

STATE OF COLORADO



Colorado Department of Human Services

people who help people

EMPLOYMENT AND REGULATORY AFFAIRS
Gayle Ziska Stack, Acting Deputy Executive Director

BOARDS AND COMMISSIONS DIVISION
Mary V. McGhee, Director

COLORADO COMMISSION FOR THE DEAF AND HARD OF HEARING

Cliff Moers, Administrator
1575 Sherman Street, Garden Level
Denver, Colorado 80203-1714
Phone 303-866-4824
VP 720-457-3679
FAX 303-866-4831
Email email.ccdhh@state.co.us
www.coloradodeafcommission.com



John W. Hickenlooper
Governor

Reggie Bicha
Executive Director

**COLORADO COMMISSION FOR THE DEAF AND HARD OF HEARING
COLORADO DEPARTMENT OF HUMAN SERVICES
MINUTES OF REGULAR MEETING
Goodwill Industries of Denver
6850 Federal Blvd.
March 7, 2013**

1. CALL TO ORDER

The Chair called the Regular Meeting to order at 4:05 pm.

2. ROLL CALL

MEMBERS PRESENT:

Commissioners Debbie Mohney (Chair), Kirk Neuroth (Vice Chair), Leslie Ralphe (Secretary), Liz Konkell, Amy Beckett, Lisa Weiss, Mary Pat Graham-Kelly.

MEMBERS ABSENT:

None.

CCDHH STAFF PRESENT:

Cliff Moers, Administrator; Cheri Davis, Legal Auxiliary Services Manager; Namati Katungu, Outreach Consultant for the Hard of Hearing Community; Mandy Turner, Auxiliary Services Coordinator; Timothy Chevalier, Outreach Consultant for the Deaf Community; JoAnne Hirsch, Telecommunications Equipment Distribution Program Coordinator.

INTERPRETERS/CART REPORTER:

Interpreters: Tricia Frank, Lynda Rimmel, Sara Romes.

CART Reporter: Trish Messinger

3. APPROVAL OF THE AGENDA

The agenda was approved.

4. APPROVAL OF THE MINUTES

The December 6, 2012 minutes were approved.

5. REPORTS

Commission Chair's Report, Commissioner Mohney

- Commission Chair Mohney thanked the interpreters and the CART reporter for their services, and expressed appreciation to the Colorado Department of Human Services and to the Commission staff.
- Chair Mohney announced that after the regular meeting, the community forum will be a presentation by Angela Tenorio, the Deaf and Hard of Hearing Program Coordinator at the Independence Center in Colorado Springs. The topic will be a report on the development of effective programming among the Independent Living Centers.
- Five new commission members were presented at a Senate confirmation hearing before the meeting today, and were approved pending a vote by the Senate. Terms for the late-deafened, parent, professional and public representatives will run through June 30, 2016; terms for the deaf, hard of hearing and interpreter representatives will end on June 30, 2014.
- Chair Mohney encouraged everyone to let the commission know how the programs are working. They are designed to remain flexible and to evolve to meet the needs of our constituency and make state government accessible.

Commission Administrator's Report, Administrator Moers

- Administrator Moers welcomed the newly confirmed commissioners, and explained that the commission staff doesn't have direct access to the legislature in terms of introducing new bills; members of the community must communicate directly with the legislators to promote change. As part of the 5-year strategic plan, the commission hopes to host a legislative forum, perhaps in the spring of 2014. This forum would bring together members of the legislature with leaders of various organizations in the deaf community so that they can discuss the community's needs and promote necessary action.
- Administrator Moers recently attended a seminar hosted by Hands and Voices, concerning the effectiveness of the education system for deaf and hard of hearing students. One of the presenters was Mary Hartnett, who directs the commission that serves the deaf, deaf/blind and hard of hearing residents of Minnesota. In that state, the commission has a direct relationship with the legislators to do policy work and development, and they have been able to carry 40 bills in 11 years. Another speaker at the Hands and Voices seminar was Rick Hauan, who is responsible for the Center on Childhood Deafness and Hearing loss in Washington State. Washington established an office in the state school for the deaf by working through the legislature. This office supervises the school as well as providing training and support for families of deaf children throughout the state. Ruth Mathers, from the Colorado Department of Education, was able to present some data on student achievement in the state of Colorado which had

