



"The world has watched the deaf community come of age. Together we've overcome our own reluctance to stand up for our own rights."

Dr. I. King Jordan, President Emeritus
Gallaudet University

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Tuesday, January 17, 2017

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Dear Governor Rauner:

Treasurer

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On behalf of the Illinois Association of the Deaf (IAD) and the Illinois deaf and hard of hearing community, we write to you to share the consistent failures of the Illinois Deaf and Hard of Hearing Commission (IDHHC) in satisfying the eight mandates established in 20 ILCS 3932, titled the Deaf and Hard of Hearing Commission Act.

Membership Secretary

Susan Dramin-Weiss
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With all due respect, we believe the IDHHC has misled your office and the general assembly to believe the IDHHC has competently and sufficiently represented the needs of the deaf and hard of hearing community. Director Miller's leadership is woefully mediocre compared to other commissions and offices for the deaf and hard of hearing. IDHHC's annual reports and meeting minutes glaringly omit data, benchmarks and outcomes. Additionally, we strongly believe some of the data provided for appropriation requests are selective and manipulated and the IDHHC will not be able to justify these requests if challenged.

The IDHHC has formed volunteer-based task forces and committees to develop recommendations. These make it look like IDHHC did something; however, the IDHHC staff has not acted on these recommendations to create actual equality, respect, and accessibility for all individuals who are supposed to be served by the commission. A prime example is the IDHHC's lack of action in addressing concerns raised in the Early Intervention and Education reports created by the Joint Task Force for Deaf and Hard of Hearing Education Options and submitted by the IDHHC to the 95th General Assembly in December 2007 and December 2008, respectively. Both reports list the wide-ranging issues with the early intervention system and education of deaf and hard of hearing children in Illinois. Since the release of these reports, the issues continue to worsen. Despite 20 ILCS 3932, Section 25.7 clearly stipulating the IDHHC shall "promote cooperation among State and local agencies providing educational programs for deaf and hard of hearing individuals," the IDHHC has not actively educated the General Assembly and agencies on the need to introduce legislation and improve services to increase educational outcomes for deaf and hard of hearing children.

In addition, 20 ILCS 3932, Section 25.6 also instructs the IDHHC to "review, evaluate, and participate in the development of proposed and amended statutes, rules, regulations, and policies relating to services, programs, and activities for deaf and hard of hearing persons and make recommendations on existing statutes, rules, regulations, and policies to the Governor, General Assembly, and State agencies."

Governor Rauner, such educational reform is part of your Reform Agenda and the two sections of 20 ILCS 3932 mentioned above mandate the IDHHC to address these issues.

The IDHHC's lack of action regarding the recommendations for early intervention and education for almost a decade puts a higher immediate and long-term financial burden on the state. Due to subpar educational outcomes for deaf and hard of hearing individuals, a high percentage ends up dependent

on the state. To this point, the rates of under and unemployment for deaf and hard of hearing individuals in Illinois are likely in line with the combined national rate of 72.5 percent, and results in insurmountable costs taxpayers are burdened with. With the IDHHC's continued incompetence and inability to advocate and push for change as mandated by 20 ILCS 3932, we will see Illinois' percentage continue to worsen and exceed the national rate.

These are not isolated incidents. The IDHHC has failed to advocate for the implementation of efficient and cost-effective measures to reduce the state's financial burden. For the sake of brevity, let's just talk about your office. Your office has not been using sign language interpreters correctly. For example, interpreters are not placed correctly on the platform during your State of the State address to ensure the media captures the speaker and the interpreter simultaneously. Oftentimes, only a part of the interpreter is shown or completely omitted. Additionally, your office has not provided captioning or an interpreter to the deaf and hard of hearing individuals viewing your Facebook live feeds. If IDHHC adequately performed their duties, your office would not be taking the public perception hit it is taking right now from the deaf/hard of hearing and disability communities.

The deaf and hard of hearing community has brought the ongoing overarching concerns to the attention of Director Miller, Assistant Director Janet Lambert and Attorney Tonia Bogener. These concerns include IDHHC's lack of visibility, responding to stakeholders in a timely manner and transparency, as well as failures to evaluate and monitor state-funded programs delivering services to the deaf and hard of hearing, lobby the General Assembly on deaf-friendly legislation, provide education and information about hearing loss, implement recommendations from task forces implemented by the IDHHC, address complaints about interpreters in a timely manner, and assist and advocate for deaf individuals with individual complaints and concerns. Despite these being mandated by law, the trio blamed your administration and also cited systematic constraints implemented by your administration, a limited budget, staff and resources as contributing factors resulting in IDHHC's inability to meet the expectations of the community. However, the commission's lack of activity has been an ongoing problem and preceded the state's budget crisis; as a result, we brought the all-encompassing concerns to the attention to the commissioners for more than a year, only to have our concerns dismissed, deflected and minimized by those commissioners protecting Director Miller.

