

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Meeting – December 12, 2014 – DRAFT
1313 Farnam St, Room 227, Omaha NE
8:30am – 2:00pm**

Chairperson Brummer called the meeting to order at 8:39a.m.

B. Roll Call

Members present were Mr. Michael Brummer, Ms. Regina Frerichs, Dr. Carol Lomicky, Mr. Steven Manning, Ms. Diane Muelleman, and Dr. Frank Turk. Members absent were Dr. Jan Moore and Mr. John Hogue, Ms. Margie Propp. Staff attending was Mr. John Wyvill, Executive Director; Ms. Cindy Woldt, Staff Assistant; Ms. Beth Ellsworth, Field Representative and Ms. Brenda Chappell, Field Representative. Interpreters were Ms. Sharon Sinkler and Mr. David Borgaila.

D. Acceptance of Agenda

Mr. Brummer asked to change F.1.a. Review of the awards process to be table until the next meeting. Mr. Manning expressed that H.1.c Interpreter Review Board Complaint Referrals that there should be five cases. Mr. Wyvill responded that there is only four, and we could discuss further when they get to that point of the meeting.

Mr. Brummer asked for acceptance of the agenda. Ms. Muelleman made a motion to accept the agenda with the change to F.1.a. Dr. Frank Turk seconded the motion. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

E. Acceptance of Minutes

1. Full Commission Meeting – August 29, 2014

Mr. Brummer asked the acceptance of the meeting minutes.

Dr. Lomicky made a motion to accept the minutes from the board meeting on August 29, 2014. Mr. Manning. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, abstain; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

F. Chairperson's Report

1. Presentation of awards

Mr. Brummer presented an award of appreciation to Dr. Peter Seiler for his leadership as the Executive Director for the Commission from 2009 – 2013. Dr. Peter Seiler was present to accept the award. A picture was taken with Mr. Brummer and Dr. Seiler for posting on the Agencies Facebook page.

- a. Review of awards process – tabled to next meeting
2. Review of National Deaf Blind Equipment Distribution Program (NDBEDP) year two audit and agency response. Mr. Wyvill explained to the Chairperson and members of the board what was included in the board packet. Recapped that it was decided to terminate our participation as the administrator of this program after year two. Nebraska Vocational Rehabilitation / Assistive Technology have assumed the responsibilities of NDBEDP. NCDHH was required to have an audit performed; this was handled by the State of Nebraska's Auditors office. Noted that after the audit from the first year there were a number of findings in terms of internal control that needed to be corrected, in addition to segregation of duties with checks and balances in line. Corrective action was taken after completion of the first year audit, therefore leading to only one finding for the year two audit. If Commission agrees to accept federal funds in the future, we will need to separately account for all financial transactions of federally funded programs in the state accounting system. Mr. Wyvill explained that NDBEDP is a reimbursement program, not a draw down program. The state accounting system is not set up to accommodate a reimbursement program. Mr. Wyvill noted that we are in agreement of the finding.

Mr. Wyvill asked the board to accept the audit findings as presented.

Dr. Turk made a motion to accept the audit findings of the year two audit for NDBEDP. Ms. Muelleman seconded the motion. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Maribeth Jensen – Darnall, Administrative Assistant entered the meeting at 9am – Mr. Wyvill introduced her

3. Review of LR 517 Steering Committee Recommendations
The steering committee was commissioned to meet and broke into four different work groups; 1)Licensure, 2)Education, 3) Community / Medical, 4) Interpreter. These groups have met over the past several months. These work groups then gave their

recommendations to the steering committee. The steering committee then came up with a consolidation of the recommendations to present to the board. The Steering Committee is made up of Ms. Julie Delka – Miller, Ms. Margie Propp, Mr. Jerry Siders, Mr. Dillard Delts, Mr. Jonathan Scherling, Ms. Stacy Luther, Ms. Colleen Richard, Ms. Teresa Coonts and Ms. Ronda Fleischer.

Mr. Wyvill shared that there was a survey that was sent to interpreters; as a result they listed a number of areas of concern. A few of those concerns were 1) shortage of interpreters; 2) competency and proficiency of the interpreters. Relating to the profession of interpreting, this was divided into four separate groups; professionalism, licensure, mentoring and training, and promoting awareness. Recommendation from the steering committee was a process to evaluate complaints about interpreters. This is regarding interpreters who do not hold licenses that there is not an effective way to address complaints. In addition they felt that there was a need for ethics and continuing education units (CEUs) relating to license renewal.

Ms. Muelleman asked about licensure of educational interpreters. Mr. Wyvill commented that under rule 51, the Department of Education has the obligation and authority to set licensing requirements for educational sign language interpreters. The other issue raised is that if the educational interpreters are required to hold a license, this would cause an adverse financial effect on the school districts. Ms. Muelleman reiterated that we as a board cannot forget about our children. We need to find ways to work with the Department of Education and making sure we are getting better sign language interpreters. Mr. Wyvill commented that he has received assurances from the Department of Education that they are interested in making changes.

Mr. Manning asked how this information was going to be presented to Senator Haar. Mr. Wyvill replied that he will take direction from the board in sending a letter outlining the results that have been compiled by the steering committee and approved by the board.

