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# MCHH

MINNESOTA COUNCIL  
FOR THE  
HEARING IMPAIRED

## BIENNIAL LEGISLATIVE REPORT

1991 - 1992

RECOMMENDATIONS  
FOR IMPROVING SERVICES  
TO MINNESOTANS  
WHO ARE DEAF  
AND HARD OF HEARING



# MCHI BIENNIAL REPORT

1991 - 1992

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## EXECUTIVE SUMMARY

The Minnesota Council for the Hearing Impaired (MCHI) was created by Minnesota Statute 256C.28 to advise the Governor, the Legislature, and the Commissioners of the Departments of Human Services, Education, Jobs & Training, and Health regarding the needs and concerns of Minnesotans who are deaf and hard of hearing.

The statute specifically states that the Council shall:

- 1) Advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on the nature of the issues and disabilities confronting hearing impaired persons in Minnesota;
- 2) Advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on the development of policies, programs, and services affecting hearing impaired persons, and on the use of appropriate federal and state money;
- 3) Create a public awareness of the special needs and potential of hearing impaired persons;
- 4) Provide the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health with a review of on-going services, programs, and proposed legislation affecting hearing impaired persons;
- 5) Advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on statutes or rules necessary to ensure that hearing impaired persons have access to benefits and services provided to individuals in Minnesota;
- 6) Recommend to the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health legislation designed to improve the economic and social conditions of hearing impaired person in Minnesota;
- 7) Propose solutions to problems of hearing impaired persons in the areas of education, employment, human rights, human services, health, housing, and other related programs;
- 8) Recommend to the governor and the legislature any needed revisions in the state's affirmative action program and any other steps necessary to eliminate the underemployment or unemployment of hearing impaired persons in the state's work force;
- 9) Work with other state and federal agencies and organizations to promote economic development for hearing impaired Minnesotans; and

10) Coordinate its efforts with other state and local agencies serving hearing impaired persons.

To these ends, MCHI works with a variety of individuals, organizations, advocacy and consumer groups, and state departments to enhance the lives of Minnesotans who are deaf and hard of hearing.

The Council's staff consists of its Executive Director and a part-time secretary. Council members select and appoint the executive director, subject to the approval of the Governor. Council members also have the authority to remove the executive director. (M.S.A. 256C.28, subd. 4)

The Commissioner of the Department of Human Services appoints the fifteen council members. Eight council members are representatives of the Advisory Committees for the eight (8) Regional Service Centers (RSCs) for Hearing Impaired Persons located throughout Minnesota. This relationship provides MCHI with a direct link to deaf and hard of hearing consumers around the state. The other seven (7) council members are "at-large". At least 50% of the members must be people who are deaf or hard of hearing. (M.S.A. 256C.28, subd. 1)

The Minnesota Department of Human Services through the Deaf Services Division (DSD) provides MCHI with all necessary support services. (MSA 256C.28, subd. 4) This includes the provision of DSD staff support for selected projects, DSD secretarial support, and DSD administrative support. In addition, DSD, MCHI, and the RSC staff collaborate together on many projects. Finally, DHS provides the Council with office space within the DHS Central Office Building.

The Council's various committees, together with the executive director and the assistance of specially assigned DSD staff, investigate areas of concern to Minnesotans who are deaf and hard of hearing. They also develop the Council's recommendations concerning services, programs, and legislation which is needed to improve the lives of Minnesotans who are deaf and hard of hearing.

This report is submitted by the Council in accord with Minnesota Statute, Section 256C.28, Subdivision 6, which states:

"The council shall prepare and distribute a report to the commissioner, the governor, and the legislature by December 31 of each even-numbered year. The report must summarize the activities of the council since its prior report, list receipts and expenditures, identify the major problems and issues confronting hearing impaired persons, make recommendations regarding needed policy and program development on behalf of hearing impaired individuals in Minnesota, and list the specific objectives the council seeks to attain during the next biennium."

## SUMMARY OF RECOMMENDATIONS

### A) RECOMMENDATIONS CONCERNING THE COUNCIL

The Minnesota Council for the Hearing Impaired (MCHI) hereby recommends:

- #1: THAT THE LEGISLATURE CHANGE THE NAME OF THE COUNCIL TO "THE MINNESOTA COMMISSION SERVING DEAF AND HARD OF HEARING PEOPLE". (p. 8)
- #2: THAT THE LEGISLATURE CHANGE THE TERM OF MEMBERSHIP FOR COUNCIL MEMBERS FROM TWO TO THREE YEARS AND THE TERM OF REGIONAL SERVICE CENTER (RSC) ADVISORY COMMITTEE MEMBERS FROM FOUR TO THREE YEARS. (p. 8)

### B) HUMAN SERVICES & EMPLOYMENT RECOMMENDATIONS

The Minnesota Council for the Hearing Impaired (MCHI) hereby recommends:

- #1: THAT THE DEVELOPMENTAL DISABILITIES (DD) DIVISION OF THE MN. DEPARTMENT OF HUMAN SERVICES (DHS) AND THE DIVISION OF REHABILITATION SERVICES (DRS) OF THE DEPARTMENT OF JOBS AND TRAINING (DJT) CONTINUE AND STRENGTHEN THEIR EFFORTS TO ADDRESS THE SOCIAL ISOLATION AND LACK OF COMMUNICATIVELY ACCESSIBLE LIVING AND WORKING ENVIRONMENTS FOR PEOPLE WHO ARE DEAF AND DEVELOPMENTALLY DISABLED BY WORKING TO INCREASE THE COMMUNICATION, EMPLOYMENT, AND SOCIAL OPTIONS FOR THIS GROUP OF PEOPLE. (p. 13)
- #2: THAT THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND CHEMICAL DEPENDENCY DIVISIONS OF THE DEPARTMENT OF HUMAN SERVICES SET ASIDE SPECIAL FUNDS TO HELP PAY FOR THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING PERSONS WHO ARE DEAF AND HARD OF HEARING. (p. 14)

OR

THAT THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND CHEMICAL DEPENDENCY DIVISIONS OF THE DEPARTMENT OF HUMAN SERVICES BUILD INTO THEIR RATE SETTING PROCESS THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING PERSONS WHO ARE DEAF AND HARD OF HEARING SO THAT FINANCIAL INCENTIVES EXIST FOR PROVIDERS TO ADEQUATELY AND APPROPRIATELY SERVE THESE PEOPLE. (p. 14)

- #3: THAT THE MINNESOTA LEGISLATURE FUND THE "INDEPENDENT LIVING SUPPORT SERVICES" PROPOSAL FOR TRADITIONALLY UNDERSERVED PEOPLE WHO ARE DEAF AS DEVELOPED BY THE COMMUNITY ACTION COMMITTEE (CAC). (See Appendix #1) (p. 15)



**B) HUMAN SERVICES & EMPLOYMENT RECOMMENDATIONS - CONT.**

THAT THE DEPARTMENT OF HUMAN SERVICES AND THE LEGISLATURE ALSO EXPLORE STRATEGIES SO THAT "LOWER FUNCTIONING" PERSONS WHO ARE DEAF ARE ABLE TO RECEIVE THE SAME QUALITY OF SOCIAL SERVICES, INCLUDING CASE MANAGEMENT SERVICES, AVAILABLE TO TARGET POPULATIONS LISTED IN THE COMMUNITY SOCIAL SERVICES ACT (CSSA). (p. 16)

- #4: THAT THE GOVERNOR DESIGNATE ONE STATE AGENCY TO  
(A) PURCHASE THE NECESSARY EQUIPMENT AND (B) ASSIGN THE NECESSARY PERSONNEL TO OPEN CAPTION VIDEOTAPES FOR ALL STATE AGENCIES, DEPARTMENTS, COUNCILS, COMMISSIONS, ETC.  
(p. 16)

ALSO, THAT THE GOVERNOR'S OFFICE ISSUE AN EXECUTIVE ORDER INFORMING ALL STATE AGENCIES OF THESE CAPTIONING SERVICES AND URGING THEM TO USE SUCH SERVICES AS ANOTHER MEANS BY WHICH TO FURTHER THEIR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). (p. 16)

- #5: THAT THE MN. DEPARTMENT OF JOBS AND TRAINING DEVELOP AND IMPLEMENT A PLAN TO ASSURE THAT THEIR FULL ARRAY OF PROGRAMS AND SERVICES ARE FULLY ACCESSIBLE TO MINNESOTANS WHO ARE DEAF AND HARD OF HEARING. (p. 17)

- #6: THAT STAFF FROM THE MN. DEPT. OF JOBS & TRAINING (DJT) (INCLUDING STATE SERVICES FOR THE BLIND AND VISUALLY HANDICAPPED), THE DEAF SERVICES DIVISION OF DHS, AND THE MN. DEPARTMENT OF EDUCATION (MDE) MEET WITH REPRESENTATIVES OF MCHI TO DEVELOP INTER-AGENCY PARTNERSHIPS AND WORK INITIATIVES WHICH WILL RESULT IN A MEASURABLE INCREASE IN THE EMPLOYMENT OF AND JOB ADVANCEMENT OPPORTUNITIES FOR WORKERS WHO ARE DEAF, DEAF AND BLIND, OR HARD OF HEARING. (p. 20)

- #7: THAT THE MN. DEPTS. OF HUMAN SERVICES, EDUCATION, AND JOBS AND TRAINING (STATE SERVICES FOR THE BLIND) FURTHER STUDY THE NEED FOR A "COACTIVE LEARNING" PROGRAM FOR CHILDREN WITH DEAF-BLINDNESS AGED ZERO TO 21 AND THEIR FAMILIES, AND IF THE NEED IS SUBSTANTIATED, THAT THEY WORK TOGETHER WITH POTENTIAL SERVICE PROVIDERS TO LOCATE AND SECURE ON-GOING FUNDING FOR SUCH A PROGRAM. (p. 21)

**C) EDUCATIONAL RECOMMENDATIONS**

The Minnesota Council for the Hearing Impaired (MCHI) hereby recommends:

- #1: THAT THE MN. DEPT. OF EDUCATION, IN CONJUNCTION WITH MCHI, IMMEDIATELY ESTABLISH A JOINT COMMITTEE TO WRITE AND DISTRIBUTE EDUCATIONAL PROGRAMMING STANDARDS FOR SCHOOL DISTRICTS SERVING STUDENTS WHO ARE DEAF, HARD OF HEARING, OR WHO HAVE OTHER DISABILITIES IN ADDITION TO A HEARING LOSS, INCLUDING STUDENTS WHO ARE DEAF-BLIND. (p. 25)



C) EDUCATIONAL RECOMMENDATIONS - CONT.

THAT THE MN DEPT. OF EDUCATION ALSO TAKE ALL NECESSARY STEPS TO ASSURE THAT LOCAL SCHOOL DISTRICTS ASSESS AND ADDRESS THE FOLLOWING SPECIFIC AREAS OF CONCERN ON THE INDIVIDUAL EDUCATION PLAN (IEP) FOR EACH STUDENT WHO IS DEAF, HARD OF HEARING, OR WHO HAS ANOTHER DISABILITY IN ADDITION TO HEARING LOSS, INCLUDING STUDENTS WHO ARE DEAF AND BLIND:

- (i) THE SPECIFIC COMMUNICATION NEEDS OF THE STUDENT, INCLUDING THEIR PREFERRED MODE OF COMMUNICATION,
- (ii) THE STUDENT'S LINGUISTIC NEEDS,
- (iii) THE SEVERITY OF THE STUDENT'S HEARING LOSS AND THE POTENTIAL FOR USING RESIDUAL HEARING,
- (iv) THE STUDENT'S ACADEMIC LEVEL AND LEARNING STYLE,
- (v) THE STUDENT'S SOCIAL, EMOTIONAL, AND CULTURAL NEEDS,
- (vi) THE STUDENT'S NEED AND OPPORTUNITY FOR INTERACTION WITH AGE, COGNITIVE, AND LANGUAGE PEERS,
- (vii) THE STUDENT'S NEED FOR SPECIAL EDUCATION TEACHERS AND OTHER SCHOOL SPECIALISTS WHO ARE PROFICIENT IN THE STUDENT'S PRIMARY LANGUAGE,
- (viii) THE NEED FOR ALL SCHOOL PROGRAMS, INCLUDING EXTRA-CURRICULAR ACTIVITIES, TO BE COMMUNICATIONALLY ACCESSIBLE TO THE STUDENT,
- (ix) THE STUDENT'S FAMILY SUPPORT NETWORK,
- (x) THE STUDENT'S PLACEMENT PREFERENCE, and
- (xi) THE SPECIFIC NEEDS OF EACH DEAF-BLIND STUDENT INCLUDING NEEDED ADAPTIVE COMMUNICATION AND ADAPTED INSTRUCTIONAL TECHNIQUES. (p. 25-26)

- #2: THAT THE LEGISLATURE APPROPRIATE NECESSARY MONEY TO CREATE AND ADMINISTRATIVELY SUPPORT THE FOLLOWING POSITIONS AT THE RESOURCE CENTER: HEARING IMPAIRED: 1 FTE PSYCHOLOGIST, 1 FTE ACADEMIC/READING/LANGUAGE SPECIALIST, 1 FTE PARENT/INFANT EDUCATOR, AND A .5 FTE TRANSITIONAL/VOCATIONAL SPECIALIST AND A .5 MULTIPLE DISABILITIES SPECIALIST WHO IS ALSO SKILLED AND KNOWLEDGEABLE ABOUT THE EDUCATION OF CHILDREN WHO ARE BOTH DEAF AND BLIND. (p. 27)

THAT THE LEGISLATURE ALSO REQUIRE THAT PERSONS HIRED FOR THESE POSITIONS SHALL BE (A) COMPETENT AND KNOWLEDGEABLE OF EDUCATIONAL ISSUES RELATED TO THE NEEDS OF STUDENTS WHO ARE DEAF AND HARD OF HEARING, (B) SKILLED IN AMERICAN SIGN LANGUAGE AND THE FULL ARRAY OF ENGLISH-BASED SIGNING SYSTEMS, AND (C) QUALIFIED AND AVAILABLE TO PROVIDE

C) EDUCATIONAL RECOMMENDATIONS - CONT.

