.

## **COMMITTEE REPORTS**

### **Residential Housing Committee**

Mrs. Latimer shared the committee's recommendation for residential housing at NWACC. She said the charge of the committee is to research, determine, and recommend residential housing needs/options for the NWACC Bentonville Campus. She stated that per the residential housing study and refresh, the growing college and region more than support the number of units recommended and the committee projects the total number of occupants to be between 800 and 1,200. She noted the attached 2022 Annual Development Report for Bentonville and the Skyline Report for review if additional information is desired. She listed the populations to be served including the NWACC general student body, international students, student-athletes, short-term workforce students, short-term college faculty and staff, recent alumni in a short-term capacity of roughly a year, the opportunity to house faculty and staff of the Rogers and Bentonville school districts in a short-term capacity of roughly a year, and modest wage workforce employees. She added that the mixture of student housing types equates to the total

number of students housed. She continued by saying the ideal housing model suggested by the committee reflects a traditional neighborhood with different style units including residence halls, row houses, and townhomes or apartments. The high-density, mixed-use housing could accommodate different occupant types living in an inclusive, on-campus environment. She added that the committee also recommends the inclusion of food services and expected amenities such as laundry services, study labs, eating establishments, playgrounds, recreational areas, healthcare facilities, increased security, and access to public transportation and trails is essential. She listed the key points set by the committee including the location of housing to leverage alternative forms of mobility, recommended use of property on the extreme north end of the Bentonville campus, Trails Certifications opportunity to integrate bikes and trails into the project, access to affordable housing is expected to become increasingly more challenging, and people generally wish to live in proximity to where they learn and work. Mrs. Latimer concluded by stating the committee unanimously supports the recommendation presented.

Mr. Scott stated the Board accepts the recommendation.

#### **PRESIDENT'S REPORT**

Dr. Rittle informed the Board that NWACC is submitting Letters of Notification to ADHE for a Certificate of Proficiency in Artisanal Butchery out of the AAS in Food Studies for students already in the industry and a Certificate of Proficiency in Fire Protection to align NWACC's curriculum with local fire station/fire-fighter needs. NWACC is also submitting a Letter of Notification to establish Brightwater Center for Food Studies as an Academic Unit. This is a resubmit due to Brightwater not showing up on the ADHE website, despite having been created 10 years ago.

Dr. Rittle invited Liz Anderson to give an update on the Master Planning grant. She informed the Board that she is awaiting some more information from the grantor. Dr. Reeves asked if the Master Planning meetings are open to anyone to join. Dr. Rittle replied that these meetings will not be open to the public except when public participation is needed, and updates will be given in a public setting periodically.

Dr. Rittle informed the Board that NWACC's enrollment is up by 4% for the Spring Semester, which is a significant achievement for the college. Evening classes have 800 students enrolled. Mrs. Harris asked how much of the growth is contributed by the increase in concurrent credit students and what the difference in the funding from these students compared to traditional students. Dr. Rittle explained that tuition for concurrent credit students is lower, but a portion of the funding is from the state. He also stated that about 40% of the headcount is made up of concurrent credit students, however, that does not reflect the same ratio for student semester credit hour. The Board discussed at length the difference between traditional students and concurrent credit students and the processes associated with both student types. Mr. Scott requested additional information be brought to the Board during the March 11 Board Retreat.

Dr. Rittle concluded his report by recapping his experience from the ACCT National Legislative Summit. He thanked Trustees Harris, Reeves, and Woods for attending the event to represent the NWACC Board

of Trustees. He then explained that he met with Representative Steve Womack and Senator Tom Cotton. Their conversations primarily revolved around Pell Grant options for short-term workforce students and the Workforce Innovation and Opportunity Act.

#### **CHAIRMAN'S REPORT**

Mr. Scott let the Trustees who attended the ACCT National Legislative Summit share their experiences from the event. Mrs. Harris appreciated the professionalism and the variety of topics discussed at the event. She also noted that many have positive things to say about NWACC. Dr. Reeves was impressed by the high-caliber speakers at the event and named Bill McBride, Jennifer Granholm, and Alejandra Castillo as her most notable. She said the legislators were very accommodating and interested in NWACC and receiving feedback. Mr. Woods loved the energy from the people at the event and noted the focus on students. He mentioned there were conversations about how to make the event more accommodating to students and noted that NWACC is unique in that we have a student representative at the Board of Trustees Meetings.

Mr. Scott reminded the Board that the Board of Trustees Retreat is scheduled for March 11<sup>th</sup> and the regular Board of Trustees Meeting will immediately follow the Retreat. He listed some items for the Board to expect at the Retreat including Master Planning, Rebranding, Athletic Feasibility Study, and other items. He also mentioned that the March Meeting will begin the first of two Executive Sessions for the President's Evaluation.

#### **OTHER ACTION ITEMS**

**None**

#### **ADJOURNMENT**

The meeting adjourned at 5:37 p.m.

