



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

Regular Meeting – Tuesday, May 26, 2020 6:00 PM

MINUTES

I. CALL TO ORDER

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

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

Members Absent: None.

Staff Present: Dr. Roberto Gutierrez, President; Tricia Fiscus, Vice President; Jamie Jennings, Vice President; Bill Jennings, Vice President; Charles Massie, Executive Director; Justin Wright, Executive Director; Lacey Jarrell, staff; Kathleen Walker-Henderson, faculty; Leann Meeds, staff; Dale Severns, staff; Geoffrey LaHaie, staff; and Shannon Childs, Secretary to the Board.

Guests: None.

II. SHOWCASE

VP Jamie Jennings handed out and reviewed a PowerPoint on KCC Articulated Credit Opportunities. The PowerPoint included accelerated learning opportunities in College Now and Dual Credit. College-Level Examination Program, Advanced Placement and International Baccalaureate were reviewed. There are over 150 classes in International Baccalaureate, along with over 150 classes in Advanced Placement. VP Jamie Jennings showed transfer articulations with Southern Oregon University, Oregon Tech, Oregon State University, Eastern Oregon University and Linfield College.

Trustee Petersen inquired on the year of expiration that KCC sets. VP Jamie Jennings shared that policy for KCC is seven years. Students may appeal on a case by case basis for credits older than seven years. KCC, in Career and Technical Education, is concerned about course work older than seven years and meeting the industry standards when graduating. The College is more generous with general education transfer and looks for difference proficiencies. There are various tests and assessments that can be done. Trustee Petersen shared that she wants to make sure that students are not set up for mass time frame issues and using up all financial aid at KCC and they are stuck trying to go to a 4 year.

Dr. Gutierrez shared this is a lot less of a problem than it used to be before no loss of credit legislation.

Trustee Petersen asked if there was statistical data on dual credit, a scientific basis of where the College is. VP Jennings shared that the only data the College can track is that of the students that attend KCC. The College cannot track success rates at other colleges. Trustee Petersen wants to make sure that dual credit is the best offer for our students. VP Jamie Jennings shared that we do a peer review and the state reviews every dual credit program. KCC should be able to present finding on statewide standards. Dr. Gutierrez shared that the College does not make decision for K12, KCC presents options and students make the choices they want.

Trustee Fitzgerald shared that HECC has Oregon Standards for Accelerated College partnership standards and requires KCC be evaluated periodically. VP Jamie Jennings shared that the College was just reviewed this year and should get the report in the fall.

III. CONSENT AGENDA

- A. Board Minutes (Regular Meeting March 17, 2020 and April 29, 2020 and Budget Committee Meeting May 6, 2020)
- B. Personnel Action
- C. Administrative Reports
- D. Appropriated Objects (Financials)
- E. Enrollment Dashboard

Motion: Move to accept the consent agenda as written.

Motion by: Kenneth DeCrans

Second by: Michael Fitzgerald

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

IV. ADOPTION OF AGENDA

Motion: To adopt the agenda as written.

Motion by: Kenneth DeCrans

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

V. PRESIDENT REPORT

- a. Dr. Gutierrez shared that this is the first quarter that KCC has been completely online. Dr. Gutierrez asked VP Bill Jennings to share the information comparing the Spring to Spring Mid-Term Grade report. In the comparison, looking at last quarter and comparing with this quarter, there truly is no significant change. Dr. Gutierrez shared that the College will continue to compare data. VP Bill Jennings shared that the withdrawal rate at this time was in the single digit.
- b. Dr. Gutierrez handed out the Board Policy regarding part time employee benefits and why they are offered. Trustee King inquired if this included PERS. VP Fiscus shared that PERS is also given. VP Fiscus described what pro-rated equated to. Those non-temporary employees that work 20 hours are at 50%, those that work 30 hours are 75%, those that work 40 hours are 100%. Trustee Fitzgerald asked for the Board Policy language with defines pro-rating. Trustee King asked specifically for the policy that gives part time employees full benefits, specifically PERS. VP Fiscus shared that the faculty designation is in the contract. Trustee Petersen asked if it was law to offer PERS. Trustee Fitzgerald asked for the reference in the Union agreement as well.
- c. Dr. Gutierrez shared that the College is moving forward with a virtual commencement. Dr. Gutierrez acknowledged Executive Director Massie for his idea on virtual commencement. Dr. Gutierrez referred to VP Bill Jennings to explain the schedule for virtual commencement. VP Bill Jennings added that the Board played a pivotal role in commencement. The Board was asked to record a “moving picture” on June 4th and to sign up for a slot to do this in cap and gown. VP Bill Jennings shared that the actual commencement day, June 12th, involves the specific pick up of diplomas, the Board may
Klamath Community College is an Equal Opportunity Educator and Employer.