TECHNICAL ASSISTANCE AND (i) PSYCHOLOGICAL, (ii) SOCIAL, (iii) ACADEMIC, (iv) LANGUAGE AND OTHER RELATED ASSESSMENT SERVICES TO SCHOOL DISTRICTS THROUGHOUT THE STATE FOR STUDENTS WHO ARE DEAF AND HARD OF HEARING. (p. 27)

THAT THE LEGISLATURE DIRECT THAT THIS ASSESSMENT TEAM SHALL (A) BE ITINERANT AND AVAILABLE FREE OF CHARGE TO DISTRICTS AND PARENTS TO ADMINISTER ASSESSMENTS AND TO PROVIDE CONSULTATION WHEN REQUESTED BY THE IEP TEAM AND (B) THAT WRITTEN NOTICE OF THE AVAILABILITY OF THE TEAM SHALL BE GIVEN TO ALL PARENTS OF DEAF AND HARD OF HEARING CHILDREN, ALONG WITH WRITTEN NOTICE OF THE AREAS TO BE ADDRESSED AND ASSESSED ON THEIR CHILD'S IEP. (p. 27)

- #3: THAT THE '93 LEGISLATURE PASS A LAW REQUIRING SCHOOL DISTRICTS TO HIRE ONLY THOSE INTERPRETERS/TRANSLITERATORS WHO DEMONSTRATE A SPECIFIED STANDARD OF COMPETENCE AS DETERMINED BY THEIR RESPECTIVE NATIONAL CERTIFYING ORGANIZATION. (p. 28)

(EXACT LANGUAGE OF A BILL TO BE FORTHCOMING BY MID-JANUARY.)

AND

THAT THE MN. DEPT. OF EDUCATION ONLY REIMBURSE SCHOOL DISTRICTS FOR THE SERVICES OF THOSE INTERPRETERS/TRANSLITERATORS WHO SATISFY THE REQUIRED STANDARD OF COMPETENCY AND THAT THE DEPT. BE REQUIRED TO REIMBURSE DISTRICTS AT A RATE THAT RECOGNIZES AND ADEQUATELY COMPENSATES INTERPRETERS AND TRANSLITERATORS AS THEY DEVELOP ADDITIONAL SKILLS AND COMPETENCIES. (p. 29)

D) RECOMMENDATIONS RELATED TO MINNESOTANS WHO ARE HARD OF HEARING

The Minnesota Council for the Hearing Impaired (MCHI) hereby recommends:

- #1: THAT THE LEGISLATURE ENACT THE LEGISLATION PROPOSED BY THE MINNEAPOLIS CHAPTER OF SELF HELP FOR HARD OF HEARING (SHHH) (See Appendix 4) REQUIRING ALL COURT-RELATED ACTIVITIES AND ALL PUBLIC MEETINGS TO BE MADE ACCESSIBLE TO MINNESOTANS WHO ARE HARD OF HEARING AND DEAF. (p. 31)

HARD OF HEARING RECOMMENDATIONS - CONT.

#2: THAT THE GOVERNOR REQUIRE THAT ALL STATE AGENCIES STUDY, ESTIMATE, AND SET ASIDE IN A SEPARATE ACCOUNT AN AMOUNT OF MONEY NECESSARY TO ADEQUATELY FUND ACCOMMODATIONS AS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA) SO AS TO ENSURE THAT THEIR EMPLOYEES AND CONSUMERS WITH DISABILITIES, INCLUDING THOSE WHO ARE HARD OF HEARING OR DEAF, RECEIVE EQUAL ACCESS TO SERVICES AND CONDITIONS OF EMPLOYMENT. (p. 32)

#3: (A) THAT THE MN. BOARD ON AGING AND THE DEAF SERVICES DIVISION OF DHS DEVELOP AN INFORMATIONAL/ADVOCACY PROGRAM FOR NURSING HOMES AND THEIR RESIDENTS WHO ARE HARD OF HEARING AND DEAF CONCERNING THE THE ACCOMMODATIONS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA). (p. 33)

(B) THAT THE MN. DEPARTMENT OF HEALTH DEVELOP REGULATIONS OR OTHER STANDARDS REQUIRING NURSING HOME STAFF TO RECEIVE BASIC TRAINING ABOUT HEARING LOSS AND DEAFNESS, ASSISTIVE LISTENING DEVICES AND SYSTEMS, THE COMMUNICATION AND PROGRAM NEEDS OF PERSONS WHO ARE HARD OF HEARING AND DEAF, AND THE RIGHT OF RESIDENTS TO RECEIVE REASONABLE ACCOMMODATIONS TO ASSURE THE RECEIPT OF EQUALLY EFFECTIVE SERVICES. (p. 33)

(C) THAT THE MN. DEPT. OF HEALTH AND/OR THE MN. DEPT. OF HUMAN SERVICES REQUIRE NURSING HOMES TO COMPLY WITH THE PROGRAM AND COMMUNICATION ACCESS PROVISIONS OF THE ADA AS PART OF THEIR LICENSING AND MONITORING PROCESS. (p. 34)

(D) THAT THE MN. DEPARTMENT OF HUMAN SERVICES SET ASIDE SPECIAL FUNDS TO HELP PAY FOR THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING NURSING HOME RESIDENTS WHO ARE DEAF AND HARD OF HEARING. (p.34)

OR

THAT THE MN. DEPARTMENT OF HUMAN SERVICES BUILD INTO THEIR RATE SETTING PROCESS THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING RESIDENTS WHO ARE DEAF AND HARD OF HEARING SO THAT NURSING HOMES HAVE THE FINANCIAL INCENTIVES TO ADEQUATELY AND APPROPRIATELY SERVE THESE RESIDENTS. (p. 34)

#4: THAT THE MN. DEPARTMENT OF HEALTH CONTINUE THE REGISTRATION SYSTEM FOR SELLERS OF HEARING INSTRUMENTS UNTIL OTHER REGULATORY SAFEGUARDS CAN BE PUT IN PLACE TO ASSURE THAT ADEQUATE PROTECTION EXISTS FOR CONSUMERS OF HEARING INSTRUMENTS. (p. 35)

**REPORT AND RECOMMENDATIONS OF THE MCHI  
LEGISLATIVE SUB-COMMITTEE**

**AREA OF CONCERN #1:** Members of MCHI are concerned that the Council's present name inappropriately characterizes its mission and membership in several ways.

First, Council members believe that they are not an organization doing work "for" Minnesotans who are deaf and hard of hearing. Doing work "for" people implies that people cannot do things for themselves. It is a paternalistic concept. Rather, Council members envision themselves working with Minnesotans who are deaf and hard of hearing to better meet or "serve" their needs.

Second, Council members who have a hearing loss do not view themselves as being "impaired". There is nothing wrong with them any more than there is something "wrong" with people who wear glasses. Therefore, rather than being a Council working with and serving "impaired" persons, the Council envisions itself working with and serving people who happen to be either deaf or hard of hearing.

This recommendation is consistent with DHS' legislative recommendation that the word "hearing impaired" be eliminated from the "Hearing Impaired Services Act".

Finally, the use of the term "Commission" reflects the role of MCHI as an agency that goes beyond making recommendations by advocating for the development and improvement of services.

For these reasons, MCHI recommends:

**RECOMMENDATION #1: THAT THE LEGISLATURE CHANGE THE NAME OF THE COUNCIL TO "THE MINNESOTA COMMISSION SERVING DEAF AND HARD OF HEARING PEOPLE".**

**AREA OF CONCERN #2:** Council members are also concerned that the current two-year term of membership does not give members enough time to both become acquainted with the Council and its procedures and still have time to make a significant contribution to the Council's work.

Also, since eight of the Council's members are representatives of the Regional Service Center (RSC) Advisory Committees, appointments of members to both the Advisory Committees and to MCHI could more easily be coordinated if the membership terms were consistent.

For these reasons, MCHI recommends:

**RECOMMENDATION #2: THAT THE LEGISLATURE CHANGE THE TERM OF MEMBERSHIP FOR MCHI MEMBERS FROM TWO TO THREE YEARS AND THE TERM OF REGIONAL SERVICE CENTER (RSC) ADVISORY COMMITTEE MEMBERS FROM FOUR TO THREE YEARS.**

REPORT AND RECOMMENDATIONS OF THE MCHI  
HUMAN SERVICES AND EMPLOYMENT SUB-COMMITTEE

In the Council's last Biennial Report (December, 1990), the Human Services and Employment Sub-Committees identified a variety of concerns related to the employment and human service needs of Minnesotans who are deaf and hard of hearing. The Committee also presented several recommendations to address those concerns.

Although those areas of concerns and recommendations are not repeated verbatim herein, they can be found on pages 5 - 12 of the Council's 1989-1990 Biennial Report.

The Committee was and continues to be concerned that their recommendations not lie dormant but rather receive appropriate attention, consideration, and wherever possible, implementation. For this reason, much of the committee's work has involved meeting with state agency commissioners and staff to clarify and seek implementation of their recommendations.

Listed below is a review of this Committee's work during the past two years as it relates to each of those previously identified concerns.

1991-1992 COMMITTEE ACTIVITIES

Previously Identified Concern #1: Social isolation and lack of communicatively accessible living and working environments for people who are deaf and developmentally disabled.

Activities Included:

- A) Meeting with service providers, including the HIDD (Hearing Impaired Developmental Disabilities) Committee, to learn more about the needs of persons who are deaf and have developmental disabilities;
- B) Development and distribution of a "Policy Statement Regarding the Integration of Persons Who Are Deaf and Have Developmental Disabilities";
- C) Meeting with the Public Policy Committee of the Governor's Planning Council on Developmental Disabilities concerning the needs of persons who are deaf and have developmental disabilities;
- D) Meeting with DHS Assistant Commissioner Skaff and her staff concerning the need for DHS to address the social isolation and lack of communicatively accessible living and working environments for people who are deaf and developmentally disabled;

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- E) On-going meetings with staff from the DHS Divisions for Developmental Disabilities and Deaf Services to discuss and explore implementation of specific recommendations;
- F) Review of the newly developed DSD/DD work plan for addressing the needs of people who are deaf and developmentally disabled; and
- G) On-going meetings to encourage the development of an organization which would be owned and operated by people who are deaf to provide services to people who are deaf and developmentally disabled.

Previously Identified Concern #2: Lack of independent living support services and comprehensive rehabilitation and habilitation services for traditionally underserved deaf people.

Activities Included:

- A) On-going meetings with the Community Action Committee to help them analyze the need for and develop a proposal for Independent Living Support Services for deaf people who are lower functioning and/or multiply disabled;
- B) Meetings with the Hearing Impaired Advisory Committee of the Division of Rehabilitation Services of the MN. Dept. of Jobs & Training to identify joint concerns which we wanted DRS to address;
- C) Development of a recommendation to DRS concerning the need for them to coordinate the development of an integrated rehabilitation service delivery system for people who are deaf and have special needs; and
- D) Development with DRS of a DJT "Investment Initiative" for the development of independent living support services for this population of people.

Previously Identified Concern #3: Aftercare services for people who are chemically dependent and either deaf or hard of hearing.

Activities Included:

- A) Discussions with staff from the DHS Deaf Services Division concerning this area of need; and
- B) Tracking of discussions between staff of DSD and Chemical Dependency Division concerning the allotment of federal monies for this purpose.

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Previously Identified Concern #4: The need for open captioning of videos used or produced by DHS.

Activities Included:

The exchange of several letters with the DHS Commissioner concerning the need for this accommodation and discussion of DHS' progress with making such accommodations.

Previously Identified Concern #5: Better access for Minnesotans who are deaf and hard of hearing to the full array of services and programs offered by the Department of Jobs & Training.

Activities Included:

- A) Letter to the DJT Commissioner outlining concerns and needs and requesting a meeting.
- B) Meeting with the Assistant Commissioner for Rehabilitation Services relating to portions of the letter to the Commissioner of DJT.
- C) Meeting and discussion with the Commissioner and her cabinet regarding our previously identified concerns.
- D) Letter sent to DRS concerning their proposed "Order of Selection" for DRS services.

