

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

**Executive Committee
MINUTES**

Videoconference Host:
Governor's Council
550 W. 7th Avenue, Suite 1230
Anchorage, Alaska

Meeting Date
Wednesday, May 18, 2022
2:30 p.m.

Attendees:

Heidi Lieb-Williams
Jena Crafton
Art Delaune
Jeanne Gerhardt-Cyrus
Ric Nelson
Dean Paul
Corey Gilmore

Guests:

Shelly Vendetti-Vuckovich
Anna Attla
Charlene Taufest
John Lee
Harriet Dinegar-Milks
Scott Kendall
Kate Sheehan
Charles McAnally
Elizabeth Joseph
Nona Safra
Fred Villa

Staff:

Myranda Walso
Rich Saville
Lanny Mommsen
Ian Miner
Michael Stevenson
Patrick Reinhart

Prepared by: Sheila Garrant, Peninsula Reporting

CALL TO ORDER – 2:31 p.m.
ROLL CALL – Quorum established

WELCOME FROM THE CHAIR

Heidi Lieb-Williams welcomed committee members to the meeting.

Introductions, Announcements, or Good News

Myranda Walso noted that this is the first committee meeting for two of the new staff, Rick Saville and Michael Stevenson, and the first meeting for Patrick Reinhart in a different role.

Shelly Vendetti-Vuckovich asked for time on the agenda to address the Executive Committee. Myranda Walso directed her that the Executive Committee could hear her request during the agenda item directly related to her concerns. Charlene Tautfest asked to add an executive session to the agenda to talk about a personnel matter.

CONFLICTS OF INTEREST DECLARATIONS

No conflicts of interest were declared.

APPROVAL OF AGENDA AND APPROVAL OF PAST MINUTES

Charlene Tautfest requested adding an executive session to include all Council members to the meeting agenda. Myranda Walso noted the executive session on the agenda to discuss a reasonable personnel accommodation request. Charlene Tautfest asked an Executive Committee member to make a motion to add a second executive session regarding a personnel matter. Jeanne Gerhardt-Cyrus **MOVED** to amend the draft agenda to add a second executive session regarding a personnel matter that includes all Council members, **SECONDED** by Jena Crafton. During the discussion, Jeanne Gerhardt-Cyrus requested that unless specifically invited into the meeting, staff will not be present. Myranda Walso noted that only people the Executive Committee has invited would be allowed into the executive session. A roll call vote was taken, and the motion **PASSED. (7/0)**

Dean Paul **MOVED** to adopt the amended agenda, **SECONDED** by Art Delaune. Hearing no opposition, the motion **PASSED.**

Corey Gilmore **MOVED** to approve the March 2022 meeting minutes as presented, **SECONDED** by Dean Paul. Hearing no opposition, the motion **PASSED.**

REPORTS

Chair Report

Heidi Lieb-Williams shared that she has been engaged in growing her leadership skills and expects that as she moves forward, her skills will improve. She reported that she recently attended the Disability Policy Seminar and learned a lot from the NACDD aspect and other representatives and advocates for people with disabilities. Heidi also had an opportunity to network with nationwide advocates to learn what other states are doing and will hopefully bring knowledge back to make Alaska stronger.

Executive Director Report and Correspondence

Myranda Walso reported the following:

- Three new hires at the Council in the past few weeks:
 - Rich Saville, Program Coordinator II
 - Michael Stevenson, Business Services Project Manager I
 - Patrick Reinhart, short-term, non-perm Program Manager
- Interviews are complete for the second Program Coordinator II position. The paperwork has been submitted to HR for approval.
- Myranda Walso will be presenting for the Council at the Alaska Mental Health Trust Authority meeting in Kenai.
- The Peer Power event was a success, and many Council members attended.
- Senator Sullivan's office contacted the Council to thank them for their support of the ISAAC Reporting Act, which was introduced earlier in May.
- HB 172, Mental Health Facilities, Meds, Patients has passed and is awaiting transmittal to the Governor. Myranda Walso shared that the Council received very good feedback from several individuals thanking Council members for their support.
- The subminimum wage bill passed the Senate and is currently being heard in the House. Myranda Walso thanked Corey Gilmore, Jena Crafton, Heidi Lieb-Williams, Ric Nelson, Dean Paul, and other members of the Council who helped write letters of support. She recognized that Council members spoke several times in various Senate and House committees to help pass that bill.
- Jamie Kokoszka did a great job completing and submitting the Living Well semi-annual report on time.
- The SESA board will be meeting next week.
- The upcoming ICC meeting has been scheduled for June 23, 2022. Rich Saville will be the staff supporting that group.

NEW BUSINESS

GCSDE Summer Council Meeting

Heidi Lieb-Williams reported that the summer Council meeting is scheduled for June 1st and 2nd, 2022. She directed the members' attention to the draft meeting agenda for review.

