

Commission on Disability Meeting
Minutes for October 17th, 2017, 4:30PM
Worcester City Hall, Levi Lincoln Chamber,
Room 309, 3rd Flr.

Attendance:

Members Present: Robert Bureau, Robert Bilotta, Nancy Garr-Colzie, Fitzroy Hall, D. Karuna, Paul Keister, Elizabeth Myska, Lindsey Silva, Stephen Stolberg

Members Absent: John Gleason, Joseph Prochilo, Douglas Russell, Jr.

Staff: Jayna Turчек, Dawn E. Clark

Guests: Sue Phillips (Our Deaf Sisters Survivors Center), Joan Phillips (Center for Living & Y Working, Inc.) and Andy Veith (Mass. Deaf Association); Joshua Martunas, City Manager's Office; Dan Cahill, City Manager's Quality of Life Task Force; Philip Niddrie, City Manager's Project Manager

Welcome, Call to Order & Introductions

Vice Chairperson Robert Bilotta chaired the meeting in Chairperson Prochilo's absence. The meeting was called to order. Newly appointed members Fitzroy Hall, D. Karuna and Stephen Stolberg introduced themselves.

Approval of September 17th, 2017 Minutes

Commissioner Garr-Colzie moved approval and Commissioner Bilotta seconded. The Commission unanimously approved the September 17th, 2017 minutes as written.

City Deaf Task Force Presentation: Culture & Language

Director Turчек introduced this agenda item. We have a great privilege to have a member of our audience Susan Phillips presenting along with other members of the City Deaf Task Force. The City Deaf Task Force has been working with the office and various City departments to better understand the needs of the Deaf in the city and the community. Here at the Commission we want to better understand the needs and concerns so that we can serve and have Deaf be part of the Commission. Today is the first of a series of conversations with the Deaf.

She introduced Sue Phillips, President of Our Deaf Survivors Center (ODSC) to provide information on Deaf culture and language. Ms. Phillips introduced other Task force members: Joan Phillips, Center for Living & Working, Inc. Coordinator of the Deaf & Hard of Hearing and Andrew Veith, President of Massachusetts Deaf Association and instructor who brought members of his Deaf studies class at the College of Holy Cross. Our Deaf Survivors Center works with domestic and sexual assault survivors state wide. Sue provided a background to the deaf culture and the wide variety of what the term “Deaf” means.

The deaf and hard of hearing communities are diverse and how they self-identify is personal and varies based on:

- How they become d/Deaf or hard of hearing
- Family history
- Age of onset
- Educational background
- Communication methods
- Level of hearing (scale from mild to profound)

1. **Deaf**: individuals share a culture and language - American Sign Language (ASL); usually attend/ed Deaf School; are members of the Deaf community; and typically Deaf individuals learn English as a *second* language. Facial expressions are part of the language.
2. **deaf**: individuals may not have/want a cultural connection with the Deaf community; attend public/private schools with/without other deaf peers; use Spoken English
3. **Hard of hearing**: individuals who use Spoken English and typically do not know ASL; attend public/private schools with/without other hard of hearing peers
4. **Late-deafened**: individuals who become deaf later in life; usually experiencing a sudden loss of hearing. May use CART so they can read the spoken word. Difficult to adjust to losing hearing.
5. **DeafBlind**: individuals may have the cultural and linguistic Deaf identity or not, along with some degree of vision loss. The loss of hearing along with a loss of vision is very traumatic and most difficult for the individual.

This is a very simple explanation of deafness. It is really important to understand the difference and how each accommodates to orient to the world.

DO NOT USE the term “Hearing Impaired” as this is a negative term only focusing on what “can’t” be done, instead of seeing the person and their *abilities*.

LANGUAGE AND COMMUNICATION

Always ask the person how *they* want to communicate. Language and communication needs can vary:

1. **American Sign Language (ASL):** a visual language used culturally and linguistically that uses space and facial expressions; has its own unique grammar and syntax; very different from spoken/written English but includes the SAME information.
2. **Oral:** spoken English communication.

TIPS for Communicating with a Deaf Person in Written English:

- Keep your writing to the point
- Ignore grammatical English errors (remember: ASL is a visual language; use of body language, facial expressions and gestures are helpful)

COMMUNICATION ACCESS

Federal and State Laws protect Deaf, hard of hearing, DeafBlind and late-deafened individuals’ rights to communication access and require public places to make their facilities: libraries, museums, doctors’ offices, hotels, etc., accessible. Often staff at these and other facilities need to be educated about their responsibility to offer equal communication access.

