New Mexico Commission for the Blind

State Rehabilitation Council

Minutes (Final)

Regular Meeting Held Virtually

June 22, 2021 - 9:00 AM

1. Call to Order

Ms. Hayes called the meeting to order at 9:03 AM.

2. Roll Call and Introduction of New Members

Roll was taken, and present were Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, Daphne Mitchell, Paula Seanez, and Greg Trapp. Yolanda Montoya Cordova joined the meeting just before noon and gave her report. Deborah Dominguez-Clark and Kaity Ellis were absent.

3. Introduction of Guests and Staff

Guests present were Jim Salas, Deputy Director for Vocational Rehabilitation and Independent Living; Lucy Mallahan, Orientation Center Director; Kevin Romero, Deputy Director for Finance and Administration; Kelly Burma, Skills Center Coordinator; Patricia Adams, Executive Secretary; Audrey Trujillo, IT Manager; Katrina Campbell, VR Counselor, and Christopher Williams, VR Intern. Also present was Art Schreiber, Commission for the Blind Chairman.

4. Approval of possible changes to the order of the agenda and deletion of Agenda items

Mr. Trapp said the agenda needed to be adjusted to accommodate the presentation from Research and Polling and the presentation from Mr. John Kreienkamp. Mr. Babb made a motion to amend the agenda to take item “a” under Unfinished Business, Report on Consumer Satisfaction Survey, at about 10:00 AM, and to take item “a” under New Business, Open Meetings Act training at about 1:00 PM, and to be followed by item “b,” Approval of the Open Meetings Act Resolution, and to adjust other items on the agenda to accommodate those moves. Ms. Bernadine Chavez seconded the motion. A roll call vote was taken, and the motion was approved unanimously, with Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, and Paula Seanez all voting yes. Deborah Dominguez-Clark, Kaity Ellis, and Yolanda Montoya Cordova were absent. Daphne Mitchell and Greg Trapp are ex officio.

5. Election of Two At-Large Officers

Ms. Hayes nominated Ms. Bernadine Chavez. A roll call vote was taken, and Ms. Chavez was elected unanimously, with Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, and Paula Seanez all voting yes. Deborah Dominguez-Clark, Kaity Ellis, and Yolanda Montoya Cordova were absent. Daphne Mitchell and Greg Trapp are ex officio.

Mr. Babb nominated Mr. Mario Hooee. A roll call vote was taken, and Mr. Hooee was elected unanimously, with Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, and Paula Seanez all voting yes. Deborah Dominguez-Clark, Kaity Ellis, and Yolanda Montoya Cordova were absent. Daphne Mitchell and Greg Trapp are ex officio.

6. Approval of Minutes of Regular Meeting of March 26, 2021

Mr. Babb moved to approve the minutes of the special meeting of March 26, and Ms. Livingstone seconded the motion. Discussion was taken, and Mr. Trapp said that the minutes include the SRC Resource Plan and the Comprehensive Statewide Needs Assessment. A roll call vote was taken, and the minutes were approved unanimously, with Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, and Paula Seanez all voting yes. Deborah Dominguez-Clark, Kaity Ellis, and Yolanda Montoya Cordova were absent. Daphne Mitchell and Greg Trapp are ex officio and did not vote.

Mr. Trapp noted that Trish Adams has joined the meeting, and he announced that she would be retiring on June 30. He thanked her for all of her work, and wished her the best in her retirement.

7. Client Assistance Program Report, Bernadine Chavez

Ms. Chavez reported that 3 Commission for the Blind clients contacted CAP during the quarter. She said two individuals just needed information, and that the third was negotiating a communication issue.

8. Statewide Independent Living Council Report, Coby Livingstone

Ms. Livingstone reported that the last SILC meeting was on May 19, and the next meeting is in August. She said that the SILC is still looking for new members. She said that Jason Gordon is the Chair and that she is the Vice Chair. She said that Paula Seanez is also a SILC member, along with Audra Wilson and Ken Collins.

9. Section 121 Project Report, Paula Seanez

Ms. Seanez reported on Jemez Pueblo and Laguna Acoma Connections. She said that the tribal VR programs had submitted their new grant applications, and that they were waiting to hear from RSA. Ms. Seanez said that the Navajo VR program had carryover, and that they were wanting to expand transition services. Ms. Seanez said Jemez Pueblo was still closed, and planned to reopen on July 9. She said that the Navajo program was fully staffed except for one VR counselor position.

10. Workforce Board Report, Yolanda Montoya-Cordova

Ms. Montoya gave her report later in the meeting.

Pursuant to the motion to approve changes to the agenda, the Council took item a under Unfinished Business, the Report on Consumer Satisfaction Survey, Research and Polling. Reporting for Research and Polling was Brian Sanderoff, the President of Research and Polling.

Mr. Trapp introduced Mr. Sanderoff, saying that his company has an excellent reputation and that it was one of the few polling organizations that actually correctly predicted the results of recent elections. Mr. Trapp introduced Chairman Schreiber for any remarks he had, and Mr. Schreiber said that he has over the years admired the work of Mr. Sanderoff and that he is well known nationally.

