



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

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

MINUTES

I. CALL TO ORDER

Dave Jensen called the regular meeting of the Klamath Community College Board of Education to order at 6:00 p.m.

Members Present: Dave Jensen; Mike Fitzgerald; Kate Marquez; Al King; William Riggs (phone); Kenneth DeCrans; Helen Petersen; and Crystal Rice, 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, staff; and Shannon Childs, Secretary to the Board.

Guests: None.

II. BOARD REORGANIZATION

A. Oath of Office for Newly Elected/Nominated Board Members

Chair Dave Jensen, and Crystal Rice stood. The oath of office was administered by Chair Jensen. Dr. Gutierrez welcomed Crystal Rice to the Board.

B. Election of Board Chair

Nomination: To elect William Riggs as Board Chair. Trustee Riggs declined nomination.

Nomination by: Al King

Nomination: To elect Kenneth DeCrans as Board Chair.

Nomination by: Helen Petersen

Nomination: To elect Dave Jensen as Board Chair. Trustee Jensen declined the nomination.

Nomination by: Kate Marquez

Motion: To close nominations.

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: None.

Action: Nomination passed to elect Kenneth DeCrans as Board Chair. Unanimous approval.

C. Election of Board Vice Chair

Nomination: To elect William Riggs as Vice-Chair. Trustee Riggs declined nomination.

Nomination by: Kate Marquez

Nomination: To elect Trustee Dave Jensen as Vice-Chair.

Nomination by: Kenneth DeCrans

Motion: To close nominations.

Motion by: Michael Fitzgerald
Second by: Helen Petersen
Discussion: None.

Action: Nomination passed to elect Dave Jensen as Board Vice-Chair. Unanimous approval.

D. Appointment of the President as Clerk of the District

Nomination: To appoint Dr. Gutierrez, President, as Clerk of the District.

Nomination by: Dave Jensen

Motion: To close nominations.

Motion by: Michael Fitzgerald

Second by: Kate Marquez

Discussion: Trustee Dave Jensen shared there does not need to be a second for a nomination.

Action: Nomination passed. Unanimous approval.

E. Appointment of the Vice President of Administrative Services as Deputy Clerk of the District

Nomination: To appoint Tricia Fiscus, Vice President, as Deputy Clerk of the District and to appoint Tricia Fiscus as the Budget Officer pursuant to ORS 294.331. As outlined in this Statute, the Budget Officer shall prepare or supervise the preparation of the 2020-2021 budget document during fiscal year 2019-2020. The Budget Officer shall act under the direction of the President.

Nomination by: Dave Jensen

Motion: To close nominations.

Motion: Michael Fitzgerald

Second: Kate Marquez

Discussion: None.

Action: Nomination passed. (Al King Absent)

F. Appointment of the Budget Officer

This was covered in previous motion.

G. Appointment of Secretary to the Board

Nomination: Move to appoint Shannon Childs as Secretary to the Board.

Nomination by: Helen Petersen

Motion: To close nominations.

Motion by: Kate Marquez

Second: Michael Fitzgerald

Discussion: None.

Action: Nomination passed. Unanimous approval.

H. Adoption of Meeting Time, Date, and Location for 2019-2020

Motion: To adopt the Board Meeting schedule.

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: Trustee Petersen shared that currently with pandemic COVID, this works ok. As a student, if classes move from being online to in person, this may be problematic for science labs scheduled Tuesdays and Thursdays. Trustee Petersen inquired on possibly moving the meetings to Friday's or Monday's due to school scheduling. Trustee Marquez inquired on the school schedule and if it is definite. The Board

discussed the scheduling of meetings and needs of the Board and the effects of adjusting the schedule. Trustee Petersen inquired if there was a possibility to make accommodations. It was agreed that Trustee Petersen could work with Ms. Childs to make accommodations if need be.

Action: Nomination passed. (Al King absent)

I. Appointment of the OCCA Representative

Nomination: To appoint Trustee Kate Marquez as OCCA Representative.

Nomination by: Dave Jensen

Motion: To close nominations.

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: None.

Action: Nomination passed. Unanimous approval.

III. SHOWCASE

None.

IV. CONSENT AGENDA

A. Board Minutes (Regular Meeting June 25, 2019)

B. Personnel Action

C. Administrative Reports

D. Appropriated Objects (Financials)

E. Enrollment Dashboard

Motion: To accept the consent agenda as presented.

