



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

MINUTES OF THE ARIZONA COMMISSION FOR THE DEAF AND THE HARD OF HEARING (ACDHH) Board meeting held on Thursday, August 22, 2019 at 4:30 p.m. at Hilton Tucson East – 7600 E. Broadway Rd., Tucson, Arizona 85710

Call to Order & Roll Call Discussion/Action

Chair Kneifel called the meeting to order at **4:36 pm**

Commissioners Present in Person: Richard Vanover, Susan Webster, Pv Jantz, Sue Kay Kneifel, Catherine Sienko, Judy Huch, Antonio Calderon, Tamara Collinsworth and Annette Reichman

Commissioners Present by Phone: Sarah Benton

Commissioners Absent: Barbara Brimhall, Elizabeth Gacia and Fred Williams

Staff Present: Sherri Collins, Carmen Green Smith, Curtis Humphries, Emmett Hassen, Julie Stylinski, Victoria Vaughn

Assistant to the Attorney General: Jo-Ann Handy joined by phone at **5:00 p.m.**

Approval of Minutes: Discussion/Action

Commissioner Huch moved to accept the minutes from May16, 2019 and Commissioner Calderon seconded. The motion passed unanimously.

Chairs Report/Summary of Current Events Discussion only

None.

Executive Director's Update/Summary of Events Discussion only

The quarterly report does not include the new fiscal year goals. The next meeting will include that information. The Executive Director is 1 of 3 finalist for the Athena award. New staff, Christy Abrams has joined the staff as the Hard of Hearing specialist. She comes to us from DES Area on Aging. On September 9, Betty McEntire will join staff as the Director of Public and Community Relations. She has 11 years experience with the Secretary of State. She is a graduate from NAU and knows some sign language. One staff member, Giselle Galindo, will be leaving ACDHH to take on a better opportunity at another state agency.

2020 Legislative Early Intervention Language Acquisition Data Discussion/Action

A discussion ensued around ACDHH taking steps to lead the community in the Early Language acquisition of data. This data will be used to fill a gap that was identified with Deaf and Hard of Hearing children and their language development. A request was made to the board to allow ACDHH to move forward with gathering information with the goal of implementing a policy system change. Public comments from Mary Rimron, representative of the AZ Association of the Deaf committee, were presented to the board. Further discussion ensued and Commissioner Kneifel requested that this topic be added to future agendas so that the board

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can be kept up to date on progress. Commissioner Benton motioned that the approval be given to the Executive Director to use her time as she determines necessary to continue to pursue language to propose to the Legislature. The motion was seconded by Commissioner Sienko. Motion unanimously carried.

Sunset Review response

Sherri Collins gave a brief history about the last sunset review. The last review involved the receipt of \$750,000 in non-lapsing funds for Interpreter training programs that have been carefully used for DeafBlind, CDIs and Interpreters. This year may request for more funds from Legislature, possibly for DeafBlind interpreting training and/or licensing or certification/licensing of interpreting agencies. Betty will be asked to look into the certification/licensing of the interpreting agencies. Sherri Collins highlighted that the ASL certification requirement for schools will be recommended to be removed from the statute because the commission does not have oversight in schools. The Sunset response is due September 1, 2019. Feedback was requested on the sunset review. None received from the board. Sherri Collins forgot to mention this in the report above but she will serve on the Ad hoc committee to present and define the vulnerable population in the Deaf and Hard of Hearing community. She will present on October 15 at 1:30pm to address this subject and the policy changes that could affect the Deaf and Hard of Hearing community.

Budget FY 2021-Discussion/Action

RFP(request for proposal) will go out next month. Staff, Curtis Humphries explained there is an expectation that the telecommunications rate will increase. This is reflected in the budget for FY2021. Salary increase for ACDHH staff will be requested.

Commissioner Jantz motioned the budget be accepted.

Commissioner Huch seconded the motion. One opposition noted. The motion passed. Commissioner Sienko had a delayed vote not opposition. The motion was passed unanimously.

Delegation of Board Authority to Decide Informal Settlements – Discussion/Action

Conversation ensued between AAG Jo-Ann Handy and board members around the authority of the board to impose fines with substantiated complaints. The discussion highlighted different options the board members have related to this matter. Commissioner Benton motioned that on a case by case basis if an appellate requests an informal settlement the executive staff work with ILC to decide. Commissioner Jantz asked for a point of clarification and asked that between the executive staff and ILC always have a Deaf individual involved in the decision. After further discussion, it was determined that AAG Jo-Aann Handy needed to do more research to answer the questions of the board members surrounding the settlement process and board authority.

