

**Nebraska Commission for the Deaf and Hard of Hearing**  
**Full Commission Board Meeting – December 9, 2011 – Approved 3/9/2012**  
**Omaha State Office Building, 1313 Farnam, Classroom G, Omaha, NE**

Chairperson Mr. Dillard Delts called the meeting to order at 8:42 a.m.

Mr. Delts requested that members raise their hand prior to speaking due to communication difficulties at the last meeting and the use of the loop system at this meeting.

**B. Roll Call**

Members present were Mr. Dillard Delts, Ms. Amy Kasch, Mr. Steven Manning, Dr. Raymond Meester, Dr. Jan Moore, Ms. Diane Muelleman, and Ms. Susan Petersen. Absent were Mr. Clifford Carlson and Dr. Carol Lomicky. Staff attending was Dr. Peter Seiler, Executive Director and Ms. Lori Burrage, Business Manager. Interpreters were Mr. David Borgaila and Ms. Bethany Koubsky.

**C. Acceptance of Agenda**

Mr. Delts asked for acceptance of the agenda. Dr. Seiler asked to add two items, I.6. Employee Handbook and J.2. Enrichment Foundation grant. **Ms. Muelleman made a motion to accept the agenda as amended. Dr. Moore seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

**D. Acceptance of the Minutes**

**1. Full Commission Meeting – 9/9/2011**

Ms. Kasch asked for acceptance of the minutes. **Ms. Petersen made a motion to accept the minutes as presented. Ms. Muelleman seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

**E. Business Manager's Report**

**1. General Ledger Report**

Ms. Burrage asked for questions on the reports. Ms. Muelleman asked for clarification on line items amounts. Ms. Burrage explained the amounts are projections for budgeting purposes only; the amounts can be adjusted as needed.

**F. Executive Director's Report**

**1. Report on LB 39: Update on language changes and issues**

Dr. Seiler reported he and the Executive Committee reviewed the proposal made by

the Nebraska Department of Education (NDE). The Executive Committee felt it was the same language as the Commission's proposal with the only difference being the narrowing of interpreters affected to those of the classroom setting. Dr. Seiler met with Mr. Brian Halstead from NDE who confirmed that NDE would support the bill if we accepted their language proposal. Senator Haar's office will arrange for the NDE language to be added as an amendment to LB 39.

## **2. Report on LB 223**

Dr. Seiler reported this bill is connected with health insurance coverage for cochlear implants. He had hoped Mr. Carlson could provide more information on this bill since it is not connected with the Commission. Dr. Moore stated the legislative committee was hesitant to put the bill on the floor last year since it was a budget year so they are hoping to introduce the bill during a non-budget year. The Nebraska Speech Language Hearing Association is sponsoring the bill. Dr. Seiler has gotten three calls regarding hearing aid coverage. He would like to see how this bill fares before attempting legislation requiring hearing aid coverage. Dr. Moore suggested offering an optional hearing aid insurance policy similar to a vision policy for employees to purchase. Dr. Seiler stated he will testify in support of the LB 223.

## **3. Approval of Travel to National Association of the Deaf Convention**

Dr. Seiler requested approval to attend the National Association of the Deaf (NAD) Convention in Louisville, KY in July, 2012 and have his costs reimbursed. The National Association of State Agencies of the Deaf and Hard of Hearing will have its biennial national meeting during the NAD convention. Additionally, the workshops cover several programs that affect the work being done at the Commission. **Dr. Moore made a motion to approve for the Executive Director to attend the National Association of the Deaf Convention in Louisville, Kentucky. Mr. Manning seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

## **G. Chairperson's Report**

### **1. Subcommittee Meeting Schedules: Discussion**

Mr. Delts stated he found a website that could be used to conduct subcommittee meetings. This is an acceptable option according to the State Attorney General's office as long as the subcommittee does not make final decisions. Subcommittee recommendations would be brought back to the Full Commission Board for action. The other option is longer board meetings with subcommittee meetings held during lunch. The full board would reconvene, the subcommittees would provide reports and the full board could take any action necessary. Mr. Manning likes both ideas. Ms. Petersen stated discussions could happen prior to the full board meetings, subcommittees could meet again during the full commission meetings to provide reports. Mr. Delts suggested using bulletin boards. Ms. Muelleman stated she would need training on using a bulletin board. Ms. Kasch stated she does not have a home computer or experience using a bulletin board. Mr. Delts stated the Commission could pay for everybody to

have internet access to the bulletin board. Dr. Seiler stated he does not like the idea of bulletin boards due to lack of security; he would prefer having the subcommittee meetings during the board meetings. Ms. Burrage clarified the Commission is required to work through the Office of the CIO in order to pay for internet access fees and referred questions to Ms. Cindy Woldt who handles the agency IT functions. **Dr. Meester made a motion to allow time during full board meetings to break into subcommittee meetings and then return to full board meeting. Ms. Petersen seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

