

Kentucky Commission on the Deaf and Hard of Hearing
162nd Quarterly Commission Meeting
July 19, 2019
Transportation Cabinet – Frankfort, KY

MEMBERS PRESENT: Ms. Jeannie Taylor, Ms. Barbie Harris, Ms. Nancy Perry, Ms. Gerry Gordon-Brown, Ms. Amy Hatzel, Ms. Dodie Karr, Ms. Michelle Niehaus, Ms. Becky Cabe, Ms. Edie Ryan, Mr. Eddie Runyon, Mr. Thomas Evans, and Ms. Melissa Kelly

MEMBERS ABSENT: Mr. George Tunstall IV and Ms. Joy Kiser

STAFF PRESENT: Ms. Virginia Moore and Ms. Elise Kitchen

COMMUNICATION FACILITATORS: Ms. Marva Johnson, Ms. Rita Anderson, and Ms. Tracy Lundergan

VISITORS: Ms. Holly O’Mary, Ms. Yvette Runyon, Ms. Julia Richardson, and Mr. Andrew Floyd

Ms. Taylor, Chair, called the 162nd Quarterly Commission Meeting to order at 1:05 p.m. after noting that, although some members were delayed, there was a sufficient number present for a quorum. After welcoming everyone to the meeting, she reminded members that the meeting must close in time to pack up and get everyone out of the building no later than 4:30 p.m. as required by Transportation Cabinet policy.

Following roll call by Ms. Gerry Gordon-Brown, Commission members reviewed the minutes from the 161st Commission Meeting.

MS. GORDON-BROWN (Mr. Runyon) MOVED TO ACCEPT THE MINUTES OF THE 161st QUARTERLY COMMISSION MEETING AS WRITTEN. THE MOTION PASSED.

Board members reviewed the Executive Board minutes from the December meeting. There were no items identified for discussion.

MR. EVANS (Ms. Ryan) MOVED TO ACCEPT THE EXECUTIVE BOARD MINUTES AS WRITTEN. THE MOTION PASSED.

REPORTS

Executive Board:

Ms. Taylor began by introducing the newly appointed Service Provider Representative, Ms. Melissa Kelly. After Ms. Kelly spoke briefly about her background, Ms. Taylor requested that the Board introduce themselves. Following introductions, Ms. Moore drew attention to the map distributed prior to the meeting that pinpoints the location of each county in which a Board member lives. Ms. Taylor pointed out that current board members are widely scattered across the state, which enables the Commission to effectively represent and provide resources to Kentuckians statewide.

Ms. Taylor stated that the Executive Board previewed a draft of the bylaws during the meeting in addition approving the 2020-2021 meeting calendar. She added that the

KCDHH Operating Policies are also still under revision and a standardized Executive Director Evaluation Form will be added as Appendix C as soon as it is complete. Ms. Taylor reminded the Board that it is time for the biennial review of the Strategic Plan and there is a Strategic Plan Retreat scheduled for October in conjunction with the Quarterly Commission Meeting. She said she was proud to report that, upon review, the Commission's activities are meeting the majority of the goals outlined in the current Strategic Plan; however, there are goals the Commission may want to add or revise, and this is an important opportunity to be involved in determining the path of the Commission moving forward.

Ms. Taylor reported that the Executive Board is reviewing the Executive Director's salary and investigating options through the Personnel Cabinet. She indicated that when the research has been completed, they hope to have closed meetings to discuss those options in more detail.

Ms. Taylor and the Board took a moment to thank Ms. O'Mary for her service as a Board member from 2016-2019 and presented her with a framed Certificate of Service and Appreciation signed by the Governor. Ms. Moore also presented her with a pen made from the wood of one of Kentucky's native trees as a token appreciation for her hard work as a Commissioner.

Agency:

Ms. Moore began the Agency Report with a brief description of her meeting with Deputy Director Nemes of the Education and Workforce Development Cabinet (EWDC). She indicated that in addition to providing him with an overview of the Commission's activities, they discussed the Commission's legislative initiatives, which included the Language Acquisition Bill, and he was very supportive.