Commissioner Benton motioned this issue be tabled to allow for more research. Commissioner Huch seconded the motion. The motion passed unanimously.

Civil Money Penalty Assessment Guide Discussion/Action

Conversation ensued between the board members about the guide presented by staff. There were some concerns about the verbiage in the guide being too light and the fee amount cap at \$300.

Commissioner Huch motioned the document be accepted with the changes the ILC approved(change licensee to unlicensed individual in the 3rd box of the guide). In addition, remove

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the wording “first violation”, change the amount to “\$100-\$300 or more” and under “temporary restraining take out that wording “second letter of concern” . Commissioner Jantz seconded the motion. The motion issued unanimously.

Commissioner Kneifel announced a 10 minute break at 6p

Meeting resumed at 6:13p

Public comments on Agenda Items & Non-Agenda Items

Mary Rimron made comments earlier in the meeting. (See above-2020 Legislative Early Intervention Language Acquisition Data Discussion/Action)

Interpreter Complaints/Inquiries Discussion and Action

Complaint related to Victor Brown- Commissioner Benton motioned that due to Mr. Brown's failure to report his revoked RID certification and his unresponsiveness to numerous attempts by staff to obtain an update, his AZ license will be revoked as of August 22, 2019 and a penalty fee in the amount of \$1,480 will be imposed. Commissioner Reichman seconded the motion. Roll call was taken after this motion. Commissioner Jantz opposed. Motion passed.

Complaint related to Lori Johnson-Commissioner Jantz motioned to send a letter to make sure Lori Johnson is in compliance with her CEUs requirement is met and provide proof by 12/31/19 and if any issue that comes up with her certification, as per statute that she informs the Commission. Commissioner Huch seconded the motion. The motion passed unanimously.

Complaint related to Marty Nelson-

Due to professional conflict of interest, Commissioner Kneifel and Jantz recused themselves of any involvement including vote or discussion on complaint against Marty Nelson. **Commissioner Sienko led the discussion for this complaint. Quorum was met with the remaining Commissioners. Commissioner Vanover motioned a letter of warning be sent to Marty Nelson to either get a license or do not engage into interpreting and Commissioner Reichman seconded the motion. The motion passed unanimously. Roll call was taken and all who voted were for this action.**

Another motion re: Victor Brown was presented: Commissioner Jantz motioned that the board is not willing to settle with Mr. Brown regarding his civil penalty and license revocation. Commissioner Benton seconded that motion. Motion carried unanimously.

ILC Update Discussion Only

Commissioner Benton noted 28 applications approved August 22, 2019.

SSP(Support Service Provider) Copy Signing Guidance-Discussion/Action

AAG Jo-Ann Handy mentioned that she met with executive staff to get background on the concerns that were related to SSPs. After meeting with executive staff and obtaining the background information she was

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able to help develop this memorandum. She recommended that the board accept this document. A discussion around some of the language in the document ensued. Commissioner Jantz was concerned about inclusion of CDIs. Commissioner Kneifel gave some history and shared information from discussions held during the Governor's Council for the Blind and Visually Impaired meeting. Carmen Green Smith was also able to provide guidance and clarification.

Commissioner Jantz praised Julie Stylinski for her hard work on the document then motioned for the acceptance of this document. Commissioner Vanover seconded the motion. Motion passed unanimously.

ESSE(Educational Sign Skills Evaluation)

This topic was tabled until the next ILC meeting by ILC.

Executive Director Annual Evaluation

Personnel committee consisted of Commissioner Webster, Commissioner Kneifel and Commissioner Huch. Performance review was discussed. High number of participants in the Executive Director survey. Sherri Collins has committed to spending more time in other community areas outside of Phoenix. This has already started with the community survey. Pay increase was requested for Sherri Collins during the last review. The personnel committee voted and decided since the request is still unanswered, another request will not be sent at this time.

Future Agenda Items Discussion/Action

Lead K progress legislation

Next meeting **Nov 21, 2019**

Commissioner Kneifel's term will be up **January 2020**, need to think about replacement chair and vote.

Announcements

None

Adjournment

Commissioner Calderon motioned to adjourn the meeting and Commissioner Vanover seconded. The motion passed unanimously. The meeting adjourned at 7:02 p.m.

The undersigned certifies that a copy of the attached notice was duly posted this 27th day of August, 2019 at 1:00 p.m. by Victoria Vaughn.