
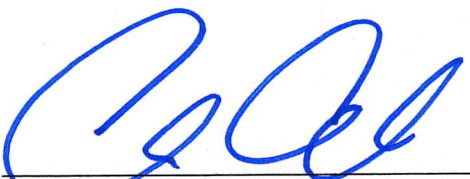
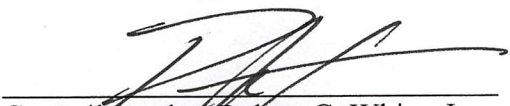


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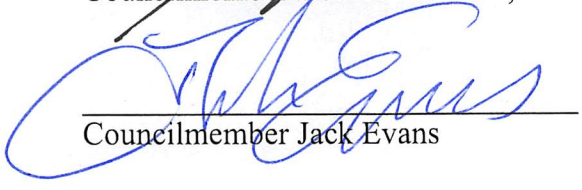
  
Councilmember David Grosso

  
Councilmember Charles Allen

  
Councilmember Brianne K. Nadeau

  
Councilmember Robert C. White, Jr.

  
Councilmember Anita Bonds

  
Councilmember Jack Evans

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Confirmation Act of 1978 to allow the Mayor to appoint the Director of the Office on Deaf and Hard of Hearing; and to amend the Disability Rights Protection Act of 2006 to establish the Office on Deaf and Hard of Hearing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Office on Deaf and Hard of Hearing Establishment Amendment Act of 2019".

Sec. 2. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979, (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

(a) Paragraph (33) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (34) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (35) is added to read as follows:

"(35) Office on Deaf and Hard of Hearing."

39           Sec. 3. The Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C.  
40 Law 16-239; D.C. Official Code § 2-1431.01 *et seq.*), is amended as follows:

41           (a) Section 2 (D.C. Official Code § 2-1431.01) is amended as follows:

42                 (1) New paragraphs (3A) and (3B) are added to read as follows:

43                         “(3A) “Deaf” means a condition of or person with severe or complete  
44 absence of auditory sensitivity where the primary effective receptive communication  
45 mode is visual or tactile or both.

46                         “(3B) “Deaf, Hard of Hearing, and Deaf-Blind Community” means a cultural  
47 minority that includes people who are deaf or who have permanent hearing loss which is  
48 severe enough to necessitate the use of amplification devices to hear oral communication,  
49 and that uses distinct modes of visual and tactile communication and languages.”.

50                 (2) A new paragraph (8A) is added to read as follows:

51                         “(8A) “Office on Deaf and Hard of Hearing” means the Office on Deaf  
52 and Hard of Hearing established by section 4a.”.

53           (b) Section 3 (D.C. Official Code § 2-1431.02) is amended as follows:

54                 (1) Subsection (a) is amended as follows:

55                         (A) Paragraph (4) is amended by striking the phrase “; and” and  
56 inserting a semicolon in its place.

57                         (B) Paragraph (5) is amended by striking the period and inserting the  
58 phrase “; and” in its place.

59                         (C) A new paragraph (6) is added to read as follows:

60                         “(6) Submit to the Office on Deaf and Hard of Hearing an annual self-  
61 evaluation and implementation plan, for approval by the Office on Deaf and Hard of  
62 Hearing, describing how the agency ensures that all programs are accessible to and take

63 into account the particular needs of the Deaf, Hard of Hearing, and Deaf-Blind  
64 community, including plans to coordinate with the Office on Deaf and Hard of Hearing to  
65 provide American Sign Language interpretation.”.

66 (2) Subsection (b) is amended as follows:

67 (A) Paragraph (1) is amended by striking the phrase “; and” and  
68 inserting a semicolon in its place.

69 (B) Paragraph (2) is amended by striking the period and inserting a  
70 semicolon in its place.

71 (C) New paragraphs (3) and (4) are added to read as follows:

72 “(3) Establish and implement a plan to enhance existing agency programs or  
73 create new agency programs to ensure that the Deaf, Hard of Hearing, and Deaf-Blind  
74 Community has access to all services provided by District agencies; and

75 “(4) Establish and implement an interagency plan to address particular areas  
76 of concern identified by the Office on Deaf and Hard of Hearing, including language  
77 deprivation.”.

78 (c) A new section 4a is added to read as follows:

79 “Sec. 4a. Establishment of the Office on Deaf and Hard of Hearing.

80 “(a) There is established an Office on Deaf and Hard of Hearing.

81 “(b) The purpose of the Office on Deaf and Hard of Hearing is to:

82 “(1) Advocate to the District government and private organizations for the  
83 adoption of laws, policies, and programs that benefit the Deaf, Hard of Hearing, and  
84 Deaf-Blind Community;

85 “(2) Increase public awareness of the needs and issues affecting the Deaf,  
86 Hard of Hearing, and Deaf-Blind Community;

87                   “(3) Provide information about existing programs and services that benefit  
88 the Deaf, Hard of Hearing, and Deaf-Blind Community; and

89                   “(4) In coordination with the Office, promote compliance with laws and  
90 policies that protect the civil rights of the Deaf, Hard of Hearing, and Deaf-Blind  
91 Community.

