New Mexico Commission for the Blind

State Rehabilitation Council

Minutes (Draft)

Special Meeting

Commission for the Blind

2200 Yale Blvd. SE

Albuquerque, NM 87106

September 25, 2023 - 9:30 AM

1. Call to Order

Chairperson Hayes called the meeting to order at 9:35 AM.

2. Roll Call

Ms. Kelly Burma took roll. Physically present were James Babb, Jeff Blair, Peggy Hayes, Paula Seanez, and Greg Trapp. Veronica Alonzo, Mario Hooee, Paul Luttrell, and Deborah Dominguez-Clark attended by Zoom. Daphne Mitchell joined the meeting at 10:20 AM. Bernadine Chavez and Lila Martinez were absent. Katherine Chavez joined near the end of the meeting. Mr. Trapp said Ms. Bernadine Chavez was unable to attend due to health reasons, and he and the Council members wished her a fast recovery.

3. Introduction of Guests and Staff

Staff present were Jim Salas, Deputy Director for Vocational Rehabilitation and Independent Living; Kelly Burma, Skills Center Coordinator and SRC Liaison; and Patricia Savage, Executive Secretary. Staff present over Zoom were Kevin Romero, Deputy Director for Finance and Administration, and Jamie Sibson, Orientation Center Director. Guests attending by Zoom were Natalie Martin and Diana Marquez.

4. Approval of Possible Changes to the Agenda Order and Tabling of Agenda Items

There were no changes to the agenda.

5. Approval of Minutes for the Meeting of August 31, 2023

Ms. Seanez made a motion to approve the minutes. Mr. Babb seconded the motion. A vote was taken, and the minutes were unanimously approved.

6. Chairperson’s Report, Peggy Hayes

Ms. Hayes said she did not have a report.

7. Director's Report, Greg Trapp

Mr. Trapp said almost 200 persons attended the National Federation of the Blind State conference in Albuquerque. He thanked NFB President Chavez for hosting the Commission’s Public Meeting on Saturday.

Mr. Trapp said another Government shutdown may be coming and it could impact on the Commission’s ability to draw federal funds. He said the Commission will make sure draws are as current as possible.

Mr. Trapp discussed the Dear Colleague letter from the Rehabilitation Services Administration, saying it redefined the definition of recipient for purposes of the vocational rehabilitation grant. He said the Dear Colleague letter could impact on the Commission’s ability to carryover federal funds. He said the ability to carryover used to be at the agency level, now it is determined on a state level. He said this has a greater impact on Blind agencies. He said the National Council of State Agencies for the Blind is having a meeting with the Assistant Secretary of Education this afternoon. He said he is on the NCSAB executive committee and will be leading the Dear Colleague letter discussion. He said the Rehabilitation Services Administration did not go out for public comment, although the definition of recipient is set forth in statute.

Mr. Trapp said on Friday the Office of Management and Budget issued a statement of intent to issue regulations that will redefine the uniform guidance at 2 CFR Part 200. He said Part 200 contains the fiscal rules that govern federal grants. He said the purpose is to reduce the administrative burden on recipients and agencies. He said there will be a 60-day comment period, but it is not yet known what the exact changes are.

Mr. Romero reported on Administration and Finance, saying the Commission has expended about 25 percent of its budget, or $3,938,100. Mr. Romero said the Commission has 15 vacant positions, with eight being Exempt/Other and seven being Classified. He said this gives the agency a 16.5 percent vacancy rate, and a Classified vacancy rate of 10.9 percent. He said the agency is working to fill seven of the Classified positions and two Exempt/Other positions. He said the Commission will have a 6.6 percent vacancy rate once those are filled.

Mr. Romero said the Commission is currently working on the state fiscal year 2023 audit. He said he expects to meet the November 1 audit deadline.

Mr. Romero reported on building leases, saying the Commission moved into a new building on August 1 in Las Cruces. He said the Commission is working with GSD on the leases for the Roswell and Santa Fe offices. He said the Commission is trying to get both of those office leases taken care of no later than December 31, 2023.

Mr. Salas reported on vocational rehabilitation, saying the Vocational Rehabilitation Counselor positions and the Assistive Technology Specialist positions are all filled. He said Deon Dodson is retiring from the Farmington BSI position, saying he has been with the Commission since April 1998. He said Barbara Kane left her Las Cruces BSI position in June for family reasons. He said interviews are being conducted to fill both positions. Mr. Salas said that he and Mr. Haro will be meeting with Mr. Trapp regarding the proposal on the location of a ninth BSI position. He said the Las Cruces staff is very happy with their new office location.

Ms. Sibson said the Orientation Center is currently serving six students. She said the Center is on-track to be recertified by NBPCB. Ms. Sibson said one student is residing in the apartments and another student will be moving into the apartments within the next couple weeks. Ms. Sibson said she hopes to have two more students join in October.