previously been available. Because school districts function independently in Colorado, collecting data on the test scores of deaf and hard of hearing students has been difficult, but the districts are beginning to provide data. According to TCAP scores, only 29 percent of deaf and hard of hearing children in Colorado were proficient or advanced in reading, and only 19 percent were proficient or advanced in writing. Twenty-four percent were proficient or advanced in math. However, according to statistics from the Colorado Home Intervention Program (CHIP), of the children who received those services from birth to age three, 80% are on par with their peers when they enter the school system.

- Moers shared the presentation on a plan of action that he gave at the Hands and Voices seminar. This plan involves taking steps on the *Blueprint for Closing the Gap*. It's important to continue to collect and analyze data on deaf and hard of hearing children in the state. By federal law, children are guaranteed the least restrictive educational environment, but the environments in which deaf and hard of hearing children are placed by their school districts are often restrictive. The district may fight to keep that student in the district even when it is not in the best interests of that child. Because districts in Colorado are independently controlled, there is very little sharing of information and collaboration between them, to the detriment of the students. The Colorado School for the Deaf and the Blind has a number of resources, but because of district autonomy, those resources are not widely shared. Evaluation and improvement of the Colorado public education system is a critical next step.
- The commission now has a Facebook page, administered by JoAnne Hirsch, which provides information on its programs and services. Everyone is encouraged to "Like" it.
- The commission's Outreach and Consultative Services (OCS) has been working with sheriff's departments around the state. With representatives from DOVE, the ADA Center in Colorado Springs, and the Helen Keller National Center, the OCS has been providing training to law enforcement in Douglas, Arapahoe, Weld and Morgan counties, with upcoming training planned in Pueblo and Aspen. They provide training to patrol officers and the people who work in detention facilities. Because these trainings have been so successful, they are working to set up online trainings through a webinar.
- Administrator Moers asked Timothy Chevalier to provide an update on work to establish a Communication Access Fund in Colorado. Mr. Chevalier explained that a Communication Access Fund would remove barriers for deaf and hard of hearing people who want access to legal services. Often attorneys refuse clients who need auxiliary services such as interpreters or CART because they do not want to pay for those services. The client must either pay for these services on top of attorney's fees, or do without an attorney. In cases where an attorney is willing to accept clients and pay for these services, he or she is soon overwhelmed by client requests and often cannot continue to bear the additional costs. In order to address this problem, a task force was set up including lawyers, representatives of interpreting agencies and CART providers, and deaf and hard of hearing persons. The task force brainstormed a list of ideals for a Communication Access Fund, including the following: a fund to be established by adding a small fee to the attorney licensure fee, to ensure that the attorneys are bearing the cost, as the ADA requires; a system that does not require the attorney to pay for the services upfront and then be reimbursed; possibly using the CCDHH to coordinate and manage this fund;

possibly making the public aware of attorneys who will provide auxiliary services as an inducement to them to participate; a fund that is sustainable, rather than a grant; possibly separating the administrator of the fund from whoever runs the program (this would require a set rate, which many task force members oppose); a system that respects the decision preferences of the deaf or hard of hearing individual; a system that hires only qualified interpreters and CART providers, and clarifies situations that require legal certification in addition to other certification; and a process to make deaf and hard of hearing persons aware that funds are available so that they are not responsible for these costs themselves. Current models for funding in other states lack many of these ideals. The Colorado Bar Association has established a grant for this purpose, but funds are available only to bar association members, and membership is not required. Grant systems exist in a few other states and individual counties in other states. The state of Maine uses state taxpayer money. The advantage of this system is that the funds do not run out; the disadvantage is that the taxpayers pay these costs instead of the attorneys whose legal responsibility it is to bear the cost. The third option is one that has not yet been adopted anywhere in the US: a fee added to the attorney licensure cost that would go into a fund for this purpose. The task force will be meeting again to evaluate each system in terms of the stated ideals. The commission has sent out a survey to the community asking about individuals' experiences when requesting auxiliary services from an attorney.

