

Commission for the Blind

Minutes Final

Regular Meeting

April 25, 2019, 10:00 AM

Commission for the Blind
2200 Yale Blvd SE
Albuquerque, NM 87106

1. Call to Order

Chairman Schreiber called the meeting to order at 10:09 AM.

2. Roll Call

Chairman Schreiber took the roll, and present were Jim Babb, Urja Lansing, and Art Schreiber.

3. Introduction of Guests and Staff

Guests and staff were introduced, and present were Greg Trapp, Executive Director, Kevin Romero, Deputy Director, Jim Salas, Deputy Director, Kelly Burma, Skills Center Coordinator, and Trish Adams, Executive Secretary. Guests present were John Kreienkamp, Assistant Attorney General, and Dr. Robert Reidy. Mr. Trapp said that Lucy Mallahan, Orientation Center Director, will be joining later by speaker phone.

4. Approval of Agenda

Ms. Lansing moved to approve the agenda, and Mr. Babb seconded the motion. A vote was taken, and the agenda was approved unanimously.

5. Approval of minutes for the Regular Meeting of February 7, 2019

Mr. Babb moved to approve the minutes of February 7, and Ms. Lansing seconded the motion. A vote was taken, and the minutes were approved unanimously.

6. Chairman's Report, Arthur A. Schreiber

Mr. Schreiber complimented Mr. Trapp and his Staff on using Seymour Levy to conduct a mock monitoring, and that he knows that it is not an easy thing to go through.

Mr. Trapp said he really appreciates Mr. Romero and his team for going through the mock monitoring process. He said that he thought it was very worthwhile, and noting that this was the second time that they have gone through the mock monitoring process.

7. Director's Report, Greg Trapp

a. Major Trends and Developments, Greg Trapp

Mr. Trapp reported on the Federal Budget which includes a proposed increase for vocational rehabilitation, saying that New Mexico should fare well based on the way in which vocational rehabilitation funds are distributed. Mr. Trapp reported on the potential for a budget impasse this fall due to the current conflict between the President and Congress over how to fund the border wall. He said that they would do their best to make sure that draws were as current as possible in the event of a shutdown.

Mr. Trapp reported on the Adelante lawsuit that has been filed by Disability Rights New Mexico over Adelante allegedly not complying with state and local wage laws. Mr. Trapp said that he is the Secretary of the New Mexico Council for Purchasing from Persons with Disabilities, and that the Council has adopted a proclamation calling upon Community Rehabilitation Programs to comply with Section 511.

Mr. Trapp reported on the National Federation of the Blind State Convention, which took place in Albuquerque from April 5 to 7. Mr. Trapp said that he presented on ABLER Accounts during the NFB state convention, along with Denise Balderas and Heather Benitez from the Treasurer's office. Mr. Trapp said that the Commission held a public meeting during the convention, and that about 40 to 50 people attended. Mr. Trapp said that they were asked some difficult questions about technology and BEP. Mr. Trapp said that the technology issue is difficult because each individual's case is different. He said that he is at times frustrated because New Mexico is comparatively doing so well in the provision of technology to consumers and maintaining a BEP program that is not shrinking, and that the agency has managed the Pre-ETS impact well and has not gone on an Order of Selection. He said that there are 78 VR agencies, that 41 are on an Order of Selection, that many have had to lay off employees such as Nebraska which has closed offices.

Mr. Trapp said he met with the Assistant Secretary of Education, Johnny Collett, on Tuesday, April 9, and that they discussed Pre-ETS and Prior approval. He said that NCSAB President, Carol Pankow of Minnesota was there, along with the President-Elect, Dacia Johnson from the Oregon Commission for the Blind, and Steve Wooderson from CSAVR. Mr. Trapp said that it sounds like the Rehabilitation Services Administration is very close to issuing a new guidance that would allow for greater flexibility for Pre-ETS.

b. Administration and Finance, Kevin Romero

Mr. Romero reported that 2 positions have been filled, with one being in Santa Fe and one in Albuquerque. He said that 5 positions are advertised, and that the agency has an 11.4 percent vacancy rate.

Mr. Romero said that he had a meeting with DFA and DoIT last week about moving to combo code and leaving the Personnel Activity Reports that staff must currently complete. He said that DFA and DoIT understood the need and that the Commission is waiting for a test environment. He said the goal was to have the combo codes in place by July 1.

Mr. Romero said that the Commission will again be audited by the Office of the State Auditor. Mr. Romero said that the Santa Fe staff is an excellent team and that they are giving 110 percent.

c. Independent Living and Vocational Rehabilitation, Jim Salas

Mr. Salas said that they were conducting interviews for the vacant counselor positions in Farmington and Albuquerque, and that they were doing reference checks and hoping to make offers in the next couple of days. He said that they have the list for the Las Cruces counselor position, and that the Assistive Technology Supervisor position is open until filled. Mr. Salas reported that the Commission has hired a new Albuquerque receptionist, Mary Ellen Ipiotis, and that she will be supporting the technology team and other programs in the building. Mr. Salas said he was working with SPO to fill the Independent Living Supervisor position. He said that Barbara Hays has left her position as an Independent Living teacher in Las Cruces, and that they are getting ready to post the position.

