



COLORADO

Office of Enterprise Partnerships

Boards & Commissions

Commission for the Deaf & Hard of Hearing
1575 Sherman St, Garden Level
Denver, CO 80203

**COLORADO COMMISSION FOR THE DEAF AND HARD OF HEARING
COLORADO DEPARTMENT OF HUMAN SERVICES
MINUTES OF REGULAR MEETING
Lamb Library
2525 S. Pueblo Blvd.
Pueblo, CO 81005
September 4, 2014**

1. Call to Order

The Chair called the Regular Meeting to order at 4:21 pm.

2. Roll Call

MEMBERS PRESENT:

Commissioners Kirk Neuroth (Chair), Mary Pat Graham-Kelly (Vice Chair), Amy Beckett (Secretary), Lucas Marquardt, Leslie Ralphe, and Lisa Weiss

MEMBERS ABSENT:

Liz Konkel (excused)

CCDHH STAFF PRESENT:

Cliff Moers, Administrator; Cheri Davis, Legal Auxiliary Services Manager; Timothy Chevalier, Outreach and Consultative Services Manager; JoAnne Hirsch, Telecommunications Equipment Distribution Program Coordinator; Candice Alder, Outreach Consultant.

Mandy Turner, Auxiliary Services Coordinator, unable to attend

INTERPRETERS/CART REPORTER:

Interpreters: Tricia Frank, Becky Johnson, Candace Stuck
CART Reporter: Trish Messinger

3. Approval of the Agenda

The meeting agenda for September 5, 2014 was approved after corrections.

4. Approval of the minutes

The June 5, 2014 minutes were approved.

5. Reports

Commission Chair's Report, Chair Neuroth

- Chair Neuroth thanked the city of Pueblo for hosting the meeting. It is important that the CCDHH make an effort to visit all different areas around the state of Colorado for a great exchange of information.

- Chair Neuroth gave special thanks and recognition to Dale Buterbaugh for taking care of the meeting arrangements.
- Chair Neuroth thanked the interpreters and CART provider.
- The commissioners introduced themselves.
- Chair Neuroth gave a special introduction for the newest member of the commission, Lucas Marquardt, representing hard of hearing constituents.
- Chair Neuroth recognized and thanked out-going secretary, Leslie Ralphe. Commissioner Ralphe was the commission secretary for two years and did an amazing job.
- Chair Neuroth announced that the Community Forum would start after the business meeting. Rebecca Kahn's presentation will focus on DeafBlind individuals who live in the state of Colorado and what they are looking for in improved access to services. Timothy Chevalier will be facilitating on the Advocacy Coalition for Equality, or ACE. This is a group that is discussing how they can improve advocacy for the state of Colorado. Timothy will provide a statistical report on the Outreach and Consultative Services.

Commission Report, Administrator Moers

- Administrator Moers expressed appreciation for having the meeting in Pueblo. He stated that in his eight years as the administrator it is the first time the commission has met in Pueblo. He promised that this would not be the last time and wants to plan to have the meeting in Pueblo every other year. It is important that the commission build and connect with the community in Pueblo.
- Administrator Moers allowed the staff to give updates on their different programs.

Program Updates

Legal Auxiliary Services Advisory Council, Cheri Davis, Legal Auxiliary Services Manager

- Ms. Davis provided a report on the Legal Auxiliary Service (LAS) program, which provides sign language interpreters and CART providers to the state court system, for probation, and for court-ordered treatment.
- For Fiscal Year 2014, ending in June 2014,
Service Hours
 - There were 57 total service providers in the state of Colorado. The LAS Program provides both ASL and CART services depending on the needs of the individual requesting the service.
 - The number of hours of service provided was 7,636 for the year.
 - The monthly average of hours provided was 636.
 - These numbers have been maintained over the last two years.Service Salaries
 - Total salary paid for those services was a little over \$512,000.



