

**Kentucky Commission on the Deaf and Hard of Hearing
163rd Quarterly Commission Meeting
October 19, 2019
General Butler State Resort Park, Carrollton, KY**

- MEMBERS PRESENT:** Ms. Jeannie Taylor, Ms. Nina Coyer (proxy for 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, Mr. George Tunstall IV, and Ms. Melissa Kelly
- MEMBERS ABSENT:** Ms. Joy Kiser and Ms. Barbie Harris
- STAFF PRESENT:** Ms. Virginia Moore, Ms. Elise Kitchen and Ms. Tashina Crowe
- COMMUNICATION FACILITATORS:** Ms. Marva Johnson, Ms. Audrey Ruiz-Lambert and Laura Kogut
- VISITORS:** Mr. Roger Coyer, Mr. James Karr

Ms. Taylor, Chair, called the 163rd Quarterly Commission Meeting to order, noting that there was a sufficient number of members present for a quorum. After welcoming everyone to the meeting, she called for a motion to accept Ms. Coyer as proxy for Ms. Harris.

MR. EVANS (Ms. Perry) MOVED TO ACCEPT MS. COYER AS PROXY FOR MS. HARRIS. THE MOTION PASSED.

Ms. Taylor announced that there may not be time for the Open Forum but did not strike it from the agenda. Following roll call by Ms. Gerry Gordon-Brown, Commission members reviewed the minutes from the 162nd Commission Meeting.

MR. RUNYON (Ms. Karr) MOVED TO ACCEPT THE MINUTES OF THE 162nd QUARTERLY COMMISSION MEETING AS WRITTEN. THE MOTION PASSED.

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

MS. GORDON-BROWN (Mr. Runyon) MOVED TO ACCEPT THE EXECUTIVE BOARD MINUTES AS WRITTEN. THE MOTION PASSED.

REPORTS

Executive Board:

Ms. Taylor began by congratulating the newly appointed Vice Chair of the Mental Health Advisory Committee for the Deaf and Hard of Hearing, Ms. Karr, who replaced Ms. Perry. She also congratulated Ms. Lundergan on receiving the 2019 Distinguished Service Award from the Kentucky Court Reporters Association.

Ms. Taylor reported that there are two new accessibility features on the KCDHH website. The Google Translate icon can be found in the upper left corner and provides site visitors

with the option to have the website information translated into the language of their choice from the list provided. The icon in the upper right corner provides options for various forms of visual enhancement that can be applied to the website for those who have vision loss. Ms. Moore added that the Telecommunications Access Program (TAP) application and equipment list have also been translated into Spanish for the increasing Spanish-speaking population in Kentucky. Ms. Taylor also pointed out that the agency videophone number is included on the application as well as the website, and anyone calling to speak to deaf staff members in any department will have the opportunity to request Spanish translators, since Sorenson Video Relay Service provides that service.

Ms. Taylor referred Board members to the recently developed Commissioner Exit Interview contained in Appendix D of the revised KCDHH Operating Policies in the new Commissioner Handbook and explained that this tool is intended to gather information and feedback to help the Board improve. She reminded the Board that several members' terms will expire June 30, 2020, including the American Association of Retired Persons (AARP) Representative, Mr. Runyon, Parent Representative, Mr. Tunstall, and the Kentucky Association of the Deaf (KAD) Representative, Ms. Harris. Ms. Hatzel added that there will be a new president elected to lead the Kentucky Registry of Interpreters for the Deaf (KYRID) as well, effective July 1, 2020, which could potentially lead to a change in representatives on the KCDHH Board. Ms. Moore stated that the revised Operating Policies reflect current state government policies as they apply to the daily operations of the agency and suggested that Board members familiarize themselves with the Ethical Guidelines for Members of Executive Branch Boards and Commissions pamphlet in the front of the binder.

Agency:

Ms. Moore reported that the Kentucky Board of Interpreters (KBI) is working to update their regulations, paying particular attention to the rule allowing out of state interpreters who are certified by RID to interpret in Kentucky for 20 days without a Kentucky license. She informed the Board that, on the advice of counsel, they are now considering opening up the statutes for the purpose of addressing that and other issues. Ms. Moore stated that she testified against that option on behalf of the Commission due to concerns that opening the statutes would open the door for other entities to remove the licensure requirement. Ms. Coyer, who is a KBI Board member, echoed Ms. Moore's concerns and joined her in calling for support should the need arise.

Concerning legislation, Ms. Moore cautioned that on a national level, 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 is unlikely to be enacted due in part to a strong lobbying effort by motor vehicle manufacturers. The issue involves national and international manufacturing practices, and without United States Congressional support, efforts to push this legislation will likely be in vain.