Ms. Burma reported on the Skills Center, saying she just worked with Independence Science to conduct a forensics science camp on September 15 and 16. She said there were two blind scientists that worked on the forensics science camp. She said that a mock crime scene was set up in the breakroom. She said the students work the mock crime scene, enabling them to learn the sciences that go into crime solving, fingerprint analysis, shoe print analysis, linear equations, ground penetrating radar, chemical analysis, and blood splatter patterns.

Ms. Burma said the Skills Center sponsored a NCUEB Seminar on September 21. She said there were three participants, one was a rehab professional, one was an aspiring teacher, and one was a teacher who was renewing her certification.

Mr. Trapp said he and Ms. Burma presented to 65 ophthalmic techs at a meeting of the Academy of Ophthalmology on September 16. He said they handed out signature guides and annual reports, and that he thought it was well received.

Mr. Trapp said the Commission is working on the Combined State Plan, and that he expects guidance to be issued late in the process by the Rehabilitation Services Administration. He said this is usually in December or January. He said the U.S. Department of Education today released a training video on the state plan. He said the Commission will be submitting its portion of the State Plan to Workforce Solutions at the end of this week or early next week.

8. Unfinished Business

a. Report on Pre-ETS Annual Review Finding, Greg Trapp and Kevin Romero

Mr. Trapp summarized the finding, saying the state of New Mexico did not spend all of its Pre-Employment Transition funds in FFY 20, and as a result there was a finding as a part of the annual review process. He said the finding came from the Rehabilitation Services Administration, U.S. Department of Education. He said the state submitted its Corrective Action Plan on September 18 and is waiting to hear back from RSA.

Mr. Romero said the Commission is working with DVR and he hopes that the joint response will put this matter to rest.

Mr. Trapp said the Commission included financial worksheets with the Corrective Action Plan, and that those worksheets provided excellent documentation of the Commission’s Pre-ETS spending. Mr. Trapp said the agency is on track to spend all of its Pre-ETS reserve for FFY 23. He said the Commission could sustain a 20 to 30 percent attrition rate with Pre-ETS obligations and still meet the 15 percent reserve.

Mr. Romero said the Commission has an available Pre-ETS balance of $280,000 in Pre-ETS funds, and has obligated $256,000, leaving about $24,000 in Pre-ETS funds yet to be spent. He said he expects the agency to spend the entire 15 percent reserve for FFY 23.

b. Review of State Plan Public Meetings, Kelly Burma

Ms. Burma summarized the results of the agency public meetings, describing the comments and attendance. She said two virtual public meetings were held earlier in the year. She said that an additional public meeting was held at the Commission’s office in Santa Fe on September 19, a public meeting was held in conjunction with the National Federation of the Blind state convention in Albuquerque on September 23, and a public meeting was held at the Commission’s office in Albuquerque on September 25.

She said many persons attended the public meeting held on September 23, and that it was a part of the NFB state convention.

Ms. Hays said she attended all of the public meetings, and that the NFB public meeting had a strong focus on the Business Enterprise Program. Mr. Trapp agreed, adding that there was also discussion of the need to provide assistive technology. Ms. Burma said there was discussion about homemaker closures, and Mr. Salas said some state abused homemaker closures, whereas the Commission had a strong IL program. Mr. Trapp said that RSA issued guidance saying that VR funds should be used to support competitive and integrated employment. He said that the homemaker closures were also skewing the VR data, and Mr. Salas said a couple states literally had two-thirds of their VR closures as homemakers.

Ms. Mitchell added that Supported Employment consumers could be closed integrated, but working towards competitive.

Mr. Trapp said the need to provide appropriate assistive technology was a major topic in the public meetings. He said there was a great deal of conversation about independent living, and that IL can for some persons be a gateway to vocational rehabilitation services.

c. Review of Statewide Comprehensive Assessment Results, Greg Trapp, Jim Salas, and Kelly Burma

Mr. Trapp briefly summarized the demographic data, including the impact of the pandemic, diabetes, obesity, and the education of children. He said that New Mexico has consistently ranked near the bottom on the education of children. He noted that New Mexico is making progress educating children. He summarized a recent WalletHub report, specifically a study that looked at the state Median age using the American Community Survey. He said Utah had a median age of only 31.3, whereas Main had a median age of 43.7. He said New Mexico was tied with several other states for 15, with a median age of 38.3. Mr. Trapp emphasized the increasing rates of diabetes, saying new studies have shown that diabetes negatively impacts every aspect of eye health, not just diabetic retinopathy. He said the longer a person has diabetes the more likely they are to have diabetic retinopathy, and statistics are showing that greater numbers of younger persons are contracting diabetes. He also discussed vision screening for children with autism, noting that fewer children with autism receive vision screening. He also noted that more children are being born prematurely, reversing a trend of decreasing rates of prematurity.

