

Kentucky Commission on the Deaf and Hard of Hearing
168th Quarterly Commission Meeting
January 22, 2021
Zoom Meeting

- MEMBERS PRESENT:** Ms. Jeannie Taylor, Ms. Barbie Harris, Ms. Gerry Gordon-Brown, Ms. Nancy Perry, Ms. Melissa Kelly, Mr. Eddie Runyon, Mr. Thomas Evans, Mr. George Tunstall IV, Ms. Dodie Karr, Ms. Amy Hatzel and Ms. Edie Ryan,
- MEMBERS ABSENT:** Ms. Susan Rieber, Ms. Michelle Niehaus, and Ms. Joy Kiser
- STAFF PRESENT:** Ms. Virginia Moore and Ms. Elise Kitchen
- PROXY:** Ms. Holly Evans
- COMMUNICATION FACILITATORS:** Ms. Audrey Ruiz-Lambert, Ms. Rachel Rodgers and Ms. Laura Kogut
- VISITORS:** None

Ms. Taylor, Chair, called the 168th Quarterly Commission meeting to order at 1:15 p.m. and requested that Ms. Gordon-Brown, Secretary, call the roll. After confirming there was a quorum, Ms. Taylor called for a motion to accept Ms. Holly Evans as proxy for Ms. Michelle Niehaus.

MS. PERRY (Ms. Harris) MOVED TO ACCEPT MS. EVANS AS PROXY FOR MS. NIEHAUS. THE MOTION PASSED UNANIMOUSLY.

Ms. Taylor requested that Board members review the minutes from the 167th Commission Meeting. Ms. Perry noted an error in the announcement regarding Deaf Day at the Ark Museum and requested the removal of the word “Awareness” from the title of the event.

MS. HARRIS (Mr. Runyon) MOVED TO ACCEPT THE MINUTES OF THE 167TH QUARTERLY COMMISSION MEETING WITH THE NOTED CORRECTION. THE MOTION PASSED UNANIMOUSLY.

Ms. Taylor requested that members review the minutes from the Executive Board meeting held in December. There were no comments.

MR. GORDON-BROWN (Ms. Karr) MOVED TO ACCEPT THE EXECUTIVE BOARD MINUTES AS WRITTEN. THE MOTION PASSED UNANIMOUSLY.

REPORTS

Executive Board:

Ms. Taylor gave a brief synopsis of the Executive Board meeting, stating that COVID-19 vaccinations were one of the main topics of discussion, since many in the community

have expressed concerns regarding the efficacy of the vaccine as well as the potential side effects. She pointed out that Kentucky has outlined their distribution plan, which can be found on the KCDHH website as well as the Governor's website. Ms. Moore added that she has requested a meeting with Dr. Stack to discuss recording a Coffee Chat regarding the vaccinations for the purpose of addressing those kinds of concerns.

Ms. Taylor reported that the Executive Board also discussed the ongoing Mask Distribution Project, upcoming expiring terms, officer elections and the Executive Director's evaluation time frame, in addition to providing study group reports. She indicated that several of those topics can be found under the New Business section of the agenda and will be open for further discussion at that time.

Agency:

Ms. Moore began with a report on legislation, stating that Hands & Voices (H&V) worked with Senator Wise to develop a bill that would add congenital cytomegalovirus (CMV) to the newborn screening program. The bill would also require the Department of Public Health (DPH) to develop, promote and distribute educational resources regarding CMV to pregnant women and women who wish to become pregnant. Mr. Evans gave a brief description of the virus, explaining that CMV is a common virus that, when acquired, typically produces flu-like symptoms in adults and children; however, congenital CMV (passed from mother to child in utero) can cause significant developmental delays, deafness and a host of other serious issues in babies born with this disease. Ms. Moore emphasized the importance of testing for the virus within three weeks of birth to verify that it is congenital, as there is an antiviral treatment available. Mr. Evans clarified that while this treatment is not a cure, it can reduce the developmental delays that are so catastrophic and sometimes deadly. Ms. Moore shared that Senator Wise requested a financial analysis, and the resulting fiscal impact statement indicates an estimated startup cost of three million dollars with an anticipated 1.75 million dollars in annual costs every year thereafter. She added that while this will make it difficult for the bill to pass, it is not impossible. Ms. Taylor pointed out that it seems obvious that the long-term savings in regard to the provision of services for undiagnosed and untreated children and their families would far outweigh the costs associated with the screening itself and the dissemination of educational resources. Board members inquired about additional details regarding the disease and were encouraged to visit the H&V website as well as the National CMV Foundation website for more information.

