

Approved March 15, 2024

**Nebraska Commission for the Deaf and Hard of
Hearing Full Commission Board Meeting
Held at – 4600 Valley Rd, Room 4A, Lincoln NE 68510-4844
December 8, 2023 Meeting Minutes**

A. Welcome

Chairperson Frances Beurivage called the meeting to order for the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) Full Commission Board on December 8, 2023, at 8:35 a.m. at 4600 Valley Rd, Room 4A, Lincoln NE.

B. Notice of Open Meeting

Chairperson Frances Beurivage 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 December 1, 2023, 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 NCDHH website. The materials generally used by the board for the meeting today are on a table in a public folder 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. Candice Arteaga, Ms. Frances Beurivage, Ms. Brooke Fitzpatrick, Ms. Valerie "Vali" Hitz, Mr. Jonathan Scherling, Ms. Diane Schutt and Ms. Peggy Williams were all present for roll call. Ms. Sandra Shaw was absent. NCDHH staff members present were Ms. Arlene Garcia Gunderson, Executive Director, Ms. Kelsey Cruz, Marketing & Communications Specialist, Mr. Jeremy Daffern, Advocacy Specialist, Ms. Gina Petersen, Administrative Assistant, Ms. Kim Davis, Advocacy Specialist and Ms. Cindy Woldt, Administrative Technician. Sign Language Interpreters present were Ms. Amber Tucker and Mr. Ben Sparks. Inclusive Communication Access Nebraska provided Communication Access Realtime Translation (CART) services.

Mr. John Jelkin, Assistant Attorney General, was present as was Ms. Elise Wiedenfeld, HR Business Partner II and Ms. Inna Karpyuk, HR Business Partner II. Individuals present in the audience were Mrs. Tami Richardson Nelson, Ms. Patti Reitz, Mr. Lindsay Darnall

Jr., Ms. Margie Propp, Mr. Richard McCowin and Mr. Jonathan Arteaga.

D. Review of Agenda

Executive Director Garcia Gunderson reviewed the agenda with board members.

E. Acceptance of Agenda

Mr. Scherling moved to accept the agenda as presented. Ms. Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

F. Acceptance of Minutes - September 8, 2023

Ms. Williams moved to accept the September 8, 2023 meeting minutes as presented. Ms. Arteaga seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

October 27, 2023

Chairperson Beaurivage requested to have Ms. Sharon Sinkler’s name added under roll call as Executive Director Garcia Gunderson’s sign language interpreter. Noting that the board did not ask Ms. Sinkler to interpret.

Ms. Williams moved to accept the October 27, 2023 meeting minutes with Chairperson Beaurivage’s changes noted. Ms. Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

November 27, 2023

Ms. Williams moved to accept the November 27, 2023, meeting minutes as presented. Ms. Arteaga seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

G. Chairperson of the Board - Report

1. Public Comments

Mr. Richard McCowin addressed the board to express his concerns after reading through previous meetings minutes, specifically the October 27, 2023 meeting. Mr.

McCowin did note a typo previously corrected in the minutes. Mr. McCowin shared his concerns in reference to board members serving more than a six year term. Chairperson Beurivage shared with Mr. McCowin that she has been in touch with the Governor's office several times regarding the appointment of new members to the board. Chairperson Beurivage reported the response she has received is the Governor is still in the process of determining how they will structure the appointment process. Chairperson Beurivage also noted the tradition of the agency is the board member stays until their replacement is found. Chairperson Beurivage added the board has two vacant positions at this time, and consequently we have a smaller board as we wait for the Governor's office to develop a process. Chairperson Beurivage thanked Mr. McCowin for his time in coming to present to the board.

2. Development of a Performance Improvement Plan

Chairperson Beurivage reminded members about receiving a copy of the revised Performance Improvement Plan (PIP) finalized on December 7, 2023. The revised plan was emailed to each board member late afternoon, December 7th, with hard copies handed out for discussion at the meeting today. Chairperson Beurivage opened the floor for discussion on the PIP. Mr. Scherling asked if the board could discuss a mentoring component of the revised plan. Discussion ensued among members regarding the PIP and if a mentoring portion is appropriate to add to the plan.

