

North Carolina Council for the Deaf and Hard of Hearing

Quarterly Meeting Minutes

February 3, 2023

9:00 am – 12:30 pm

Virtual Meeting

Members Present:

Linda Amato
Christina Armfield
Antwan Campbell
Rep. Carla Cunningham
Greta Knigga-Daugherty
Meredith DeNaples
Kevin Earp
Michael Evola
Rebecca Freeman
Dr. Erika Gagnon
Betty Kelly
Mike Lupo
Dr. Robert Nutt
Dr. Claudia Pagliaro
Daphne Peacock
Laurie Ann Rook
David Rosenthal
Donald Tinsley Sr.
Hope Turpin
Saarah Waleed
Rep. Diane Wheatley

Ex Officio:

Jan Withers (Present)

Liaison:

Kimberly Harrell (Present)

Members Absent:

Dr. Kathy Dowd
Pattie Griffin
Randal Lee Hartline
Megan Pender
Senator Bill Rabon
Elizabeth Strachan

Current Vacant Council Seat(s)

Senate Appointees (2)- President Pro Tempore

Governor Appointees -Parent of a Deaf or HOH Pre-school
child

Call to Order: The meeting was called to order at 9:00 a.m. by David Rosenthal, Chair

Welcome; Introductions; Ethics Reminder; Approve Minutes from November 4, 2022

Motion: Donald Tinsley (Claudia Pagliaro) moved to approve the minutes from November 4, 2022, Council meeting. **Motion passed.**

None of the members acknowledged having a conflict of interest or appearance thereof on matters listed on this agenda

David Rosenthal, Chair

Welcomed everyone and announced today's meeting will be streamed live through YouTube. All questions from attendees should be sent directly to Council members. Council members email addresses and phone numbers can be located at <https://www.ncdhhs.gov/divisions/services-deaf-and-hard-hearing/nc-council-deaf-and-hard-hearing>

Digital Equity and Literacy

Jan Withers, Director of Division of Services for the Deaf and Hard of Hearing (DSDHH)

Millions of Americans, whether they are Deaf, Hard of Hearing, Deafblind or hearing experience digital divide, digital discrimination, digital exclusion, or digital inequity. Accessible information and communication technology (ICT) services allow Deaf people to interact with technology. We are transitioning from a world without digital means, without the access, without the information and communication technology, to a world where we depend on it.

People who are struggling with digital inequity, digital exclusion, and those who many not be able to afford the equipment that's necessary or the subscription for internet access and all those things, how can we effectively close the digital divide for those individuals?

The Federal Communication Commission (FCC) is a federal agency that established the Affordability Connection Program. It is a wonderful program for households that meet specific guidelines. Individuals can receive discounts in internet services or may be eligible for a one-time discount of about \$100 for purchase of a laptop, tablet, or desk top computer. To learn more about this program please see link below.

Affordability Connectivity Program (ACP)



ACP in American Sign Language



Creating Connections

At DSDHH we are creating connections. Our staff has already received training from the FCC and are working with consumers in the community to ensure they are aware of this program, and we will assist consumers if they wish to apply for this program.

DSDHH is connected with the North Carolina Office of Digital Equity and Literacy, which is under the Department of Information and Technology. The Office of Digital Equity and Literacy is the first one in the entire nation to be established. They partnered with NC Department of Health and Human Services to apply for FCC grant funding to conduct outreach on the Affordable Connectivity Program statewide. The current plan is to include VR field offices, schools, and health departments across the state, so in turn they can make sure their consumers and customers are aware of this opportunity. There are 4 million people across the country that have applied for this. We would like to bring North Carolina to a place where we can say we have digital equity for our citizens as well.