Concerning legislation, Ms. Moore first addressed the Hearing Screening legislation the Commission worked on a few years ago. She indicated that Deputy Director Nemes thought it should not be a problem to get the general physical form changed. However, because the Kentucky Department of Education (KDE) has so many other concerns right now, it seems prudent to work directly through the Cabinet to get this presented to legislators. Ms. Niehaus recommended contacting Representative Josie Raymond for support with this legislation, as she is very committed to early education issues. Mr. Evans suggested that the Commission try to find a legislator with a background in pediatrics if possible to provide medical perspective and garner support from the medical community. Ms. Moore mentioned that there has been some discussion of approaching Senator Alvarado, since he is a pediatrician. Ms. Perry inquired about how immigrant/refugee children fit into the process, and Ms. Niehaus indicated that there is a system in place to screen children who come in through the Kentucky Office of Refugees. Ms. Taylor and Mr. Runyon commented on the potential feasibility of using the health departments to provide these screenings, but because of the pension issues, their fate is uncertain. Ms. Moore stated that the Commission for Children with Special Healthcare Needs as well as other agencies have offered to do the screenings for free in the past, so cost should not be an issue. She also indicated that, according to previous discussions with former Education Commissioner Pruitt, there are guidelines stating that schools are supposed to screen all students for hearing loss. However, it has been issued as a guideline rather than a mandate, and reports indicate that it is not being enforced.

In reference to Personnel, Ms. Moore informed the board that the Personnel Cabinet is still in the process of matching the job duties associated with the vacant position previously titled Policy Analyst III to an appropriate pre-existing job title. Until the position is reclassified, the vacancy will not be posted. In the meantime, current staff members have taken on additional responsibilities, and staff has been retained on a temporary, part-time basis to help maintain efficiency while the agency is understaffed.

Ms. Moore reported her attendance at the Kentucky School for the Deaf Alumni Association's (KSDAA) ribbon cutting event for the new elementary school building and commented that it's a very nice addition to the school grounds. Ms. Moore stated that she is continuing to work with KSDAA, KDE, school officials and parents to resolve some ongoing communication issues at KSD and will keep the Board apprised of any pertinent developments.

Regarding the 911 services and emergency management partnerships, Ms. Moore indicated that she has been working with staff to reach out to 911 call centers such as the Public Safety Operations Center in Lexington where a few staff members took a tour. She told the story of their live 911 test call through Sorenson Video Relay Services (SVRS) on a deaf staff member's cell phone, during which some areas of concern were identified for future follow up with the video relay services. Ms. Moore added that it was an excellent way for the call center manager to see first-hand what a 911 call through VRS looks/sounds like from both sides of the call and identify issues that need to be resolved. Ms. Moore stated that she has contacted SVRS to check their policies and procedures for handling 911 calls and is working to identify what, if any, changes need to be made. She also announced that KCDHH will soon post a vlog and interactive map on the website that shows which counties have Smart911 and text to 911 services. In addition, the map contains the phone number for each county's Emergency Services office so that consumers can call and find out what services are offered in their area as they are updated. Ms. Moore also informed the Board that several more counties have recently rolled out text to 911 services, and several more are expected to do so this year. Ms. Moore emphasized that regardless of the method chosen to contact 911, the first and most vital piece of information the caller needs to convey is the location of the emergency. Ms. Moore also reported that she will be presenting twice at the Kentucky Emergency Services Conference (KESC) – one presentation for 911 call center personnel and the other for Kentucky Emergency Management Association members. She added that this is an opportunity to educate and advocate on a broader scale with the potential for greater impact.

Ms. Moore commented briefly on the Kentucky Educational Television's (KET) Early Education Forum she and the Executive Staff Advisor, Ms. Dowd, were scheduled to attend. Upon entrance to the event, it became clear that the placement of the interpreters was not ideal for full participation in the forum. Ms. Moore stated that the resulting lack of visual connection with the speakers was shared with the director and producer; however the situation could not be remedied, and as a result, she and Ms. Dowd could not participate. Ms. Moore followed up with an email detailing the importance of proper interpreter placement to allow full participation and included some information as to what that should look like. The director and producer apologized and indicated they will consult with KCDHH in the future to ensure deaf and hard of hearing attendees are able to fully participate in future forums. Ms. Moore indicated that she intends to continue to push for KET to caption legislative sessions and will keep the Board apprised of any new developments. Ms. Taylor

encouraged Board members research the captioning issue with regard to legislative sessions in order to provide support as this effort continues.