Mr. Sanderoff thanked Mr. Trapp and Mr. Schreiber, and said he was honored to be attending the meeting. Mr. Sanderoff said that he surveyed 87 consumers during the month of May. He said surveying shows how you are doing and provides a benefit because it shows that you care about their opinions. He said the results were very favorable. He said that ten questions were asked, starting with a question asking about overall satisfaction. He said the results were measured on a scientific scale of very satisfied, satisfied, dissatisfied, very dissatisfied, or neutral. Mr. Sanderoff said that 81 percent of consumers were satisfied, and that 11 percent were dissatisfied. Of those who were dissatisfied 6 percent were dissatisfied and 5 percent were very dissatisfied. He said this gives the Commission an eight to one ratio of satisfied to dissatisfied. He said that was a very good ratio and really solid. Mr. Sanderoff reported that the range of dissatisfaction for all of the questions was 10 to 14 percent, and was relatively stable with no question having a large number of dissatisfied responses.

Mr. Sanderoff said that for the question asking about the overall satisfaction with the ability to select and pursue employment goals, 69 percent were satisfied, 20 percent were neutral, and 10 percent were dissatisfied, for a seven to one ratio. He said that many factors in this question were outside of the Commission’s control, and that a 10 percent dissatisfaction rate implies that the commission is going the extra mile.

Mr. Sanderoff reported on the question asking about the satisfaction with the process for developing the Individualized Plan for Employment, saying that 73 percent were satisfied and 12 percent were dissatisfied. He said that the dissatisfied persons were always the same, and that sometimes there are just unhappy campers. He said he was pleased that there were no questions in which 40 percent of persons were dissatisfied.

Regarding the level of satisfaction with the promptness of counselors returning calls, Mr. Sanderoff said 74 percent were satisfied, with 53 percent being very satisfied and 21 percent being satisfied. He said that 12 percent were dissatisfied. He said that there were comments on the level of turnover and vacancies, but that having only 12 percent dissatisfied is still a good number.

Regarding the level of satisfaction with the Commission’s technology and technology services, Mr. Sanderoff reported that 69 percent were satisfied, and 14 percent were dissatisfied. He said that the level of dissatisfaction at 14 percent was the highest for this question. He said that the comments included how the technology was lifesaving.

Regarding the level of satisfaction with the services received during the pandemic, Mr. Sanderoff said 62 percent were satisfied, a little more than 20 percent were neutral, and 13 percent were dissatisfied.

Mr. Sanderoff reported that 24 percent of persons responding were currently employed, and that 57 percent of those said that the Commission assisted them to become employed.

Reporting on the question asking if the Commission’s clients feel they are achieving greater success in their employment or education as a result of the Commission’s services, Mr. Sanderoff said 70 percent said yes, only 23 percent said no, and the rest were not sure.

Reporting on whether the respondents were informed about the availability of services from the Client Assistance Program, Mr. Sanderoff reported 25 percent said yes, and 61 percent said no. Mr. Sanderoff said this was an item that the Commission could work on improving, and especially if this was an important item.

Summarizing the findings, Mr. Sanderoff said that the results look great and that the numbers were solid, with 10 percent of respondents being unhappy. He said that people loved the staff that the Commission has. Looking at the comments, he said the challenges relate to staffing and high turnover and especially in Las Cruces.

Mr. Schreiber asked about the problem of survey respondents getting the Commission for the Blind confused with the School for the Blind. Mr. Trapp replied, saying that in looking at the narrative comments it appeared that one of the respondents got the Commission for the Blind confused with the school system. Mr. Trapp said that the survey pool included minors, and that their parents would have been surveyed. Mr. Sanderoff said that he thought that clarifying language could be included in future surveys.

Ms. Bernadine Chavez said that this survey is a really good example of one that shows the positive. She said it could be emphasized in the Annual Report. She agreed with Mr. Sanderoff that there will always be some people who are unhappy, but that you can also glean some information from those responses.

Mr. Trapp said that the Client Assistance Program response was surprising. He said the survey had added “don’t remember” as a response, and that he thought more people would opt for that response. He said that everyone is told about the CAP program.

Ms. Mitchell said that the counselors are really encouraged to tell consumers about the CAP program, and that we see the CAP program as our partners. She said that we can find other ways to communicate the CAP information, but that the counselors go above and beyond in telling consumers about CAP.

Mr. Salas said he thought it was a case of consumers having too much information and information that they do not need at the time, saying that consumers are told at several different points about CAP, including anytime consumers are denied a service. He said that it is the denial process when they are likely to remember the CAP information because they need it at that time. Mr. Salas compared the issue to the case of technology needing to be retrieved, at which time the consumer does not remember being told that the equipment is on loan pending a successful employment outcome. Mr. Trapp added that one of the comments was that of a person who had their computer retrieved for just such a reason, and that he was not a happy camper.

Mr. Trapp welcomed Mr. Matt Hughes, Vice President with Research and Polling.

Ms. Chavez said that she was not really concerned with the CAP number, saying that Jim really hit the nail on the head. She said that there is just so much information that they do not remember being told about CAP. She said that CAP has always been a partner with the Commission, and that the counselors tell their consumers to contact CAP.

Mr. Salas talked about the history of vacancies in Las Cruces, and said that the Commission now has Raquel Ortega in Las Cruces, and that she is doing a great job and that he does not expect to have any more problems with turnover in the VR counselor position in Las Cruces. Mr. Salas said that he is looking for a technology specialist for the Las Cruces office.

