

Board Secretary Meeting Minutes  
**Nebraska Commission for the Deaf and Hard of Hearing**  
**Full Commission Board Meeting**  
**4600 Valley Rd, Conference Room 1, Lincoln NE**  
**December 14, 2018 Meeting Minutes**

**A. Opening**

Chairperson Jeremy Fitzpatrick called to order the meeting of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) full commission board meeting on December 14, 2018, at 8:34 a.m. at 4600 Valley Road, Conference Room 1 in Lincoln, Nebraska.

**B. Notice of Open Meeting**

Chairperson Fitzpatrick 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 10, 2018 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 is available for the duration of the meeting.

**C. Roll Call**

For the record, Board Members Ms. Candice Arteaga, Dr. Marc Brennan, Mr. Jeremy Fitzpatrick, Ms. Margie Propp, Dr Stacie Ray, Ms. Diane Schutt, Dr. Peter Seiler, Dr. Frank Turk, and Mr. Norman Weverka. NCDHH Staff members Mr. John Wyvill, Executive Director and Ms. Teresa Hevner, Lead Advocacy Specialist were present. Interpreters present were Mr. Ben Sparks and Ms. Sharon Sinkler. Ms. Margaret "Mydge" Heaney of ERI was present to provide CART services.

**D. Review of Agenda**

Executive Director Wyvill reviewed the agenda with the Board Members.

**E. Acceptance of Agenda**

Chairperson Fitzpatrick 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 Dr Ray moved to accept the agenda as written. Board Member Mr. Weverka seconded the motion. With no further discussion, the motion carried with Mr.

Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, Mr. Weverka all voting aye.

**F. Acceptance of Minutes**

Chairperson Fitzpatrick asked for additional or corrections to the September 14, 2018 meeting minutes.

Board Member, Mr. Weverka, moved to accept the agenda as written. Board Member Dr. Seiler seconded the motion. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, Mr. Weverka all voting aye.

**G. Chairperson of the Board Report**

- **Special Recognition Presentation**

Chairperson Fitzpatrick thanked Ms. Propp for her service on the board, adding that she is an integral part of the NCDHH family. A plaque was presented to Ms. Propp, along with the grant of “Admiral of the great State of Nebraska” by Mr. Rickett, Governor of Nebraska. Members of the board thanked Ms. Propp for her service. Ms. Propp added that her work is far from done, still wanting to continue to focus on improving the education for deaf kids in Nebraska, and her work in the interpreting community.

- **Rules and Regulations Review**

Chairperson Fitzpatrick shared that the NCDHH staff has received some very helpful and substantive comments to the rules and regulations document being proposed, requesting that we put off discussion on this until the next board meeting. Executive Director Wyvill added that Dr. Seiler wants to make sure that the Interpreter Issues Committee has a chance to review the comments that he has proposed.

Board Member, Mr. Weverka moved to postpone the any decisions on the rules and regulations review until the next board meeting. Board Member Ms. Arteaga seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, Mr. Weverka all voting aye.

Chairperson Fitzpatrick shared with the members that he and Executive Director Wyvill continued to meet on a weekly basis since the board last met. He further shared that they attended the first meeting of the Council of the Deaf and Hard of Hearing on November 14, 2018, which was Dr. Turk’s creation. The first meeting was a positive meeting and a good start. The next meeting will be in March 2019 on a Saturday.

- **2019 Board Meeting Dates**

Meeting dates suggested for 2019 are:

- March 8<sup>th</sup>
- June 14<sup>th</sup>
- September 13<sup>th</sup>
- December 13<sup>th</sup>

Conversation among the members centered on what days they will have conflicts. The decision was made to proceed with the June, September and December dates listed. The board chairperson will make a decision about the March date in the next couple of weeks by email.

Board Member, Dr. Seiler moved to accept the dates of June 14, 2019, September 13, 2019, and December 13, 2019; the Board Chairperson will set the date for the March, 2019 meeting. Board Member Mr. Weverka seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

**J. Strategic Planning:** Due to the facilitators' schedule, this part of the agenda was moved to this time slot.

- The board then dedicated the remainder of the meeting to the strategic planning. Ms. Serenity Kinney, Administrator for Human Resources (HR) with Department of Administrative Services (DAS) - and Erin Bond who is an HR manager also with the same division. Ms. Kinney was asked to facilitate the review and possible revision of the mission statement, the vision statement, and the goals/objectives for the NCDHH.

At the conclusion of the strategic planning session, Ms. Kinney thanked the group for their participation, adding that she and Erin will be returning on Wednesday to meet with the NCDHH staff and those board members who can come. She encouraged the group to hold ourselves accountable to ensure we are continuing the discussion.

Mr. Fitzpatrick thanked the group for being a part of the session, and for those who can come on Wednesday.

