

NEBRASKA COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED  
PUBLIC MEETING, Saturday, November 17, 2001, 9:00 A.M.  
Omaha, Nebraska

Approved

Call to Order and Introductions:

Chairman Barbara Walker called the meeting to order at 9:15 a.m.

Commissioners present were: Barbara Walker, Bill Orestor, Dorothy Westin-Yockey, and Bob Burns.

Commissioner absent: Maya Samms was unable to attend because of her recent relocation to Washington, D.C. Samms has agreed to review the Rules and Regulations.

Commission staff present for the entire meeting were: Pearl Van Zandt, Bob Deaton, Carlos Serván, Jan Ludwig, and Robert Newman.

Commission staff present for setup, Nancy Flearl; and for presentation, Jonathan Ross.

Member of the Public: Fritz Yockey.

Announcement Concerning Public Comments:

Walker encouraged those present to feel free to address the Chairman for public input. As Chairman, she will consider the comment, if time permits, for immediate input on that particular agenda item. There is also a section for Public Comment set aside in the agenda. Van Zandt offered to notify the Chairman of any latecomers who do not identify themselves upon arrival to the meeting. Walker agreed to this format.

Minutes of the July 28, 2001 meeting and the August 23, 2001 Telephone Conference Meeting:

As draft minutes of both meetings have been available on the web page and Newsline® Channel 2, Orestor moved both sets of meeting minutes be approved, and Burns seconded the motion. The minutes were approved unanimously.

## Technology Overview -- Jonathan Ross

Report from the Chairman - Walker announced she was pleased to have the information on Supervisor of the Year and Employee of the Year. She congratulated Nancy Flearl and Jonathan Ross on behalf of the Commission Board. She also said it was good to see the information on the appointments made by RSA Commissioner Joanne Wilson. Congratulations were extended to Serván listed on the group on Investing in the Transition of Youth with Disabilities to Productive Careers. Walker participated in the voting accessibility hearing led by Secretary of State John Gale on the 27th of August before part of the legislature on e-government. Walker also commented she is pleased that the Commission and NFB are involved in making sure accessibility is addressed. During the budget situation, Walker participated in conversations to continue letting the Unicameral know NCBVI's concerns. It is important that we maintain vigilance. Walker read a letter from John Fullerton, Executive Director of Radio Talking Book regarding the budget cut of \$20,000. Van Zandt let Commissioners know that the entire RTB Board did not receive copies of the letter sent to Mr. Fullerton in August. Walker will write a follow-up letter to Fullerton and the RTB Board. Walker spoke with Karen Billings regarding the change in the scale of the Executive Director's evaluation. Billings asked that when the evaluation is sent to her, a note be attached reminding her of the change and that will be just fine. Walker again requested replies to her e-mails. She apologized for sending some communications to the wrong address and said she had asked Kelly Coleman to forward them with the correct one. She expressed appreciation to Kelly for noticing the error and helping to correct it.

Report from the Executive Director - Dr. Van Zandt provided the address to the Commission Board through the web page.

Bill Brown, Business Manager, has been active in the NIS process. Van Zandt shared NCBVI statistics of employment following case closures.

Staff updates - Larry Roos is now the Vocational Rehabilitation Counselor in the Lincoln District. This leaves the North Platte position still open. Jeff Altman is back as cane travel instructor after completing his Masters degree and Sahar Hussieni is communication instructor in the Center. Jane Lansaw is an orientation counselor and James Juarez is a transition counselor in the Omaha District. Van Zandt commended Jan Ludwig for pursuing and finally getting the telephone directory exemptions for blind staff's office phones. December 4th & 5th Van Zandt will be attending the Regional State VR Directors meeting in Kansas City and the 5th, 6th, and 7th Serván will be in Kansas City for the Field Representatives meeting. The vendors committee meeting will be December 7th in the NCBVI Lincoln office. Van Zandt asked that the Board consider what method of training should be planned for a newly appointed Board member. We will have at least one new member after the first of the year. Do we need a packet and a visit to the Center? Walker will contact the Governor's office as to any new appointments and then NCBVI will put together a training packet.

