

Approved June 7, 2024

**Nebraska Commission for the Deaf and Hard of
Hearing Full Commission Board Meeting
Held at – 4600 Valley Rd, Room 4A, Lincoln NE 68510-4844
March 15, 2024 Meeting Minutes**

A. Welcome

Chairperson Frances Beurivage called the meeting to order for the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) Full Commission Board on March 15, 2024, at 8:30 a.m. at 4600 Valley Rd, Room 4A, Lincoln NE.

B. Notice of Open Meeting

Chairperson Frances Beurivage announced that the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared in the March 8, 2024, edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act. The agenda was kept current in the Nebraska Commission for the Deaf and Hard of Hearing's office and on the NCDHH website. The materials generally used by the board for the meeting today are on a table in a public folder available to the general public for the purpose of this meeting in accordance with the Open Meetings Act {Neb. Rev. Stat. §84-1412 (8)}. A copy of the Open Meetings Act is available for the duration of the meeting.

C. Roll Call

For the record, board members Ms. Candice Arteaga, Ms. Frances Beurivage, Ms. Brooke Fitzpatrick, Ms. Valerie "Vali" Hitz, Ms. Diane Schutt and Ms. Peggy Williams were all present for roll call. Ms. Sandra Shaw was absent, Mr. Jonathan Scherling joined the meeting at 8:52 a.m. NCDHH staff members present were Ms. Kelsey Cruz, Marketing & Communications Specialist, Ms. Kim Davis, Lead Advocacy Specialist, Ms. Sharon Sinkler, Interpreter Program Coordinator, Ms. Jackie Novak, Business and Finance Manager, Ms. Cindy Woldt, Administrative Technician, Ms. Kathy Scusa, Advocacy Specialist, Ms. Susan Whitaker, Advocacy Specialist, Ms. Katia Castro, Advocacy Specialist, Mr. Jeremy Daffern, Advocacy Specialist and Mr. Aaron Rothenberger, Advocacy Specialist. Sign Language Interpreters present were Ms. Amber Tucker and Mr. Ben Sparks. Inclusive Communication Access Nebraska provided Communication Access Realtime Translation (CART) services. Ms. Cassie Calderon and Mr. Jonathan Arteaga were in the audience.

D. Review of Agenda

E. Acceptance of Agenda

Ms. Arteaga moved to accept the agenda as presented. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw and Mr. Scherling were absent.

F. Public Comment

Ms. Arteaga indicated a community member communicated a concern with her to share with the board. The community member reached out to Ms. Arteaga and wanted to relay their concerns about the interpreter shortage and concerns about some interpreters being in a violation of the code of ethics, etc. Ms. Arteaga indicated the interpreter shortage has long been an issue in Nebraska, but she wanted to bring this community member's comment and concern to the board. Chairperson Beurivage thanked Ms. Arteaga for her comment and indicated there will be a few opportunities in the meeting agenda to discuss this topic.

G. Acceptance of Minutes

1. Full Commission Meeting on December 8, 2023

Ms. Schutt moved to accept the agenda as presented. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw and Mr. Scherling were absent.

2. Full Commission Meeting on January 5, 2024

Ms. Williams moved to accept the agenda as presented. Ms. Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw and Mr. Scherling were absent.

3. Full Commission Meeting on January 29, 2024

Ms. Arteaga moved to accept the agenda as presented. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw and Mr. Scherling were absent.

H. Chairperson of the Board's Report

1. **2023 Annual Report**

Chairperson Beaurivage took a minute to thank all the staff in attendance for continuing to keep the agency moving forward.

Ms. Cruz shared with the members a brief overview of the annual report and the purpose for its development each year. Ms. Cruz emphasized this report demonstrates the Commission's impact to the legislature and highlights relevant data and the activities and initiatives it engages in over the past year in serving the community.

Discussion ensued regarding a few of the agency activities in 2023.

Ms. Arteaga moved to accept the agenda as presented. Ms. Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw and Mr. Scherling were absent.

