

Communication Cues: Options for Communicating with Individuals Who Are Deaf or Hard of Hearing

HOW DO I COMMUNICATE WITH CLIENTS OR CUSTOMERS WHO ARE DEAF OR HARD OF HEARING?

They'll let you know how they prefer to communicate. Deaf and hard of hearing people communicate in a wide variety of ways, including signing, talking, and using technology like emailing, text telephoning, text messaging, paging, video conferencing, and more, to interact with others. Your client will let you know how she or he prefers to communicate, so just ask!

WHAT IF I DON'T KNOW SIGN LANGUAGE?

There are lots of options for communication, and sign language is one of them. Review the following options so you'll be prepared to respectfully and sensitively interact with your next client who is deaf or hard of hearing based on his or her preferred mode or method of communication.

CONSIDER THESE MODES OR METHODS OF COMMUNICATION (IN ALPHABETICAL ORDER)...

American Sign Language: Many, but not all, deaf people communicate in Sign Language. The recognized language of the Deaf Community is American Sign Language (ASL). ASL is a fully developed, natural language with distinct grammar, syntax, and art forms. It can perform the same range of functions as a spoken language. The hands, eyes, head, face, arms and body are all used to communicate language and convey meaning. ASL is not a manual form of English. Qualified ASL interpreters are necessary to transliterate between ASL and spoken English. Here are tips to provide good access to ASL users:

- ◆ A qualified interpreter must be arranged ahead of time by contacting an interpreting referral service (listings available via www.ColoradoDeafCommission.com). Clients or customers who are deaf or hard of hearing must provide advance notice (one week is recommended) that they will require the services of an interpreter.
- ◆ Costs for sign interpreters are paid by the state agency, not by the deaf customer/client, per the Americans with Disabilities Act. Contact 1-800-949-4232 (Voice/TTY) for information.
- ◆ When you are communicating through an interpreter, *look at your client or customer, not the interpreter, while you are listening and when you are speaking.*
- ◆ If there is group communication, don't overlap your conversations or interrupt the speaker. With interpreters, it's all about taking turns so the speaker can be identified and the information fully conveyed—one speaker at a time. Raising your hand to signal that you've got something to say is appropriate etiquette in group-interpreted communications.

Lipreading: Many, but not all, deaf and hard of hearing people can lipread. But this method has its limitations: only about a third of all spoken language can be accurately understood by lipreading. If the context of the conversation is familiar, it can increase the understandability of the communication for the lipreader. But again, this is not an ideal way to carry out a dialogue, and it is not reasonable or appropriate to expect deaf or hard of hearing persons to lipread their way through a discussion. If your customer or client wants to use lipreading, you should:

- ◆ Face the person directly when you speak, and make sure he or she is looking at you.
- ◆ Position yourself so you are illuminated by available light, not silhouetted by light coming from behind you.
- ◆ Speak normally (don't SHOUT) and check for comprehension. You may need to slow down.
- ◆ Don't turn away, chew food, cover your mouth with your hands, or distort your speaking. Be aware that facial hair, such as mustaches or beards, can make lipreading more difficult.
- ◆ Enhance your message with facial expression and gestures wherever appropriate.
- ◆ Don't jump from subject to subject without context—note when you change topics and check to make sure the lipreader is still with you.
- ◆ If you're not being understood, rephrase your message; select different words that convey the same meaning, or add a few more descriptors.

Listening: Many, but not all, people who are deaf or hard of hearing use listening skills in communication with the help of hearing aids, cochlear implants, amplified telephones, or other assistive devices. Here are some tips for creating a good environment for listening:

- ◆ Try to eliminate noise like radios, TVs, fans, other conversations, and anything creating sounds that will distract or compete for attention.
- ◆ Position yourself closer to the listener, facing him or her.
- ◆ Is the person using only one cochlear implant or hearing aid? If so, they will be listening through only one "ear" and you will want to position yourself to take advantage of that.
- ◆ Anything listed under "Lipreading" could apply to "Listening" situations as well.
- ◆ Note that some deaf or hard of hearing people may choose to listen, but not speak; or may use their own voice, but be unable to listen.

Oral Interpreting: Some people who are deaf or hard of hearing need oral interpreting—not sign language—support.

Individuals who are trained in Oral Interpreting know how to convey the spoken English language in a way that is understandable to oral deaf or hard of hearing persons who do not use sign language but do need some accommodation for effective communication exchange. If your client or customer needs an oral interpreter, they will need to make that request of your agency in advance (approximately one week is recommended). The interpreter's costs must be paid by your agency, and cannot be passed on to the client or customer. Your agency should contact oral interpreters through the CCDHH Referral List available on www.ColoradoDeafCommission.com or by contacting the Colorado Chapter of A.G. Bell at 303-445-1480 or the Listen Foundation at 303-781-9440.

