

Douglas A. Ducey  
Governor

Sherri L. Collins  
Executive Director



**MINUTES OF THE ARIZONA COMMISSION FOR THE DEAF AND THE HARD OF HEARING  
(ACDHH) Board meeting held on Thursday, December 6, 2018 at 4:30p.m.  
at ACDHH – 100 N 15<sup>th</sup> Ave, Suite 104, Phoenix, Arizona 85007**

**Call to Order & Roll Call Discussion/Action**

Chair Kneifel called the meeting to order at 4:41 p.m.

Commissioners Present in Person: Judy Huch, Annette Reichman, ElizaBeth Garcia, Catherine Sienko, Richard Vanover, Tamara Collinsworth, Frederick Williams, Susan Webster, Antonio Calderon, Sue Kay Kneifel

Commissioners Present by Phone: Sarah Benton & Barbara Brimhall

Commissioners Absent: None

Staff Present: Sherri Collins, Carmen Green Smith, Curtis Humphries, Emmett Hassen, Victoria Vaughn, Heidi Lovato

Assistant to the Attorney General: Jo-Ann Handy (present by phone)

**Approval of Minutes: Discussion/Action**

**Commissioner Reichman moved to accept the minutes from August 23, 2018 and Commissioner Garcia seconded. The motion passed unanimously.**

**Chairs Report/Summary of Current Events Discussion only**

No Chair report at this time. With having 7 new board members at the meeting, Chair Kneifel had all of them go around the table and introduce themselves.

**Executive Director's Update/Summary of Events Discussion only**

Sherri mentioned how the Noisy Toys campaign is a big event every year during the Holidays and the goal is to try and get on every local TV station to educate the public on being aware of the noise level of toys when making decisions on which toys to buy their children. This year was no exception, there was great Noisy Toys TV coverage around Thanksgiving.

The Commission partnered with ASDB, Arizona School for the Deaf and Blind, to bring Derrick Coleman who is a football player with the Arizona Cardinals. Derrick (who is hard of hearing) spoke to the kids at the Phoenix Day School for the Deaf about his experience overcoming the challenge of hearing loss and becoming a successful NFL football player. It was a big day for the kids, they were so excited and Sherri is hoping to bring Derrick back to host a football camp at the school and some other opportunities as long as Derrick is with the Cardinals.

Nothing new to report on the budget.

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*The mission of the Arizona Commission for the Deaf and the Hard of Hearing is to ensure, in partnership with the public and private sectors, accessibility for the deaf, deaf-blind, hard of hearing, and persons with speech difficulties to improve their quality of life.*



### **2019 Legislative Update Discussion only**

Sherri introduced a team of individuals who are helping her work with the legislature. Rip Wilson, who's been a consultant for several years along with Daniella Smith, Public Policy Consultant and Monica Hallahan, ASU intern. Rip and Daniella are both hard of hearing and Monica is a CODA (child of deaf adult). All three introduced themselves and shared a bit about their history.

Rip then gave a historical perspective of how the State of Arizona has changed (politically) over the years. Currently, the Democrats have 29 members in their caucus and that is the most they've had since 1966.

Daniella provided information on the current legislature and what we can look forward to going into the next session. Her goal is to monitor various bills and keep the Deaf and Hard of Hearing community informed by sending out legislative updates/alerts and posting on social media.

### **Annual Report Discussion/Action**

**Commissioner Huch moved to accept the annual report as is and Commissioner Calderon seconded. The motion passed unanimously.**

### **2019 Board Meeting Dates Discussion/Action**

Proposed Dates: February 21, May 16, August 22 and November 21 dates for 2019.

**Commissioner Garcia moved to accept the 2019 proposed board meeting dates and Commissioner Webster seconded. The motion passed unanimously.**

### **Public comments on Agenda Items & Non-Agenda Items**

Juliann Wasisco addressed the board regarding the complaint filed against her.

Penny Posedly addressed the board regarding the complaint filed against her.

Tom Posedly addressed the board regarding the complaint against his wife, Penny Posedly.

Margaret Rogers addressed the board regarding the complaint against Penny Posedly who was her sign language teacher many years ago.

Jeanine Kenyon addressed the board regarding the complaint against Penny Posedly. Jeanine is a trial lawyer and friend of Penny's.

Jill Kennedy addressed the board regarding the complaint against Haley Ritter. Jill is an attorney with the ASU Law Group.

Haley Ritter addressed the board regarding the complaint against her.

Cindy Volk, Director of the interpreting program at the University of Arizona voiced her opinion on the Legal A licensure changes in 2021.

Marie Tavormina, certified Legal interpreter also voiced her concern over the legal licensure changes.