Previously Identified Concern #6: Under- and unemployment of Minnesotans who are deaf and hard of hearing.

Activities Included:

- A) Request to DJT for the development of plan to address the long-standing under- and unemployment needs of Minnesotans who are deaf and hard of hearing.
- B) Proposal to DJT for the formation of a task force of business, labor, and public sector representatives to address this issue.
- C) Letters of support to continue funding for the job placement work done by Human Resources Development Institute for Minnesotans who are deaf and hard of hearing.



ISSUES AND PRIORITIES FOR 1993 - 1994

Listed below are seven areas of concern that the Human Services/Employment Committee has identified as needing attention during 1993 and 1994. Also listed below are the Committee's recommendations for addressing these concerns and needs.

**AREA OF CONCERN #1: SOCIAL ISOLATION AND LACK OF COMMUNICATIVELY ACCESSIBLE LIVING AND WORKING ENVIRONMENTS FOR PEOPLE WHO ARE DEAF AND DEVELOPMENTALLY DISABLED**

We continue to receive reports that many people who are deaf and developmentally disabled lack the option of living and working in environments which are communicatively accessible to them.

In all too many situations, people who are deaf and developmentally disabled live and work without access to natural, on-going communication with staff and fellow workers and residents. Few opportunities exist to discuss day-to-day social, emotional, vocational, and recreational needs and concerns because hearing co-workers, residents, and staff often have little, if any, skill in sign language. As a result, many of these deaf individuals are under- and/or inappropriately served, resulting in the lack of opportunity to maximize their human potential.

In addition, we believe that too many behavioral intervention plans are written and implemented for this population. Our perception is that "behavioral problems" often arise for people who are deaf and developmentally disabled because of their inability to adequately communicate their needs and concerns to staff.

Finally, because deafness is a relatively low incidence disability, there is not a widespread understanding of its implications among either service providers or county case managers. This lack of knowledge contributes to the placement of people who are deaf and developmentally disabled in environments which may not meet their individual communication, language, and socialization needs.

For these reasons, we believe that it is crucial for the Department of Human Services to provide additional guidance to county case managers and service providers about how to meet the needs of this population.

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We congratulate and thank the DHS Deaf Services and Developmental Disabilities Divisions for beginning to address these issues through the development and implementation of a joint work plan. We see this as a crucial first step in helping to raise the awareness of county, state, and private players.

However, much remains to be done and the DD/DSD work plan does not address all of our concerns. For these reasons, we strongly recommend and urge that the following be done:

RECOMMENDATION #1: THAT THE DEVELOPMENTAL DISABILITIES (DD) DIVISION OF THE MN. DEPARTMENT OF HUMAN SERVICES AND THE DIVISION OF REHABILITATION SERVICES OF THE DEPARTMENT OF JOBS AND TRAINING (DJT) CONTINUE AND STRENGTHEN THEIR EFFORTS TO ADDRESS THE SOCIAL ISOLATION AND LACK OF COMMUNICATIVELY ACCESSIBLE LIVING AND WORKING ENVIRONMENTS FOR PEOPLE WHO ARE DEAF AND DEVELOPMENTALLY DISABLED BY WORKING TO INCREASE THEIR COMMUNICATION, EMPLOYMENT, AND SOCIAL OPTIONS FOR THIS GROUP OF PEOPLE.

To help implement this recommendation, the Council recommends that the following be done:

A. That the DD Division of DHS immediately develop and distribute to counties a DHS policy statement stating that community placements of persons who are deaf and developmentally disabled must address the need for communicatively accessible residential and habilitation services.

B. That the DD Division of DHS prepare and disseminate a policy statement to counties urging counties to identify specific case managers to work with this population. These case managers should have or be offered special training concerning the needs of people who are deaf and developmentally disabled.

C. That the DD and Deaf Divisions of DHS provide on-going in-service training to residential and day programming staff concerning the "state of the art" practices for working with people who are deaf and developmentally disabled by either seeking federal monies to hire itinerant staff for this purpose or by otherwise assigning this responsibility to existing staff. This should include the development of a "best practices" and resource manual for county and provider staff.

D. That the Division of Rehabilitation Services develop and offer specific training for job coaches to work with persons who are deaf and developmentally disabled.

AREA OF CONCERN #2: LACK OF PHYSICAL & PROGRAM ACCOMMODATIONS  
IN RESIDENTIAL AND COMMUNITY BASED  
PROGRAMS FOR PERSONS WHO ARE DEAF OR  
HARD OF HEARING.

People who are deaf or hard of hearing and either mental ill, chemically dependent, or developmentally disabled need special assistive devices and services in residential and community based programs. These include visual warning signals for fires and other emergencies, telecommunication devices, sign language interpreting services, and money for special staff training.

Because there are not special funds to pay for these assistive devices or services, the services are often either not provided or else are paid for with money that would otherwise go to pay for direct care. In either case, people who are deaf and hard of hearing are often denied equally effective services.

We are also told that when some residential providers are asked to provide such services for people with hearing impairments, they often refuse to accept the person into their program because of the cost of the accommodations.

For these reasons, the Council recommends:

RECOMMENDATION #2: THAT THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND CHEMICAL DEPENDENCY DIVISIONS OF THE DEPARTMENT OF HUMAN SERVICES SET ASIDE SPECIAL FUNDS TO HELP PAY FOR THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING PERSONS WHO ARE DEAF AND HARD OF HEARING.

OR

THAT THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND CHEMICAL DEPENDENCY DIVISIONS OF THE DEPARTMENT OF HUMAN SERVICES BUILD INTO THEIR RATE SETTING PROCESS THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING PERSONS WHO ARE DEAF AND HARD OF HEARING SO THAT FINANCIAL INCENTIVES EXIST FOR PROVIDERS TO ADEQUATELY AND APPROPRIATELY SERVE THESE PEOPLE.

AREA OF CONCERN #3: LACK OF ANY FUNDING STREAM TO PROVIDE SERVICES FOR PEOPLE WHO ARE DEAF AND UNABLE TO FUNCTION INDEPENDENTLY BUT WHO DO NOT FIT THE DEFINITION OF DEVELOPMENTALLY DISABLED, MENTALLY RETARDED, OR SEVERE AND PERSISTENTLY MENTALLY ILL.

The Commission of Education of the Deaf (COED) estimates that about 100,000 deaf people in the United States are unemployed or underemployed due to difficulties in language, vocational, social, and psychological development. Often, these developmental problems arise because of medical conditions (often rubella-related) associated with the onset of deafness.

At different times, these people have been labeled as "low achieving" or "multiply handicapped" or "low functioning". However described, all of these deaf people experience problems associated with independent living, including problems related to money management, poor problem solving skills, lack of knowledge about and access to various parent support services, not knowing how to use public transportation, etc.

Although these people often exhibit symptoms and behaviors compatible with a diagnosis of mental illness, mental retardation, or developmental disability, they often fail to meet the specific criteria to qualify for social services under both federal and state definitions.

As a result, these deaf people go without independent living support services needed to help them either obtain employment, retain employment, or simply maintain an independent life style in the community.

Without the availability of support services to help with such crises, these people often lose their jobs and significant state and county services and resources are then needed to bring life back to normal. Many of these people become "revolving door clients" for financial assistance programs and DRS services.

For these reasons, the Council recommends:

RECOMMENDATION #3: THAT THE MINNESOTA LEGISLATURE FUND THE "INDEPENDENT LIVING SUPPORT SERVICES" PROPOSAL FOR TRADITIONALLY UNDERSERVED PEOPLE WHO ARE DEAF AS DEVELOPED BY THE COMMUNITY ACTION COMMITTEE (CAC). (See attached Appendix #1.)

WE ALSO URGE THE DEPT. OF HUMAN SERVICES AND THE LEGISLATURE TO EXPLORE STRATEGIES SO THAT "LOWER FUNCTIONING" PERSONS WHO ARE DEAF ARE ABLE TO RECEIVE THE SAME QUALITY OF SOCIAL SERVICES, INCLUDING CASE MANAGEMENT SERVICES, AVAILABLE TO THE TARGET POPULATIONS LISTED IN THE COMMUNITY SOCIAL SERVICES ACT (CSSA).

AREA OF CONCERN #4: MANY VIDEO TAPES OWNED OR USED BY STATE ENTITIES ARE COMMUNICATIVELY INACCESSIBLE TO PEOPLE WHO ARE DEAF AND HARD OF HEARING.

Many State of Minnesota agencies, departments, councils, commissions, etc. produce or purchase video tapes for educational and informational purposes. Individuals who are deaf or hard of hearing and either work for the state or who view the video tapes as consumers often do not have equal access to the information on these tapes since they are seldom captioned. When interpreters are provided, information can still be lost in the translation. In addition, sign language interpretation does not accomodate most hard of hearing people.

If videotapes were open captioned, Minnesotans who are deaf and hard of hearing would have equal communication access to the videos.

The Department of Human Services has already taken steps to significantly address this concern. However, we believe that the state can save considerable money by purchasing the necessary captioning equipment and making captioning services available to all state agencies when such costs are compared to the cost of contracting with private vendors to caption a multitude of videos on an on-going basis.

For these reasons, the Council recommends:

RECOMMENDATION #4: THAT THE GOVERNOR DESIGNATE ONE STATE AGENCY TO (A) PURCHASE THE NECESSARY EQUIPMENT AND (B) ASSIGN THE NECESSARY PERSONNEL TO PROVIDE OPEN CAPTION SERVICES TO ALL STATE AGENCIES, DEPARTMENTS, COUNCILS, COMMISSIONS, ETC.

ALSO, THAT THE GOVERNOR'S OFFICE ISSUE AN EXECUTIVE ORDER INFORMING ALL STATE AGENCIES OF THESE SERVICES AND URGING THEM TO USE SUCH SERVICES AS ANOTHER MEANS BY WHICH TO FURTHER THEIR COMPLIANCE WITH THE ADA.

**AREA OF CONCERN #5: LACK OF EQUAL ACCESS BY PEOPLE WHO ARE DEAF, AND HARD OF HEARING TO THE FULL RANGE OF SERVICES AND PROGRAMS AVAILABLE THROUGH THE DEPARTMENT OF JOBS & TRAINING.**

This problem has several facets. They include (1) continued reports that some Job Services & Unemployment Insurance offices don't provide interpreters and/or ask people to bring their own interpreters, (2) reports that some Job Service offices continue to refer deaf people to the Division of Rehabilitation Services (DRS) rather than providing them with needed and desired assistance in looking for a job, (3) problems with access to information about and referral to other DJT programs such as JTPA, the Mini-Office Program, youth employment and training programs, youth intervention programs, Work Skills Competitive Day, special federal money for summer youth employment, the DRS/700 hour placement plan, and the DRS/Postal Service Placement Plan, and (4) the lack of TTY numbers on all brochures and flyers advertising Departmental programs.

**RECOMMENDATION #5: THAT THE MN. DEPARTMENT OF JOBS AND TRAINING DEVELOP AND IMPLEMENT A PLAN TO ASSURE THAT THEIR FULL ARRAY OF PROGRAMS AND SERVICES ARE FULLY ACCESSIBLE TO MINNESOTANS WHO ARE DEAF AND HARD OF HEARING.**

To help accomplish this, the Council recommends the following strategies:

A. That the Commissioner of the Department of Jobs & Training direct DJT Division Directors to consult with both the new DRS deaf specialist and staff from the Deaf Services Division of DHS about how each Division can better provide Minnesotans who are deaf and hard of hearing with equal access to their respective services and programs.

B. That DJT immediately examine what can be done to make its Job Service offices more accessible to Minnesotans who are deaf. We continue to hear that many deaf people are not aware that Job Service offices exist. Nor do many deaf people know what services are available from these offices. Rather, many deaf people seem to only know of DRS offices and services.

We believe that part of this problem arises from a long-standing attitude on the part of some Job Service personnel that "people with disabilities belong to DRS, not to us".

Again, in addressing this issue, we urge that DJT staff consult with the DRS deaf specialist and DSD staff about how DJT can make their Job Service offices more accessible.

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C. That all DJT program pamphlets, application forms, notices, etc. be written in accord with the plain language law and when deemed necessary after review, that selected forms, applications, etc. also be printed so that people who use English as their second language can better understand the nature of available services, eligibility criteria, applicants' rights and responsibilities, and how to apply for services.

D. That the Department open caption all videotapes which they produce or purchase. We also recommend that DJT add open captions to all videotapes currently used on a regular basis with the general public (e.g. the informational tape shown to people who apply for unemployment insurance).

E. That the Department list a TTY number on all printed materials wherever and whenever they list a voice telephone number. This should be included on all DJT public information pamphlets, press releases, stationary, and the like.

F. That DRS or the applicable DJT division develop and offer (or otherwise contract out the development of) special training for job coaches who are committed to working with deaf and hard of hearing people. In addition, DRS should establish competency requirements for job coaches who work with people who are deaf, including a requirement that such job coaches be skilled in sign language.

G. That DRS authorize and assist its new deaf specialist to work with providers and funders to develop a comprehensive and accessible rehabilitation assessment and service delivery system for multiply handicapped and lower functioning deaf people.