Speaking: Many, but not all, deaf and hard of hearing people can use their voice. (However, they may or may not choose to talk orally, which is their right.) All of the tips that create good lipreading and listening situations would apply to spoken exchanges as well. Here are some other cues for creating a good environment for spoken communication:

- ◆ Make sure you are facing the deaf or hard of hearing person and use the listening/lipreading tips listed here.
- ◆ Some, but not all, deaf or hard of hearing people have “deaf speech,” a term that refers to their voice quality and intelligibility. Deaf speech results from learning to speak without the benefit of hearing the sounds a person produces in the same way hearing people use sound to “quality control” their own spoken output. Hearing people have sounds modeled constantly for them, and are unconsciously but constantly checking to make sure they're producing speech appropriately. This process is compromised if you don't have typical hearing function.
- ◆ If you are not sure you understand your customer or client because of their voice quality and intelligibility, make an effort to check your understanding of each other. For example, say, “Did I hear you say (repeat the information that's in question)” or “Would you mind repeating that for me? I'm not sure I got it all.”
- ◆ If you don't understand each other, acknowledge it and work towards comprehension. Can you pass a laptop computer back and forth? Write notes (on a limited basis)?
- ◆ It is unacceptable to dismiss each other or compromise the shared meaning of your communication.

ARE THERE ASSISTIVE COMMUNICATION TECHNOLOGIES THAT CAN HELP?

Yes! Here are a few options for you to consider:

TELEPHONE RELAY SERVICES: You can contact your customers or clients who are deaf or hard of hearing on the phone through the Relay Colorado Telecommunications Relay Service by dialing 711, then giving the number you want to call to a Communications Assistant (CA) who will place the call for you. The CA will then relay the response of your customer or client back to you. When a deaf or hard of hearing person places a Relay Call to you, the CA will announce to you “A person is calling you through the Relay

Service. Have you ever had a Relay call before?” and they will give you some instructions if you need them. Be sure you don't hang up on a Relay Call by mistaking it for a telemarketing call!

TTYs: Direct telephone communications can be made through a TTY (teletypewriter) to another TTY, and many state agencies have TTYs on hand and a TTY phone number published to facilitate the ease of direct communication.

PAGERS: Text messaging and email are also excellent assistance communication technologies that speed the communication between hearing and deaf parties. Ask your client or customer if they have an email address or a text pager that receives email messages, and find out if that's an acceptable way to communicate with him or her.

REAL-TIME CAPTIONING (CART OR COMPUTER-ASSISTED REAL-TIME CAPTIONING): Captioning is a necessary support for meetings where deaf or hard of hearing audience members need communication access, but don't use sign language. CAPTIONING of training or instructional videos is essential—any video shown must include captions for the deaf or hard of hearing. To hire a CART transcriptionist, or to have a video captioned, contact Caption Colorado at 1-800-775-7838.

WHAT DO WE DO DIFFERENTLY FOR A PERSON WHO IS HARD OF HEARING THAN FOR A PERSON WHO IS DEAF?

Again, your customer or client will let you know about his or her own unique communication needs. It is not appropriate for you to decide for yourself what a deaf person needs, but a hard of hearing person doesn't need, or vice versa. Persons who are deaf or hard of hearing are entitled to communication accommodations, and that mandate is not based on an audiogram, but rather on the bona fide need for communication support.

WHAT REQUIREMENTS DO THE AMERICANS WITH DISABILITIES ACT (ADA) AND OTHER LAWS MANDATE CONCERNING COMMUNICATION WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING?

The ADA does not categorize services by disability type (such as deafness), but instead states that the rights of the disabled include the right to receive effective communication. In order to receive effective communication, “auxiliary aids and services” must be utilized to accommodate for the communication need. Auxiliary aids can include interpreters, close captioning devices, note-taking services, pen & paper communication, use of computers, TTYs, etc. The number and type of auxiliary aids depend upon the complexity of the situation.

SO WHO PROVIDES AND PAYS FOR AUXILIARY AIDS?

Not the user! The ADA is divided into five sections or “titles.” These sections set forth mandates (requirements) that are specific to each title. All public or private enterprises offering public accommodation and/or services fall under Title II or Title III of the ADA. Title II refers to state and

local agencies. This would include public schools, government agencies, public libraries, etc. Title III refers to all private companies, businesses, and non-profit organizations. Title II and III organizations are required to provide auxiliary aids for the disabled free of charge. The stringency of this requirement is spelled out in greater detail for Title II than for Title III. However, no Title II or III business or organization is exempt from the requirements of this law.

