

**Nebraska Commission for the Deaf and Hard of Hearing  
Full Commission Board Meeting  
4600 Valley RD, Conference Room A, Lincoln, NE 68510**

**September 9, 2016 Meeting Minutes**

**A. OPENING**

Chairman Margie Propp called to order the September 9, 2016 meeting of the Nebraska Commission for the Deaf and Hard of Hearing full commission board meeting at 8:33 a.m. at 4600 Valley RD, Conference Room A in Lincoln, NE.

**B. NOTICE OF OPEN MEETING**

Chairman Propp 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 was kept current in the Nebraska Commission for the Deaf and Hard of Hearing's office and on the Board's website. Materials generally used by the Board for this meeting were available in the public folder for inspection by the public, and in accordance with the Open Meetings Act. A copy of the Open Meetings Act was available for the duration of the meeting.

**C. ROLL CALL**

For the record, Board Members Margie Propp, Norm Weverka, Stacie Ray, Carol Lomicky, Gina Frerichs, and Dr. Frank Turk were present. Board Member John Hogue was absent and excused. Also present were Director; John Wyvill, Business Manager; Natasha Olsen, and Behavioral Health Coordinator, Carly Weyers. Interpreters present were Lorelei Waldron and Ben Sparks. Mydge Heaney was present for CART Services.

Dr. Pete Seiler arrived at 8:40 a.m.

Jeremy Fitzpatrick arrived at 9:00 a.m.

**D. REVIEW OF AGENDA**

Executive Director Wyvill reviewed the agenda with the Board Members.

**E. ACCEPTANCE OF AGENDA**

Chairman Propp reminded those present for the meeting that the agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Dr. Ray moved to adopt the agenda as printed. Board Member Weverka seconded the motion. With no further discussion, the motion carried with Propp, Fitzpatrick, Lomicky, Turk and Seiler voting aye.

## **F. ACCEPTANCE OF MINUTES**

1. Chairman Propp asked for any additions or corrections to the June 17, 2016 minutes. Dr. Seiler made a motion to accept the minutes as presented. Dr. Lomicky seconded the motion. The motion pass with Propp, Frerichs, Ray, Weverka, and Turk voting aye.

## **G. CHAIRMAN OF THE BOARD'S REPORT**

1. Chairman Propp welcomed everyone and explained that in July she and Dr. Seiler met with Dr. Jenny Fundus, the Director of Special Education; Dr. Jane Stavem, Assistant Superintendent for Instruction; and John Neal, the Assistant to the Superintendent, all from Lincoln Public Schools (LPS) to discuss the hiring of Mindy Roberts as the new supervisor for the Deaf and Hard of Hearing program at LPS. During the meeting Dr. Seiler also expressed concerns brought to him about the program. Recently they met again and Dr. Turk, John Wyvill, Dr. Steve Joel, Superintendent for LPS, and Don Mayhue, Member of LPS School Board, met to continue this discussion. Chairman Propp expressed she thought the meeting went well. The discussion involved the audit report and how communication between the Commission and LPS can be better and everyone can collaborate to improve the education outcome for the Deaf and Hard of Hearing students.
2. Chairman Propp introduced Steve Milliken, Rhone Fleischer, Teresa Coonts from the Department of Education.

Mr. Milliken began by discussing their focus and that a new focus is RDA which is results driven accountability. RDA requires that more focus is given to students with disabilities and the quality of the programs. Ms. Coonts added that RDA is a federal mandate and provides specific indicator data that they are to compare to. Ms. Coonts explained that for children 3 to 21 years old, graduation rates are looked to see how the children performed in reading and math. This also involves working with families at a younger age for earlier identification and working with EDHI.

Ms. Fleisher proceeded by saying that a transition summit team that focuses on transition for students and how to improve the outcomes for Deaf and Hard of Hearing students. Ms. Fleisher explained they are working very closely with Vocational Rehabilitation to bridge the gap.