**AREA OF CONCERN #6: CONTINUED UNDEREMPLOYMENT AND UNEMPLOYMENT  
OF DEAF, HARD OF HEARING, AND DEAF-BLIND  
MINNESOTANS.**

The underemployment and unemployment of Minnesotans who are deaf, deaf and blind, and hard of hearing remains a significant problem.

The Minnesota Legislature has itself acknowledged the need for the Department of Jobs & Training to address this problem. (See M.S.A. 256C.26)

Some employment barriers for Minnesotans who are deaf and hard of hearing are known. For example, we hear from people who are deaf and from professionals working with them that a major barrier to employment is the cost of an interpreter for job interviews.



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If a deaf person is a client of DRS, DRS will pay for an interpreter for a job interview. However, if the person is not a DRS client, they must either (a) pay for the interpreter themselves, (b) apply for DRS services, or (c) ask the prospective employer to pay for the interpreter.

However, most unemployed deaf people do not have the money to pay for interpreters for their job interviews. Also, if the deaf person applies for DRS services, the job is filled before their application is processed. Finally, if they ask the prospective employer to pay for the interpreter, experience says that they employer almost always finds a reason not to hire the deaf person.

One possible solution to this problem would be for the MN. Department of Jobs and Training (DJT) to use discretionary federal dollars to provide interpreter services for job interviews for people who are deaf or deaf and blind but not clients of the Division of Rehabilitation Services (DRS).

Other solutions may also exist.

We are also told that people who are deaf, deaf and blind, and hard of hearing, but who are not clients of DRS or of State Services for the Blind (SSB), need specialized job placement services to help them overcome employment barriers.

The needed placement services include (a) education of potential employers about the skills and abilities which deaf people possess, (b) addressing employers' concerns about how a deaf worker can work with hearing co-workers, and (c) addressing misconceptions which employers may have about safety concerns when they hear that an applicant is deaf, deaf and blind, or hard of hearing.

One possible way to create such specialized job placement services would be for DJT to use discretionary federal dollars to fund a such a position. Again, however, even better solutions may exist.

Our concern is that despite these known barriers to employment and despite legislation mandating that these problems be addressed (MSA 256C.26), neither DJT nor any other state agency has developed a strategy or plan to increase access to both entry level and job advancement opportunities for workers who are deaf and hard of hearing.

For these reasons, the Council recommends:

RECOMMENDATION #6: THAT STAFF FROM THE MN. DEPT. OF JOBS & TRAINING (INCLUDING STATE SERVICES FOR THE THE BLIND AND VISUALLY HANDICAPPED), THE DEAF SERVICES DIVISION OF DHS, AND THE MN. DEPARTMENT OF EDUCATION (MDE) MEET WITH MINNESOTANS WHO ARE DEAF, DEAF AND BLIND, AND HARD OF HEARING, INCLUDING REPRESENTATIVES OF MCHI, TO DEVELOP INTER-AGENCY PARTNERSHIPS AND WORK INITIATIVES WHICH WILL RESULT IN A MEASURABLE INCREASE IN THE EMPLOYMENT OF AND JOB ADVANCEMENT OPPORTUNITIES FOR WORKERS WHO ARE DEAF, DEAF AND BLIND, AND HARD OF HEARING.

Note: We propose an inter-departmental approach to this problem because the cause of under- and unemployment is by nature complex and multifaceted. We believe that meaningful solutions will not be found if the problem is viewed only as a vocational or human service or educational concern.

AREA OF CONCERN #7: LACK OF SERVICES TO HELP CHILDREN WHO ARE DEAF AND BLIND DEVELOP INDEPENDENCE AND SELF DETERMINATION SKILLS.

Parents of children who are deaf and blind uniformly tell of the need for one-to-one direct services (e.g. "coactive learning" services) to help their children develop community integration and independence life skills.

This need exists because of the enormous integration and information barriers affecting every aspect of the lives of children with deaf-blindness. Many children with deaf-blindness grow up isolated, unable to communicate with their families and their peers.

Most hearing and sighted children begin to interact with their community at an early age. Some participate in Cub Scouts or join a Brownie Troop. Many play baseball or ride bicycles after school with other children who live in their neighborhoods. They explore their surroundings and develop social contacts and interests outside of their families. They spend their weekly allowances in the toy shop or video arcade.

These experiences prepare children for adulthood by developing their communication, social, and decision-making skills, and by developing their knowledge of the world around them.

Most deaf-blind children, because of communication and other barriers, are not given these same opportunities to learn.

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Parents and teachers often do not have the specialized knowledge or have not received the training needed to help these children learn the new skills they need to participate in community life. Many parents and teachers may also lack confidence that a child who is deaf and blind can interact with the world on his or her own. They may also be discouraged by the same communication barriers that are limiting the child.

The goal of "coactive learning" services is to develop the community integration skills of children with deaf-blindness by placing a trained adult with each child to facilitate directly the learning process. Because children who are deaf and blind have a limited capacity to receive information using their eyes and ears, skilled "coactive learning" partners can deliver this information to them. This type of project focuses on teaching children who are deaf and blind the skills they need to find out about and participate in community activities of all kinds.

For these reasons, the Council recommends:

**RECOMMENDATION #7: THAT THE MN. DEPTS. OF HUMAN SERVICES, EDUCATION, AND JOBS AND TRAINING (STATE SERVICES FOR THE BLIND) FURTHER STUDY THE NEED FOR SUCH A "COACTIVE LEARNING" PROGRAM AND IF THE NEED IS SUBSTANTIATED, THAT THEY WORK TOGETHER WITH POTENTIAL SERVICE PROVIDERS TO LOCATE AND SECURE ON-GOING FUNDING FOR SUCH A PROGRAM FOR CHILDREN WITH DEAF-BLINDNESS AGED ZERO TO 21 AND THEIR FAMILIES.**

REPORT AND RECOMMENDATIONS OF THE MCHI  
EDUCATION SUB-COMMITTEE

In the Council's last Biennial Report, the Education Sub-Committee identified a variety of concerns related to the education of Minnesota students who are deaf and hard of hearing. The Committee also presented several recommendations to address those concerns.

These areas of concern and the related recommendations are listed on pages 2 - 4 of the Council's 1989-1990 Biennial Report.

The Education Committee has also been concerned that its recommendations not lie dormant. For this reason, much of their work has involved meeting with state department staff to clarify and seek implementation of their recommendations.

Listed below is a review of this Committee's work during the past two years as it relates to each of their previously identified concerns.

1991-1992 COMMITTEE ACTIVITIES

Previously Identified Concern #1: The need to assure a high quality of school interpreter services for students who are deaf.

Activities Included:

- A) Learned that the final implementation phase of the Quality Assurance Project would not be funded.
- B) Conducted our own informal "need assessments" to confirm the need for a quality assurance program for school interpreters.
- C) Reviewed previous research to determine what other states have done to institute quality assurance for school interpreters.
- D) Drafted a proposed school interpreter quality assurance bill.
- E) Sponsored a public meeting/forum for concerned parties to comment upon the proposed bill.
- F) Talked with other interested parties and prepared further revisions of the bill.

Previously Identified Concern #2: The need for the MN. Department of Education to address several statewide issues pertaining to the education of students who are deaf and hard of hearing, including problems of social isolation, inadequate quality assurance for teachers and interpreters, inappropriate or incomplete assessments, and a lack of technical support and assistance for teachers.

Activities Included:

- A) Met with staff of the MN. Department of Education to explain our concerns and to ask for the establishment of a plan to address those concerns.
- B) Met with a Committee of the State Board on Education to discuss a possible task force to study and address these concerns.
- C) Offered feedback to the staff of the MN. Dept. of Education (MDE) concerning their memo to the State Board on Education about how MDE would address identified concerns without establishing a task force.
- D) Met again with staff of MDE to discuss implementation of their memo to the State Board on Education.
- E) Agreed as a first step that MDE would establish a work group to develop and disseminate educational "standards" for school programs serving students with deaf and hard of hearing. (Current status of work group uncertain.)

Other Activities Included:

- A) Developed a position paper supporting the American Sign Language Teacher Licensure Law but expressing concern about its implementation.
- B) Designed and sponsored three forums at which concerned parties came together to discuss their concerns about the ASL Teacher Licensure Law and looked for common interests and possible solutions.
- C) Currently planning a meeting of concerned parties to explore possible proposed improvements/clarifications of the ASL Teacher Licensure Law.

ISSUES AND PRIORITIES FOR 1993 - 1994

After reviewing which of its previous recommendations have or have not been implemented, the Education Sub-Committee has identified 3 areas of concern which need continued attention during 1993 and 1994. In addition, the Committee has developed recommendations to address these concerns.

The Committee's concerns and recommendations are as follows:

**AREA OF CONCERN #1: THE NEED FOR LEADERSHIP AND GUIDANCE FROM THE MINNESOTA DEPARTMENT OF EDUCATION IN ADDRESSING SEVERAL LONG-STANDING EDUCATIONAL NEEDS OF DEAF AND HARD OF HEARING STUDENTS.**

Since 1989, the Minnesota Association of Deaf Citizens (MADC) has attempted to get the Minnesota Department of Education and the Minnesota State Board on Education to address several long-standing problems concerning the education of Minnesota students who are deaf and hard of hearing. In 1989, they developed and presented to the Board on Education a set of nine (9) recommendations for the Department of Education to implement. (See Appendix 2) These recommendations are based upon a national study entitled "TOWARD EQUALITY: Education of the Deaf, A report to the President and the Congress of the United States by the Commission on Education of the Deaf", commonly referred to as the "COED" Report.

Since these recommendations were presented, both MADC and MCHI have continued to emphasize the need for statewide leadership from MDE to help local school districts address educational problems and concerns related to (a) appropriate educational assessments, (b) staff development, (c) quality assurance of school interpreters, (d) social isolation of students who are deaf and hard of hearing and in mainstreamed placements, (e) teachers' needs for technical assistance, and (f) concerns related to the "least restrictive" educational placements vs. "most appropriate" educational placements for students who are deaf and hard of hearing.

During the past two years, even the National Association of State Directors of Special Education (NASDSE) has acknowledged the need for states to develop educational guidelines and standards for educating children who are deaf and hard of hearing because of the concern

"about the inadequate academic skills of deaf students in many schools, who often lag several years behind their hearing peers in reading and language skills despite normal or high intelligence".

As mentioned previously, MCHI has attempted to get MDE to take the leadership in addressing these issues.

Most recently, in October, 1992, MDE staff agreed to establish a work group which would write educational program standards for districts serving students who are deaf and hard of hearing.

However, this work group has not yet been organized.

Because most of the above-noted issues and problems remain, and because they will only be addressed if MDE provides guidance, direction, and leadership to local school districts in addressing them, MCHI makes the following recommendation.

**RECOMMENDATION #1: THAT THE MN. DEPT. OF EDUCATION, IN CONJUNCTION WITH MCHI, IMMEDIATELY ESTABLISH A JOINT COMMITTEE TO WRITE AND DISTRIBUTE EDUCATIONAL PROGRAMMING STANDARDS FOR SCHOOL DISTRICTS SERVING STUDENTS WHO ARE DEAF, HARD OF HEARING, OR WHO HAVE OTHER DISABILITIES IN ADDITION A HEARING LOSS, INCLUDING STUDENTS WHO ARE DEAF-BLIND.**

**THAT THE MN DEPT. OF EDUCATION ALSO TAKE ALL NECESSARY STEPS TO ASSURE THAT LOCAL SCHOOL DISTRICTS ASSESS AND ADDRESS THE FOLLOWING SPECIFIC AREAS OF CONCERN ON THE INDIVIDUAL EDUCATION PLAN (IEP) FOR EACH STUDENT WHO IS DEAF, HARD OF HEARING, OR WHO HAS ANOTHER DISABILITY IN ADDITION TO HEARING LOSS, INCLUDING STUDENTS WHO ARE DEAF AND BLIND:**

**(i) THE SPECIFIC COMMUNICATION NEEDS OF THE STUDENT, INCLUDING THEIR PREFERRED MODE OF COMMUNICATION,**

**(ii) THE STUDENT'S LINGUISTIC NEEDS,**

**(iii) THE SEVERITY OF THE STUDENT'S HEARING LOSS AND THE POTENTIAL FOR USING RESIDUAL HEARING,**

**(iv) THE STUDENT'S ACADEMIC LEVEL AND LEARNING STYLE,**

**(v) THE STUDENT'S SOCIAL, EMOTIONAL, AND CULTURAL NEEDS,**

**(vi) THE STUDENT'S NEED AND OPPORTUNITY FOR INTERACTION WITH AGE, COGNITIVE, AND LANGUAGE PEERS,**



(vii) THE STUDENT'S NEED FOR SPECIAL EDUCATION TEACHERS AND OTHER SCHOOL SPECIALISTS WHO ARE PROFICIENT IN THE STUDENT'S PRIMARY LANGUAGE,

(viii) THE NEED FOR ALL SCHOOL PROGRAMS, INCLUDING EXTRA-CURRICULAR ACTIVITIES, TO BE COMMUNICATIONALLY ACCESSIBLE TO THE STUDENT,

(ix) THE STUDENT'S FAMILY SUPPORT NETWORK,

(x) THE STUDENT'S PLACEMENT PREFERENCE, and

(xi) THE SPECIFIC NEEDS OF EACH DEAF-BLIND STUDENT INCLUDING NEEDED ADAPTIVE COMMUNICATION AND ADAPTED INSTRUCTIONAL TECHNIQUES.

