

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Board Meeting
Holiday Inn Express
524 E. 23rd St. Columbus, NE**

June 12, 2015 Meeting Minutes

A. OPENING

Vice Chairman Margie Propp called to order the June 12, 2015 meeting of the Nebraska Commission for the Deaf and Hard of Hearing full commission board meeting at 8:37 a.m. at the Holiday Inn Express in Columbus, NE at 524 E. 23rd St.

B. NOTICE OF OPEN MEETING

Vice 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. Publication of official notice of the meeting appeared in the June 12, 2015 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. 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, Regina Frerichs, Norm Weverka, Carol Lomicky, Stacie Ray, Jeremy Fitzpatrick and Frank Turk were present. Board Members Michael Brummer and John Hogue were absent and excused. Also present were Director, John Wyvill and Business Manager, Natasha Olsen. Interpreters present were Sharon Sinkler and Lorelei Waldron. Mydge Heaney was present for CART Services.

Vice Chairman Propp welcomed the new members on the NCDHH Board and did a ceremonial Oath of Office with the new Board Members repeating after her.

D. REVIEW OF AGENDA

Executive Director Wyvill reviewed the agenda with the Board Members.

E. ACCEPTANCE OF AGENDA

Vice 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. Board Member Fitzpatrick moved to adopt the agenda as printed. Board Member Frerichs seconded the motion. With no further discussion, the motion carried with Propp, Lomicky, Ray, Weverka and Turk voting aye.

F. ACCEPTANCE OF MINUTES

Board Member Lomicky asked for any additions or corrections to the March 6, 2015 Board Meeting minutes. Ms. Lomicky stated that the only change she could see was on the last page, the third paragraph from the bottom should read “pleasure” instead of “please.” Several of the Board Members did not have the meeting minutes from the previous board meeting to review them. Ms. Olsen asked if the Board would like to hold the approval of the meeting minutes until all Board Members could review them. Ms. Lomicky moved to hold the board meeting minutes from the March 6, 2015 Board Meeting until the September 11, 2015 Board Meeting. Dr. Turk seconded the motion. With no further discussion, the motion carried with Propp, Frerichs, Ray, Weverka and Fitzpatrick voting aye.

G. CHAIRMAN OF THE BOARD’S REPORT

1. Vice Chairman Propp noted it’s been a very busy and successful legislative session. LB287 was passed as well as the full budget requested by the Commission. Director Wyvill gave a brief update that LB287 was passed without a single dissenting vote and that several letters in support of the bill helped with that. The next steps is to implement LB287 into the law. It goes into effect 90 days after the session and then the law is effective 1-1-16.

Director Wyvill also explained that the budget was passed with funding for a Scottsbluff office to re-open. Advertising has already begun for the position and we have reached out to many organizations to help get the word out. The job posting closed on June 12th and we are hopeful to be interviewing candidates by the end of the month as well as looking at office space. Mr. Wyvill also expressed how fortunate we were to have our requested budget approved because Governor Ricketts was very clear that he only wanted agencies to get a 3.1% increase. We didn’t get everything we wanted but we got the funding for the Scottsbluff office and that is what is the most important.

Vice Chairman Propp added that progress is being made with Rule 51. Ms. Propp participated on the committee as a representative for the Commission. The main focus of Rule 51 is raising the EIPA standards from 3.5 to 4.0 for all educational interpreters because educational interpreters are not covered by LB287. In addition to raising the EIPA standards, Rule 51 will also increase the required number of CEUs for interpreters. Board Member Weverka asked what a school does when they cannot find an interpreter who meets these standards. In the past there was always a waiver for school districts. Ms. Propp confirmed that the waiver was still in Rule 51. In the past years the minimum competency level was 2.5 but that has

been raised to 3.0. Ms. Propp also stated another change was that within the next two years the interpreter is to complete 40 clock hours of training and interpreting and retake the EIPA. Mr. Weverka voiced concern of what would happen if they fail when they retake the EIPA and Ms. Propp stated that Rule 51 does not touch base on that. Dr. Turk stated it's a problem that has never been given enough attention in the past. Ms. Propp agreed and stated that the changes in Rule 51 are just scratching the surface.