Ms. Moore stated that the new “Coffee Chat” set and backdrop have been well-received. She added that KCDHH recently posted a vlog about the Bernheim Forrest “giants”, notifying the community that there is a sign language interpreter who regularly volunteers there, so deaf individuals who want to attend one of their programs can call to request interpreting services.

Ms. Moore informed the Board that the Kentucky Board of Interpreters (KBI) is continuing to address the issue of interpreter licensure as it applies to Video Relay Interpreting. They are working to ensure those who provide services in Kentucky also hold a Kentucky interpreting license. In addition, KBI is working to change the regulations allowing out of state interpreters to interpret in Kentucky for 20 days without a license. Ms. Kelly commented that the northern Kentucky area often hires interpreters from Ohio, which does not currently have a licensure requirement. Ms. Ryan pointed out that although those out of state interpreters may not have a Kentucky state license, they are still required to meet the qualifications for licensure, such as the Registry of Interpreters for the Deaf (RID) National Interpreter Certification (NIC) or RID Certification through the Educational Interpreter Performance Assessment (EIPA) with a score of 4.0 or better. Various Board members provided information to Ms. Kelly on how to verify that an out of state interpreter is licensed or certified. Mr. Evans inquired about the interpreter shortage as well as state interpreting licensure reciprocity and liability issues for providers who hire unlicensed interpreters. He indicated that he intends to take what he is learning as a Commission member with KCDHH back to Kentucky Speech-Language-Hearing Association to continue to grow awareness of these issues. Ms. Karr inquired about privacy issues with VRI interpreters who work out of their homes, and Ms. Moore explained that there are rules and requirements for home offices to guarantee privacy.

Ms. Moore provided the Board with a preview of all the new Fact Sheets targeting specific populations at risk for hearing loss as well as the new information sheets detailing the services offered by KCDHH. She stated that each Board member will get a set of these with their new Commissioner Handbook in October.

Ms. Niehaus requested that Ms. Moore update the Board regarding the recent news articles featuring KCDHH, including both the Courier Journal article on concert interpreting and the two interviews focusing on the keyless ignition issue. Ms. Moore reported that two staff members were interviewed by the Courier Journal to get both the consumer and interpreter perspectives regarding concert interpreting and whether or not deaf and hard of hearing individuals actually enjoy attending concerts. Later, when a member of the deaf community passed away as a result of carbon monoxide poisoning after inadvertently leaving her car running in her attached garage overnight, Ms. Moore contacted the media and was interviewed by both WLEX-TV and WKYT-TV in Lexington as well as the Daily Moth to talk about the dangers posed by the lack of safety features in vehicles with keyless ignitions. Ms. Moore and other Board members shared personal experiences and those of friends and family who had close calls as a result of that same issue. Ms. Moore also shared that Safety Research & Strategies, Inc. reached out to offer support in the form of data and statistics on deaths due to carbon monoxide poisoning linked to a lack of safety features in vehicles with keyless ignitions. She stated that there is a bill right now in the United States Senate called the Protecting Americans from the Risks of Keyless Ignition Technology

(PARK IT) Act that would require manufacturers to install automatic shutoff systems and rollaway prevention technology in motor vehicles. Ms. Moore closed her report by urging Board members to contact their respective Senators to support this bill and help move it forward.

THE AGENCY REPORT WAS ACCEPTED AS READ.

Finance:

Ms. Moore reported that despite last minute charges by the Commonwealth Office of Technology's (COT) database team, staff was able to balance the budget successfully and close out the fiscal year on target. There were no additional questions or comments from the Board.

THE FINANCE REPORT WAS ACCEPTED AS READ.

Early Childhood Language Acquisition Study Group:

Ms. Hatzel reported that that since efforts to reconvene the Common Grounds group and engage stakeholders continued to be unfruitful, Ms. Moore began meeting with them individually to brief them on current progress and make sure that everyone is still invested in the partnership. Ms. Moore stated that she met with Ms. Ansley of Lexington Hearing & Speech Center (LHSC) as well as Mr. Bachmann of Heuser Hearing Institute (HHI) and is scheduled to meet with Ms. Robey of KSD next week. She indicated that all parties are still on board and are eager to find a creative solution.

