

Approved September 10, 2021

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Board Meeting
Firefighter's Reception Hall, 241 Victory Lane, Lincoln, NE**

June 11, 2021, Meeting Minutes

A. Opening

Acting Chair, Mr. Robert Feit, started the meeting of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) full commission board meeting on June 11, 2021, 8:31 am at the Firefighter's Reception Hall, 241 Victory Lane, in Lincoln, Nebraska.

B. Notice of Open Meeting

Acting Chair Feit 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 June 4, 2021, 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 board's website. The materials generally used by the Board for this meeting today are on the table in a public folder that is 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. Frances Beaurivage, Mr. Jonathan Scherling, Ms. Sandra Shaw, Dr. Josh Sevier, Mr. Robert Feit, Ms. Diane Schutt and Ms. Valerie Hitz were all present. Ms. Candice Arteaga and Mr. Jeremy Fitzpatrick were absent for roll call. NCDHH Staff members present are Mr. John Wyvill, Executive Director; Kelsey Cruz, Public Information Officer; Stephanie DeGroot, Business Manager; Sharon Sinkler, Interpreter Program Coordinator; and Abigail Giambattista, Advocacy Specialist. Sign Language Interpreters present were Mr. Ben Sparks and Ms. Amber Tucker. Ms. Margaret "Mydge" Heaney with Inclusive Communication Access Nebraska providing CART services. Judy Janssen, Investigator, was also present at the meeting.

D. Review of Agenda

Executive Director John Wyvill reviewed the agenda with the Board Members.

E. Acceptance of Agenda

Board Member Ms. Diane Schutt moved to accept the agenda as written. Board Member Dr. Josh Sevier seconded the motion. With no further discussion, the motion carried with Ms. Beaurivage, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga and Mr. Fitzpatrick were absent.

F. Acceptance of Minutes

Board Member Ms. Diane Schutt moved to accept March 12th, 2021, minutes as written. Board

Member Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Beurivage, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga and Mr. Fitzpatrick were absent.

G. Chairperson of the Board Report

1. Public Comments

Tricia Tighe – Ms. Tighe is interested in being a member of the IRB and would like to share information about deaf interpreters to the Deaf community and is available for any questions.

Meghann Cassidy – Ms. Cassidy has been an interpreter for 21 years and is also interested in serving on the IRB.

2. Dr. Frank Turk Excellence in Education Award Announcement

It was created to recognize outstanding educators in Nebraska who have made significant contributions to the improvement of education for students in Nebraska who are deaf or hard of hearing and embraces innovative approaches designed to foster teaching and dedication to excellence in the Deaf and Hard of Hearing Community. The winner of this year's Frank Turk Excellence in Education Award is Sue Petersen, teacher of the Deaf in Ralston Public schools.

She was nominated because she goes beyond her role as a teacher. She encouraged students to be involved in the Deaf community and other events to help their social, emotional learning, and encouragement in finding themselves. She's an inspirational educator and a positive influence on everyone she works with.

3. Interpreter Review Board Appointments (closed session)

The group declined to go into closed session. Mr. Jonathan Scherling made a motion to select Tricia Tighe as the Deaf representative on the IRB. Dr. Josh Sevier seconded the motion. With no further discussion, the motion carried with Ms. Beurivage, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga and Mr. Fitzpatrick were absent.

Dr. Sevier asked if there was a requirement in order to live in Nebraska to serve on the IRB for the interpreter position. Mr. Wyvill answered that the only requirement is to be a Nebraska licensed interpreter.

The group declined going into closed session. Mr. Jonathan Scherling made a motion to select Megan Cassidy to become an interpreter representative on the IRB. Dr. Josh Sevier seconded the motion. With no further discussion, the motion carried with Ms. Beurivage, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga and Mr. Fitzpatrick were absent.

4. Rules and Regulations Update

Mr. Wyvill shared that the apprenticeship process and rules and regulation process has been approved by the Attorney General's office and is now sitting in the Office of the Governor and that he is cautiously optimistic that it is on track to be implemented August 1st.

5. Licensure Complaint #2524 (closed session)

Ms. Diane Schutt made a motion to go into closed session at 8:52. Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Beaurivage, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga and Mr. Fitzpatrick were absent.

