



**STATE OF NEW MEXICO
COMMISSION FOR DEAF AND HARD OF HEARING PERSONS**

Saturday, November 6, 2010

Ramada Palms
201 E. University
Las Cruces, NM 88005
9:00 a.m.

I. CALL TO ORDER AND ROLL CALL

Vice Chair Raul Rodriguez called the meeting to order at 9:43 a.m.

Present:	Raul Rodriguez, Vice Chair	David Romine, Secretary
	Kimberly Silva	Christine "CB" Buchholz
	Nancy Schneider, proxy for Judy LeJeune	
	Mark Apodaca, Chair	Dr. Ron Stern

II. APPROVAL OF AGENDA

11-1

Commissioner Kim Silva moved to approve agenda as presented.
Secretary David Romine seconded.
Motion passed unanimously.

Discussion on Electronic Copy of Board Report

The approval of minutes and Finance Committee Report were postponed until Chair Apodaca's arrival. Vice Chair Rodriguez announced that Mark Apodaca and Dr. Stern were on their way.

The Board used this time to discuss "going green" with the board reports and sending them electronically. Commissioner Buchholz preferred the traditional way of sending a hard copy and stated that she was the only one to request one and therefore was the only one to receive a hard copy. Others did not print it out or have it on a laptop that they brought to the meeting. Commissioner Buchholz agreed that it is important to save paper, but in this case it works out better if everyone does have a hard copy to review. The office will mail hard copies in the future.

Fifteen Minute Break

III. AGENCY REPORTS

After the break Vice Chair Rodriguez introduced Executive Director B. J. Wood to discuss the agency reports. Ms. Wood wanted to highlight some of CDHH's recent accomplishments and challenges.

The budget continues to be reduced over the last three years due to drop in TRS collection. The transferred funds (MOU) have increased to the Department of Vocational Rehabilitation (DVR), while CDHH reduced the operation with the current revenue stream.

The revenues have been reduced from 4.2 million to about 3.4 million per year. The Commission has tried to do more with less. One example, the caseload has increased. In the first quarter of FY11, the Commission served 202 clients, whereas in the previous quarter 164 clients were served.

In the past, CDHH's Memorandums of Understanding (MOU's) or Contracts with vendors didn't have strong accountability measurement, which now has been improved. When Ms. Wood met with Ralph Vigil, the director of DVR, they agreed that the money transferred to them, along with the federal match, would implement the wireless telephone equipment distribution as long as the persons receiving equipment were DVR clients. Then during FY12, Director Vigil and Ms. Wood agreed the CDHH would discontinue transferring money to DVR, so the money would be kept within CDHH's own budget to serve all consumers wireless distribution

The CDHH's FY12 budget request was sent to the legislature and a week later Mr. Vigil said he could not do what was agreed to. Since it had been already presented to the legislature, Ms. Wood will be meeting with the analyst from the Legislative Finance Committee on how to resolve this issue.

Another agency that CDHH is supposed to have an MOU with is the Licensing Board, but it has not been executed yet. Executive Director Wood will hold on the funds until CDHH gets an executable document.

The Quarterly agency report was pretty much self-explanatory from the Commissions four departments:

- ❖ The Communication Access and Development
- ❖ Telecommunications and Technical Assistance
- ❖ Public Policy and Advocacy
- ❖ Administration and Finance

Executive Director Updates since September 30th.

In the past six weeks, CDHH staff came together to work on a five year strategic plan for FY12-17. The ideas will be presented at the Town Hall later in the day. The Town Hall was one of four CDHH would be hosting around the state. These Town Halls will be an opportunity for the community, parents, interpreters, deaf, deaf-blind and hard of hearing persons to come see what CDHH's plans are and to give their feedback.

After spending the last three days here at Las Cruces, Ms. Wood wanted to recognize Sandra Williams and Vice Chair Rodriguez for their hard work and representation in the Las Cruces area.

Additionally Ms. Wood wanted to recognize Commissioner Buchholz for her workshop on Sexual Assault and Domestic Violence at the Las Cruces Office the night before. Ms. Buchholz had

done a fantastic job and the community was very engaged in her presentation. From Ms. Wood's observation, there were several serious issues that were brought up. Many of the attendees were immigrants and afraid to report their situations to the police for fear they will be deported. Several may be in abusive situations and didn't really know where to turn. Sandy Williams had been working with them and brought in the Catholic Diocese as a resource to help the community understand what options they have as immigrants .

