

Nebraska Sign Language Interpreter Review Board Meeting

December 7, 2018 – 1pm – 3pm

1313 Farnam St, Room 227, Omaha NE

A. Welcome

The meeting of the Nebraska Interpreter Review Board (IRB) was called to order at 1:01 pm by Ms. Vonda Apking, Chairperson at 1313 Farnam St, Classroom 227, Omaha NE

B. Notice of Open Meeting

Chairperson, Ms. Vonda Apking 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. The agenda has been kept current and available at the Commission's office and on our website. The materials generally used by the board for this meeting are on the table in a public folder that is available to the general public for this meeting in accordance with the Open Meetings Act, {Neb. Rev. Stat. 84-1412 (8)}.

Publication of official notice of the meeting appeared in the November 30, 2018 edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act.

C. Roll Call

For the record, Board Members Ms. Vonda Apking, Mr. Thomas Beyer, Ms. Nancy Flearl, Ms. Jessica Nickels, Ms. Peggy Williams, Mr. John Wyvill, Executive Director, were present. Board Member, Mr. Richard McCowin was absent. There is one deaf board member position that is vacant.

Also present were Ms. Traci Cooney, Interpreter Licensing Specialist; Ms. Sharon Sinkler, Interpreter Program Coordinator; Ms. Jessica Larrison, Educational Advocate; Mr. Cody McEvoy, Advocacy Specialist.

Interpreters for the meeting were Ms. Frances Beurivage and Mr. Ben Sparks. Margaret "Mydge" Heaney of ERI was present to provide CART services.

Members of the public in attendance were Ms. Crystal Pierce and Ms. Lori Beard.

D. Review of Agenda

Mr. Wyvill added that items marked in red or pink are action times. Noted that in accordance with the Open Meetings Law, the agenda cannot be altered within 24 hours of the meeting except for emergency items.

E. Acceptance of Agenda

Board Member, Ms. Flearl moved to accept the agenda as written. Board Member, Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye. Mr. McCowin was absent.

F. Acceptance of Minutes

Board Member, Mr. Beyer requested to disseminate copies of his proposed revisions. Mr. Beyer added that the highlights are in yellow, primarily the changes were the spelling of his last name. The other change noted is that Nebraska Registry of Interpreters for the Deaf prefers to be identified in print with N – e and upper case R-I-D. Mr. Beyer also added that under roll call, it needs to be clarified who actually was here when the meeting began, giving reference to Mr. McCowin not being present at the start of the meeting.

Mr. Wyvill made the motion to approve the September 7, 2018 meeting minutes with changes noted by Mr. Beyer. Board Member, Ms. Flearl seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye. Mr. McCowin was absent.

G. Chairperson of the Board's Report

Ms. Apking thanked Mr. Beyer for his assistance with the revision of the September 7, 2018 meeting minutes.

Ms. Apking added that she did not have any other comments, so we could move on to the Interpreter Review Board by-laws.

H. Interpreter Review Board (IRB) By-Laws

Mr. Wyvill addressed the board stating that periodically we need to review and update the by-laws. Some proposed changes have been made based on IRB member(s) recommendations. Board member, Mr. Beyer also had some other items he wanted to discuss. For ease of convenience, we have included his items for discussion in a separate recommendation that is highlighted in green for ease of review and reading.

Board Member, Mr. Richard McCowin entered the meeting at 1:10pm

Mr. Beyer asked if there were any copies of the by-laws left to give to Mr. McCowin. Mr. Beyer also reiterated what Mr. Wyvill had said, that the green highlighted text are the proposed language changes.

