



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

Regular Meeting – Tuesday, January 26, 2021 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; Dave Jensen; Michael Fitzgerald; 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; Michael Swanzy, Executive Director; Justin Wright, Executive Director; Lacey Jarrell, staff; Kathleen Walker-Henderson, staff; Dale Severns, staff; Kaitlyn Sanchez, staff; Geoffrey LaHaie, staff; and Shannon Childs, Secretary to the Board.

Guests: Nancy Mantel, student.

II. SHOWCASE

Dr. Gutierrez introduced Michael Swanzy, Executive Director Human Resources and General Counsel. Executive Director Swanzy shared information about himself and shared he was happy to be part of the College and what it is doing.

III. CONSENT AGENDA

- A. Board Minutes (Regular Meeting December 1, 2020 and Special Meeting December 14, 2020)
- 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: Michael Fitzgerald

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

IV. ADOPTION OF AGENDA

Motion: To adopt the agenda as presented.

Motion by: Dave Jensen

Second by: Michael Fitzgerald

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

V. PRESIDENT REPORT

- a. Dr. Gutierrez shared that the Veterans Affairs letter in the Board packet had student names on it. VP Bill Jennings shared that the names in the letter are directory information, which is acceptable. The last four digits of the social security number are also in the letter. It is not general that the College would have listed this. This is not a Family Educational Rights and Privacy Act (FERPA) violation, however it is not standard practice. The College filter did not notify that this was an issue. Dr. Gutierrez shared that he would like to ask that the Board exchange the document with the one Ms. Childs has. It was also asked that the email that was sent be deleted. Ms. Childs will send out the new document to the Board. Ms. Childs collected the letters from the Board and Cabinet and handed out the new letter without the information discussed.
- b. Dr. Gutierrez asked VP Fiscus to update the Board on the Apprenticeship Center timeline. VP Fiscus shared that the architects are visiting campus to meet with designated individuals to keep on track. The timeline for the Apprenticeship Center was handed out and reviewed with the Board. The plan is to break ground this summer and complete in July of 2022. VP Fiscus reviewed some of the history of Opsi and their work. Trustee Petersen inquired if there was a way to guarantee that the project stays local. Dr. Gutierrez explained it was a competitive bid, however he does share with the contractor that it is important to stay local as much as possible. Trustee Petersen asked about the drainage issue with the area. Chair DeCrans shared that Opsi already had information on the water and drainage for the area. Dr. Gutierrez verified that when the contract portion takes place, it will come to the Board for approval.
- c. Dr. Gutierrez shared that he has been working with the Childcare Center for at least two years. This has been a high priority for student access. There have been meetings with state legislators. It will be more difficult to find a match for a Childcare Center. In consideration of that, Dr. Gutierrez has been talking to legislators about the unfairness of a 50% match in rural areas. Metro areas can afford bonds, where as in poor areas, it is much more difficult. Dr. Gutierrez is suggesting for rural areas to have less of a match, such as 15-20%. There is a legislator who is looking at possibly putting monies aside in the budget and adding criteria to access the monies. May not work, however there is an effort to move it forward. The Board further discussed the need and how it contributes to economic development. Trustee Marquez shared that K-12 received childcare through a large federal grant. Trustee Marquez shared Myer Memorial Trust, with a strong equity lens, that may be interested in this. Foundation funding may also be available if it is looked into.

VI. ASKCC STUDENT REPORT

- a. ASKCC President Rice shared that ASKCC is getting ready for a virtual and in person meet and greet for Valentines to increase engagement. The blood drive is January 27th with all slots filled. The Pantry request form has been updated to be more customizable to better serve students.
- b. ASKCC President Rice shared that she and the students have expressed how pleased and exited that they are for the option of in person classes still being available. Many learn better in person verses online and having both options has been a huge success. Thanks was given to the College on behalf of students.
- c. The applications for ASKCC closed last week and interviews are coming up.
- d. The food drive turned out very well. ASKCC President Rice will share the information with the Board.

VII. STATE REPORT

- a. Trustee Marquez shared the 2021 Oregon Legislative session is starting virtually. Dr. Gutierrez added that KCC is on the docket for North Lake. Dr. Gutierrez will be attending virtually and testifying. Dr. Gutierrez asked Chair DeCrans if he would like to join to represent the Board. Trustee Marquez explained that OCCA monitors the bills and evaluates the relationship to community colleges. The bill with the second priority overall is House Bill 2089, the approving the transfer of Lake County from Central Oregon Community College to Klamath Community College.
- b. The Biden plan was handed out. Trustee Marquez shared it was good to have an ambitious vision at this time. Dr. Jill Biden backs debt free community college. Dr. Gutierrez is considering “shovel ready” projects in the instance funding comes in.
- c. Trustee Petersen inquired on the changing of Title IX. Dr. Gutierrez shared that an Executive Order was signed as a major change in sports teams. As things affect the community college, general counsel will give updates.

