



CRISS COLE
DISTRICT 6
AUSTIN

The Senate of
The State of Texas
Austin

May 25, 1965

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TO THE MEMBERS OF THE LEGISLATURE:

This legislative session has enacted a number of proposals pertaining to the rehabilitation and education of the visually handicapped. I have taken the opportunity to prepare a summary of all the measures which have passed the legislature and those which are expected to pass. I am attaching hereto for your information this summary.

In behalf of the blind and visually handicapped citizens of the State of Texas, I want to thank you for your efforts. There has been more progress made in this area during this session of the legislature than all other sessions combined since 1931.

Sincerely yours,

Criss Cole

CC/mb
encl.

DESCRIPTIVE SUMMARY OF LEGISLATION PASSED
DURING 59th LEGISLATURE PERTAINING
TO BLIND CITIZENS

<u>Bill:</u>	<u>Status:</u>	<u>Provisions:</u>
H. B. 184 S. B. 36 <u>(Appropriations)</u>	(incorporated into General Appropriations Bill)(Enacted)	In light of the serious financial difficulties of the Commission for the Blind, which difficulties had resulted in huge backlogs of cases, a threatened decline in quality of services, and a generally low

morale among personnel in professional staff positions, this bill probably was the most important of all of the bills introduced regarding the blind.

S. B. 36 was referred to the Committee on Finance, and, generally, the equivalent of all funds and classified positions requested in S. B. 36 were granted the Commission in the General Appropriations Bill, with a number of adjustments for situations arising after the introduction of S. B. 36. The attention of the Conference Committee having been directed to the acute financial crisis of the Commission by S. B. 36, the conferees were generous in providing the funds necessary for permitting the Commission to provide minimally adequate services to all blind persons applying for them.

S. B. 36 requested a total appropriation of \$774,299 from General Revenue Funds for the next biennium; a total of \$815,970 was appropriated. Total appropriations to the Commission, including federal funds, amounts to \$917,022 for the first year of the biennium and \$929,502 for the second. The largest single item in the appropriation--\$463,754--will go primarily for direct case service to clients.

The appropriation authorizes desperately needed assistance at the administrative level--adding an assistant director and two supervising counselors for this purpose. Eight of the 18 counselor positions have been placed in a higher salary group, so as to make the salary structure of the Commission conform better with that of other agencies with which the Commission must compete for trained, professional personnel, and so as to provide some means of promotion in recognition of superior service. Salaries of home teachers have been brought up to a more realistic level. In general, the appropriations presently authorized will make possible a good beginning for a strengthened and improved program which can grow in an orderly manner and with the best and most efficient use of available money.

Appropriations to the Commission, as well as other appropriations provided for in the General Appropriations Bill, contain increases for medical services for the Blind. This means that indigent blind persons who need surgery or other medical service, but who have been having to wait on long waiting lists because of a shortage of funds, will be able to apply for these services when the bill takes effect on September 1.

S. B. 34 H. B. 186 <u>(Basic statute of Commission for the Blind)</u>	(Enacted)	This bill went through many drafts and revisions prior to final passage. In its original form, the bill merely amended existing law so as to make imperative a permanent, up-to-date register of Texans with serious
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visual handicaps. However, as a result of suggestions made at Committee hearings in both houses and as a result of further information secured by the House and Senate sponsors of this legislation, subsequent revisions of the bill were drafted so as to more fully incorporate the thrust of recommendations of an interim study committee upon which the sponsors of this legislation had

served. In addition to making the keeping of a permanent register a mandatory responsibility of the Commission for the Blind, the bill finally enacted contained the following features:

**The basic statute of the Commission for the Blind was completely reorganized, removing ambiguity and direct conflicts in laws previously relating to the Commission.

**The Commission was given authority to phase out an archaic and unprofitable home industries program.

**The Commission was authorized to do more preventive work, by assuming the responsibility for rendering services to all persons with substantial visual handicaps of a progressive nature.

**All laws relating to the blind and visually handicapped were amended so as to place Texas in a position to take full advantage of all funds available through any federal programs designed to assist the visually handicapped.

**Respective responsibilities of all concerned state agencies in rendering services to the visually handicapped were more adequately defined, with the Commission for the Blind being designated the agency with primary responsibility for rendering all services except those of a purely welfare or public education nature. In addition to eliminating the diffusion of responsibility and providing for a greater consolidation of these services, an affirmative obligation also was imposed upon all concerned state agencies to enter into any inter-agency agreements designed to provide the best possible service to the visually handicapped with the greatest efficiency and economy for the state.

S. B. 35 (Enacted)

H. B. 187

(Blind Scholastics)

This bill allows the Texas Education Agency to provide braille or large print textbooks and other tangible apparatus essential to the learning

process to blind or visually handicapped students. This bill will greatly enhance the efficiency and effectiveness of special education classes in the public schools, thereby permitting hundreds of partially-sighted young Texans to receive a better education in their own communities.

S. B. 39 (Enacted)

H. B. 182

(Educational programs for the deaf and blind or for the non-speaking blind)

Individuals with these multiple handicaps obviously have even more difficulties in obtaining an education than do individuals with any one of these disabling conditions. Additionally, some of these persons have no place to turn for care and assistance other than to the training schools in which

they are placed. Such persons, however, are ineligible for welfare assistance until attaining 21 years of age. Thus, for a number of these multiple-handicapped persons, there formerly was imposed a three-year period of extreme hardship between the ages of 18 and 21. This bill permits the State Board of Education to extend service to these children for an additional three years, so as to provide them a greater opportunity for obtaining necessary education and so as to insure that these children will not be made to suffer undue hardship. Too, in 1963, the age limit was raised to 21 for all other students in special education classes, and this corrects an apparent oversight made at that time.