Mr. Trapp said that he would be concerned if the survey did not identify a problem with the Las Cruces office, and the fact that issues are identified confirms the validity of the sample.

Mr. Hooee added that he did not remember being told about CAP, saying that if you do not have problems you do not remember being told about CAP. He added that counselors are very busy, but that the issue of counselors returning calls could be improved.

Ms. Burma commented that the Rights and Responsibilities and CAP information is put into Braille in English and Spanish, and also read on Newsline. Mr. Trapp added that the CAP information is also in the agency brochure. He said that Mr. Sanderoff is correct in saying that you cannot make everyone happy, and Mr. Trapp said that the Commission would be doing something wrong if everyone was happy because sometimes the agency must deny requests if those requests are not allowable under federal rules.

Ms. Hayes said she thought the survey was excellently done and that she was impressed. She thanked Mr. Sanderoff.

Mr. Trapp asked Mr. Sanderoff if there were ways that the survey could be improved in the future. Mr. Sanderoff suggested an open-ended question be asked of those who were dissatisfied asking why they were dissatisfied. Mr. Trapp suggested a question asking if any of the respondents would like to have a follow up contact from the Commission.

Mr. Trapp thanked Mr. Sanderoff and Mr. Hughes for their work, and Chairman Schreiber also shared his appreciation.

Ms. Hayes asked about the small number of persons in the survey who were employed, and Mr. Trapp said that it was due to the fact that the survey was of current consumers and those closed in the last year. He said that because of that, the large majority would be persons seeking to become employed. He added that for those who were closed, the majority were not employed. Mr. Trapp said that the Commission also does not deflect or defer persons who have significant challenges to becoming employed.

11. Chair Report, Peggy Hayes

Ms. Hayes said that she did not have a report.

12. Director’s Report, Greg Trapp

a. Major Trends and Developments, Greg Trapp

Mr. Trapp said that today was his 22nd anniversary as Director of the Commission and that he never thought he would be at the Commission for 22 years. He said that it was an honor to be in his position, and that the Commission has a great team.

Mr. Trapp said that he had back surgery on May 11, and that his recovery has been more difficult than he expected. He said that as a result he has not made as much progress on the Comprehensive Needs Assessment Survey as he had hoped.

Mr. Trapp said the agency is working on draft reopening policies, and that the tentative goal is for the agency to reopen on July 26, with staff going into the office. Mr. Trapp said that the agency would be developing a telework procedure, and that employees would have the opportunity to submit telework requests. He said that this is a new time, and that the pandemic has changed the way that work is done. He said that this opens new opportunities for persons who are blind, erasing the transportation barrier.

Mr. Trapp said that the Commission was in the reallotment process, describing the reallotment process. He said that reallotment is usually fairly routine, but that the pandemic is impacting on reallotment, with expenses down and the opportunity to provide workplace learning placements not available. He said that agencies will likely relinquish a greater amount of funds than has previously been the case. He said that there are proposals in Congress to either waive the Pre-ETS requirement or add another year to the period of performance. Mr. Trapp said that he would much rather see a waiver of the Pre-ETS requirement, but that Congress is really set on keeping the 15 percent Pre-ETS reserve.

b. Administration and Finance, Kevin Romero

Mr. Romero reported on the carryover of FFy21 funds, projecting 3.8 million. He said that the pro of the carryover was that it allowed the funds to be spent for another year, but the con was that the pandemic may make it impossible to spend these carryover funds. He said that as of this morning the Commission has spent 11.7 million, which is less than the budgeted amount of $13.6 million. He said the agency was projecting to spend $12.2 million. He said the agency has met all of the year-end fiscal deadlines.

Mr. Romero reported on the website redesign, saying that the agency was working with Real Time Solutions. He said the goal was to have the new website up and running by June 30.

Mr. Romero said that the agency has been notified that the Office of the State Auditor will again be conducting the agency’s SFY21 audit. He said the agency has had clean audits, with one -self-identified finding in SFY19 and no findings in SFY20.

Mr. Romero said that currently the Commission has 19 vacant positions, with eleven of those being Exempt Other positions and eight being classified, giving the Commission an overall vacancy rate of 21 percent. He said that the Commission is actively recruiting five positions, with three of those being in the applicant or interview phase. Once those positions are filled, the vacancy rate will be 15.47 percent.

Ms. Hayes said that Kevin needs to be commended for the great work that he does, noting all of the cost tracking that he must do.

c. Independent Living and Vocational Rehabilitation, Jim Salas

Mr. Salas reported that the Commission still has a VR counselor vacancy in the Las Vegas office, and an assistive technology specialist vacancy in the Las Cruces office. He said that Annabel Moya was hired as the Albuquerque receptionist, and that he will be reviewing applicants for a BEP business consultant position. Mr. Salas said that Kathy Molina retired as a reader driver after being with us for many years, and that he is working to fill the Albuquerque reader/driver position, noting the difficulty that businesses are having in finding employees and saying that he did not get any applicants after a month of advertising. Mr. Salas also thanked Trish Adams for her great work over the years, saying that he hired her 16 years ago and that he enjoyed working with her and that he was wishing her well in her retirement.

Mr. Salas talked about the Financial Relief and Restoration Act payments that are intended to offset losses incurred by our venders during the pandemic. He said that there was $215,297 allotted to New Mexico, and that the Commission is just about to submit our proposal to RSA for how those funds will be distributed. Mr. Salas reported on the status of the Kirtland contract, saying that the Air Force and Commission were in direct negotiations with just a couple small items to resolve.