Under the Americans with Disabilities Act (ADA), Title II and Title III, Deaf, hard of hearing, DeafBlind, and late-deafened individuals’ have rights to choose the type of communication access which best accommodates their communication needs including:

- **ASL/English Interpreters:** trained to convey Spoken English into ASL and vice versa for both Deaf and non-Deaf persons; in order to meet the various communication needs of Deaf individuals (as most are second language learners of ASL) they may interpret with CDIs (native ASL users).
- **Certified Deaf Interpreters (CDIs):** specialist interpreters who are Deaf/hard of hearing and provide interpreting, translation, and transliteration services in American Sign Language and other visual and tactual communication forms used

by individuals who are Deaf, hard-of-hearing, and Deaf-Blind. Having CDIs who share their language/culture working with ASL/English interpreters often helps many Deaf individuals feel more comfortable and more willing to participate in various settings.

- **Transliterators:** trained to translate from Spoken English into Signed English (ASL signs in English word order) and vice versa between non-Deaf individuals and deaf, hard of hearing and/or late-deafened individuals whose first language is Spoken English.
- **Oral Transliterators:** specially trained professionals who repeat the Spoken English message (without signing), mouthing it visibly and clearly to deaf, hard of hearing or late-deafened individuals who use Spoken English.
- **CART (Communication Access Realtime Translation) Reporters:** trained and experienced in “realtime” reporting using equipment similar to court stenographers; CART reporters type spoken English as it’s being spoken, which is read by deaf, late deafened and hard of hearing individuals on a small/large screen.

REMEMBER! Interpreters/transliterators are for all people or parties that are trying to communicate - NOT just the d/Deaf or hard of hearing person!

HEARING ASSISTIVE TECHNOLOGY (HAT) AND ACCESSIBILITY

Public accommodations also include the following technology:

- **Telecoils:** a small wire inside a hearing aid or cochlear implant (CI) that is designed to pick up an electromagnetic signal which comes from many places (a phone, neckloop, loop system); when the t-coil is activated it is converted into sound and played directly into your hearing aid or CI.
- **TV Listening Systems:** a transmitter connects to the TV and the sound goes to the receiver which the individual wears.
- **Phones & Phone Signalers:**
 - **Amplified:** volume control /clarity boost for mild/moderate and severe hearing loss
 - **Captioned:** displays captions of everything the caller is saying allowing the user to read along at the same time they’re hearing what the person says
 - **Phone Signalers:** visual or tactile alerts to let someone know when the phone is ringing
 - **TTY:** device with a keyboard that d/Deaf or hard of hearing people can use to call each other TTY to TTY typing back and forth to one another

OR call a non-Deaf person through a relay operator from their TTY who relays information to the non-Deaf person on their phone

- **Videophone:** a visual video telephone system that allows Deaf individuals to see and converse directly with each other on their screens AND can call non-Deaf individuals through Video Relay Services (VRS), where the call automatically connects with an ASL/English interpreter, who interprets the call. Videophones allow much faster communication than TTYs.
- **iPhones/smartphones (pagers):** portable and more accessible devices that can be used anywhere to make phone calls; apps for Videophones allow Deaf individuals to make calls anywhere/anytime
- **Cell Phone Accessories:**
 - Bluetooth connectivity
 - Cell phone amplifiers
 - Cell phone signalers
- **Personal Amplifiers & FM/Digital Systems:** to help the user hear better in different environments (meetings, restaurants, classrooms, church/community activities, etc.); primary benefit is direct sound amplification to hearing aids or CI's
- **Alarm Clocks & Timers:** flashing lights, loud audible alarms, and/or vibration notifications to wake someone up
- **Signaling Systems:** notification of: doorbells, a phone/Videophone ringing; a baby's cry; motion; smoke/fire/carbon monoxide; or severe weather using flashing lights, loud audible alarms and/or vibration
- **Closed Captions on TV** - the Closed Captions setting on all TVs and channels should be turned "On" at all times AND in all places in order to be accessible
- **Braille**
- **Communication Access signage** - see the MCDHH website to find the different logos for different types of communication access like interpreters, CART and the technology listed above

For assistance with or further explanation of these accommodations contact Worcester City Hall.