VIII. FOUNDATION REPORT

- a. Executive Director Massie thanked Chair DeCrans for attending the Foundation meeting. The Board adopted the new KCC logo as the Foundation logo. Communications is building a Foundation sub logo. There is a transition for the Foundation to take care of their funding internally with quick books. This will assist with the reporting that the Foundation Board asks for on a regular basis. This is transitioning currently. In the absence of the gala, a postcard was sent to recent prior attendees, with the option of purchasing a no-show ticket for two of \$40, which raised approximately \$500. A formal letter mailing was also sent which netted another approximate \$500. Direct mailing will be extended. All students who graduated in the past year will receive a post card to inquire on being part of the College alumni and keeping them engaged.
- b. Trustee Marquez inquired if KCC subscribes to a Foundation database. Executive Director Massie shared that they have E-Tapestry internally, however are not part of a large Foundation database. The grants department has a subscription to the large national database and place to get funding. Trustee Marquez further shared that OIT had a database that was available to the public which was used and helpful to the community. Trustee Marquez shared that if the Foundation database could be available to the community, it would be a good service that KCC may be able to provide. Trustee Marquez asked if we could look into this, cost and if it is available.

IX. INFORMATIONAL AND ACTION ITEMS

A. COVID Update – Information Item

Executive Director Wright gave an update to the Board. There has not been an update to the matrix. There is a transmission rate at the college of 1-2% in comparison to the community of 7-11%. In the past few weeks there were 3 cases of individuals who were isolated. It does appear that we are going in a good direction in Oregon. When the vaccine was originally given with authorization, it was thought by the Governor’s office that higher education would be included with the other educational facilities. The 1a group is about 68% completed. The 1b vaccine group started this week, which originally included K12 educators and higher ed, it has since been revised. All the vaccines that were promised to the state have not all arrived. Currently the K-12 teachers will be vaccinated, then the elderly. Right now, higher education faculty and staff are not on the list. This does change constantly. There is lobbying taking place for higher education. Even with vaccines, social distancing and masks will be required until 75% of the population has received both vaccines.

Dr. Gutierrez shared that KCC will not be mandating employees to get the vaccine. Trustee Petersen inquired how the College will incentivize vaccinations. Dr. Gutierrez shared that it is up to employees if they would like to take the vaccine or not. Trustee Marquez asked that the College support time off for employees to get the vaccine. Executive Director Wright shared that the vaccine can only be given at Skylake's due to storage. The Board discussed that employees are supported and are trusted with their decision on getting vaccinated. Trustee Petersen shared that she supports employees getting vaccinated as they can. Chair DeCrans shared that the Board supports employees on whatever decision they make.

B. Veterans Affairs Update – **Information Item**

Executive Director Wright gave an update to the Board. The letter received was drafted from outside counsel, working with Executive Director Wright. The same general counsel is assisting Portland Community College with similar issues. It is not the goal for litigation, however outside counsel has been involved in the instance that occurs. The Trump administration had stated that the Department of Education was not offsetting debts to the Treasury Offset Program until at least October of 2021. Trustee Marquez inquired on the number of community colleges affected and what the national effect is. Executive Director Wright shared he did not know what was going on outside Oregon, although he does know that of the community colleges facing similar allegations from the VA, KCC has smaller obligation compared to other colleges in Oregon. Executive Director Wright reviewed some of the processes followed by Oregon community colleges.

Central Oregon Community College (COCC), Treasure Valley Community College (TVCC), Portland Community College (PCC) and Klamath Community College, are part of this. Although TVCC flies out of Idaho and were not charged. Dr. Gutierrez will get information on national information if available.

Trustee Fitzgerald inquired on who Coach Sherry Scott was on page 15. Executive Director did not have direct information, he will contact outside legal counsel and inquire.

Executive Director Wright left the meeting.

C. Zone 7 Board Member Nomination – **Action Item**

Chair DeCrans shared that in order for motions to pass, it will still require 4 votes. If there is not a quorum, a position will be left vacant until the election in May. Chair DeCrans, Trustee Fitzgerald and Trustee Petersen met and interviewed candidates. Each member shared comments. Trustee Petersen shared that Mr. Flowers was her consideration and shared reasoning. Trustee Fitzgerald shared that Mr. Flowers was his consideration and shared reasoning. Chair DeCrans shared Mr. Flowers was his consideration and shared reasoning.

Motion: To accept Jason Flowers for the Board, zone 7 until the next legal vote is held.

Motion by: Dave Jensen

Second by: Michael Fitzgerald

Discussion: Trustee Marquez shared that she would vote for Gayle Yamasaki, and shared reasoning.

Trustee Jensen concurred that there was a good group who applied and all were high quality good people. The Board discussed candidates.