Mr. Salas said that the Independent Living teachers were still working remotely, and that the technology specialists were for the most part still working remotely but providing some in-person services.

Mr. Salas reported on the employment numbers for the State Fiscal Year, saying that there were 17 persons placed in integrated and competitive employment and one person placed in self-employment, for a total of 18, with an average wage of $24.41 per hour. Mr. Salas said that for the Federal Fiscal Year, 13 persons were placed in integrated and competitive employment, 2 persons were placed in self-employment, with an average wage of $23.24 per hour. Mr. Salas said that these are a little higher than normal numbers because of some high-wage placements, including a person placed in a $31 per hour health care occupation, a $33 mental health therapist closure, a $34 per hour teacher, a $46 per hour public relations manager, a $47 per hour facilities manager, and a $50 per hour special education occupation placement. Mr. Salas said that 19 persons were in employment status. Mr. Salas said that he was expecting a handful of additional closures by the end of the month, and another 2 by the end of September.

d. Orientation Center, Lucy Mallahan

Ms. Mallahan reported, saying that it was her pleasure to be reporting from inside her office at the Orientation Center.   
She said that as of Friday, June 18, that remote training was discontinued. She said that at the peak they had 6 full-time students and 10 part-time students, or a total of sixteen students. She said that this gave the Orientation Center an opportunity to work with students who might not otherwise be able to receive training due to family and other considerations. She said that the Orientation Center worked with the Independent Living program and the Skills Center to provide instruction. She said that the Center is not hosting STEP to allow the Center to prioritize the adult program and students who had been needing in-person training. She said that the staff will be physically returning to the Center on Wednesday, June 23, and that the Center will resume classes on the 28th of June. She said that they currently have 5 students, with 4 of those residing in the dorm and the 5th living in the community. She said that dorm occupancy will be restricted to six students, allowing each student to have a private bathroom.

Ms. Mallahan said that they are waiting for a final report from the Governor’s Commission on Disability for the ADA review of the Center. She said that there are only a few minor items that need to be addressed. She said that CARF was very complementary of the ADA survey, and that the last one was done in 2007 and thought it was time to have a new ADA survey.

Ms. Mallahan said that they are working to fill the secretary position, and they hope to be interviewing soon. She said that there is a vacant Blindness Skills Instructor position for the industrial arts class.

Mr. Trapp said he was grateful to Ms. Mallahan and her team for restarting direct services, and that there are just some things that cannot be done remotely.

Responding to a question from Mr. Babb, Ms. Mallahan said that the Commission was a 1A priority agency, and that the Center was moving back to providing in-person services a little earlier than the rest of the Commission. Mr. Trapp said that the agency has a vaccination rate of about 87 percent, and that the nature of our services require us to be a little closer to our consumers and that it is really difficult to maintain that 6 feet distance when you have to physically show a consumer how to perform a task.

e. Skills Center, Kelly Burma

Ms. Burma reported that the Skills Center has a capacity limit of two staff and two students, and that they are still wearing masks. She said that they are doing a wellness screening each morning. Skills Center is providing services virtually and in-person, and also in combination in some cases. She said that the Skills Center was serving about 8 to 10 Pre-ETS students. She said that the Skills Center was providing Braille, home management, and Orientation and Mobility instruction, and that they are being careful to honor student and family preferences in how the services are delivered. Ms. Burma said that the Technology for Children program served about 14 students during the year, and she described how the Technology For Children program provides assistive technology statewide to children for use in the home. She said that the focus is on literacy technology, and that it provided items such as video magnifiers, Braille note takers, and devices such as the magniLink.

Ms. Livingstone said she wanted to say how impressed she is and what an outstanding job that Mr. Trapp and Ms. Burma have done through the Access and Functional Needs through of the Department of Health. Ms. Living asked how the Commission was addressing the mental health needs of persons impacted by the pandemic, and Mr. Trapp said that they have seen a huge impact on mental health, and especially on young persons. Mr. Trapp said that the Commission has worked to provide the tools that are needed to connect persons to the services that are needed, and he asked Mr. Salas and Ms. Mitchell to respond further. Mr. Salas emphasized the importance of our consumers being connected to their supports and services, and said that the agency provides mental health counseling when it is needed and other services are required. Daphne said that the Commission provided a seminar at the Orientation Center in which licensed mental health providers presented on the availability and different types of mental health services.

Mr. Trapp said he had one other item he wanted to report on, which was the Newsline system. He said that the Commission has requested that the National Federation of the Blind place publications on NFB-Newsline that cover items of interest to the Native American community. He said that he has requested that NFB-Newsline consider including the Navajo Times, Indian Country Today, and Native News Online. Mr. Trapp said he offered to subsidize the cost of including the Navajo Times on NFB-Newsline.

Mr. Hooee said he thought it would be a great first step to have those three publications on NFB-Newsline. Mr. Trapp said that the Commission is the NFB-Newsline sponsor in New Mexico, and that the Gallup Independent is read on the local Newsline system, and that the Farmington Daily Times is on the NFB-Newsline system.

13. Unfinished Business

a. Report on Consumer Satisfaction Survey, Research and Polling, Inc.