92                   “(c)(1) The Office on Deaf and Hard of Hearing shall be headed by a Director who  
93 is a member of the Deaf, Hard of Hearing, and Deaf-Blind Community and who shall be  
94 appointed by the Mayor with the advice and consent of the Council in accordance with  
95 section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;  
96 D.C. Official Code § 1-523.01(e)).

97                   “(2) The Director shall organize personnel, re-delegate authority, develop  
98 programs, and take other action consistent with appropriates and other applicable law.  
99 Annual compensation for the Director shall be fixed in accordance with section 1051 of  
100 the District of Columbia Government Comprehensive Merit Personnel Act of 1978,  
101 effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-610.51)

102                   “(3) If the position of Director is vacant or about to be vacant, the Mayor  
103 shall receive input on the selection of the Director from organizations representing the  
104 interests of the Deaf, Hard of Hearing, and Deaf-Blind Community.

105                   “(d)(1) In addition to the Director, the Office on Deaf and Hard of Hearing shall at  
106 a minimum have 3 full-time staff to include a Deputy Director, a communications  
107 specialist, and an administrative assistant.

108                   “(2) The Director may, pursuant to subsection (c) of this section and subject  
109 to appropriations, increase the number of staff members and organize the Office on Deaf  
110 and Hard of Hearing as the Director may determine is necessary and appropriate to carry

111 out the mission of the Office on Deaf and Hard of Hearing.

112 “(e) The Director shall endeavor to hire qualified individuals who are members of  
113 the Deaf, Hard of Hearing, and Deaf-Blind Community.

114 “(f) The Office on Deaf and Hard of Hearing shall coordinate with all District  
115 government agencies and the Council to ensure access to American Sign Language  
116 interpretation as necessary, and shall screen interpreters approved to provide American  
117 Sign Language interpretation.

118 “(g) The Office on Deaf and Hard of Hearing shall coordinate with all appropriate  
119 agencies to ensure that:

120 “(1) All deaf children have access, from birth, to all services necessary to  
121 ensure language access and support;

122 “(2) The Deaf, Hard of Hearing, and Deaf-Blind Community have access to  
123 workforce development opportunities that address the particular needs of the Deaf, Hard  
124 of Hearing, and Deaf-Blind Community.

125 “(h) The Office on Deaf and Hard of Hearing shall provide to all agencies of the  
126 District government and the Council information about the particular needs of the Deaf,  
127 Hard of Hearing, and Deaf-Blind Community, as it relates to the agency’s or the  
128 Council’s mission.

129 “(i) Within one year of the effective date of the Office on Deaf and Hard of  
130 Hearing Establishment Amendment Act of 2019, as introduced February 19, 2019 (Bill  
131 23-XXX), and annually thereafter, the Office on Deaf and Hard of Hearing shall submit  
132 to the Council a report including:

133 “(1) A description of whether District government agencies’ programs are  
134 accessible to and take into account the particular needs of the Deaf, Hard of Hearing, and

135 Deaf-Blind Community;

136           “(2) A description of whether District government agencies and the Council  
137 provide high-quality American Sign Language interpretation as needed; and

138           “(2) Recommendations for new laws, policies, or programs that would  
139 address the particular needs of the Deaf, Hard of Hearing, and Deaf-Blind Community.”.

140           (d) The lead-in language of section 5 (D.C. Official Code § 2-1432.04) is  
141 amended by striking the phrase “The Office shall” and inserting the phrase “The Office  
142 and the Office on Deaf and Hard of Hearing in collaboration shall” in its place.

143           (e) Section 6(b) (D.C. Official Code § 2-1431.05(b)) is amended by striking the  
144 phrase “The Office shall” and inserting the phrase “The Office and the Office on Deaf  
145 and Hard of Hearing shall” in its place.

146           (f) Section 9(c) (D.C. Official Code § 2-1431.08(c)) is amended as follows:

147           (1) Striking the phrase “with the Office of Disability Rights” and inserting  
148 the phrase “with the Office and the Office on Deaf and Hard of Hearing in its place.

149           (2) Striking the phrase “interaction with the Office” and inserting the phrase  
150 “interaction with the Office and the Office on Deaf and Hard of Hearing” in its place.

151           Sec. 4. Fiscal impact statement.

152           The Council adopts the fiscal impact statement in the committee report as the fiscal  
153 impact statement required by section 4a of the General Legislative Procedures Act of  
154 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

155           Sec. 5. Effective date.

156           This act shall take effect following approval by the Mayor (or in the event of veto  
157 by the Mayor, action by the Council to override the veto), a 30-day period of  
158 congressional review as provided in section 602(c)(1) of the District of Columbia Home

159 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
160 206.02(c)(1)), and publication in the District of Columbia Register.