Heidi Lieb-Williams asked for a motion to adopt the draft agenda as presented. Jeanne Gerhardt-Cyrus requested that the Executive Committee defer approval of the agenda until after the executive sessions. Dean Paul asked if there will be a vote at the summer Council meeting about what direction to take regarding the crisis. Myranda Walso noted that no current action plan had been identified for adoption or ratification by the Council. She said that if a Council member wishes to bring an action item to the floor after the discussions planned for the summer Council meeting, it would be appropriate for them to do so.

Jeanne Gerhardt-Cyrus **MOVED** to defer the decision on the summer Council meeting agenda until after the executive sessions, **SECONDED** by Dean Paul. Hearing no opposition, the motion **PASSED**.

SEAP Governance Policy

Heidi Lieb-Williams asked for a motion to adopt the SEAP Governance Policy as presented and to delegate authority to make changes moving forward to the GCDSE staff member Rich Saville subject to approval by the executive director.

Dean Paul **MOVED** to adopt the SEAP Governance Policy as presented. Jeanne Gerhardt-Cyrus **AMENDED** the motion adding that OSEP is coming in June and suggested that the Council postpone the vote until hearing from OSEP. Myranda Walso responded that OSEP is not coming before the Council. OSEP is going to Juneau to continue their audit with DEED. OSEP is not anticipating any further engagements with the Governor's Council. The Council's participation in that is concluded, and the Council has no additional information from OSEP they are anticipating right now.

Jeanne Gerhardt-Cyrus asked if the Council would receive the audit information, to which Myranda Walso responded that the audit is not scheduled to be completed in June. Typically, the Council would not receive that information. Jeanne Gerhardt-Cyrus affirmed that it is her understanding that OSEP is willing to talk to the SEAP, and if that's the case, then it is prudent to wait until the SEAP has that opportunity. Myranda Walso noted that without the governance policy, the Council doesn't currently have a SEAP roster, and it would be difficult to move one forward in a transparent way, and she urged the Council to recognize that. Myranda Walso noted that OSEP's outreach to the Council, because the Council is the entity legally designated as the SEAP, has already been completed. The information Council members shared in their survey responses was sent to OSEP, and that was the extent of what the Council was asked to share with them. Shelly Vendetti-Vuckovich noted in an e-mail that OSEP staff would be traveling to Alaska in early June and meeting with numerous stakeholders to better understand

the education system and needs of the communities. Myranda Walso clarified that those stakeholders are DEED and school districts, and other individuals of their choosing. Neither the Council nor SEAP had been invited or noted to participate in those discussions. The amendment did not receive a second and was **WITHDRAWN**. The original motion was then **SECONDED** by Corey Gilmore. During the discussion, Heidi Lieb-Williams reread the original motion. Hearing no objection, the motion **PASSED**.

Jeanne Gerhardt-Cyrus noted a point of order. She remarked that Myranda Walso was chairing the meeting in calling for the votes and tallying, which is the chair's role, not the executive director. Heidi Lieb-Williams agreed that she is the chair, and as the chair, she is supposed to be running the motions and will do that. Ric Nelson asked if Heidi needed help running the meeting, to which she replied no. Myranda Walso noted that in the past, staff has always taken the vote counts and kept track of those things for the Council members. It was not her intent to run the meeting for the chair.

OSEP Feedback Discussion

Jena Crafton **MOVED** to allow Kate Sheehan to speak, **SECONDED** by Jeanne Gerhardt-Cyrus. Myranda Walso stated that the motion was out of order because the agenda item was the OSEP feedback discussion. Jena **AMENDED** the motion to allow Kate Sheehan to speak to the Governor's Council members on the agenda after the OSEP feedback discussion. Harriet Dinegar Milks forwarded a point of order. She asked the chair to clarify where it is proposed to have Kate speak on the agenda. Heidi Lieb-Williams stated after the OSEP feedback discussion and before the executive session. Jeanne Gerhardt-Cyrus **SECONDED** the amendment. During the discussion, Dean Paul asked that Kate's address be limited to two or three minutes. Dean Paul **AMENDED** the motion to have a time limit of two or three minutes. Ric Nelson asked if Kate's statements were regarding a personnel matter, to which Kate responded yes. Ric Nelson raised an objection to the amendment and remarked that all personnel matters are taken up in the executive session. Heidi Lieb-Williams recommended that Kate Sheehan waits until the executive session to speak to the Council members. Heidi Lieb-Williams steered the committee away from the motions and asked that the OSEP feedback discussion begin and that Council members could make motions regarding Kate Sheehan's presence in the executive session at the agenda item.