Dr. Lomicky asked if the Department of Education has a set of standards regarding sign language interpreters since they do not want them licensed. Mr. Wyvill replied with explaining the EIPA certification. Educational interpreters need a rating of at least 3.5.

Mr. Wyvill stated that he is asking for guidance and direction in how to go about transmitting the results from the steering committee. In addition are there any additional comments or observations that you would like us to make on behalf of the

board. There are two issues here in terms of recommendation; we have the community recommendation divided into four areas. A discussion regarding the mentoring and training options available, in addition to the medical community and educational. Mr. Wyvill stated that he will be setting up a meeting with Department of Education officials to suggest recommendations.

The motion is made by Dr. Turk and seconded by Ms. Frerichs to direct the Executive Director to draft a letter regarding recommendations of the steering committee and the board relative to the interpreter issues to be approved by the Commission Board before sending to Senator Ken Haar from Lincoln, and the chair of the Health and Human Services Committee, Senator Cathy Campbell; and legislative representatives. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Chairperson Brummer announced that we would take a fifteen minute break.

Meeting was called back to order at 10:16am

4. NCDHH Legislative Agenda

In terms of agency budget, the board had previously approved a budget submission for the next cycle. This is a reminder of what was approved at the previous board meeting for a new position in Scottsbluff and also the tri-city area. Mr. Wyvill reminded the members that there is an increase for our base budget, so no action is required. Mr. Wyvill will be meeting with the Senator from Scottsbluff and Kearney area to make sure that we get that funding that we have asked for.

Mr. Wyvill shared that the Governor – Elect has campaigned on tax relief. This reduces the growth of state government money coming in and potentially may result in cutting agency budgets. Mr. Wyvill noted that he is concerned about keeping our carryover funding. There is no guarantee that we will be able to keep that money. Mr. Wyvill will be aggressively advocating that we will be able to keep the carryover funds.

Mr. Wyvill has a meeting this Monday evening with Hands & Voices, Nebraska Association of the Deaf (NeAD), and Hearing Loss Association Representative to discuss their needs and asking for their support. Mr. Wyvill also commented that he and Dr. Peter Seiler will be meeting with Mr. Mike Foley.

Ms. Muelleman moved the motion and Ms. Frerichs seconded motion to expand the licensing requirements of community based interpreters with the exception of religious and educational interpreters. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Mr. Manning made the motion and Ms. Frerichs seconded the motion to raise the standards of educational interpreters in Nebraska consistent with the steering committee recommendations. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Ms. Muelleman made the motion and Ms. Frerichs seconded the motion for the Executive Director to seek funding for a mentoring and coordinator position. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

5. Setting Out of Town Meeting and Meeting Dates for 2015

a. March 6, 2015 – Lincoln

b. June 5, 2015 – location to be determined

A motion was made by Mr. Manning for the summer board meeting to be in Columbus on June 11 & 12, 2015. Dr. Turk seconded the motion. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

c. September 11, 2015 – Lincoln – approved

d. December 11, 2015 – Omaha - approved

G. Business Manager's Report

Mr. Wyvill stated that the G1 board packet insert is a generated ledger report for the status of our budget as of November 25, 2014.

H. Executive Director's Report

Mr. Wyvill reports on his significant activities since the previous board meeting.

1. Interpreter Review Board

a. Rules and Regulations Update

Mr. Wyvill reported that Ms. Peggy Williams and Ms. Traci Cooney are working on revising and updating the rules and regulations. These changes will have to go to the Interpreter Review Board one more time, and then will come back to the board in March, 2015 for approval.

b. Review of Interpreter Complaint Process

Mr. Wyvill gave an explanation of the flow chart outlining the interpreter complaint process.

Mr. Manning made a motion to go into executive session to discuss the Interpreter Review Board (IRB) Complaint Referrals. Ms. Muelleman seconded the motion at 11:05am. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Mr. Manning made the motion, Dr. Turk seconded to open the session at 12:28pm. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

c. IRB Complaint Referrals

i. Case 1405

Dr. Lomicky made the motion that we will not move forward with a formal complaint in case 1405, and to direct the Executive Director of the Commission to send a letter to the interpreter that informs her of the board's concerns regarding her performance. The motion was seconded by Ms. Frerichs. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

ii. Case 1406

Dr. Lomicky made the motion that we not move forward with a formal

complaint in Case 1406, and to direct the Interpreter Program Assistant to send a certified letter encouraging that the interpreter continue her education in the roles, responsibilities, and appropriate behavior in interpreting situations. The motion was seconded by Dr. Turk. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

iii. Case 1407

Dr. Lomicky motioned that we not move forward with a formal complaint in case 1407. The motion was seconded by Ms. Frerichs. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

iv. Case 1408

Dr. Lomicky made the motion that the board will follow the Interpreter Review Boards (IRB) recommendation to move forward with a formal complaint in Case 1408. The motion was seconded by Ms. Muelleman. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Chairperson Brummer announced that we take a short five minute break.