Ms. Schutt moved to accept the performance improvement plan (PIP) as presented. Ms. Arteaga seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

A short break was taken to allow Executive Director Garcia Gunderson to set up her PowerPoint presentation.

H. Executive Director Report

Director Garcia Gunderson presented a PowerPoint presentation to the board members to outline her activities and the activities of the agency.

Items that Director Garcia Gunderson covered:

- Attended a conference in New Mexico in September and October.
- Presentations given to the Omaha Children's Hospital and Medical Center and the State Bar Association.
- Interviews conducted for the Advocacy Specialist position in Lincoln. Ms. Katia Castro was hired and began her employment on November 6, 2023.
- Awarded \$5,000 for a mental health grant.
- Testified at the LR200 hearing.

- Director Garcia Gunderson and Ms. Ashley Wulf, Youth and Family Advocacy Specialist, selected to serve on the Early Hearing Detection & Intervention (EHDI) board.
- Received 33 applications for the Behavioral Health position, selected three for interviews. Director Garcia Gunderson thanked Ms. Williams for being involved in the interview process. An offer was made to an applicant, but the applicant chose another offer elsewhere. The position is reposted to begin accepting applications again.
- In November, Executive Director Garcia Gunderson attended a senior citizen gathering and met Ms. Pattie Reitz.
- An in person all staff meeting was held on November 15, 2023. The team spent two hours unpacking work culture. Discussion ensued regarding how beneficial this experience was for the staff.
- Interpreter Review Board (IRB) held a community quorum on November 17, 2023 at the Omaha Association for the Deaf (OAD) Hall.
- Ms. Sharon Sinkler, Interpreter Program Coordinator, announced her retirement date of February 2, 2024. Executive Director Garcia Gunderson shared she was not expecting the announcement. The interviewing process will begin for a replacement for Ms. Sinkler.
- Executive Director Garcia Gunderson was asked to meet with a representative at KMTV News in Omaha. KMTV News wanted to assure everything was accessible to public. Picture in picture and communication in disaster scenarios was discussed. Discussion ensued regarding the picture in picture possibility at the news station. Executive Director Garcia Gunderson added this could involve bringing in a Certified Deaf Interpreter (CDI), and she added there are a lot of things to be ironed out beforehand.
- Executive Director Garcia Gunderson discussed her meeting at Women’s Center for Advancement (WCA). Conversation ensued regarding NCDHH working with the WCA.
- Recently Executive Director Garcia Gunderson attended the University of Nebraska Diversity and Inclusion Round Table. Director Garcia Gunderson added there was no discussion of access. Instead, the round table focused on diversity, equity and inclusion.
- Executive Director Garcia Gunderson added that she will be meeting with Senator Anna Wishart, along with Commissioner Schram with the Public Service Commission, regarding the surcharge. Executive Director Garcia Gunderson also plans to address the topic of changing the Nebraska Specialized Telecommunications Program (NSTEP) to provide two phones per household.
- Executive Director Garcia Gunderson met with previous NCDHH Director Mr. John Wyvill to discuss legislative process. Mr. Wyvill suggested developing a one-pager to provide to the Senators sharing what NCDHH does for citizens of Nebraska.

- In January 2024 Executive Director Garcia Gunderson will turn her focus to the Telecommunication Relay Service (TRS).
- Executive Director Garcia Gunderson will give a presentation at the school district.
- In February 2024 there will be a two day all staff training discussing work styles, self-evaluation and team building.
- Executive Director Garcia Gunderson shared on-going meetings include monthly one on one with all staff members and planning of the Deaf-Centric Hospital event. Conversation ensued regarding the Deaf-Centric Hospital event.
- Conversation ensued between Executive Director Garcia Gunderson and the board members regarding the Omaha office location. Executive Director Garcia Gunderson reported state personnel evaluated the current office set up and communicated the office space is a hazard and unsafe. Ms. Williams asked what makes the current office arrangement unsafe. Executive Director Garcia Gunderson replied there is no clear fire exit and there are five or six different walls they say are unsafe.