Ms. Moore reported that the Lt. Governor recently announced the Kentucky Broadband Initiative and posted the "Kentucky Speed Test" on the Education and Workforce Development Cabinet (EWDC) website to enable Kentuckians to test and share their internet speed as part of this project. The stated goal is to expand internet access and build a stronger digital infrastructure in urban and rural communities across the commonwealth to try to ensure that every home and business in Kentucky has access to affordable, adequate and reliable internet access in order to bridge the digital divide. Ms. Moore encouraged Commissioners to access the site, take the speed test and spread the word.

Regarding the Clear Mask Distribution project, Ms. Moore reported that the company manufacturing the ClearMask donated several cases that the agency has earmarked for distribution to deaf and hard of hearing adults as well as parents of deaf and hard of hearing children. She explained they can take those masks to community service providers to use as they engage with them in normal every day activities. Mr. Runyon shared his experience working with a co-worker who is using the masks and expressed his appreciation.

Ms. Moore announced the Lt. Governor has established a new group called the Commonwealth Education Continuum, which is designed to address educational gaps. Ms. Moore said that, following the announcement, she contacted the Lt. Governor to request that a representative from the Commission or someone with a strong background in deaf and hard of hearing education be added to the Board. The Lt. Governor responded that they are working to put the Board together, and there will be subgroups created for specific areas of interest. Ms. Moore indicated that this presents a unique opportunity to address the educational gaps experienced by deaf and hard of hearing children, which are created by language deprivation. She stated that she will continue to stay abreast of the Board's development progress and work to ensure that a Commission representative is assigned to an appropriate subgroup if a seat on the Board is not an option.

Ms. Moore stated that the continuing requests for interviews and presentations such as the Humana presentation and the Governor's Leadership Conference, provide a level of visibility that could allow the Commission be more successful in advancing legislation on behalf of the deaf and hard of hearing community. She added that the current political climate and ongoing budget concerns due to COVID-19 may make it difficult to get legislation passed but not impossible.

On the national level, Ms. Moore reported that she attended a meeting of the National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH), during which there were presentations by the national office of Hearing Loss Association of America (HLAA), the National Association of the Deaf (NAD) and Teletypewriter's for the Deaf, Inc. (TDI). The Chief Executive Officer (CEO) of NAD reported they are currently working with President-elect Biden's administration to make sure deaf and hard of hearing issues are included in their agenda. They also informed the new administration of the importance of providing interpreters every time the President-elect has a news briefing.

Ms. Moore shared that the KCDHH virtual Christmas celebration, which provided an opportunity for families to schedule their own personal time with signing Santa, went very well. She said Crom Sanders, a deaf artist, performer, presenter, writer and teacher was on hand with his wife to tell stories and delight attendees with a guided tour of Jessen Reindeer Ranch.

Ms. Moore informed the Board that although the Center for Assessment of Sign Language Interpreters (CASLI) testing site at the KCDHH office re-opened briefly to allow a limited number of NIC test candidates to take the NIC Performance Exam, it was closed again in late October due to a COVID-19 exposure involving a test candidate. Ms. Moore indicated it will remain closed for safety reasons until vaccinations are more widespread and positivity rates decrease significantly. Ms. Harris and Ms. Karr inquired as to whether or

not the test could be administered virtually and expressed frustration with the delays given that interpreters, especially Certified Deaf Interpreters (CDIs), are in such demand. Ms. Moore indicated she shares their frustrations, but there are concerns regarding protection against hacking, cheating, and controlled administration, among others. Ms. Moore assured Commissioners that she will reopen the testing site as soon as it is safe to do so.