Ms. Dominguez-Clark discussed some of the educational issues faced by New Mexico children, and legislative actions recently taken to address those concerns.

d. Approval of Goals and Priorities, Greg Trapp, Jim Salas, and Kelly Burma

Mr. Trapp said the Council went over the Goals and Priorities at the Alamogordo meeting, and also the August meeting. He asked Mr. Salas to summarize the proposed changes. Mr. Salas reviewed the changes made to each of the Goals and Priorities, and Ms. Burma read each, including Council input and recommendations, which were each in turn discussed and agreed upon by the Council.

Mr. Blair recommended specifying that the Orientation Center was in Alamogordo for Goal and Priority G, and Ms. Hayes and Mr. Hooee agreed. Mr. Blair also recommended specifying that the Skills Center was in Albuquerque for Goal and Priority H, and Ms. Mitchell agreed.

Ms. Seanez recommended to use Bureau of Indian Education operated school and Bureau of Indian Education funded schools for Goal and Priority I, and Ms. Burma recommended adding enhanced.

Ms. Burma recommended changing year to years, and Mr. Trapp agreed saying the plan was for four years.

Ms. Hayes asked how consumers were informed about Newsline, and Mr. Trapp said it was through the IL teachers, the VR counselors, and the Center teachers. Mr. Salas elaborated further, saying that the teachers reported the number of Newsline demonstrations and applications. Ms. Burma said the Skills Center also instructs STEP students on Newsline. Ms. Mitchell said the magazines were of greatest interest to the VR consumers. Ms. Sibson said the emphasis is on the Newsline ap.

Ms. Alonzo made a motion to approve the Goals and Priorities as revised, authorizing the executive committee to make any minor modifications that may be necessary. Mr. Babb seconded the motion. A vote was taken, and the motion was unanimously approved.

e. Approval of Council Comments on State Plan, Jim Salas and Kelly Burma

Mr. Salas noted that the majority of the Council comments pertained to the Goals and Priorities, which were just discussed. Mr. Salas said he would be happy to include any additional comments.

Ms. Hayes said she thought the staff needed to be complemented on enabling the VR program to be fully staffed, and Mr. Trapp said he thought that could be included in one of the Goals and Priorities.

Mr. Babb made a motion to approve the Council comments as discussed with respect to the Goals and Priorities, authorizing the executive committee to make any final minor changes. Mr. Blair seconded the motion. A vote was taken, and the motion was unanimously approved.

f. Approval of Council FFY23 Annual Report, Peggy Hayes and Greg Trapp

Mr. Trapp said in the August meeting a copy of the annual report for last year was sent to Council members. He said the annual report that is submitted does not include pictures. He said it is around the middle of October when the fiscal and program data is available, and that it does not give sufficient time to produce a printed report. He said the standard template is modified to include new numbers for VR, IL, BEP, and technology for Children.

Mr. Blair said the annual report was well presented. He said he is used to seeing financials in one place in a single place in an annual report. He said the goal is to be able to understand the programs at a glance, and where the funds are spent.

Mr. Trapp said the numbers get complicated because there is a two year period of performance, and since the auditors look at the numbers reported to make sure they are consistent with what is in the audit. Mr. Trapp said the Stevens Amendment requires the agency to report the federal funds that are received, and the state match. Mr. Romero said the Stevens Amendment does not include state funds that are spent in excess of the state match, which is primarily for the IL program. Mr. Trapp noted the statement that specifies amount spent on IL and VR services, saying it specifies that it does not include staff time. Mr. Trapp said the majority of spending is for salaries and benefits, and that the teachers and counselors provide consumers with a tremendous benefit.

Mr. Trapp said the report could look at including the costs for the teachers and counselors and others who provide direct services to consumers, and that those services are of great benefit to our consumers. He suggested that the agency consider this issue and discuss it at the next Council meeting. Mr. Trapp said this was an approval item.

Mr. Romero said it would help with transparency to show more in the way of revenues and expenses. He said the audit was the primary document that showed the executive and legislative branches the performance and financial accountability of an agency.

Mr. Blair thanked Mr. Trapp for the discussion, and said any change that is made should be productive and bring value.

Mr. Trapp said it is very expensive to provide rehabilitation services to individuals who are blind, but that the financial benefits of doing so are enormous. Ms. Burma said the Council should not include information that the public might misunderstand, and Mr. Trapp noted the costs of the Orientation Center, saying those costs have to be compared to the cost of keeping blind persons on benefits over a lifetime.

9. Council Open Discussion

There was discussion about a possible federal shutdown and the impact on the agency and cost reimbursement.

10. Comments from the Audience

There were no audience comments.

11. Date and Location of Next Meeting

The next meeting was set for November 16 in Albuquerque, starting at 9:30 AM.

12. Adjourn

Ms. Hayes adjourned the meeting at 12:24 PM.

Approved and Electronically Signed this 16th Day of November 2023.

Chair

State Rehabilitation Council

New Mexico Commission for the Blind