## **2. Town Hall Meetings**

Mr. Delts would like to hold town hall meetings to gather support for LB 39 and LB223. He has attended meetings to inform deaf and hard of hearing organizations about these bills and it is apparent that they do not have enough information. He feels the Commissioners should be out in their communities. Ms. Petersen offered her support. Ms. Kasch requested Mr. Delts email the Board members when he is going out to organizations. Ms. Kasch was surprised at how many residents at her work did not know about the Commission or its services. Dr. Moore asked for locations, dates and if it was to cover just legislative issues or Commission services also. Mr. Delts stated primarily for legislative issues. He is looking to start the meetings in January; he is willing to drive to Kearney and Norfolk but he needs help setting up meeting rooms and times. Dr. Seiler suggested Mr. Delts contact the presidents of organizations for assistance. Ms. Muelleman stated Mr. Delts attended a HLAA meeting but didn't make it clear what he wanted from the group. Dr. Moore stated public meetings need to have an introduction with a power point presentation that includes what the Commission does, the mandates and programs. The people that attended the town hall meeting in Scottsbluff in June were elderly and seemed very confused about what we did; didn't understand the interpreter setup; and who was talking to who. Dr. Seiler agreed a presentation and visuals would have been helpful. Mr. Manning stated the room wasn't the right size for a meeting. Dr. Seiler agreed, stating it wasn't poor planning but the room was what was available. Dr. Meester stated he sees a big difference between informational meetings and a town hall meeting which is much broader. Deafness is a low incident disability and when bills come before the legislature, there is little support or letters sent and that is what is needed. The Senators need to hear from more deaf people. Ms. Muelleman agreed. Her parents both have hearing loss but will not venture out at night for a town hall meeting. She requested Mr. Delts go back to Hand and Voices to educate them on the bill and go from there. Mr. Delts stated he had not gone to OAD or NeRID meetings until he became involved on the Commission Board. Ms. Muelleman agreed, but suggested starting with the small groups that are already interested and they can help spark more interest. Dr. Moore suggested started having informational meetings in Lincoln and Omaha and offered to get information on LB 223. Mr. Manning will encourage Nebraska Association of the Deaf (NeAD) members to support these two meetings. Ms. Muelleman asked that Mr. Delts also go back to the Hearing Loss Association of America (HLAA) group and have letters of support prepared for

their signature. HLAA members don't know how or where to send letters. Some members don't attend the meetings but they have an extensive newsletter mailing list. The newsletter could include information on the bills and a template of the letter of support. Ms. Burrage suggested a special edition of the Commission newsletter focusing on these two bills, on how to contact their Senators and include a template of the letter. This would reach between 7,000 and 8,000 citizens statewide. Ms. Muelleman would like to see an agenda setup within the next three weeks. The Legislative Committee will work on this.

### **3. Awards for Elly Propp and Art Nelson**

Mr. Delts stated that at the September meeting he suggested giving an award to Mr. Art Nelson who passed away. Since then, Ms. Elly Propp passed away in October. Certificates will be presented to Ms. Lorelei Waldron and Ms. Margie Propp and to Ms. Tami Richardson-Nelson. Dr. Seiler presented two resolutions for the Board to accept. Dr. Seiler stated, if this practice is started, the Board will need to continue honoring all persons serving the Deaf and Hard of Hearing Commission. **Ms. Muelleman made a motion, be it resolved by the Board that Arthur Nelson is recognized for his many years of leadership and contributions. Ms. Petersen seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion. Dr. Meester made a motion, be it resolved that Eleanor "Elly" Propp is recognized for her service to the Commission and to the Deaf and Hard of Hearing Community. Mr. Manning seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

## **H. Subcommittee Discussion**

### **1. Executive Committee – Mr. Delts; Ms. Muelleman, Dr. Meester**

Dr. Meester stated he is not on this committee, it should be Ms. Kasch.