THE AGENCY REPORT WAS ACCEPTED AS READ.

Finance:

Ms. Moore reminded the Board that the State Budget Director issued a request for all agencies to submit a preliminary budget reduction plan last quarter in the amount of 8%, but fortunately state finances are better than anticipated in spite of ongoing COVID-19 issues, and the budget cut was not implemented. She said the Governor's budget for the next fiscal year indicated no cuts for the agency, but it will be up to the legislators to make the final determinations. Ms. Moore stated the agency has underspent in the Telecommunications Access Program (TAP) due to the fact that contracts have been pending approval since July through no fault of the Commission. She indicated this has finally been addressed, and a large equipment order will be processed shortly. She said the budget is on target moving into the second half of this fiscal year.

THE FINANCE REPORT WAS ACCEPTED AS READ.

In order to allow all members present to vote on upcoming business matters, Ms. Taylor moved New Business forward in the agenda to be addressed prior to presenting Study Group Reports.

New Business:

Ms. Taylor announced upcoming expiring terms, which include Ms. Joy Kiser representing Alexander Graham Bell (AG Bell), Ms. Gerry Gordon-Brown representing the Kentucky Association of the Deaf (KAD), and Edie Ryan as Member at large. She reminded the board that those future vacancies have been publicized and applications are being submitted for those positions.

Ms. Taylor reminded the Board that the Executive Director's performance evaluation takes place every April, and she will send out the evaluation forms around the first week of March. She indicated the Executive Board discussed changing the evaluation to biennial rather than annual to allow more time for incoming Board members and new officers to see more of the Executive Director's work before being asked to evaluate that person. Ms. Taylor said many other Executive Directors are evaluated biennially, and the EWDC has indicated there's no state requirement that Executive Directors be evaluated in a particular time frame. Mr. Runyon, Ms. Gordon-Brown and Ms. Perry indicated support for this change. Ms. Evans shared Ms. Niehaus' opinion that an annual evaluation is more appropriate, and Ms. Karr indicated that she agreed, expressing concern that too much happens in the space of two years to provide an effective evaluation. Ms. Moore reminded the Board that they can call a Special Meeting at any time to discuss the performance of an Executive Director. Ms. Hatzel pointed out that regardless of the time between evaluations, the Board always has recourse to immediate action should the

Executive Director be found to be unethical, in need of redirection, or even need to be removed. She added that as a former Chair, she, like Ms. Taylor, found the evaluation process to be very time-consuming, and taking all of those things into consideration, she would be in favor of changing to a biennial evaluation. Ms. Taylor called for a motion from the floor.

MS. GORDON-BROWN (Ms. Harris) MOVED TO AMEND THE BYLAWS TO REFLECT A CHANGE IN THE TIME FRAME OF THE EXECUTIVE DIRECTOR'S EVALUATION FROM ANNUAL TO BIENNIAL, STRIKING OUT THE WORD ANNUAL IN ALL APPLICABLE REFERENCES AND REPLACING IT WITH THE WORD BIENNIAL, EFFECTIVE JULY 2021. THE MOTION PASSED.

Ms. Taylor reminded the Board that the guidelines for officer elections are in the Commissioner handbook on page six of the Bylaws in section two of Article III. She indicated she will accept nominations by email following the Executive Board meeting on March 5th as well as during the April Board meeting. She added that she would also like to hear from anyone who is interested in being the Executive Board Member at large.

Lastly, Ms. Taylors stated that because study groups typically only have two meetings together before the Chair has to decide whether or not to extend a study group beyond the first year, she would like the Board to consider removing the requirement to submit a study group proposal at the March Executive Board meeting and have all proposals due at the June Executive Board meeting instead. Ms. Hatzel and Ms. Perry both expressed their support for the idea. Ms. Taylor called for a motion from the floor.