AREA OF CONCERN #2: THE NEED FOR QUALIFIED PERSONNEL TO PROVIDE ASSESSMENT AND TECHNICAL ASSISTANCE FOR TEACHERS AND PARENTS OF STUDENTS WHO ARE DEAF, HARD OF HEARING, AND DEAF AND BLIND.

Teachers in rural Minnesota have told us about another pressing, on-going need related to the education of students who are deaf and hard of hearing. This is the need for access to appropriately trained professionals who can help assess the language, communication, social, emotional, and academic strengths and weaknesses of their students who are deaf, deaf and blind, and hard of hearing.

Parents confirm the need for these assessment services.

At a meeting in Crookston, for example, parents who had recently moved to rural Minnesota said that while living in New Mexico, their deaf child had been assessed every three years by a team of skilled professionals from the School for the Deaf in Santa Fe.

No such resource exists in Minnesota.

Accurate and reliable educational assessments are the backbone of the individual educational program (IEP) for all students with disabilities.

Literature in the field states that assessments of students who are deaf, deaf and blind, and hard of hearing should be done by professionals with (a) special knowledge of the full range of education and communication options for students who are deaf, deaf and blind, and hard of hearing, and (b) knowledge of the unique social, psychological, and academic impact that hearing loss can have upon students.

In addition, professionals should be skilled in American Sign Language (ASL) if they are to appropriately assess students whose first language is ASL.\*

A team of specially trained professionals who can both assist school personnel and parents with assessments and with technical assistance is sorely needed in Minnesota.

For these reasons, MCHI recommends:

**RECOMMENDATION #2: THAT THE LEGISLATURE APPROPRIATE NECESSARY MONEY TO CREATE AND ADMINISTRATIVELY SUPPORT THE FOLLOWING POSITIONS AT THE RESOURCE CENTER: HEARING IMPAIRED: 1 FTE PSYCHOLOGIST, 1 FTE ACADEMIC/READING/LANGUAGE SPECIALIST, 1 FTE PARENT/INFANT EDUCATOR, AND A .5 FTE TRANSITIONAL/VOCATIONAL SPECIALIST AND A .5 FTE MULTIPLE DISABILITIES SPECIALIST WHO IS ALSO SKILLED AND KNOWLEDGEABLE ABOUT THE EDUCATION OF CHILDREN WHO ARE BOTH DEAF AND BLIND.**

**THAT THE LEGISLATURE ALSO REQUIRE THAT PERSONS HIRED FOR THESE POSITIONS SHALL BE (A) COMPETENT AND KNOWLEDGEABLE OF EDUCATIONAL ISSUES RELATED TO THE NEEDS OF STUDENTS WHO ARE DEAF AND HARD OF HEARING, (B) SKILLED IN AMERICAN SIGN LANGUAGE AND THE FULL ARRAY OF ENGLISH-BASED SIGNING SYSTEMS, AND (C) QUALIFIED AND AVAILABLE TO PROVIDE TECHNICAL ASSISTANCE AND (i) PSYCHOLOGICAL, (ii) SOCIAL, (iii) ACADEMIC, (iv) LANGUAGE AND OTHER RELATED ASSESSMENT SERVICES TO SCHOOL DISTRICTS AND PARENTS THROUGHOUT THE STATE FOR STUDENTS WHO ARE DEAF AND HARD OF HEARING.**

**THAT THE LEGISLATURE DIRECT THAT THIS ASSESSMENT TEAM SHALL (A) BE ITINERANT AND AVAILABLE FREE OF CHARGE TO DISTRICTS AND PARENTS TO ADMINISTER ASSESSMENTS AND TO PROVIDE CONSULTATION WHEN REQUESTED BY THE IEP TEAM AND (B) THAT WRITTEN NOTICE OF THE AVAILABILITY OF THE TEAM SHALL BE GIVEN TO ALL PARENTS OF DEAF AND HARD OF HEARING CHILDREN, ALONG WITH WRITTEN NOTICE OF THE AREAS TO BE ADDRESSED AND ASSESSED ON THEIR CHILD'S IEP.**

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\*See, for example, "Guidelines for the Education of Deaf and Hard of Hearing Students" (Mass. Dept. of Education, 1989) and "Program Guidelines for Individuals Who Are Deaf-Blind" (CA. Dept. of Education, 1990).

AREA OF CONCERN #3: THE QUALITY OF SCHOOL INTERPRETING AND TRANSLITERATING AROUND THE STATE VARIES GREATLY. BECAUSE THERE ARE NO GUIDELINES OR MANDATES FOR SCHOOLS TO FOLLOW CONCERNING THE APPROPRIATE AND NEEDED SKILL LEVEL OF SCHOOL INTERPRETERS AND TRANSLITERATORS, THE LANGUAGE, INFORMATION, AND LEARNING NEEDS OF MANY STUDENTS WHO ARE DEAF, DEAF AND BLIND, AND HARD OF HEARING ARE OFTEN NOT MET.

With the mainstreaming of many students who are deaf, deaf and blind, and hard of hearing in regular classrooms, interpreters and transliterators have often become the communication link for these students.

Without accurate, precise, and unbiased interpretation and transliteration, we relegate students who are deaf, deaf and blind, and hard of hearing to second class citizens. We also deprive them of an equal opportunity to obtain a first rate education.

Nonetheless, we have heard countless stories of schools hiring parents with limited signing skills, persons who have taken one "sign" class, or otherwise unqualified persons to interpret for their students. One reason this happens is that schools often do not have personnel with the knowledge or skills to appropriately assess the skills and credentials of the interpreters and transliterators they hire.

Currently there are no guidelines nor standards in Minnesota for the hiring of interpreters and/or transliterators in our schools.

Almost everyone seems to agree that this situation is inappropriate and that something should be done to change it. But no one ever has.

No wonder many students who are deaf lag significantly behind their intellectual peers in their academic achievement!!

For these reasons, MCHI recommends:

RECOMMENDATION #3:

- (A) THAT THE '93 LEGISLATURE PASS A LAW REQUIRING SCHOOL DISTRICTS TO HIRE ONLY THOSE INTERPRETERS/TRANSLITERATORS WHO DEMONSTRATE A SPECIFIED STANDARD OF COMPETENCE AS DETERMINED BY THEIR RESPECTIVE NATIONAL CERTIFYING ORGANIZATION.

(Exact language of a bill will be ready by mid-late January. Will be attached as append #3.)

MCHI also recommends:

- (B) THAT THE MN. DEPT. OF EDUCATION ONLY REIMBURSE SCHOOL DISTRICTS FOR THE SERVICES OF THOSE INTERPRETERS/TRANSLITERATORS WHO SATISFY THE REQUIRED STANDARD OF COMPETENCY AND THAT THE MDE BE REQUIRED TO REIMBURSE DISTRICTS AT A RATE THAT RECOGNIZES AND ADEQUATELY COMPENSATES INTERPRETERS AND TRANSLITERATORS AS THEY DEVELOP ADDITIONAL SKILLS AND COMPETENCIES.

**REPORT AND RECOMMENDATIONS OF THE MCHI  
HARD OF HEARING SUB-COMMITTEE**

**1992 Activities**

In early, 1992, the Council established an "Ad Hoc Committee Concerning the Needs of Minnesotans Who Are Hard of Hearing (HoH)".

The Council asked this Committee to (1) investigate the needs and concerns of Minnesotans who are hard of hearing and (2) prepare recommendations about how the Council might address those concerns and needs. This report is to be presented to the full Council in June, 1993. Unless re-established, the HoH Committee will sunset at that time.

The Committee began its work by developing a survey to find out more about the needs and concerns of Minnesotans who are hard of hearing. In conjunction with the Deaf Services Division of DHS and the St. Cloud Regional Service Center (RSCs) for Hearing Impaired People, two surveys were developed - one for consumers and one for professionals. With the help of all 8 RSC offices, surveys were distributed. To date approximately 136 have been returned.

In addition, the Council's executive director has met in person with representatives of the state's Self Help for Hard of Hearing (SHHH) organizations, many citizens who are hard of hearing, and members of the RSC advisory committees to learn more about the concerns and needs of hard of hearing Minnesotans.

Finally, the Committee has started to gather information about Minnesota's regulatory system for the sale of hearing instruments. To date, committee members have met with staff from the Department of Health regarding these regulatory systems and has reviewed state statutes, regulations, and studies relating to this issue.

Although the Committee has much work remaining, it has gathered enough data and information at this time to identify the following areas of concern and to offer the following recommendations at this time:

**AREA OF CONCERN #1: LACK OF NEEDED ACCOMMODATIONS FOR  
MINNESOTANS WHO ARE HARD OF HEARING FOR  
GOVERNMENT SPONSORED AND/OR SANCTIONED  
ACTIVITIES.**

All governmental entities are now required by the Americans with Disabilities Act (ADA) to make their services and terms of employment equally accessible to people with disabilities.

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PAGE 2**

However, our discussions with Minnesotans who are hard of hearing reveal that inaccessible governmental meetings and activities contribute to their sense of social and informational isolation.

For example, one twin cities resident who is hard of hearing reports that she was called to jury duty. When she arrived, she informed the court administrator of her hearing loss and of her need for an assistive listening system in the courtroom. She was told that the county had considered the purchase and installation of such equipment, but never did anything further. As a result, the woman was dismissed from jury duty, even though she wished to serve and even though she could have served if legally mandated accommodations had been provided.

Other Minnesotans tell us that they no longer attend city council meetings; that they have not exercised their right to appeal their property tax assessment; that they have chosen not to apply for membership on state councils and task forces; and that they do not attend public hearings sponsored by governmental hearings. Why? Because they cannot understand large group meetings without either assistive listening systems or real time captioning services. Furthermore, their experience is that governmental entities generally do not provide such accommodations!

For this reason the Council recommends:

**RECOMMENDATION #1: THAT THE LEGISLATURE ENACT THE LEGISLATION PROPOSED BY THE MINNEAPOLIS CHAPTER OF SELF HELP FOR HARD OF HEARING (SHHH) REQUIRING ALL COURT-RELATED ACTIVITIES AND ALL PUBLIC MEETINGS TO BE MADE ACCESSIBLE TO MINNESOTANS WHO ARE HARD OF HEARING AND DEAF. (Copy attached as Appendix 4)**

**AREA OF CONCERN #2: THE EXISTING BUDGETARY SYSTEM FOR STATE AGENCIES CONTAINS DISINCENTIVES FOR MANAGERS TO PROVIDE NEEDED ACCOMMODATIONS FOR STATE EMPLOYEES AND CONSUMERS WHO ARE HARD OF HEARING AND DEAF.**

Presently, most state agencies have either an affirmative action office or designee. However, funds for accommodations for either staff or consumers with disabilities usually come out of individual program or division budgets, on an as-needed basis. These funds are generally not set aside in a separate affirmative action fund.

This arrangement presents state managers with a disincentive for hiring employees with disabilities or for making accommodations at public meetings.

Since money for these accommodations must come out of managers' individual program budgets, managers have less programming money if they pay for accommodations. Therefore, managers often find reasons not to hire, much less recruit, people with disabilities. Similarly, there is no incentive for managers to think about needed accommodations at public meetings since this would again involve the expenditure of the managers' program funds.

If money to pay for accommodations was set aside in a separate account within each state agency's budget, "accommodation" money would not have to compete with "program" money. This should greatly reduce managers' financial disincentives for considering and providing needed accommodations.

For these reasons, the Council recommends:

**RECOMMENDATION #2: THAT THE GOVERNOR REQUIRE THAT ALL STATE AGENCIES STUDY, ESTIMATE, AND SET ASIDE IN A SEPARATE ACCOUNT AN AMOUNT OF MONEY NECESSARY TO ADEQUATELY FUND ACCOMMODATIONS AS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA) SO AS TO ENSURE THAT THEIR EMPLOYEES AND CONSUMERS WITH DISABILITIES, INCLUDING THOSE WHO ARE HARD OF HEARING OR DEAF, RECEIVE EQUAL ACCESS TO SERVICES AND CONDITIONS OF EMPLOYMENT.**

**AREA OF CONCERN #3: LACK OF AUDITORY ACCOMMODATIONS FOR PEOPLE WHO ARE HARD OF HEARING AND RESIDENTS OF NURSING HOMES.**

Research indicates that as many as 80 - 90% of nursing home residents have hearing impairments.\*

Nonetheless, we are told that few services are provided in nursing home to accommodate the needs of these residents.

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\* See "Rehabilitation Needs of Nursing Home Patients", 28 Rehabilitation Literature, No. 12, 1967, p. 377-382 and "Hearing Levels Among Elderly Nursing Home Residents", XLV Journal of Speech and Hearing Disorders, Febr, 1980, p. 124-132.



