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**Klamath Community College Board of Education**  
7390 South Sixth Street \* Klamath Falls, Oregon 97603

Regular Meeting – Tuesday, January 28, 2020 6:00 PM

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**MINUTES**

**I. CALL TO ORDER**

Vice-Chair William Riggs called the regular meeting of the Klamath Community College Board of Education to order at 6:00 p.m.

**Members Present:** Kate Marquez; Michael Fitzgerald; Al King; William Riggs; Kenneth DeCrans, Helen Petersen, and Jenny Naylor, Non-voting Board Member, ASKCC President. A quorum was confirmed.

**Members Absent:** Dave Jensen (excused).

**Staff Present:** Dr. Roberto Gutierrez, President; Tricia Fiscus, Vice President; Jamie Jennings, Vice President; Allison Bryson, Vice President; Michael Blade, Executive Director; Charles Massie, Executive Director; Lacey Jarrell, staff; Kathleen Walker-Henderson, faculty; Bill Jennings, staff; Andrew Mariman, staff; Megan Baker, staff; Brad Baker, staff; and Shannon Childs, Secretary to the Board.

**Guests:** Margaret Justus.

**II. SHOWCASE**

The Communications PowerPoint, view book and Emergency Response Operations brochure were handed out to the Board.

Dr. Gutierrez introduced Lacey Jarrell, Director of the Communications department. Ms. Jarrell introduced her staff including Andrew Mariman, Marketing Manager and Megan Baker, Webmaster.

Ms. Jarrell and the Communications department reviewed a PowerPoint with the Board which included core themes in branding, marketing, and web development; big picture marketing campaigns; traditional marketing; digital marketing; design; and public information. The presentation was concluded with tying the information together and the future of the department.

Trustee Marquez complimented the presence of KCC in the community and inquired on some of the audiences. Ms. Jarrell shared that there are many audiences including high school students, non-traditional students, distance education students, workforce certificate students, transfer students, and more. Trustee Marquez suggested that donors could be another audience. Trustee King shared that he was impressed with the report and functions of the department. Mr. Mariman added that the team uses outside contractors on various projects.

**III. CONSENT AGENDA**

- A. Board Minutes (Regular Meeting December 3, 2019)
- B. Personnel Action
- C. Administrative Reports
- D. Appropriated Objects (Financials)
- E. Enrollment Dashboard

**Motion: Move to approve consent agenda.**

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: Trustee Marquez made note to correct page three of the minutes to reflect enrollment gains under item d., second sentence. Trustee Marquez made note to correct page four of the minutes to reflect Ready to Rent under the Foundation Report, item a. Trustee Petersen reflected to page 8, last paragraph that there was not a motion. Trustee Riggs clarified that this was just consent, not action item.

Public Comment: None.

**Action: Motion passed. Unanimous approval.**

Trustee Riggs shared that minutes are often an annotated small version of the meeting, the KCC board minutes are more like a transcript and gave thanks to Shannon Childs for doing an excellent job.

**IV. ADOPTION OF AGENDA**

**Motion: To adopt the agenda.**

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: Trustee Petersen inquired on item C of the agenda being an action item and inquired if this would be considered an addition, change or deletion of a policy governing a district. Executive Director Blade clarified that this is adding boundary area and is not a change to policy. Trustee King shared that this is a matter set forth by ORS statutes. This is not the purview of the Board. Dr. Gutierrez recommended this as an action item. Trustee King agreed that this should be an action item.

Public Comment: None.

**Action: Motion passed. Unanimous approval.**

**V. PRESIDENT REPORT**

- a. Dr. Gutierrez talked about the partnership with Aisling Trucking Company. Executive Director Massie gave an update on the partnership the College has with Aisling Trucking Academy to bring a non-credit, short term truck driver licensing training to campus. Previously there was an 11 week course. There is now a 5 week non-credit course. There were four students in the first course, who have all been hired and now are employed right out of that class. There are 6 in the current class who, it is anticipated, will be hired right out of the class. Aisling has those connections in the trucking community, which helps KCC students. This helps students with employability. Executive Director Massie shared that the College is tracking the students. Executive Director Massie explained that instead of replacing current KCC positions, they are offering this course. There is no loss to the students, or loss of employees. The College is using the Workforce Innovation and Opportunity Act (WIOA) Grant to assist these students in the class.
- b. Dr. Gutierrez gave an update on housing. The survey for the students went out and the results are not in. The timeline would put the College out to next year. In this case, the College may look at a matching grant. Dr. Gutierrez does chair the Capital Construction Committee at Oregon President's Council, which Reschke is on the legislative side. Dr. Gutierrez stated that he would share the survey results with the Board when available. Dr. Gutierrez elaborated that matching funds could fall under many categories.
- c. Dr. Gutierrez asked Executive Director Massie to give an Economic Development Administration (EDA) report. The College found out that the State Historic Preservation office has to provide a new certification on the use of the property. The College may not be in process of certification and review at the same time. There must be a completed certification, then a review. The College has hired a consultant to write the report and Klamath Community College is an Equal Opportunity Educator and Employer.

