

Nebraska Commission for the Blind and Visually Impaired
Public Meeting Minutes
Saturday, May 8, 2004 at 9 a.m.
South Sioux City, Nebraska

Approved

Call to Order & Introductions: Meeting was called to order by Chairman Barbara Loos, at 9:10 a.m. Loos reminded everyone that the meetings are available on cassette tape. Agendas were made available to everyone in either Braille or large print. Loos then explained that, in addition to the portion of the meeting specifically set aside for comments from the public, those present may also, at the discretion of the Chairman, be given the opportunity to speak during discussions, time permitting.

Dr. Van Zandt announced that Connie Carlow of the Norfolk Office would be taking minutes for the meeting.

Commissioners Present: Barbara Loos, Chairman, Lincoln; Bob Burns, Omaha; Nancy Oltman, Hastings; Bill Orestor, Lincoln; and Dorothy Westin-Yockey, South Sioux City.

Commission staff in attendance: Dr. Pearl Van Zandt, Executive Director, Carlos Servan, Shane Buresh, Amy Buresh, Connie Daly, Fatos Floyd, Bob Deaton, and Larry Mackey from the Lincoln office; Nancy Flearl from the Omaha office; and Connie Carlow from the Norfolk office.

Members of the Public: Fritz Yockey, South Sioux City; Jim Jirak, Omaha; Rich Crawford, Sioux City; William Kendra, South Sioux City; Karen Clayton, Sioux City; and Andrew Quinn, Lincoln, Hubert Paulson, Lincoln, and Larry Lundholm, Lincoln.

Minutes from February Meeting: Orester moved and Burns seconded to approve minutes of the February meeting. Vote carried unanimously. Loos asked that the minutes be moved from draft to approved status.

Westin-Yockey requested an executive session. Westin-Yockey made a motion and Orester seconded to have the Board go into executive session to discuss personnel issues and the grievance process. The motion carried unanimously.

Focus topic: Rule Chapter 4: Workplace Policies, Dr. Pearl Van Zandt, Executive Director, NCBVI: Van Zandt reported the draft revision was sent to the Board and it was received. Workplace policy was compared to the Labor Union Contract and State policies. Van Zandt gave an overview.

Culture Principals and Code of Conduct: The mission statement was read by Van Zandt.

Code of Conduct: Read by Van Zandt. Westin-Yockey asked how rules are enforced if a staff member is dating a client. Van Zandt stated there is a supervisory counsel and guidelines are discussed with staff.

After much discussion, Westin-Yockey made a motion and Orester seconded to talk about a specific staff/client relationship in executive session. The motion carried unanimously.

In discussing Chapter 4 of Proposed Rule, Burns suggested that there should be a step written in that after a situation with potential for conflict of interest is reported, and before any disciplinary actions are taken, that assures the situation will be negotiated or handled. The Board, by consensus, agreed.

Loos inquired about the potential of missing information, since the numbers on the document sent to the Board went from VIII to XI. Van Zandt will look into that. It was determined that Dr. Van Zandt will continue to keep the Board updated on the progress on the writing of Rule Chapter 4. If, at the time of the Board's Conference Call Meeting to discuss Van Zandt's evaluation, Van Zandt lets Chairman Loos know that progress is such that a draft could be ready for consideration in August, there would be time to notify the public and consider approval of a draft at the August meeting.

The Board called for a short break at 11 a.m.

Report from the Chairman:

Barbara Loos reported that on March 5, 2004, she attended Winnerfest and spoke to the teenagers and did Braille art. She attended a VIPS training session on March 18, 2004, conducted by Bob Deaton. Nancy Oltman also reported that she went to the Kearney VIPS training session.

Loos said she hopes that the materials list attached to the February minutes was accurate. She has changed her Internet Service Provider and hopes nothing is being lost in the transition.

There was some discussion about impartial hearing officers. There are currently three in the pool. It was determined that this is adequate, since there is rarely a call for impartial hearings.

Loos reminded everyone the web site has information on Board members but it is outdated. Van Zandt instructed members on how to update the information and send it to Jim Jirak.

Loos, Oltman, and Orestor have agreed to participate in the Monitoring Review of NCBVI. Van Zandt will keep the Board apprised and Commissioners may be able to participate via conference call.

Loos said the Board will miss Jan Ludwig as an employee and appreciated her years of service. The Board will welcome the new employee, Valerie Peery.

June 11, 2004, is vendor training and Barbara Loos and Nancy Oltman will attend.

Chapters 1, 2 and 3 of Rule should be approved by the Governor's Office soon.

Loos remarked that she enjoys email compliments regarding staff and their work. She also likes receiving articles from students as they finish training at the Nebraska Center for the Blind.

