

*DRAFT – Subject to board review and approval at the
December 13, 2024, meeting date*

**Nebraska Commission for the Deaf and Hard of
Hearing Full Commission Board Meeting
Held at – 4600 Valley Rd, Room 4A, Lincoln NE
September 13, 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 September 13, 2024, at 8:35 a.m. at 4600 Valley Rd, Room 4A, Lincoln NE.

B. Notice of Open Meeting

Chairperson Frances Beurivage announced 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 September 6, 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, Ms. Sandra Shaw, Mr. Jonathan Scherling and Ms. Peggy Williams were all present for roll call. NCDHH staff members present were Ms. Kim Davis, Lead Advocacy Specialist, Ms. Jackie Novak, Business and Finance Manager, Ms. Cindy Woldt, Administrative Technician, Ms. Sakura Yodogawa - Campbell, Behavioral Health Coordinator and Ms. Gina Petersen, Administrative Specialist. Sign Language Interpreters present were Ms. Amber Tucker and Mr. Ben Sparks. Inclusive Communication Access Nebraska provided Communication Access Realtime Translation (CART) services.

Mr. Jonathan Arteaga and Dyani Pelletier 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. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

F. Public Comment

No public comments.

G. Acceptance of Minutes

1. Full Commission Meeting on June 7, 2024

Ms. Schutt moved to accept the June 7, 2024, meeting minutes as presented. Ms. Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

H. Chairperson of the Board's Report

1. Innivee Strategies Update

Chairperson Beaurivage introduced Ms. Melissa Yingst and Mr. Shane Feldman with Innivee Strategies who both joined the meeting by Zoom.

Ms. Yingst introduced herself. Ms. Yingst shared she onboarded a few weeks ago, and she added she is excited to ensure a perfect leader is selected for NCDHH.

Mr. Feldman, the CEO of Innivee Strategies, introduced himself to the members. Mr. Feldman added he is thrilled to be working with NCDHH, and he outlined that Ms. Yingst will be taking the lead on this project, and he will be involved to ensure it will be a seamless process. In addition, Melly Serrano has been involved, but she now focusing on the behind the scenes activities, logistics, and communication.

Ms. Yingst shared Innivee Strategies will be making the announcement Monday, September 16, 2024. Ms. Yingst also described the prospectus that was designed by Ms. Julie Borne. Ms. Yingst explained the goal of the prospectus is to generate interest in the NCDHH, its community and all the position of executive director. Ms. Yingst pointed out the prospectus also includes some special highlights of Nebraska. This will be a six-week recruiting period with the

deadline for applications on October 28, 2024. The screening process will then begin. Innivee Strategies will review the candidates and interview them. The search committee will assemble and conduct the interviews. Innivee Strategies hopes to have the hiring process wrapped up by mid-December 2024 or early January 2025.

Mr. Feldman added the leadership profile is an important component of the search project. This will be used by the search committee as well as the full board to evaluate and determine who they want to interview. The leadership profile was developed from the various focus groups that were held, along with the surveys.

The video that includes NCDHH Chairperson Francis Beaurivage and Mr. Shane Feldman, CEO of Innivee Strategies, was played for the members in attendance.

Discussion ensued regarding the need for hard of hearing representatives, as Innivee Strategies would like to have two hard of hearing representatives on the search committee.

Ms. Williams asked for a timeline for the search committee process.

Mr. Feldman outlined these expectations of the individuals who are on the search committee:

- The first kickoff meeting will be a brief one-hour introductory meeting to get to know each other.
- The second meeting will be one week before the application deadline to do the training for the search committee members regarding the screening process. This meeting will also include discussion about anti-bias training.
- The third meeting is one week after the deadline closes; this is when the committee members will decide who they are inviting for interviews.
- The expectation is that there will be three days of interviews, completing two each day.
- Next, 48 hours after the search committee interviews the final candidate, they will meet to decide who they are going to recommend to the NCDHH Board as finalists.