Ms. Moore also addressed the proposed Hearing Screening legislation, indicating that she and Mr. Evans are seeking support from the Kentucky Speech-Language-Hearing Association (KSHA) to further this legislation. Mr. Evans shared that they plan to meet with the new KSHA President, Ms. Lane, to discuss the matter further, and the organization is very interested in supporting the work of the Commission on this issue. He added that the Kentucky Academy of Audiology (KAA) may also be interested in providing support. He

indicated he intends to do some networking at the upcoming KSHA Convention to identify potential supporters for this and other future legislative initiatives. Ms. Taylor requested clarification as to when the legislation would be ready to present to legislators, and Ms. Moore and Ms. Hatzel agreed that since the proposed revised hearing screening has already been developed, it should be ready for the 2020 legislative session if it is supported by KAA and KSHA

Ms. Moore reported her attendance at several national meetings and conferences including the National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH) and Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI) Conferences in Washington, D.C. where she was also able to work with Gallaudet on two fronts. First she met with representatives from Gallaudet University and the National Association of the Deaf (NAD) regarding the Law Enforcement Training Curriculum on Hearing Loss. She stated that Gallaudet students will be involved in preparing the vignettes that will be paired with the lesson plan for the curriculum that's already been developed by a writer here in Kentucky. She shared that the NAD requested that multiple diversity groups such as the National Black Deaf Advocates (NBDA) be brought into the discussion before the training curriculum is released. Ms. Moore expressed concern that this will divert attention away from the primary issue – communication between law enforcement officials and ALL deaf or hard of hearing individuals regardless of race or ethnicity. She indicated that the summit is currently scheduled to take place in January, 2020. Secondly, after learning that some states are requiring students to go to a community college for two years before attending Gallaudet, Ms. Moore set up a meeting with Dr. Cordano regarding the possibility of developing a pilot apprenticeship program in partnership with the Office of Vocational Rehabilitation (OVR) in Kentucky. She shared that there is a shortage of skilled tradesmen, and this is an opportunity for deaf students to attend classes to learn a trade and obtain certification that can then be used in their home state to earn a decent wage. Ms. Moore said she met with Ms. Cabe to present her case, and Ms. Cabe took the idea to OVR. Ms. Cabe indicated that they were very interested, especially since they have been looking for more ways to offer shorter credentialing programs with the potential to earn a decent wage for long-term employment stability.

In reference to Personnel, Ms. Moore informed the Board that the Personnel Cabinet finally assigned an appropriate title, Policy Specialist, to the vacant position previously titled Policy Analyst III; however through budget cuts and personnel runs the position was cut. She assured the Board that the Personnel Cabinet is in full support of the position, and she is working with them to get it back, as it is a key position within the agency. In addition, Ms. Moore reminded the Board that the Telecommunications Access Program (TAP) Coordinator position is also vacant now that Mr. Zulauf has retired. She indicated that she is working toward opening that position, but with the added burden of new policies requiring detailed information on every applicant in addition to the delays within the Personnel Cabinet, it is likely to take some time to get those positions back-filled. 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.

Regarding the Emergency Management and 911 Emergency Services partnerships, Ms. Moore reported that she presented twice at the Kentucky Emergency Services Conference (KESC), once to 911 call center personnel and again to Kentucky Emergency Management Association members, which provided an opportunity to educate and advocate on a broader scale with the potential for greater impact.

Ms. Moore also shared that KCDHH posted 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 consumers can call to find out what services are offered in their area as those services are updated. Ms. Moore indicated that there were some issues with using the Sorenson Video Relay Service (SVRS) app when placing a 911 call, but 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.

Ms. Moore informed the Board that several more counties have recently rolled out text to 911 services, and more are expected to do so this year. Ms. Moore stated that KCDHH has continued to be involved in the text to 911 rollouts by having deaf individuals test the service. She said that feedback from those individuals suggests that the service works well. In response to Mr. Tunstall's questions regarding the call center's ability to locate a caller who is using text to 911 in an emergency situation, Ms. Moore cautioned that some call centers have the technology to pin the caller's location while others can only determine the location within a 300 meter radius. 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 shared that KCDHH partnered with KYRID to bring in the Community Outreach Coordinator of the State of Arizona Department of Emergency and Military Affairs (DEMA), who provided a workshop on emergency response interpreting during the Fall Conference. Ms. Moore explained that the Coordinator's primary responsibility at DEMA is to run the Emergency Response Interpreter Credentialing (ERIC) program, whose mission is to ensure that accessible communication is provided to Deaf and hard of hearing citizens during Emergency and Disaster Response and Recovery efforts via trained and qualified American Sign Language (ASL) Interpreters and Communication Access Real-time Translation (CART) Captioners. In response to Ms. Taylor's question about the Commission pushing for a similar program here in Kentucky, Ms. Moore stated she was able to introduce the Coordinator to Kentucky Emergency Management (KYEM) personnel to discuss the policies and training necessary for such a program. She indicated that the Commission would continue to work with the Coordinator to promote the development of a similar initiative here in Kentucky.