This item was taken earlier in the meeting.

b. Update on Pre-Employment Transition Services, Jim Salas and Daphne Mitchell

Ms. Mitchell described Pre-ETS for the new members, saying there is a requirement for the Commission to reserve 15 percent of the VR grant to provide three different types of Pre-ETS services that are provided to students 14 to 21 and who are enrolled in a system that will provide a recognized diploma. She said the first was the five required services. She said the Commission can serve potentially eligible students, so they do not have to be an actual consumer, and she described the five services, and the nine authorized services, and the coordinating activities. She said the VR counselors are the persons who primarily deliver Pre-ETS services, and that the Commission also uses the School for the Blind and Visually Impaired and the Central Region Educational Cooperative, and she described the services that they provide.

Ms. Seanez asked about other funding, and Mr. Salas said that the Commission has historically not sought such funding because the Commission has had sufficient funding. Mr. Trapp added that there is also a lot of red tape that goes along with the receipt of such funding.

Mr. Trapp noted that Yolanda Montoya-Cordova has arrived, and she reported on behalf of the workforce Development Board. She said she is working with the Governor’s office on a strategy to get people back to work, and that a press release will be coming out on Friday. She said that they have created an 800 line, 800-303-3599, so that individuals in the state can get connected to a career advisor. She said the career advisor will do an assessment, and get the caller connected with resources such as resume writing. She said that there will be people coming off of Unemployment Insurance, and that they want to meet their needs.

(The council broke for lunch at 12:08, and reconvened at 12:30.)

c. Update on Provision of Services during the Pandemic, Greg Trapp, Jim Salas, Lucy Mallahan, Daphne Mitchell, and Kelly Burma

Mr. Trapp reported on the contract with GoGoGrandparent to provide transportation for persons who are blind and visually impaired to get the vaccine. He said it was done with pure General Fund. He said that there have basically been no takers, and that he thinks that is because the people who wanted the vaccine has used available transportation services, and that they will discontinue it in July.

Mr. Trapp described the town hall events on the vaccine that were coordinated by the DAFN group, saying that one of them featured Steve Stucker as the event MC, and that Gary Housepian from DRNM was also a host of that event. Mr. Trapp said that the Commission arranged for Mr. Stucker to MC the event. He said that Kelly Burma also spoke at the event. Mr. Trapp said that there was also a town hall on youth, and that Kaity Ellis spoke at that event. Mr. Trapp said that Codie Unser was the host of that town hall.

Ms. Burma said it was a pleasure to speak on the town hall, and Ms. Bernadine Chavez said that Kelly did a great job. Mr. Trapp agreed, and said that she did a great job of making getting the vaccine real. He thanked Steve Stucker and DRNM for hosting the event.

Mr. Salas said he would like to describe what the Commission did earlier in the pandemic for the new members. He said that the Commission put together a list of all current consumers and those closed in the last five years, and called them to perform wellness checks and provide resources that they might need. Mr. Salas said that the Commission provided cane travel instruction for safety reasons and when it was essential for job reasons. Mr. Salas described the position paper that Mr. Trapp wrote for the National Council of State Agencies for the Blind on making blind agencies 1A priority entities. He said it was presented to the Department of Health and helped get the Commission and independent living centers recognized as 1A priority entities. He said that most of the Commission employees got their first vaccine on MLK day, helping the Commission to provide services.

Ms. Mitchell said that the agency had many years ago assigned the counselors laptops, and that it allowed the counselors to almost seamlessly transition to telework. She said that most of the Deafblind consumers opted to discontinue services because of the need to have an interpreter be present in person. Ms. Mitchell said that the counselors were still able to get consumers employed.

Ms. Mallahan said that the Orientation Center closed down on March 16, 2020. She said that the Center still served consumers, sending out materials as needed. She said that the Orientation Center participated in the wellness calls, and that the dorm staff provided transportation to blind persons in the Alamogordo area to get the vaccine.

Ms. Hayes said she was very appreciative that the vaccine transportation was available. Mr. Trapp said that by providing the vaccine transportation to the blind community in Alamogordo, it brought closer the point at which the Center could reopen

d. Report on Comprehensive Statewide Assessment, Greg Trapp, Jim Salas, and Kelly Burma

Mr. Trapp said that the comprehensive statewide needs assessment was approved during the March meeting. He said it included a number of different methodologies, including the public meetings that they would be talking about soon. Mr. Trapp talked about the analysis of demographic data, saying that we are seeing a changing workforce, seeing the results of the pandemic on increasing the number of persons with disabilities. Mr. Trapp said that studies were showing that one out of every five asymptomatic persons are now suffering from some kind of COVID symptoms. He said that MRIs are showing a shrinking of gray matter in the brain of COVID survivors. He said that they can expect to see more people with secondary disabilities, including psychosis, chronic fatigue, pulmonary damage, cardiac damage, and kidney damage. Mr. Trapp said that 14 percent of persons who have been hospitalized due to COVID have new cases of diabetes, and that this will result in new cases of blindness due to diabetic retinopathy. He said that there are also cases of people having strokes, which can also cause blindness. Mr. Trapp said that these consequences make it all the more important for the blind community to be vaccinated. He said that the increase in the Delta variant is also a concern, and that it has now been reported in 47 states. Mr. Trapp described what was happening in the United Kingdom, saying that they have a very high percent of their population vaccinated but that the Delta variant is still spreading there. He said that we do not know what the risk is of persons who are vaccinated to be reinfected.

