



# PUBLIC NOTICE

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DA 14-1010  
Released: July 16, 2014

## COMMISSION ANNOUNCES ENTITIES SELECTED FOR CERTIFICATION TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR INDIANA AND MINNESOTA

Washington, D.C. – The Consumer and Governmental Affairs Bureau (CGB or Bureau) of the Federal Communications Commission (FCC or Commission) has selected the Perkins School for the Blind (Perkins) for certification to participate in the National Deaf-Blind Equipment Distribution Program (NDBEDP) for the states of Indiana and Minnesota, effective July 16, 2014.

The NDBEDP is a program mandated by Section 105 of the Twenty-First Century Communications and Video Accessibility Act (CVAA) that provides funding of up to \$10 million annually for the distribution of communications equipment to low-income individuals who are deaf-blind.<sup>1</sup> On April 4, 2011, the Commission adopted the *NDBEDP Pilot Program Order*, establishing the framework for a pilot program to fulfill this CVAA mandate.<sup>2</sup> In that *Order*, the Commission determined that it would certify one entity per state as eligible to receive support for the local distribution of equipment to low-income individuals who are deaf-blind.<sup>3</sup> Each certified entity has primary oversight and responsibility for compliance with program requirements for its state, but certified entities may fulfill their responsibilities either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.<sup>4</sup> Participation in the NDBEDP also entails the provision of related services, including local outreach, individual assessments and training, as well as equipment installation and maintenance, that may be needed to effectively provide a person who is deaf-blind with the equipment that he or she needs to access the communications services covered by the CVAA.<sup>5</sup>

The Commission launched the NDBEDP on July 1, 2012.<sup>6</sup> On July 2, 2012, the Commission announced that it had selected one entity for each of the 50 states, the District of Columbia, Puerto Rico,

<sup>1</sup> Pub. L. 111-260, 124 Stat. 2751 (2010); *see also* Pub. L. 111-265, 124 Stat. 2795 (2010) (making technical corrections to the CVAA). Section 105 of the CVAA adds Section 719 to the Communications Act of 1934, as amended, and is codified at 47 U.S.C. § 620. The CVAA authorizes the Commission to allocate these funds from the interstate telecommunications relay service fund (TRS Fund).

<sup>2</sup> *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, CG Docket No. 10-210, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Program Order*).

<sup>3</sup> *Id.*, 26 FCC Rcd at 5646, ¶ 12.

<sup>4</sup> *Id.*, 26 FCC Rcd at 5647, ¶ 13.

<sup>5</sup> *Id.*, 26 FCC Rcd at 5667-5676, ¶¶ 63-79. The NDBEDP pilot program will cover the reasonable costs of such related services. *See* 47 C.F.R. § 64.610(f)(2).

<sup>6</sup> *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7403 (CGB July 2, 2012).

and the Virgin Islands to participate in the NDBEDP.<sup>7</sup> The Commission selected Indiana State University as the certified program to participate in the NDBEDP for Indiana, and the Minnesota Department of Human Services Deaf and Hard of Hearing Services Division (DHHS) as the certified program for the state of Minnesota.<sup>8</sup>

In April 2014, Indiana State University notified the Commission that it would relinquish its certification to participate in the NDBEDP effective June 30, 2014.<sup>9</sup> Also in April 2014, DHHS informed the Commission that it was unable to continue participating in the NDBEDP and that it would relinquish its certification effective July 1, 2014.<sup>10</sup> On June 4, 2014, the Bureau invited applications for certification to participate in the NDBEDP for the states of Indiana and Minnesota.<sup>11</sup> In response, the Commission received one application for the state of Indiana and one application for the state of Minnesota. Both applications were submitted by Perkins. In accordance with the *NDBEDP Pilot Program Order*, the Bureau reviewed the applications for Perkins's ability to meet the following qualifications, either directly or in coordination with other programs or entities:

- expertise in the field of deaf-blindness, including familiarity with the culture and etiquette of people who are deaf-blind, to ensure that equipment distribution and the provision of related services occurs in a manner that is relevant and useful to consumers who are deaf-blind;
- ability to communicate effectively with people who are deaf-blind (for training and other purposes), by among other things, using sign language, providing materials in Braille, ensuring that information made available online is accessible, and using other assistive technologies and methods to achieve effective communication;
- staffing and facilities sufficient to administer the program, including the ability to distribute equipment and provide related services to eligible individuals throughout the state, including those in remote areas;
- experience with the distribution of specialized customer premises equipment, especially to people who are deaf-blind;
- experience in training users on how to use the equipment and how to set up the equipment for its effective use; and
- familiarity with the telecommunications, Internet access, and advanced communications services that will be used with the distributed equipment.<sup>12</sup>

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<sup>7</sup> *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7397 (CGB July 2, 2012).