certify the College to provide it to the EDA. The timeline of this may be around 10-12 weeks. The EDA has not indicated that the timeline is an issue at this point.

- d. Dr. Gutierrez referred to the Public Employees Retirement System (PERS) liability handout. Due to interest, the number is \$1.283 million. Any monies out of this account require Board approval.
- e. Dr. Gutierrez shared that Trustee Petersen made a freedom of information request. The information was given to Trustee Petersen, which the rest of the Board is also receiving. This is the first that the institution has received this type of request and it is costly, however there is not a process or policy at this time. In the future there may be a charge for these requests, as it requires administration, faculty, and staff time, along with many copies. Human Resources has been charged to come up with a process. Trustee Marquez asked that when creating the policy to look at other colleges. Trustee Petersen reiterated that the request was filed as a constituent.
- f. Dr. Gutierrez handed out the Community College snapshots from HECC.
- g. Dr. Gutierrez shared that the College is starting a soccer club. There is a possibility of the College having its first athletic college sport. A consultant may be hired with this area of expertise. This would come to the Board through a program, which would help with K-12, enrollments, and retention. Steen's Sports Park would be looked at for the practices and games. Trustee Petersen shared that she noticed KCC had a pseudo soccer team over the summer. It was amazing.
- h. Dr. Gutierrez handed out "Paying the Price" and shared some of the content of the book. There is a President's Book club going through the book. Dr. Gutierrez inquired on a small group of the Board, without quorum, who may be interesting in going to the book with him. The Board was asked to contact Shannon Childs if they are interested.
- i. 1920 was the ratification of the 19<sup>th</sup> amendment, women's right to vote. This year is a local 100<sup>th</sup> year celebration held the League of Women Voters. Dr. Gutierrez was invited to be one of the keynote speakers, along with Commissioner, Kelly Minty-Morris and mayor Carol Westfall. This will be February 9<sup>th</sup> at 2:00 pm. Dr. Gutierrez was honored to be asked to speak at the event by the chair of the League of Women Voters, Leslie Lowe. Dr. Gutierrez invited the Board to attend if they were interested.

## **VI. ASKCC STUDENT REPORT**

- a. Jenny Naylor gave a report. January 29<sup>th</sup> is the Business Etiquette Dinner. There are around 40 people signed up to attend.
- b. There is a hygiene products drive for students among employees and student.
- c. ASKCC is partnering with David's project. A student donated monies towards winter clothing, which has been matched by Cabinet and ASKCC. Twelve students will be assisted with winter clothes. This is through a nomination process for scholarship selection.
- d. There have been 4 new clubs chartered. The Indigenous People club is now fully chartered. There is excitement in the club and they are planning a Pow-Wow in March. There will be a fry bread sale in February. They are asking for a peer support training for the Klamath Tribes and the Stronghold Project.
- e. Ms. Naylor read a letter to the Board, on behalf of ASKCC, in strong support of Dr. Gutierrez. The letter was distributed to the Board.

## **VII. STATE REPORT**

- a. Trustee Marquez shared that the short session is in legislature. Trustee Marquez gave an update on four bills relative to community college, a bill on a technical fix to the Student Success Act; a senate bill aimed on stopping school employees who exhibit sexual conduct towards students; a transfer student bill of rights; and House Education

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Committee focus on post-secondary education bill for the Higher Education Coordinating Commission (HECC), after local petition and review, to expand the boundaries of the KCC district to include portions of Lake County.