Mr. Salas said that the agency is promoting and advertising the STEP program, and that they have 10 STEP students signed up for Alamogordo, 14 for Albuquerque, and five for community placements.

Mr. Salas said he is working on a proposal for a presentation to the State Conference on Aging in August.

Mr. Schreiber said that the conference draws a tremendous number of attendees, and complemented Mr. Salas for his efforts.

Mr. Salas reported on the employment numbers, saying that for the current State Fiscal Year 11 persons were placed in competitive employment, one person was placed in self-employment, and that the average wage was \$14.05 per hour. For the Federal Fiscal Year, 11 persons were placed in integrated employment, with an average hourly wage of \$14.42. He said that 30 persons were in employment status, and that he expected six more to be in employment status by June and an additional three by September.

d. Orientation Center, Lucy Mallahan

Ms. Mallahan reported that she currently had eight students at the Center, and that two were on the waiting list. She said that one student will graduate in May. She said that one Blindness Skills Instructor position was open, and that the person hired would teach technology and personal management. She said she was working to post the secretary position. She said that she would have two more students join the Center in August after STEP.

Ms. Mallahan said that work was being done to reconfigure the fire escape on the east side, that the roof access was installed and the project should be finished next week. She said the fire escape was expanded to allow for better access and safety. Ms. Mallahan said that the video surveillance cameras will be repaired next week. She said that the recorder will be put in a tamper-resistant box at the Center.

Ms. Mallahan said she had a meeting with the architects to discuss the design and construction of the 4-plex apartment. She said that the construction documents are due by June 30.

Ms. Mallahan said that the Center was visited by Dr. Edward Bell and Adelmo Vigil in February, and that the Center had once again been approved as a Structured Discovery Center by the National Blindness Professional Certification Board, achieving the highest score they had ever had of 95. She said that the Center was expecting a site visit from the Commission on Accreditation of Rehabilitation Facilities later this year, and that CARF had extended accreditation to November. She said she thought that CARF would come in September or October of this year.

e. Skills Center, Kelly Burma

Ms. Burma reported that the Skills Center was currently serving eight consumers with a regular weekly schedule, with one of those being a Pre-ETS student in Albuquerque, and three being Pre-ETS students in Dona Ana County.

Ms. Burma said that they are expecting 14 STEP students in Albuquerque, and that they are going to have a more flexible schedule. She said that the bulk of students would be in class on Thursday and Friday.

Ms. Burma reported that she served three students through the Technology for Children program, and that she expects to serve four more before the start of STEP. Ms. Burma said she was working to schedule the next National Certification in Unified English Braille exam.

Ms. Lansing asked if there would be group activities saying that students learned from each other, and Ms. Burma said she was needing to figure out schedules. Mr. Trapp said that they were looking at activities around building social and independent living skills.

9. Unfinished Business

a. Pre-Employment Transition Services Update, Greg Trapp and Jim Salas

Mr. Trapp said he was working on the Pre-ETS issue with Carol Pankow, President of the National Council of State Agencies for the Blind, and Fred Schroeder, NCSAB Policy Analyst. He said that he was hoping that Congress might pass a technical amendment that would resolve some of the Pre-ETS problems. He said he would like to see any Individualized Plan for Employment Expense for a student aged 14 to 21 to count as a Pre-ETS expense. He said he would like the definition of student to include any individual with a disability who might become a student by the age of 21. Mr. Trapp said that historically our consumers did not drop out of high school or college in large numbers, or delay starting college after high school, but that this is now happening more frequently. He said that this was a hidden Pre-ETS cost in that the Commission was having to spend regular VR dollars to help these individuals become students. Mr. Trapp said he was hoping that the Rehabilitation Services Administration would grant greater flexibility for Pre-ETS, and that he was expecting to hear something soon. He

said that the Pre-ETS requirement was continuing to force states to adopt waiting lists for services.

b. Update on Proposed Governmental Services Agreement with the New Mexico School for the Blind and Visually Impaired, Greg Trapp

Mr. Trapp said that he was vetting the proposed GSA with the School for the Blind, and that he had reviewed the WINTAC technical Assistance, and was in the final drafting and signing phase of the agreement.

Mr. Trapp said that the state is now in the carryover year for the Federal Fiscal Year 18 award, and that the agency would end up lapsing most of the 18 Pre-ETS funds. He said that Federal Fiscal Year 18 was the final transition year, and that it made sense from a compliance perspective to fully spend the Federal Fiscal Year 19 award.