<sup>8</sup> *Id.*

<sup>9</sup> Letter from Carol Wetherell, Director, Blumberg Center, Indiana State University, to Jacqueline Ellington, Attorney Advisor, Disability Rights Office, Consumer and Governmental Affairs Bureau, FCC (April 29, 2014).

<sup>10</sup> Letter from David S. Rosenthal, Director, Minnesota Department of Human Services Deaf and Hard of Hearing Services Division, to Jacqueline Ellington, Attorney Advisor, Disability Rights Office, Consumer and Governmental Affairs Bureau, FCC (April 3, 2014).

<sup>11</sup> *See FCC Invites Applications for Certification to Participate in the National Deaf-Blind Equipment Distribution Program in the States of Indiana and Minnesota*, Public Notice, DA 14-775 (rel. June 4, 2014).

<sup>12</sup> *See* 47 C.F.R. § 64.610(b)(3).

The Bureau has determined that Perkins meets the Commission's qualifications for certification to operate NDBEDP programs in Indiana and Minnesota. Perkins has been operating NDBEDP programs in 12 other states since July 1, 2012,<sup>13</sup> in Nevada since July 1, 2013,<sup>14</sup> and in Vermont since July 1, 2014.<sup>15</sup> In this and other aspects of its programs, Perkins has demonstrated extensive experience in providing accessible services in a manner that shows cultural awareness of the deaf-blind community and, as the NDBEDP certified program for Indiana and Minnesota, will work in partnership with local agencies to meet the needs of the deaf-blind population throughout Indiana and Minnesota.<sup>16</sup> Certification for Perkins will continue for the duration of the NDBEDP pilot program,<sup>17</sup> subject to Perkins's compliance with the Commission's program requirements.<sup>18</sup>

Accordingly, the Bureau has selected the Perkins School for the Blind for certification to participate in the NDBEDP for the state of Indiana and the state of Minnesota.

**ACCESSIBLE FORMATS:** To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

**FOR FURTHER INFORMATION CONTACT:** Jackie Ellington, Consumer and Governmental Affairs Bureau, 202-418-1153, e-mail [Jackie.Ellington@fcc.gov](mailto:Jackie.Ellington@fcc.gov); or Rosaline Crawford, Consumer and Governmental Affairs Bureau, 202-418-2075, e-mail [Rosaline.Crawford@fcc.gov](mailto:Rosaline.Crawford@fcc.gov).

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<sup>13</sup> *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7397 (CGB 2012).

<sup>14</sup> *Commission Announces Entity Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Nevada*, CG Docket No. 10-210, Public Notice, 28 FCC Rcd 10223 (CGB 2013).

<sup>15</sup> *Commission Announces Entities Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Vermont and Nebraska*, CG Docket No. 10-210, Public Notice, DA 14-760 (CGB, rel. June 2, 2014).

<sup>16</sup> The Perkins applications also included letters from organizations in Indiana and Montana that support its certification and will work collaboratively with Perkins to fulfill NDBEDP requirements. *See, e.g.*, Letter from Lynn M. Powers, President, American Council of the Blind of Indiana, to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (June 12, 2014); Letter from M. Wade Wingler, ATP, Director of Assistive Technology, Easter Seals Crossroads (Indianapolis), to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (June 12, 2014); Letter from Carol Wetherell, Director, Indiana Deaf-Blind Services Project, Blumberg Center for Interdisciplinary Studies, Indiana State University, to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (June 20, 2014); Letter from Joan Breslin Larson, Supervisor, Special Education, and Deanna Rothbauer, Minnesota DeafBlind Project Coordinator & Family Specialist, Minnesota Department of Education, to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (June 10, 2014); Letter from Nichol Schlender, President, American Council of the Blind of Minnesota, to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (June 17, 2014).

<sup>17</sup> The termination date for the NDBEDP as a pilot program is June 30, 2015. *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Order, 29 FCC Rcd 1234 (CGB 2014) (*NDBEDP Third Year Order*).

<sup>18</sup> *NDBEDP Pilot Program Order*, 26 FCC Rcd at 5647, ¶ 14. *See generally*, 47 C.F.R. §§ 64.610(a)-(k).