

**Kentucky Commission on the Deaf and Hard of Hearing  
124<sup>th</sup> Quarterly Commission Meeting  
January 22, 2010 – Frankfort, KY  
Transportation Cabinet, Conference Room C107A**

**MEMBERS PRESENT:** Ms. Nina Coyer, Dr. Patricia Freeman, Ms. Melody Bock-Freeman, Mr. David Bayersdorfer, Mr. John Horsley, Ms. Michelle Niehaus, Ms. Edie Ryan, Mr. Ed Schickel, Mr. Bob Stuckey, Ms. Betty Timon and Ms. Sharon White

**MEMBERS ABSENT:** Mr. Jim Thompson, Ms. Susan Brown and Ms. Cristal Collins

**STAFF PRESENT:** Ms. Virginia L. Moore, Mr. Derek Drury, Ms. Rowena Holloway and Ms. Leslie Ricketts

**COMMUNICATION FACILITATORS:** Ms. Kerry Blackburn, Ms. Lisa Conley and Ms. Rachel Payne

**VISITORS:** Mr. Ron Haynes, Ms. Jean Haynes, Ms. Mona K. McCubbin, Mr. John Perry, Ms. Janet Scheeline, Ms. Lori Shepherd and Ms. Barbara Young

The meeting was called to order at 1:12 P.M. The Chair introduced the new AARP representative on the Board, Mr. Ed Schickel. Commissioner Bock-Freeman, Secretary, called roll and as there was a quorum present, the meeting continued. The Secretary asked for corrections to the minutes from 123<sup>rd</sup> Quarterly Commission meeting held on October, 24, 2009, in Danville, KY. No corrections were offered.

**Commissioner Bock-Freeman (Commissioner Ryan) MOVED TO ACCEPT the minutes from the 123<sup>rd</sup> Quarterly Commission meeting as read. The motion carried.**

## **REPORTS**

### **Executive Board:**

During the December 16, 2009 meeting the Executive Board discussed:

- Future Executive Board meeting dates;
- Public Service Announcement (PSA) Study Group is disbanded. PSA's become part of the agency PR plan. Commissioner Bayersdorfer will assist with research;
- Leslie Ricketts has filled the vacant Executive Secretary position;
- Executor Advisor position as written was approved and will be advertised nationwide;

- Mr. Joseph U. Meyer, as the acting Secretary of the Education and Workforce Development Cabinet replaced Ms. Helen W. Mountjoy's on the Board.
- The April retreat's goals are to finalize the agency's strategic plan for FY 10-12 and discuss restructuring of the commission meetings;
- Executive Board vacancy will be filled by Commissioner Cristal Collins;
- The agency's proposed 6 percent budget reduction;
- An invitation has been extended to the Executive Director of the Heuser Hearing Institute (HHI), Ms. Mona K. McCubbin, to attend the 124<sup>th</sup> Commission Meeting to answer questions from the Board regarding HHI proposed legislation.

**The Chair noted that the year 2009 should read 2010 on Page 1 of the minutes regarding future meeting dates; with that correction the Executive Board report was accepted as presented.**

### **Agency:**

Legislation mandating access to movie theatres has been introduced by Senator Ray Jones II and Representative Leslie Combs as sponsors. SB 102 and HB 439 will require theatres with at least five screens in one location to make at least one screen accessible to deaf and hard of hearing consumers at prime times. The agency is advocating for support in the General Assembly and will continue to update Commissioners on its progress, and the need for testimony by consumers. The proposed legislation is a result of actions taken by the Movie Theater Access Study Group and the agency.

Tracking of a bill (HB 174) that encourages significant enhancements to the 911 warning and notification system operating within the state continues. Representative Tanya Pullin has worked in conjunction with KCDHH and solicited input regarding the needs of the deaf and hard of hearing community specifically, including the need for distribution of information via wireless devices. This bill has stalled in session due to the significant impact it will have on the state budget and concerns of local providers.