- Total salaries per month were \$42,000. This is also consistent with past years.
- The figures are down a bit from last year, but this is to be expected for the industry, as there will be some fluctuation. This makes the program challenging from a planning stand point.
- Legal Advisory Committee Report
- Met twice this year. The next meeting is October 14.
- The main focus for the next meeting will be to look into expanding the number of deaf interpreters that the program uses in the court systems. Colorado has just one certified deaf interpreter. There is a subcommittee working with the Colorado Registry for Interpreters for the Deaf. They are collaborating to try to figure out how they can expand the numbers of deaf interpreters and those individuals who want to become legally qualified.

Outreach and Consultative Services, Timothy Chevalier,

- The outreach services program provides training on culture and linguistic competencies and communication and services technology for access purposes as relates to laws and regulations.
- Historical reporting:
 - Inquiries:
 - Fiscal 2008-2009: 570
 - Fiscal 2009/2010: 565
 - Fiscal 2010/2011: 774
 - Fiscal 2011/2012: 745
 - Fiscal 2012/2013: 1,776, a significant increase
 - Presentations:
 - Fiscal 2008-2009: 7
 - Fiscal 2009/2010: 6
 - Fiscal 2010/2011: 36
 - Fiscal 2011/2012: 48
 - Fiscal 2012/2013: 104
 - Publications:
 - Fiscal 2008-2009: 6
 - Fiscal 2009/2010: 4
 - Fiscal 2010/2011: 5
 - Fiscal 2011/2012: 7
 - Fiscal 2012/2013: None
- Commentary:

In 2011, the Americans with Disabilities Act (ADA) became more stringent in its communications access policies, especially in its definition of auxiliary services and aids. The policies also more stringently defined when an



interpreter is appropriate, especially the inappropriateness of using minor children as interpreters. The policies also defined the companion rule. For example, deaf parents attending a child's school function should be provided with an interpreter.

These changes and updates to the ADA resulted in increased inquiries to Outreach and Consultative Services.

Results of Open Records Request to all Colorado county sheriff offices:

- The Colorado Cross-disability Coalition sent out an open records request to all Colorado county sheriff offices asking them for records on how they accommodate deaf and hard of hearing arrestees and detainees.
- Many did not respond at all.
- Of those responding only 12 had any records bearing on the subject matter.
- There was litigation on the matter in Jefferson, Adams, and Pueblo counties. This litigation also contributed to the increase in inquiries from the sheriffs' offices and also contributed to the increase in trainings.

The Commission took over the responsibility of Legal Auxiliary Services for the State courts in 2010/2011. Their outreach efforts also contributed to the increase in outreach and consultation services.

The Commission continued to publish brochures, booklets, information sheets, bulletins. Mr. Chevalier was not sure why there were no reported publications in 2012/2013.

JoAnne Hirsch's work on the Facebook page and social media led to press releases that were picked up by two news outlets and posted on public relation web sites. Administrator Moers reported that the Facebook page was started less than 2 years ago and we now have 400 people that "like" our page.

All of this activity contributed to the increase in outreach and consultative services.

Telecommunications Equipment Distribution (TEDP) Program, JoAnne Hirsch,

- Fiscal 2014 Report
 - Provided 475 pieces of equipment, including amplified phones, captioned phones, ring signalers, and amplified accessories.
 - New equipment has been added to the program. Previously, people receiving equipment had to have a land line or an internet phone line. A new phone has come out that links a home phone with a person's cell phone utilizing the cell phone minutes through Bluetooth. This



allows a hard of hearing individual to have a home phone with amplification, tone control, without having the requirement of a land line or a home phone. We are getting lots of requests for the phone. Many individuals are giving up their home phones and switching to cell phones only. This new phone provides an amplified solution for their home.

