

**Kentucky Commission on the Deaf and Hard of Hearing**  
**148th Quarterly Commission Meeting**  
**January 30, 2016**  
**Frankfort, Kentucky**

- MEMBERS PRESENT:** Ms. Amy Hatzel, Ms. Rebecca Crawford, Ms. Michelle Niehaus, Ms. Sharon White, Ms. Jeannie Taylor (Ronald Haynes proxy), Ms. Kelly Daniel and Ms. Edie Ryan
- MEMBERS ABSENT:** Ms. Michelle Haney, Ms. Barbie Harris, Ms. Holly O'Mary, Ms. Joy Kiser, Ms. Gerry Gordon-Brown, Mr. Buddy Hoskinson, and Mr. Bryan Bowen
- STAFF PRESENT:** Ms. Virginia Moore, Ms. Jayna Oakley, Ms. Tashina Crowe and Ms. Rowena Holloway
- COMMUNICATION FACILITATORS:** Ms. Rachel Rodgers, Ms. Marva Johnson and Ms. Tracy Lundergan
- VISITORS:** Ms. Jean Haynes and Ms. Michelle Armstrong

Ms. Amy Hatzel, Chair, called the meeting to order at 1:04 p.m. She acknowledged that Mr. Ron Haynes was in attendance as Ms. Jeannie Taylor's proxy and all paperwork was in order. The Chair moved to accept the proxy. Ms. Sharon White, Secretary, called roll and welcomed everyone to the 148<sup>th</sup> Quarterly Commission Meeting. The roll call indicated that there was not a quorum at today's meeting; therefore the discussion continued but voting will not be permitted due to the lack of a quorum.

Ms. Hatzel asked members to review the minutes from the last Commission meeting. Ms. Niehaus noted two corrections and indicated that edits would be given to Ms. Crowe. Approval will be requested at the April Commission meeting if a quorum is present.

## **REPORTS**

### **Executive Board:**

Ms. Hatzel asked members to review the minutes in the packet. She then summarized a sensitive situation regarding gaps in services that are being faced in Child Protection Branch (CPB). Ms. Niehaus noted that the Department of Community Based Services (DCBS) has appointed a point person to deal with the situation when deaf individuals are involved. Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) is working with a variety of entities involved to ensure effective and accessible communication is provided during court situations. The Board will be updated on this matter as it unfolds, and KCDHH will continue to monitor the outcome to see how it could influence other cases in the Commonwealth.

### **Agency:**

Ms. Moore began her report by noting that we have new a Governor, Mr. Matthew Bevin, and a new Secretary of the Education and Workforce Development Cabinet, Mr. Hal Heiner. During the Legislative session all bills are reviewed and any that may impact the deaf or

hard of hearing community would be closely monitored by staff. Ms. Jayna Oakley recently joined KCDHH as the Information Office Supervisor and has a background in fundraising and public relations and has also published two books. She will serve as backup for legislative reviews during the 2016 General Assembly session.

Ms. Moore recently met with Secretary Heiner to discuss KCDHH's mandates and priorities. She answered his questions regarding the differences in Vocational Rehabilitation (VR) services and KCDHH services, explaining that we are in every facet of our consumer's life, from the cradle to the grave. She pointed out some differences as;

- Advocating for coverage for hearing aids which are beneficial to many individuals and are expensive. Insurance companies in Kentucky currently only cover the cost of the devices for consumers under 18 years of age;
- Current issues with the Kentucky School for the Deaf (KSD), including advocacy requests from parents.

Secretary Heiner asked that KCDHH develop an "out-of-the-box" approach of best practices to teach deaf and hard of hearing students.

Ms. Moore explained to Board members that in order to meet Secretary Heiner's request, KCDHH will use previous documents such as the Task Force Report/Update and the American Institute for Research (AIR) report, "*A Study of the Kentucky Schools for the Deaf and Blind and Services for All Students Who are Sensory Impaired.*" These reports lend guidance, and staff will pull in other experts from Gallaudet, California and Texas School for the Deaf to compile the best practices report to Secretary Heiner. Ms. Moore also informed the Board that the focus is not only on KSD, but that the Kentucky School for the Blind (KSB) has issues of concern as well. A parent group has formed from both KSD and KSB, and has requested to meet with the Kentucky Department of Education (KDE) and has given them a list of concerns. No answer has been received, but KCDHH continues to work with this parent group and will monitor their issues.

Ms. Moore advised that, per the Governor's proposed budget presented January 16<sup>th</sup>; all state agencies would be cut by 4.5 percent this fiscal year (FY16) and by 9.0 percent each year of the upcoming biennium, FY17-18. If this proposed budget is passed by the General Assembly during session, the fifteenth position that KCDHH was approved to hire may have to be reconsidered. Plans are to reach out to our legislative contacts and see if anything can be done to restore funds, including testifying before the Appropriations and Revenue subcommittee to explain the impact the cuts will have on KCDHH programs.