It was explained that the dropout rates in the state are extremely low so that is not a concern. In 2015 the graduation rate was 89%. The target rate is 90% which is set by legislation. Board Member Fitzpatrick asked if the number of students who graduated

that are Dear of Hard of Hearing could be given and Ms. Coonts explained that there are 13 disability categories that are reported each year. In 2015-16, 830 students were identified with their prime disability being Deaf or Hard of Hearing. Ms. Coonts explained that does not take consider students who are Deaf/Blind.

Dr. Seiler made a motion to establish a task force to review and study the Department of Education system and educational services for Deaf and Hard of Hearing students in the State of Nebraska. Dr. Turk seconded the motion. The motion carried with Propp, Frerichs, Fitzpatrick, Ray, Seiler, Weverka, Turk, and Lomicky voting aye.

Dr. Seiler made a motion for Director Wyvill to gather data regarding NDE and Deaf and Hard of Hearing children. Board Member Weverka seconded the motion. The motion carried with Propp, Lomicky, Frerichs, Fitzpatrick, Ray, Seiler, Weverka, and Turk voting aye.

Dr. Seiler made a motion to request that NDE hire an outside consultant to review the information and data regarding Deaf and Hard of Hearing students. Board Member Fitzpatrick seconded the vote. The motion carried with Propp, Lomicky, Frerichs, Weverka, Ray, Fitzpatrick, Seiler, and Turk voting aye.

Break at 10:14 a.m.

3. Dr. Turk made a motion to go into Executive Session at 10:22 a.m. to complete the annual performance evaluation for the Director and discuss Interpreter complaints. Board Member Weverka seconded the motion. The motion carried with Propp, Lomicky, Frerichs, Fitzpatrick, Ray, Turk, Weverka, and Seiler voting aye.

Board Member Lomicky made a motion to go into open session at 12:30 p.m. Board Member Frerichs seconded the motion. The motion carried with Propp, Fitzpatrick, Ray, Weverka, Seiler, Lomicky, Frerichs, and Turk voting aye.

Board Member Fitzpatrick stated that Director Wyvill's performance over the past year has been highly productive and excellent in all respects. The Commission is an outstanding and remarkable organization that deserves nothing but the highest merits because of the Director and the staff. Board Member Fitzpatrick made a motion to increase the Executive Director's salary by 3.5% effective 9/9/16. Dr. Ray seconded the motion. The motion carried with Propp, Lomicky, Weverka, Frerichs, Seiler, Fitzpatrick, Ray, and Turk voting aye.

Dr. Seiler made a motion for Case 2200 that a letter is mailed to the interpreter explaining there is no violation of the law, however; the interpreter needs to understand that she performed against the intent of the law. In addition, a letter is to be mailed to Mutual of Omaha to hire licensed interpreters for their business and a letter to the person who filed the complaint to request a licensed interpreter from the HR department when needed. Board Member Frerichs seconded the motion. The motion carried with Propp, Lomicky, Ray, Fitzpatrick, Weverka, Seiler, Frerichs, and Turk voting aye.

Dr. Seiler made a motion for Case 2400 that the interpreter's license is limited for one year to exclude medical and mental health interpreting situations; that the interpreter is to take 1.0 CEU training in specific tenets and to provide a plan for education to NCDHH for approval prior to training. Board Member Fitzpatrick seconded the motion. The motion carried with Propp, Lomicky, Ray, Frerichs, Weverka, Seiler, Frerichs, and Turk voting aye.

Lunch was served at noon.

Gina Frerichs left the meeting at 12:40.

## **H. LEGISLATIVE REPORT**

1. Director Wyvill explained the priorities for the budget in the upcoming Legislative session is to have a full time Advocacy Specialist position in Kearney, make the Hearing Aid Bank Coordinator position full time, \$10,000 for the Junior NAD conference in the fall of 2017, and add an Education Advocacy Specialist position. Director Wyvill discussed the budget cut priorities if the budget was cut by 8%. If the budget was cut the Omaha office would be closed and the employees would work from home, the number of newsletters mailed would be reduced, change the out of town board meeting to be in Lincoln, reclassify a position, keep the Kearney position open, and keep the Hearing Aid Bank Coordinator position part time. Dr. Lomicky made a motion to accept the proposed 2017-2019 budget. Board Member Fitzpatrick seconded the motion. The motion carried with Propp, Ray, Weverka, Seiler, Lomicky, Fitzpatrick, and Turk voting aye.