- This is the second year of the pilot program for the National DeafBlind Equipment Distribution Program (NDBEDP), also known as I Can Connect or ICC. The pilot lasts 3 years and should become permanent. The FCC is adjusting the guidelines and policies for the program each year.
- For the ICC program in Fiscal 2014:
 - Provided 50 pieces of equipment
 - Performed 57 consumer assessments
 - Conducted 50 trainings as part of the equipment distribution
 - Cost of the equipment, assessment and training was \$127,459.
 - Amount of the grant is about \$163,000
 - Balance remaining in the grant goes toward outreach and administration of the program
 - For Fiscal year 2014, we asked for and received additional funds in the amount of \$20,000
- The office also fielded about 150 to 200 inquiries each month. Inquiries come in via phone calls, emails, and office visits.
- The breakout of the inquiries is
 - 50% for TEDP
 - 25% for DeafBlind program, which is up tremendously this year
 - 25% for the wireless program, or cell phone program
- Social Media Updates:
 - CCDHH's Facebook page was started less than 2 years ago
 - At time of the meeting there are now 382 Facebook followers, up about 100 followers from the previous year.
 - About 5 posts per month with an average of 600 views of each post each month.
 - After Lucas Marquardt joined the Commission the views went up to about 420 so this will likely push up our average.
- Future of the TEDP Program
 - DeafBlind Program will continue after this third pilot year.
 - We will see how the FCC changes the number of rules and guidelines. The deadline for consumer submission of suggestions for the program is this month (September 2014).
 - After the results are submitted, the office will make final decisions about the program. There are questions about administration, costs, and what is allowed.



- Still working on adding iPads to the TEDP program. When we provide individuals with a cell phone, they have a financial obligation to the service provider as the TEDP Program covers equipment costs only. iPads are a suggested option when an individual cannot cover the monthly costs of about \$60 per month.
- Currently in talks to add T-Mobile, AT&T and Verizon as providers for cell phones. Each company has its own rules, guidelines and costs so there will be separate plans for each consumer.
- Public Relations
 - Issued a press release last year on the announcement of the DeafBlind program and one of the first articles was in the Pueblo Chieftain. We also received a lot of postings on various internet news sites as well.
 - In process is a feature press release about the success stories of the program. One is about a set of triplets, two of whom are DeafBlind and how these children have been about to reach out to speak with friends on Facebook and FaceTime. A second story is about a person who is going back to school to get a masters in education because of the equipment and training we provided.

DeafBlind Expo, Cliff Moers, Administrator

Administrator Moers attended the International DeafBlind Expo in Las Vegas at the end of July 2014. Because the American Association of the Blind board lacks leadership, a person who is hard of hearing and blind put on the expo as an individual, and people came from all over the world to the event. There were over 500 people in attendance and close to 200 were DeafBlind individuals. This includes people who have both low vision and low hearing. The other attendees were support and service providers and other people interested in the topic.

Administrator Moers discussed and demonstrated Pro-Tactile, which is a method to provide environmental information to DeafBlind individuals through touch. Some examples included:

- Touching the individual to let them know when and where someone is in proximity
- Indicating laughter through tapping the individual
- Indicating yes or no when people nod or shake their head.

The Commission is considering asking the trainer to come to Colorado for a workshop to train the DeafBlind individuals, Support Service Providers (SSPs), interpreters and the general community.

Administrator Moers learned that the definition of DeafBlind is not in the Americans with Disabilities Act (ADA). This lack of definition makes it difficult to determine the accommodations needed, such as phones.



There are many DeafBlind services in Seattle, including a color-coded system for use with the transportation system. This is an opportunity that can be established in Denver, as there is one mass transit agency, not three as in Seattle.

Communication Access Fund for Legal Services: Administrator Moers

Administrator Moers shared a letter from the Colorado Supreme Court. This was in regards to our request to establish a communication access fund for legal services by adding a slight fee to an attorney's license fee. The response from the Colorado Supreme Court was to take a hand-off approach and told us to approach the legislature. Therefore, that is the approach the Commission will need to take.

The Commission is planning to call for a Communication Access Fund task force meeting to determine what the next steps need to be to address potential funding for legal services by adding a fee to attorney's licensures. The issue is confusing because it is not clear if the fund can be created through the legislature or not.