### **2. Legislative Issues Committee – Dr. Moore, Mr. Delts, Mr. Manning, Ms.**

**Muelleman**

### **3. Interpreter Issues Committee – Dr. Meester, Ms. Petersen**

**4. Educational Committee -** Mr. Delts stated he doesn't know what is going on with this committee. Ms. Petersen stated the person that requested the committee has not been back to the meetings since it was established.

## **I. Old Business**

### **1. Omaha Staff Position**

Dr. Seiler explained the three options for staffing the Omaha office. The first option is to reclassify the part-time Administrative Assistant I position to a Staff Assistant II position. The second option is to move one of the two Staff Assistant II positions to Omaha. If a position is moved, the agency may have to pay moving costs because it is more than 50 miles. The two

Staff Assistants would be given the opportunity to bid on moving. The third option is to fill the position temporarily for up to two years through the State temporary program (SOS). The SOS program pays for the position with no cost to the agency. The idea is to use the .50 FTE position or SOS position to handle toll free calls and to assist with clerical functions for the Deaf Blind grant. This also gives an opportunity to see if the position is needed. If option two is used and if the position is not needed, the position would have to be moved back to Lincoln. Mr. Manning asked how much money would be saved with option number one. Dr. Seiler stated he didn't have that information. Ms. Burrage asked for clarification on option three for the minutes since the last time the SOS program was used, the agency was charged the hourly rate plus a 24% service fee. Dr. Seiler asked to table the discussion until he and Ms. Burrage can get costs compiled for the Board. The Board agreed to this.

### **NCBVI Award**

Ms. Cheryl Poff, Ms. Carol Jennings and Mr. Mike Hansen, member of the Board for the Nebraska Commission for the Blind and Visually Impaired (NCBVI) arrived to present an award to Dr. Peter Seiler. The NCBVI board received nominations for the Commissioners' Advocacy in Blindness Award. Dr. Seiler is the first recipient of the award and was commended for his work to improve the lives of Deaf Blind citizens.

### **2. Deaf-Blind Equipment Distribution Program (Information sent earlier)**

Dr. Seiler reported on the Deaf Blind grant that was submitted earlier due to the deadline. One concern is how the money is reimbursed after the fact. The grant requires the states wait six months for reimbursement. Both the State Budget and Accounting offices have stated that was fine but the agency needs to be careful since the state and federal fiscal year cutoffs are different. Many states are backing away from the grant due to the reimbursement part of it. **Ms. Petersen made a motion to accept the Deaf Blind Equipment grant. Ms. Muelleman seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

### **3. Executive Director Leave Policy**

Dr. Seiler stated a leave policy was approved in September. Since that time, Mr. Delts contacted State Personnel and they suggested adding some language. **Mr. Manning made a motion to approve the suggested language change with a word change from "information" to "inform". Ms. Kasch seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

### **4. Work Site Coverage**

### **5. Vacation Leave in any given month**

The policies for number four and five have been sent as part of the Board packet. Dr. Seiler stated state law requires one office to be open Monday through Friday,

from 8:00 a.m. to 5:00 p.m. The second policy is for vacation leave which states in any given month a person cannot be gone for more than two weeks at any given time. One employee had saved vacation time and then is gone the whole month of December. Both policies will be in the employee handbook. **Dr. Meester made a motion to approve both policies. Ms. Muelleman seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

#### **6. Employee handbook**

Dr. Seiler wrote an employee handbook as promised at the last meeting. A draft of the employee handbook is included for the board's approval. This handbook provides more transparency and is based on the NAPE contract and State Personnel Rules and Regulations. An employee has approached him on how to handle violent behavior from clients and that will later need to have a policy. **Ms. Petersen made a motion to accept the handbook. Dr. Meester seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

#### **7. Interpreter Taskforce**

Dr. Seiler reminded the Board that the State of Kansas is eliminating the QAST test. A task force will be set up to study the BEI. QAST won't stop before 2014 so there is time to develop our own testing materials or to use BEI. Video equipment and a testing location would need be to established for BEI testing. The cost of the BEI is unknown but would like to have a lower cost alternative to RID certification as this affects licensing. Ms. Petersen asked what will happen with interpreters that already have a QAST rating. Dr. Seiler is unsure but would like to see the QAST levels 4 and 5 grandfathered in.

