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

Regular Meeting – Tuesday, February 25, 2025 6:00 PM

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**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:** Misty Buckley; Raymond Holliday; Kate Marquez; Dave Jensen; Linda Dill; Richard Harrington (virtual); and Kenneth DeCrans. A quorum was confirmed.

**Members Absent:** None.

**Staff Present:** Dr. Roberto Gutierrez, President; Jamie Jennings, Vice President; Denise Reid, Vice President; Gail Schull, Vice President; Charles Massie, Vice President; Joshua Guest, Executive Director; Bill Jennings, staff; Gerry O'Brien, staff; Elizabeth West, staff; Carly Gilder, staff; and Shannon Childs, Secretary to the Board.

**Guests:** Kathleen Walker-Henderson

**II. SHOWCASE**

VP Jennings shared the history of the Center for Teaching and Learning Center (CTL). KCC has not always had distance education. VP Jennings introduced Dr. Hanan, Director of the CTL to share more information. Dr. Hanan presented and reviewed a PowerPoint including staff in the center, what the CTL is, an example of the support that the CTL offers, the support the students and teachers need, and the core programs and initiatives. Impacts and achievements from the year were also reviewed.

**III. CONSENT AGENDA**

- A. Board Minutes (Regular Meeting January 28, 2025)
- B. Personnel Action
- C. Administrative Reports
- D. Appropriated Objects (Financials)
- E. Enrollment Dashboard

**Motion: To accept the consent agenda as presented.**

Motion by: Kenneth DeCrans

Second by: Raymond Holliday

Discussion: None.

Public Comment: None.

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

**IV. ADOPTION OF AGENDA**

Chair Jensen requested to move XIII.B. under the Foundation report.

**Motion: To adopt the agenda as changed.**

Motion by: Kate Marquez

Second by: Raymond Holliday

Discussion: None.

Public Comment: None.

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

**V. PRESIDENT REPORT**

- a. Dr. Gutierrez shared that those members refiling for the Board have until March 20<sup>th</sup> to file.
- b. Dr. Gutierrez called on Executive Director Guest to share information on earthquake insurance and background checks. The College does background checks on all employees and the insurers of the College are pleased with that. The cost is about \$6K per year. Executive Director Guest shared that for earthquake insurance, it is in a group pool of \$20M. To get a specific policy for only Klamath Community College, for an additional \$25M dollar policy would be approximately \$40K a year in additional premiums. Outlying locations such as Cosmetology and Lake would not be included. Executive Director Guest shared that for an additional 2.00 per employee, the College would get notified of driving violations. The College could then use that in considering the driving privileges of employees.
- c. Dr. Gutierrez shared a letter from the United States Department of Education and shared information from the letter.
- d. Dr. Gutierrez handed out and reviewed a letter to Representative Nosse, and KCC funding requests on a 2025 state legislative path. Following the letter Representative Nosse and Dr. Gutierrez met. He was very supportive. Shortly after, the Ways and Means scheduled to meet at KCC on April 25<sup>th</sup>.

**VI. ASKCC STUDENT REPORT**

- a. ASKCC President Gonzales was excused from the meeting.

**VII. STATE REPORT**

- a. Trustee Marquez asked Gerry O'Brien to give an update on the OCCA Meeting. Next week is the OCCA Legislative Summit. Every week OCCA meets to review upcoming bills and items on the agenda. At the Summit there will be a CTE component, which KCC will have representation at from Apprenticeships. Mr. O'Brien reviewed the bills working their way through the legislature, including SB 478, HB 3634 (which raises the cap to), HB 2669 (requiring part-time faculty be paid at the same rate as full-time faculty), and HB 3182 (having Higher Education Coordinating Commission fund a basic need program, which was previously removed from the Governor's budget). HB 2669 was further discussed. This has been lowered to 85% and is a funded mandate. Trustee Marquez shared her understanding that OCCA did not support the original bill. Dr. Gutierrez shared that full-time faculty are much more involved across the institution, at all Colleges, such as being on committees and serving on shared governance councils. There are trust issues that this will only be funded shortly, then it will go back to the Colleges. This is a concern. Students are enriched by adjunct faculty, as many are working in their field of study. Trustee Harrington asked what effect this would have on the current faculty contract. Dr. Gutierrez shared there would be no negative effect on the faculty union contract. Chair Jensen shared that are over 1,500 bills being reviewed.
- b. Trustee Marquez shared that the PELL grant is projected to have a 2.7-billion-dollar budget shortfall. There was a discussion on student need in certification versus degree. The shortfall is concerning.
- c. The public meeting law passed. There was talk about mandatory training. It was noted that KCC received the alert, but does not have information on training yet.
- d. Trustee Marquez inquired on the status of undocumented students on the web.