want to participate. There are about 30 students for each time slot. This portion will be live online. At the end of all these recordings, the entire commencement will be put together in recorded ceremony. The day of commencement will be June 12th from 12:00 noon to 5:30 pm. The Board members who are interested will sign up for the day with Ms. Childs at the end of the Board meeting. VP Bill Jennings described the stage. There is only one Board member on the stage at a time. Vice-Chair Riggs shared this was important, and anything the Board could do to recognize the students is important.

- d. Dr. Gutierrez shared that the College has been working to diversify its funding sources. Dr. Gutierrez reviewed grants and contracts. The Lakeview Hospital is \$360,000 for three years. Dr. Gutierrez met with Charlie Tveit in person with some of the Lakeview Board members. That Lakeview Board has approved the renewal of the contract. The other contract is with Precision at \$225,000. That contract is also being renewed.

VI. ASKCC STUDENT REPORT

- a. Jenny Naylor shared that ASKCC is doing end of year wrap up. The Student Recognition Awards dinner will be a virtual program.
- b. New student government interviews have been taking place.
- c. Ms. Naylor shared this was her last Board meeting and she had truly appreciated being part of the Board, it has been a privilege and great experience.
- d. Ms. Naylor shared that she will be attending OIT next, with a goal to go to Portland and law school.
- e. Ms. Naylor was thanked for her work by the Board and administration.

VII. STATE REPORT

- a. Trustee Marquez shared that there was a state revenue forecast. Trustee Marquez read a portion of the report. All state agencies were asked to do a budget reduction exercise of 8.5%.
- b. Trustee Marquez attended a virtual meeting for OCCA. There were reports made at that time, and Trustee Marquez felt that most thought that help may be coming. Trustee Marquez shared that there was not the same sense of urgency that KCC was working under. Dr. Gutierrez shared that other colleges may be waiting for additional federal stimulus monies. KCC is not waiting, KCC put monies aside in anticipation of this budget cut. Dr. Gutierrez shared how proud he was of all the employees at the College. Dr. Gutierrez asked VP Bill Jennings to share what is being said by other employees. VP Bill Jennings shared that in the middle of the battle with changes and what is going on, he stated "there is no place I would rather be than at KCC".
- c. Trustee Marquez shared that at this time, there is not legislative session planned.
- d. Trustee Petersen asked for a copy of what Trustee Marquez was reading.

VIII. FOUNDATION REPORT

- a. Executive Director Massie shared there was a small group Foundation meeting. The Board is functioning as the planning committee for the Gala this year. The Board opted to reschedule the Gala to October 24th. There are plans for an indoor event. If this does not work, it may be moved to the spring.
- b. The Keep Students Connected initiative ended last Friday.
- c. The Foundation Board gave the scholarship committee direction to move forward with the new Emergency Fund initiative. This is a special initiative for all students who will not be eligible for the CARES Act support funding. The committee has a plan to create a \$60,000 fund that would go to non-credit apprenticeship K-CET student group. This would allow non-financial aid eligible students the opportunity to apply for funds to help them get through summer, fall and potentially winter term. Cascades Health Alliance
Klamath Community College is an Equal Opportunity Educator and Employer.

voted to contribute \$25,000 to the fund. Other contributions are coming in. Dr. Gutierrez shared that the GED students, which are the bulk of this, are the most at-risk, poverty population that KCC has. When it was discovered that these students were not eligible for the CARES Act, KCC asked the Foundation if they could help. The Foundation rolled up their sleeves and went to work. Dr. Gutierrez shared this with his colleagues. Over half the colleges are following KCC's lead. Dr. Gutierrez shared this was great for the Foundation as an example for the rest of the state.