2. Vice Chairman Propp opened up the discussion regarding the Town Hall Meeting that was held at the Columbus Community Center on Thursday, June 11th from 6:00 p.m. to 7:00 p.m. Dr. Turk stated that the Commission coming to the Columbus area was long overdue. We need to be more active in this area and do things like the Town Hall Meeting all over the state, especially rural areas. Board Member Weverka agreed with Dr. Turk and agreed it was good for the Board to be more visible in the communities. Discussion was had regarding the flow of the Town Hall Meetings and if a more formal presentation should be had or if the open house setting is beneficial. Board Member Weverka thought it may be beneficial to give the public an opportunity to speak and tell us what their needs are in the area. Dr. Lomicky talked about a woman she met at the Town Hall Meeting who wanted to experience the Loop System at the Community Center. This woman was very frustrated because the Loop System only works when the person that is speaking is amplified. There was no microphone being passed around so she was very disappointed. Dr. Lomicky stated we need to be more aware of how difficult it for everyone hearing or not to communicate and the Town Hall Meetings should be a more controlled setting. Director Wyvill appreciated the feedback from the Board because he was conflicted as to how structured to make the Town Hall Meeting. This is good feedback for future meetings. Vice Chairman Propp asked the Board Members where they would like to see the next Town Hall Meeting held. Dr. Turk feels we need to start looking at more rural areas especially areas with smaller surrounding towns. Board Member Weverka said it's important we reach out to areas we have not been to before. Board Members Frerichs suggested the O'Neill area. Ms. Olsen expanded on the O'Neill area mentioning there isn't a lot around there for resources. It's a lot of farmland and they have built a new community center so it would be a great place to host a Town Hall Meeting. Vice Chairman Propp likes the idea of having the next Town Hall Meeting in O'Neill. Ms. Olsen stated we need to reach out to more audiologists in the area and find out what needs to be done so they can accept the vouchers from PSC for the telephones people receive through NSTEP.
3. With the conversation on the Town Hall Meeting wrapped up Board Member Lomicky moved that the Board going into executive session for the purpose of the

Executive Director's performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation to those involved. Board Member Fitzpatrick seconded the motion. The motion carried with Weverka, Propp, Lomicky, Frerichs, Ray and Turk voting aye. The time on the clock was 9:46 a.m.

Board Member Weverka moved to come out of executive session at 12:11 p.m. Board Member Fitzpatrick seconded the motion. The motion carried with Propp, Lomicky, Frerichs, Ray and Turk voting aye.

Ms. Propp discussed how impressed the Board is with what the agency has accomplished over the last year, especially the last six months. She continued stating that these accomplishments come from positive efforts of Director Wyvill and the staff. To continue, the Board wanted to follow up on the goals that were set at the retreat last October. Ms Propp expressed how important it is for Director Wyvill to continue to work and develop his sign language skills. It's important to celebrate and recognize all of the staff for their accomplishments as well as for Director Wyvill to keep his mind open and in giving the staff, the board, and other constituents his full attention during meetings, and to clarify job responsibilities and adhere to those job responsibilities. The Board suggests Director Wyvill attend some of the informational meetings about state policies and budget with the Business Manager.

A motion was made by Board Member Turk to award the Executive Director with a 2.5% salary increase effective July 1, 2015. Board Member Frerichs seconded the motion and the motion carried with Propp, Lomicky, Fitzpatrick, Ray and Weverka voting aye.

4. Vice Chairman Propp made a nomination for Dr. Turk to be the new Chairman of the Board. Dr. Lomicky suggested that they nominate everyone at once so only one vote need to be taken. Vice Chairman Propp agreed and re-iterated the nomination of Dr. Turk to Board Chair, Dr. Lomicky nominated Margie Propp as Vice Board Chair again and Board Member Frerichs nominated Dr. Lomicky as Secretary again. All nominations were accepted and Board Member Weverka made a motion to accept the three nominees in each position starting July 1. Board Member Fitzpatrick seconded the motion and the motion carried with Propp, Lomicky, Frerichs, Ray and Turk voting aye.

H. FINANCIAL REPORT

1. Natasha Olsen, the Business Manager for the agency, discussed the NCDHH budget with the Board. Ms. Olsen explained with about 3 weeks left in the FY the agency is about 20% under the projected budget. Ms. Olsen pointed a couple of larger one time expenditures that the Board voted on at the last board meeting was for promotional items and computers. One of the fees was a \$1200 charge in freight

for the promotional items, otherwise that expense is typically \$0. Another large expense is the publication and print expense. The agency has gotten through the majority of the brochures with the old logo and have been ordering new brochures. Additional expenses were polo shirts for the staff and board members to wear to events like the Town Hall Meeting. Ms. Olsen pointed out that a reimbursement for the Deaf Blind Program that NCDHH no longer participates in was also completed on June 4th. The agency was reimbursed 100% of the audit expense which was \$6400 from the last audit. The wraps up all of the expenses from that program and now we can close it out and be done with it for good.

2. Ms. Olsen discussed updating some of the agency employee policies and the Board Member handbook. The current handbook doesn't address travel so it was added that the agency will follow state accounting guidelines. The other situation that needed to be address within the travel policy is the current Kearney employee. When hired she lived in Kearney but had recently moved 30 minutes away and has a home office. The updated policy coincides with what the State Accounting Manual states and that is that the agency has the option to reimburse an employee only up to what the fees for using a state vehicle would be versus reimbursing the employee for actual miles driven in their personal vehicle. If the agency paid the employee per mile for every time she drove to see a client the expense would become very cumbersome on the agency.