The agenda moved back to the Chairperson of the Board's Report, Closed Session, Personnel update

- **Closed Session**

- a. **Licensure Complaints**

- Board Member, Ms. Propp moved to go into closed session at 9:00 am. Board Member Dr. Brennan seconded. With no further

discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

Board Member Dr. Brennan moved to go into open session at 10:30 am. Board Member Dr. Ray seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

Board Member, Ms. Propp moved for Cases # 2507, 2509, and 2510 that the Board accept the Interpreter Review Board's (IRB) recommendation to send letters supporting the language from the Nebraska Attorney General to the interpreters. In addition, the letter for Case # 2507 shall include additional language of warning. Board Member, Ms. Arteaga seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

Board Member Ms. Propp moved, for Cases # 2508 and 2511, that we reject the IRB recommendation and refer to the Attorney General's office to pursue administrative action. Board Member Dr. Ray seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, and Dr Turk, Mr. Weverka all voting aye.

Board Member Ms. Propp moved, for Cases # 2512 and 2514, that the Board reject the IRB recommendation and refer to the Attorney General's office for further investigation and administrative action. Board Member, Mr. Weverka seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

Board Member Ms. Propp moved, for Case #2513 that ~~we~~ the Board accept the IRB's recommendation but excluded the use of "teachable moment" and replacing that with including in the letter the parts of the Registry of Interpreters (RID) Code of Professional Conduct that were violated. Board Member Dr. Ray seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Ms. Arteaga, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.

The group took a short break. At the conclusion of the break, the Board resumed and moved to Agenda item J. Strategic Planning.

[Ms. Candice Arteaga left the meeting at 12:30pm. Quorum is maintained.]

**b. Personnel Update**

Board Member Ms. Propp moved to go into closed session at 12:30 pm. Board Member, Dr. Brennan seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, and Dr Turk, Mr. Weverka all voting aye.

Board Chairperson Fitzpatrick asked Ms. Sharon Sinkler to excuse herself from interpreting for the closed session on personnel update.

Board Member Dr. Ray moved to go into open session at 1:00 pm with Ms. Propp seconding. With no further discussion, the motion carried with Mr. Fitzpatrick, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye. Ms. Arteaga was absent (Quorum is still maintained).

No board action was taken.

**H. Executive Director Report**

Director Wyvill shared with the board that his report is included in the packet for their reference. He focused on the legislative items and the budget addendum.

- **Legislative Update**

Director Wyvill shared that he has been in communication with several board members about the legislative package, the agency budget, hearing aid legislation, and working with Nebraska Association of the Deaf (NeAD) on the “hearing impairment” language being removed from the statutes.

Mr. Weverka asked about the bill number for the hearing aid legislation. Mr. Wyvill replied that the bill numbers have not been assigned yet and that he is working with Mr. Josh Sevier from the Barkley Center. Mr. Sevier will be the lead person in filing the bill with NCDHH offering support.

Dr. Seiler updated the group on Language Equality and Acquisition for Deaf Kids (LEAD-K). Alexander Graham Bell Association for the Deaf and the National LEAD-K got together and agreed to support the LEAD-K bills throughout the

country. They agreed to the language, changes, and the rationale for ASL and English measurements. The goal is for deaf and hard of hearing children to have language benchmarks in place for 0 years old to either 3 or 5 years old. Dr. Seiler added that he is starting a new committee; the first meeting will be on January 5, 2019. During the meeting, they will look at legislators who will be favorable to this while collecting information and data. Dr. Seiler further added that the committee will use the 2019 legislative to identify the legislators who will be supportive of the bill for 2020.

Chairperson Mr. Fitzpatrick requested that Director Wyvill and Dr. Seiler add LEAD-K to the March agenda.

- **Bi-weekly Reports: Included in the packet**
- **Advocacy Specialists' Monthly Reports: Included in the packet**
- **Behavioral Health Specialist's Report: Included in the packet**
- **Interpreter Coordinator's Report: Included in the packet**
- **Education Advocate's Report: Included in the packet**
- **Marketing Report**  
Director Wyvill shared that the Agency is currently planning the 40<sup>th</sup> Anniversary Celebration for the Agency.
- **Budget**  
Director Wyvill shared that the members have an addendum to the current budget report. Referencing two items to bring to the boards attention, Director Wyvill noted that the personnel budget is significantly under budget. This is partially due to the fact that the NCDHH will have one person taking a leave without pay. The other item of note is the fact that the operating budget is now at 45% of the fiscal year; he is mindful of the budget and making certain corrections and adjustments.

Board Member Propp thanked the members who wrote letters to the Governor's office in support of filling her position on the board with someone from the interpreting community.

The board members engaged in discussion regarding the 40<sup>th</sup> Anniversary Celebration of NCDHH with advisement to include the Governor and other stakeholders to the public event.

**I. Public Comment**

No public comments shared

**Adjourn**

Board Member Ms. Propp moved to adjourn the meeting at 1:12pm. Board Member Dr. Brennan seconded. With no further discussion, the motion carried with Mr. Fitzpatrick, Dr. Brennan, Ms. Propp, Dr. Ray, Ms. Schutt, Dr. Seiler, Dr Turk, and Mr. Weverka all voting aye.