Commissioner Weiss suggested that we look at making the change both ways: by going through the legislature, which is time-consuming and politically difficult, and through changing the licensure. She also recommended that if we do decide to make the change through legislature or through licensure, we should consider all changes we would like changed. If we go through this process, we want to ensure we request all changes at once to take advantage of the opportunity. If we decide to do that, the project could become larger than the single issue. Commissioner Neuroth suggested that we think about the people on the task force and add individuals who have expertise in this area. Administrator Moers stated that no other state has created a legal communication access fund, and the Colorado Commission intends to follow through on this.

Administrator Moers passed out the Commissioner Handbooks. He added the 5-year strategic plan to the handbook. The Commissioners need to keep the handbook and be prepared to return it in 2 years.

Additional staff announcement: Cheri Davis advised that there are two vacancies on the Legal Advisory Council. One is for CART Service Provider and the other is for a hard of hearing representative.

By-laws Committee, Commissioner Beckett



Commissioner Beckett noted that the Commissioner Handbook has been updated to include the new mission and vision statements.

The only other update to the bylaws would be if a change to the composition of the Commission is needed due to adding a DeafBlind representative. This change would have to be passed by the state legislature.

Administrator Moers stated the Department of Regulatory Agencies (DORA) will soon complete its evaluation of the Commission and will release its report October 15. Once it is released, he will pass that report out to the Commissioners. Any recommendations they have made will be in the report, including any recommendations regarding the composition of the Commission members.

Commissioner Ralph suggested reviewing the bylaws for the timing of the Election of Officers, which takes place in June. At that meeting the Commission is between groups of people. We have people that have applied to that we would strongly want to have as officers. We need to consider having either the option of appointing a temporary chair for the next meeting and having the elections in September, or having the option of doing what we did which is going ahead and appointing people we hoped the Governor would reappoint.

Commissioner Neuroth suggested that the bylaws committee meet to review the suggestions and make a recommendation. The committee can meet prior to the December meeting and make recommendations at that time.

A new bylaws committee to review this single issue was formed consisting of Commissioners Amy Beckett, Mary-Pat Graham-Kelly, and Lucas Marquardt.

Nominations Committee, Commissioner Weiss

Commissioner Weiss reported that the officers nominated and elected at the June 2014 meeting are in place.

Grant Program Sub-committee, Administrator Moers

We received grant applications from 7 organizations this year. The Grant Committee evaluated the applications and made recommendations. Administrator Moers will send the recommendations to the Commissioners via email for review. The Department will have to approve the recommendations before we can let the organizations know how much money will be awarded to them. Chair Neuroth emphasized that the recommendations need to be kept confidential until the Department makes the announcements.

The Grant Committee also talked about the rigidity of the application itself. For example, the font must be a certain size. The Committee will consider making adjustments to the grant application before next year's grant application cycle. The



committee discussed why so few applications were received this year. In fiscal year 2014 the \$50,000 was awarded to the Educational Blueprint task force. Other organizations may have overlooked the new grant application cycle. Other organizations that had applied in the past reported that the timing wasn't right. In fiscal year 2013 we had 20 organizations apply for \$177,000 with only \$50,000 available, as opposed to this year with only 7 applicants. The committee will review the process.

Deaf Education Liaison, Commissioner Weiss

Commissioner Weiss was the liaison for the project that received the grant money last year: the Educational Blueprint task force. The task force has not met since the Commissioner's meeting last June 2014. They were not supposed to have another meeting but the group decided to have one more meeting on September 11. The group will make their final report at the December 2014 Commissioners' meeting.

DeafBlind Services Liaison, Commissioner Graham-Kelly

Commissioner Graham-Kelly is the liaison for the DeafBlind task force and has attended all their meetings. The last meeting was in May 2014. Rebecca Kahn, with Spark, will be reporting on this topic during the Community Forum.

6. Unfinished Business

There was no unfinished business

7. New Business

There was no new business.

8. Announcements

There were no announcements.

9. Adjournment

The Chair adjourned the meeting at 5:36 pm.

Respectfully submitted,

Amy Beckett, Secretary

