



---

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

Regular Meeting – Tuesday, September 22, 2020 6:00 PM

---

**MINUTES**

**I. CALL TO ORDER**

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

**Members Present:** Kenneth DeCrans; Kate Marquez; Al King; Dave Jensen; Michael Fitzgerald; Helen Petersen; and Crystal Rice, Non-voting Board Member, ASKCC President. A quorum was confirmed.

**Members Absent:** William Riggs, excused.

**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; Dale Severns, staff; and Shannon Childs, Secretary to the Board.

**Guests:** Margaret Justus.

**II. SHOWCASE**

Dr. Gutierrez introduced Dean Christopher Stickle to give an update for the Apprenticeship Center. Dean Stickle presented a PowerPoint which included the floorplan and the ABC's of programming. A rendering was shown involving section A, which would house Associates of Applied Science Criminal Justice, Associates of Applied Science Emergency Response and Operation Emergency Medical Technician, and Associates of Applied Science Emergency Response and Operations Structural Fire and Wildland Fire Science. A drill ground area was shown on the site program. A rendering was shown involving section B, which would house Associates of Applied Science Electrical Apprenticeship Technologies, Associates of Applied Science Construction Trades General Apprenticeship Plumbing, Associates of Applied Science Industrial Mechanics and Maintenance Technology Apprenticeship, Occupational Safety and Health Administration (OSHA), Work Force and National Center for Construction Education and Research (NCCER) Certification. The New Pre-Apprenticeship Pathway Certification was reviewed. A rendering was shown involving section C, which would house Welding Technology, and Cross-Over Curriculum with Advanced Manufacturing.

Trustee King inquired on the pressure put on the College by unions and inquired how this interfaced with the union apprenticeship programs. Dean Stickle shared that the College is not affiliated with union apprentice, all the Colleges apprentice are single proprietary. The College does have the same rules that have to be followed.

Trustee King inquired on the Highway 140 Fire Station and the College's involvement. Dean Stickle shared that District 1 has gone into a contract with Airlink, who has taken over the back part of the parking lot. KCC has negotiated to be able to stay there and park the firetruck in the bays and have a storage unit there. For fall term, the fire truck is being brought over to building 5. Dean Stickle shared that the residency training facility has been turned back with the agencies, however they can sponsor individual students into the program. There are two individuals who may come out of District 1.

Trustee Petersen thanked Dean Stickles for working on Career Pathways. Trustee Petersen also shared that Instructor Jim Gravely was an amazing hire.

Trustee Marquez inquired if the cost of technology is included in the overall Apprenticeship. Executive Director Massie shared that base funding has been included in the 7.9 million. The Foundation would be looking at any innovative technology need increases.

### **III. CONSENT AGENDA**

- A. Board Minutes (Regular Meeting July 28, 2020, Special Meeting August 19, 2020 and Board Retreat August 25, 2020)
- B. Personnel Action
- C. Administrative Reports
- D. Appropriated Objects (Financials)
- E. Enrollment Dashboard

#### **Motion: To accept the consent agenda.**

Motion by: Al King

Second by: Kate Marquez

Discussion: Trustee Petersen noted on the August 19<sup>th</sup> page 5, under Trustee Petersen, it should read “alone”, not along. It was also noted that the green sheet for Title IX, at the top, should read information item, not action item.

Public Comment: None.

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

### **IV. ADOPTION OF AGENDA**

#### **Motion: To adopt the agenda.**

Motion by: Al King

Second by: Dave Jensen

Discussion: None.

Public Comment: None.

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

### **V. PRESIDENT REPORT**

- a. Dr. Gutierrez shared that there has not been a change to the Re-Opening Plan and asked Executive Director Wright to present on an update. Executive Director Wright shared that maximum capacity signs have been added around campus. There are face mask signs across campus. There will be directional signs on the ground in front of doors to designate entrances or exits. Water fountains across campus have been turned off at this time, with an order in to fix those machines that have water bottle filling stations that can be used. There was a Klamath County Public Health meeting with faculty. With the review of all plans in the county, it was shared that KCC's was the most comprehensive. The College is preparing as much as it can for students to be on campus. Trustee Marquez inquired how many classes were face to face versus online. VP Jamie Jennings shared that there are about 600 students receiving face to face classes, and over 700 students online. Many students are taking a mix. Executive Director Wright shared that to this point, there have not been any positive COVID cases on campus. All employees have had a face covering provided by the College. There will be extra disposable masks around campus. If need be, there are face coverings available in the bookstore for both employees and students. Trustee Fitzgerald inquired how students are being assessed for symptoms. Executive Director Wright explained that this is a self-check process for both
- Klamath Community College is an Equal Opportunity Educator and Employer.