NCDHH Board entered closed session at 8:53 a.m. The proceedings were captioned but not transcribed.

Mr. Jeremy Fitzpatrick joined the meeting at 9:00 am.

The NCDHH Board came back to open session at 9:43 a.m. and took a 10 minutes break. The meeting was resumed at 9:55.

Board Member Mr. Jeremy Fitzpatrick made a motion regarding Licensure complaint No. 2524 that the board decline to accept recommendations number 1 and number 2 of the IRB from their June 4th, 2021, board meeting. Board Member Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Beaurivage, Mr. Fitzpatrick, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga was absent.

Mr. Wyvill asked for clarification on what the board would like to do with the informal complaint since the IRB recommendations were declined.

Board Member Mr. Jeremy Fitzpatrick made a motion regarding Licensure complaint No. 2524 that the board elect not to take further action at this time on the informal complaint. Board Member Dr. Josh Sevier seconded the motion. There was discussion on the motion and the suspension of the interpreter. Mr. Wyvill explained that the interpreter would still be suspended. There was also discussion on the board's view that the nature of the complaint is extremely serious and that it is important to create safeguards to prevent the situation from happening again and to discuss the topic further in new business. The motion carried with Ms. Beaurivage, Mr. Fitzpatrick, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga was absent.

6. Strategic Plan Update – review of town hall comments / next steps

Mr. Wyvill recapped for the benefit of the newer members of the board that the board last year had asked NCDHH to engage in the strategic planning process in which they wanted NCDHH to reach out to stakeholders internally and externally in several different formats to get feedback on our mission, vision, and goals and objectives. Some written feedback was presented at the last board meeting. After that board meeting, at the board's direction, NCDHH provided

additional opportunities to gather input in town hall meetings throughout the state. We set up five Zoom town hall meetings specifically at different times of the day. There was not a robust turnout, but the comments received generally were related to three themes. Addressing interpreter licensure issues, elderly care issues and education settings and our role in offering sign language classes. The next step, consistent with what the board wanted, is that our staff will be collectively reviewing all of the comments and then provide a write-up of their thoughts. That will be included in the packet for the meeting in September for the Board's review. If the board approves, we will set up a working session in the fall for the board with the goal of having an updated strategic plan by the start of the next calendar year 2022.

7. Executive Closed Session – Personnel Review (closed session)

Mr. Jeremy Fitzpatrick made a motion to go into closed session. Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Beurivage, Mr. Fitzpatrick, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga was absent.

NCDHH Board entered closed session at 10:10 a.m. The proceedings were captioned but not transcribed.

NCDHH Board came back to open session at 11:10 a.m. The board made no motions or recommendations.

H. Executive Director Report (John Wyvill)

1. Budget Report and Update

Mr. Wyvill shared that NCDHH is significantly under budget and that we will be allowed to carry that money over to next year. With some of the savings this year, NCDHH upgraded computers and some equipment in our equipment loan program. Also acquired for the loan program upgrade was \$5000 worth of donated equipment. We are very appreciative of these donations and will be recognizing those vendors on social media. NCDHH has also utilized various federal legislative acts and have been reimbursed on COVID related expenditures totaling \$6482.

2. Language Equality and Acquisition for Deaf Kids (LEAD-K) Update

Mr. Wyvill reported that the vice-chair Mike Brummer has taken a job at the Iowa School for the Deaf and is stepping down from LEAD-K. A replacement will need to be found and hopefully they will be up for board consideration in September. Board member and LEAD-K Chairman Mr. Jonathan Scherling gave an update on LEAD-K. He reported that the four different subcommittees are working together to decide what evaluation programs will be used for deaf and hard of hearing children throughout Nebraska. The next meeting will be held in September where the Committee will be making decisions regarding this and then proposals will be made for NDE and other agencies to review.

Mr. Wyvill reported that due to the work of Jessica Larrison, NCDHH Education Advocate, and Jonathan Scherling, a number of families across Nebraska and also a school district are

considering the Iowa School for the Deaf as an appropriate placement option. LEAD-K is raising awareness within the community about the unique needs of serving deaf and hard of hearing students. We are seeing more and more parents, as well as school districts, reaching out to Ms. Larrison asking for guidance and support.