Presently, I am involved with a national organization, TDI, that advocates for full access to information and communication technology. Their primary focus is on policy advocacy. TDI's annual conference is in July and the theme of the conference this year is Digital Inclusion for All. Senator Markey is a co-sponsor of a new bill called Communication Video Technology Accessibility Act and is scheduled to speak at this year's TDI conference. The intention of the bill is to update the 21st Century Communication and Video Accessibility Act. Its time for an update since we have new technology that's been emerging. Also, a representative from the National Digital Inclusion Alliance will be presenting. We are hopeful the work on the national level will also impact us in a positive way here in North Carolina.



NCTILB Update

Mark Lineberger, Vice Chair, NCITLB

David Rosenthal, Chair, NCCDHH

David Rosenthal addressed the Council, reminding them that there was a presentation on this topic during the May 2022 Council meeting by Pam White, a member of the NC Interpreter and Transliterators Licensing Board (NCITLB). The Council voted after the presentation to support NCITLB's legislative proposal to empower the NCITLB Board to seek and approve other certification processes currently used by other states. Since then, there have been some updates to the NCITLB's proposal, and he wanted the Council to be aware of them to be sure they continue to support NCITLB's efforts. He introduced Mr. Mark Lineberger, Vice Chair of the NCITLB.

Mr. Lineberger reminded the Council that there have been some issues with the National Registry of Interpreters for the Deaf (RID) national testing since 2016. The RID Board decided to place a moratorium on their current national testing program to develop a new testing process, and then the pandemic hit. As a result, Interpreters in our field were unable to take the test in order to qualify for a full license in North Carolina. Originally, there was a cap on the number of renewals candidates in NC could have, however, the NCITLB board decided there was no possible way for interpreter to obtain a full license based on the RID certification, so they lifted the cap.

In our current proposal, we are reinstating the cap to this rule for provisional licensees. If candidates have an original provisional license, they are allowed up to four renewals. Our current law states three renewals, and one exception for certain circumstances. The Board noticed that several provisional licensees have had theirs for 7 or 8 years, having extended it numerous times. The new rule was sent to the Rules Review Commission, and they approved it on January 17th. This new rule went into effect on February 1, 2023. Any currently provisional licensees who have already had four renewals as of this year will not be able to qualify for another renewal unless they call for a full license.

Proposed Amendment to 90D-7

Again, since January 1, 2016, the only pathway to a full interpreting license is through RID test for national certification. The Proposed Amendment to 90D-7 would add additional language to the statute which would empower the NCITLB Board to seek out and approve other certifications such as the Texas Board for Evaluation of Interpreters Certification Program (BEI) or the Virginia Quality Assurance Screening (VQAS):

b. Is nationally certified by the Registry of Interpreters for the Deaf, Inc., (RID), or another nationally recognized body that issues certificates or assessments for interpreting approved by the Board by rule.

This proposal will give interpreters working in other states and possesses a BEI certification options to move to North Carolina and be automatically qualified to obtain a NC license to practice in the state.

Proposed Amendment to 90D-8

(4) *Holds at least a two-year associates degree in interpreting from an accredited*

institution and satisfies one of the following:

- a. Holds a quality assurance North Carolina Interpreter Classification System (NCICS) level C classification.
- b. Holds a valid National Association of the Deaf (NAD) level 2 or 3 certificate
- c. *Holds a current Educational Interpreter Performance Assessment (EIPA) level 3.5 or above classification.*
- d. Repealed by Session Laws 2005-299, s. 2, effective August 22, 2005.
- e. *Holds any other certificate or assessment issued by a nationally recognized body approved by the Board by rule.*

Support for Statute Amendments

Stakeholders' groups will sign letters of support:

- NC Registry of Interpreters for the Deaf
- NC Association for the Deaf/Hard of Hearing
- Individual Licensees
- Interpreter Training Program Faculty

Legislative Process:

- Amendment has been through Legislative drafting and returned to the Board for review with stakeholders
- Draft taken to ITPS and NCAD with positive response, NCRID on February 4th
- Meet with Representative Blackwell to provide stakeholder commentary and establish timeline for submission

Request for Support

The NCITLB respectfully requests the NC Council for the Deaf and Hard of Hearing consider signing a letter of support toward our efforts to amend Statute 90D-7&8

Educational Data

Sherry Thomas, Senior Director, Exceptional Children Division, DPI

Sherri Vernelson, Section Chief, Sensory Support & Assistive Technology, DPI

Nancy Woytowich, Consultant for Deaf and Harding Regions 1-4

The purpose of data collection is related to Session Law 2013-119 House Bill 317 and how it is used to help improve the education of Deaf, Hard of Hearing and DeafBlind students in North Carolina.

