



**Virginia Department for the Deaf and Hard of Hearing  
1602 Rolling Hills Drive, Suite 203, Henrico, VA 23229-5012**

## **Advisory Board Meeting Minutes August 1, 2018**

### **Members Present:**

Traci D. Branch  
Shantell D. Lewis, Au.D.  
Timothy R. Patterson  
Susanne B. Wilbur, LCSW  
Carrie N. H. Humphrey, NIC  
Kathi A. Mestayer

### **Members Absent:**

Roy B. Martin, IV  
Colin H. Wells  
Jason M. Zuccari

### **Staff Present:**

J. Steven Burkarth, Program Specialist  
Leslie G. Hutcheson, Interpreter Programs Manager  
Eric H. Raff, Director  
Christine C. Ruderson, Technology Assistance Program Manager  
Gary W. Talley, Community Services Manager

### **Guests:**

J.D. Jenkins, retired firefighter, County of Henrico  
James L. Strother, Fire Captain, City of Charlottesville

### **Public Visitors:**

Rakeisha Brown, Virginia Professional Hearing Healthcare Center  
Jeanne Lavelle, President, Virginia Association of the Deaf  
Kristina M. Lloyd, VSU student  
Shakita Stephenson, Virginia Professional Hearing Healthcare Center

### **ASL Interpreters / CART Provider:**

Emily Haynes McGee  
Bernice McCormack  
Elaine Hernandez  
Rhonda D. Tuck, Cavalier Reporting  
Kristine M. Wells

## **I. Networking – Coffee & Refreshments**

At 9:30 a.m., the members of the Advisory Board of the Virginia Department for the Deaf and Hard of Hearing (VDDHH) convened in the conference room at the VDDHH Central Office, 1602 Rolling Hills Drive, Suite 203, Henrico, VA 23229-5012.

## **II. Call to Order**

Chairwoman Traci D. Branch called the meeting to order at 10:04 a.m. The members of the Advisory Board introduced themselves, followed by staff, guests, and members of the public. No corrections or revisions were requested to the Advisory Board membership roster.

No corrections or revisions were requested to the meeting agenda. The motion to approve the agenda was made by Ms. Humphrey and seconded by Dr. Lewis. The vote was unanimous.

No corrections or revisions were requested to the meeting minutes from May 2, 2018. The motion to approve the minutes was made by Ms. Mestayer and seconded by Ms. Wilbur. The vote was unanimous.

## **III. Board Member Reports**

The Chairwoman recognized the following members of the board:

Carrie N. H. Humphrey, NIC provided a report, which covered the following topics:

- The Virginia Registry of Interpreters for the Deaf (VRID) 2018 conference was held in June and it was a success. Attendance was capped at 100 participants, the first time that has happened.

Shantell D. Lewis, Au.D. provided a report, which covered the following topics:

- She attended the most recent meeting of the interpreter licensure workgroup at the VDDHH.
- Representatives of the VDDHH setup a display in both of her offices with assistive equipment and literature to promote the agency's Technology Assistance Program.
- On August 25, 2018 from 10:00 a.m. to 1:00 p.m. the Here2Hear 501(c)(3) charitable organization will be distributing free effective communication emergency kits at the VDDHH. The program will include presentations on first responders, police departments, fire departments, text-to-911, and emergency preparedness. The kits were developed by a panel consisting of first responders, deaf individuals, and hard of hearing individuals.

## **IV. Staff Reports**

The Chairwoman recognized the following members of the staff:

Director Eric H. Raff presented the Director's report, which covered the following topics:

- Renovations to the VDDHH central office are complete. All staff and workspaces are now in one contiguous office.
- The agency is currently recruiting a business manager and a community services specialist. Both positions are expected to be filled soon.
- In the fall, the agency will advertise the relay manager position, which would bring the total number of staff to 11.
- The VDDHH is a member of the Statewide Interagency Team (SIT), which includes the Virginia Department for the Blind and Vision Impaired, the Virginia Department for Aging and Rehabilitative Services, and the Valley Community Services Board, which contracts

with the Virginia Department of Behavioral Health and Developmental Services. The SIT agencies partner and collaborate with one another on eight separate priorities. The SIT members are working to update their needs assessment and the VDDHH is working to update the strategic plan.

- The VDDHH is hosting a town hall meeting in Abingdon, VA on September 15, 2018. A deaf lawyer from the area will be holding a workshop on the Americans with Disabilities Act. Additional meetings of this kind may be scheduled within the next year in Danville, Fredericksburg, Richmond, Roanoke, Staunton, Northern Virginia, and Hampton Roads.

