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*5 pages incl
cover.*

FAX

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Gary W. Olsen, Director / Advocate

**TO: MaryAnn Sandoval, 775-684-6500
State Legislature Room 2143**

DATE: Wednesday March 5, 2003

FROM: Gary W. Olsen, 775-887-1055

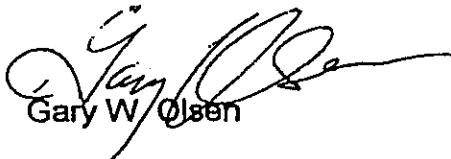
RE: Written Testimony on SB 164

Thank you very much for your assistance. I am sorry that the Office of Human Resources and Facilities misinformed me about the date and time of the Hearing on SB 164. I am glad I am allowed to submit my written testimony for the record.

These days it is difficult getting the opportunity to communicate directly with our lawmakers due to lack of understanding of our communication needs. Please make sure that each member personally gets a copy of attached testimony.

At any rate thank you for your help and making it possible to get my testimony to each committee member.

Sincerely,


Gary W. Olsen

Hello, my name is Gary Olsen and I am the director of the Northern Nevada Deaf and Hard of Hearing Resource Center. I am here today in support of SB 164. This bill goes a long way in recognizing the needs of people with disabilities, and in coordinating the various State programs that serve them.

Senator Titus and others of you have long been supporters of important disability issues. Thank you so much for your commitment. In forming the Office of Disability Services, you are making programs more streamlined, more effective and more accountable.

However, there is an important component missing from SB 164. What is missing is a real recognition of the need, and opportunity, to break down barriers for Nevadans with communication disabilities.

You see, the Office of Disability Services will have many programs for those with physical disabilities. And, Nevadans with mental disabilities have a variety of support available through other State agencies. But, those with communication disabilities, especially the deaf and hard of hearing, are lost in the shuffle.

In 1992, the State budget for Deaf and Hard of Hearing services was cut, 100%, as a result of a State revenue shortfall. In 1997, a small part of that

funding, \$110,000, was restored to partially support the forming of deaf resource centers in northern and southern Nevada. But, in 2002, that funding was cut by over 20%. It is impossible for two nonprofit programs to exist, let alone be effective, on the funding that has been allocated.

This 10-year neglect of deaf and hard of hearing services has been to the detriment of Nevadans with communication disabilities, and may likely be to the peril of the State itself.

SB 164 could be vastly improved if it did two things. First, it should restore the approximately \$25,000 that was cut last year from meager budgets of the deaf resource centers. These are the only programs in Nevada that help deaf and hard of hearing Nevadans to exercise their rights and responsibilities—the only bridge that exists between so many people with communication disabilities and their government.

Secondly, SB 164 should create a deaf and hard of hearing ombudsman position to help the State's many agencies that are at imminent risk of litigation over deaf and hard of hearing issues.

I'd like to share some examples of this litigation risk...

In education, many of Nevada's deaf children are placed in totally

inappropriate settings. In some cases, they are treated as special education students when they only have a communication barrier. We don't put Spanish-speaking students in Special Ed, because they don't currently speak the language. In other cases, deaf kids are provided interpreters who are patently unqualified. These situations are the equivalent of providing a high school student with a third-grader for a tutor. We would all be appalled if this were to happen. But it is happening, everyday, to deaf students in our state.

The situation in the State justice system is even worse. Deaf defendants are sometimes denied an interpreter or are provided one with inadequate skills. Again, would we allow a person with a few years of high school Spanish to interpret in our court systems? Of course not! But, we are allowing American Sign Language interpreters with such skills to work in our courts. This is a litigation powder keg waiting to explode.

The steps necessary to overcome these legal risks are very achievable. But, you need someone who really understands the issues to be on the front lines for you. I know times are tough financially, but the avoidance of just one lawsuit would pay for my two suggestions, several times over. I urge you to invest \$100,000 or so, to restore deaf resource funding to its minimum level,

and to create a deaf and hard of hearing ombudsman in your new Office of Disability Services. These steps are good policy and common sense.

Thank you.

A handwritten signature in cursive script, appearing to read "Gary Olson".