MS. HATZEL (Ms. Harris) MOVED TO CHANGE THE DUE DATE FOR STUDY GROUP PROPOSALS FROM MARCH TO JUNE, WITH THE UNDERSTANDING THAT PROPOSALS THAT ARE ACCEPTED WILL GO BEFORE THE FULL BOARD IN JULY FOR APPROVAL BEFORE COMMENCING. THE MOTION PASSED UNANIMOUSLY.

Early Childhood Language Access and Acquisition:

Ms. Hatzel reported that the anticipated funding from the Lt. Governor's office for the Language Acquisition Advisory Council was denied. She said Ms. Moore was referred to Ms. McNabb, Executive Director of the Office of Vocational Rehabilitation, who referred her to the Julie Beth Hayden Foundation, but after submitting a proposal, they were denied funding from that source as well. Ms. Hatzel indicated that they are reconvening the Common Grounds group to update them and discuss whether or not to attempt to propose the hearing screening legislation again. She said they would also need to make some decisions about shifting the focus back to that early childhood time frame of birth to three or birth to five, which would mean reengaging First Steps.

Mr. Evans indicated he thought the hearing screening legislation would be worth pursuing and felt that both Kentucky Speech-Language-Hearing Association (KSHA) and the Kentucky Academy of Audiology could provide some assistance in garnering legislative support through their lobbyists. He offered to reach out, and Ms. Hatzel and Ms. Moore indicated their approval. Ms. Moore reported that she was able to schedule a meeting with the Secretary of the Cabinet for Health and Family Services (CHFS) discuss First

Steps and their restrictive regulations. She and Ms. Hatzel indicated they would keep the Commission informed on their progress.

Kentucky Deaf-Blind Community:

Ms. Taylor reported the study group met in December to review and vote on the two drafts of the fact sheets that were developed, but the group did not have a quorum, so they were unable to vote. She stated that one group member has stepped down for health reasons, but Ms. Danielle Burton has been selected to replace her and will meet with the group for the first time in March.

Ms. Taylor reported the group is on target with their goals and next steps and will be working on selecting information for the Deaf-Blind Resource Guide as well as developing the landing page for the Deaf-Blind resource tab on the KCDHH website. She said the format for that will likely be very similar to the Senior Citizens landing page.

Ms. Taylor indicated the group has engaged in some discussion regarding Support Service Providers (SSPs), and while it doesn't necessarily fall in line with the originally stated goals, because the community has expressed concern, the group will continue its discussions. She shared that Ms. Cabe, a former Commission member, has offered to provide some additional information. Ms. Moore mentioned that KAD or Kentucky Association of the Deaf-Blind (KADB) may want to look for grant money to establish an SSP organization. Ms. Karr indicated there was some legislative movement in other states to provide funding for SSPs and suggested Commissioners contact their legislators to encourage them to consider similar action here in Kentucky.

Ms. Taylor stated the group will meet again on March 9.

Open Forum:

On behalf of the all the Commissioners, Ms. Gordon-Brown presented Ms. Moore with a framed copy of one of the Courier-Journal newspaper articles honoring Ms. Moore for her role in providing interpreting services for the Governor during the COVID-19 pandemic. Ms. Moore expressed her appreciation and gratitude for the work of the Board and agency staff, who have continued to push through and provide customer service and support in keeping with the KCDHH mission throughout the pandemic.

Announcements: *(All meetings will be held via Zoom unless otherwise notified)*

- The next Executive Board meeting will be held March 5, 1:00 p.m. – 3:00 p.m.
- TAP Advisory Board meeting will be held April 22, 2:00 p.m. – 4:00 p.m.
- The 169th Quarterly Commission meeting will be held April 23, 1:00 p.m. – 4:00 p.m.

AS THERE WAS NO FURTHER BUSINESS, MS. HARRIS (Ms. Perry) MOVED TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, and the meeting was adjourned at 3:50 p.m.