

**Higher Education Agreement
Between
Nez Perce Tribe
And
Northwest Indian College**

PURPOSE

The purpose of this agreement is to define the relationship between Northwest Indian College and the Nez Perce Tribe for the delivery of higher education and community development services at the Lapwai and Kamiah sites.

PREAMBLE

Northwest Indian College serves as a regional tribal college providing higher education, adult education, cultural and community development to tribes and tribal communities in the State of Washington, Idaho, and Oregon. The mission of the College is grounded in the delivery of quality academic, vocational, cultural and community programs that support the development of autonomous tribal citizens and the prosperity of tribal nations. To the extent that resources are accessible, Northwest Indian College strives to meet the goals of each individual tribe and tribal community that it serves.

Northwest Indian College is uniquely positioned to serve tribal nations and communities because the heart of the College's mission is revitalization of our nations. To this effort, we bring resources that are generated from the context of tribal nationhood and the preservation, restoration, and renewal of our languages, cultural practices and traditions, economic systems, and social systems including our health and well-being. We are also committed to the restoration and protection of our homelands and natural resources.

The Nez Perce is federally recognized as a sovereign nation, and is governed by the Nez Perce Tribal Executive Committee (NPTEC), a nine-member board elected at-large by the General Council. The NPTEC provide policy guidance and fiduciary responsibility for tribal development. The Nez Perce Tribe employs approximately 1,123 employees in its' governmental services of thirteen departments, housing and health authorities, and tribal enterprises. The Nez Perce Tribe is one of twelve major employers in the region of North Central Idaho, and is the only one located within the reservation area. Population surveys show the tribal population census at 2,310 residing on the reservation.

In January 2001, the Nez Perce Tribe Distance Learning Center (DLC) was established to primarily build the basic academic skills of current and future employees of the Nez Perce Tribe and also expand the accessibility of a higher education program to those who would otherwise be excluded. In January 2002, a second DLC was added in Kamiah, ID, which is located on the eastern part of the Nez Perce reservation. Each DCL is fully equipped with a computer lab and a video-conferencing system that allows simultaneous audio/video communication between both sites.

Northwest Indian College degree programs are integrated into a variety of educational offerings that included Adult Basic Education and continuing educational courses at the DLC.

AGREEMENT

Northwest Indian College agrees to the following:

1. Provide primarily college level courses using a variety of delivery methods including video conferencing, web-based curricula, independent study and on-site courses.
2. Over a period of time, deliver programs of study leading to certificates and degrees identified by the site as critical to meeting the Nez Perce Tribe's goals and the educational plans of the individuals being served.
3. Provide cultural education services including support for language certification programs.
4. Provide student recruitment, advising, and other support services including assessment and placement.
5. Provide staffing collaboration with the Tribe to support delivery of academic and community programs.
6. Provide technical assistance in the establishment of technology-rich classrooms and office.
7. Ensure adequate job and college readiness and retention through training and advising.
8. Engage in appropriate cultural and community development initiatives in collaboration with Nez Perce.
9. Work closely with the Nez Perce to ensure that the growth and development of the Nez Perce Campus is compatible with the Tribe's strategic initiatives.
10. Provide the opportunity for site-based staff and community members including students to participate in Northwest Indian College planning, programming, and development efforts.
11. Ensure that all Northwest Indian College staff comply with the policies set forth by the Nez Perce Tribe regarding the Key Policy, the Vehicle Use Policy, the Safety Policy, and the Nez Perce Internet Use Policy (see Exhibit A) and the Points of Contact for Communication (see Exhibit B).
12. Periodically, the Northwest Indian College Board of Trustees shall hold a board meeting at the Nez Perce site.
13. Provide an annual budget report to the Nez Perce Tribe which will include budgetary spending cost and student success data related to the Nez Perce site.
14. Provide data and statistics necessary for tribal reporting purposes.

The Nez Perce Tribe agrees to the following:

1. Provide classroom and office space for site-based staff including part-time faculty and staff.
2. Provide for office equipment and furnishings as may be needed for staff.
3. Ensure participation of staff, students, and community members in college initiatives including planning, cultural and community development.
4. Ensure availability of tribal program staff to work closely with Northwest Indian College in the development and delivery of site-based programs.
5. Provide Internet Services which result in the students' ability to access information for learning and that meets NWIC's educational purposes (see Exhibit C).

TERM OF AGREEMENT

This agreement shall be in effect for a period of five years beginning June 24, 2014 and ending June 30, 2019.

MODIFICATIONS

This agreement may be modified by the President of Northwest Indian College and the Chairman of the Nez Perce Tribe with thirty days written notice of modifications and appropriate negotiation, provided that only modifications that lead to payment of funds directly to the Nez Perce shall be concurred to by the Northwest Indian College Board of Trustees and the Nez Perce Tribal Executive Committee. This agreement shall not create any rights in any third parties, the only parties to this agreement are NWIC and the Nez Perce Tribe.