Ms. Hatzel requested that Ms. Moore and Ms. Taylor report on their meetings with Lieutenant Governor Hampton, Representative Minter and Senator Wilson respectively. Ms. Taylor shared her experiences with contacting each of these legislators and the positive responses she received. She added that each person was provided with a draft of the language acquisition legislation as well as additional information regarding the mission and vision of KCDHH. Ms. Taylor encouraged Commission members to be bold in requesting to meet with their legislators, keeping in mind the children who will benefit from this legislation if it's passed. Ms. Moore pointed out that as voting members of their district, the Senators and Representatives want and need to hear what they have to say. She stated that KCDHH will provide information and support to Board members as they advocate for this legislation. Given the scrutiny that our statistics will need to withstand, Ms. Niehaus recommended that staff verify that the statistical data published on the website and given in hardcopy format to legislators is accurate, verifiable and consistent across the board. Mr. Evans suggested creating a shortcut on the KCDHH website to be able to quickly and easily locate a user's representatives by zip code and automatically upload a request for support for specific legislation the Commission is proposing or supporting.

Ms. Hatzel informed the Board that the language acquisition legislation needs a name now that it is no longer Language Equality and Acquisition for Deaf Kids (LEAD-K). She shared some proposed names for the bill and requested that the Board members consider them, keeping in mind that whatever name is chosen, it needs to be something everyone can easily associate with the content of the bill.

Ms. Hatzel continued her briefing by summarizing a recent phone conversation with a representative from the Governor's Office of Early Childhood (GOEC) regarding funding.

He indicated that as they pursue larger federal grants, they want to make sure deaf and hard of hearing children are not left out as that money is being distributed. Ms. Hatzel stated that he plans to contact her at the end of August, and she will keep the Board abreast of any new developments.

THE EARLY CHILDHOOD LANGUAGE ACCESS AND ACQUISITION STUDY GROUP REPORT WAS ACCEPTED AS READ.

Services for Seniors Study Group:

Ms. Niehaus reported that the group has been very busy planning for the Seniors Open Symposium (SOS). She explained that the workshops will focus on topics identified by seniors through the needs assessment process and will be interspersed with presentations by local community organizations who provide services for seniors. In addition, information booths will be available for attendees to gather information and resources to meet their individual needs. Ms. Niehaus requested that Board members who have connections with community organizations please advertise to let them know this event is happening. She added that the presentation is in ASL, and there will be a hearing loop in addition to interpreters and Communication Access Real-time Translation (CART), so the event will be fully accessible. Ms. Niehaus reminded the Board that some of the funding for the event will come from registration fees collected from interpreting workshops held the day before. She stated that those workshops will focus on issues related to interpreting for older adults and people with language dysfluency in medical and other settings. Although there is a registration fee for the interpreting workshops on August 23, the SOS on August 24 is free of charge. Ms. Niehaus added that they are soliciting items to include in the information/gift bags, and recommendations regarding agencies they should contact are appreciated. Ms. Perry inquired about whether or not registration is required and if attendance is limited for the SOS. Ms. Niehaus replied that registration is required by August 9, and it will be capped at no more than 100 attendees since the maximum capacity for the space is 125 according to Fire Code, which includes interpreters, those who work the booths, and those handling logistics.

As for long-term care and accessibility for people in nursing homes or assisted living facilities, Ms. Niehaus reported that the grant for the Civil Monetary Penalty (CMP) funds was submitted, and they have already received their questions for clarification. She said they have until July 31 to respond, so she will be working on those the following week.

THE SERVICES FOR SENIORS STUDY GROUP REPORT WAS ACCEPTED AS READ.

BOARD OPEN FORUM

Ms. Taylor announced that due to time constraints, there would be no Open Forum.

UNFINISHED BUSINESS

Ms. Taylor congratulated Commission representatives from the Kentucky Association of the Deaf (KAD) and Kentucky Speech-Language-Hearing Association (KSHA) on their reappointments and added that she looks forward to representing Hearing Loss Association of America (HLAA) for another term. She also stated that Mr. Tunstall's term as Parent Representative will expire June 30, 2020 in addition to Mr. Runyon's and Ms. Harris' term representing the American Association of Retired Persons (AARP) and Kentucky

Association of the Deaf (KAD) respectively. Ms. Taylor reminded the Board that, although June seems a long way off, those positions must be advertised for 90 days, and the cutoff date is typically around March 1 to allow time for the Governor to make the necessary appointments or the Commission to vote during the April meeting. She added that any representative wishing to reapply for his or her position may do so, and KCDHH will assist in answering any questions applicants may have regarding the process.