- Administrator Moers reported that due to increasing demands for legal auxiliary services through the CCDHH, a request was made to the legislature for more funding, and the legislature agreed to an additional fund for fiscal year 2013 and thereafter. However, because of unexpected increased cost of services for court-ordered mental health inpatient services CCDHH is facing another hurdle, which is to cover the costs beyond the appropriation Legal Auxiliary Services received from the legislature. CCDHH will search for additional funding for this fiscal year.
- Moers asked the commissioners to consider candidates for the Susan Elliot award.
- The commission has contracted with Ryan Commerson and Pamela Wright to produce 4 27-minute educational programs on education and deaf children in April to be aired on Colorado Public Television, Channel 12. The programs will feature experts discussing literacy and language, evaluation and assessment, critical pedagogy and teacher training. After production is complete these programs will be distributed to public television stations throughout the state.
- JoAnne Hirsch, Telecommunications Equipment Distribution Program Coordinator, reported that the commission has been approved to distribute wireless equipment, including smartphone devices. For those interested in applying, the income guidelines are available on the website application link. Applications require proof of residency, proof of income, proof of hearing loss (from a doctor, audiologist or other certifier), and a completed application. Available equipment is listed on the Wireless equipment application. The equipment is provided free, but the user must pay the monthly cost. For hard of hearing applicants, accessories such as neck loops or headsets are also available. Completed applications should be faxed or scanned and emailed to Ms. Hirsch for approval as well as a credit check. If applicants fail the credit check, they will need to pay a deposit determined by Sprint.

- Administrator Moers gave an update on progress with the Division of Motor Vehicles concerning putting a code on the back of Colorado Driver's Licenses identifying deaf or hard of hearing persons who need assistive technology or an interpreter. Moers met with a representative of the DMV who wanted to require some verification of deafness or hearing loss, such as the RTD red card, which would put an undue burden on the deaf or hard of hearing person. Moers will send out a survey to see whether people feel a need for that code on their licenses, and who would actually ask for it.

Committee Chair Reports

A. Legal Auxiliary Services

Cheri Davis reported on the advisory council meeting, which she chaired in the absence of the regular chair, Chris Pendley. A recent vacancy for a hard of hearing member has been filled by an attorney, Mark McMullen, who has worked with the Attorney General's office and has experience in disability law.

B. Bylaws Committee

Chair Mohny reported that Amy Beckett is the new chair for the Bylaws committee.

C. Nominations Committee

The chair position for the nominating committee is currently vacant. The committee will need to consider a recipient for the Susan Elliot Award.

D. Media Access Committee

There was a discussion on whether the media access committee should continue to exist as a standing committee and how its role should be defined. The commission will return to this discussion at the next meeting.

E. Grant Program Subcommittee

Administrator Moers had nothing new to report.

6. UNFINISHED BUSINESS

Mary Pat Graham-Kelly suggested having a committee to work on the new mission and vision statements for the commission. Kirk Neuroth and several staff members are interested in serving on the committee.

7. NEW BUSINESS

There was no new business.

8. ANNOUNCEMENTS

- Administrator Moers announced that the Rocky Mountain Deaf School will not build on the contested property at 2090 South Wright. They are now looking at another property at Kipling and Nassau, and they are currently in the design phase.

MINUTES OF REGULAR MEETING
March 7, 2013

Page 6

- Chair Mohny announced that the 2013Walk4Hearing, the annual fundraiser for the Hearing Loss Association, will be held on Saturday, June 1 at Clement Park in Littleton. People can register to walk or donate online at www.walk4hearing.org.
- Kirk Neuroth announced that the Colorado Registry of Interpreters for the Deaf (CRID) will have its state conference in Colorado Springs, April 12-14. The American Sign Language Teachers Association (ASLTAC) will be collaborating with CRID for the conference.

9. ADJOURNMENT

The meeting was adjourned.

Respectfully submitted,
Leslie Ralphe, Secretary