Motion by: Dave Jensen

Second by: Al King

Discussion: Trustee Fitzgerald noted on page 2, under President's Report item b., the second sentence that reads the "State Employment State Date Set" is erroneous, it should read "State Longitudinal Data System". Trustee Petersen noted page 4, second paragraph from the bottom, second line, it reads "badger could like less of a skunk", it should read, "look less of a skunk".

Public Comment: None.

Action: Motion passed. Unanimous approval.

V. ADOPTION OF AGENDA

Motion: To adopt the agenda.

Motion by: Al King

Second by: Michael Fitzgerald

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

VI. PRESIDENT REPORT

- a. There is a new executive order from the Governor for masks and definition. Dr. Gutierrez asked Executive Director Wright to review requirements. Executive Director Wright gave the history of how the process proceeded into the current rules. Executive Director Wright shared guidance on higher education, that in any public space, or open space, face masks/shields must be worn and are required. In personal offices or Klamath Community College is an Equal Opportunity Educator and Employer.

conference rooms, face masks/shield may be worn under personal comfortability. Trustee King inquired on the authority these entities have over the KCC Board which is elected and sets policy, not the state, except certain areas with contractual relationship or executive order. Executive Director Wright shared that the Governor does this under her public health and exigent authority. The Governor essentially gave all authority, under her executive order, to Higher Education Coordinating Commission (HECC) and Oregon Health Authority (OHA). This was objected by Oregon Community College Association (OCCA). There was a draft order submitted by OCCA, which resulted in little change. Trustee King shared that he is exempt and will not be wearing a mask, he had a card to reflect this. Executive Director Wright shared that there are exemptions. Dr. Gutierrez shared that there will be a plan coming to the Board regarding COVID and processes. The College is in the process of obtaining feedback to the draft prior to bringing to the Board, which will be presented as an action item. Dr. Gutierrez asked for a Special Board Meeting to discuss this one topic. Dr. Gutierrez proposed August 19, 2020 for a Special Meeting. Trustee Petersen inquired on Occupational Safety and Health Administration (OSHA) standards. She would like to verify that the College is staying on top of both state and federal standards. Executive Director Wright shared that federal standards, as it relates to COVID, essentially have given the state control. Dr. Gutierrez and Executive Director Wright will review if the Re-Opening Matrix is a policy or not.

Motion: To have a special meeting, approximate 2, no more than 3 hours, on Wednesday, August 19th at 5:30 pm.

Motion by: Kate Marquez

Second by: Al King

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

Trustee Riggs left the meeting due to poor reception at 6:30 pm.

- b. The CARES Act (Coronavirus Aid, Relief, and Economic Security) money was distributed by Student Affairs and went well. The Foundation stepped up and wanted to do something for those students who did not qualify for CARES Act monies. Dr. Gutierrez asked Executive Director Massie to share information. Executive Director Massie shared information on the Education Access and Opportunity Fund (EAO). The CARES Act money was only available to FAFSA (Free Application for Federal Student Aid) students. The Foundation discussed this and shared that there needed to be something for the non-credit, General Education Diploma (GED), adult program, and apprenticeship students who may need help. The funds were put together and a little over \$40,000 has been raised. As of today, there have been 30 applications with the distribution of \$14,000. There is anticipation that there will be more prior to fall term. The Foundation had an ultimate goal of raising \$75,000. Cascades Health, Ford Family and Oregon Community Foundation have all donated, along with staff, faculty, foundations and others. Trustee Petersen inquired if the Board should also send a thank you letter to those who have donated. Trustee King shared that he always supports thanking individuals, however would have concern about leaving anyone out. That could be offensive. Trustee Fitzgerald noted that this is also ongoing and would need to be tracked. It was determined that the Foundation would manage this.
- c. The Small Business Development Center (SBDC) is supported by KCC. Dr. Gutierrez asked Executive Director Massie to share with the Board what the SBDC is working on. Executive Director Massie shared that SBDC has been quite busy. All Small Business Klamath Community College is an Equal Opportunity Educator and Employer.

Administration funding is going through the centers across the state. The SBDC is helping over 500 small business through processes and advising. About 1,000 small businesses have received funding of some sort. The SBDC has been doing advising and consulting for much of this. They also provide general consulting for small business related to the pandemic.