TERMINATION OF AGREEMENT

Either party may terminate this agreement within thirty days written notice provided that such termination shall coincide with the end of a quarter at Northwest Indian College to ensure opportunity for students to complete their coursework. In the event that the educational programs are closed every effort should be made to teach-out currently enrolled students.

MISCELLANEOUS

NWIC and the Nez Perce Tribe agree that they will not distribute any record or information about a student in the Program other than to persons employed by NWIC whose access to those records are appropriate. Supplying information or documentation about a student to any other party requires the written authorization of the student.

NWIC normally has ownership of the following equipment: (1) any equipment purchased wholly or in part with NWIC funds and (2) equipment purchased from a grant or contract that is now closed.

The Nez Perce Tribe shall inform NWIC in writing of any reservation-based higher education agreements that it intends to or enters into as a courtesy to the College and for NWIC and NPTEC planning purposes.

REPRESENTATION


In order to facilitate this agreement, Northwest Indian College and the Nez Perce Tribe agree to designate in writing, a representative to serve as the primary communications link between the two parties. All agreements, arrangements, and provisions for programs

developed jointly are subject to the approval of the Chairman of the Nez Perce Tribe and the President of Northwest Indian College.

Agreed to by the Nez Perce Tribal Executive Committee by Resolution #NP 14-360 on June 24, 2014.


Agreed to by the Northwest Indian College Board of Trustees by motion on 12/11/14.

NORTHWEST INDIAN COLLEGE:


Justin Guillory, President, Northwest Indian College

11/25/14
Date

NEZ PERCE TRIBE:


Silas C. Whitman, Chairman, Nez Perce Tribe

11-25-14
Date


Brooklyn D. Baptiste, Secretary, Nez Perce Tribe

11-25/14
Date

NORTHWEST INDIAN COLLEGE BOARD OF TRUSTEES:


Kristin Kinley, Chairwoman

12/11/14
Date

EXHIBIT A

Operational Agreement Between NWIC and the Nez Perce Tribe

Northwest Indian College staff will comply with the following policies of the Nez Perce Tribe as related to certain benefits of costs incurred by the Tribe:

NEZ PERCE TRIBAL POLICIES

- a. Key Policy: Following the Nez Perce Key Policy, the Nez Perce Tribe will provide keys to NWIC permanent employees for the DLC in Lapwai and Kamiah. In the event that a NWIC employee loses a key to the DLC and/or Tribal building, the College is responsible for recovering expenses associated with a lost key by a NWIC employee and will do so by payroll deduction. An annual key check will be conducted with NWIC employees on June 1 of each year.
- b. Vehicle Use Policy: Specific to use of NWIC van to transport students, NWIC staff must be approved to operate the vehicle under the Nez Perce Vehicle Use Policy. The Nez Perce Tribe agrees to provide insurance for the NWIC van, but any deductive cost is the responsibility of NWIC. All NWIC staff must also comply with NWIC Vehicle Use Policy.
- c. Internet Use Policy: NWIC staff, faculty, and students must follow the Nez Perce Tribe's Internet Use policies but will be allowed access at a similar level to that of the NPTEC.
- d. Safety Policy: All NWIC staff will comply with the Nez Perce Safety and Emergency Use Policy.

EXHIBIT B

Points of Contact for Communication Agreement Between NWIC and the Nez Perce Tribe

Northwest Indian College staff will comply with the following primary points of contact for communication regarding issues that arise at the sites:

Northwest Indian College:

- a. The Nez Perce Site Manager and the Dean of Academics and Distance Learning are the primary points of contact for communications between the NWIC-Nez Perce Extended Campus site and the Tribe.
- b. The chain of command for major decisions and conflict resolution will be: 1) Dean of Academics and Distance Learning and 2) Nez Perce Site Manager. Nez Perce faculty and staff report to the Nez Perce Site Manager.

Nez Perce Tribe:

- a. The Executive Director is the primary point of contact for communications between the Tribe and NWIC-Nez Perce Extended Campus site and the main campus in Bellingham.
- b. The chain of command for major decision and conflict resolution will be the Executive Director.

EXHIBIT C

Operational Technology and Classroom Use Agreement Between NWIC and the Nez Perce Tribe

The Nez Perce Tribe agrees to provide the following technology and classroom resources:

- a. Connections for Internet, email, telephone, network service, four digit dialing, spam filtering (of using Nez Perce email), limited content filtering, voice mail, and storage.
- b. Network connections for copiers, printers, scanners, conference phones, and wireless access points.
- c. Two T1 lines between Kamiah and Lapwai.
- d. Provide onsite or remote technical assistance to troubleshoot technology issues.
- e. Provide classroom and office space for site-based staff including part-time faculty and staff.
- f. The Lapwai-DLC has two classrooms and one office located in two modulars. The Kamiah-DLC has two classrooms (with adjustable divider) and one office space. Each DLC has a computer lab.
- g. Plant maintenance and housekeeping costs.