Ms. Williams asked if Innivee Strategies will be recommending for the finalists to visit Nebraska or is this the responsibility of NCDHH. Mr. Feldman responded it is Innivee Strategies' responsibility to organize everything regarding the visit to Nebraska. Mr. Feldman noted NCDHH will be responsible for the flight and hotel organization of the finalists. Mr. Feldman added, after the finalists have completed that visit, Innivee Strategies will conduct one more visit with the board to make the final decision between the two finalists.

Chairperson Beurivage shared with the members that Innivee Strategies has been easy and great to work with, and she is very appreciative of their involvement in this process for hiring a new Executive Director.

End of the Zoom meeting with Innivee Strategies.

2. Interpreter Contact Information – Agency Website Licensure List

Chairperson Beurivage highlighted the need to have contact information listed on our agency website for the licensed sign language interpreters who choose to have their information listed. This will allow area businesses, medical offices, etc. to be able to contact the interpreters directly versus having to utilize an interpreter referral agency or the Registry of Interpreters for the Deaf (RID) website. This information was voted on by the board approximately two years ago to remove the interpreter's contact information from the agency website. This was due to the numerous complaints received from the various individuals seeking sign language interpreters and not receiving a response when they are contacting the interpreters.

Ms. Arteaga raised the subject that a concern previously brought up regarding the interpreter's names being listed in alphabetical order. The suggestion was made to list the interpreters out by city. Ms. Hitz added her goal two years ago was for the interpreters to be able to set up their own agencies, but nothing really played out. Conversation ensued between the members on options to proceed with posting the interpreters contact information on the agency website. Ms. Williams added NCDHH is an information and referral agency so having this information available for our stakeholders is crucial. Chairperson Beurivage referenced statute 71-4728, which states the Commission must keep a list of licensed interpreters. Chairperson Beurivage indicated it does not state anything about the interpreters' contact information. Discussion ensued between the board members and Ms. Kim Davis on potential options for posting the interpreters' contact information on the agency website.

Ms. Gina Petersen, Administrative Technician, shared with the members what would be involved in getting the necessary release from all the licensed sign language interpreters. Ms. Peterson stated it would be a big project, but it is doable.

Conversation ensued between the members on the wording to use on the website so that the public knows not to contact NCDHH if the sign language interpreter is not returning their emails/phone calls.

Ms. Arteaga made the motion for NCDHH to list the interpreter contact

information on the website with a disclaimer that NCDHH is not responsible for responses from the interpreters. Mr. Scherling seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.

Conversation ensued between the members on the process. Chairperson Beaurivage asked Ms. Petersen to share with the board, for its approval, the documentation to be sent to the interpreters .

15-minute break taken – returned at 10:00 a.m.

Chairperson Beaurivage asked the group for clarification on potential hard of hearing representatives Innivee Strategies could invite for the search committee. The members of the board were directed to get their recommendations and contact information to Ms. Fitzpatrick.

I. Management Team Report

1. Behavioral Health Coordinator Update

Ms. Sakura Yodogawa – Campbell shared with the board members that she is partnering with the Kim Foundation; this is a local foundation that does a lot of training on mental health and suicide prevention. Each year, the Kim Foundation has a big campaign during suicide prevention week called Chalk It Up for More Tomorrows. The Kim Foundation also has a Metro Area Suicide Prevention Coalition, and Ms. Yodogawa – Campbell is providing representation on that committee. Looking ahead, Ms. Yodogawa – Campbell would like to partner with the Kim Foundation for the 2025 Enrichment Grant Workshop.

The 2024 Enrichment Grant Workshop will be held on October 24, 2024, at the Omaha Association of the Deaf (OAD) Hall, 4050 Hillsdale Ave, Omaha NE from 8:00 a.m. to 12:00 p.m. The name of the workshop is Seeking Support with Confidence: From Self-Awareness to Self-Advocacy. The presenter’s name is Ms. Rachel Pointer.