- d. There was a question at the last meeting regarding PACE (Property and Casualty Coverage for Education). Dr. Gutierrez asked Executive Director Wright to update the Board. Executive Director Wright shared that after consulting with the insurance agent at Great Basin, the College can get out of PACE, but it is recommended to maintain it. PACE gives the College about 6 different types of insurance which the College would have to go to different companies to obtain. Some additional options include, free legal consults, crisis managements, access to college training and others. Executive Director Wright and Agent Bill Gilmore perspectives are that it is in the best interest of the College to keep PACE. Trustee King shared that he asked the question to prompt an inquiry to see what the College could do to be most beneficial. Executive Director Wright shared that the renewal of PACE is annual. A discussion was held on negotiations and whether OCCA is involved with options for all community colleges and if a representative may visit with the Board on options when the time comes.
- e. The Governor called a meeting with the Presidents, via a liaison. This had to do with institutions not having technology. It was inquired at the meeting if it would be helpful for the state to manage distance education. The student learning management system was also inquired upon, questioning if the state should run it. It was then considered if all community colleges should have one tuition. The liaison was reminded that in Oregon, publicly elected Board members for each institution are responsible for setting each colleges tuition. Trustee Marquez shared there is a lot of push and pull between local and state control. The Board further discussed legislation and the College.
- f. Trustee King thanked Dr. Gutierrez for his work and looked forward to the retreat and setting goals. Trustee King shared he will be deferring questions tonight for the Board Retreat.

VII. ASKCC STUDENT REPORT

- a. ASKCC President, Crystal Rice introduced herself to the Board. She shared she has been in Klamath for about 4 years. She is continuing her education for a Business degree at KCC, and then continuing at OIT to get her Bachelors.
- b. The Events Officer and Business Officer positions are currently open. A retreat is being planned.
- c. The Board welcomed Ms. Rice, as the ASKCC President, to the Board of Education.
- d. Ms. Rice shared that the food pantry has been moving along fairly steadily.

VIII. STATE REPORT

- a. Trustee Marquez shared handouts with the Board and reviewed information. This included information from Legislature, webinars, and virtual conferences.
- b. Trustee Marquez gets email from OCCA and ACCT (Association of Community College Trustees). Currently she is sending these alerts through Ms. Childs. The Board agreed they would like to receive the information. Trustee Marquez will continue to vet the information through Ms. Childs.
- c. Trustee King thanked Trustee Marquez for serving in the OCCA Representative role at the College.
- d. There was a first special session of Oregon Legislature, with no big legislation regarding education. They are waiting to see what will happen at the federal level. There may be a second special session following federal level information. Chair DeCrans inquired if Klamath Community College is an Equal Opportunity Educator and Employer.

Lake County issue could be taken care of. Dr. Gutierrez shared that, working with OCCA, there is hope to do this.

- e. Trustee King asked if there was information about the Lake County Correction facility. Dr. Gutierrez shared there are preliminary conversations taking place. At this time, they do not know what is going to happen, as the budget does not look good.
- f. Trustee Petersen inquired on payment plans for students or if it has stayed fairly steady. VP Fiscus shared it has been fairly steady for collections coming in. The CARES Act more than likely has assisted at this time.