Ms. Moore reported that she attended an all-day Education and Workforce Development Cabinet (EWDC) strategic planning session conducted by a facilitator from Eastern Kentucky University (EKU), who worked with agency heads within the cabinet to discuss short-term and long-term priorities. She indicated that the meeting was a success, and she was able to provide input concerning deaf and hard of hearing issues in the process.

Regarding DeaFestival 2020, Ms. Moore announced that it will be a circus-themed event entitled "The Biggest Little Show on Earth" and that the poster is nearing completion. She confirmed that the decorating company the Commission has used for several years closed, but they shipped all of the Commission's event props and set pieces to Frankfort to be stored locally. Although the last minute notification of shipment caused staff to have to scramble to find a local storage facility, Ms. Moore indicated that the items have been safely stored, and there are several items that will likely be useful for the upcoming event.

THE AGENCY REPORT WAS ACCEPTED AS READ.

Finance:

Ms. Moore reported that staff was able to balance the budget successfully and close out the fiscal year on target again this year. She stated that although there has been very little money used for travel thus far due to budget uncertainties with the upcoming election, that will likely change after the election. Ms. Moore indicated that staff is in the process of opening the new budget for the next two-year cycle, and she is hopeful that the agency may be granted the necessary funds to hire an additional staff member to assist with Access Center and some of the agency's fiscal responsibilities. She also mentioned that there was an increase in the cost of insurance, but there may be some outside funding available to cover at least part of that added expense.

THE FINANCE REPORT WAS ACCEPTED AS READ.

Early Childhood Language Access and Acquisition Study Group:

Ms. Hatzel informed the Board that Ms. Moore met separately with stakeholder representatives Brett Bachman and Marcey Ansley from Heuser Hearing Institute (HHI) and Lexington Hearing & Speech Center (LHSC) respectively to brief them on current progress and make sure all parties are still invested in the partnership. Ms. Hatzel said that both organizations have lobbyists that the Commission may be able to use to gain support for Language Acquisition legislation. However, she indicated that they are proceeding with caution to ensure that the stakeholders and common ground partners all have an equal footing and to avoid even the appearance of impropriety.

Ms. Hatzel stated that Ms. Moore and Ms. Taylor also met with Senator Wilson and Representative Minter of Bowling Green and shared a draft of the Language Acquisition bill. Senator Wilson, who is the Chair of the Education Committee, indicated he would share a copy of this bill with his education advisor, the Kentucky Senate Majority Education Policy Analyst, and notify the agency of any potential pitfalls. Ms. Moore reported that she received an email from the Education Policy Analyst, Mr. Burks, suggesting that the Commission work with the Kentucky Department of Education (KDE) before the bill is officially submitted. Shortly thereafter, Ms. Moore had an opportunity to explain the history of the bill and KDE's involvement. Mr. Burks indicated he would relay the Commission's concerns to the Senator and keep the Board informed. Ms. Moore said she also had the opportunity to speak with Deputy Secretary Nemes of the Education and Workforce Development Cabinet (EWDC) and Ms. Hampton, Executive Director of the Governor's Office of Early Childhood (GOEC) at a cabinet training event. Ms. Hatzel added that she spoke with Mr. Clark, who also works for the 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 said that she will follow up with him and keep the Board apprised of any new developments. She explained that the next step is to find a legislative sponsor. Since the Commission is focusing specifically on early childhood years, that falls under the Cabinet for Health and Family Services (CHFS) rather than KDE, so she is hopeful that this approach will be more successful.

In response to questions regarding who has seen the draft of the Language Acquisition legislation and when it will be available to the Commission, Ms. Hatzel clarified that it has only been sent to a few select people to garner support and to get feedback for final

revisions. Ms. Karr stated that there are families with deaf children that would potentially be willing and eager to provide testimony and offered to contact them. Ms. Hatzel expressed her appreciation and asked that she get their contact information so that the Commission can reach out when they get to that point in the process. Ms. Coyer recommended contacting Representative King for support, while Mr. Runyon suggested Senator Wheeler, and Mr. Evans recommended Representative Frazier. Ms. Moore pointed out that the legislation needs to go before the Education Committee, of which Senator Wilson is the Chair, so it is important to find a sponsor who is able to be persuasive in this arena. Ms. Gordon-Brown briefly shared her own testimony regarding the difficulties of language acquisition as a hard of hearing child, summing up the issue with the pithy statement, "Catching up is harder than keeping up." She emphasized that those who dismiss the issue as unimportant provide a stark reminder that "attitude is the biggest disability."