Executive Director Garcia Gunderson invited Ms. Ashley Wulf, Youth and Family Advocacy Specialist, to come forward and share with the members what she is doing in her position. Ms. Wulf thanked the members for giving her the time to share updates on the work in her new position.

Ms. Wulf shared the biggest project she is working on is offering American Sign Language (ASL) Classes for parents in Nebraska. Currently, Ms. Wulf has 33 families signed up for classes, which is more than she was expecting. The curriculum used for teaching ASL classes is ASL At Home, with the current instructors being Ms. Kim Davis, Advocacy Specialist, Mr. Jeremy Daffern, Advocacy Specialist, and Ms. Katia Castro, Advocacy Specialist. Ms. Wulf added she is also looking at a curriculum called True Way shared with her from Executive Director Garcia Gunderson. Ms. Wulf shared the deadline for signing up for ASL classes is December 31, 2023.

Ms. Wulf explained she has a database with 43 families listed and shared the information is included in the database.

Ms. Wulf attended a family resource camp this past spring where she met several of the families she will be working with on an ongoing basis.

Ms. Wulf also shared she is now a voting member of Early Hearing Detection & Intervention (EHDI) Advisory Committee. Ms. Wulf thanked Mr. Scherling for nominating her to be a part of the committee.

Ms. Wulf also explained her collaboration with other various programs in expanding her current role as the Youth and Family Advocacy Specialist. Conversation ensued among members regarding Ms. Wulf's collaborations with referenced programs.

Ms. Wulf referenced the planning of the Deaf and Hard of Hearing Education Conference, as she is working with Ms. Susan Whitaker, Advocacy Specialist, and various other agencies. The first meeting will be held on December 20, 2023 by Zoom. The exact date has not been confirmed yet; however, the event will be held in Kearney, NE.

Ms. Wulf expanded on future activities she is working on, such as her work with Nebraska Vocational Rehabilitation (VR) in presenting to their students. Ms. Wulf shared several other upcoming activities.

Chairperson Beurivage and Executive Director Garcia Gunderson thanked Ms. Wulf for her presentation.

Conversation ensued between the members and Executive Director Garcia Gunderson to determine if a motion is necessary to approve Ms. Wulf's new job position and title. Chairperson Beurivage asked for input from Ms. Wiedenfeld/HR who was in attendance. Ms. Wiedenfeld shared this is generally under the purview of the executive director. However, it is stated in the PIP Executive Director Garcia Gunderson must ensure the board is aware of any movement with staff positions. Ms. Wiedenfeld also noted Mr. Scherling pointed out if Ms. Wulf's position is reclassified, it may include a pay increase as oftentimes it is considered a promotion. Ms. Wiedenfeld explained to the members she is working with Executive Director Garcia Gunderson on completing the Position Description Questionnaire (PDQ), and once this is approved, it potentially could be shared with members for their approval. Discussion ensued between the members and Ms. Wiedenfeld on when this approval would take place. Ms. Wiedenfeld explained it is imperative to submit to state personnel the hourly rate change when the workload is assigned. It is considered a red flag to state personnel if the workload is assigned to Ms. Wulf in July 2023, but if the PDQ is not submitted until March 2024.

Chairperson Beurivage requested a motion be made to move forward with the reclassification of the Youth and Family Advocacy Specialist position.

Ms. Arteaga moved to accept the reclassification of the Youth and Family Advocacy Specialist position, along with a pay increase for that the position. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Ms. Williams asked Executive Director Garcia Gunderson when Ms. Sinkler's position is replaced if the new hire will automatically be a part of the management team. Executive Director Garcia Gunderson replied yes, due to all the work needed for the interpreting programs in Nebraska.

Conversation ensued between the members and Executive Director Garcia Gunderson

on filling the Behavioral Health Coordinator and the Interpreter Program Coordinator positions. Executive Director Garcia Gunderson was encouraged to proceed with filling both positions but to keep the board involved in the process.

Executive Director Garcia Gunderson invited Ms. Kim Davis to come forward to provide updates on her team's activities. Ms. Davis introduced Ms. Katia Castro, who is the newest Advocacy Specialist, based in the Lincoln office. Ms. Castro will be responsible for covering the southeast area of Nebraska. Ms. Castro shared she is excited to get started in this new role at the Commission. Ms. Davis added Ms. Castro is tri-lingual, as she is fluent in English, Spanish and ASL.