3. Legislative Update

Mr. Wyvill reported that the focus this year has mostly been about the budget. NCDHH has received our base budget, plus carryover money. A few legislation support letters were sent and NCDHH worked on the Rules and Regulations legislation update. NCDHH has accomplished a lot in the last few years and we are starting to think about what to focus on next year and will be presenting those options to the board in the fall. Two things that have been brought up are legislation that would require a communication plan to be included in any plan of care for a deaf or hard of hearing person admitted to a hospital in Nebraska. A second item is introducing legislation to require open captioning for elected officials running for office on a state level.

4. Top Ten Report

Mr. Wyvill shared that Jeremy Daffern has joined the team as an advocacy specialist in the Omaha office. He is fluent in sign, graduated from Gallaudet University, has a master's degree. He came to us from Amazon and he's done work in the Guatemala.

NCDHH will have seven staff members attending the NeAD biennial conference which we are co-sponsoring.

5. Marketing Report

Kelsey Cruz, Public Information Officer, shared that most of the big moments on social media we have had since the last board meeting were regarding Paul Ruff, the deaf wrestler who was competing in Scottsbluff. He usually reads lips and was unable to receive warnings from the referee due to the use of a face mask. NCDHH worked with all of the Scottsbluff area local media as well as his family. Susan Whitaker, Advocacy Specialist, has helped advocate for better communication access. The NSAA Nebraska Sport's Association has come up with possible future courses for educating referees and sports staff on how to work with athletes who are deaf or hard of hearing.

We have had podcasts and vlogs related to the virtual town hall meetings and are promoting those. Other events include a Salt Dogs game in Lincoln on August 3rd and the Omaha Zoo event will be held on October 3rd. Scottsbluff has a baseball game in two weeks and also will be hosting deaf comedian Keith Wann in October.

6. Out of Town Meeting – Kearney

At this time, the meeting is on track to be held in Kearney assuming no changes in COVID-19 status. There will be a Town Hall meeting which will be held the evening prior to the board meeting. More details will be coming about the meeting and transportation will be provided if you would like to travel as a group.

Board Member Ms. Diane Schutt made a motion to accept the Executive Director's report. Board Member Mr. Jeremy Fitzpatrick seconded the motion. With no further discussion, the motion carried with Ms. Beaurivage, Mr. Fitzpatrick, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga was absent.

I. Public Comments

No public comments.

J. Old Business

No old business to report

K. New Business

Mr. Wyvill reported that the IRB recommended for the board to consider creating an SOP for staff for when we receive a licensure complaint. Mr. Feit shared that the board is recommending that this be done. Mr. Wyvill said that NCDHH will draft an SOP and then share it with the Interpreter Issues Committee of the board. If they approve the SOP, it will then be presented to the full board for adoption. Mr. Feit also added that the board is recommending a specific SOP for working with law enforcement and that it should include teams for interpreting. Mr. Fitzpatrick commented that he feels a specific rule for the interpreters to follow would be helpful.

Board Member Ms. Valerie Hitz shared that many deaf people in the community do not know how to obtain an interpreter or are frustrated with the process. She asked if we could create business cards with a list of referral agencies or a list of interpreters' name and contact information. Sharon Sinkler, NCDHH Interpreter Coordinator, shared that it would be difficult to get a physical business card out to the community but that our office is available to help providers find the list on our website and explain the process. If there is a deaf person who has a specific preference for a particular interpreter, they can give that interpreter's information to the doctor's office, for example, and then the doctor's office can coordinate with that interpreter. Mr. Sinkler added that while the Commission does not give referrals or arrange the interpreting, NCDHH is here to help educate providers on how to find and hire interpreters or agencies to work with. Mr. Feit suggested talking about this topic at the NeAD conference so everyone is aware of NCDHH's role and the information that can be provided.

L. Adjourn

Mr. Jeremy Fitzpatrick moved to adjourn at 11:48 a.m. Board Member Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Beaurivage, Mr. Fitzpatrick, Mr. Scherling, Ms. Shaw, Mr. Feit, Ms. Schutt, Ms. Hitz and Dr. Sevier all voting aye. Ms. Arteaga was absent.

Next Meeting Dates

- September 10, 2021 – Holiday Inn, 110 2nd Ave, Kearney NE
- December 10, 2021 – Lincoln Firefighter's Reception Hall, 241 Victory Lane, Lincoln NE