Ms. Apking added that she could not meet on Saturdays because she is a state employee and she would have to be paid overtime. Ms. Williams and Ms. Nickels also added that weekends and evenings are difficult for them as well. Ms. Flearl added that she can be flexible with her schedule. Mr. McCowin added that he doesn't think that we have to document the day, suggesting to keep the by-laws vague. Mr. Beyer added that he is willing to go with the majority, noting that in trying to recruit a representative, business hours are pretty much every employee's business hours. Mr. Beyer added that the IRB is intended to serve the deaf and interpreting community. The interpreting community is interpreting during business hours so they have a difficult time attending these meetings. Mr. Beyer also added that he visited with a deaf individual about joining the IRB and this individual gave him the same reasoning that they have a job and cannot leave their job to come to attend these types of events. Mr. Beyer added that if the IRB wants good representation from the community that we are serving, we must meet at a time other than business hours.

Mr. McCowin shared that he understood where Mr. Beyer was coming from with his proposal. Mr. McCowin also added that on weekends part of deaf culture is to be out and about, socializing. Noting that Saturdays might be a good option.

Ms. Williams suggested having one meeting in 2019 at the Omaha Association of the Deaf (OAD) Hall on a Saturday. In doing this we can see if we can generate more interest from deaf individuals and interpreters to attend.

Ms. Apking added that if she knows ahead of time, she could make attending a meeting on a Saturday work for her; however, she cannot get overtime. Ms. Apking asked if having a meeting on Saturdays needed to be in the by-laws in case it doesn't work? Mr. Beyer added that the change of day of the week for the meeting doesn't have to be included in the by-laws, this was just how he was trying to emphasize the need for a change.

Ms. Flearl added that she respected everyone's schedules and knows how hard we all work. However, if we want consumer and community input we have to look at other times. Adding that if we try this for one of our first meetings next year, it will give the IRB a sense of what kind of response we are getting.

Mr. McCowin added that we don't need to commit to having meetings every Saturday in case after the first Saturday meeting it is decided that they are not beneficial.

Mr. Wyvill suggested that we wait until later in the agenda under new business to designate one of the meeting dates to meet on a Saturday, either June 7th or September 6th.

Ms. Williams shared that in the by-laws we need to leave it to state that meetings will be held four times a year from 1pm – 3pm. Ms. Apking added to strike number 3 for now; if it changes, we can tweak the language. Mr. Wyvill added that by no means are we not including the proposal. We are not saying no; we are just saying we are not putting this in the by-laws.

Mr. Wyvill added that given the affirmation, may I suggest that we move to accept the by-laws as proposed with the exception of B3 being removed?

Mr. Beyer asked about clarification about who can serve as chairperson. Ms. Apking and Mr. Wyvill are permanent members of the IRB and are always going to be members of the Executive Committee. Therefore, having the chairperson of the IRB be the same person, haven't we shortchanged ourselves? Mr. Beyer added that he recalled that there were four positions to the Executive Committee, two of which were required to be a representative of Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) and a representative from the Department of Health and Human Services (DHHS), is that right? The other two members of the Executive Committee are the chair and the vice-chair, right? So when the chairperson is the DHHS representative, we only have three members of the executive committee. A short discussion was held, but no recommendation was made.

Mr. Wyvill made the motion to strike the suggestion of B3, Mr. Beyer's recommendation and adopt the by-laws as presented. Board Member, Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

I. Rules and Regulations

Mr. Wyvill added by way of review the NCDHH Full Board has made a decision to address the Quality Assurance Screening Test (QAST) going away and pursuant to that, the IRB created a committee work group with neRID and several other stakeholders. This committee presented the proposed revised Rules and Regulations to the Full Board. After conversation this document was approved by the committee. Now the revised Rules and Regulations are coming to the IRB for review. In addition, the committee decided to make sure to keep flexibility not to include as an attachment the National Association of the Deaf (NAD), Registry of Interpreters for the Deaf (RID) Code of Professional Conduct. They want to keep that current and flexible should they need to make any changes. Ms. Crystal Pierce is here representing neRID. Ms. Pierce was the one who had the task a few years ago; we want her to know we appreciate her work.

Conversation about when the IRB members received a copy of the rules and regulations for review. Mr. McCowin added that he could not open the attachments that Ms. Traci Cooney sent to him.