IX. FOUNDATION REPORT

- a. Executive Director Massie shared that there was not a Foundation meeting last week. The Foundation Retreat will be around August 19th. The retreat will be focused on policy, procedures and bi-laws to focus on following rules and being compliant. The implementation of the donor plan will also be addressed.
- b. The EDA (Economic Development Administration) has shared that the College should hear information by September 30, 2020.
- c. Trustee King inquired if there was any response to the two-page add in the paper. Executive Director Massie shared that there has been some interest and phone calls. Trustee King inquired if the Foundation will be looking at funding themselves and not being subsidized by the College. Executive Director Massie shared that this was an ongoing discussion.
- d. Trustee Fitzgerald inquired on student demographics. Executive Director Massie shared that they are trying to understand who the Foundation is helping and how. Larger foundations around KCC are focused on diversity, equity and inclusion. The Foundation is trying to understand how the student body fits into that, knowing that diverse in a small rural community is different than what is diverse in Portland. There are discussions on how to best serve students falling in this target population. Trustee Marquez added that in order to answer that question, if applying to Foundations for grants, to ask how they define it. It may be different for different funders. Executive Director Massie confirmed that the grants department at KCC is very focused on this.
- e. Trustee Fitzgerald inquired on how the College identifies and reaches underserved populations? VP Bill Jennings shared that they are using social media marketing to try to target the group. Dr. Gutierrez used migrant farm workers as an example of an underserved population. The College wrote a grant around this, the HEP Grant (High School Equivalency Program). There have been four completers in the program. There is time that goes into working with school districts, as the College cannot do it alone. It is important to work with students from younger grades on. The unemployment rate is dropping in Klamath Falls. Dr. Gutierrez shared that the College is also working on childcare with the Oregon Child Development Coalition. COVID 19 has slowed the partnership conversations. Executive Director Massie added there is a Spanish social media presence.
- f. Executive Director Massie shared kudos for Dr. Gutierrez. He feels that the College is doing really well at getting to the demographics of programming in SNAP (Student Nutrition Assistant Program), TANF (Temporary Assistance to Needy Families), and WIOA (Workforce Innovation and Opportunity Act). There was a lot of for thought and years of planning. There were 17 SNAP participants who went from GED/non-credit training into the Early Childhood Education degree program. These are huge successes. There are robust conversations with administration to not leave any student out and maximize outreach.
- g. Trustee Petersen shared that Klamath Falls is working to schedule its first Pride Event. The LGBTQ+ is a well-known underserved community and she asked if the College Klamath Community College is an Equal Opportunity Educator and Employer.

could try to get itself involved. VP Bill Jennings shared that there is an LGBTQ+ Club on campus that is very active.

X. INFORMATIONAL AND ACTION ITEMS

A. Employee Benefits – Action Item

Dr. Gutierrez shared that the College is always looking for ways to assist employees with benefits that are not a burden to the College budget. Dr. Gutierrez asked Executive Director Wright to give a presentation.

A 10-minute recess called at 7:30.

Executive Director Wright presented a PowerPoint and highlighted a brief history of additional benefits. The current provider, American Fidelity, and their package offering, with its challenges and statistics, was reviewed. Aflac was presented as a potential new partner. The Aflac benefits package offering was reviewed along with the cost to the institution, which is none, the employee pays for the coverage they choose. Differences of both carriers were compared. Executive Director Wright provided an overview of the recommendation to add new partner, Aflac.

Trustee King shared some history on previous benefit options for employees and that the Board no longer allows employees to accept a cash benefit instead of selecting health insurance. Trustee King asked if this firm was representative of brokers currently representing the College. Executive Director Wright shared that from his conversations, this firm represented Aflac, however he would look into this. Trustee Jensen shared that Aflac has an office here in Klamath Falls and they will come out and interview employees for Aflac.

Motion: To accept AFLAC as an alternate provider for additional benefits to college employees.

Motion by: Dave Jensen

Second by: Michael Fitzgerald

Discussion: Trustee Jensen shared his positive experience with Aflac and noted that the money would not come out of a budget, however the College would need to administer it. Trustee King shared he would not be able to vote until he got an answer to his question. Executive Director Wright shared that he did not believe that the information being presented was from a broker, it is either directly from Aflac or directly from American Fidelity. Trustee King shared that he would like to hear from someone at American Fidelity. Chair DeCrans clarified that this will not eliminate American Fidelity, but give employees the opportunity to select either American Fidelity or Aflac. Trustee King shared that the Board is not getting the other side of the story and has not had the time to question American Fidelity. Trustee King would like to know if the Board wants to get behind this without having answers with the individual programs. Executive Director Wright shared that American Fidelity changed their time to align with the KCC timeline after some discussions. At the College Benefits Fair in September, employees will be able to talk to both American Fidelity and Aflac. Trustee Fitzgerald inquired if the sources page on the handout had been vetted for accuracy. Executive Director Wright shared that he has not looked at them specifically. Trustee King shared it was important that the employees could talk to the providers, not necessarily just these two. Dr. Gutierrez shared that this did not have to come to the Board, however he wanted the Board to know and have more specifics, along with the opportunity to give the benefit to the employees directly from the Board. Executive Director Wright shared he would continue to look at potential providers outside of American Fidelity and Aflac. The motion was reread for understanding. Executive Director Wright clarified that the maternity benefit is not excluded on the list with Aflac. Trustee Fitzgerald inquired on Iowa on the product comparison sheet. Executive Director Wright shared he would look into this and verify it was Oregon information, not Iowa information. Trustee King called the question.