We cannot continue to say "it is a rural area and that is the way things are". There has been progress made since Ms. Williams has been at CDHH, (we very lucky to have her skill on board) but it is not enough. There needs to be more resources in Las Cruces and the laws must be either revisited or fully utilized. One example is the Deaf Child Bill of Rights; it's a phenomenal act, however it is not being utilized well. The Commission needs to work with local education agencies who continue to say they don't have the funds regardless of what the law requires them to do.

We need to do better job serving the customer with dual disabilities such as Deaf-blind or Blind with hearing loss. The Commission needs to talk to the Governor's Commission on Disability, who currently manages \$250,000 they receive every year to service deaf-blind individuals, a consideration of transferring this sum to the Commission for the Blind as they could get federal matching funds. That would mean more money to service this constituency group in Roswell and Las Cruces and other area we have yet to identify.

If in the next FY we continue to transfer funds to DVR, Ms. Wood recommends \$130,000 be set aside for independent living services with its federal matching dollars to establish a deaf and hard of hearing unit within the Independent Living Centers. Since they service all people with disabilities, they just need to hire staff who are knowledgeable on deafness and fluent signers, such as a coordinator, IL specialist and part-time interpreter.

For FY12 – 17 one of the proposed goals for CDHH is called regional service development. Ideally it would be great to have an office such as the Las Cruces office in every region, but it is doubtful that it could happen at this time. However, the commission can strengthen local resources by subcontracting some of those agencies and organizations. One example: the commission has been hosting conferences on hearing loss state-wide, but they haven't really pulled in people from Clovis, Farmington or the southern part of the state. If CDHH had a conference in each region, inviting local government officials and service providers, they could have training such as setting up a line item in their budget to cover ADA related costs. Or the money could be pooled together into a centralized fund to hire interpreters, maybe part-time with benefits. There is a shortage of free-lance interpreters in those regions because there is not enough work for them as a freelancer. Staffing/workforce development is needed so that we have a pool of interpreters and CART providers for the schools, hospitals, postsecondary education and local government. If they all chipped into a centralized fund, we can create personnel with benefits to attract them to live in those regions other than Albuquerque or Santa Fe.

In order for any above ideas to come to fruition, CDHH would need additional funds. Ms. Wood asked for the board's involvement this year with the legislature. She is planning to spend half of December and January talking to the legislature, and it is important to have their presence there for support.

Vice Chair Rodriguez agreed that Ms. Wood had great ideas. He also wanted to make the suggestion of coming up with a summer hire program for deaf kids and perhaps put them in jobs for the Commission. He stated that many don't know what it means to get out and work in the summer. Ms. Wood responded that she agreed that was a great idea and perhaps CDHH can work with DVR to make that happen.

Chair Apodaca mentioned that some of the discussion concerned him, and we were not living in the 1960's. It is sad that it is 2010 and people are not being served by the state and local

government. He suggested that they call a special meeting with Board members to do some strategic planning on how to approach these issues and who to contact.

IV. APPROVAL OF MINUTES

At this time the full board was present and Vice Chair Rodriguez brought Chair Mark Apodaca up to date. The Board revisited the minutes and decided that on page 5, where the minutes read, "During the Executive Session it was *decided*..." should be rephrased to "during the Executive Session it was *discussed*." That change would clarify that there was no action taken by the Board during the Executive Session.

There was some discussion as to whether the minutes presented were the same as the copy sent to the Governor's office. Commissioner Buchholz thought it may be a different version. Chair Apodaca stated that this was the version with his corrections. He clarified that he had made corrections to give the Governor's office which had his exact wording to give the Governor's office the correct impression of the Board Meeting.

11-2

Commissioner David Romine made a motion to approve the minutes with the correction. Vice Chair Rodriguez seconded. Motion passed unanimously.

V. BOARD REPORTS

Finance Committee

The NMCDHH Finance Committee met to discuss the history of the revenue collection. It has been decreasing over the years and CDHH continues to transfer money out of that fund. The Tax and Revenue Department continues to say they don't have enough staff to collect the entire surcharge from all of the telephone carriers in New Mexico. Ms. Wood wanted to bring the Finance Committee's recommendation of increasing the surcharge from .33% to a proposed .5% before the full Board. She stated she wanted to share her impressions with the board to address why CDHH needs the additional funding. Chair Apodaca said the board would consider it for a vote in New Business.

Chair Apodaca agreed that finances are a huge concern. He had been wondering if NMAD could be involved and help in some way, and would be glad to meet with Ms. Wood to discuss that possibility.

Ms. Wood added that the Legislative Finance Committee (LFC) met about three weeks ago and she told them a surcharge increase was being considered. The LFC was very receptive and encouraged her, once the board approved, to find a legislator who would be willing to sponsor an amendment to the current telecommunications act which would allow for the increase.