Ms. Moore continued her report, stating that staff began trainings three months ago with First Steps and traveled throughout the state to meet the goals of this partnership. Several interesting stories were shared and it seems that the hard work that went into setting up this partnership and training staff is beginning to pay off. Two board members indicated that as the trainings progressed they improved, in that the first one seemed to focus more on communication only and not on the process of making appropriate referrals and obtaining resources. Ms. Moore stated that she would ensure that staff provides the first group with additional information including the PowerPoint presentation to ensure they have everything they need to deal with deaf or hard of hearing children they encounter.

Ms. Moore met several times this quarter with the University of Louisville (UL) Foreign Language Department in our joint effort to ensure that American Sign Language (ASL) is considered as a foreign language in K-12. One barrier identified is that deaf instructors must

pass the PRAXIS in order to teach ASL. This test is very difficult and instructors must request that the test be signed. The K-12 study group conducted a survey, with a very low response, asking for those who had taken the PRAXIS to identify the challenges to passing the test. Gallaudet University is developing a video interpretation of the test which should ensure standardization for deaf teachers wanting to take the PRAXIS. As the discussion about including ASL as a foreign language continued, Ms. Ryan asked about qualifications for teaching ASL. Ms. Moore answered that although the individual was not required to be an instructor for the deaf and hard of hearing that part of the PRAXIS had to be taken that includes that knowledge. Eastern Kentucky University (EKU) is developing a new degree for ASL foreign language instructors; however, this may take five years to be recognized.

Ms. Moore updated board members on the Registry of Interpreters for the Deaf (RID) moratorium. RID and the National Association of the Deaf (NAD) are at odds with one another over how the test should be modified and who should be included in the development of the new test. KCDHH is keeping in contact with both RID and NAD and continues to stress our concern that Kentucky is required to utilize licensed interpreters and without some kind of national certification current interpreters cannot pursue licensure. We have been working closely with the Kentucky Board of Interpreters (KBI) to amend regulations if necessary to include the Board for Evaluation of Interpreters (BEI) test as a recognized certification in Kentucky. Three states have already adopted the BEI; Missouri, Illinois and Michigan. Ms. Moore explained that the BEI has three levels of certification; basic, advanced, and master. Basic would be considered as temporary licensure, with Advanced or Master required before obtaining full licensure in Kentucky. Leasing the test will be expensive so KCDHH is working to find partners such as EKU or UL to fund a standardize method of certifying interpreters.

Ms. Moore continued by advising the board that KCDHH has been working with the Department of Community Based Services (DCBS) to open doors and feels that great things are coming from these collaborations. There will be a VLOG to follow shortly.

Ms. Moore reported effective January 1 and as part of the Affordable Care Act, the Federal government issued a Final ruling challenging hearing aid coverage by insurance companies calling it discrimination that individuals over 18 are not provided coverage for hearing aid devices. KCDHH is working on a way to notify the public, from cradle to grave, that anyone needing a hearing aid should contact their insurance company and find out how much they will cover. Each insurance company will look at it differently and, as a result, will have to be contacted by those individuals requesting coverage. KCDHH will assist in advocacy for such requests. We are reaching out to the Kentucky Speech-Hearing-Language Association (KSHA), the Kentucky Academy of Audiology (KAA), and the Hearing Loss Association of America (HLAA) to see what verbiage to use with physicians and insurance companies. Ms. Niehaus added that AARP and NAD should also be contacted and Ms. Moore agreed.

DeaFestival is in the planning and preparation stages for this year's festival. It will be held on Labor Day weekend, with a Wizard of Oz, "No place like home" theme.

Ms. Moore reported that the annual open house, during Christmas time, was a great success. This year saw more children attend to see the signing Santa and each one received a gift.

After a 15-minute break Ms. Hatzel mentioned that the Executive Board had discussed sending a letter to the Parent representative asking her to recuse herself, due to lack of attendance, and another parent who can attend meetings would be selected by KCDHH.

Ms. Hatzel also brought attention to a pamphlet that was placed at each board member's seat, which explains the ethical guidelines for boards and commission members. She went on to inform the board members of upcoming term expirations of four members; one each representing the Kentucky Association of the Deaf (KAD), KSHA, the Hearing Loss Association of America (HLAA) and the Service Provider position. KCDHH selects the Parent representative and the Service Provider, which the organizations must submit three names to the Governor who appoints those representatives. Mr. Bryan Bowen was recommended as the nominee to continue to serve as Service Provider. Vacancies will be voted on at the April commission meeting and staff will ensure that the organizations submit letters of recommendation to the Governor's Office by that time.

### **Telecommunications Access Program:**

Ms. Moore reported that applicants for the telecommunications access program (TAP) remain stable and that over the last quarter 365 pieces of landline equipment have been distributed while 346 pieces of wireless equipment have been distributed. A recent television advertisement for CapTel phones may cause an increase in requests for that model during the upcoming quarter. During the next year we do not anticipate adding any new technology although there could be model upgrades during that time. The minutes of the TAP Advisory Board meeting held in October will be approved at the April meeting.