It is now apparent there is division amongst commissioners, a byproduct of the close friendships between several commissioners and Director Miller. Instead of responding to the community's detailed concerns, the commissioners who are protecting Director Miller are implementing safeguards to further protect Director Miller. Several proposed amendments to the IDHHC bylaws make it more difficult to terminate Director Miller. These include adding vague language stipulating any and all previously resolved issues and complaints cannot be the basis for termination; as there is no such language defining what constitutes a resolution, there are no checks and balances established. The proposed amendments also specify the Governor's Office must be notified and approve any formal action being taken against the Director; this proposed bylaw change is another contradiction of the administrative code as it is specified the Director serves at the pleasure of the commission.

Another proposed amendment to the IDHHC bylaws is the reduction from ten (10) to five (5) minutes being allotted for each presenter making a public comment at the Commissioner's meeting. While this is an attempt by the commissioners to censor the public body from expressing concerns about IDHHC, it is in conflict with the administrative code as it is stipulated a limit of ten (10) minutes will be allotted for each public comment made during Commissioner meetings.

Amendments to redefine the scope of the Director and IDHHC's overall responsibilities are also being proposed. These proposed changes also contradict with the law and administrative code. 20 ILCS 3932, Section 25 specifies the "Commission shall be a coordinating and advocating body that acts on behalf of the interests of persons in Illinois who are deaf or hard of hearing." This language was also accurately duplicated as the purpose of the IDHHC in its current bylaws, yet the proposed amendments replace said language with, "The Illinois Deaf and Hard of Hearing Commission shall promote recommendations for any system change; provide community education, information referrals, and resources to advance effective communication access for all individuals with hearing loss in Illinois. The Commission

shall not be responsible for providing direct services.” This is one example of the commissioners attempting to redefine what constitutes as advocacy and make changes to further perpetuate and reflect their interpretation of the law. This is a deviation from what is written in law and administrative code, and is a contributing factor to the overarching issues with IDHHC. The commissioners shall not be able to redefine and/or amend the purpose of the IDHHC in the bylaws, especially if amendments are designed to supersede what is written in law and the administrative code.

An interesting trend from your office is the commissioners who are more vocal and raise concerns regarding the IDHHC’s shortcomings are being quickly replaced. For instance, two commissioners’ terms expired this past November (11/14/2016); you recently replaced a vocal member who wanted changes with a known close friend of Director Miller while another commissioner was not replaced. In addition, there are currently two unfilled vacancies and one commissioner with an expired term (1/14/2013) that continued to serve for additional three years now and still has not been reappointed or replaced. During several occasions in the past, Director Miller indicated the Governor’s office inquired his input on commissioner appointments. We wonder if Director Miller has not been forthcoming and, instead, has been self-serving about the applicants that have applied. We are aware highly qualified applicants, including those with advanced degrees, specific positions and experience enabling them to competently represent the concerns, needs and recommendations of deaf and hard of hearing persons, are being passed up for commissioner appointments in favor of friends of and those who would support Director Miller. Your office has received enough qualified applicants to immediately fill the two vacant commissioner positions and two expired terms.

The IDHHC is the archetype of cronyism and the Governor’s Office cannot be subject to such cronyism. This cronyism serves as a perversion of what is supposed to be a fully transparent and impartial regulation of the IDHHC. This has placed a barrier between the commissioners and the very stakeholders they are supposed to represent and leave deaf and hard of hearing Illinoisans vulnerable to the unacceptable egregious behaviors at IDHHC.

There are several states that serve as a model and epitome of progression for deaf and hard of hearing individuals, including Arizona, Maryland, Minnesota, Nebraska and New Mexico. Unlike IDHHC, the commissioners and offices for deaf and hard of hearing in these respective states have collaborated heavily with their local communities and been heavily involved in advocating for continuous legislation and initiatives to be acted on in order to improve the lives of all deaf and hard of hearing in their respective states.

The deaf and hard of hearing community demand much more out of the very commission we lobbied to establish. All the while, the issues at IDHHC have become insurmountable and it has reached a point where it is imperative for representatives of IAD to meet with you to discuss the concerns with the IDHHC and next steps the Governor’s Office intends to take in resolving these issues.

Sincerely,



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cc: Richard Goldberg, Chief of Staff, Office of the Governor
Howard A. Rosenblum, Chief Executive Officer, National Association of the Deaf
Melissa Draganac-Hawk, President, National Association of the Deaf