DeaFestival which will be held in Horse Cave, Kentucky, this year, will have a new addition to the program, the Jam Tent. This venue will include drummers, singers and other musical artist who are deaf and hard of hearing and will run from 4 P.M. to 7 P.M. and is geared to appeal to the younger generation. This year the Children's program theme is "ASL in Wonderland" and staff from Kentucky Down Under, an Australian theme park, will provide an educational and interactive presentation with native animals. The Visual Theater, previously known as SpotLights, will be held at the Kentucky Repertory Theatre and the Visual Artist venue will be held in the *Thomas House*, an old Victorian home. The KOA campground at Horse Cave has reserved a block of sites for DeaFestival and participants can contact them directly to make reservations at a reduced rate. Information on hotel accommodations in the area will appear on the website and reduced rate has been negotiated for DeaFestival attendees. The website will be updated soon with this information.

Ms. Leslie Ricketts filled the Executive Secretary position in December. The vacant Information Coordinator for the Deaf and Hard of Hearing position has recently been filled by Mr. Opeoluwa (Opè) Sotonwa who holds a law degree from Howard University. KCDHH currently has one vacant position, Executive Advisor, which is a non-merit position that will be advertised for nationally.

The Louisville Courier Journal published a story regarding the shortage of interpreters within the Commonwealth. There is a critical need for additional universities, community and technical colleges and vocational schools to offer interpreting training and Caption Access Real Time (CART) programs. Even in the declining economy these job positions have been proven to be needed nationally as well as in Kentucky. KCDHH continually works to enhance training and certification of interpreters and supports the expansion of CART training within the state.

The Kentucky Board of Interpreter's (KBI) Web link to the Interpreters Directory is now live, which allows individuals to locate an interpreter in Kentucky via a regional index. This directory is accessible via the KCDHH Web site or the KBI Web site.

CapTel issues continue to be a focus of many state telecommunication providers. Due to the pricing discrepancies between state agencies and private consumers, some states are no longer providing the CapTel device. We are continuing to monitor this issue for its impact on Kentucky consumers.

The Telecommunications Access Program (TAP) outreach efforts are progressing. Northern Kentucky Interpreting Services will be added as a TAP equipment testing site in February. Consumers in the area can test the variety of amplified phones and signalers available, and with assistance from staff determine which device works best for their individual needs. The Executive Director and Administrative Specialist II will deliver the equipment and train staff on use of the equipment. This is the second cabinet to be placed statewide, with the first made available at the Heuser Hearing Institute in Louisville last August. KCDHH continues to seek partnerships for similar settings in Eastern and Western Kentucky.

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

#### **Finance:**

A mandatory six percent budget reduction was proposed to the Cabinet per the Governor's request, with only a three percent reduction imposed, although future reductions have not been ruled out. Expenditures are on target within the agency budget. Collections from wireless providers for the TAP began to appear in November but are inconsistent and are not yet representative of the projected amounts. Some funds collected have been misrouted and KCDHH is working with the Public Service Commission (PSC) to resolve the amounts due.

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

**Telecommunication Access Program:**

Commissioner Stuckey explained that the TAP Advisory Board did not meet during the last quarter but has been provided updates via email as needed. The Executive Director elaborated that contracts for TAP equipment expire in May and consumer input is being sought for emerging equipment. Recommendations are to be provided by February 28 for consideration as contract bids take two months for processing.

**THE TELECOMMUNICATIONS ACCESS PROGRAM REPORT WAS ACCEPTED AS READ.**

**American Sign Language Instructor Study Group**

Commissioner Coyer, Chair of the study group, reported that meetings were not held during the last quarter due to adverse weather conditions and scheduling difficulties of the members. Upon reviewing the work completed by the Study Group, it was decided that the short-term goals have been maximized for optimal resources and data collections. Recommendation was made to continue working with the Education and Professional Standards Board, on an in-house basis rather than through the study group, regarding Praxis testing logistics and preparation, including improvement of training materials and resources provided to applicants.