2. **Executive Director Search**

Chairperson Beaurivage opened the conversation to update members regarding NCDHH contracting with Innivee Strategies to lead the executive director search. Chairperson Beaurivage added if NCDHH proceeds with hiring Innivee Strategies, it will take a great deal of work away from the board members throughout the hiring process. Innivee Strategies has been in operation for five years and specializes in leadership and organizational development for various contracted agencies.

Chairperson Beaurivage shared the executive committee met with Innivee Strategies by zoom on March 1, 2024. Innivee shared their process consists of five phases and estimated the process takes at least six months. Innivee's success rate of hiring new executives is 94%. The five phases of Innivee's process are outlined below:

- Phase 1 – Prepare for Search & Development Strategy
- Phase 2 – Leader Profile
- Phase 3 – Recruitment & Search Committee Development
- Phase 4 – Interview & Selection
- Phase 5 – Transition

Conversation ensued between the members on the benefits of NCDHH contracting with Innivee Strategies for the executive director search.

Mr. Scherling joined the meeting at 8:52 a.m.

Chairperson Beurivage shared with members the cost for contracting with Innivee Strategies is \$50,000. Conversation ensued between the members on the out-of-pocket expense for contracting with Innivee Strategies. The question was raised if NCDHH must go through the Request for Proposal (RFP) process before proceeding with Innivee Strategies.

Ms. Arteaga made the motion to proceed with NCDHH contracting with Innivee Strategies for the executive director search. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Next, Chairperson Beurivage commented the board members will need to vote on the salary range of the new executive director.

Conversation between the members and Ms. Novak, Budget & Finance Manager, ensued regarding the executive director salary range. Board members highlighted other state directors' salaries for discussion.

Ms. Arteaga made the motion for the executive director salary range to be up to \$90,000. There was no second and discussion ensued regarding the need to have a greater range to attract more candidates.

Mr. Scherling made the motion to amend the previous motion for the salary range to be between \$90,000 to \$120,000. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Mr. Scherling raised the question on how the process will work when partnering with Innivee Strategies. Conversation between the members ensued on how this process will work with the executive committee possibly being the ones to meet with Innivee monthly. The executive committee will plan to then communicate information with the rest of the board and staff.

A 10-minute break was taken.

I. Management Team Report

1. Legislative Report

Chairperson Beurivage invited Ms. Cruz to give the members the legislative update report. Ms. Cruz referenced the handout the members received in their packets. The hearing for LB1180 was held on February 24, 2024 with Mr.

Norman Weverka testifying as a proponent of the bill. For reference, LB1180 is the bill introduced by Senator Wishart on January 12, 2024. The bill outlines – “Change provisions relating to standards established by the Public Service Commission for specialized telecommunications equipment under the Telecommunications Relay Act”. The bill was voted unanimously to be included in the committee’s priority. Ms. Cruz noted the only hiccup the Commission may run into with this bill is updated surcharge, which would increase from three cents to five cents.

Ms. Cruz also informed the members she testified at the Appropriations Committee by thanking them for their continued support of NCDHH. Conversation between Ms. Cruz and the members regarding the American Rescue Plan Act (ARPA) funding changes requested. This includes allowing for the ARPA funds to be expanded throughout the entire state. Ms. Cruz pointed out an unfortunate component of the bill is the Commission only has until December 31, 2024 to promote the public use of the funds.

2. Behavioral Health Coordinator Update

Ms. Cruz announced to the members she and Ms. Davis are working with Human Resources (HR) on the hiring process. The position is open without a closing date.

Conversation ensued regarding the need for the new hire to be fluent in American Sign Language (ASL) and understand Deaf culture. The conversation also involved questions related to who is covering the job duties of the Behavioral Health Coordinator during the interim. Ms. Davis added she is handling the requests.

3. Budget Report

Ms. Novak referenced the handout in the board packets regarding salary comparisons for State of Nebraska Agency Directors. This was discussed earlier in the meeting.