Ms. Yodogawa – Campbell added Mr. Scott Loder from the Department of Corrections is the newest member of the Mental Health Advisory Committee (MHAC). Ms. Yodogawa – Campbell shared a bit about Mr. Loder and his credentials. Ms. Yodogawa – Campbell also added she would like to find an additional counselor position so the Committee has a full quorum.

Discussion ensued among the members regarding some concerns that have come up within the law enforcement community and working with deaf, hard of hearing and deaf blind individuals. Mr. Scherling suggested having a Town Hall

meeting to have the Deaf communities and area law enforcement come together for a training session.

2. **Staff Interpreter Position Update**

Ms. Gina Petersen shared with the members the staff interpreter position is posted. Ms. Davis indicated applications have been received, but the applicants do not meet the required expectations.

Ms. Petersen noted that the Interpreter Review Board (IRB) meeting was held on September 6, 2024. Ms. Petersen shared there is no action needed by the board members at this point. There was a recent license renewal for a Video Remote Interpreting (VRI) business, and one of the requirements for the renewal process is for the business to provide an updated roster of all their contracted interpreters and the interpreters credentials. For an interpreter to be able to provide services in Nebraska under a VRI business, the interpreters individual qualifications must satisfy Nebraska's requirements to become individually licensed. The interpreter does not need to hold an individual license, but they can obtain one if they so desire. One VRI business applied for renewal, and on the roster of interpreters, the business listed two interpreters with a Canadian certification, not recognized or offered by the State of Nebraska. In the rules and regulations, it states if an interpreter holds a certification equivalent to what Nebraska accepts, the interpreter can appeal and bring a request to the full board. Ms. Petersen added NCDHH has brought this matter to the NCDHH legal counsel, who confirmed this is the correct steps to take. This was addressed by the IRB this past Friday, and the original intent was for the IRB to have a recommendation for the full board today. However, at the IRB meeting, additional questions came up, so the IRB is on hold with this discussion until these questions are resolved.

Ms. Williams asked who the current IRB Members are. Ms. Petersen replied with Ms. Vonda Apking, Ms. Meghann Cassidy, Ms. Margie Propp, Mrs. Tami Richardson – Nelson, Ms. Vicki Steinhauer – Campbell, Ms. Kim Davis or Ms. Kelsey Cruz, and Ms. Briana Stradinger. Ms. Williams asked if there are any vacancies on the IRB, and Ms. Petersen replied not at this time.

Ms. Schutt asked for clarification if the two interpreters with the Canadian certification are still allowed to interpret. Ms. Petersen replied they are not allowed to interpret in Nebraska, and she has notified the VRI business that the Commission is looking into this.

Ms. Arteaga asked how a Deaf consumer knows, when using VRI services, that they have the right to a qualified interpreter. Ms. Davis replied that the Deaf consumer has the right to ask the interpreter if they have appropriate licensing

and can request their license number.

Discussion ensued between the members regarding Deaf consumers knowing the qualifications, credentials, etc. of the sign language interpreter they are using.

Chairperson Beaurivage asked Ms. Petersen if NCDHH has given this VRI business a license to operate, and the VRI business has been told not to use the two interpreters with the Canadian certification. Ms. Petersen replied yes.

Ms. Williams added she thinks that NCDHH needs to do some education to consumers using VRI, and that they should be asking if the interpreter is licensed in Nebraska, along with their credentials.

Ms. Arteaga requested Ms. Petersen provide the board members with the list of resources the IRB used in coming to their recommendation on how to proceed with this situation.

Chairperson Beaurivage shared the Canadian certification is called Association of Visual Language Interpreters of Canada (AVLIC), adding that from her experience, AVLIC standards are even more rigorous than Registry of Interpreters (RID) for the Deaf.

The subject was also raised at the recent IRB meeting if NCDHH is requiring United States (U.S.) Citizenship for sign language interpreters.