Director Eric H. Raff presented a report on Virginia Relay, which covered the following topics:

- The Federal Communications Commission (FCC) has approved the application submitted by the VDDHH to be re-certified as the telecommunication relay service administrator for the Commonwealth of Virginia through 2023.
- The Virginia Relay Advisory Council (VRAC) held its spring meeting on April 12, 2018. There are two remaining vacancies on the council: video relay user representative and wireless relay user representative.
- The VDDHH, as the state administrator for Virginia Relay, is required to maintain a complaint log and file that document with the FCC every year. In the past year, 13 complaints were reported, most involving quality of service or issues with the communication assistant.
- The FCC has proposed rules regarding internet protocol for relay to address budget savings through rate changes, auto speech recognition for captioned telephone service providers, improvements to the financial structure and spending of captioned telephone services, and contributions from states to support the national program.

Interpreter Programs Manager Leslie G. Hutcheson presented a report on the Interpreter Services Program (ISP) and the Virginia Quality Assurance Screening (VQAS), which covered the following topics:

- The final agreement for sign language interpreters and computer assisted real-time translation (CART) services between the VDDHH and the Supreme Court of Virginia (SCV) takes effect today. Revisions to the agreement include: clarification of the 24-hour cancellation notice, creation of a graduated billing scale for late cancellations, modification to the process for requesting overages to the daily onsite payment cap for assignments lasting six or more hours, and an adjustment to the onsite minimum payment for CART providers.
- The SCV has requested that the VDDHH develop a customer satisfaction survey to get feedback from consumers who use interpreters or CART services in state courts. The survey mechanism will be developed within the next few weeks.
- The SCV has requested more information on what qualifies as a last-minute request for an interpreter or a CART accommodation. The SCV has entered into a contract with a vendor to begin offering video remote interpreting (VRI) in certain cases when the request is received within two hours of the assignment start time and an onsite American Sign Language interpreter cannot be arranged. The VRI service that will be used by the court includes legally qualified court interpreters.
- The new VDDHH interpreter services agreement, which was planned to be effective by August 1, has been temporarily postponed.
- For six weeks over the summer, VDDHH had to reschedule multiple VQAS candidates test appointments due to the renovation of the VDDHH central office and other construction inside the building.

- The new VQAS test materials have been implemented. We are monitoring the data to ensure the results are consistent with those from the previous test materials. Thus far, interpreters are testing at comparable levels.
- Work on the next new set of materials has begun, which hopefully will be launched before the summer of 2019.

Community Services Manager Gary W. Talley presented a report on the Community Services Program, which covered the following topics:

- Consultation and trainings with various agencies and organizations on interactions with deaf and hard of hearing Virginians is ongoing.
- Community Services is expanding. In September, we will be conducting a 911 training in Campbell County and attending the Mid-Atlantic ADA Conference. He will present this same training in October at the Association of Late-Deafened Adults convention in Portland, Oregon.
- We are working with the Virginia Department for the Blind and Visually Impaired and the Virginia Community College System (VCCS) to increase communication access for our consumers at the 40 workforce centers across Virginia. The goal is to visit all 40 sites before September 1. As part of this process, a 180-question survey compiled by our partners at the VCCS has been distributed to the workforce centers.

Technology Assistance Program Manager Christine C. Ruderson presented a report on the Technology Assistance Program (TAP), which covered the following topics:

- In the last quarter, a concerted effort has been made to standardize the training of all TAP specialists. As part of this process, new forms and procedures have been developed.
- To promote Deaf Awareness Month in September, we are requesting space in public libraries to exhibit TAP products and literature and to meet with consumers. Libraries present opportunities to reach children and young people who may need TAP services.
- We will be requesting these spaces again in May for Better Speech and Hearing Month.
- We hope to target children and young people for outreach activities in the future.

At 11:10 a.m., the board recessed for 10 minutes.

#### **V. Distribution of Assistive Smoke Detectors and Smoke Alarms**

The Chairwoman recognized James L. Strother, fire captain with the Charlottesville Fire Department and J.D. Jenkins, a retired firefighter with the Henrico County Fire Department. Both gentlemen are officers with the Virginia Fire and Life Safety Coalition. Topics included:

- Differences between smoke alarms and smoke detectors
- Smoke alarm brands and manufacturers
- Proper placement and installation of smoke alarms
- Use of long-life batteries
- Use of sealed battery alarms
- Average lifespan of smoke alarms
- Carbon monoxide detectors
- The functioning of assistive smoke alarms
- The provision of smoke alarms by some fire departments
- Escape plans
- Knox-Box Rapid Entry Systems and similar products

- Residential sprinklers
- National Fire Protection Association literature, educational materials, and resources
- Grant funding for the distribution of smoke alarms

### **Public Comment**

The Chairwoman recognized Jeanne Lavelle, president of the Virginia Association of the Deaf, who addressed the board on the following topics:

- The VQAS is outdated with no accountability or transparency.
- More states are using the Board for Evaluation of Interpreters (BEI) to certify interpreters working in the court system.
- The VAD calls for the implementation of a new state certification quality measure for sign language interpreters in Virginia either by creating a new method of evaluation or using another program that another state may be using, such as BEI.
- The VAD recommends the adoption of a state law that would require the Supreme Court of Virginia to provide quality sign language interpreters in the court system and supervision of said interpreters.
- Virginia must provide qualified ASL interpreters to comply with federal and state laws for people with disabilities.

