



PUBLIC NOTICE

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COMMISSION ANNOUNCES ENTITY SELECTED FOR CERTIFICATION TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR OHIO

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 state of Ohio, effective January 1, 2017.

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.¹ On April 4, 2011, the Commission adopted rules to establish the framework for a pilot program to fulfill this CVAA mandate.² In the *NDBEDP Pilot Program 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.³ 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.⁴ 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.⁵

¹ 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). 47 U.S.C. § 620(c).

² *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Program Order*).

³ *Id.*, 26 FCC Rcd at 5646, para. 12.

⁴ *Id.*, 26 FCC Rcd at 5647, para. 13.

⁵ *Id.*, 26 FCC Rcd at 5667-5676, paras. 63-79. The NDBEDP pilot program will cover the reasonable costs of such related services. *See* 47 CFR § 64.610(f)(2).

The Commission launched the NDBEDP on July 1, 2012.⁶ 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, and the Virgin Islands to participate in the NDBEDP.⁷ The Commission selected the Ohio Deaf-Blind Outreach Program as the certified program to participate in the NDBEDP for the state of Ohio.⁸

In November 2016, the Ohio Deaf-Blind Outreach Program notified the Commission that it would relinquish its certification to participate in the NDBEDP effective December 31, 2016.⁹ On December 1, 2016, the Bureau invited applications for certification to participate in the NDBEDP for the state of Ohio.¹⁰ In response, the Commission received one application from Perkins. In accordance with the *NDBEDP Pilot Program Order*, the Bureau reviewed the application 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.¹¹

The Bureau has determined that Perkins meets the Commission's qualifications for certification to operate the NDBEDP in Ohio. Perkins has been operating the NDBEDP program in Massachusetts

⁶ *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, Public Notice, 27 FCC Rcd 7403 (CGB 2012).

⁷ *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, Public Notice, 27 FCC Rcd 7397 (CGB 2012).

⁸ *Id.* at 7401.

⁹ E-mail from Pat Ryan, Director of Finance, Ohio Deaf-Blind Outreach Program, to Jacqueline Ellington, NDBEDP Administrator, Disability Rights Office, CGB (Nov. 18, 2016).

¹⁰ *FCC Invites Applications for Certification to Participate in the National Deaf-Blind Equipment Distribution Program in the State of Ohio*, Public Notice, 31 FCC Rcd 12774 (CGB 2016).

¹¹ See 47 CFR § 64.610(b)(3).

and 11 other states since July 1, 2012,¹² and has since become the certified entity to operate the program in eight additional states.¹³ Through this and other aspects of its enterprise (that are independent of the NDBEDP pilot program), Perkins has demonstrated extensive experience in providing accessible services in a manner that shows cultural awareness of the deaf-blind community and considerable expertise in communications technology used by individuals who are deaf-blind. As the NDBEDP certified program for Ohio, Perkins will work in partnership with local agencies to meet the needs of the deaf-blind population throughout Ohio.¹⁴

Accordingly, the Bureau grants certification to the Perkins School for the Blind for the state of Ohio. Perkins will retain certification for the state of Ohio for the duration of the NDBEDP pilot program,¹⁵ subject to its compliance with the Commission's program requirements.¹⁶

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 or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 844-432-2275 (videophone), or 202-418-0432 (TTY).

FOR FURTHER INFORMATION CONTACT: Jackie Ellington, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-1153, e-mail Jackie.Ellington@fcc.gov; or Rosaline Crawford, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-2075, e-mail Rosaline.Crawford@fcc.gov.

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¹² In addition to Massachusetts, Perkins was originally certified to participate in the NDBEDP in the states of Arizona, Arkansas, Maryland, Montana, New Mexico, Rhode Island, South Carolina, Texas, West Virginia, Puerto Rico, and the Virgin Islands.

¹³ Perkins has since been certified to operate the NDBEDP in Indiana, Michigan, Minnesota, Mississippi, Nevada, Utah, Vermont, and Washington.

¹⁴ The Perkins application included letters from organizations in Ohio that support its certification and will work collaboratively with Perkins to fulfill NDBEDP requirements. *See, e.g.*, Letter from John Moore, CEO/Executive Director, Deaf Services Center, to Jackie Ellington, NDBEDP Administrator, Disability Rights Office, CGB, FCC (Dec. 13, 2016); Letter from Vicky Prahin, President, American Council of the Blind of Ohio, to the NDBEDP Administrator, Disability Rights Office, CGB, FCC (Dec. 12, 2016).

¹⁵ The termination date for the NDBEDP pilot program is June 30, 2017. *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Order, 31 FCC Rcd 6149 (2016). On August 4, 2016, the Commission adopted rules to convert the NDBEDP from a pilot program to a permanent program. *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 31 FCC Rcd 9178 (2016) (*NDBEDP Permanent Program Order*). The rules implementing the permanent program will be effective July 1, 2017. *Id.* at 9269, para. 220. The Commission will announce by public notice the time period during which new and incumbent entities may apply for certification under the permanent NDBEDP or notify the Commission that they do not wish to participate in the permanent NDBEDP. *Id.* at 9186-87, paras. 15-16.

¹⁶ *See NDBEDP Pilot Program Order*, 26 FCC Rcd at 5647, para. 14; 47 CFR §§ 64.610(a)-(k).