Ms. Petersen asked for clarification regarding AVLIC certification. Ms. Petersen asked if AVLIC certification will only apply to these two interpreters, or will NCDHH also accept AVLIC for any future interpreters. The consensus is that this would be for all interpreters going forward.

3. Budget Report

Ms. Jackie Novak referenced the handout included in the board packet for the members.

Ms. Williams asked for clarification from Ms. Novak on Johnson Controls and Per Mar were listed under the carryover fund usage. Ms. Novak replied these businesses maintain the electronic door access installed in the Lincoln and Omaha offices.

Ms. Arteaga asked how much funding is left from the American Rescue Plan Act (ARPA) grant. Ms. Novak responded approximately \$400,000, and she offered to get a current breakdown for the members due some recent processed requests.

Ms. Hitz asked for clarification on the amount of ARPA funds paid to ASL Anywhere app. Ms. Novak responded we have not paid anything to ASL Anywhere. Ms. Petersen also added that ASL Anywhere currently does not have VRI license, as they never applied for renewal.

Chairperson Beurivage thanked Ms. Novak for her time.

4. Advocacy Specialist Monthly Report

Ms. Davis highlighted the top three achievements included in the board member packets.

Ms. Davis commented on the work that Ms. Ashley Altman, Youth and Family Advocacy Specialist. Ms. Altman was busy all summer with various outreach opportunities to various organizations.

Ms. Davis shared she plans to make a trip to western Nebraska with stops in Kearney, North Platte and Scottsbluff with Ms. Yodogawa – Campbell to do some outreach.

Ms. Davis thanked Chairperson Beurivage for attending a recent Advocacy Specialist meeting, discussing how the numbers from the monthly reports are used for the agency.

Ms. Arteaga noted Ms. Susan Whitaker and Ms. Kathy Scusa were currently in Florida at the Association of Late Deafened Adults (ALDA) Conference. Ms. Arteaga asked for clarification from Ms. Davis on this due to seeing the post on social media. Ms. Davis added the executive committee approved the out of state travel. Ms. Whitaker and Ms. Scusa were doing a team presentation at the conference on a couple of different topics. Mr. Scherling asked about the presentation topics. Ms. Davis shared the names of the presentations were Be Your Own Best Advocate and Homeopathic Strategies for Coping with Hearing Loss and Tinnitus.

Ms. Williams asked Ms. Davis regarding the handouts that the office locations are referred to as regional offices, asking for clarification on if we are now referring to the offices throughout the state as regional offices. Conversation ensued regarding the correct way to refer to the out-state offices. Ms. Williams asked to refer to LB150 to see what the correct language is.

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

J. Old Business

Nothing to report.

K. New Business

1. Legislation – Updating Nebraska Revised Statute 20-152 Language

Chairperson Beurivage indicated a Sarpy County judge sent a letter to the Commission stating this statute needs review, as it states we must provide sign language interpreters for Deaf or hard of hearing individuals who are arrested and taken into custody for alleged violation of state law. The situation that came up involved an individual (not certain if they were hard of hearing or Deaf) who does not use a sign language interpreter. To satisfy the law, they had to bring in a sign language interpreter even though the person did not know sign language. The statute needs revision to include a list of options available based on the client's needs. Chairperson Beurivage called the Attorney General, and he also agreed that the board needs to review the language.

Conversation ensued between the members regarding Statute 20-152 language and what will be involved in revising the language. Chairperson Beurivage added this will be assigned to the legislative committee to begin the process of reviewing the statute.

L. Public Comment

No public comments.

M. Adjourn

Chairperson Beurivage shared the December 13, 2024, meeting will be in Lincoln, however she is requesting we find a different meeting room besides 4A if possible.

Ms. Arteaga moved to adjourn the meeting at 11:19 a.m. 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, Ms. Shaw and Ms. Williams all voting aye.

Next Meeting Dates:

- December 13, 2024 – Lincoln – location to be announced.