Report from the Executive Director:

Van Zandt mentioned she tries to send out information on a regular basis and as quickly as possible. If Board members feel they have not gotten something or if there is a problem, please let her know. She does not always report on everything sent, but is willing to answer questions on any topic or materials sent.

Van Zandt reported that NCBVI has served 1,158 people in all statuses so far this year. There is a 70 percent employment rate for clients successfully completing the Nebraska Center for the Blind.

Jennifer Stege, Apartment Resource Counselor, will finish training on June 4, 2004. Deanna Jesse in the Kearney office was moved to the Rehabilitation Counselor position from the Orientation Counselor position. This is a lateral move. Valerie Peery will start employment on May 24, 2004, and will receive three months of training in the Nebraska Center for the Blind.

The Alumni Association has met twice. It will sponsor an event at the Holiday Inn Downtown in Lincoln on October 10, 2004, from 6 to 9:30 PM.

Standards and Indicators for the Fiscal Year 2002: There are 6 indicators and 3 primary indicators. NCBVI passed 5 of 6 indicators and passed all of the primary indicators. Van Zandt presented information about Standards and Indicators at the recent spring conference of the National Council of State Agencies for the Blind.

The server has been tested at all offices. The Commission has been looking at the costs involved. The server will not be used until the level of cost is one we can sustain.

At the RSA workgroup on Transition, we were asked to present on our services. Karen Mosier gave the presentation and recognition was given.

It was noted that the Student Records System used by schools and Educational Service Units is not accessible to blind teachers. We are working with the Assistive Technology Program, schools, and others, to make it accessible and will provide training as needed.

There will be a Public Forum for VIPS in Kearney, NE, on May 12, 2004.

Van Zandt has been asked to serve on the Rehabilitation Council of Nebraska Vocational Rehabilitation Services.

Goals: Van Zandt would like for the board members to do a training exercise on consumer relations that was conducted at a recent staff meeting as a future topic.

United We Ride: Nothing was known to be happening in Nebraska regarding this.

VIPS Financing: The reimbursement system is now used. Bob Deaton gave an overview on how funds have been given in the past to VIPS. Financial reports have been reviewed to see that the money is being spent within what was agreed upon. \$31,000 was the grant amount awarded to VIPS this year. The VIPS organization was asked to submit only expenses within specific parameters and it was found that some items were not. Clear guidelines are being sent to VIPS board members. Oltman and Loos both expressed that they enjoyed going to the VIPS training meetings and appreciated the opportunity to attend. Deaton was commended for the quality of the training.

Chairman Loos realized the agenda had not been read to the entire assembly at the beginning of the meeting and did so at this time.

OLD BUSINESS:

Rule Update: Van Zandt reported that she heard from the Governor's Office that Chapters 1, 2, and 3 of Rule could be approved by Governor Johanns as early as next week.

Budget Update: Operations are about the same as last year. Telephone costs are down. Case services for outside training are up 8 percent. Overall level of expenditures is on a par with last year.

Website Update: Loos asked what the terms "failed request" and "redirected request" mean. Webmaster Jirak said the "failed request" means people have visited the site and for whatever reason have not been able to connect. He did not know what "redirected request" meant. Jirak will send a message to the online people requesting definitions.

The web Mail List is up to 86 subscribers. Board members commented that it is now easier to read the web page and they appreciate that.

Loos stated that the "From" field always used to say "NCBVI" when opening an email but now it reads Mr. Jirak's name before NCBVI. Jirak stated that he had inquired about this and was told that this couldn't be changed as the system was set up this way. However, he will research this further. The Commission's web address is: www.ncbvi.state.ne.us.

Friends of the Commission Update: All Board members are receiving the minutes. The group is working on public information activities and on developing a website for donations. Websites have to have a host and they don't have one yet but are working on it.

NIS Update: NCBVI is still working on accessibility issues. For the most part, things are working out well. Some NCBVI staff have worked on some of the applications of NIS. Some of the work-arounds involve so many steps that they are tedious and not practical for every day use. This situation is being addressed.

Clarification of Two Topics from February. Meeting-Dorothy Westin-Yockey:

Westin-Yockey said that the ethics issue involving client and staff relationships would be dealt with in the executive session voted upon earlier in the meeting.

The other topic concerned serving immigrants. Westin-Yockey questions whether the agency should be serving immigrants. After the last meeting, she checked into the policy for serving immigrants at other agencies and found that if a person is referred to a state agency, he/she is required to bring a Social Security number and documentation proving citizenship. Immigrants also need to read and write some English. Westin-Yockey does not feel the definition as written in the Rehab Act means we have to serve immigrants. A lot of money is spent on services, such as interpreters, etc., at the expense of state taxpayers. She feels the Board needs to have something in writing to protect the commission and would like to have a policy in place to address this issue.