Mr. Trapp said Deborah Dominguez Clark has been trying to join the meeting, but that she is having problems with her internet connection.

The Council at this time took item “a” under New Business, Open Meetings Act Training, John Kreienkamp, Assistant Attorney General.

Mr. Trapp introduced John Kreienkamp, saying that he is the Assistant Attorney General assigned to the Commission for the Blind. He said that Mr. Kreienkamp is the go-to person on OMA issues here in New Mexico. Mr. Trapp said that Mr. Kreienkamp has reduced his normal OMA training to just 30 minutes. Mr. Kreienkamp said he was with the Open Government Division of the Office of the Attorney General, and that they represent about 80 state boards and commissions. Mr. Kreienkamp presented on the terms and provisions of the Open Meetings Act, including who and what is subject to the OMA, the types of meetings that are covered, meeting notices, meeting agendas, and meeting minutes. He said that the OMA is based on the premise that the public is entitled to the greatest amount of information possible about government, that all meetings of a covered body are declared to be open to the public, and that any action taken by a body in violation of the OMA could be deemed to be invalid. He said that a violation of the OMA was a criminal violation and punishable as a petty misdemeanor. He said that any meeting of a quorum of a covered body in which business is discussed is a meeting subject to the OMA. He advised to avoid rolling quorums and the sending of emails. He said that agendas must have sufficient detail for the public to be able to tell what action was to be taken.

Mr. Trapp asked whether the names of absent members need to be called while taking roll call votes, and Mr. Kreienkamp said that was not necessary.

Ms. Livingstone asked what was the punishment for a violation of the OMA, and Mr. Kreienkamp said that for each violation there could be a $500 fine.

Paul Luttrell asked what IPRA was, and Mr. Kreienkamp said it was the Inspection of Public Records Act.

Jim Babb asked about replying all to emails. Mr. Kreienkamp said you should not reply all when discussing public business.

Craig Cooper asked if the OMA only applies to tax-payer funded entities, or if nonprofit boards were covered. Mr. Kreienkamp said that it only applied to government bodies. Mr. Trapp asked about IPRA in the context of foundations associated with public bodies, and Mr. Kreienkamp said there was a much more robust set of case law, and that courts would look to whether the nonprofit was performing a government function.

The Council next moved to item b. Approval of Open Meetings Act Resolution, Peggy Hayes.

Mr. Trapp described the proposed OMA Resolution, saying that covered bodies are required to at least annually determine what notice is reasonable for that public body.

He said the last OMA Resolution was approved on August 6, 2020. Mr. Trapp described the terms of the proposed OMA Resolution, saying it requires 10 days notice for a regular meeting, and 3 days for a special meeting. Mr. Trapp described how the notices were published. He described the other provisions in the OMA Resolution, including participating by phone or through Zoom, meetings held in executive session, meetings held during times of public emergency, and the conducting of public meetings held by the agency itself under the Rehabilitation Act.

Mr. Trapp asked Mr. Kreienkamp if he had any other comments, and Mr. Kreienkamp said that the Resolution follows the best practices recommended by the Office of the Attorney General, and that the language for virtual meetings during times of emergencies is very good.

Mr. Babb moved to approve the Open Meetings Act Resolution, and Ms. Bernadine Chavez seconded the motion. A roll call vote was taken, and the Open Meetings Act Resolution was approved unanimously, with Jim Babb, Bernadine Chavez, Katharine Chavez, Craig Cooper, Peggy Hayes, Mario Hooee, Coby Livingstone, Paul Luttrell, Lila Mae Martinez, and Paula Seanez all voting yes. Deborah Dominguez-Clark, Kaity Ellis, and Yolanda Montoya Cordova were absent. Daphne Mitchell and Greg Trapp are ex officio.

e. Report on Public Meeting Comments, Greg Trapp and Kelly Burma

Mr. Trapp described how the public meetings were advertised, saying that they were conducted virtually. He said that there were four public meetings, one focused on Southern New Mexico, one focused on central New Mexico, one focused on Northern New Mexico, and one focused on Northwestern New Mexico. He described the advertising for the Northwestern New Mexico public meeting, saying it was advertised in the Albuquerque Journal, the Gallup Independent, and the Farmington Daily times. He said it was recorded on Newsline and NFB Newsline, sent out to the NFB mailing list, sent it to the San Juan Center for Independence, sent it to the 121 programs, placed it on the agency web page, and sent it to the San Juan Chapter of the NFB. Mr. Trapp said that despite this advertising, there was not a good turnout. Ms. Burma reported on the public meetings, describing who attended the meetings, including Ms. Peggy Hayes, Chairman Schreiber, Council member Babb, Council member Katharine Chavez, Council member Hooee, and Council member Bernadine Chavez.

Ms. Burma described the meetings and comments, which included transportation, education, remote working as a result of COVID and new opportunities that may create.

Mr. Trapp said that transportation was a consistent concern and a challenge for the rural areas, and that Katharine talked about the uniqueness of serving Northern New Mexico and how families were a resource. For central New Mexico he said we talked about students not being served during the pandemic and how we would meet those needs. Ms. Burma said we talked about the importance of informed choice and how there would be a lag in education with students lacking a year or two of instruction and how we can help students to recover that literacy instruction. Mr. Trapp thanked Ms. Hayes for participating in all four meetings, and asked her if she had any comments. Ms. Hayes said she was also disappointed that we did not have more people attending. Mr. Salas also attended all of the meetings, and said it was something of a complement that people were not coming to make complaints.