Budget: Van Zandt reiterated that we survived the State budget cut. We still do not have a Federal budget. To date we are receiving Grant Award Notices (GANS) in small portions that are referred to as Continuing Resolutions. That is what Congress does when they do not have a budget yet. We did receive \$20,000 of the

Older Blind Grant. We have not received any funds for Supported Employment or Part B. At this point, we are \$90,000 short to spend at the level we spent last year. \$4,002 was spent on State Rehabilitation Council (SRC) this past year. Other years \$6,000 to \$7,000 was spent on SRC, so there will be a cost savings when SRC is discontinued. Another cost savings statewide that would impact clients would be if NCBVI were to purchase used books rather than new for college students. Comparable benefits will also be helpful in the future. Staff has cut down on overnight expenses. The number of lines for Newsline® has been decreased by half.

NCBVI received a donation of funds for the purchase of a new vacuum needed in the apartments. Social Security reimbursements will help.

Nebraska Statute § 71-8613 requires the Commission to prepare a detailed report to be filed prior to each Legislative session, to the Governor and the Clerk of the Legislature. Van Zandt asked who should complete that report. It was determined NCBVI will develop the report and make it available to the Board of Commissioners before it is submitted to the Governor and the Unicameral. The Legislature convenes the first Wednesday in January.

Nebraska Statute §71-8609 requires the Commission to obtain a current list of licensed optometrists and ophthalmologists across the state to be made available upon request. Research is being done to see if a link on our web site might be a possibility to make such a list available.

Annual monitoring review: Barbara Walker will be sending a copy of Gerri Harris' report to the Board and Van Zandt. It is one of the things she sent through the wrong Board address. There is work being done to correct some of the review issues: i.e. Workforce Investment Board and NCBVI are working to come up with a Memorandum of Understanding (MOU). Serván is working on the MOU and agreed to send information to the Board by e-mail. If an evaluation on a case is taking longer than the 60 day determination for services, there needs to be an extension of eligibility agreement between the client and the counselor available in the file. A letter will be drafted in reply to the annual monitoring review to Harris.

The meeting was temporarily adjourned at 12:15 p.m. to get lunch and bring it back at which time Chairman Walker called the meeting back to order for a working lunch.

NCBVI Rule: Van Zandt gave a short overview of the Rule process and our progress to date. She also expressed her opinion regarding the public hearing. She would like to hold a video-conference hearing so people across the state can be involved in the process. The Rule is first regarded as a working draft. At the time of the Board approval, the working draft becomes a hearing draft. The hearing draft will be posted to the web site and we will disseminate it as much as possible and that is the draft that is discussed at the public hearing. We have to appoint an officer to convene that hearing and to write the report. If there are minor changes and no content change in the text, it can be approved. If it is not approved, the process starts over again. Upon public hearing approval, we submit it to the Attorney General's office and the Governor's Policy Research office for final approval. The Attorney General can take from 30 to 90 days reviewing it. The Governor's office can take from 7 to 30 days reviewing it. If these two offices have substantive changes, then we start over again. All regulations that we promulgate will be within Title 192. Chapter 1 is the Scope of Services and Cost Containment. Chapter 2 is Formal Review of Vocational Rehabilitation Determinations and Chapter 3 is the Blind Vendor Program. Chapter 4 will be the Personnel Rules and Regulations. Walker requested in the future for the changes to be referenced so Commissioners will know upon their receipt what and where they are.

Chapter 1 of the working draft was reviewed. After much discussion and some changes, Orester moved that Chapter 1 be considered a hearing draft. Burns seconded the motion and the vote was unanimous.