#### **8. Executive Director Expenses**

Dr. Seiler reported that Ms. Lynda Roesler from State Accounting made a recommendation at the last board meeting that the board approve travel expenses for the Executive Director. In addition, she recommended the Chairperson approve the Executive Director expense reimbursement document. Mr. Delts asked Dr. Meester what he did for the previous director. Dr. Meester stated he did not remember how it was handled and asked Ms. Burrage. Ms. Burrage stated Dr. Meester had not done this, however, both the State Auditor and State Accounting have requested someone from the Board be involved with the review and approval of the Executive Director's expense documents. It was noted by the State Auditor in the last audit report. Ms. Roesler recently made this recommendation after State Accounting finished their audit in September of this year. Mr. Delts asked if he would have to drive to Lincoln to do this. Ms. Burrage stated upon receiving the expense document and supporting documentation, she would scan and email it to the Chairperson for approval. She will include any questions for the Chairperson to resolve with Director. This is similar to how employee expense documents are currently being handled. Ms. Burrage reviews the documents and develops a list of questions for the Director to resolve with the employee. **Dr. Moore made a**

**motion for the Chairperson to sign off on the documents for the Executive Director expenses. Ms. Petersen seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

### **Audience Comments**

Ms. Judy Gouldsmith, Interpreter Coordinator for Metro Community College (MCC) in Omaha addressed the Board regarding discontinuing QAST. Ms. Gouldsmith was unaware of this until one of her staff interpreters approached her concerned how it was affect her job at MCC. Ms. Gouldsmith contacted Mr. Ben Sparks who referred her to the June 10, 2011 board meeting minutes. Ms. Gouldsmith commended the Board for taking action now as MCC's pay scale is tiered based on the interpreters' QAST level. Ms. Gouldsmith reviewed the task force member list from the June minutes. In addition to those members, Ms. Gouldsmith requested a representative for employers of interpreters that is also an interpreter. MCC is one of the largest employers of interpreters and has a vested interest in what happens with the testing tool. Dr. Seiler stated the task force was decided by the Board. The task force will be responsible for getting feedback from community including employers such as MCC. Dr. Meester stated his concern is if an employer will understand the field of interpreting. Ms. Gouldsmith reiterated the person should also be an interpreter. Mr. Manning stated the committee should have the right to determine the testing tool to match the QAST and should not allow employers to decide. Ms. Muelleman requested for the Interpreter Issues Committee work on this issue at the next Board meeting.

### **J. New Business**

#### **1. Meeting Dates for 2012**

**March 9, 2012 – Lincoln**

**June 8, 2012 – North Platte or Omaha**

**September 14, 2012 – Lincoln**

**December 14, 2012 – Omaha**

Mr. Meester recommended the June 8<sup>th</sup> meeting be held in North Platte. **Mr. Manning made a motion to accept all meeting dates with the June 8<sup>th</sup> meeting held in North Platte.** The meeting times will be 8:30 a.m. to 12:30 p.m. unless it is decided later to extend the meetings for subcommittee meetings. **Dr. Moore seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

#### **2. Enrichment Foundation Grant**

Dr. Seiler submitted a grant application to the Enrichment Foundation to pay for four workshops. Topics include access to mental health services/alcohol and drug; access to healthcare; understanding your rights/effective healthcare and access to Social Security and

community resources. **Dr. Meester made a motion to accept the Enrichment Foundation grant application. Ms. Petersen seconded the motion. Roll call vote: Mr. Carlson, absent; Ms. Kasch, yes; Dr. Lomicky, absent; Mr. Manning, yes; Dr. Meester, yes; Dr. Moore, yes; Ms. Muelleman, yes; Ms. Petersen, yes. Vote was unanimous in favor of the motion.**

### **Board Vacancy**

Mr. Delts stated this was Mr. Carlson's last meeting and there will be an opening for a Hard of Hearing member in January. Ms. Burrage stated Mr. Carlson may be able to re-apply since he completed a term for a previous member and did not complete two full terms. If he chooses not to re-apply, that will leave a hard of hearing position open. Mr. Manning and Dr. Moore have re-applied; Ms. Muelleman is also eligible to re-apply.

**K. Next Meeting – March 9, 2012 in Lincoln starting at 8:30 a.m.**

**Meeting adjourned at 12:44 p.m.**