### **VI. Working Lunch: Update on the Interpreter Licensure Workgroup**

The Chairwoman recognized Ms. Hutcheson, who provided an update on the Interpreter Licensure Workgroup.

- The workgroup has met twice and will hold future meetings. Thus far, the members have focused on the guidelines that the Virginia Department of Professional and Occupational Regulation (DPOR) has established for regulating professions.
- Specifically, the workgroup has been discussing the risk of harm to the consumer, the specialized skills and training that are needed to be an interpreter, and whether interpreting is considered an autonomous practice. The second meeting focused on those three factors and the different levels of regulation in Virginia: registration, certification, and licensure.
- If the risk for harm is moderate to severe, the DPOR would consider certification. If there is eminent risk of danger to the public or to the consumer, the DPOR would consider licensure. At this point, the group has not had any discussions regarding recommendations.
- The issue of liability and licensure has been raised. That is, if a consumer receives services deemed to be substandard from a licensed practitioner, the state licensing authority could potentially be sued for failing to fulfill its mandate. Therefore, any licensure program must be able to defend the validity of its exams and standards. When programs cannot demonstrate validity, the outcome can be very costly.
- The National Association of the Deaf (NAD) does not have a position on licensure or certification of interpreters.

### **VII. Legislative Concept: Captioning on Televisions in Public Places – Feedback**

The Chairwoman recognized Mr. Raff, who presented his legislative proposal to mandate that captions be active at all times on televisions in public places. The FCC already requires captioning for television programs, both live and recorded. This proposal would simply require that captions be active 24 hours a day, seven days a week in public places: airport terminals, bars, restaurants, hotel lobbies, health clubs, gyms, train stations, etc.

A discussion ensued among the board members about the merits of the proposal and the potential challenges to it.

### **VIII. New Business / Future Meeting Agenda**

The Chairwoman recognized the following individuals:

Ms. Hutcheson remarked that the Advisory Board traditionally holds a joint meeting with the TAP specialists (formerly outreach specialists) each year in November. She inquired if the members wished to continue that practice and, if so, what the focus of that meeting should be. A discussion ensued among the Board members and staff regarding the history, merits, and drawbacks of the joint meeting. Mr. Raff asked the members to provide any additional feedback they may have directly to him within the next three weeks.

Ms. Humphrey moved to hold the joint meeting with the TAP specialists on a biannual schedule. The motion was not seconded.

Ms. Hutcheon reminded the members that one of the board's requested agenda items is to have a discussion regarding the capacity of board members to provide advice and comment to the Office of the Governor and to state legislators on the programs, services, and operations of the VDDHH. Furthermore, she noted that there would likely be legislation introduced in the next session of the General Assembly that would impact the agency and Virginians who are deaf or hard of hearing, and that board members may want to consider those issues at the November meeting.

Mr. Raff interjected to say that the board will receive a report from the interpreter licensure work group at the next meeting, which will be a priority. Also, he informed the board that he recently attended the quarterly meeting of the Statewide Independent Living Council. The guest speaker was an employee with the Virginia Department of General Services, which is responsible for state buildings. He gave a presentation on access to state buildings, which included a discussion on the effectiveness of assistive listening systems and other forms of assistive technology to function inside these structures. Mr. Raff indicated that an invitation could be extended to that gentleman to give the same presentation at a future Advisory Board meeting.

Ms. Mestayer remarked that she would be interested in hearing an expert discuss how building acoustics are best designed during the planning and construction stage, as opposed to making corrective changes years later.

Ms. Humphrey informed the board that the Virginia Association of the DeafBlind is having a fundraiser on August 28, 2018 called Dining In the Dark. Participants will be blindfolded in order to simulate the experience of a blind person eating a meal. All profits will be used to send someone to a DeafBlind camp.

Ms. Humphrey moved that the VDDHH consult with the state fire marshal to discuss the issues raised by the board regarding deaf and hard of hearing services. Mr. Patterson seconded the motion, which passed unanimously.

### **IX. Adjournment**

At 2:00 p.m., a motion to adjourn the meeting was made by Ms. Humphrey and seconded by Dr. Lewis. The motion was agreed to without objection.