**THE SIGN LANGUAGE STUDY GROUP REPORT WAS ACCEPTED AS READ.**

**Movie Theatre Access:**

Significant research has been compiled by members of this study group during this past quarter and a response was drafted to the movie theater owner's association regarding their concerns with this bill. Sponsors for the legislation were secured and Senator Jones and Representative Combs are in agreement this is an access issue and legislation needs to be passed. During the next quarter the study group plans to work to obtain support from legislators not directly sponsoring the bill, local theater owners, and citizens who would utilize captioning and obtain testimonies. Members plan to encourage the community to contact their legislators to ask for support of the bill and will testify as necessary.

Commissioner Timon reiterated the importance of making movie theaters accessible, as consumers are being denied the enjoyment of attending movies and their rights to equal access. Lack of access to movies can have a profound effect on the younger generation as it prevents them from interacting with their peers and fully experiencing true American Culture.

**THE MOVIE THEATER ACCESS STUDY GROUP REPORT WAS ACCEPTED AS READ.**

## **UNFINISHED BUSINESS**

The Chair announced that several Board member terms will expire effective June 30, 2010. Those expiring include representatives of the following:

- Service Provider
- Kentucky Association of the Deaf
- Kentucky Speech-Language-Hearing-Association (KSHA)
- Hearing Loss Association for America (HLAA)

Notification has been sent to the respective organizations and the public has been notified of the vacancies. Service Provider applications are accepted at KCDHH and the organizational appointments are made through the Governor's Office.

The Request for Proposal (RFP) for the addition of wireless devices to TAP expired without solicitation from a vendor. Several prominent vendors were contacted after the RFP expired and indicated that split billing, credit checks and 2-year warranty were the major obstacles to submitting bids. Meetings are scheduled with two companies that did express interest in negotiating requirements.

The Board was presented with an example of information provided to parents of children newly identified with a hearing loss. The Executive Director asked members to submit feedback and provide any additional recommendations on the development of the Parent Package as soon as possible.

Mona McCubbin, Executive Director of Heuser Hearing Institute, was asked to speak to the Board regarding possible legislation that might be introduced to secure additional funding for her school. Ms. McCubbin spoke about the importance of early intervention (age 0-5) and the child's right to a quality services in order to acquire a good foundation to begin their education. Families should be allowed to pursue options that best meet their child's educational and communication needs, without city and/or county barriers. The proposed legislation would request funding to allow children within a 50 mile radius of HHI to attend the school as an option, at no cost to the school system.

After some discussion by the Board members, Dr. Freeman (Commissioner White) MOVED that KCDHH draft a position statement supporting a parents' right to choose an educational setting appropriate for his/her child, regardless of residence and availability of school district services. Commissioner Niehaus (Dr. Freeman) made a friendly AMENDMENT asking staff to review *Deaf Child's Bill of Rights* legislation passed in other states for appropriate language to include in the statement. The motion carried.

## **NEW BUSINESS**

Dr. Patricia Freeman was awarded a plaque, recognizing her dedicated service as Chair of the Board from July 2006 - June 2009. Dr. Freeman currently serves as Vice-Chair of the Board.

The Executive Director advised that the April retreat has been relocated to General Butler State Park, the number one rated park in Kentucky. Heather Harker will facilitate the meeting. The strategic plan for 2010 – 2012 will be discussed and finalized during the retreat and the roles and responsibilities of Commissioners and staff in carrying out the plan will also be reviewed.

## ANNOUNCEMENTS

- The Executive Director announced that KCDHH will have a booth at the KSHA convention in February.
- Commissioner Bayersdorfer shared his recent experience as a member of the jury pool as a real-time captioner was provided through efforts of KCDHH and the Administrative Office of the Courts. He encouraged other members to push for accommodations should they be called to serve in such capacity.
- Dr. Freeman announced that her sons will be trying out in Chicago during June to compete in the Deaf World Games to be held, Lisbon, Portugal in 2011 with the goal of participating in the Deaflympics in 2013.

**Commissioner White (Commissioner Stuckey) MOVED TO ADJOURN.** The meeting was adjourned at 4:12 P.M.

  
Nina Coyer, Chair

  
Melody Bock-Freeman, Secretary