students and employees. This will be evaluated throughout the term. The College is not doing a sign in at this time. Trustee Petersen added that roll and attendance is completed in classes, which could help if need be. Trustee King asked what the dollar costs are so far for the COVID activities, and what are the financial dollars the College is receiving in reimbursement from federal, state and local sources. VP Fiscus shared that expenses are being tracked, as well as funds coming in. VP Fiscus approximated that the College may have spent \$150,000. The Cares Act was \$349,000 distributed to students and \$349,000 distributed to the institution to assist. Trustee King inquired if the assessment of rigor in the class had been looked at. Dr. Gutierrez shared that classes had not started and could not yet be assessed. Trustee Petersen inquired on Fire and COVID, if there is thought on natural disaster mixed with COVID. Executive Director Wright shared that the Governor has allowed the College to relax some rules in the instance of needing to house those in the event of natural disaster. The College is looking at how many students and staff may be affected by the fire. KCC is committed to the community and assisting. Executive Director Wright shared that there have not been discussions on testing on campus. Currently local health providers and Skylake's have the testing available. Executive Director Wright will further inquire on cost of testing. Trustee King inquired on students wanting to get reduced tuition. Dr. Gutierrez shared that there have not been requests such as this yet. Trustee Petersen asked if there was information for student on who to contact when they have symptoms. Executive Director Wright shared the postings at the doors and direction for those who are experiencing symptoms to stay home. The College is not trying to be a health provider. Instructors will have contact information for their classes in these cases. The College will try to be flexible with instruction and opportunity.

- b. Dr. Gutierrez reviewed information that has been shared on the Cares Act. Those students who were not pell eligible did not get monies from the Cares Act, however the KCC Foundation stepped in and matched funds the credit students received. Dr. Gutierrez shared this information at an Oregon President's Council (OPC) meeting with the Governor, which since, other colleges have done the same thing. Dr. Gutierrez shared that of the money given out, the Governor set aside six million dollars for needy students. Dr. Gutierrez reviewed information on the Higher Education Coordinating Commission GEER (Governor's Emergency Education Relief) funds handout.
- c. Dr. Gutierrez shared that although it is not an ORS (Oregon Revised Statute), it is a Board policy that students have a GED (General Education Diploma) or high school diploma to come to KCC. Trustee Marquez inquired if it was the same across the state with community colleges. Dr. Gutierrez offered to look into that, more than likely, they have the same policy. Dr. Gutierrez elaborated that if the Board looked at changing that policy, it would involve greater conversations. Trustee Jensen inquired if a student without a GED or high school diploma is eligible for funds, such as financial aid. Dr. Gutierrez shared he would need to verify what funds those students are eligible for, what funds they are not. Trustee King expressed that it does not make sense that community colleges would not have any restrictions or controls from the state or federal government on this. Dr. Gutierrez shared that Oregon is unique as it has publicly elected Board members. Trustee Petersen added it may be tied to Federal Financial Aid.
- d. The Mexican Consulate will be here the weekend of October 2<sup>nd</sup> to 4<sup>th</sup>. They have worked with the State Department and will be handling everything by appointment only. VP Bill Jennings shared they were here in 2006 and 2009, at our campus. Trustee King shared he had not heard of this before, he would be concerned about the rights of these people. Dr. Gutierrez shared it is voluntary upon making appointments, it is not mandated. Trustee King is looking at potential problems such as confidentiality issues and issues with rights. The College is the vehicle approving the Mexican Consulates

Klamath Community College is an Equal Opportunity Educator and Employer.

right to be on campus. Dr. Gutierrez shared he did not see any issues and thought it was a good thing. Trustee King shared that they call these things, such as ICE (Immigration and Customs Enforcement), task force. Then elicit lots of different entities in sharing information.