SIGNERS VS. INTERPRETERS

People often mistakenly assume that anyone who can sign can interpret and bring "a staff member who knows how to sign" to interpret a meeting, while that person only

knows the ASL alphabet, signs VERY slowly, has limited sign knowledge/vocabulary and/or uses Signed English instead of ASL; this does not meet Deaf people's needs. Using a signer vs. an interpreter is very dangerous – it can worsen the situation, cause frustration and serious misunderstandings, especially in legal situations. **It's best to use interpreters, who have specialized training.**

EXAMPLES OF DEAF CULTURAL RULES

Deaf people:

- hug when saying hello and goodbye
- do introductions
- are direct
- let people know when they're leaving
- get someone's attention by waving their hand, tapping one's shoulder or stomping/tapping the floor/table
- walk through conversations (no need to stop and say "excuse me")

ASL CLASSES

- Center for Living & Working, Inc. in Worcester offers evening classes; if interested contact:
Joan Philip, DHILS Director at 508-762-1164
- The Learning Center for the Deaf in Framingham offers evening classes; for more information check: www.tlcdeaf.org
- For additional options, you can also check the MCDHH website: <http://www.mass.gov/eohhs/gov/departments/mcdhh/>

The Commission thanked the Task Force for the helpful information and looks forward to working to achieve the accessibility of city services for the Deaf and people with hearing loss.

Winter sidewalk snow removal overview and update (Josh Martunas and Dan Cahill)

City Representative Josh Martunas spoke about the Customer Service Center being a fantastic resource in the community. If one comes across a business, sidewalk or entrance way not shoveled out, contact (508) 929-1300 an inspector will be sent out. The City is working to update last year's sidewalk snow removal referral list by the next Commission meeting. Once confirmed the list will be forwarded to

Director Turchek. The Senior Center, Customer Service Center and city website will all have the referral list on hand.

Ten hours after snow finishes falling all walkways, wheelchair ramps and entrances must be cleared of snow and ice. Call the customer service center to file a complaint about an uncleared sidewalk, etc. There is a daily morning and afternoon report compiled. The Police Department investigates all complaints and if the issue has not been cleared a fine of seventy-five dollars per day is issued. Eventually if not cleared a contractor will be called in to clear the snow and billed to the property owner.

Dan Cahill is a member of the City Manager's Quality of Life Task Force. The Task Force hires snow removal contractors for snow removal for economic development, city owned and conservation properties within a 24 hour timeframe of snow fall ending. Mr. Cahill and two others monitor this process. He works out of Inspectional Services on Meade Street. He reiterated that calling the location of sidewalks not cleared is very important to keeping sidewalks passable in the winter months.

There is a known history of plowing issues on Chatham Street, to the point of inaccessible road conditions during and difficult parking access after snow storms. Jim Kempton, Department of Public Works keeps a list of areas to watch for snow clearance. Chatham Street will be added to inspector's special interest list.

Restaurant Access Proposal and Feedback

Up until this point restaurant accessibility information has been limited. The goal of the Commission is to provide information on local restaurants based on the access grading scale of A plus to F. The score of each eating establishment will reflect the access of four categories: deaf and hard of hearing, vision, mobility, and cognitive. The recommendation is to begin with the eating establishments found on the recent wheelchair strolls as follows: thirty-eight venues in downtown Worcester, thirty-six on Shrewsbury Street and thirty-eight in Webster Square.

The standards for accessibility to someone in a manual chair include: path of travel, enter a venue with ease, navigate a venue, and access the restroom. Accessible means easy to gain access open, friendly, warm, and approachable. Commissioner

Bilotta asked Commissioners to review presentation and access data points based on the four categories deaf, visual, cognitive and mobility then prioritize top access data points that should be used to determine a venues grade. Further discussion will take place at a later time. (The power point used for this presentation is available at the Office of Human Rights & Disabilities.)

Easter Seals Assistive Technology Center now open in Worcester

Grand opening of Easter Seals Massachusetts, 6th floor of the Denholm Building-Regional center's purpose is for people to come and purchase assistive technology. They offer low interest loans. Easter Seals gives the opportunity to loan the equipment out for one month before purchase. In the future they hope to hold meetings, trainings, and demos in their community space.

Review Webster Square Wheelchair Stroll October 4th, 2017

Director Turcek passed around a master item list of issues that had been identified before the walk. The desired result would be to forward on to the DPW what the leads had pointed out for corrective action.