Myranda Walso reported that the survey sent to Council members was in response to the OSEP contact in April. Myranda contacted the Department of Education and Early Development (DEED) to ask if they were aware of the survey. DEED relayed that it was related to the normal DEED reporting functions. Myranda met with OSEP twice, talked about the SEAP and what the Council is, and shared with them the Council's engagement with DEED. OSEP asked that a survey of 11 questions be sent to all Council members, which was done. The Council received about a dozen responses, which were compiled and submitted to OSEP on May 13th. Rich Saville thanked the

Council members who participated in the survey. He noted that the responses from the survey will be shared with the rest of the Council during the summer Council meeting.

First Executive Session

Heidi Lieb-Williams asked for a motion for all present Executive Committee members to move into a closed executive session joined by executive director Myranda Walso for the purposes of discussing a particular personnel matter not subject to public disclosure. Harriet Dinegar Milks advised the committee that if the personnel matter is a subject that tends to prejudice the reputation or character of a person, they need to identify that person, and that person has an opportunity to request a public discussion as per the Administrative Procedure Act. Myranda Walso noted that the executive session is specific to a request for reasonable accommodation from the Council with regards to the executive director position and therefore would not be subject to the Act. Because she was the one requesting a reasonable accommodation, she chose to share that with the Executive Committee in the executive session. Ric Nelson asked if the executive sessions could be combined. Heidi Lieb-Williams said no.

Ric Nelson **MOVED** to move to an executive session, **SECONDED** by Dean Paul. Hearing no objection, the motion **PASSED**.

Charlene Tautfest asked why Council members were excluded from the executive session. Harriet Dinegar Milks shared that it is a good idea to cite the Administrative Procedure Act section supporting going into the executive session. Heidi Lieb-Williams remarked that she doesn't know for a fact. Charlene Tautfest objected to excluding Council members from an executive session. Heidi Dinegar Milks indicated that the meeting is an Executive Committee meeting, and they are the body that controls the operations, not the larger Council. She asked the chair to address that. Myranda Walso waived certain privacy provisions and extended the executive session to all Council members.

Dean Paul **MOVED** to **AMEND** the motion to allow all Council members to attend the executive session to listen in to the executive session, but they need to allow the Executive Committee members to do the discussions, **SECONDED** by Ric Nelson. During the discussion, an **OBJECTION** was noted. Jena Crafton recommended allowing Council members to participate in the discussion in the executive session. A roll call vote was taken, and the motion **PASSED. (7/0)**

After the executive session, Heidi Lieb-Williams called for a motion.

Ric Nelson **MOVED** to approve the reasonable accommodation request form Myranda Walso as discussed and described during the executive session, **SECONDED** by Dean Paul. Hearing no objection, the motion **PASSED**.

Second Executive Session

Heidi Lieb-Williams asked for a motion for all present Executive Committee members, Council members, and Kate Sheehan to move into an executive session to discuss personnel matters involving Myranda Walso, other Council personnel, and other Council issues. Harriet Dinegar-Milks advised the committee that if the personnel matter is a subject that tends to prejudice the reputation or character of a person, they need to identify that person, and that person has an opportunity to request a public discussion as per the Administrative Procedure Act. Charlene Tautfest requested a motion to move into the executive session. Dean Paul asked for an amendment to the request that the executive session include anybody who will have any accusations against them.

Jeanne Gerhardt-Cyrus **MOVED** that the Executive Committee moves to an executive session with all Council members and Kate Sheehan, **SECONDED** by Jena Crafton. Dean Paul **AMENDED** the motion to request attorney Harriet Dinegar Milks, attorney Scott Kendall, and Kate Sheehan attend the executive session and be allowed to speak freely. Objections were raised. Charlene Tautfest objected as inappropriate. Harriet Dinegar Milks asked for a point of clarification by asking if they were not offering an opportunity to have the discussion in public by the person who is the subject of the executive session. Myranda Walso did not object. Jeanne Gerhardt-Cyrus remarked that the Council needed an opportunity to meet as a Council, not with staff or attorneys, and then as a group decide whether to bring in the lawyers and other people. The motion stood as stated without the amendment. Hearing no objections, the motion **PASSED**.

As a result of the executive session, Jeanne Gerhardt-Cyrus **MOVED** that Myranda Walso be put on immediate administrative leave pending an investigation, that she gather her personal belongings and abandon all state or Governor's Council keys, badges, technology, et cetera, and be escorted from the building. She further moved that Patrick Reinhart be placed as acting executive director effective immediately, **SECONDED** by Ric Nelson. Hearing no objection, the motion **PASSED**.

John Lee noted that as the DSA, SDS will follow up with Kate Sheehan and the Governor's Council staff to ensure they are supported.

TIME AND DATE OF NEXT MEETING

Tabled.

GOOD OF THE ORDER AND ADJOURNMENT

Ric Nelson **MOVED** to adjourn, **SECONDED** by Jeanne Gerhardt-Cyrus. Hearing no opposition, the motion **PASSED**, and the meeting adjourned.