Regarding the agency budget, Ms. Novak shared the agency will have carryover money this year. Ms. Novak noted the Commission will be able to carry over the money due to this being the first year of the biennial budget. Ms. Novak provided clarification on a few questions from board members regarding the documentation provided to members on the current budget status.

1. Security System

Ms. Novak shared with members the agency requests their approval on proceeding with installing electronic door access readers for the Lincoln

office entrance doors.

Conversation ensued between Ms. Novak and members regarding the door access readers and the recommendation made to proceed with Per Mar Securities for installing.

The board supports the staff moving forward with installing the door access readers for the entrance doors.

4. Advocacy Specialist Report

Ms. Davis outlined the advocacy specialists' top 3 accomplishments for the past three months. This was included in the board packets that the members received.

Ms. Davis updated members regarding Ms. Ashley Wulf, Youth and Family Advocacy Specialist, and her activities. Ms. Davis shared this is Ms. Wulf's second week teaching the ASL Classes by zoom, and the classes are going well.

The subject was raised regarding the Interpreter Review Board (IRB) and the previously held community forum. A motion was made at the recent IRB meeting for the Commission to create a task force, with one of the members being a member of the IRB. Conversation ensued on what a task force would entail, and how this would benefit the shortage of qualified ASL Interpreters. Chairperson Beurivage indicated this topic will be discussed under new business.

Ms. Davis also referenced the Mental Health Advisory Committee (MHAC) meeting minutes and the discussion that took place regarding the need for proceeding with a needs assessment. Discussion between Ms. Davis and the members ensued on how this could be accomplished. Ms. Davis asked board members to reestablish the assessment and to proceed with getting the survey out to the public. It was agreed Ms. Davis will work with Ms. Williams in proceeding with the needs assessments.

Ms. Davis outlined the compilation of the monthly reports included in the board packets.

J. Committee Reports

Ms. Williams thanked Ms. Cruz and her work in handling the recent legislative duties. Applause by all. Mr. Scherling also noted that Ms. Cruz was responsible for setting up the Deaf Day at the Capitol.

K. Old Business

L. New Business

Chairperson Beurivage added the issue of the interpreter shortage and interpreter complaints referenced earlier in the meeting. Chairperson Beurivage also mentioned the possibility of Dr. James Haley coming back to meet with the board members.

Ms. Arteaga made the motion to establish a task force with the understanding that a member of the IRB will be on the task force. Chairperson Beurivage asked for clarification on the needs to be addressed by the task force. The response included the concerns in the community there are several interpreters who do not have appropriate license to provide ASL services to the public. The task force would also cover the shortage of ASL interpreters, adding this is a nationwide issue, not just an issue in Nebraska. Chairperson Beurivage commented the issue regarding interpreters providing services who are not appropriately licensed is an issue to be investigated and handled appropriately by the IRB, not the Commission.

Conversation ensued regarding the complaint process and how that is handled.

Ms. Davis went on to explain the previous executive director set up the Community Forum, and the IRB does not want the findings to be dropped. Ms. Davis added that NCDHH had various task forces in the past, and it seems list a good mechanism for being able to pursue results.

A suggestion was made by Ms. Williams to partner with the University of Nebraska Omaha Interpreter Training Program. Chairperson Beurivage commented the problem is a national one and must be addressed first at that level as it relates to interpreter training programs and the fact that the interpreter training programs do not have an accreditation mechanism.

Chairperson Beurivage shared she would develop a letter to the IRB members responding to their request of a task force and indicate the board's favor and support of their pursuit of a task force to continue the work already begun.

Ms. Williams asked members if they want to pursue another meeting with Dr. James Haley to outline any concerns. Discussion ensued between the members if they should hold a meeting with Dr. Haley. The decision was made it is not needed at this time.

M. Public Comment

N. Adjourn

Ms. Schutt moved to adjourn the meeting at 11:35 a.m. Ms. Arteaga seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Next Meeting Dates:

- June 7, 2024 – Omaha – location to be decided
- September 13, 2024 - Lincoln
- December 13, 2024 - Omaha