Public Comment: None.

Action: 4 yay; 1 nay. Motion passed.

Chair DeCrans will contact Jason Flowers and other candidates to notify them

D. Zone 7 Board Member Nomination – Action Item

Chair DeCrans shared that Valerie Lenardson and Rod Davis were eligible in this zone. Trustee Petersen shared that Ms. Lenardson was her consideration and shared reasoning. Trustee Fitzgerald shared that Ms. Lenardson was his consideration and shared reasoning. Trustee Fitzgerald shared his thoughts and reasoning for not recommending Mr. Davis. Chair DeCrans shared Mr. Davis was his consideration and shared reasoning. Trustee Jensen shared that Mr. Davis was his consideration and shared reasoning. Dr. Gutierrez shared that zoning would not occur until the census information came back.

Motion: To appoint Valerie Lenardson to the position of the Board of Education for zone 5.

Motion by: Michael Fitzgerald

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

Action: 3 yay, 2 nay. Motion fails.

Chair DeCrans will notify both applicants that the position will remain open until the election.

E. Appoint New Budget Committee Members – Action Item

VP Fiscus shared that there are two vacant positions at this time and requested to get the position posted and opportunity to fill the position. VP Fiscus shared that as far as she knows, all those listed are serving again. Chair DeCrans shared that those who applied for the Board may be interested. VP Fiscus encouraged the Board to try to get individuals to apply.

Motion: To solicit vacant Budget Committee member positions through the advertising and application process.

Motion by: Michael Fitzgerald

Second by: Helen Peterson

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval

F. Comprehensive Annual Financial Report (CAFR) for 2019-20 with Independent Auditor's Report – Action Item

VP Fiscus asked Geoffrey LaHaie to join the presentation as the Business Office Director and Controller. VP Fiscus referred to the last page that shows no findings. The College received its 20th Year of Excellence.

Chair Decrans and Trustee Jensen shared that VP Fiscus is doing good work. The Board agreed in unison.

Motion: To accept the Comprehensive Annual Financial Report for 2019-20.

Motion by: Michael Fitzgerald

Second by: Helen Petersen

Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval

X. BOARD DISCUSSION AND PUBLIC PARTICIPATION

A. Board Discussion

i. Board Comment

- Trustee Fitzgerald inquired if the early alert will be on a matrix to see how distance education has affected students and their ability to adapt. VP Bill Jennings shared there is not a current matrix, and the difficulty would be that there have been so many changes, it would be difficult to assess. Currently, the early alert rates are not higher than normal.
- Trustee Petersen expressed that she does not feel comfortable that KCC can stack its own Board, and pick its own members. Trustee Petersen shared her thoughts on the Board being elected into the position. Trustee Jensen shared that it is an Oregon Revised Statute that positions are elected. The Board may appoint vacancies, however those that are appointed have to run in the election. The Board could be more active in getting applicants, but the election is required.
- Trustee Fitzgerald expressed it was heartening “Immediately following this project, the staff has turned attention to being technically proficient and knowledgeable on the many elements of small business relief contained in the new stimulus package including the new Paycheck Protection Program elements; the extension of the Families First Coronavirus Relief Act (FFCRA) tax credits; the extension of Pandemic Unemployment Assistance for the self-employed; the new Shuttered Venue Operators Grant; the new Mixed Earner Unemployment Assistance Program; and the new targeting of emergency Economic Injury Disaster Loans (EIDL) grants to low-income communities” we are expanding into the voids created by the coronavirus, excellent work. Executive Director Massie shared that this came down through the Small Business Administration Group, Department of Labor and the local team responded well. KCC’s Small Business Development Center was an outlet of support.
- Trustee Jensen shared that he got his first COVID shot today and it was not painful.
- Trustee Marquez inquired on the process for members resigning from the Board. Ms. Childs shared the work being done to get a shadow box. Dr. Gutierrez shared that a letter will be drafted to share with the Board for each member to sign and send to the resigned member.

B. Public Participation

- None.

XI. FUTURE ISSUES

- The Employee Recognition Event will be February 5th at 3:00 pm. If the Board would like to attend, please let Dr. Gutierrez know and at the least, a link can be provided.
- Trustee Marquez referenced the OIT database referred to under the Foundation report, it is not at OIT or in the community any more.

XII. NEXT MEETING

A. Scheduled Board of Education Meeting: February 23, 2021, Founders Hall Boardroom

XIII. ADJOURN

Motion: To adjourn.

Motion by: Dave Jensen

Second by: Helen Petersen

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Discussion: None.

Public Comment: None.

Action: Motion passed. Unanimous approval.

Chair DeCrans adjourned the meeting at 7:38 pm.

Respectfully submitted by:

Shannon Childs

Klamath Community College

Board of Education Secretary