10. New Business

a. Report on Mock Section 107 Monitoring, Greg Trapp and Kevin Romero

Mr. Trapp reported that the agency's fiscal consultant, Mr. Seymour Levy conducted a mock Section 107 Monitoring the week of March 25. Mr. Trapp said that Mr. Levy approached the monitoring in the same fashion that the Rehabilitation Services Administration would. Mr. Trapp said that the agency had seven findings, which they were working to correct.

Mr. Trapp said Mr. Levy had three recommendations for the allowable cost policy, add information about the match for Supported Employment, clarify that the prior approval threshold was \$5,000 or more, and clarify that Pre-ETS services are for students with disabilities.

Mr. Schreiber said that Seymour Levy had an outstanding reputation, and that Director Trapp and his staff were to be commended for getting Mr. Levy involved.

b. Approval of Revised Allowable Cost Policy and Procedure, Greg Trapp and Kevin Romero

Mr. Trapp said the policy now included a table of contents, and that they added a separate Pre-ETS section. He said that the policy also added a separate prior approval item, a separate travel item, and that the policy also merged the current report writing procedure in this policy. Mr. Trapp asked Ms. Burma to read the Table of Contents.

Mr. Romero said that it is more convenient to have the policies in a single document.

Mr. Babb moved to approve the policy as presented, and Ms. Lansing seconded the motion. A vote was taken, and the motion was passed unanimously.

c. Approval of State Fiscal Year 2020 Operating Budget, Kevin Romero

Mr. Romero presented the State Fiscal Year 2019 Operating Budget, saying that there was a four percent compensation increase for employees, with an additional one percent for staff making less than \$25,000 per year.

Mr. Romero said the total Operating Budget was \$12,842,500. He said that the budget included 93 positions, and that the vacancy rate for 2020 was 15.5 percent. Mr. Romero said that DFA has just notified agencies of a change in how compensation is calculated, and that he will need to adjust the numbers accordingly. He asked for approval of the Operating budget, asking for ability to make technical amendments, clerical corrections, and revisions to comply with the DFA guidance, and to adjust Part B funding from DVR by \$9,200 to reflect extra Part B funding.

Ms. Lansing moved to approve the 2019 Operating Budget, and Mr. Babb Seconded the motion. A vote was taken, and the 2019 Operating Budget was approved unanimously.

d. Approval of Purchase Card Policy, Kevin Romero

Mr. Romero began by thanking those who worked on the policy before him. Mr. Romero said the policy does not relieve the Commission from compliance with the Procurement Code, MAP, or federal requirements. He said there will be holders of state cards and there will be balances added for specific needs. The card will not go to exempt employees. He said that having the card will shorten the time between the requested purchase and the time payment is processed. It can be used for any purpose equal to or less than \$5,000. He said there will be the ability to purchase items over \$5,000 with DFA prior approval. He said AWARE purchases and payments will not be made through the system except in exigent circumstances. Misuse of the card is considered misconduct and could lead to dismissal.

Mr. Trapp said one advantage of the card is that it can be used to purchase airline tickets at a cheaper price since tickets can be purchased before prices can be increased.

Mr. Romero said the card can be used to make hotel and airline reservations, and to pay for room and tax, but not for meals and incidentals.

Ms. Lansing moved to approve the Purchase Card policy, and Mr. Babb seconded the motion. A vote was taken, and the policy was approved unanimously.

11. Commission Open Discussion

Mr. Trapp said that there is a special celebration this evening as a result of a fundraiser being done by Holiday Bowl in the amount of \$718, and the funds will go to the Technology for Children program.

Mr. Schreiber said that he was thankful that Mr. Babb is in attendance as he is currently suffering from shingles. He thanked him for making the effort to attend the meeting.

Mr. Schreiber thanked Mr. Kreienkamp for his participation with the agency.

Ms. Mallahan said that Frank Flores passed away on April 1, and that there will be a memorial service on May 4. Mr. Trapp and Ms. Mallahan thanked Mr. Flores for his many years of service to the Commission.

Mr. Schreiber thanked Dr. Reidy for attending, who responded that the agency is in the vanguard of services for the blind, and that he appreciates the staff of the Commission.

12. Comments from the Audience

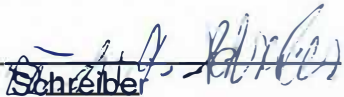
There were no audience comments.

13. Date and Location of Next Meeting

The next meeting was set for Albuquerque on August 29, starting at 10:00 AM. The following meeting was set for Alamogordo on October 16 and 17, starting at 1:30 PM on the 16th, and 9:00 AM on the 17th.

14. Adjourn

Chairman Schreiber adjourned the meeting at 1:10 PM.

 DATE: August 29, 2019

Arthur A. Schreiber
Chair