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Mr. Mark Scott, Chair

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Mr. Todd Schwartz, Secretary

## POLICY TITLE: ASSET PROTECTION

**Policy 206: The President shall not allow corporate assets to be unprotected, inadequately maintained or unnecessarily risked.**

*Definition: Unprotected refers to (1) facilities not being physically safeguarded by locks during other than normal operating hours, (2) physical and electronic surveillance by security personnel not performed during normal operating hours and (3) employees not locking their offices when not in use and safeguarding personal items. Inadequately maintained refers to unacceptable maintenance standards as judged by (1) monthly maintenance inspections by in-house staff, (2) semi-annual inspections by professional outside staff, (3) unannounced inspections by local building inspectors and (4) annual inspections by state insurance department. Unnecessarily risked refers to not having property and casualty insurance to cover at least 80% of the replacement cost of buildings and contents owned by the college.*

*Response:*

- Assets are well protected through the use of NWACC Public Safety personnel and surveillance cameras.
- Facilities are adequately maintained through regular cleaning routines by NWACC personnel as well as cleaning services.
- Buildings, contents and all College owned property are adequately insured for full replacement value after the \$25,000 deductible.
- NWACC maintains an auto liability policy for up to \$1M coverage for in state occurrences and \$5M for out of state occurrences combined single limit for bodily injury and property damage after the \$1000 deductible.

**Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:**

**1. Fail to insure against theft and casualty losses to at least 80% replacement value and against liability losses to Board members, staff and the organization itself in an amount greater than the average for comparable organizations.**

*Definition: Liability losses refer to liability judgments actually filed against Board or staff members due to their actions as officials/employees of the college. A comparable organization is a two-year community college in the state of Arkansas.*

*Response:*

- The College building and contents are insured with the Arkansas Multi-

Agency Insurance Trust Fund administered by the State Risk Management Division, Arkansas Insurance Department.

- The College owned autos are insured with the Arkansas Multi-Agency Insurance Trust Fund administered by the State Risk Management Division, Arkansas Insurance Department.
- The College has a directors' and officers' liability insurance policy for \$3,000,000 aggregate limit of liability covering College Board members, officers and employees acting in their official capacities, less a \$25K deductible.

## **2. Allow unbonded personnel access to College funds.**

*Definition: Unbonded personnel refers to college employees not automatically covered by the college surety bond. Access refers to physical and digital access.*

*Response:*

- College employees are bonded under the Arkansas Fidelity Bond Trust Fund for \$300,000 per occurrence, less a \$2,500 deductible.

## **3. Unnecessarily expose the organization, its Board or staff to claims of liability.**

*Definition: Unnecessarily expose refers to failure to comply with federal and state laws regarding discrimination, safety, hiring practices, workplace activity, student's privacy rights, etc.*

*Response:*

- Enterprise risk management practices are employed to reduce potential liabilities through policies and procedures, as well as adequate workplace and classroom safety measures.
- Student information is safeguarded through compliance measures established by the Family Education Rights and Privacy Act (FERPA).
- The Office of Policy, Risk Management, and Compliance coordinates with the Compliance Committee to provide a structure that encourages ethical conduct and compliance with the College's legal obligations to prevent unethical practices, violations of the law, or compliance failures, preventing loss or injury to our students, employees, and protecting the College.
- Human Resources provides employee orientation and training based upon regulatory compliance and job/task function.
- The advice of the Attorney General's Office is sought prior to the implementation of any reductions in force.
- The Board members are notified of relevant state and federal laws



regarding liability through the Board of Trustee Policy Manual.

**4. Fail to protect intellectual property, information and files from loss or significant damage.**

*Definition: Protect refers to adherence to Arkansas legislative audit recommendations and best practices concerning data backup and offsite storage.*

*Response:*

- Electronic information from the College's main computer network and administrative software is backed up daily and stored securely.
- Enterprise Resource Planning system (including financial, payroll and human resources data) backups are completed and maintained by the vendor, with a recovery point objective of one hour and a recovery time objective of 12 hours.
- Access to sensitive areas in Business Services, Information Technology and Enrollment Management is controlled.
- A cyber liability policy with the Arkansas Multi-Agency Insurance Trust Fund administered by the State Risk Management Division, Arkansas Insurance Department is retained within the College's insurance portfolio.

**5. Receive process or disburse funds under controls, which are insufficient to meet the legislative or independent auditor standards.**

*Definition: Insufficient refers to not meeting standards so that more than one finding or more than five comments are received from the annual legislative audit in any one year.*

*Response:*

FY2022 is the last completed audit from legislative auditor. The result of tests performed during the 2022 financial audit disclosed an audit finding. This finding affected the College's reported net position on June 30, 2022, by \$536,145. This finding also affected the College's reported Statement of Revenues by \$473,481. The financial statements were subsequently corrected by college personnel during audit fieldwork. The audit finding was presented to the Board of Trustees at the October 2023, board meeting.

**6. Endanger the organization's public image or credibility in ways that would hinder its accomplishment of mission.**

*Definition: The Board shall be notified of pending adverse coverage.*

**POLICY TITLE: ASSET PROTECTION (Continued)**

**EL-206**

*Response:*

- Board members are kept informed about press releases and other news stories, including anticipated negative coverage.

I am reporting compliance with Executive Limitations Policy 206.

Dennis C. Rittle, Ph.D.  
President