### **Finance:**

Ms. Moore summarized the agency's financial report stating that the budget is on target and there is no overspending or underspending in any one area. KCDHH will have to "tighten its belt" this year with the one time, 4.5 percent budget cut predicted and the 18 percent predicted for the upcoming biennium would impact services. The final budget should be passed by the General Assembly in April and we will know more about how severe the cuts will be and what will be impacted to meet the required reductions.

### **THE AGENCY REPORT WAS ACCEPTED AS READ.**

### **The K-12 Educational Study Group:**

Ms. Hatzel reported on the study groups' tasks since the last meeting. The group has been tasked with finding a "best practice" for teaching deaf and hard of hearing students to fulfill the Secretary's request. In order to accomplish this, the group is planning on contacting administrators in other states with successful programs. Ms. Niehaus suggested when collecting data and comparing other schools to Kentucky's, that the group find those most similar to us in terms of economy or political standings. The group has invited Mr. Wilton McMillan from KSD to join them so they have a better grasp on what curriculum and approaches KSD uses with students. Ms. Moore added that the new Governor, Secretary and staff within the Kentucky Department of Education (KDE) are not familiar with deafness and deaf culture and as a result the group will have to prove what needs to change and what kind of outcomes are needed to be successful.

The group continues working on the hearing screening issue and plans to set a meeting with Mr. Roger Marcum, KDE's board chair, to discuss all of these issues.

### **THE K-12 STUDY GROUP REPORT WAS ACCEPTED AS READ.**

#### **Access to Videophones in Public Libraries Study Group:**

Ms. White reported that the study group is progressing. They plan on contacting London, Corbin, and Hazard to install units in their libraries and hope to find a location in Bowling Green to setup videophones. The Kentucky Department of Libraries and Archives (KDLA) contact person retired in January and his replacement has been contacted to set up a meeting to explain the purpose of the study group.

### **THE ACCESS TO VIDEOPHONES IN PUBLIC LIBRARIES STUDY GROUP REPORT WAS ACCEPTED AS READ.**

#### **Captioning in Sport Venues Study Group:**

Ms. White has been in contact with Mr. Hoskinson about moving forward with this study group, but until his continued service on the board under the new Governor is verified Ms. White felt it best to wait before taking further action.

### **THE CAPTIONING IN SPORTS VENUES STUDY GROUP REPORT WAS ACCEPTED AS READ.**

Ms. Hatzel announced that April is the time for proposing new study groups and the board may want to consider other topics or use resources for different study groups. Motions will be heard and voted on at the April Commission meeting.

### **BOARD OPEN FORUM**

Ms. Niehaus announced two save the dates. June 8-10 is the second System of Care Conference in Lexington, site to be determined. This conference will feature a track on deaf and hard of hearing youth services. Last year's participants included KSD Outreach, the Commission for Children with Special Health Care Needs, Lexington Speech and Hearing and all of the community mental health centers. Currently the topics and presenters are being determined, and if anyone has additional ideas please advise Ms. Niehaus.

Ms. Niehaus also gave a tentative date of May 17 for a meeting with ECU outreach to host a trauma-informed care for deaf and hard of hearing youth, especially in residential settings. Ms. Maura McDonald and Mr. Joseph Batiano will address some of the issues being seen across the state regarding this topic.

Ms. Moore asked members for names of individuals that serve as role models on a national level for us to consider bringing to DeaFestival, such as Mr. Nyle DiMarco, a deaf model, as well as a deaf football player, Derrick Coleman, or any other deaf role model we are aware of. Ms. Hatzel discussed students that she has seen that need this type of influence to succeed in high school and go on to college. Ms. Moore explained that is why we utilize DeaFestival as a means of reaching out to students of all ages and their parents, to show them they have an opportunity to do anything they want to in life.

Mr. Haynes passed out a flyer regarding an upcoming fundraiser with the Kentuckiana Chapter of HLAA to be held at Panera Bread in Louisville. He also presented KCDHH's Library with signed copies of the books "Listen With Your Heart" and "Odyssey of Hearing Loss". Ms. Moore thanked Mr. Haynes, stating they would be a great addition to the library.

Ms. White advised that KAD will be having a meeting on April 9 to elect new officers.

Ms. Moore addressed the board and thanked those in attendance and stated this was the first time that she could remember that we did not have a quorum for a Commission meeting. The board meets four times a year, and members should be conscientious about attendance to ensure a quorum is met. The meeting in April will have many things to vote on and a quorum will be required.

Ms. Crawford told the board of a go-fund-me account setup under Ms. Cammie Kogut's name, for an educational trip to South Africa this summer, and wanted to make sure everyone knew so that they might make a contribution. Ms. White added that Mr. Tom King also has a go-fund-me account he is using in hopes to be able to travel back and forth from Chicago for cancer treatments.

## **ANNOUNCEMENTS**

- The next Executive Board meeting will be held Friday, March 11, 1:00 pm - 3:00 pm at the KCDHH office in Frankfort; and
- The 149th Quarterly Commission meeting will be held Friday, April 22, 10:00 am – 1:00 pm with the location TBA.

**MS. WHITE (Ms. Crawford) MOVED TO ADJOURN.** The MOTION PASSED and the meeting was adjourned at 3:49 p.m.