Ms. Burma said that the public meeting to be held during the state convention of the National Federation of the Blind would be a good opportunity to gather comments.

Mr. Trapp asked Ms. Bernadine Chavez if she had any other comments, noting that he took that opportunity to talk to her as the CAP Director. Ms. Bernadine Chavez said she liked the focus areas and that it shows that they tried to conduct outreach in those areas.

f. Discussion of Goals and Priorities, Kelly Burma

Mr. Trapp said that Ms. Burma read through the goals and priorities at the March 26 meeting. He said that we have talked about the pandemic and what we can do coming out of the pandemic. He said that the Council may want to develop a goal around telework and how the Commission can support telework.

Ms. Burma said that there are some things that must place in person, and that there are some consumers who can benefit from virtual or hybrid training, and that it could be a goal

Mr. Trapp said that he thinks that the Commission will need to provide more intensive training to make up for the lack of services in the school system. He said that losing a year and a half will create a barrier for those students in the first three grades who are learning to read, and that the Commission will need to provide remedial support in the future.

Ms. Burma talked about support to families, and Ms. Hayes agreed that it would be a good service that the Commission might provide.

Ms. Katharine Chavez said it was all about family in Northern New Mexico, and she agreed that Braille is important.

Mr. Hooee agreed that family is important, and especially in native communities where the extended family is important.

Ms. Martinez said she wanted to see more Braille access, and that her daughter has difficulty getting Braille books that she can read to her own daughter.

Mr. Trapp asked Mr. Luttrell if he had any comments, and if he could reach out to the Community Rehabilitation programs. Mr. Luttrell said he agreed with what has been discussed, and said he would reach out to the CRPs.

Mr. Trapp asked Ms. Bernadine Chavez if she had any comments about the Goals and Priorities, and she said that she thought the Council was on the right track. Ms. Bernadine Chavez said that she thought that persons with traumatic brain injuries are sometimes left out of the process.

Mr. Trapp asked Ms. Seanez if she had any comments, and she said that access to child care was a barrier, and stressed the importance of services to families. She said that summer workplace learning experiences are really important.

Mr. Cooper said the last year was not bad for high school students because they could get on line, but that it was really a problem for middle school students. He said that teachers missed huge amounts of instructional time, and that Braille and O&M was a problem and that there will be a lot of catching up to do.

Ms. Livingstone said that family need to be educated to have more confidence at IEP meetings.

g. Update on Apartment Construction at the Orientation Center, Lucy Mallahan

Ms. Mallahan reported that the apartment construction was underway after more than 20 years in the making. She said that they are building a fourplex, and that construction began on June 7. She said that fill is being brought to the property and being compacted. She said the lot also needs to be elevated by three feet because it is in a floodplain. She said construction should be complete by February of 2022.

Mr. Trapp congratulated Ms. Mallahan and Mr. Romero for all of their work in bringing the apartment project to a reality.

h. Designation of Council Membership Categories, Peggy Hayes

Ms. Hayes asked Mr. Trapp to describe this issue and the designation. Mr. Trapp said that under the bylaws the Director and Chair designate the member categories, and that the designation is captured in the minutes. Mr. Trapp and Ms. Hayes designated the members as follows:

Jim Babb, current or former recipient of VR services

Bernadine Chavez, Client Assistance Program Representative

Katharine Chavez, Business, Industry, and Labor (Proposed)

Craig Cooper, Business, Industry, and Labor (Proposed)

Deborah Dominguez-Clark, State Educational Agency Representative (Proposed)

Kaity Ellis, representative of individual who is blind and has multiple disabilities

Peggy Hayes, Disability Advocacy Group Representative

Mario Hooee, Business, Industry, and Labor (Proposed)

Coby Livingstone, Statewide Independent Living Council

Paul Luttrell, Community Rehabilitation Program

Lila Mae Martinez, Parent Training and Information Center

Daphne Mitchell, Qualified Vocational Rehabilitation Counselor

Yolanda Montoya Cordova, Workforce board

Paula Seanez, 121 project representative

Greg Trapp, DSU Director

14. New Business

a. Open Meetings Act Training, John Kreienkamp, Assistant Attorney General

This item was taken earlier.

b. Approval of Open Meetings Act Resolution, Peggy Hayes

This item was taken earlier.

c. Introduction to the Per Diem and Mileage Act, Kevin Romero

Mr. Romero described the terms of the Per Diem and Mileage Act, saying that it was revised this last legislative session. He said that one of the changes was to reduce per diem for in-person meetings lasting less than four hours to $45. He said that for in-person meetings lasting more than four hours the per diem was $95. He said that for virtual meetings, the per diem was $45. Mr. Romero said that for overnight travel that is in state, the per diem is $151. He said the mileage if 46 cents per mile. Mr. Romero said an itemized statement of travel is required for each meeting attended, and it must be noted whether the public official attended virtually or in person, and how long the meeting was. He said the ISTE form must be reviewed and signed by the public official. In the case of actual rates, all receipts must be submitted.