- e. Dr. Gutierrez reviewed Ransomware and hacking. Homeland Security asked for volunteers and KCC has volunteered. This is basically permission for Homeland Security to try to hack the institution. The College will find out how vulnerable it is in a report. This will help the College look at how they could be better in the future. Trustee King noted that the College should be aware of who they are dealing with, there are people who may be concerned with this. Trustee Petersen expressed thanks for looking at this before there is an issue.
- f. A Student Enrollment by Age handout was shared and reviewed.
- g. Information was handed out regarding students having the hardware, software, and connectivity to be successful in the online school environment.
- h. Dr. Gutierrez had Executive Director Wright handout his contract to the Board. Chair DeCrans asked that although it was a public meeting, this information should not be shared. If someone would like it, they can go through appropriate channels.

#### **VI. ASKCC STUDENT REPORT**

- a. ASKCC President Rice gave updates. New Student Orientation is Thursday and there will also be zoom sessions. Monday will be coffee, tea, and hot cocoa with the offering of masks. There will be a Taco Tuesday.
- b. ASKCC is finalizing the details for the ASKCC Retreat.
- c. There will be a potential “need” survey going out to the students. There will be an open comments section.
- d. Ms. Rice shared KCC Food Pantry Food Packet Request form information with the Board via a handout. Currently the food pantry is stocked.

#### **VII. STATE REPORT**

- a. Trustee Marquez handed out and reviewed information with the Board. The information handed out included information on registering for ACCT Leadership Congress, as well as information on registering for Virtual Congress. Dr. Gutierrez shared that if the Board is interested in attending, the College would pay for registration and to let him know if anyone is interested in attending. Trustee Petersen shared she would be interested to go virtually to the October 20<sup>th</sup> date and asked if she could attend on campus. Mrs. Childs will look into this. If anyone is interested, they will let Ms. Childs know.

#### **VIII. FOUNDATION REPORT**

- a. Executive Director Massie shared that the academic scholarship process is about to begin. The review date is October 26<sup>th</sup>.
- b. The Foundation met and talked about the Apprenticeship Center and capital campaign. They are looking at ways to raise funding to fill the gap before the end of the year without meeting with the large group.
- c. The Education Access and Opportunity fund has actually had 82 applications that have been awarded, just under \$40,000. The Foundation Board added in another \$10,000. The application date has been extended to the end of October with additional funds.

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

## A. Title IX Regulatory Changes – Information Item

Dr. Gutierrez introduced Executive Director Justin Wright to share the information with the Board.

Executive Director Wright presented the PowerPoint in the packet which included sexual harassment definition, jurisdiction, actual knowledge, college personnel: Title IX/Oregon, and other substantial Title IX changes. The next steps were reviewed along with deadlines, timelines and challenges.

Trustee Marquez asked how this applies at KCC, being a relatively small school in a small community and people wearing different hats. Executive Director Wright shared that he is the Title IX Coordinator. Trustee Marquez expressed that she felt it was unfortunate that the Title IX Coordinator is male and described why it may be appropriate for the roll to be filled by a female as the preponderance of complaints are from women. She feels that this could be uncomfortable enough to make it discouraging. Trustee King shared that there have been cases at the College that involve problems with women to men. A short discussion ensued on the topic. Executive Director Wright shared who filled other roles, noting that they all had to be trained under the new rules. The current investigator is Mike Homfeldt. The advocates are a group that will be cross-trained, both female and male. Trustee Petersen shared if there were a gender issue, typically there were options for females to be available. Trustee Fitzgerald shared that the rewrite of Title IX gives the males more power than before, with typically the women being the unfortunate victim. This put them in a place to be forced into a more vulnerable position. All the declarations should consider that power dynamic. Trustee King shared that half of the attorneys with the College have been female. He did not feel that the College had a history of male dominance here. There was a Board discussion on male and female representation in Title IX and college history.

Trustee Fitzgerald asked what the options for the new policy in the amount of leeway for the institution. Executive Director Wright shared that preponderous vs. clear and convincing is really the only option. The rest of the requirements are rules. The Title IX Coordinator has a lot of say in determination of what happens.

Trustee Fitzgerald inquired on advocacy and if the respondent could hire an attorney. Executive Director Wright shared they could. Trustee Fitzgerald inquired if KCC would provide a comparable advocate for the complainant. Executive Director Wright shared that the requirement is that both parties are given an advocate. KCC is not required to obtain an attorney, however could consider that.

Executive Director Wright shared that prior to anything coming to the Board for policy change, the Board will have advance notice.

Trustee Petersen clarified that Title IX is federal and clarified the difference of federal and Oregon definition.

Executive Director Wright shared that August 14, 2020 was the due date. KCC is in the same position as the rest of the state. It has been advised that the College get started, however they are in that same place as most in the state. The College is actively working on this.