- d. Executive Director Massie shared that the College is cautiously optimistic about the EDA grant. All information has been submitted and is moving through the EDA. There is hope to have an answer between 2 weeks and 2 months.

IX. INFORMATIONAL AND ACTION ITEMS

A. Resolution No. 186-19-20 Adopting the Fiscal Year 2020-2021 Budget, Making Appropriations, and Imposing and Categorizing Taxes – Action Item

VP Fiscus shared PERS information and that there is a state law that PERS monitors through hours, on about a 600-hour rule. PERS automatically bills accounts and it is mandated. The College does have to pay for it.

VP Fiscus reviewed the 2020-2021 Budget PowerPoint, with the updated PowerPoint handed out. The total budget is being proposed at \$55,403,233. The presentation included General Fund Revenue Sources, General Fund Expenditure Sourced by Percent, General Fund expenditures by Object, General Fund Expenditures by Activity, Greatest Challenges, Responses to Challenges, Spring Enrollment Comparison, Innovations and Efficiencies, and Tuition Increase Proposal, with a tuition increase comparison. According to the latest data, KCC is the least expensive community college in Oregon on the proposed tuition scale when including universal fees.

VP Fiscus shared that a furlough is the plan for an employee to be gone temporarily. These employees' benefits continue, not PERS.

Dr. Gutierrez shared that all pell grant eligible students received an average of a \$400 CARES Act check. VP Fiscus shared that 73% of enrollment received Pell Grant. Trustee DeCrans asked about the number of Veterans that do not receive Pell.

Trustee Fitzgerald inquired on the removal of merit pay being compromised by the Collective Bargaining Agreement. Dr. Gutierrez share that this is not affected by the Collective Bargaining Agreement. This is across the College.

Motion: To approve the attached resolutions provided authorization for spending effective July 1, as well as approve tuition and rate fees as written, and approve the tax rate as written.

Motion by: Kenneth DeCrans

Second by: Michael Fitzgerald

Trustee Fitzgerald asked for a point of information, that there are two different issues, the tax issue is a different motion.

Vice-Chair Riggs read the ORS information off the green sheet for clarification.

Resolution No. 186-19-20. Each year, prior to June 30, the Board of Education must adopt the next fiscal year's budget, making appropriations, and imposing and categorizing taxes (which is why there may need to be two motions), per Oregon Revised Statutes (ORS) 294.456. Prior to adoption, the Board must conduct a public hearing to receive testimony from persons present (ORS 294.453). A local government does not have legal spending authority for the new fiscal year until the budget is adopted and appropriated

by resolution or ordinance. The budget to be adopted by the Board is identical to the budget approved by the Budget Committee. The following recommendations were made.

1. To approve the attached resolutions that provide authorization for spending effective July 1, 2020.
2. To approve the tuition and fee rates of:
 - a. Lecture \$105 per credit
 - b. Lecture/Lab \$150 per credit
 - c. Lab \$218 per credit
 - d. Nursing Lecture Courses \$135 per credit (Associate of Applied Science Degree in Nursing Differentiated Tuition)
 - e. Nursing Clinical Courses \$344 (Associate of Applied Science Degree in Nursing Differentiated Tuition)
 - f. Out of State Lecture Courses \$178 per credit
 - g. Out of State Combined Format Courses \$223 per credit
 - h. Out of State Lab Courses \$292 per credit

Discussion: Trustee Petersen inquired on the notice that was asked to go out to students regarding the proposed 2% tuition increase. Dr. Gutierrez shared that the information was put on the website the next day. Trustee Petersen clarified that a notice was not sent directly to students. Trustee Fitzgerald inquired on the Nursing Fee under 2.e and if it was per credit. This needs to be added as a change.

Amended Motion: Move to amend original motion to add to under item 2.e, Nursing Clinical Courses \$344/credit.

Motion by: Kenneth DeCrans

Second by: Michael Fitzgerald

Discussion: None.

Public Comment: None.

Action: Amended motion passed. Unanimous approval.

Amended Motion: To amend motion to separate the two ORS Statues, item 3 is removed from main motion.

Motion by: Al King

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

Action: Amended motion passed. Unanimous approval.