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## **VIII. FOUNDATION REPORT**

- a. VP Massie shared that currently, the KCC Foundation is managing 1.1M in scholarship funding. Some is endowed, or invested or direct use. The endowment for Life Changers has passed the 100K fundraise mark. There is also the management of 400K in monies that are passed through for various programming.
- b. To date, since July 1, 2024, 58K has been given in academic awards. There is another 35K in noncredit education access and opportunity fund and emergency fund.
- c. The goal was to reach about 130K in scholarship giving this year. They are currently at 93K. The investment strategy is starting to pay off. The investments being made are spinning off earnings. Thanks was given to the chair of the KCC Foundation.
- d. The Night on the Town Gala will be on April 26<sup>th</sup>.
- e. The family is continuing to do fundraising for the Howard Johnson Memorial Fund. They are doing a car show on July 19<sup>th</sup> and a second golf tournament in September. There is encouragement to attend.
- f. Trustee Marquez inquired on what the gap between the requested financial report and the support given. VP Massie shared that they did not have set amounts a student could apply for. Unless financial aid shares a student cannot be funded, the Foundation provides some kind of support to every student who applies. The scholarship committee decides amounts.
- g. The Life Changers Luncheon has been rescheduled for April 4, 2025.

## **XIII.A.ii. Public Participation**

- Elizabeth West addressed the Board, as an organizer of the Klamath Community College Association of Classified Employees. Ms. West shared that it was brought to their attention on January 27<sup>th</sup> that Robert Charlie Halverson was terminated from his position as the Auto Diesel Lab Coordinator at the College. Ms. West further shared that his position was protected by the newly formed KCC ACE which is represented by the Oregon Education Association (OEA). He is now being denied unemployment benefits by the College. The College let Charlie go based on his knowledge, or lack thereof regarding large engines and having to be trained on the job. In his interview Charlie disclosed that his knowledge was primarily on small engines and the College still chose to move forward and offer him the position with the suggestion that he train with the auto diesel student to learn how to work on large engines. In his tenure at the College, Charlie was not provided with the training necessary to be successful in his position. In October Charlie was marked down on his performance review due to this lack of knowledge despite his previous disclosure in his interview that he did not have said knowledge. We are asking that the College, that when an employee is put on a performance improvement plan or has a poor performance evaluation, that the supervisor be held responsible to fully explain the actions to be changed, what supports will be provided to the employee and the documentation be provided to the OEA when this happens, but to also follow thru with said training and what didn't work prior to termination. These cannot be blanket statements but rather actions to support the chance for change. This was not done for Charlie Halverson. We ask that the College do the right thing and drop the dispute of Charlie's unemployment benefits, which has created an unnecessary burden on Charlie and his family. Ms. West added, an injury one to one is an injury to all, who is next.

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

- A. Board Policy Board Policy 2432, 5014, 6500, 7234, 7341, 7400, and 3550 – **Action Item – Second Reading**

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Bill Jennings, Institutional Researcher presented policies up for approval.

BP 2432 College President Succession was reviewed.

BP 5014 Criminal Background Check was reviewed. This is the student-level background check.