VI. UNFINISHED BUSINESS

Commissioner Buchholz wanted to explain what happened with the town hall meeting with the candidates who were running for governor. At the last meeting, it was agreed that NMAD would partner with HLAA to host the town hall. On behalf of NMAD, Ms. Buchholz had tried to contact both candidates. Diane Denish responded immediately, and they had a good conversation about the format of the town hall, explaining it would not be a debate, but just information on the issues

from each candidate. However, after several attempts to contact Susana Martinez, she never responded, and therefore the plans fell apart.

Vice Chair Rodriguez brought up Deaf Education as an issue that still needed attention. Mr. Rodriguez stated that we needed to be aggressive with the issues and remember that the public officials work for the people. The reason why the board came up with the idea of the consultant in the past was to give a starting point on what needed to be done to improve deaf education. Concerns were rural areas compared with city areas, how students were transitioning into higher education, and how deaf students progressing. Vice Chair Rodriguez said it was important to keep the educational consultant in the forefront and look for funding to continue to work on that issue.

Executive Director Wood stated that she had met with Denise Koscielniak, the director of the Special Education Department, and unfortunately she was unable to attend this meeting, but Ms. Wood hoped that she will be able to meet the board in February. Ms. Wood stated that she invited Ms. Koscielniak to present the latest and to hear from us. She said that the Special Education Department may have funds, but Ms. Koscielniak needs ideas. One idea is a remote supervisor or someone who can actually go into the schools, assess and help improve the skills of educational interpreters in the rural areas. Ms. Wood said that rather than pushing her towards the consultant, she would like her to come to a board meeting so the board could discuss issues with her.

Commissioner Ron Stern mentioned that there may be a lack of awareness as to what was happening with the New Mexico School for the Deaf's Outreach Department. Rosemary Gallegos, Assistant Superintendent at NMSD, could give an update on those services including the new Americorps program. Dr. Stern said that NMSD serves a number of kids who are in both urban and rural areas that need additional services. Dr. Stern stated it would be a big benefit for the Commission to get an update on what they are doing. He added that he would be happy to coordinate that.

Executive Director Wood also mentioned she would be meeting with Denise Koscielniak again. She added that Ms. Koscielniak was very familiar with past concerns and would like to revisit them with the commissioners.

Vice Chair Rodriguez added that another concern he has in the area of public schools is the opportunities for deaf students to participate in sports. Often they are told no, not because they cannot do the sport, but because they are deaf. If they have to pay an interpreter for sports training, they must know that they will have to do that to make sure those who are deaf have an equal opportunity to play sports.

VII. NEW BUSINESS

Chair Apodaca asked for a motion to approach the legislature to ask for an increase the telecommunication surcharge from .33% to .5%.

11-3

Commissioner Buchholz made a motion to approach the legislature to increase the surcharge from 1/3% to 1/2%.

Kim Silva seconded.

Motion passed unanimously.

Election of Officers

11-4

Commissioner Buchholz made a motion to keep the same officers for another year.
Commissioner Stern seconded.
Motion passed unanimously.

VIII. EXECUTIVE SESSION

11-5

Commissioner Romine made a motion to go into Executive Session.
Vice Chair Rodriguez seconded.

Roll Call Vote:

Chair Apodaca:	yes	Vice Chair Rodriguez:	yes
Secretary Romine:	yes	Proxy Nancy Schneider:	yes
Commissioner Stern:	yes	Commissioner Silva:	yes
Commissioner Buchholz:	yes		

Board went into closed Executive Session at 11:02 a.m. and reconvened at 11:41 a.m. No action was taken during the Executive Session.

OLD BUSINESS cont.

Commissioner Buchholz stated that there was old business to discuss based on the two motions made at the prior meeting. Ms. Buchholz said that those two motions needed to be clarified for the record. Chair Apodaca called for a motion to reopen Old Business.

11-6

Commissioner Romine made a motion to open old business.
Vice Chair Rodriguez seconded.
Motion passed unanimously.

Commissioner Buchholz stated that at the last meeting, motions were passed in relation to the Executive Director position. The first motion was to open the job search again and the second motion was to renew B. J. Wood's contract with New Mexico Ability Center. Since then, the situation has changed. B.J. Wood has accepted the full-time exempt position as per negotiation with the Governor's office. Therefore there is no need to renew Ms. Wood's contract with New Mexico Ability Center, nor was there a need to reopen the job search for Executive Director.

Chair Apodaca clarified for the record that there was no vote needed to be taken at this time and the agenda was closed.

IX. ADJOURNMENT

11-7

Commissioner Kimberly Silva made a motion to adjourn.
Commissioner Romine seconded.
Motion passed unanimously.

The meeting adjourned at 11:52 a.m.