## **I. BUSINESS AND HR REPORT**

1. Natasha Olsen, the agency's Business Manager, explained the new fiscal year just started on July 1<sup>st</sup> and the agency has not had any large expenditures to date. Ms. Olsen proceeded by stating with the retirement of the previous Mental Health Specialist, the agency will save some funding on salaries.
2. Ms. Olsen explained that some work duties have been rearranged to assist the staff interpreter. The hiring of the new Behavioral Health Coordinator will require the staff

interpreter to be interpreting more for staff and not leave enough time to do interpreter licensing among other duties.

3. Ms. Olsen also explained there are times when an interpreting job in the community goes unfilled because all of the community interpreters are busy. This is an opportunity for the Commission's staff interpreter to help the deaf person not have to reschedule the appointment. The staff interpreter would not be competing with community interpreters for work. Ms. Olsen gave the example that there are times when a community interpreter accepts a job but does not show. In the event the staff interpreter was available and the job was in the same city as the staff interpreter this would be an opportunity when the Commission could assist with providing an interpreter. Ms. Olsen stated that old paperwork was found where the Commission had charged \$50-\$70/hour for an interpreter and does not feel it's fair to charge significantly higher fees than the community interpreters and also does not think the Commission should charge less than most of the interpreters either. Ms. Olsen stated most of the community interpreters are in the \$45/hour range. Dr. Seiler made a motion for the Commission to charge \$45/hour for the staff interpreter when doing community jobs. Board Member Fitzpatrick seconded the motion. The motion carried with Propp, Lomicky, Ray, Weverka, Seiler, Fitzpatrick, and Turk voting aye.

#### **J. EXECUTIVE DIRECTOR'S REPORT**

1. No discussion was had.

#### **K. INTERPRETER PROGRAM REPORT**

1. No discussion was had.
2. No discussion was had.
3. Director Wyvill introduced Dr. Julie Delkamiller, an Associate Professor from the University of Omaha. Dr. Delkamiller proceeded by explaining that UNO has their own interpreting program that is housed in the College of Education, however; it is not an education degree. This degree is 120 hours and can be completed in four years. The Board and Dr. Delkamiller agreed that a collaboration to work together promoting the interpreting program is needed to increase the number of interpreters in Nebraska.

#### **L. MARKETING REPORT**

1. No Discussion was had.

#### **M. OTHER BUSINESS**

1. Carly Weyers, the new Behavioral Health Coordinator introduced herself and informed the Board that she graduated from Gallaudet University with two majors. One in Sociology and one in Communications. Ms. Weyers proceeded by stating she has gone

to a workshop on domestic violence and advocating with Keri Darling. Ms. Weyers asked for approval to attend a workshop in October in Maryland that is the Deaf Justice Conference and explained it would be a great opportunity to continue to receive training on advocating for deaf people who are victims of domestic violence. Dr. Turk made a motion to approve Ms. Weyers to travel out of state for the Deaf Justice Conference and travel expenses. Dr. Ray seconded the motion. The motion carried with Propp, Lomicky, Weverka, Fitzpatrick, Turk, Ray, and Seiler voting aye.

2. Board Member Weverka made a motion to table the remaining topics until the December board meeting due to two more Board Members needing to leave the meeting and not having a quorum. Dr. Lomicky seconded the motion. The motion carried with Fitzpatrick, Ray, Seiler, Weverka, Lomicky, and Turk voting aye.

#### **N. SUBCOMMITTEE UPDATES**

There were no committee reports.

#### **O. NEW BUSINESS**

No discussion was had.

#### **P. ADJOURN**

Board Member Fitzpatrick made a motion to adjourn the September 9, 2016 board meeting at 1:33 p.m. Board Member Ray seconded the motion with Propp, Lomicky Weverka, Seiler, Fitzpatrick, Ray, and Turk voting aye.

These minutes were available for public inspection on September 23, 2016, in compliance with Nebraska Statute §84-1413 (5).