Other Board members felt the definition written in the Rehab Act regarding services to all, including immigrants, was clear and that NCBVI neither can nor should deny them services. While things may be done differently within other agencies, NCBVI, which operates under the Rehabilitation Act, is obligated to provide services to all blind people.

The Rehab Act text regarding residency was read again. It states that the state agency is prohibited from requiring residency, but must serve any eligible person who is present in the state.

After much discussion, it was decided that Westin-Yockey will contact RSA and ask for clarification as to a residency requirement for blind people seeking services. The inquiry will be in writing. Van Zandt will provide the contact information for the Regional and National offices of RSA. Westin-Yockey and Burns will draft the letter to RSA and share it with the rest of the Board for comment before sending it.

Status of Taped Public Meeting Law Educational materials: Another set of tapes was given to Orester as he did not receive them in the mail. When he finishes with them, they will be made available to another Board member.

Public comment: There were no comments from the public at this time. However, the public participated in discussions throughout the meeting.

NEW BUSINESS:

Impartial hearing officers: There are three officers at this time. There is no requirement for a specific number of officers.

Survey and Evaluation Information for Staff:

The Board decided to send the survey and request for feedback concerning Van Zandt's evaluation to staff at the same time. The numbering sequence for answers on the survey will be reversed so that it is the same as that on the evaluation form. The corrected survey will be sent out by Bill Brown. Anonymous replies can be made in the suggestion box on the web site. There is no requirement for replying. The deadline for responding will be three weeks after the date the information is sent out.

Date and Time of Conference Call to Review Executive Director's Evaluation: There will be a conference call on Monday, June 14, 2004, at 7 p.m. This will be set up by Betty Buresh or Cheryl Livingston. The Board will also see where things are with the Chapter 4 draft by then and decide about the date of the public hearing.

Focus Topic for Next Meeting: It was decided that if the draft copy of Rule is available to review, that would be the focus topic. If not, Van Zandt suggested an exercise that was done by staff at the State Staff Meeting regarding customer relations. The Board agreed to consider that in the event Rule Chapter 4 isn't ready.

Location of August 7 and November 20 Meetings: Burns made a motion for the August meeting to be held in Lincoln and the November meeting to be held in Omaha and it was seconded by Oltman. The motion carried unanimously.

EXECUTIVE SESSION:

The board went into Executive Session at 1:20 p.m. and reconvened at 3:38 p.m.

Burns made a motion and it was seconded by Orester to have Van Zandt notify the Board whenever a grievance process begins and to inform the Board of any grievances which have reached the level of her specifically becoming involved in the process. The motion passed unanimously.

The Board requested that a copy of the evaluation tool(s) being used by NCBVI be sent to Commissioners.

Burns made a motion to adjourn and Orester seconded. The meeting was adjourned at 3:50 PM.

Respectfully Submitted,

Connie Carlow

Barbara Loos, Chairman

NCBVI Board of Commissioners

NEBRASKA COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED
May 29 NCBVI Special Board meeting minutes 10:15a.m

Approved

Commissioners in attendance were: Barbara Loos, Robert Burns, William Orester, Dorothy Westin-Yockey, and Nancy Oltman.

Discussion occurred regarding fallout from the May 8 NCBVI Board meeting. The commissioners agreed that a letter of apology would go out from the Commissioners. The letter would state that the Commissioners know that they do not hire or fire employees of NCBVI. Any letter or comment made by an individual Commissioner was not meant to offend anyone, and if offense was taken by anyone, the Commissioners apologize.

The Commissioners agreed that the chairman would draft a letter of explanation and apology to Connie Daly. The letter will state the reasons why the Board did not solicit an explanation from her on the supervisor-employee issues that arose in the May 8 executive session.

Any correspondence in the future made by an individual Commissioner will state that it is only from that Commissioner, and is solely that Commissioner's correspondence. Any official correspondence from the Board will only go out after being approved by a majority of Commissioners, and will go out with the Chairman's signature.

The Commissioners also agreed that they would each begin working on a job description and mission statement for the Board of Commissioners.

These individual drafts will be blended together and will be put forward at a future NCBVI Board meeting for public comment and adoption.

The Commissioners agreed that one of the job descriptions of the Commission is not to play a role in the supervisor-employee management process. The Commissioners will limit their scope in these matters to making sure that the process is not abused, and being notified of NCBVI supervisor-employee problems that reach the Executive Director of NCBVI' S level.

The Commissioners agreed that for future NCBVI Commission meetings the public would not be allowed to participate in the deliberations of the Board except at prescribed public comment opportunities. Public comment opportunities will be set aside as agenda items throughout the Board meetings.

The Board of Commissioners adjourned the special meeting at 12:45 p.m.

Submitted by: Robert Burns, Executive session Board meeting Secretary