NEW BUSINESS

Ms. Taylor requested that Board members review the proposed changes to the Bylaws. Ms. Niehaus suggested replacing “officers” in the last sentence of Article III Section 1 with “Chair, Vice-Chair or Secretary” for the sake of clarity. After some discussion members agreed, and Ms. Taylor called for a motion from the floor to accept the Bylaws.

MR. RUNYON (Mr. Evans) MOVED TO ACCEPT THE BYLAWS WITH CLARIFYING CHANGES AS DISCUSSED. THE MOTION PASSED.

Ms. Taylor requested that Board members review the proposed changes to the Operating Policies and asked if there were any comments or items for discussion. Ms. Moore reminded the Board that the new standardized Executive Director Evaluation will be added under Appendix C when it has been completed, and Board members will have an opportunity to review and comment on that addition. Ms. Niehaus requested clarification about whether or not members can participate in meetings by telephone or video teleconference. According to the Open Meetings Act, Board members may participate by video teleconference within the parameters stated in the Kentucky Revised Statutes; however, while members may listen in on a meeting by telephone, they may not participate, vote, or be counted toward a quorum at any meetings they attend by telephone. Ms. Taylor emphasized the importance of attending meetings in person if at all possible and reminded Commission members to provide a proxy if they are unable to attend. Mr. Evans inquired about the capability of the Commission to support video teleconferencing, and Ms. Moore responded that it could be done in some locations such as the Transportation Cabinet, with advance notice, but it may not be feasible in other locations. Ms. Ryan inquired about providing a pre-approved list of proxies, and Ms. Moore indicated that multiple proxy forms may be signed ahead of time and kept on file, but the form for the proxy designated for a particular meeting must still be submitted for a vote and approved at the beginning of that meeting.

Ms. Taylor announced that the Strategic Plan Retreat will take place on Friday, October 18, and Saturday, October 19, at the General Butler State Resort Park. Ms. Moore explained that the staff will review the Strategic Plan and make suggested revisions which will be sent out to Commission members prior to the meeting. Staff and Commission members will come together on the morning of the 19th to discuss and make final revisions before the Commission meeting that afternoon. Revisions will be demarcated by strikeouts and colored text for clarity. Ms. Moore stated that additional details will be provided in September.

In regard to the Kentucky State Fair, Ms. Moore asked for volunteers to run the booth, and Board members signed up according to their availability. She said the booth is smaller than it has been in past years, but it is a great opportunity to meet and talk with the deaf and hard of hearing Kentuckians to inform, educate and advocate.

Ms. Taylor requested that the Board review the meeting dates for the next two years.

MS. HARRIS (Ms. Ryan) MOVED TO ACCEPT THE MEETING SCHEDULE AS PRINTED. THE MOTION PASSED.

ANNOUNCEMENTS

- The next Executive Board meeting will be held in the KCDHH Conference Room on Friday, September 13, 1:00 p.m. – 3:00 p.m.
- The 163rd Quarterly Commission meeting / Strategic Plan Retreat will be held on Friday, October 18, 7:00 p.m. – 9:00 p.m., and Saturday, October 19, 8:00 a.m. – 4:30 p.m. at the General Butler State Resort Park.
- The TAP Advisory Board will meet October 17, 2019 in the KCDHH Conference Room.
- Ms. Perry announced that the KSDAA Hall of Fame Ceremony will be held on Friday, August 2, 5:00 p.m. – 9:00 p.m. at Immanuel Baptist Church in Danville.
- Ms. Harris announced that the KSDAA's Annual Picnic Weekend will be Saturday, August 3, at the American Legion Boyle Post 46 in Danville.
- Ms. Ryan presented a movie poster from the premier of "The Silent Natural" signed by Miles Barbee and others.
- Ms. Ryan also announced that there will be a movie coming out that the Helen Keller Center and the Kentucky Deaf-Blind Project were involved in called "Feeling Through" starring a deaf-blind man.

MS. RYAN (Ms. Harris) MOVED TO ADJOURN THE MEETING. THE MOTION PASSED and the meeting was adjourned at 4:09 p.m.