BP 6500 Property Management was reviewed. Trustee Harrington expressed interest in there being a dollar limit on real estate. He recommended a 50K limit. Executive Director Guest shared that this is an authority under trusting the President. Mr. Jennings added that there is a spending limit under other policy. Something that is budgeted for is a different authority. Trustee Harrington shared that this policy also covered selling and he felt the Board should be involved in the approval process. Dr. Gutierrez shared that if the Board wanted to do this, he would agree. Trustee Marquez asked that some examples be brought to the next Board Meeting. Chair Jensen asked for this to be removed from motion and be brought back. There was discussion if the policy covered too much for one policy. Mr. Jennings will review this policy to bring back. Trustee DeCrans shared that he felt the care and use of college property may be in procedure, not policy. Trustee Harrington inquired when the procedure may be presented to the Board and the timeframe. Dr. Gutierrez explained that following Board approval there is a process to approve procedures for the College. The policy is first step. It was shared that all approved Administrative Procedures were on the web. The Board agreed that the link could be sent to them instead of a presentation.

BP 7234 Overtime was reviewed. Trustee Harrington inquired on employees who worked overtime without approval. Executive Director Guest shared that the employee would be paid, and followed up with appropriate disciplinary action.

BP 7341 Sabbaticals was reviewed. Trustee Harrington shared an example of a faculty writing a book or text book while on sabbatical and inquired who owns the copyright on the work they produce on sabbatical. Mr. Jennings shared there was a provision in the contract regarding this and capital gains would be negotiated up front.

BP 7400 Employee Travel was reviewed. Trustee Harrington inquired on the procedure to go with policy, as most of the policy is going to procedure. There was a discussion on how long it will take to create a procedure to go with policy so that what is crossed out does not get lost. Dr. Gutierrez shared that the crossed-out section was truly procedure and does not belong in policy. Dr. Gutierrez clarified that the College already has a procedure. There is a procedure that can be sent to the Board if they would like to see it. Trustee DeCrans shared that at the time, there is redundancy in policy and procedure. The Board needs to clean up the policy.

BP 3550 Drug-Free Environment and Drug Prevention Program was reviewed. Trustee Marquez inquired about what information was distributed. Executive Director Guest shared that it was in the Employee Handbook. This is also in the general syllabus. Trustee Harrington inquired on the allowance of alcohol. It was noted that the request for exception was at the end of the policy. Trustee Buckley inquired if there was any question on what fell under an illicit drug. Executive Director Guest shared that it would be whatever the law read to be illicit.

**Motion: To accept Board Policies 2432, 5014, 7234, 7341, 7400, and 3550.**

Motion by: Richard Harrington

Second by: Misty Buckley

Discussion: None.

Public Comment: None.

**Action: Motion passed. Unanimous approval**

**B. Board Policy 4500, 5200, 6620, 7230, 7355, 7370, and 7390 – Action Item – First Reading**

Bill Jennings, Institutional Researcher presented policies up for review and recommended edits.

BP 4500 Student News Media and Publications changes were reviewed. Trustee Harrington inquired on Signa Delta Chi language. Mr. Jennings shared if it was the Boards desire, it could be removed. Trustee DeCrans shared that the procedure was in the employee handbook.

BP 5200 Student Illness, Accidents, and Immunizations changes were reviewed. Trustee Harrington asked what level of assurance is asked to be provided. Executive Director Guest shared that the information is submitted through the faculty to Human Resources, vetted and submitted to the Oregon Health Authority. This includes military record. All student records are protected under FERPA. Trustee Buckley clarified that the Safety Officer is not the police. Trustee Buckley clarified that this policy does not make rules for what the students have to do. It is the requirement of the program. Trustee Harrington inquired if the College has a database of what programs require immunizations. Trustee Harrington expressed concern for Cosmetology needing to be immunized so they do not get students sick.

BP 6620 Naming of Buildings, Facilities, and Campus Green Spaces changes were reviewed. Mr. Jennings shared that the Board just went through the naming of rooms in the Apprenticeship Center. These were brought to the Board in the packet. Trustee Harrington shared that he read through the naming and felt a building could be bought to have its name. He asked to have this reviewed and consider heroic efforts in combat or the line of duty in namings. Chair Jensen shared that the procedure does not specify that, the Board has authority. Trustee Marquez expressed that she welcomed large donations, as it can be difficult to raise. Trustee Harrington further inquired where the procedure is for this to cover the wrong being removed. Trustee Harrington recommended cross references. Mr. Jennings will review where the information is and add to the notes page at the next meeting.