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

Services for Seniors Study Group:

Ms. Niehaus reported that the Seniors Open Symposium (SOS), which was fully accessible to both deaf and hard of hearing seniors through sign language interpreters, captioning and a hearing loop, was very successful. She said the post-event evaluations indicated that the seniors who attended would like it to be a recurring event, and although that isn't possible since the study group is a temporary entity, she indicated that the partnerships developed will certainly be of value in future endeavors. She stated that as the study group's goals are integrated into the strategic plan, one of their recommendations is to identify community partners and potential funding sources to offer regional or local workshops on areas of interest identified in the senior contact forms and evaluations of the event. In addition, Ms. Niehaus recommended that the Commission clarify to the deaf and hard of hearing community whether or not the SOS will be continued as an annual or regular event. She said the study group also recommended piggybacking on other organizations' established events such as the Kentucky School for the Deaf Alumni Association (KSDAA) picnic or DeaFestival, offering educational workshops in conjunction with those events. Ms. Niehaus continued with the group's list of recommendations, suggesting focusing the outreach efforts of the Information, Referral and Advocacy Department by providing interpreters for a minimum of four Health Fairs across the Commonwealth to make them more accessible to the community. Ms. Moore pointed out that when the Commission did that in the past, the Health Fairs would continue to expect the Commission to provide interpreting services year after year rather than taking on the responsibility for finding funding to provide those services on their own. Ms. Niehaus noted that the study group suggested contacting local interpreter referral agencies to provide interpreting services pro bono as a way to give back to the community. She said they also suggested partnering certified interpreters with interpreting students or temp licensed interpreters to provide a safe training opportunity for young interpreters to learn to interpret medical jargon. Ms. Niehaus concluded the list with a final recommendation to create a vlog and other accessible educational materials about the resources available at local senior centers to encourage attendance and participation in existing programs, and include information on how to request interpreters or other language access. Ms. Niehaus indicated that this last recommendation sparked a discussion about a potential future study group focusing on health literacy for deaf and hard of hearing seniors.

Regarding long-term care and accessibility for people in nursing homes or assisted living facilities, Ms. Niehaus reported that they are still waiting to find out whether or not they will receive the grant for the Civil Monetary Penalty (CMP) funds.

Ms. Niehaus concluded her report with a brief rundown of the resources that are currently available on the Seniors landing page on the KCDHH website, and added that they will continue to work on that at their next meeting.

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 requested that Ms. Moore address the Board regarding the KCDHH Operating Policies, and Ms. Moore reminded members that the Operating Policies are a living, breathing document that will continue to evolve as state government policies change and board membership changes. She pointed out the most recent additions, such as the video teleconferencing guidelines, the Commissioner Exit Interview and the standardized Executive Director evaluations and announced that all revisions are reflected in the Operating Policies contained in the new Commissioner Handbooks that were given to each Board member.

Regarding the Strategic Plan 2020-2022, Ms. Taylor stated that the staff will work on assigning objectives to the new goals developed from the mandates and will have a working draft to present to the Executive Board at their next meeting on December 6. She reminded the Board that those members who are not on the Executive Board should feel free to contact the two at-large members, Ms. Hatzel and Ms. Niehaus, to share any suggestions or concerns, as they are responsible for representing the other Board members at Executive Board meetings. She added that members should always reply to the Commission's email requests for feedback or input even if they don't have any, just to notify the author that it's been read and the member has no additional comments or feedback.

NEW BUSINESS

Ms. Moore announced that the Legislative Lobbying Training Workshop has been postponed until January due to scheduling conflicts. She stated that instead of an all-day training, she is working with the presenter to possibly do a 4-hour training in the morning followed by afternoon meetings with legislators where the training can be immediately applied for maximum benefit.

Ms. Taylor called for a motion on the floor to go into closed session.

MS. HATZEL (Ms. Niehaus) MOVED TO GO INTO CLOSED SESSION. THE MOTION PASSED.

Ms. Taylor reconvened the 163rd Quarterly Commission Meeting.

MS. HATZEL (Mr. Evans) MOVED TO PROPOSE A 7% SALARY INCREASE FOR THE EXECUTIVE DIRECTOR. THE MOTION PASSED UNANIMOUSLY.

ANNOUNCEMENTS

- The next Executive Board meeting will be held in the KCDHH Conference Room on Friday, December 6, 1:00 p.m. – 3:00 p.m.
- The 164th Quarterly Commission Meeting will be held on Friday, January 24, 2020, 1:00 p.m. – 4:00 p.m., Location TBD
- The TAP Advisory Board meeting will be held in the KCDHH Conference Room on Thursday, April 23, 2020, 2:00 p.m. – 4:00 p.m.

MS. GORDON-BROWN (Mr. Tunstall) MOVED TO ADJOURN THE MEETING. THE MOTION PASSED and the meeting was adjourned at 4:16 p.m.