We have reached out to Administrative Services/Leasing to find office space in Kearney to eliminate this issue in the future. The flex time policy has also been updated. Employees are given the option to work a little bit longer on some days so that they can get off early a day here or there if needed without using vacation. This has been capped at two hours, anything more than that vacation time will need to be used. A weather policy has been officially put into writing. The last policy that has been updated is the Fixed Asset policy. The agency is going to start utilizing EnterpriseOne, the state system to track more fixed assets than what we are currently tracking in there. The state statute requires anything over \$1500, however; we can set that as low as we want for our agency. \$300 is the amount that was decided we wanted to enter into the system and any equipment loaned to the public. July 1 is the goal we have set to start implementing this. Ms. Olsen asked if there are any other suggested changes?

Board Member Frerichs asked if there is a section in the Board Member handbook that has obligations as far as how often Board Members are to attend meetings? Ms. Olsen stated there is no statute that requires a Board Member to attend a certain number of meetings but it is under the Board Member Role to attend meetings

regularly. Board Member Weverka asked if there has been times where a quorum has not been met at board meetings. Director Wyvill stated there has always been a quorum but understands the frustration the other Board Members are feeling when Board Members do not attend the meetings regularly. Board Member Weverka agreed and if the Board Members are not attending the meetings then there is concern there is not equal balance on the Board for the group they are to be representing. Ms. Olsen stated she can reach out to the Governor's office to find out what their options are for a Board Member who does not regularly attend board meetings. Vice Chairman Propp stated it's up to the Board to contact the Governor's office to let them know they have a Board Member who is not attending board meetings. Director Wyvill stated at this point it's acceptable for the Board to vote for or against the existing Board Member Handbook and we can research what the options are for Board Members that do not regularly attend the board meetings. Board Member Weverka made a motion to accept the Board Member Handbook and employee policies effective July 1 and Dr. Ray seconded the motion.

I. INTERPRETER REVIEW BOARD

1. Crystal Pierce, Interpreter Program Assistant, informed the Board that Title 96 got to the public hearing stage. This gives the public an opportunity to make a comment in regards to any changes that are going to be made. The public hearing was held on June 11, 2015 and one person representing the deaf community participated. Because public comments were made Title 96 has to come before the Board again now that the Interpreter Review Board "IRB" has met and made recommendations. Any decisions made by the Full Board today will be processed and go before the Secretary of State before the Attorney General and Governor. LB287 has passed and therefore Title 96 needs updated to incorporate LB287.

Vonda, an employee of DHHS, commented that even though LB287 has passed and additional changes will be made within Title 96, chances are good they will halt the process until all of the changes have been incorporated.

Kim Davis, who represented the Deaf community, had a couple of concerns. The main concern was with QAST, the interpreter test. In the draft of Title 96 Level 3 has been removed. There are 5 levels of QAST (1,2,3,5,5) and level 5 is the most qualified. Ms. Davis's concern is QAST 3 is removed it could cause a shortage of interpreters. If levels 1-3 are eliminated, there may be a gap between graduation and being able to work in the community because students right out of college tend to score between 1-3. Ms. Davis suggested that QAST 3 become a permanent certification, which it currently is not. Level 4 & 5 are permanent as long as the interpreter renews and satisfies the continuing education requirement. Another suggestion Ms. Davis made was for interpreters who are QAST Levels 1 & 2. The interpreter could have a temporary license that is good for five years to give them

time to take the national test because QAST will no longer be available after 12/31/15. Ms. Davis suggests licensure is made at levels 1-3 but only allow them to interpret certain situations. Ms. Davis's last suggestion was that interpreters be required to show proof of CEUs with their initial license application.

In summary, IRB is suggesting QAST Level 3 stay permanent for four years, after four years it will no longer be accepted. With that level the number of CEUs would need set and restrict what jobs could be taken. They suggested that the restricted field that outlines the qualifications of each level be followed.

Vice Chairman Propp requested a motion to accept the recommendations from the IRB. Board Member Lomicky made the motion to accept the recommendations for Title 96 from the IRB. Board Member Fitzpatrick seconded the motion with Propp, Frerichs, Ray, Weverka and Turk voting aye.

K. EXECUTIVE DIRECTOR'S REPORT

Directory Wyvill started by saying NCDHH has an extraordinary team that works together. Natasha Olsen came into the agency and is doing a fantastic job. Crystal Pierce is doing wonderful not only with the rule making but undertaking licensure and policing interpreters. Combined with Peggy and Kelsey, we're very fortunate to work them.