Due to the public comments and concern over the complaint process, Emmett Hassen explained how the complaint process works as follows:

When a complaint is received (within 90 days), there is 5 to 7 business days to notify the person whom the complaint is against and let them know when we will get back to them. The complaint is reviewed with the

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person who filed to get clarification. The interpreter is contacted to get information from them. A summary is then made. The summary of the investigation is confidential due to (sometimes) sensitive information. Once that summary is complete, it goes to the board for review and a decision.

Commissioner Huch and Williams had questions for Emmett regarding the process and notification to interpreter.

### **Interpreter Complaints/Inquiries**

Emmett Hassen reviewed each complaint with the board on the following individuals: Haley Ritter, Penny Posedly, Brenda Tress, Jennifer Morse, Jeremy Brunson and Juliann Wasisco

The Assistant Attorney General, Jo-Ann Handy gave the Commissioners their options: 1) Dismiss the Complaint 2) If the Commission sees there is substantiated evidence, they can offer an informal way of addressing the complaint – taking continuing education classes, etc. 3) Request further inquiry/investigation 4) If there is substantial evidence, the Commission can initiate the procedure for a formal hearing.

**Commissioner Huch motioned to move into Executive Session for all 6 complaints (Ritter, Posedly, Tress, Morse, Brunson and Wasisco), Commissioner Reichman seconded. The motion passed unanimously.**

Meeting entered into executive session at 6:20 p.m.  
Meeting returned to open session at 7:29 p.m.

**Commissioner Reichman motioned to dismiss the complaint against Jeremy Brunson and Commissioner Vanover seconded. Motion passed unanimously.**

**Commissioner Reichman motioned to dismiss the complaint against Jennifer Morse and Commissioner Garcia seconded. Motion passed unanimously.**

**Commissioner Reichman motioned to dismiss the complaint against Juliann Wasisco and Commissioner Webster seconded. Motion passed unanimously.**

**Commissioner Reichman motioned to further investigate the complaint against Hailey Ritter, while Commissioner Huch amended the motion for the investigation to include whether or not the assignment was in a legal setting and the intent of the assignment. Commissioner Garcia seconded. Motion passed unanimously**

In regards to the complaint against Penny Posedly, a discussion between Commissioners Huch, Benton, Webster, Kneifel and Emmett Hassen ensued regarding how proper American Sign Language is determined on an assignment.

Commissioner Huch confirmed with Emmett the total hours needed for the interpreter's continuing education.

Commissioner Kneifel confirmed with Emmett a violation of the Code of Professional Conduct (CPC) does have an impact on licensure.



**Commissioner Reichman motioned to have Penney Posedly take 10 hours of continuing education on the Code of Professional Conduct (CPC), while Commissioner Huch amended the motion that as part of her 80 continuing education hours, 10 of those hours be focused on CPC and not in addition to the 80 hours. Commissioner Calderon seconded. Motion passed unanimously**

**Commissioner Huch motioned to have Brenda Tress take 15 hours of continuing education in the Code of Professional Conduct training in order to understand dual roles and to be completed within a 12 month timeframe. Commissioner Reichman seconded. Motion passed unanimously**

#### **Legal A Licensure: Survey Results Discussion/Action**

Chair Kneifel doesn't feel any board action needs to be taken on this change happening in 2021. The survey taken was more of an informational poll to get a "pulse" on what was going on in the interpreter community.

#### **Support Service Provider (SSP) Update Discussion Only**

Carmen Green Smith noted we are continuing to take SSP requests (in-home as well) - not much to add since the last update.

#### **IARC Update Discussion Only**

Chair Kneifel gave the update that 5 applications were approved for licensure. Also, the committee has been re-named to be Interpreter Licensure Committee (ILC).

#### **Arizona State Schools for the Deaf and Blind Update Discussion Only**

Commissioner Reichman shared ASDB's recent accreditation review, which will results will be known in January 2019. She will have more to report at the February 21<sup>st</sup> board meeting.

#### **Officer Election Discussion/Action**

Board voted on board positons, results are: Chair Kneifel re-elected to the Board Chair position. Commissioner Garcia, Vice Chair and Commissioner Sienko, Secretary.

#### **Future Agenda Items Discussion/Action**

Chair Kneifel would like to add the following discussion and/or possible action item to the next agenda: Modifying the complaint process to include an informal resolution prior to being brought before the board.

#### **Announcements**

None

#### **Adjournment**

**Commissioner Vanover motioned to adjourn the meeting and Commissioner Calderon seconded. The motion passed unanimously. The meeting adjourned at 8:16 p.m.**

*The undersigned certifies that a copy of the attached notice was duly posted this 11th day of December, 2018 at 12:30 p.m. by Heidi Lovato.*