### **VIII. FOUNDATION REPORT**

- a. Vice-Chair Riggs shared the Foundation met yesterday, however there was not a quorum. Many of the action items will be completed through electronic procedures, including matching Cabinets match to the clothing scholarship.
- b. The Foundation is looking at a different financial tracking system.
- c. VP Massie presented a scholarship fund development plan for 2020-2021. Once adopted VP Massie will share the plan with the Board.
- d. Trustee King shared the Soroptimist Live It, Dream It, Be It. They will be proposing to have it on the KCC campus and paying culinary for the meeting. Soroptimist supports the Foundation every year.
- e. Trustee Fitzgerald inquired on the auditor's report regarding the Foundation and if there was insight on this from page 2. VP Fiscus shared she will get back to the Board regarding this. Trustee King shared that the Board approves the auditor's report.

### **IX. INFORMATIONAL AND ACTION ITEMS**

#### **A. Update on Aviation Program – Veteran's Administration – Information Item**

Dr. Gutierrez gave historical information on Aviation and invited VP Jennings to share how this has been taken care of at KCC. The College is now working on the January 2018 findings letter from the compliance survey with an estimated debt liability for 40 students at 1.79 million dollars.

Dr. Gutierrez shared that KCC went to legislature previously for Aviation suspension and it was reinstated. The College is going to start engaging federal legislatures again. Trustee King expressed concern for how this impacts the students. Trustee King asked if the problem was ever resolved in how it affected the students.

Executive Director Blade informed on how the Veterans Affairs compliance team started, which was in Oklahoma, where they visited those programs in Oklahoma, found out what was wrong and used that as the basis to come up with compliance rules. They used that as a template for all, and those that did not fit the template were out of compliance. When KCC was found out of compliance, the College had students who could not complete a class in the given term, and KCC would give them an incomplete to let them have extra weeks to get it done. Flying in Klamath has many weather elements, so there were times the students could not do it. The Veterans Affairs Compliance Team said the College should be giving them F's and the students should retake the class. KCC was trying to do the right thing. The other issue is that Veterans Affairs is in Washington with Compliance in Oklahoma. Executive Blade shared that KCC was to go to the State Approving Agency for approval. The VA Compliance finding stated that the State Approving Agency could not be relied on for approval.

Executive Director shared that KCC gave appeals to all the findings letters. The College did not get an exit interview, and was granted to go to Portland for this. This meeting was not a true exit interview. All letters to Klamath Community College have referred to an email address that does not seem to be answered, and all letters have come in from different people, which the College does not have one connected person.

In November the College received another letter from Julie Lawrence. It stated that the rebuttals are denied and that the College owes 1.2 million, which is a different number from 1.79 million which the College originally received. Executive Director has reached out to Julie Lawrence for response.

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Executive Director Blade gave updates on other colleges. Lane Community College has chosen to settle and has had no success lowering the number. Portland has elected to cut out the Veterans portion of aviation, they have not received a letter. Central Oregon Community College (COCC) got a very similar letter to what KCC received.

Trustee King inquired on what the end game is. Dr. Gutierrez shared that he strongly disagrees with this as the College had a state Veterans Affairs Board approved program. KCC needs to meet with legislators. Unless the Board gives a different direction, Dr. Gutierrez would like to deny this. Trustee King inquired on the College filing a lawsuit against the entities and use the facts to win the case.

VP Jennings shared that new students are certified for 2019-2020 and are not part of this.

Executive Director Blade recommended to get the advice of an attorney to proceed.

Trustee Marquez suggested looking at other states community colleges who have been affected. Trustee King recommended a class action lawsuit. Trustee Fitzgerald recommended running it by the VFW and American Legion.

#### B. Higher Education Coordinating Commission Full Time Equivalency Funding Cap – **Information Item**

Dr. Gutierrez invited Bill Jennings, Institutional Researcher, to share information on the Higher Education Coordinating Commission (HECC) full time equivalency (FTE) funding cap. Mr. Jennings reviewed a PowerPoint on how the cap affects funding distribution. With projections on spring enrollment, the College would have 88 FTE left out of the funding formula. This is a loss over the next three years. VP Fiscus shared that this would affect the College for approximately \$200,00 the first year, \$150,000 the second year and \$150,000 the third. Dr. Gutierrez shared that the College had gone to HECC previously (2015-2016) and been denied an increase of the FTE cap. With the College working with North Lake, Dr. Gutierrez would like to go to the HECC Board and ask for a one time exception. With the KCC Boards direction, Dr. Gutierrez would like a letter to proceed in approaching HECC. Trustee Fitzgerald asked to see the letter from 2015-2016 in which the College was denied. Trustee Fitzgerald referred to the growth management component, and that this was a general rule and there is some leeway. Trustee Marquez shared it is a positive to KCC that they are the only college who rescinded tuition last year.