Trustee King commented that if there is federal case law, it overrides state law. Executive Director Wright shared that the state can give more protection the federal government, they just cannot give less. In this case, Oregon's definition is more expansive. If, a situation did not qualify for Title IX analysis, it could move forward under the Oregon definition.

Trustee Petersen shared that you have to give written notice to all parties through the process, what if it is anonymous. Executive Director Wright clarified that this limits the institutions availability to follow up.

The Board discussed Board Policy moving forward and what is policy and what is determined in process. Trustee King elaborated that he did not want to interfere with an individual's right to go through the criminal process. He did not want any process to impede on criminal law and the criminal justice process. Executive Director Wright shared that the College would not do anything that would hurt the student in the process. The College has a good relationship with the law enforcement on campus and expects that if there were a parallel investigation, they would work well together.

Trustee Petersen clarified that this was an information item, not an action item.

#### B. President's Goals – Action Item

#### **Motion: To accept the President's Goals.**

Motion by: Helen Petersen

Second by: Michael Fitzgerald

Discussion: Chair DeCrans read the goals for record.

1. Continue to Develop and Enhance the Foundation's Progress and Work Towards Self-Sustainability
2. Benchmark and Measure Key Performance Indicators
  - a. Graduation Rate (IPEDS and internal data)
  - b. Student Retention
  - c. Employment Rate in the Field\*
  - d. Student Salary Attainment\*

\* Working with Higher Education Coordinating Commission (HECC)
3. Increase the Opportunity for Four Year Degrees, Through All Institutions, at KCC
4. Continue with the Implementation of the Bachelor of Science Nursing (BSN) and Make the Register Nursing (RN) Program Sustainable through the BSN
5. Develop and Implement an Apprenticeship Center at KCC
6. Proactively Closely Monitor and Actively Lobby for Implementation of House Bill 2998 Transfer Bill (no loss of credit legislation)
7. Maintain a Strong Relationship, with Timely Communication Across the Board, Vertically and Horizontally, with the Board of Education
8. Lake County
  - a. Work with Higher Education Coordinating Commission (HECC) and Lake County Commissioners to begin the process of incorporating North Lake into the Klamath Community College District.
9. Explore Opportunities for Child Care on Campus that KCC Students Have Access
10. Continue to Explore Opportunities to Increase Native American Student Numbers
11. Explore Pandemic Educational Opportunities

Trustee King asked if Trustee Marquez had feedback considering she was not able to attend the retreat.

Trustee Marquez shared she felt they were fantastic goals. Trustee King called the question.

Public Comment: None.

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

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

#### A. Board Discussion

##### i. Board Comment

- Trustee Jensen reflected on the first goal for Dr. Gutierrez which was the Foundation. Trustee Jensen handed out and reviewed Community College Foundation Executive Directors and Foundation Information. Trustee Jensen shared that if the Board asked the Foundation to be self-sustaining, it would put the College in a place of not being as easily able to raise money. It puts the Foundation in a place where the College wants it to raise
- Klamath Community College is an Equal Opportunity Educator and Employer.

money, however not willing to help. Trustee Jensen expressed that he personal opinion was to not have the Foundation self-sustaining. Executive Director Massie shared that about 20-25% of his time is towards being the Director of the Foundation.

- Trustee King thanked the Foundation for the progress that has been made, and that is the reason he chose to make a contribution. The Foundation has come a long way and major changes have occurred.
  - Trustee Fitzgerald asked that the names be added in addition to title in the Admin Reports.
  - Trustee Petersen commented on hiring, the College hired five positions, and asked about on the hiring freeze. Dr. Gutierrez shared that some are grants or replacements, there is a hiring freeze for new positions.
  - Trustee Petersen noted that Maggie Wood has retired and she was a wonderful lady and sweetheart. Dan Sheahan was amazing and that is a loss too.
  - Crystal Rice gave appreciation and recognized Shannon Childs for the produce boxes for students and employees.
- B. Public Participation
- Kathleen Walker-Henderson thanked the Board for allowing her to join in zoom format. She also thanked the College for a safe, organized, and productive Convocation.

#### **XI. FUTURE ISSUES**

- None.

#### **XII. NEXT MEETING**

- A. Scheduled Board of Education Meeting: October 27, 2020, Founders Hall Boardroom

#### **XIII. 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