Ms. Davis highlighted the top three accomplishments for the Advocacy Specialists since the September 2023 board meeting. Ms. Davis thanked board members for supporting the travel to various conferences this past year.

A copy of the monthly reports from January 1, 2023 to November 30, 2023 was included in the board packets. Discussion ensued between Ms. Davis and board members on the contents of the monthly reports. Ms. Williams requested to do away with the charts referencing staff by number and instead provide board members with a key to reference.

Conversation ensued between Ms. Davis and the members regarding the standardized PowerPoint presentation outlining NCDHH services. This has been approved by Executive Director Garcia Gunderson, and the Advocacy Specialists are proceeding with presentations throughout the state.

Chairperson Beurivage announced a 10-minute break.

Executive Director Garcia Gunderson asked Ms. Jackie Novak, Budget & Finance Manager, to review the budget with members. Ms. Novak referenced the handout that was provided to members in their packet, stating the figures for November 2023 are as expected. Conversation ensued regarding the budget status and any concerns. Chairperson Beurivage asked where the funding would come from to pay for the proposed 350-hour internship. Ms. Novak indicated this funding will come from SOS. Ms. Weidenfeld added the funds for the internship will come from the agency operating funds, instead of the Personal Service Limitation (PSL). Ms. Weidenfeld added this money will come from a different bucket than staff wages. Conversation ensued among board members regarding the paid 350-hour internship. The question was asked if a line item should be added in the budget to include SOS funding for paying individuals who complete their internships at NCDHH.

Ms. Kelsey Cruz, Marketing and Communications Specialist, gave an update regarding the voting process for the new agency logo. Ms. Cruz included a chart in the board members' packets outlining the general opinion of the community for each logo. Ms.

Cruz gave board members a history / reasoning behind the three logos being considered.

Ms. Arteaga moved to accept the logo design #3 presented with the understanding there be some design changes as needed. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Executive Director Garcia Gunderson acknowledged Ms. Cruz on the exceptional work she has done with this project. Each of the members thanked Ms. Cruz for her work on this project.

Executive Director Garcia Gunderson shared with members information regarding the Behavior Health Coordinator role. Executive Director Gunderson discussed a webinar called Advocating Change, which is a \$5 million dollar grant involving work with the Women's Center for Advancement (WCA).

Executive Director Garcia Gunderson updated members regarding the Mental Health Needs Assessment. Executive Director Garcia Gunderson gave the board a brief explanation of survey responses. Conversation ensued regarding who the assessment was shared with and what areas of the state to target for completing the assessment. This conversation also highlighted NCDHH is not allowed to provide direct services to its constituents. Ms. Williams added this is a great survey, but there is a lot of follow-up necessary with this survey.

Goals for 2024 presented by Executive Director Garcia Gunderson:

- Enhancements to our agency database
- Updating guidelines
- Communication policy
- Interpreter Referral Program
- Website tab for Youth and Family Advocates
- Improving accessibility on NCDHH website, adding ASL videos
- Meet Senators and provide them a fact sheet on NCDHH
- NCDHH Team Building & Self Inventory (February 7 – 8, 2024)
- Outreach benchmarks for advocacy specialist
- Action plan for mental health needs assessment

Executive Director Garcia Gunderson also included in her PowerPoint several testimonies from stakeholders.

Mr. Scherling requested NCDHH work with Nebraska Association of the Deaf (NeAD) in

development of the informational sheet to provide to State Senators. Mr. Scherling shared some history with members on what this hand out should look like. Executive Director Garcia Gunderson asked for the members' approval for a paid internship position with NCDHH starting in January 2024. This would be a 350-hour internship and involve working with families with IEPs and providing education and advocacy as to their rights. Conversation ensued regarding this position. Executive Director Garcia Gunderson clarified the position will be in the Omaha office, and NCDHH will pay an hourly rate of \$20.00 per hour. This hourly rate is to be confirmed by Executive Director Garcia Gunderson. Ms. Williams expressed her concern regarding pay for the internship, and she stressed the agency must separately approve and budget pay for the future. Ms. Williams added internships are generally not paid positions, at least not in terms of NCDHH's history. Executive Director Garcia Gunderson added the incentive of a paid internships will bring more qualified individuals to Nebraska. Conversation ensued regarding the topic of paid internships. Ms. Hitz raised the question to Executive Director Garcia Gunderson regarding her communication with applicant and the indication the internship would be a paid position. Executive Director Garcia Gunderson confirmed she did inform the applicant the internship would be a paid position.