Trustee King expressed that he does not feel the College should be punished for successes. Mr. Jennings defined the rationale for the funding formula and that it is a portion of the pie that the College is able to gain. This assists heavily if the bigger colleges grow in enrollment, the funding formula is truly set up to protect smaller institutions.

If the Board approves, a letter can be drafted to support Dr. Gutierrez going to HECC.

A 5 minute recess was called.

#### C. North Lake Boundary Change – **Action Item**

Dr. Gutierrez provided some history of the item. The intention was to bring this to the December meeting, however could not be done. KCC is currently out of sequence with HECC, however Dr. Gutierrez does recommend the Board approve this.

**Motion: To approve the process of transitioning the specified North Lake territory from Central Oregon Community College to Klamath Community College. The final approval will be by the state Legislative Assembly in the form of a bill or resolution prior to taking effect. If approved, the order would take effect on June 30, 2020.**

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: Trustee King stated that KCC has never looked at re-districting. If the North Lake goes through, this will fall in Trustee Kings area, who currently lives in Running Y, which residents are not accounted for in the zone. There is, and would be a major imbalance in precinct zones. Trustee King asked what the Board would be doing to accommodate this. Trustee Marquez noted that this was a census year and would be a good year to consider looking at zoning. Dr. Gutierrez shared that Chair Jensen may have a plan to discuss with the Board. Vice-Chair Riggs added that the Board may want to consider an adjunct seat on the Board. There would be a future discussion if the entire Lake County were to be represented. Trustee King was in favor of looking into re-districting at this time. Trustee Marquez asked for the bill coming out of House Education Committee to read it. Trustee Fitzgerald clarified there is no additional liability to KCC at this time. Trustee Fitzgerald inquired on how much the College is getting from Lake County. Dr. Gutierrez will share with the Board how much the College is receiving from HECC to serve all of Lake County. The Board discussed what the current service is to North Lake. Dr. Gutierrez is scheduling a meeting with the North Lake Superintendent, as KCC is already serving North Lake.

Public Comment: None.

**Action: Kate Marquez, Yay; Michael Fitzgerald, Yay; Al King, Yay; Kenneth DeCrans, Yay; Helen Petersen, Yay; William Riggs, Yay. Motion passed. Unanimous approval.**

## **X. BOARD DISCUSSION AND PUBLIC PARTICIPATION**

### **A. Board Discussion**

#### **i. Board Comment**

- Trustee Fitzgerald inquired on the date of the Data Summit. The Board is invited to attend this Friday, January 31<sup>st</sup> at 8:00 am in the Commons.
- Trustee King would like a re-districting discussion on the next agenda for action. The Board agreed. Trustee Marquez suggested inviting the County Clerk to visit to talk about the process.
- Trustee Petersen thanked everyone for giving a break from the impeachment trial. She thanked everyone who participated in helping with David’s project.
- Trustee Fitzgerald inquired if Board Members may attend some of the budget meetings. Dr. Gutierrez shared that the Board may attend, he will send the Board the schedule. Trustee DeCrans added that he believes it should be for observing only. Trustee King shared that the Board actually has no input in to the budget, they are given the budget to approve. He suggested that the Board have the opportunity to have input. Trustee King shared that he can ask about the current budget.
- Trustee Fitzgerald inquired on the Underserved Populations committee that was in the Communications report. He recommended making the HECC equity round table meeting summary made available to the committee. Dr. Gutierrez talked about the College becoming a Hispanic Serving Institution and possibly receiving extra funding for this work from the Federal Government.

### **B. Public Participation**

- Executive Director Blade shared the history of the David’s project. Bethany Roark is the student who came to his office, who was pregnant, and who wanted to donate. It was matched and the funds went from 200 to 800 dollars. Her circumstances have been unfortunate and she still continues. She is fantastic.

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- Trustee King thanked Executive Director Blade for his approach and work for the College.

**XI. FUTURE ISSUES**

- Re-districting or rezoning.

**XII. NEXT MEETING**

- A. Regular Meeting Date: February 25, 2020 at 6:00 pm in Founders Hall Boardroom.

**XIII. ADJOURN**

**Motion: To adjourn.**

Motion by: Kenny DeCrans

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

**Action: Motion passed. Unanimous approval.**

**Chair Jensen adjourned the meeting at 8:32 pm.**

Respectfully submitted by:

Shannon Childs

Klamath Community College

Board of Education Secretary