House Bill 317

- State mandated collection, storage and reporting of language and literacy outcomes for students who are DHH
- Student data is collected online annually and due in mid-July
- Only students with an IEP and a primary IDEA eligibility area of Deaf or Hearing impaired are reported
- DB students are reported and supported through NC DeafBlind Project annual census
- Students list is generated by DPI and provided to LEAs from annual December 1st headcount

Assessment Procedures and Protocols

- DPI does not mandate LEAs to use specific assessments for annual progress monitoring

- Assessments used:
 - May be state or district mandated that all children take
 - Must be directly related to an IEP goal being measured for progress
- LEAs use the assessment they have purchased or borrow assessments appropriate for a student
- Formal and or informal assessments may be used
- Annual report tool includes a list of the most common assessments used by districts across the state and is added to annually

Communication Plan Worksheet

- Use of the CPW of any student with an IEP that has a hearing loss
 - Students for which DF or HI is the primary area of eligibility
 - Students with hearing loss with a primary eligibility in another category

Statewide Data Tracking System and Data Collected

- Uses Qualtrics to collect data
 - Not the same as ECATS
- Research specialists in DHH from UNCG
- Annual training in Spring
- Annual reported due mid-July

HB317 Data Collection System

- What data is collected?
 - Demographics
 - Hearing thresholds
 - Hearing technology
 - Receptive and expressive language and vocabulary scores
 - End of Grand/End of Course testing scores
 - Literacy testing scores-state and district required
 - Language and literacy intervention tools being used
 - Opportunity to provide additional information that man have contributed to students' outcomes
- What is done with data collected?
 - Research specialist analyzes the data
 - Send data summaries to LEAs so they can review and refine support of their students who are DHH
- DPI Goals
 - Assist LEAs in responding to HB317 with fidelity
 - Support LEAs in building capacity to effectively serve students who are DHH
 - Support LEAs in developing strategic planes for their DHH program and improve language and literacy outcomes

District Support

- Facilitate conversation with LEAs that drive development of goals to improve outcome by supporting them to:
 - Assemble key team members
 - Analyze and interpret their HB317 data
 - Create a training plan for DHH program staff

While data collected is on individual students, DPI supports goes beyond that to support systems and practices which affect student outcomes long-term.

The Cochlear Implant Process: Educational Support

Christina Armfield, Lead for the Deaf/Hard of Hearing & Visually Impaired, Alamance-Burlington School System

Donna Pleasants, Educational Audiologist, Alamance-Burlington School System

Educational Support Criteria

Instructional Support

- Individual Education Plan (IEP) vs. 504 Plan
 - IEP is required if specially designed instructions is needed to access the general education curriculum, focuses on education benefits
 - Assessment
 - Goals
 - Must address each identified area of needed SDI
 - Can be integrated with other services
 - 504 Plan ensuring a student has equitable access to a learning environment
- Least Restrictive Environment
 - Crucial discussion had during IEP meetings
 - Children with disabilities shall be educated with children who are not disabled for the maximum extent possible
- Accommodations and Modifications
 - Important to consider for students' optimal success in the classroom
 - Data driven and individualized for each student
- The IEP: Present Level of Academic and Functional Performance
 - Current descriptive information by using norm-referenced, criterion-referenced, or any other valid data sources, as well as descriptive information for each of the relevant areas. Include current academic and functional performance, behaviors, social/emotional development. Transition and other pertinent information. All areas assessed should be addressed and determination make as to whether the data indicates an area needs specially designed instruction.
- IEP Services
 - Primary Services
 - Auditory Development
 - Communication Skills
 - Exp/Rec Language
 - Exp/Rec Vocabulary Development
 - Self-Advocacy/Self Determination
 - Related Services
 - Audiology
 - Auditory Development
 - Parent Counseling and Training
 - Self-Advocacy
 - Vocabulary
 - Interpreting