Ms. Williams added for sake of time because it is crucial that all members of the IRB have an opportunity to review the rules and regulations, that we table this until the next meeting. Mr. Wyvill shared that would be a problem because the Full Board meets on December 14, 2018. If we table the rules and regulations, NCDHH will have to call a special IRB meeting and a special meeting of the Full Board to review the document. Mr. Wyvill added that we request an up and down vote. If not, this will incur a significant cost to NCDHH. Discussion held on when the email was sent to the group with the revised rules and regulations as an attachment. Ms. Apking asked for an explanation of what was changed on the document so that we do not have to postpone deciding on the revised rules and regulations.

Mr. Wyvill added that his comments regarding the changes that were made to the rules and regulations are merely talking about the process and the timeline here. If there is some serious concerns about moving forward, we can certainly hold back. Noting that he doesn't want any of the IRB members to feel pressured. Discussion between the members on how the revised document was developed and who was involved in the process.

Conversation between Mr. McCowin and Ms. Williams on how often the Rules and Regulations are revised. Noted by Ms. Williams that you do not want to start this process of revising the Rules and Regulations anymore then needed. The last time this was done is 2015.

Mr. McCowin asked if we could host a quick emergency meeting. Ms. Williams responded yes. Mr. Wyvill added that there are two ways we can address it. The NCDHH team, including Sharon Sinkler, Traci Cooney and myself would definitely want to talk with any group or

organization if there are any concerns. This was the reason why the committee was developed that consisted of several groups that work with the Deaf and Hard of Hearing population in Nebraska. NCDHH is encouraging communication if anyone had any concerns at all. Conversation ensued.

Board Member, Mr. Beyer moved to accept the rules and regulations relating to sign language interpreters be accepted. Board Member, Ms. Flearl seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

J. Complaints

Board Member, Mr. Wyvill made the motion to go into closed session at 1:43pm. Board Member, Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

Closed Session

Mr. Cody McEvoy, Ms. Jessica Larrison, Ms. Lori Beard, and Ms. Crystal Pierce left the meeting during closed session.

Board Member, Mr. Wyvill made the motion to go into open session at 3:48pm. Board Member, Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

a. Case 2512

Board Member, Mr. Beyer made the motion to dismiss complaint 2512 and to have Ms. Sharon Sinkler, NCDHH Interpreter Program Coordinator meet with this interpreter for a teachable moment. Board Member, Mr. McCowin seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

b. Case 2513

Board Member, Mr. McCowin made the motion to dismiss complaint 2513 and to have Ms. Sharon Sinkler, NCDHH Interpreter Program Coordinator meet with this interpreter for a teachable moment. Board Member, Ms. Nickels seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

c. Case 2514

Board Member, Mr. Beyer made the motion to dismiss complaint 2514 and to have Ms. Sharon Sinkler, NCDHH Interpreter Program Coordinator meet with this interpreter for a teachable moment. Board Member, Mr. McCowin seconded the motion. With no

further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.

K. Public Comments

No public comments shared

L. Executive Director Report – presented by Mr. John Wyvill

a. Agency Updates

- Mr. Wyvill reported that NCDHH has three new staff members
 1. Ms. Jessica Larrison, Education Advocate
 2. Mr. Cody McEvoy, Advocacy Specialist
 3. Ms. Sharon Sinkler, Interpreter Program Coordinator

b. IRB Vacancy Report

- Deaf representative position vacant since July 1, 2018

M. Public Comment

No public comments shared

N. Old Business

Nothing to report

O. New Business

a. **Set 2019 meeting dates and locations**

The next IRB meeting will be on March 1, 2019 at 4600 Valley Rd, Room 4A, Lincoln starting at 1pm. The remaining three dates for 2019 will be decided at the March 1, 2019 meeting.

P. Announcements

No announcements

Q. Adjourn (Ms. Apking)

Board Member, Mr. Wyvill made the motion to adjourn the meeting at 3:55pm. Board Member, Ms. Nickels seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.