Chairperson Brummer introduced Mr. Dillard Delts for an award presentation. Mr. Delts, for appreciation of your service with the board from 2008 to 2014. Acceptance by Mr. Delts with a picture taken for the Agencies Facebook page.

2. LR 517

Report that challenges fully integrated facilities for individuals who are deaf or hard of hearing in the State of Nebraska. Senator Colby Coash was the one who completed the study and suggested that one of our Agencies be the one to provide training for the facilities and resources for technology.

Dr. Lomicky raised concern about the low response rate of 18% on the survey. In addition, the comment was made referencing deaf and hard of hearing together. Our needs are not the same; the Commission needs to do some educating on this.

3. Creighton University

Mr. Wyvill shared that they had a meeting with the President of Creighton University in which he privately apologized to Jonathan Scherling, President of Nebraska Association of the Deaf (NeAD) about the perception that Creighton University is less than inclusive for people who are deaf or hard of hearing.

We are now working with the coordinator of disability services at Creighton University.

4. Nebraska Medicine (UNMC)

Mr. Wyvill stated that he and Ms. Muelleman met with Nebraska Medicine which was formerly known as UNMC. Flower Nunez is the interpreter coordinator for Nebraska Medicine. Ms. Nunez has given out her personal cell phone number for anyone who is deaf or hard of hearing that needs an interpreter with Nebraska Medicine. Ms. Nunez assured that she will make sure that there will be a live interpreter there in every practical opportunity.

The Commission will be working with Nebraska Medicine to provide a video for in service training for their staff.

5. Helen Keller Event

Dr. Lomicky shared that there were two activities held in Kearney at the Merryman Performing Arts Center. A matinee for approximately seven hundred fourth and fifth graders. This was an interactive activity involving the students so that they could experience what it is like to be blind and not have hearing. The Commission handed out bags for the students that included coloring books, ear plugs, etc.

Mr. Wyvill complimented Ms. April Guthrie, Field Representative in the Tri City Area on her work with the activity.

6. Text to 911

Discussion was held on the recent activities of the text to 911 status in Nebraska.

7. Enrichment Foundation Update

Ms. Peggy Williams, Mental Health Specialist for the Commission was the one

responsible for writing this grant with the Enrichment Foundation. The grant was written and received for \$3,883.00. This grant will be used to coordinate a stress management workshop for professional sign language interpreters in the mental health setting.

8. NET proposal on ASL and Deaf History

Ms. Peggy Williams is working with Nebraska Education Television (NET) on developing a segment relating to the deaf population and deaf history. Mr. Wyvill stated that we do not have a title at this time. Ms. Williams is working with a committee that consists of Mr. Jerry Siders, Dr. Peter Seiler, Mr. Linsey Darnall, and Mr. Jonathan Scherling. Mr. Wyvill is asking for the approval to spend \$28,437 in the development of this segment.

Ms. Muelleman made the motion that the Commission move forward with this project with NET. The motion was seconded by Mr. Manning. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

9. Out of state travel request (June 24 – 28, 2015)

- a. National Association of State Agencies of Deaf and Hard of Hearing (NASADHH)
- b. Hearing Loss Association of America Conference (both in St. Louis)

Mr. Wyvill asked the board for permission to attend the National Association of the Deaf and Hard of Hearing (NASADHH) Conference and the Hearing Loss Association of America (HLAA) Conference that are both being held in St. Louis. The estimated budget that Mr. Wyvill has is \$1,964 for attendance to both of the conferences.

Mr. Manning made the motion that the board approves the funding for Mr. Wyvill to travel to the NASADHH and the HLAA Conferences in St. Louis in June, 2015. The motion was seconded by Dr. Turk. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.

Mr. Wyvill gave a synopsis of each of the items that was in the miscellaneous reading section of the board packet.

Mr. Wyvill shared what is consistent with previous board meetings regarding the kudos / good

news report from our staff. Ms. Muelleman added a kudo that at the UNMC meeting, Mr. Wyvill was able to get the Interpreter Coordinator to understand the need of using a sign language interpreter.

Mr. Wyvill gave the board an update on the number of facebook likes that the agency is currently up to – which is 560. Mr. Wyvill gave examples of the number of hits that various posts on our facebook pages are getting.

Mr. Wyvill shared with the board about the staff monthly reports that were included in the board packet.

Gina asked about where for the town hall meeting

J. Old Business

Nothing to report

K. Subcommittee Discussion

1. Executive Committee
2. Legislative Issues Committee
3. Interpreter Issues Committee
4. Education Issues Committee
5. Awards Recognition Committee

Chairperson Brummer asked if any of the individual workgroup committees had anything to report. It was agreed that there were no issues to address.

Audience Comments

Mr. Dillard Delts thanked the board members for their work that they do.

I. New Business

Chairperson Brummer thanked all of the board members for their service, adding that we will miss those whose last meeting is today.

Mr. Manning made the motion to close the meeting at 1:45pm. The motion was seconded by Ms. Muelleman. Roll Call vote: Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Mr. Manning, yes; Dr. Moore, absent, Ms. Muelleman, yes; Ms. Propp, absent; Dr. Turk, yes. Vote was unanimous in favor of the motion.