1. Mr. Wyvill updated the new Board Members that every two weeks he submits a summary of tasks that he worked on.
2. Mr. Wyvill directed attention to the Strategic Marketing Plan that was put together. It is not an all-inclusive plan but some events that the agency is looking forward to participating in the next fiscal year. Dr. Ray suggested the Sertoma Regional Convention that will be held in Lincoln this year in September. Ms. Frerichs sent Director Wyvill information on what the Omaha Storm Chasers did with Hearing Awareness.
3. Director Wyvill reviewed some of the professional development that the staff at the Commission would like to participate in. Vice Chairman Propp questioned if there was any that the Director would be taking. Director Wyvill explained he is continuing his ASL tutoring with Gary Theiler and will be looking into ASL courses in addition to going to the NAD Conference.
4. Director Wyvill discussed the rebranding strategy of the agency since Kelsey Cruz, the Public Information Officer has been on staff. The next step is to make our letterhead uniform with the agency's website and brochures using our new logo. The Board reviewed what the new business cards will look like and had three options for letterhead to choose from. Discussion was had if the Board wanted to

choose or leave the decision to the Director. The Board left the decision of the letterhead to the Director.

5. Director Wyvill presented the travel plans for out of state travel for two staff members. The first trip would be for Kim Davis to participate in the NAD Leadership Conference in Birmingham, AL in September. The next request was for Crystal Pierce to attend the RID Conference in August and the next level of the CLEAR Basic National Certified Investigator and Instructor Training course. Board Member Fitzpatrick made a motion to approve out of state for both staff members. Board Member Frerichs seconded the motion. The motion carried with Propp, Lomicky, Frerichs, Ray, Weverka and Turk voting aye.
6. Director Wyvill discussed the agency's sponsorship of the NeAD Conference and that several of the staff went and participated in the conference. Dr. Turk expanded stating there was 170 in attendance at the banquet which is a new record and 228 at the evening program. Five awards were given and two of them were to NCDHH staff. Director Wyvill was presented with the President's Award in recognition of NCDHH's contribution to the growth of NeAD. The second award was given to Beth Ellsworth, one of the Omaha Field Reps. Beth received the Volunteer Service Award for all of her hard work.
7. Peggy Williams thanked the Board for their approval to fund another special that will be on NET. The "Unheard Journey of Deaf Nebraskans" is the fourth NET program that the agency has sponsored. This year a different approach was taken and what story should be told. It was shown Friday at the NeAD Conference. The first airing of the program on NET will be on Thursday, June 24 at 7:00 p.m. with additional showings on June 28 at 1:00 p.m., July 2 p.m., at 8:00 p.m., July 5th at 2:00 p.m., July 9th at 8:30 p.m., July 12th at 2:30 p.m., July 17th at 7:00 p.m. and July 19th at 1:00 p.m. Director Wyvill commended Ms. Williams on her hard work with the program and presented her with Employee of the Year for all of her accomplishments.
8. Director Wyvill followed with a few reminders that the College World Series was starting and the opening ceremonies will be accessible for the first time ever to the Deaf and Hard of Hearing. This was a collaborative effort between NeAD, interpreters in the community, HLAA Omaha Chapter and Pam Duncan. The next two items are for Board Members to start thinking about for the upcoming year for the legislative agenda and a Zoo outing in the fall.

L. SUBCOMMITTEE DISCUSSION

Vice Chairman Propp asked if there are any reports from the Committees. With new Board Members on the Board if there are any committees that the new Board Members want to serve on. Board Member Fitzpatrick would like to participate on the Legislative Committee as well as Board Member Weverka. Vice Chairman Propp informed Dr. Turk that he would be on the Executive Committee since he is now the Chairman of the Board. Board Member Ray expressed interest in the Education Committee. There was no report from the Executive Committee, the Legislative Committee, the Interpreter Committee or the Education Committee.

M. Dr. Lomicky stated that The Awards Committee has not met recently. Vice Chairman Propp asked if the Board needs to continue recognizing previous Board Members. Board Member Lomicky noted that previous Board Members have been recognized in the past but the last three Board Members have not been recognized yet. Vice Chairman Propp stated that Dr. Jan Moore, Dr. Steve Manning and Dianne Muelleman need to be recognized. Board Member Fitzpatrick made a motion to present the three previous Board Members with awards. Board Member Weverka seconded the motion. The motion carried with Propp, Lomicky, Frerichs, Ray and Turk voting aye.

N. Board Member Turk made a motion to adjourn the meeting at 2:04 p.m. Board Member Ray seconded the motion. The motion carried Propp, Lomicky, Frerichs, Fitzpatrick and Weverka voting aye.

These minutes were available for public inspection on June 26, 2015, in compliance with Nebraska Statute §84-1413 (5).