For example, few nursing homes have decoders on their television sets to receive programs which are closed captioned; many homes don't have amplified headsets on public telephones or TDDs (telecommunication devices for the deaf); and few homes have assistive listening systems available to help residents who are hard of hearing gain access to social, recreation, and other events.

In addition, staff of nursing homes are not required to receive any specific training about hearing loss, hearing amplification, the psychological impact of hearing loss, or communication strategies to use with people who are hard of hearing and deaf. (See MN Rules Chpt. 4655 and 42 CFR Pt. 483)

As a result, nursing home staff often make false assumptions about what residents can or cannot hear with their hearing aids; they often misinterpret lack of hearing on the part of a resident as senility; they often do not properly assist residents with the care and maintenance of their hearing aids; and they often fail to convey important information to residents because of communication barriers.

For these reasons, nursing home residents with hearing loss often do not receive information critical to their care; they often are denied equal access to nursing home services (e.g. public phones, televisions, and activities); and they often don't get needed help with their personal assistive listening devices.

Therefore, the Council recommends:

RECOMMENDATION #3: (A) THAT THE MN. BOARD ON AGING AND THE DEAF SERVICES DIVISION OF DHS DEVELOP AN INFORMATIONAL/ADVOCACY PROGRAM FOR NURSING HOMES AND THEIR RESIDENTS WHO ARE HARD OF HEARING AND DEAF CONCERNING THE ACCOMMODATIONS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA).

(B) THAT THE DEPARTMENT OF HEALTH DEVELOP REGULATIONS OR OTHER STANDARDS REQUIRING NURSING HOME STAFF TO RECEIVE BASIC TRAINING ABOUT HEARING LOSS AND DEAFNESS, ASSISTIVE LISTENING DEVICES AND SYSTEMS, THE COMMUNICATION AND PROGRAM NEEDS OF PERSONS WHO ARE HARD OF HEARING AND DEAF, AND THE RIGHT OF RESIDENTS TO RECEIVE REASONABLE ACCOMMODATIONS TO ASSURE THE RECEIPT OF EQUALLY EFFECTIVE SERVICES.

(C) THAT THE DEPT. OF HEALTH AND THE DEPT OF HUMAN SERVICES REQUIRE NURSING HOMES TO COMPLY WITH THE PROGRAM AND COMMUNICATION ACCESS PROVISIONS OF THE ADA AS PART OF THEIR LICENSING AND MONITORING PROCESS.

(D) THAT THE MN DEPARTMENT OF HUMAN SERVICES SET ASIDE SPECIAL FUNDS TO HELP PAY FOR THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING NURSING HOME RESIDENTS WHO ARE DEAF AND HARD OF HEARING.

OR

THAT THE DEPARTMENT OF HUMAN SERVICES BUILD INTO THEIR RATE SETTING PROCESS THE UNIQUE PROGRAM AND PHYSICAL ACCOMMODATION COSTS OF SERVING RESIDENTS WHO ARE DEAF AND HARD OF HEARING SO THAT NURSING HOMES HAVE THE FINANCIAL INCENTIVES TO ADEQUATELY AND APPROPRIATELY SERVE THESE RESIDENTS.

AREA OF CONCERN #4: LACK OF ADEQUATE REGULATION OF THE SALE OF HEARING AIDS AND ASSISTIVE LISTENING DEVICES.

Minnesota currently has a two-tiered system to regulate the sale of hearing aids.

The first tier of regulation requires all sellers of hearing aids to obtain a "permit" from the Commissioner of the Department of Health. This is not a competency based regulation system. Rather, to obtain a permit to sell hearing aids, a person simply has to complete a form acknowledging that they are at least 18 years of age, not a felon, and listing information about their education, training, and experience in testing and fitting hearing instruments. (M.S.A. 153A.14) Holders of permits are not allowed to call themselves a "hearing instrument or aid dispenser, specialist, consultant, or dealer". (MN Rules Pt. 4745.0020, Subp. 1)

The second tier of regulation, a "registration" system, is voluntary. Sellers of hearing instruments may chose to obtain registration from the Department of Health by passing a competency based examination. The registration system also requires continuing education in the field. However, the Department of Health is considering elimination of the "registration" system because it is not financially self-supporting as required by state law.

Based on reports from professionals who work with Minnesotans who are hard of hearing and deaf and comments from Minnesotans who hard of hearing and deaf themselves, the Council has serious concerns about the adequacy of the current regulatory system.

Council members believe that Minnesotans who are hard of hearing and deaf often receive products which are not best designed to meet their audiological needs, and as a result, have and continue to suffer serious financial and emotional harm.

Even if the registration system is retained, Council members are not convinced that the current system is adequate to assure that sellers of hearing instruments have the needed knowledge and training to best meet the audiological needs of their customers.

For these reasons, the Council recommends:

RECOMMENDATION #4: THAT THE MN. DEPARTMENT OF  
HEALTH CONTINUE THE REGISTRATION  
SYSTEM FOR SELLERS OF HEARING INSTRUMENTS  
UNTIL OTHER REGULATORY SAFEGUARDS CAN BE PUT  
IN PLACE TO ASSURE THAT ADEQUATE PROTECTION  
EXISTS FOR CONSUMERS OF HEARING  
INSTRUMENTS.

## MINNESOTA COUNCIL FOR THE HEARING IMPAIRED

### 1993 - 1994 GOALS

In November, 1992, the Council held a strategic planning retreat for the purpose of clarifying its mission, identifying its operating norms and guiding values, and establishing both long-range (5-year) and short-range (2-year) priorities.

Although this planning process is not yet completed, some tentative goals and priorities have been identified. They are listed below:

#### FIVE-YEAR "EXTERNAL" GOALS

- 1) MCHI will work to build more bridges between constituency groups representing and serving persons who are deaf, hard of hearing, and hearing.
- 2) MCHI will work with other groups and individuals to attain greater communication accessibility to the full array of public and private services and programs for Minnesotans who are deaf and hard of hearing.
- 3) MCHI will work with other groups and individuals to assure that the educational system offers students who are deaf and hard of hearing the full array of educational options.
- 4) MCHI will work with other groups and individuals to assure that professionals serving Minnesotans who are deaf and hard of hearing have the needed skills, training, and knowledge to assure that they provide appropriate and quality services.
- 5) MCHI will work with other groups and individuals to assure that people throughout the state have equal access to needed information about services and programs that are available to assist Minnesotans who are deaf and hard of hearing.

#### TWO-YEAR (1993-1994) "EXTERNAL" PRIORITIES

- 1) MCHI will work with other groups and individuals to increase communication access in all areas, especially with regards to real time captioning of local television newscasts throughout the state.
- 2) MCHI will work with other groups and individuals to clarify and improve the ASL Teacher Licensure Law.

1993-1994 MCHI GOALS - CONT.

- 3) MCHI will work to develop creative partnerships with other agencies and organizations by forming colations and/or by sharing resources so organizations might achieve together what no one organization could accomplish alone.
- 4) MCHI will work with other groups and individuals to advocate for the establishment of a statewide educational assessment team for students who are deaf and hard of hearing.
- 5) MCHI will work with other groups and individuals to improve the regulatory system of sellers of hearing instruments.
- 6) MCHI will work with other groups and individuals to enact a quality assurance mandate for all school interpreters/translitterators.

Note: All of these goals will be further revised to assure that they are written in objective and measureable terms.

MINNESOTA COUNCIL FOR THE HEARING IMPAIRED  
FINANCIAL REPORT

In both Fiscal Year 1991 and 1992, the Minnesota Council for the Hearing Impaired was appropriated state dollars for operation. Support services were provided by the Department of Human Services. The Council received no other funding.

<u>STATE FISCAL YEAR 1991</u>	<u>Budget</u>	<u>Expend.</u>	<u>Balance</u>
Personal Services	\$50,000	45,878	4,122
Expenses/Contractual Services	15,000	5,354	9,646
Misc. Operating Expenses	7,435	10,339	(2,904)
Supplies & Materials	<u>2,000</u>	<u>454</u>	<u>1,546</u>
Totals	\$74,435	\$62,025	+\$12,410

<u>STATE FISCAL YEAR 1992</u>	<u>Budget</u>	<u>Expend.</u>	<u>Balance</u>
Personal Services	\$53,454	53,379	75
Expenses/Contractual Services	12,000	6,241	5,759
Misc. Operating Expenses	6,204	10,425	(4,221)
Supplies & Materials	<u>2,000</u>	<u>490</u>	<u>1,510</u>
Totals	\$73,658	\$70,536	+\$3,122

MINNESOTA COUNCIL FOR THE HEARING IMPAIRED

COUNCIL MEMBERS - 1991

Samira Anderson  
35 Southwest 2nd Street  
Faribault, MN. 55021  
(Rochester RSC Repr.)

Linda Flint  
350 Shelard Pkwy, #103  
St. Louis Park, Mn. 55426  
(At-large Repr.)

Dale Lauseng, Sr.  
6 Southview Drive, Apt. B  
Hibbing, MN. 55746  
(Duluth RSC Repr.)

Nina Lazzari  
145 Swiss Street  
Mankato, MN. 56001  
(Mankato RSC Repr.)

Curt Micka (Chairperson)  
9786 Archer Lane  
Eden Prairie, MN. 55347  
(At-large Repr.)

Linda Nelson (Vice-Chair)  
HIHW, 640 Jackson Street  
St. Paul, MN. 55101  
(At-large Repr.)

Kathy Peterson  
186 South 6th Street  
Warren, MN. 56762  
(Crookston RSC Repr.)

James Potter  
7875 Guthrie Way  
Morristown, MN. 55052  
(At-large Repr.)

Marian Schommer-Hausladen  
2008 Maple Street  
Hastings, MN. 55033  
(Metro RSC Repr.)

Floyd Scott  
18391 Creeks Bend Drive  
Minnetonka, MN. 55345  
(At-large Repr.)

Ann Sherman  
150 Birchridge Drive  
Brainerd, MN. 56401  
(St. Cloud RSC Repr.)

Glenna Sutcliffe Descy  
320 West Welcome Ave.  
Mankato, MN. 56001  
(At-large Repr.)

Arne Teigland  
1923 - 21st Avenue South  
Moorhead, MN. 56560  
(Fergus Falls RSC Repr.)

Brenda Woltjer  
406 Olena Avenue Southeast  
Willmar, MN. 56201  
(Willmar RSC Repr.)

Ruby Vine  
11732 Jefferson Street NE  
Blaine, MN. 55434  
(At-large Repr.)

MINNESOTA COUNCIL FOR THE HEARING IMPAIRED

COUNCIL MEMBERS - 1992

Randall Doane  
1400 Autumn Drive, Apt. 102  
Faribault, MN. 55021  
(At-large Repr.)

Linda Flint  
350 Shelard Pkwy, #103  
St. Louis Park, Mn. 55426  
(At-large Repr.)

Claudine Knoblauch  
428 Fremont Street  
Anoka, MN. 55303  
(At-large Repr.)

Dale Lauseng, Sr.  
6 Southview Drive, Apt. B  
Hibbing, MN. 55746  
(Duluth RSC Repr.)

Nina Lazzari  
145 Swiss Street  
Mankato, MN. 56001  
(Mankato RSC Repr.)

Jeremy Nyquist  
Route 2, Box 111  
Onamia, MN. 56359  
(St. Cloud RSC Repr.)

Kathy Peterson  
186 South 6th Street  
Warren, MN. 56762  
(Crookston RSC Repr.)

Linda Nelson (Chairperson)  
HIHW, 640 Jackson Street  
St. Paul, MN. 55101  
(At-large Repr.)

James Potter (Vice-chair)  
7875 Guthrie Way  
Morristown, MN. 55052  
(At-large Repr.)

Kim Reid  
2642 East River Rd NE  
Rochester, MN. 55906  
(Rochester RSC Repr.)

Marian Schommer-Hausladen  
2008 Maple Street  
Hastings, MN. 55033  
(Metro RSC Repr.)

Glenna Sutcliffe Descy  
320 West Welcome Avenue  
Mankato, MN. 56001  
(At-large Repr.)

Arne Teigland  
1923 - 21st Avenue South  
Moorhead, MN. 56560  
(Fergus Falls RSC Repr.)

Teri Welcher  
1621 Melrose Place  
St. Louis Park, MN. 55426  
(At-large Repr.)

Brenda Woltjer  
406 Olena Avenue Southeast  
Willmar, MN. 56201  
(Willmar RSC Repr.)



## MCHI BIENNIAL REPORT

### APPENDIX

- Appendix #1: Community Action Committee's Independent Living Support Proposal (see pgs. 3 & 15)
- Appendix #2: MADC Education Recommendations to MN Dept. of Education (see pg. 24)
- Appendix #3: School Interpreter Quality Assurance Bill  
(forthcoming in mid-January - see pg. 28)
- Appendix #4: SHHH Legislation (pgs. 6 & 31)



## APPENDIX I

### COMMUNITY ACTION COMMITTEE CONCEPT PAPER AUGUST 1992

#### INTRODUCTION

Since 1990 representatives of several Twin Cities metro agencies serving deaf people have been meeting to discuss the ongoing service needs of deaf adults related to independent living. The impetus for the formation of this committee was recognition of longstanding unmet needs in this service area. The committee went through a process of identifying service gaps and existing resources, and proposing solutions to address the need for independent living services for deaf people. This "concept paper" is the result of the committee's discussion and analysis of these issues.