Mr. Trapp emphasized the importance for members to review the forms before they sign to make sure that they are correct, including the mileage.

d. Report on the 2021 Students in Transition to Employment Program, Jim Salas, Daphne Mitchell, and Kelly Burma

Ms. Mitchell reported on the 2021 STEP program, saying that thanks to medical science the Commission was able to once again offer workplace learning experiences as a part of STEP. Ms. Mitchell described the different types of STEP training taking place as a result of the pandemic. She said that 35 students were accepted into the STEP program this year, and that five of those dropped out due to family travel. She said that five students elected to participate in the solely virtual STEP program, and that 25 students participated in a program that also included workplace learning. Ms. Mitchell said that the Commission had difficulty hiring workplace readiness aids, but that the agency was able to hire the needed job coaches. She said that students could work up to 24 hours per week, and that students were paid the Santa Fe living wage of $12.32 per hour. She said that they are employed through Select Staffing, which covers the cost of worker’s comp coverage, and that Select Staffing also could conduct background checks.

Ms. Mitchell said that the STEP program has governmental partners, and that students will be at local, county, state, and federal placements. She said that one student is working for the Library for the blind and Physically Disabled, a student who will be at Kirtland Air Force Base, as well as placements in city programs in Farmington and Albuquerque. She said that there are also students working in placements that include law firms, a student working at an auto parts store, a student working as a dog groomer prepper, a student working customer service at a water company, and a student working at a specialty candy store.

Ms. Burma said that the Skills Center is doing virtual classes, and scheduling the in-person classes around the work schedules of students. She said that the Skills Center was providing technical support to job sites. She talked about the Business of Blindness class, saying it was done virtually and was a 2 hour class. She said she was working with students to attend virtually the NFB and ACB conventions.

e. Protecting the Health and safety of Students, Greg Trapp, Jim Salas, Lucy Mallahan, and Kelly Burma

Ms. Mallahan reported on the measures to protect the safety of students. She said that plans have been changing because of the evolving nature of the pandemic. Ms. Mallahan said the dorm was being held to a maximum occupancy of six students, and program occupancy will be held to eight students. She said that the Center will try to maintain six feet of distance, but that doing so will not always be possible. She said that surfaces will be sanitized between students. She said that the ratio of students to teacher will be held at one instructor per student for cane travel, and two students per class. She said that all of the students attending the Center are fully vaccinated. She said that hand sanitizers are available in each class, and that they have a two week supply of personal protective equipment. She said that the Center has installed an ultraviolet system in the air circulation ducts.

Mr. Trapp said that the CARF accreditation is an important component of the protections provided for students. He said that concerns have recently been raised about blindness training programs, and that the Commission works to make sure that practices and policies are in place to protect the safety of students, and that instances of abuse are properly handled.

Ms. Mallahan said that in 2019 the Center adopted a harassment policy, and that the Center has no tolerance of harassment. She said that students are informed about their rights, and that the Center wants to resolve complaints quickly and in compliance with all applicable law. She said that additional procedures are in place for protecting younger and more vulnerable students. She said that they want to continue to evaluate our policies and procedures to be sure that they are up to date, and to have an inclusive environment that is safe for everyone.

Mr. Trapp said that allegations have recently been made about abuse taking place at blind training programs, and that the Commission was working to make sure that training was provided in the most appropriate and safest way possible. He said that in Alamogordo part of the way that is done is through the Center being accredited by the Commission on the Accreditation of Rehabilitation Facilities. He said that CARF accreditation requires that the Center have in place best practices, training on appropriate touch and contact, and training on harassment. He said that during the STEP program in Alamogordo there are employees at the dorm that are two deep and 24/7. He said that the appropriate touch policy is a part of both the Albuquerque and Alamogordo programs. Mr. Trapp said that some touch is unavoidable in a blindness training program. He said that the policy distinguishes between what is appropriate touch and what is inappropriate touch, and that there can be inadvertent, accidental, and incidental contact. He said that this is also a part of the consent and power of attorney forms that parents sign.

Ms. Burma said that she does not want students holding onto a problem, and if one does occur that she wants it to be reported to her right away.

Ms. Hayes asked about what kind of reporting procedure is in place, and Mr. Trapp said that the Commission does provide training to staff, and that the Commission is a mandatory reporting agency. He said that if there is reasonable suspicion of abuse that the Commission must report the suspected abuse, and that any internal investigation must cease at that point. He said that he would much rather make a report and err on the side of caution than not make a report.

15. Council Open Discussion

There was no Council

16. Audience and Public Comments

Ms. Campbell and Mr. Williams commented on how educational the meeting was, and how much information they received.

Ms. Bernadine Chavez said that the National Coalition of State Rehabilitation Councils was having a training on August 11, and that it was on how to get along with your CAP and SRC. She said she was one of the trainers. She said there was another RSA sponsored training on how agencies can work with CAP, and that it is set for tomorrow, June 23.

17. Date and Location of Next Meeting

The next meeting was set for August 10 starting at 9:00 over Zoom, and the following meeting was set for September 14 starting at 9:00 AM over Zoom.

18. Adjourn

Ms. Hayes adjourned the meeting at 3:49 PM.

Approved and Electronically Signed this 10th Day of August, 2021

Peggy Hayes, Chair

State Rehabilitation Council

New Mexico Commission for the Blind