Educational Audiology Services

- Most important role for the educational audiologist is to ensure that any student with hearing loss has optimal access, auditory access to instruction to the total school environment
- Collaboration is Key
 - Students with cochlear implants, this is best accomplished through a collaborative process with outside professionals, families of students and school personnel
 - Collaboration is essential for new CI users to assist with a successful transition to a new device and for receiving auditory information in a new way
 - Developing professional relationships with implant centers, implant team and cochlear implant manufacturers as well as the entire related services team

Communication Accessibility in North Carolina Courts

Tony Davis, Accessibility Resources Manager, DSDHH

Meredith Ellington, JD, MSW, Disability Access Coordinator, Administrative office of the Courts

DSDHH and NC Administrative Office of the Courts (AOC) Partnership/Collaboration

- Partnership started in September 2020
- AOC and DSDHH now have one main point of contact collaborating together
- Meet and Greet sessions between DSDHH staff and County Disability Access Coordinators
- Lunch and Learn Presentations by DSDHH provided to all interested employees on the NC Court System
- AOC provided training to Deaf, Hard of Hearing and Deafblind communities about accessibility in the Courts
- DSDHH ASL Interpreter Capacity Building Workgroup consulted with AOC to begin process of starting new ASL Interpreter Training
- Request for Disability Accommodations form revised to become more inclusive and has embedded ASL Videos for each section
- ASL and Captioning added to Introductory Video on AOC Disability Access page



How We Know That's It's Working?

- Feedback received from a long-time professional advocate in the community stating that the revised Disability Access Request was well organized, easy to use and the ASL video benefitted her client with providing necessary information

Future Deliverables

- Meet and Greet between DSDHH Regional Center Staff and County Disability Access Coordinators- introduce again due to recent turnover and discuss accessibilities and breaking down barriers
- Webinar presentation by Meredith Ellington Disability Access Coordinator at AOC to Deaf, Hard of Hearing and Deafblind citizens of North Carolina on how to request communication access accommodations
- ASL/CDI Court Interpreter Orientation- currently on have orientation for spoken

- Interpreter Registry- will be available to the public with names, licensure and contact information. Registry will be maintained by AOC
- Video Remote Interpreting in NC Courts- only to be used for non-evidentiary matters or public access needs. This service is not intended as a substitute of the presence of a licensed NC sign language interpreter for substantive evidentiary court proceeding as required by chapter 8B of the NC general statutes

Council Feedback and Wrap Up

David Rosenthal, Chair

Supporting changes to the Licensure Law

- Received consensus form Council Members in support of Council Chair writing a letter of support for NCTILB

Council Committee Meetings currently on hold to further notice

- Suggestion from member that a task force be developed to work on plan for the year, what committees what to achieve, timelines and goals
- Council chair to set-up task force meeting to develop plan and present at May Council meeting
- Feedback on development of task force should be sent to Council Chair

Presentations Feedback

- Suggestion from Council member that an informative session regarding communication access and how does one go about getting information in NC courts be developed for HS students before graduation

Council 2023-2024 Strategic Planning

- What do we want to do as a Council?
- What system do we want to adopt for conducting business?
- How can we improve what we're doing?

There being no further business and announcements, the Council meeting was adjourned at 12:00pm

2023 Meetings: May 5th, August 4th, November 3rd

<https://www.ncdhhs.gov/divisions/dsdhh/councils-commissions>