This concept paper outlines a vision for the kind of programming needed to address the independent living needs of deaf people in Minnesota. First, we identify the population of deaf people needing independent living services. Second, we identify the types of independent living services deaf consumers need. Third, we define the kinds of independent living services currently available and the limitations with each program. And finally, we propose a program model to more effectively address the independent living needs of deaf people in Minnesota.

## **POPULATION DESCRIPTORS**

The population needing services can be described as follows:

Deaf adults who, due to the effects of pre-vocational bilateral hearing impairment are unable to consistently meet their own and/or their children's personal needs for food, medical care, clothing, shelter or personal safety needs and who lack adequate outside support systems, and who have:

1. A bilateral hearing impairment which occurred prior to the age of 18 and which impairs their ability to hear and advocate for themselves without assistance.
2. Functional limitations in life management skills which may be characterized by any of the following:
  - \* limited understanding and use written English as a communication tool for activities of daily living;
  - \* vulnerability to exploitation;
  - \* limited confidence and/or experience with independent living;
  - \* limited decision making skills and experiences;
  - \* ongoing difficulties with money management, written correspondence, securing appropriate housing, use of transportation systems;
  - \* difficulty developing and maintaining friends;
  - \* difficulty with impulse control;
  - \* emotional immaturity;
  - \* limited employability;
  - \* lack of parenting skills;
  - \* secondary or multiple disabilities;
  - \* for some, communication skills limited to mime, gestures, picture systems.
3. Limited formal and informal support networks.

With this population, the functional limitations described above are most often directly tied to the disability of deafness or to its etiologies (i.e., maternal rubella). Clients may or may not have other disabilities in addition to deafness; the additional disabilities may or may not be formally diagnosed.

## **SERVICE NEEDS**

Service needs for independent living will vary from person to person, and people will need different kinds of assistance at different times in their lives. In general, this population of deaf people need ongoing direct instruction and support in the following areas:

- \* Money management
- \* Consumer rights
- \* Public transportation
- \* Decision making / problem solving.
- \* Communication (sign language) skills
- \* Reading/writing English (correspondence)
- \* Maintaining employment
- \* Parenting skills
- \* Housing
- \* Personal safety
- \* Leisure time
- \* Using community resources
- \* Self-advocacy
- \* Health / Hygiene
- \* Home management (shopping, cooking)

Learning and integrating these skills into daily life is an ongoing process for many deaf clients. Skills cannot be taught solely through classroom instruction or formal training situations. For some, short term group living arrangements may be appropriate. Others may benefit from supportive living arrangements such as those offered by Semi-Independent Living Skills programs. However, the vast majority of people needing assistance are already living on their own, but due to the effects of deafness, continue to experience frequent difficulties with managing their personal affairs. For some, needs for assistance are sporadic or cyclical.

The population characteristics and service needs of this population indicate a need for a program which provides direct services designed to address "real" life skills which is available on an ongoing basis. Services need to be available so that people can access services as the need arises.

## EXISTING SERVICES

Our collective experience is that while some services are available to meet the independent living training needs of some deaf people, the number of people receiving services is very small. Based on our knowledge of the needs of this population and of the barriers to services that exist within the human services and rehabilitation systems, we believe that many deaf people are going without needed services.

The following programs provide some services which address the independent living needs of deaf people. All are located in the Twin Cities metropolitan area. For each, a brief description of the independent living needs addressed by the program, and a description of program limitations is included.

\* Supervised Apartment Living Training Program (S.A.L.T.)

Services: Apartment living program within a public housing high-rise. Staff with expertise in deafness are available to assist individuals living there. Participants "graduate" from the program; follow-up services are available for program graduates.

Limitations: Clients must qualify for public housing. Clients must have a diagnosis indicating mental health problems. Location in central area of St. Paul is a barrier for some. Most counties do not have funds designated to pay for apartment living training for deaf clients.

\* Hearing Impaired Health and Wellness Program (HIHW)  
St. Paul Ramsey Medical Center.

Services: ILS instruction provided to 15 - 20 people either by office appointment or in their homes; most requests are for help with money management. Services reimbursed by DHS grant funds.

Limitations: HIHW is primarily a mental health program and was not set up to provide independent living training. Lack adequate resources.

\* Deaf Refugee Education Program (DREP)

Services: Daytime classroom program with primary goal of teaching deaf refugees skills in American Sign Language and basic English. Has a classroom ILS program component.

Limitations: Services limited to deaf refugees. Schedule limited to 9 month school year. Funding and staffing is limited. No funding source for payment on fee for service basis.

- \* Regional Service Center for Hearing Impaired People (RSC)  
Services: RSC Consultants provide one-on-one assistance when other services are not available (e.g. when a person does not have and cannot get a county social worker). Assistance is provided with understanding mail, locating apartments, money management, etc.  
  
Limitations: Program is not set up to provide ILS instruction on an intensive, ongoing basis. Due to limited referral sources, they do provide crisis assistance.
  
- \* Courage Center Vocational Services Department  
Services: Contracts with an instructor to provide one-on-one ILS training on a fee for service basis. Counties pay for the service. Services provided on an in-home basis.  
  
Limitations: Program has served only two clients. Courage Center would like to expand the program, but lack of funding to pay for ILS training services is a problem.
  
- \* Metro Center for Independent Living (MCIL)  
Services: One to one or classroom setting ILS training for persons with disabilities.  
  
Limitations: No specialized skills or background to address needs of deaf people.
  
- \* Deafness Education and Advocacy Foundation (D.E.A.F)  
Services: Some Adult Basic Education classes in their consortium offer some types of independent living skills.  
  
Limitations: ILS is not the focus of ABE and ABE classes do not meet the need for ILS training in the deaf community.

## PROPOSED MODEL

### PURPOSE

The purpose of the program is to assist deaf adults with acquiring and maintaining the skills necessary to function independently within the community.

The model is intended to meet the need for a program which provides direct services designed to address "real" life skills which is available on an ongoing basis. Services need to be available so that people can access services as the need arises.

General advocacy and information and referral services are already available in other agencies serving deaf people. Rather than duplicate these services, the goal of this program is to teach deaf clients the self-advocacy skills necessary to use them effectively.

### STRUCTURE

The program will provide direct services to address ongoing independent living needs. Direct services provided will include direct instruction and supportive assistance.

The proposed program structure has two components:

#### 1. Center-based Services

Services with staff assigned specifically to teach and assist clients with development of independent living skills. Services will be available on a drop-in basis or by appointments. Services provided will include:

- 1) a focus on development of problem solving and decision-making skills around real life issues or crises on an as needed basis, or
- 2) classes and one-to-one instruction to develop specific skills.

#### 2. SILS-like Services

Regular one-to-one home visits for persons who may fall through the cracks in the service system without ongoing follow-up to support and maintain independent living.

Over time, the program will develop peer support services by recruiting members of the deaf community to serve as peer advisors for independent living. Peer advisors will work with individual clients or support groups as appropriate; a specific function of this program component will be to build the client's support network and to reduce social isolation.

### HOURS OF OPERATION

Services will be available during some evening and weekend hours so that deaf people who work during the day can access the services.

### LOCATION

The program will be housed in a location which provides easy access to bus transportation from various parts of the metro area.



## STAFF

The program will have permanent staff whose sole function is to provide direct ILS training services. Basic staff qualifications include:

- Fluency in American Sign Language
- Demonstrated proficiency in communicating with persons with Minimal Language Skills
- In-depth understanding of the social and cultural implications of deafness
- Experience with human services and teaching independent living skills
- Effective interpersonal skills

**COMMUNITY ACTION COMMITTEE MEMBERS  
MAY 1992**

**Pam Belknap  
West Metro Hearing Impairment Unit  
Division of Rehabilitation Services**

**JoLynn Blaeser, Planner  
Deaf Services Division  
MN Department of Human Services**

**Carl Bryngelson, Rehabilitation Specialist  
Independent Living Program  
Division of Rehabilitation Services**

**Marie Koehler, Regional Manager  
Regional Service Center for Hearing  
Impaired People  
MN Department of Human Services**

**Kim Korwin  
Division of Rehabilitation Services**

**Curt Micka, Director  
Minnesota Council for the Hearing  
Impaired**

**Linda Nelson  
Hearing Impaired Health and Wellness  
St. Paul Ramsey Medical Center**

**Carolyn Roney  
Vocational Services Department  
Courage Center**

**Kathy Schumacher  
Supervised Apartment Living Training Program  
St. Paul Ramsey Medical Center**

**Don Sabre  
Services to the Disabled  
Hennepin County Community Services**

**John D. Walsh, Executive Director  
Metropolitan Center for Independent  
Living**

**Bob Zimmerman  
Independent Living Program  
Division of Rehabilitation Services**

## APPENDIX II

### RECOMMENDATIONS MADE TO THE MINNESOTA STATE BOARD OF EDUCATION BY THE MINNESOTA ASSOCIATION OF DEAF CITIZENS' TASK FORCE ON THE PRESIDENT'S COMMISSION ON EDUCATION OF THE DEAF (COED)

Presented to the State Board of Education on January 19, 1989

(The following are recommendations made to the State Board of Education on January 19, 1989, concerning education of deaf and hard of hearing children. They were made on behalf of the Minnesota Association of Deaf Citizens Task Force on COED. Recommendations and the National Association of the Deaf Educational Task Force. The MSAD COED Task Force represents 340,000 hearing impaired people and 4,500 hearing impaired children in the State of Minnesota. They represented the needs of the hearing impaired children as a group of deaf consumers who are very much concerned about the findings in "TOWARD EQUALITY: Education of the Deaf, A Report to the President and the Congress of the United States by the Commission on Education of the Deaf," published February 1988.) (To be consistent to the report cited above, the term Deaf is used to refer to all persons with hearing impairments, including those who are hard of hearing, those deafened later in life, those who are profoundly deaf, etc.)

#### ISSUE: PUBLIC LAW 94-142

"The provision of Public Law 94-142 called Least Restrictive Environment (LRE) mandates that handicapped children have the opportunity to be educated with non-handicapped children. We agree with this premise. However, the COED Task Force has discovered that school districts and state departments of education, with guidelines from the Federal Office of Special Education, have already interpreted this to mean that the least restrictive environment that promotes education of regular and handicapped children WILL BE the facility closest to home, and in some cases WILL BE the regular classroom. Any other placements that are not in keeping with the "geographic consideration" are "more restrictive" placements. The specific academic needs of the child are to be safeguarded by the Individualized Education Plan (IEP) team...however, if it has already been decided that the school closest to home, and/or the regular classroom, is the least restrictive environment...then the "least restrictive placement" is driving the IEP instead of the IEP driving the placement." (IMPACT-HI, Independently Merging Parents Associations of California - Together for the Hearing Impaired.)

#### PROBLEMS:

- \* The interpretation of Public Law 94-142 in Minnesota does not meet the intent of the Law as it is presently being implemented.

- \* Minnesota Statute 120.17 (4) should be abolished or amended to reflect the special needs of deaf and hard of hearing students.
- \* The "Cascade" model of educational placement is a faulty concept for deaf and hard of hearing students and is corrupted and prejudiced from the outset. When put into practice the result is a "failure" model.
- \* Individualized education plans are frequently developed without an expert on deafness and/or a professional from the field of deaf education serving on the IEP Multidisciplinary team (M-team). Parents all too frequently feel intimidated by the "professionals" on the M-team and yield to their combined "wisdom." Unfortunately, speech and hearing therapists and audiologists are not professionals in deafness, they are only familiar with the medical side of deafness and not the culture, education, curriculum, etc.
- \* There are no experts on deafness designated to monitor the IEP of "mainstreamed" deaf and hard of hearing children.
- \* A wide range of support services are usually not incorporated into the IEP of students placed in mainstreamed programs.
- \* Quality education for deaf and hard of hearing students is measured by programmatic components rather than student outcomes.
- \* There are no standards for educational interpreters.

#### Cases in point:

A program is set up for a five-year-old hearing impaired child in a rural school district with an uncertified interpreter with inadequate signing skills and the child does not have language skills to comprehend the interpreting being conducted. (Who is monitoring such placement?)

The landmark Rawley court decision enabled a school district to refuse interpreter services because the student had "passing grades." In other words, she had to fail her courses before she could obtain interpreter services.

School districts "always" say that parents' rights are fully considered in IEP meetings/decisions. It does not always happen that way--perhaps because school districts do not want to lose their "funds," quota, or disseminate school funds to another district. In other words it may be cost efficient and administratively convenient to keep the hearing impaired child within their school districts. Parents' views and considerations are often quelled or one-sided when it comes to a vote. It is usually not in the best interest of the parents/family but of the school district itself.

A suburban hearing impaired child, who has been removed from a special program to be placed in a regular classroom setting with hearing peers, announces that because of this placement he or she will become a hearing person someday.