Discussion of main motion: Trustee Petersen inquired if students who have prepaid for summer or fall, after vote, would owe the difference. VP Fiscus shared that if there are students who may have prepaid for summer, they would owe a difference. Trustee Petersen inquired how students get informed of owing more money. Dr. Gutierrez inquired with VP Fiscus and shared that the College will verify if there are any students who have prepaid. Trustee Petersen asked if it was policy that they now owe more money. Trustee DeCrans inquired if there was a policy that students could move forward with a positive balance. VP Bill Jennings shared that positive balances (refund checks) in Financial Aid are cut as fast as can be, however it is after enrollment is set. Financial Aid students do not go forward with positive balances. VP Fiscus shared that she doesn't believe the summer has been billed yet. That does not get loaded until later. VP Fiscus will verify this information and send it to the Board.

Trustee King thanked VP Fiscus for meeting with him. Trustee King shared that he does have further questions if anyone would like to discuss them.

Trustee Petersen asked what form and manner the students would be notified if the budget passes. Dr. Gutierrez inquired with VP Bill Jennings about communication out to students. This goes on the web and is on their bills. Dr. Gutierrez and VP Bill Jennings will meet to discuss how it may be possible to send an email. Trustee Petersen asked to give students a months' notice that tuition may go up. Trustee

DeCrans called point of order. Vice-Chair Riggs clarified that this will be looked into through communication with Dr. Gutierrez and VP Bill Jennings.

Action: 5 yay; 2 nay. Motion passes.

Trustee Al King shared for the record “I found many problems in this budget. I voted no on 2020-2021 budget for the following reasons: 1. I oppose the tuition increase of 2% or \$90,000. In a total budget of \$55 + million, we cannot find \$90,000 from small cuts to “contracted services”? 2. I remain, as last year, more adamantly opposed to the increased cost to PERS contributions and health insurance costs which are 50% +, up to 100%+ of salaries not including other benefits, i.e. holidays, vacation, sick leave, workers comp, unemployment insurance, etc. Also, we were only provided tonight “prorate amount” in “health insurance”. Not others! (Board Policy 520.2200) as requested at the budget committee meeting. Nothing was found in the union contract nor provided by administration at this time.”

Trustee Petersen shared for the record “I voted no on this tuition increase because in 2018-2019, students brought to this Board, well, made complaints and bringing to the Board, issues concerning transparency and communication when it comes to just simply tuition. It was asked on May 6th, page 4 of our notes here, Helen Petersen shared the course catalog,, Helen Petersen inquired if students could be given notice of the proposed 2% increase, and that was given over to Dr. Gutierrez and Bill Jennings and had that to be done, and to date that has not been done. So I do not see transparency and communication to the students, staff, or faculty, considering I have received 5 complaints from them, student’s staff and faculty. And I will discuss with you in private if you would like to know who they are. That they have received no information and they are not able to help students or be able to plan their own budgets because of this inability to be transparent and communicate.”

Roll call vote called by Vice-Chair Riggs after consult with General Council.

Kate Marquez, yay; Michael Fitzgerald, yay; Al King, nay; Kenneth DeCrans, yay; Helen Petersen, nay; William Riggs, yay; and Dave Jensen, yay.

Action: 5 yay; 2 nay. Motion passes.

Motion: To vote on tax approval which is item number 3 under the recommendation.

Motion by: Helen Petersen

Second by: Michael Fitzgerald

Discussion: Vice-Chair Riggs clarified the motion on the table to approve the tax rate \$.4117/\$1,000.

Public Comment: None.

Action: Kate Marquez, yay; Michael Fitzgerald, yay; Al King, yay; Kenneth DeCrans, yay; Helen Petersen, yay; William Riggs, yay; and Dave Jensen, yay. Motion passes. Unanimous approval.

Vice-Chair Riggs called a 5-minute recess at 7:35 pm

Vice-Chair reconvened the meeting at 7:40 pm.