BP 7230 Employees changes were reviewed. VP Reid shared that under support staff, under part time employees, the benefit package has been removed going forward. Existing part time employees were grandfathered in. All new part time employees do not receive the benefit. It was recommended to not strike, so that the College President can continue to give those benefits. There was a discussion on the language for part-time employees. The language was changed from “are eligibly” to “may be eligible”. It was confirmed that the College does contact employees who do not report for work.

BP 7355 Grievance Procedure changes were reviewed. Mr. Jennings shared that all the information stricken was rewritten into the policy. Trustee Harrington inquired if this matched up with the existing union contract. Executive Director Guest shared that this policy worked independently from the union contract and is available to more employees. A grievance remedied under one or the other would be honored in its entirety. Trustee Harrington shared he would feel more comfortable if there were not two versions of the grievance. There was a discussion that if a grievance is covered under the contract that is where it should go. If not, it would go through this policy. This policy allows all employees to have a grievance policy in the absence of the faculty union. Trustee Buckley inquired on the use of the word procedure here. Executive Director Guest shared that this policy gives the employees the authority to challenge the President, hence it is in detailed steps.

BP 7370 Employee Political Activity changes were reviewed.

BP 7390 Retirement Plan changes were reviewed. Trustee Buckley suggested changing the first sentence and listing “be retired” second in the sentence. An employee prepared to retire, then retires. Trustee

Holliday inquired if a retiree would be eligible for the Public Employees Retirement System (PERS) program if they retired and then came back and worked for the College. Mr. Jennings shared that this is law-driven under hours and contribution.

**X. RECESS REGULAR MEETING**

**XI. EXECUTIVE SESSION (Pursuant to ORS 192.660(2)(d)(e))**

The Board recessed at 8:25 pm,

Executive session convened at 8:30 pm.

An executive session was called under; ORS 192.660(2)(d), which allows the Board to conduct deliberations with persons designated by the governing body to carry on labor negotiations; and ORS 192.660(2)(e), which allows the Board to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Dave Jensen, Misty Buckley, Raymond Holliday, Kate Marquez, Linda Dill, Richard Harrington, Kenneth DeCrans, Dr. Roberto Gutierrez, Joshua Guest, Charles Massie, Jamie Jennings, and Shannon Childs were present for the executive session.

A discussion was held regarding the labor complaint made during public comment.

VP Jennings left the meeting.

There was an update on labor negotiations.

An update was given to real property transactions in capital projects.

The meeting was called out of executive session at 9:00 pm, and the regular meeting reconvened to extend the meeting.

**Motion: To extend executive session past 9:00 pm.**

Motion by: Richard Harrington

Second by: Raymond Holliday

Discussion: None.

Public Comment: None.

**Action: Motion passed. Unanimous approval**

Executive session convened at 9:01 pm.

**XII. RECONVENE REGULAR MEETING**

The meeting was called out of executive session at 9:18 pm, and the regular meeting reconvened.

**XIII. BOARD DISCUSSION AND PUBLIC PARTICIPATION**

**A. Board Discussion**

**i. Board Comment**

- Trustee Buckley asked if any of the grants the College currently has are frozen. There is one with the Commercial Driver's License program of around 200K that is frozen. Dr. Gutierrez shared that the federal monies with the Hispanic Serving Institution may be Klamath Community College is an Equal Opportunity Educator and Employer.

gone. Other grants will be reviewed. TRiO and HEP may be looked at. These serve many students at the institution.

- Trustee DeCrans inquired if there was ever a final for the Aviation program and the Veterans Administration. Dr. Gutierrez shared this will come before the Board at a future Executive Session.

#### **XIV. FUTURE ISSUES**

- April 4<sup>th</sup> is Life Changers.
- April 25<sup>th</sup> is Ways and Means from 5-7 pm.
- April 26<sup>th</sup> is the Gala.
- Cosmetology has a completion program this coming Monday at 5:30 in Building 7.

#### **XV. NEXT MEETING**

A. Scheduled Board of Education Meeting: March 18, 2025, Founders Hall Boardroom

#### **XVI. ADJOURN**

**Chair Jensen adjourned the meeting at 9:23 pm.**

Respectfully submitted by:

Shannon Childs

Klamath Community College

Board of Education Secretary