Executive Director Garcia Gunderson stated she will not proceed with the Educational Advocacy position at this time as it must be approved as a new position.

Ms. Arteaga moved to approve the 350-hour paid internship. Mr. Scherling seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Executive Director Garcia Gunderson shared there is no interpreter report due to Ms. Sinkler not attending today's meeting. The members can find a copy of the report in their packet.

Conversation ensued between the members and Executive Director Garcia Gunderson on the need for American Sign Language (ASL) Interpreters in the state.

Ms. Arteaga moved to approve the Executive Director report as presented. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

I. Committee Reports

Ms. Williams gave an update for the legislative committee. Conversation ensued regarding what will be involved in getting the two phones per household bill passed.

Chairperson Beurivage gave the opportunity for the public to make comments to the board.

Ms. Tami Richardson Nelson provided an update on the Deaf-Centric Hospital event, including a possible grant with Creighton University. Executive Director Garcia Gunderson added NCDHH supports this project by providing interpreter services for the planning meetings, and Ms. Cruz is giving her time to do public relations and promotion of this event. Executive Director Garcia Gunderson added instead of providing participants \$75 gift card, they will be paid for eight hours. Ms. Richardson Nelson added they are expecting about 50 students, as last year 23-24 students participate in the event.

Ms. Richardson Nelson shared her concerns regarding the Channel 6 news as they do not provide closed captioning for the 4 p.m. news.

Ms. Richardson Nelson also discussed the Department of Education changing the rules for Deaf children to be able to go to Iowa School for the Deaf (ISD). Discussion ensued regarding the need for a School for the Deaf in Nebraska.

Ms. Richardson Nelson shared with board members the community support for Executive Director Garcia Gunderson and the work she is doing overhauling the Commission. Ms. Richardson Nelson thanked Executive Director Garcia Gunderson for her work.

Ms. Williams thanks Ms. Richardson Nelson for the work she is providing in the planning of the Deaf-Centric Hospital event, in addition to Ms. Ronda Rankin. The members of the NCDHH Board are appreciative of the work.

Ms. Patti Reitz shared with the board the need for a handicap bathroom stall in the Lincoln office building. Discussion ensued regarding the importance of this to accommodate those with physical disabilities.

Mr. Jeremy Daffern, Advocacy Specialist, asked for clarification regarding the difference between direct services and direct care services. Conversation ensued between Mr. Daffern and Executive Director Garcia Gunderson on this subject. Executive Director Garcia Gunderson added direct care services mean giving support, helping the client with what they need, and direct services are related specifically to mental health such as assessments, diagnosis, etc. Executive Director provided an example of the field of mental health and indicated providing treatment services are considered direct services. NCDHH is legally not allowed to provide direct services. Ms. Arteaga suggested going into closed session to discuss this matter further. Chairperson Beurivage deferred to Mr. John Jelkin, and Mr. Jelkin replied closed session is not on the agenda, so it is not permissible. Chairperson Beurivage stated this is not the correct platform to be discussing this matter, and this should be handled internally.

Ms. Schutt shared with the members she is technically off the board in January 2024,

unsure if her time will be extended or not. Ms. Schutt added being appointed to the board was probably in the top 5 important things she has accomplished in her lifetime. Ms. Schutt thanked NCDHH and the board members for allowing her to be a part of the board.

J. Old Business

K. New Business

L. Adjourn

Ms. Arteaga moved to adjourn the meeting at 1:01 p.m. Ms. Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt and Ms. Williams all voting aye. Ms. Shaw was absent.

Next Meeting Dates

- March 8, 2024 - Lincoln
- June 14, 2024 - Omaha
- September 13, 2024 - TBA
- December 13, 2024 - TBA