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Public Comment: None.

Action: Motion passed. 5 yay; 1 nay; Motion passes.

Trustee Petersen shared that she voted nay, as she did not believe it was something the Board should be voting on.

XI. BOARD DISCUSSION AND PUBLIC PARTICIPATION

A. Board Discussion

i. Board Comment

- Trustee King thanked VP Fiscus and her staff, on the buildings inside and out, and the grounds, as they look incredible.
- Trustee King called attention to how important the upcoming retreat is. He is excited about how the Board is facing great opportunities in the middle of crisis, with Dr. Gutierrez direction. The College can do amazing things and is facing great opportunities. Trustee King encouraged everyone to take part in these conversations.
- Trustee Marquez inquired “Do KCC students have the hardware, software and connectivity to be successful in the online school environment and what outreach and assessment has been made to students to fill needs and gaps”? Dr. Gutierrez shared that the answer is yes, and that the College can share this information with the Board. Dr. Gutierrez will share data. Trustee Marquez shared that her interest would be that we are doing outreach and assessment of student’s needs. One of the bills passed included a building the bridge fund that was being created. Chair DeCrans shared that KCC has been, by far, more ready to handle online. The College may not be 100%, however compared to other community colleges, we are advanced. Trustee Marquez shared there are financial opportunities to both make and assessment of where the gaps are and opportunities to repair and fill those gaps.
- Trustee Petersen shared that she has had constituents that are not able to access the Board, or make contact. Executive Director Wright and Trustee Jensen spoke to a gentleman last week concerning this. Trustee Petersen shared that a gentleman dropped off a letter to the administration about 6 months and he did not get a response. He asked Trustee Petersen, who asked the administration and administration did not have a recollected of this personally hand delivered letter. He met with Executive Director Wright and Trustee Jensen, he was not given contact information, he was told the best way to get ahold of them is show up at a meeting. Trustee Petersen shared he was an agriculture worker and was not able to do that. Trustee Jensen shared that he asked the individual for a copy of the letter and asked him to get it to us and said he could drop it off at the College or bring it in. Chair DeCrans asked Trustee Petersen to get the letter and send the letter to him and then he will send it to the Board.
- Trustee King shared some points. He encourages the Board to interact with items as well. Trustee King stated for the record “How many FTE (KCC employees) work from home? How are we evaluating this performance and participation? How do we verify who is doing the student work? What safeguards are in place? Does the online learning system work better than our Board and Budget zoom meetings? I would like to have a written response prior to our Board Retreat August 25th”. Chair DeCrans suggested that this be given out at the Special Board Meeting with the coverage of COVID. Trustee King shared that he encourages Board member to ask the tough questions, it was time to step up and make a difference in people’s lives, it is opportunity.
- Trustee Fitzgerald referred to Executive Director Wrights report and the reference to reviewing Title IX compliance requirement, policies and procedures. He shared that new Title IX regulation are rather controversial. He would like to see a comparison of KCC Board policies and they exist and how they would be adopted.

- Trustee Petersen thanked her fellow Board members for making comments during Board Comment.
 - Trustee Jensen shared that in his time as Board Chair, it has been an honor, and thanked the Board for letting him do it as long as he has. The Board thanked Trustee Jensen for serving.
- B. Public Participation
- Trustee Jensen shared that Trustee Marquez has a prior engagement for August 25th. Chair DeCrans will inquire with the Board on the availability of everyone to meet on the 31st or leaving the retreat on the 25th. It was clarified that the regular rules of Board meeting are adhered to for the special meeting and retreat.

XII. FUTURE ISSUES

- None.

XIII. NEXT MEETING

- A. Special Meeting: August 19, 2020, Founders Hall Boardroom
- B. Board Retreat: August 25, 2020, Running Y Resort. Trustee Marquez shared that she will not be able to attend.
- C. Scheduled Board of Education Meeting: September 22, 2020, Founders Hall Boardroom

XIV. ADJOURN

Motion: To adjourn.

Motion by: Helen Petersen

Chair DeCrans adjourned the meeting at 8:45 pm.

Respectfully submitted by:
Shannon Childs
Klamath Community College
Board of Education Secretary