S. B. 37 (Enacted) An interim study committee on Services for and Rehabilitation of the Blind determined that the previous statutory qualifications of the superintendent of the Texas School for the Blind, which called for, among other things, a certain amount of actual classroom teaching experience, were overly rigid and made difficult recruitment of a qualified successor to the retiring superintendent. It was determined that any benefit to be realized from the prior qualifications was by far outweighed by the fact that many capable administrators failed to meet the qualifications. In order to provide the Texas Education Agency with greater flexibility in recruiting a new superintendent, the statutory requirement of actual teaching experience was dropped.

H. B. 188 (Enacted) This bill creates a first priority for the blind in the operation of vending facilities in most buildings controlled by the State. The bill contains procedures, standards and guidelines for the operation of these facilities. The Commission for the Blind is given the first opportunity to make such installation as it feels would be feasible for operation by a blind person and suited to the needs of the building. The bill provides that if the Commission rejects a location in a state building, it must advise the Division of Vocational Rehabilitation in the Texas Education Agency of this fact, so that the location may be considered as a possible source of employment for a person with a handicap other than blindness. Similarly, the bill requires the Commission to permit, where feasible, only the use of handicapped assistants in vending facilities installed by the agency. The bill will lessen the impact of vending machines upon vending stands operated by blind operators, and provides that all commissions from vending machines shall go to the handicapped operator of the vending stand in the building.

S. B. 121 (Enacted) Under this bill, schools offering vocational education courses which might be potentially dangerous to sight must provide students and teachers with eye-safety devices, at the cost of these devices to the school. The measure's primary objective is the prevention of blindness resulting from activities in school vocational education shops.

H. B. 853 (Enacted) Students who are legally blind or deaf are exempted from the payment of tuition at state-supported colleges and universities by this legislation. The premise upon which this bill rests is that a changing technology requires individuals with these handicaps to be better equipped in order to compete in our present society. The objective is to encourage young men and women with these handicaps to more fully develop their skills and natural resources, without placing an undue burden upon them or upon the state agencies responsible for assisting them in receiving the proper training.

H. B. 182 (Enacted) A number of bills which have the effect of providing improved medical service for the blind have been introduced in the 59th Legislature. S. B. 38, companion measures, would implement a system of vendor medical payments for recipients of Aid to the Needy Blind grants. H. B. 182 has been passed by the House and is now in committee in the Senate. A similar measure,

For the first time in the history of the Texas Legislative Council, every legislative recommendation made by one of its committees as a result of a thorough and comprehensive study will have been acted upon favorably and promptly by the Legislature. In many instances, once the problems revealed in the study on Services for and Rehabilitation of the Blind were fully explained to members of the two houses, the Study Committee's legislative recommendations were greatly strengthened and improved in the legislative process.

S. B. 405, passed by the Senate on May 4, also extends medical assistance to ANB recipients. Other bills would implement broader programs for all of the handicapped. Recent developments in federal law, such as the passage of Medicare, have had a great impact upon legislation of this type at the state level, and these federal programs are being studied closely. Passage of some measure resulting in an improved program of medical assistance to the blind seems fairly certain in this session.

S. J. R. 33
H. J. R. 76
(permitting State to participate in federal programs designed to assist private service groups)

(Passed by Senate)

S. 1525, now pending in Congress, makes money available to private groups and associations for the establishment, equipping, or development of workshops for assisting the blind or otherwise handicapped in becoming gainfully employed. Owing to a technicality in the Texas Constitution, however, Texas now is one of four or five states which

is unable to participate in this program, under which private and federal money is deposited with the state for expenditure upon earmarked projects. The constitutional amendment proposed by S. J. R. 33 would permit these private groups and associations to receive federal funds for use in assisting the handicapped, and the amendment is phrased broadly enough to permit full and immediate participation in any expansion of this program.

S. B. 143
H. B. 377
(Blind, Deaf, and Orphan School)

(Enacted)

Recognizing that the care of handicapped children is, as a long-range proposition, more properly an educational function rather than an eleemosynary service, this legislation transferred

the Texas Blind, Deaf, and Orphan School from the Board of State Hospitals and Special Schools to the Texas Education Agency. The transfer should permit the children at this school to receive the full benefit of the resources available through the Division of Special Education at T. E. A.

S. C. R. 78
(Vocational-Technical facility for the handicapped)

(Enacted)

This resolution authorizes the newly-created Coordinating Board, Texas College and University System, to establish a vocational-technical training facility for the handicapped to be operated as part of the Texas A&M

University System, at James Connally Air Force Base at Waco when the base is closed as a military reservation. The Commission for the Blind and the Division of Vocational Rehabilitation of the Texas Education Agency are directed to cooperate in planning and establishing criteria for courses at the training facility. Should the Coordinating Board manage to establish an aggressive, adequate, and progressive facility, the long-range impact of this measure could be as beneficial for the handicapped of Texas as any other single item of legislation enacted in recent years.

SUMMARY:

The combined contributions of all legislative sessions since 1931, the year the State Commission for the Blind was created, have not had as great an impact upon improvements in service to the blind as will the contributions made by the 59th Legislature. This Legislature has addressed itself to the problems, inadequacies, and long-existing deficiencies in these services in a compassionate but realistic manner. A good beginning has been made for a strengthened and improved program which can grow in an orderly manner and with the best and most efficient use of available money.