Chapter 2 of the working draft was reviewed. Following discussion and a few changes, Burns made a motion to move Chapter 2 onto a hearing draft and Orester seconded the motion. The vote was unanimous.

Chapter 3 of the working draft was reviewed. After a lengthy discussion, Burns moved to adopt Chapter 3 and move it onto a hearing draft. Orester seconded the motion and the vote was unanimous.

Old Business:

Materials Update - Walker expressed appreciation of Senator Bourne's visit to the Center for a tour; however, she is asking for information ahead of time rather than after. Walker did send information regarding RTB to Tanya Cook in the Governor's office. Walker expressed her appreciation in receiving the Transition newsletter and readings to be used in Administrative Philosophical Seminars. Philosophical sessions have been put on hold until after the first of the year. Jan will research where we are with regard to Commissioners' Bios for the web site.

Budget Update - This agenda item was covered earlier.

CPQ Update -Walker reported that the follow-up information was received and the letter to Rich Starr written by Deaton and Serván was also received. Walker did question why the CPQ information received did not refer to the Deputy Director positions. Van Zandt's response was that it was a decision she made as Executive Director. Given the budget situation, she believed it was necessary to be responsible to the staff that has direct contact with clients and get Personnel to move on our Agency request. Starr will be doing desk audits to see if there is a chance for an upgrade with these positions. She went on to say that she does not believe it is responsible at least until we get a federal budget to proceed with the two Deputy Directors' CPQs. Walker expressed concern that this project would "die". Van Zandt stated she will not let this project die; that she has the option whether to implement or not and that she will go to Personnel when she feels it is appropriate, to get their determination on the two Deputy Directors. Orester and Burns expressed support for this decision. Walker restated the need to continue moving forward and she certainly appreciates the passion Van Zandt brings to the issue.

Website Update - This item was covered earlier.

Friends of the Commission Update - Michael Floyd was not able to be in attendance today. He asked Walker to report that he hopes to call a meeting the first Wednesday of December.

DigitalNews Update - The William and Ruth Scott Family Foundation is interested in looking at the comments in the report from the technology grant. Ludwig will see that copies be sent to John Scott Foundation Advisor.

RTB Response - This agenda item was covered earlier.

SRC Update - The process has begun to repeal the section of the law that relates to the State Rehabilitation Council that is §71-8606.

Public Comment - There was none.

New Business - It was determined to look toward a target date of January 29, 2002, to hold the Public Hearing on Rule.

Location, Date and Time of Next Meeting - The next meeting will be in Lincoln, February 9, 2002, beginning at 9:00 a.m.

Adjourn - The meeting was adjourned at 4:45 p.m.

Respectfully submitted

Jan Ludwig

Barbara Walker



## Technology Overview – Jonathon Ross

The technology overview was presented by the NCBVI Employee of the Year, Jonathan Ross. This department has two program specialists, Nancy Coffman and Jan Brandt, to help cover the whole state. Ross serves as manager of the technology services. The two specialists, as well as Center and field staff, are involved in technology services. The training provided is highly individualized depending on the individual client's needs. Time sometimes becomes an issue in some job situations. Primarily, Ross explained his job as being a resource to clients and employers in determining what sorts of accommodations will meet their need for either independent living goals or their vocational objectives. Counselors are involved in counseling the client in expectations and expenses incurred. Technology funding needs are constant and each year there seems to be more financial need for expansion of the program. We were unsuccessful in receiving the three grants we applied for so we really need some additional funding.

Van Zandt has contacted Rehabilitation Services Administration (RSA) with questions regarding academic support and whether completing a financial aid application could be initiated and used as a piece of their education. She has not received an answer to this question to date. The institution, with the assistance of the client and his/her counselor, should be involved in making a workable plan. Discussion took place as to whether a work-study could be considered for qualifying students as well.

In the first year, the Transition grant did provide some funds for purchase of technology for students going into college, but that will diminish in the remaining four years of the grant.