SO CAN A DEAF PERSON JUST SHOW UP AT OUR OFFICES WITH AN INTERPRETER AND LEAVE A BILL WITH THE RECEPTIONIST?

No. The ADA specifically doesn't allow for this because it negates any mechanism the agency or organization may already have in place to fulfill its legal obligations to provide for effective communication. What is recommended is that the user (or the parent of the user) call ahead and request an interpreter at least a week in advance. There is no specific language in the law that sets forth what "advance notice" means, except that it be reasonable. In some areas, reasonable notice may be more than a week, if there is a lack of available interpreters in a rural area, for example. Further, Title II and III organizations are not required to use the interpreter of the client's choice, but it's good to ask your client or customer if they have an interpreter they prefer. Your client can be your easiest source of information about interpreters.

DOES THE ADA SPECIFY THE TYPE OF INTERPRETER ONE CAN REQUEST? FOR EXAMPLE, CAN A USER REQUEST AN ASL INTERPRETER SPECIFICALLY?

The ADA is not specific about communication modes or specializations for interpreters. If effective communication is in the form of American Sign Language, then a qualified ASL interpreter is necessary. If effective communication requires an interpreter that knows legal or medical terminology, then request that. If the user doesn't need sign language but oral interpreting, request that. "Auxiliary aids" (not "sign language interpreter") is the ADA's legal term that encompasses the variety of services that comprise effective communication. If a specialized kind of interpreting service is needed, the request should be made well in advance so an appropriately trained resource can be identified and scheduled.

CAN AN AGENCY CHARGE OR RAISE RATES TO COVER THE COSTS FOR HIRING AN INTERPRETER FOR A CLIENT WHO'S DEAF OR HARD OF HEARING?

No charges can be directly applied back to the user/parent under the ADA. If the agency or business chooses to increase its fees to fund auxiliary aids, it must do so across the board, the same as it would do to cover any general expense.

WHAT IF THE AGENCY HAS NO FUNDS TO PAY FOR INTERPRETERS OR CART?

All Title II organizations (state and federal agencies) are subject to the ADA and must provide auxiliary aids that create effective communication. Those that lack necessary funds must receive a waiver from the Department of Justice that proves these services pose an "undue financial burden" on the agency. However, that process is extremely stringent and few ever achieve this designation.

WHAT CAN MY CLIENT OR CUSTOMER DO IF HE OR SHE DOESN'T FEEL OUR AGENCY HAS DONE ENOUGH TO COMMUNICATE WITH HIM OR HER?

If your deaf or hard of hearing customer isn't satisfied with your accommodations, she or he should communicate that directly with your agency's Title II Coordinator. An explanation of the problem should be provided (e.g., equipment isn't available, the idea isn't appropriate, or you tried it and it didn't work), and a formal, written response from your office is required. What efforts haven't been tried yet that could remedy the situation? Again, ask your client what types of communication support he or she needs. If the problem isn't resolved, your client can file a complaint with the U.S. Department of Justice, who could begin an investigation of your agency. The burden of proof will be on your organization to demonstrate its good-faith effort toward accommodating your client's hearing loss.

WHERE CAN I GET MORE INFORMATION OR HELP IF I HAVE QUESTIONS?

The Colorado Commission for the Deaf and Hard of Hearing works across the state as an advocate for deaf, hard of hearing, late-deafened, and deaf-blind persons. We provide information to any business, organization, or government entity that works with or provides services for individuals who have a hearing loss. CCDHH also provides information and referrals to families and individuals who need assistance.

We can provide:

- ◆ Free telecommunications equipment for low-income deaf and hard of hearing consumers
- ◆ Information and training for individuals and businesses working with deaf and hard of hearing persons
- ◆ Technical assistance to service providers
- ◆ Workshops for deaf and hard of hearing persons

We are here to assist you. Please call or write to us.

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Written by Leanne Seaver, M.A.

COLORADO COMMISSION FOR THE DEAF AND HARD OF HEARING

Address: 1575 Sherman Street, 2nd Floor • Denver, Colorado 80203

TTY: 303-866-4734 • **VP:** 720-457-3679 • **Voice:** 303-866-4824 • **Fax:** 303-866-4831

Email: email.ccdhh@state.co.us • **Website:** www.ColoradoDeafCommission.com