RECOMMENDATION 1: The Department of Education should develop a statewide high-risk hearing-screening program and provide guidelines in implementing such procedures for each live birth. The guidelines should include the use of high-risk criteria and should delineate subsequent follow-up procedures for infants and young children considered to be at-risk for hearing impairments. Follow-up procedures must include the provision of visual access to language for the hearing impaired youngsters at the ages of 0 to 3.

Language acquisition remains the biggest problem for the hearing impaired population and the critical stage of language development lies in the time line between birth and the age of 3.

RECOMMENDATION 2: The Department of Education should, under Public Law 94-142, emphasize "free and appropriate public education" in a "most appropriate placement" rather than "least restrictive environment" as it now does. Placement options should be (in no particular order):

- \* Residential school
- \* Special day school
- \* Day classes
- \* Resource rooms
- \* Mainstream settings (regular classroom)
- \* Hospital settings
- \* Home instruction.

The least restrictive environment should be that environment which will enable each child to reach his/her potential academically, socially, and emotionally in an environment free from communication barriers. Communication accessibility must be of paramount importance when making placement decisions.

### "APPROPRIATE"

"'Appropriate' meant appropriate. Proper. Right for our children. What could be plainer? The law promised our children an appropriate education, geared to their individual needs. To us, that was the end of the matter. The law promised. The law would provide.

"Or so we thought.

"We found that 'appropriate' meant, at best, 'adequate,' 'good enough.' Not too costly, and not too troublesome. We found that, for our children who could not hear, 'appropriate' meant placement in a classroom with children who could hear. 'Appropriate' meant a

few hours a day with a teacher minimally qualified to teach deaf children. 'Appropriate' meant depending on a poorly qualified sign language interpreter six hours a day. 'Appropriate' meant being the only kid in the class with your very own grown-up hanging on your heels all day long.

"'Appropriate' meant spending six or eight years of your life in a classroom with all the same kids, and often the same teacher. 'Appropriate' meant being a special kid in a special class down the hall, and away from the 'normal' kids.

"'Appropriate' meant growing up not knowing that you were a part of a community of deaf people. Growing up thinking that upon graduation you would somehow become hearing--after all, you'd never seen a deaf adult. 'Appropriate' meant being embarrassed at your voice, your oversized 'body aids,' and the 'strangeness' of your signs. 'Appropriate' meant denying every aspect of your identity that set you apart, and striving with all your might to look, sound, and be just like a 'normal kid.'

"'Appropriate' meant not expecting too much. Not having responsibilities. Not trying the things that teachers 'knew' deaf kids couldn't do. Not making waves. Not disrupting the system. In short, we found that appropriate meant letting our kids in the schoolhouse door. But not assuring they learned ANYTHING once inside." (M. Cassidy and S. Harvey, Statement, March 17, 1987)

RECOMMENDATION 3: The Department of Education should provide guidelines and technical assistance to local educational agencies and parents to ensure that an individualized education program (IEP) for a child who is deaf relates directly to the academic, social, emotional, and communication needs of the TOTAL child. Further, it is recommended that at a minimum the following needs and factors be addressed and dealt with in the IEP process:

- a) communicative needs and the preferred mode of communication
- b) linguistic needs
- c) severity of hearing loss and the potential for using residual hearing
- d) the child's academic level and style of learning
- e) social needs
- f) placement preference
- g) emotional needs
- h) individual motivation
- i) cultural needs
- j) family support
- k) learning style

## "LEARNING STYLE"

List includes but is not limited to:

- a) how long can a child be visually attentive to a speaker?
- b) how long can a child sit in a chair/desk without fidgeting?
- c) can the child ignore extraneous distraction?
- d) can the child have access to essential information and make clarification to details?
- e) is the child physically able to focus on the interpreter, be attentive to teacher, watch classmates, read simultaneously?
- f) does the child have good peripheral vision to see the interpreter end/begin/pause, etc?
- g) what is the child's command of the English language?
- h) does the child communicate primarily in English, ASL or PSE?

RECOMMENDATION 4: The Department of Education should install the placement alternative model for special education in place of the Cascade Model.

(The student is placed in the middle of a circle, "Student's Special Education and Related Services." There are eight program options: Hospital Instruction, Itinerant Instruction, Special Class, Regular Class, Institutional Instruction, Special Schools, Resource Rooms and Home Instruction.)

RECOMMENDATION 5: The Department of Education should issue a policy statement requiring that school personnel inform parents of all options in the continuum of alternative placements during each individualized education program (IEP) conference.

Too often parents are not informed of all options available to them to consider placement to meet the needs of their child. The local school districts are not obliged to inform them of any other choices and too often the parents do not know of any other options available for their children. They must be informed of all.

The parents' choice of alternative placement should be given HIGH priority.

RECOMMENDATION 6: The Department of Education (Resource Center) must monitor school districts to ensure that the evaluation and assessment of children who are deaf be conducted by professionals knowledgeable about their unique needs and be able to communicate effectively in the child's primary mode of communication.

The Department of Education must expand/add a multidisciplinary (team) staff at the current Resource Center to serve all the school districts in the State of Minnesota. The Department of Education must secure the services of qualified deaf people to be on the staff. The Resource Center must have additional qualified psychologists, social workers. Guidelines must be developed so that school districts statewide, including the metro area, must comply in terms of appropriate assessments and evaluations.

RECOMMENDATION 7: The Department of Education must establish a Quality Education of the Deaf Task Force which has at least 51% deaf people/educators/parents on it.

The Task Force must be able to study/incorporate these requirements if feasible into Minnesota State Statutes:

- \* report on achievement levels of students in special education programs and classes;
- \* provide guidance to school districts on improvements that can be made in center schools and other programs serving large numbers of students with disabilities;
- \* provide incentives to the districts to ensure that center schools and other large programs supported by State and Federal funds take appropriate and timely steps to meet minimum requirements;
- \* provide incentives to programs demonstrating better than average language acquisition and other academic progress in students;
- \* provide motivation for programs to achieve critical mass, to employ administrators and teachers with specialized training in deafness, and professional support staff who meet the highest level of the standards recommended by the Council on Education of the Deaf;
- \* provide a mechanism for rapid dissemination and national publicity for programs demonstrating successful and innovative solutions in these areas;
- \* establish performance standards that would be required for further Federal assistance beyond a certain date; and
- \* develop evaluation procedures appropriate for deaf children in the following areas:
  1. School Achievement
  2. Person-to-person communication
  3. Social functioning
  4. Cognitive development
  5. Writing skills.

Below are the recommendations found in the COED report which were submitted to Congress. However, we can follow these guidelines and proceed with our direction BEFORE Congress acts on them.

RECOMMENDATION 8: The Department of Education, in consultation with consumers, professionals, and organizations, should provide policies and procedures for the establishment and maintenance of standards to ensure that interpreters in educational settings are adequately prepared, trained, evaluated and supported.



We understand that a quality assurance team is in process in implementing policies. However, we understand that it is monitored by the Department of Education. We feel that the quality assurance team would need more input or involvement from deaf professionals. We believe that the Minnesota Foundation for Better Hearing and Speech (MFBHS) is handling the quality assurance system survey (QAS) of interpreters in this State.

We would hope for a report from the Department of Employment on a regular basis on survey findings, policies, criteria, etc.

RECOMMENDATION 9: The Department of Education should require local school districts to ensure that regular classroom teachers serving students who are deaf in their classes receive the appropriate technical assistance and training to meet the educational needs of the deaf students.

Teachers in regular classrooms should have a background in deaf education and if not, take classes to meet that criteria. For example, special education teachers at day schools and center schools are required to have a degree in deaf education in order to teach the deaf.

Therefore, teachers in regular classrooms should be appropriately certified to teach the deaf. The responsibility to teach deaf children in regular classrooms often falls on the shoulders of interpreters. If a deaf person wanted to teach deaf children, they are required to obtain additional courses, i.e., deaf education. It is ironic because hearing teachers do not have to take courses on hearing education to teach hearing students, so therefore why should they be exempt from deaf education courses to teach deaf children.

#### CONCLUSION

It is very important that the Board and the Department of Education realize that this effort represents more than a single committee. Hopefully you sense that this "committee" represents deaf citizens of Minnesota and their national organizations.

It is important too that the committee is seen as a political constituency. This effort is a first step toward continued self advocacy and self determination.

A total of nine (9) recommendations are submitted for your consideration. The recommendations are based upon sound educational philosophies and practices and are supported by extensive research. To accept anything less is to accept less than quality education regardless of placement. Minnesota is not the only state facing this issue, but Minnesota can be a forerunner in resolving this issue if it begins now. The deaf community stands ready to roll up its sleeves and stand side by side with educators and significant others to provide a quality education program for deaf and hard of hearing students.

Above all, what we want is a regular dialogue with appropriate Department of Education administrators. Right now we are dissatisfied with our current communication channels.

The Department of Education has not sought input from deaf citizens in the past and we do not see much improvement yet. We hope that this is the stepping stone to improved relationships with department officials in the future.

In closing, the ultimate goal is not to make a deaf person hearing, nor to make a deaf person similar to a hearing person, but to educate him or her to maximize his/her individual potential.

"NATURE CREATES DIFFERENCES--SOCIETY CREATES HANDICAPS"

APPENDIX IV  
PROPOSAL FOR LEGISLATION

PREPARED BY MINNESOTA CHAPTER #1 OF SELF HELP FOR HARD OF HEARING

Presented at the LCHI Legislative Forum  
1992

SHHH proposes that Minnesota state laws be amended, as necessary, to accomplish the following:

1) That in all civil and criminal proceedings, including traffic, small claims, and juvenile court proceedings, and in all administrative hearings of a public agency, where a party, witness, attorney, judicial employee, judge, juror, or other participant is hard of hearing or deaf, the person who is hard of hearing or deaf, upon his or her request, shall be provided with either a functioning assistive listening system or real time captioning services (as selected by the hard of hearing or deaf person) so as to allow their full understanding of the entire proceedings.

Assistive listening devices include, but are not limited to, special devices which transmit amplified speech by means of audio-induction loops, radio frequency systems (AM or FM), or infrared transmission. Personal receivers equipped with headphones for, or use with, hearing aids shall be available upon request by individuals who are hard of hearing or deaf.

Any individual requiring this equipment or service shall give advance notice of his or her need to the appropriate court or agency at the time they receive notice of the hearing or not later than seven days prior to the proceeding.

If real time captioning services are used, sufficient display terminals or screens shall be provided to allow the person who is hard of hearing or deaf to read the real time transcript of the proceeding without difficulty.

Each county shall have at least one portable assistive listening system for use by any court within the county and shall have made arrangements for the borrowing of other types of portable assistive listening systems in the event that the county's own system is not compatible with the particular needs of a specific hard of hearing or deaf person. County personnel shall consult with staff of a Regional Service Center for Hearing Impaired People prior to purchasing an assistive listening system.

Notices regarding such proceedings shall state that such accommodations are available and will be made upon request. Signs shall also be posted in a prominent place proximate to all county, state, and other courtrooms or administrative hearing rooms stating the availability of an assistive listening device or real time captioning services.

If the person who is hard of hearing or deaf is a juror, the jury deliberation room shall be equipped with an assistive listening system or real time captioning services upon the request of the juror.

A court reporter may be present in the jury deliberation room during the jury deliberation if the services of a court reporter are required for the purpose of operating a real time captioning system for the juror who is hard of hearing or deaf.

When such systems are needed for a person who is hard of hearing or deaf, the proceedings shall not begin until the system is in place and functioning.

2) That all public agencies, including but not limited to state agencies and entities, counties, municipalities, cities, school boards, and the like, shall make available to citizens who are hard of hearing or deaf either a functioning assistive listening system or real time captioning services (as selected by the hard of hearing or deaf person) for any and all public meetings which it may sponsor.

Assistive listening devices include, but are not limited to, special devices which transmit amplified speech by means of audio-induction loops, radio frequency systems (AM or FM), or infrared transmission. Personal receivers equipped with headphones for, or use with, hearing aids shall be available upon request by individuals who are hard of hearing or deaf.

Any individual requiring this equipment or services shall give advance notice of his or her need to the appropriate public entity at the time they receive notice of the public meeting or not later than seven days prior to the meeting.

If real time captioning services are used, sufficient display terminals or screens shall be provided to allow the person who is hard of hearing or deaf to read the real time transcript of the meeting without difficulty.

Each state agency, county, and municipality of the class shall have at least one portable assistive listening system for use for any meeting within the county or municipality and shall have made arrangements for the borrowing of other types of portable assistive listening systems in the event that the entity's own system is not compatible with the particular needs of a specific hard of hearing or deaf person. Prior to purchasing an assistive listening system, appropriate personnel from each governmental unit shall consult with staff of a Regional Service Center for Hearing Impaired People.

Notices regarding such meetings shall state that such accommodations are available and will be made upon request. Signs shall also be posted in a prominent place proximate to all county, state, and other meeting rooms stating the availability of an assistive listening device or real time captioning services.

When such systems are needed for a person who is hard of hearing or deaf, the meeting shall not begin until the system is in place and functioning.