B. Board Self-Evaluation – Information Item

Dr. Gutierrez shared that every year the Board does a self-evaluation and asked Executive Director Wright to share the process. Executive Director Wright shared the blank self-assessment forms and the summary of three year trends. Executive Director Wright asked that the Board get the self-evaluation forms turned in, in the next 7 days. Vice-Chair Riggs asked for the document also via email so that option is available. If paper copies are delivered, they should go to the front desk of Founders Hall in a sealed envelope with Executive Director Justin Wright on it. It was clarified that scanned forms may also be emailed to wrightj@klamathcc.edu. It was asked that the self-assessments be returned close of business June 2nd. This will also be sent out via email to the Board.

Klamath Community College is an Equal Opportunity Educator and Employer.

May 26, 2020* Page 6

X. BOARD DISCUSSION AND PUBLIC PARTICIPATION

A. Board Discussion

i. Board Comment

- Trustee Petersen shared that there was a notation in the packet about Criminal Justice and what has happened to some of the students after they graduated. It was mentioned previously that Chef Vierra tracked his students. The Board has asked for data concerning the graduates and what happens to them. It was inquired why the data is not compiled. Dr. Gutierrez shared that Chef Vierra gathered this information himself. There is not a system in Oregon, like other states, to compile and get the data. This is difficult to do. This is above and beyond what faculty are hired to do, they are hired to teach. As part of the student success initiatives, the College is trying to get this from the state and work with them. Trustee Fitzgerald shared that this is a privacy issue. The state now is trying create a process of disseminating that information and keeping it safe, it has not been finalized yet. The Board discussed the topic in relation to data, its availability, tracking mechanisms, priority, time commitment, cost and staffing. Trustee King shared he has been asking about this for years and shared that OIT tracks this information and shared it out in the media. Dr. Gutierrez explained that this is difficult to track, OIT has a department committed to this. Dr. Gutierrez expressed that working in the field of study and income attainment is difficult to track, however the College has been working on it. Trustee King shared that if every teacher cared about their students, they could ask each student when they graduate if they will have a job and if it will be in their field of study. Dr. Gutierrez shared that this would have to be mandated. Vice -Chair Riggs noted that there is a federal law around Internal Review Board, putting human subjects into a collective data program and publishing it. This needs to be proposed. Dr. Gutierrez shared that the College is trying to work with the state. A conversation was held on better ways to address effectiveness. Vice-Chair Riggs shared that this may need to be a topic at the Board Retreat. VP Bill Jennings gave examples of difficulty tracking data and reporting. Dr. Gutierrez shared the efforts of the College to this important work. Dr. Gutierrez expressed the College is doing a lot of work and the acknowledgement for the employees is not being heard.
- Trustee DeCrans thanked Jenny for her time on the Board.
- Trustee Petersen asked for the minutes and recording for the April 18, 2017, about the closing of the Natural Resources Program, and if it could be made available to Board Members. Ms. Childs clarified on the date, as the original request for April 18, 2015.
- Trustee Petersen inquired on the contingency plan if someone gets sick and dies from COVID-19, such as a person getting COVID-19 at commencement, tying it back to KCC and suing the College. Executive Director Wright shared there is a policy in place for staff and students as it relates to COVID-19. Trustee Marquez shared it is being looked at the Federal level and is being discussed. This relates to institutions all over. Trustee King shared that there is legislation pending. Executive Director Wright shared that most of his experience is in litigation. His job is to keep the College out of litigation. If this were to happen, he would need to be the first person contacted. Executive Director Wright does not believe the College is putting itself in a position of litigation or concern and is comfortable with where the College is. If he felt otherwise he would express his concerns to Dr. Gutierrez
- Trustee Petersen asked if the College has a policy to try to keep itself out of litigation and be in mediation first. Dr. Gutierrez and Executive Director Wright will talk about this.

B. Public Participation

- Kathleen Walker-Henderson gave thanks to the President’s Office for making the meeting available to listen to and appreciates everything the Board is doing to education students.

XI. FUTURE ISSUES

- None.

XII. NEXT MEETING

- A. Scheduled Board of Education Meeting June 23, 2020, Founders Hall Boardroom.

XIII. ADJOURN

Motion: To adjourn.

Motion by: Kenneth DeCrans

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

Vice-Chair Riggs adjourned the meeting at 8:15 pm.

Respectfully submitted by:

Shannon Childs

Klamath Community College

Board of Education Secretary