Commissioner Garr-Colzie, a stroll lead, spoke about her group referring to them as "warriors." Upon exiting Worcester Housing Authority the ramps and curb cuts were difficult; they had a challenging time accessing the sidewalks.

By consensus the Commission voted forwarded the Webster Square feedback to DPW for review.

Request for statewide COD advocacy on HR620

Director Turcek explained that Chairperson Prochilo raised concerns about the ADA bill HR 620. Chairperson Prochillo wants the Worcester Commission to take leadership on a state level and agree to forward a request to the Mass Office on Disability to have a conversation/contribute on outcome of proposed bill.

Director Turcek read part of the bill as follows-

Introduced in House (01/24/2017)

ADA Education and Reform Act of 2017

"This bill requires the Disability Rights Section of the Department of Justice to develop a program to educate state and local governments and property owners on

strategies for promoting access to public accommodations for persons with a disability. The program may include training for professionals to provide a guidance of remediation for potential violations of the Americans with Disabilities Act of 1990 (ADA).

The bill prohibits civil actions based on the failure to remove an architectural barrier to access into an existing public accommodation unless: (1) the aggrieved person has provided to the owners or operators a written notice specific enough to identify the barrier, and (2) the owners or operators fail to provide the person with a written description outlining improvements that will be made to improve the barrier or they fail to remove the barrier or make substantial progress after providing such a description. The aggrieved person's notice must specify: (1) the address of the property, (2) the specific ADA sections alleged to have been violated, (3) whether a request for assistance in removing an architectural barrier was made, and (4) whether the barrier was permanent or temporary.

The Judicial Conference of the United States must develop a model program to promote alternative dispute resolution mechanisms to resolve such claims. The model program should include an expedited method for determining relevant facts related to such barriers and steps to resolve accessibility issues before litigation.”

Individuals can contact US Representative James McGovern about their concern with regard to this bill.

Commissioner Garr-Colzie moved to touch base with the Mass. Office on Disability to express interest in contacting other Massachusetts Municipal Disability Committee/Commissions to alert them to the contents of this bill. Commissioner Bureau seconded. The Commission voted unanimously in the affirmative.

Notice: MassDOT ADA Transition Plan Public Meetings

The hearing in Worcester is Monday, November 6th 3:00PM in the Saxe Room of the Worcester Public Library, 3 Salem Street.

Review of AAB notices and applications: City properties in bold

Variance

- **140 Mill Street(72 Coes Street), Docket # TBD**

Director Turchek introduced Philip Niddrie, City Manager’s Project Manager for the Stearns Tavern Project to discuss the variance application. The Commission

received the variance request electronically and the hearing was held last night. He has not received information about the result. The tavern is a historic building and the doors are 31 inches wide less than the 32 inches required. A hinge has been found that may help increase the door width by 2 inches. If it works a variance would not be needed, wheelchairs have successfully gone through the doorways including Mr. Thomas Hopkins, AAB Director, who uses a large chair. Mr. Niddrie said that most of the work has been done by volunteers. The project now has funding from the City and the State and the work should proceed at a greater speed. A Grand Opening is expected in the spring. All are invited to celebrate. The playground has been well received and packed since the soft opening in the spring of 2017.

Notice of Hearings

- **170 Belmont Street, Docket # V17 203**
- 120 Granite Street, Docket # V17 202

Decision of the Board

- **Multiple Street, Docket #V17 223**

Suggestions for upcoming agenda items

Announcements:

- **WRTA Transportation Planning Advisory Meeting**
Oct. 18th, 2017, 1-2:30pm, WRTA HUB, 60 Foster Street
- **National Disability Employment Awareness Month Panel & Bag Lunch**
Oct. 23, 2017, 12-1:30pm,
Levi Lincoln Chamber City Hall, 455 Main Street
- **REDD (Rights, Equality and Dignity for the Disabled)**
Nov. 7th, 2017, 4:00 – 5:30PM, YWCA, Members Lounge
- **Audio Journal, Accent on Ability Radio Program:** Nov. 9th, 2017, 5-6pm, <http://www.audiojournal.net/>
- **Emergency Preparedness Meeting:** November 14th, 2017 at 1:30pm at 2 Copping Drive.
- **Next Commission on Disability meeting:** Nov. 21st 2017 4:30pm.

Adjournment

The meeting was adjourned.

