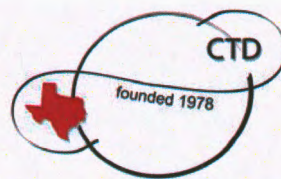




# Coalition of Texans with Disabilities



## Annual Report 2009

*Over three decades of advocacy and counting*



# Letter from the Executive Director

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Dear Friends of CTD,

Thirty-one years ago, the U.S. witnessed a national effort to establish statewide cross-disability advocacy organizations. Many were formed; most have folded. The Coalition of Texans with Disabilities (CTD) stands as one of the most successful, if not the most successful, of these organizations. I believe we've had a remarkable year, but don't take my word for it. Flip through our quick-read 2009 Annual Report, and make your own conclusions.

Historically, CTD has successfully advocated for disability rights, and we've proven that together, we can change public policy and practice to positively influence the lives of our citizens with disabilities, their families, friends, and communities. This lesson became crystal clear during the past year of tough economic times and the unpredictable 81st Legislature. The Texas Legislature gives advocates the best opportunity to make their voices heard and to take action, but change does not happen without intense work and wide participation. Many of our victories happened in the very last days of the session, which tells me that in 2009, there was no margin for error. Everyone who called, visited, or emailed their legislator; who participated in rallies, who wrote letters to the editor, who joined and supported advocacy organizations affected change this year. It all counted because we needed every effort.

Together, we can make CTD more effective. CTD is well positioned in the Capitol, and policymakers often seek out our support and advice. Yet, our impact is not what it could be. Our staff is small, our resources are very limited, and we are not meeting the need for community organizing. In CTD's future, I envision a developed staff, with access to diverse resources, working with an organized community of people with disabilities to truly ensure that Texans with disabilities may live, learn, work, play and participate fully in their community of choice. This is an achievable goal that together we can reach. So get involved! Join CTD. Sign up for our free electronic newsletter by emailing [newsletter@cotwd.org](mailto:newsletter@cotwd.org). Keep up with the issues. Be ready to speak up and advocate. CTD will be right there with you.



For A Barrier Free Society,

A handwritten signature in blue ink that reads "Dennis Borel". The signature is fluid and cursive, written over a light blue horizontal line.

Dennis Borel  
Executive Director



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**Representatives Jessica Farrar, Veronica Gonzales, and Lon Burnam, along with CTD Executive Director Dennis Borel, CTD Director of Advocacy Chase Bearden and Sarah Mills of Advocacy, Inc. present as Governor Rick Perry signs HB 978 into law, aligning Texas Labor Code with the ADA Amendments Act of 2008.**

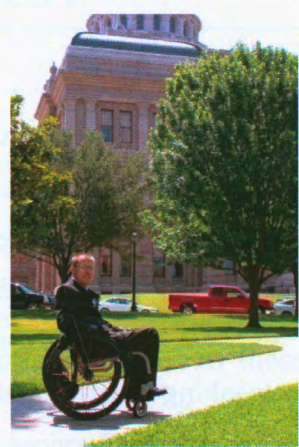


## Advocacy

The 81<sup>st</sup> Texas Legislature got off to a tumultuous start in January and maintained that status for the next 140 days. The economy tanked and took the state budget with it, only to be revived by federal stimulus money. State Schools were hit with federal Department of Justice charges for abuse, the notorious Fight Club scandal at the Corpus Christi State School gained national attention, and then the Denton State School was blasted for its failure to properly report the sudden violent death of a resident.

CTD had begun working before session with legislators and staff to draft bills, but now the real work was underway. We worked vigorously day and night, writing legislative language, providing position papers, coordinating with other advocates, speaking with committee chairmen and members, providing testimony, holding press conferences, and organizing citizens to ensure that Texans with disabilities had a seat at the political poker table.

With the help of all stakeholders, especially those that diligently called and wrote lawmakers, along with the help of partner advocacy groups, significant outcomes for people with disabilities were achieved.



Director of Advocacy Chase Bearden working at the Capitol fighting for Texans with disabilities.

## **2010-2011 Budget and State Schools**

With all the negative publicity on State Schools, the pressure was on the Legislature, and lawmakers responded, making moves to reduce the State School population, relocate hundreds to the community, and substantially reduce the community-services wait lists. A lot of money still went to State Schools, but the Legislature did appropriate the largest funding ever to reduce the community wait lists and also funded an increase in the wages paid to community direct-care workers. CTD successfully advocated for three new independent living centers and the elimination of the wait list for Comprehensive Rehab Services for traumatic brain and spinal cord injuries during the critical first year after injury.

### **Budget Bill Key Appropriations**

- \$433 million to reduce wait lists and expand community-based services by 14,632 slots
- \$300 million to increase community attendant wages to an average of \$8 per hour
- \$4.3 million to eliminate wait lists for rehabilitation therapy of traumatic brain and spinal cord injuries during the critical first year after an injury
- \$1.5 million to establish 3 new centers for independent living

### **State School Reforms**

#### **SB 643 (Nelson)**

**PASSED**

State school emergency legislation to ensure the safety of residents by requiring training for center employees, background checks of center employees and volunteers, video surveillance and an independent mortality review system; establishing investigation procedures for reports of abuse, neglect and exploitation.

#### **HB 1317 (Rose)**

**NOT PASSED**

SB 2860 (Ellis), SB 2407 (Zaffirini), SB 639 (Lucio), SB 1407 (Shapleigh) and HB 1317 would have initiated comprehensive reform that would have created a state long term plan including consolidation and closure, and waiver reform.



## Voter Rights

The Voter ID Bill (SB362) threatened to deadlock the entire legislative process. During the Senate's 24-hour debate over the legislation, lawmakers reached out to CTD as the only invited disability rights advocate. 19 hours into the debate, at 5 a.m., Executive Director Dennis Borel testified that, according to a CTD analysis, people with disabilities would be less likely to possess, or have a more difficult time obtaining, 16 of the 17 forms of identification listed in the Voter ID bill. Thankfully, after a long partisan battle in a narrowly divided House, Voter ID died. We also strongly opposed and worked hard to kill numerous other bills that attempted to marginalize voters with disabilities, especially those that would have allowed exemptions to polling place accessibility and accessible voting technology. CTD fought long and hard to protect the voting rights of people with disabilities.

### **HB 3335 (Callegari) PASSED**

Amended to maintain provisions for accessible voting machines in water districts elections of less than 250 people, creates rules if seeking an exemption to not supply an accessible voting machine.

### **SB 362 (Fraser) NOT PASSED**

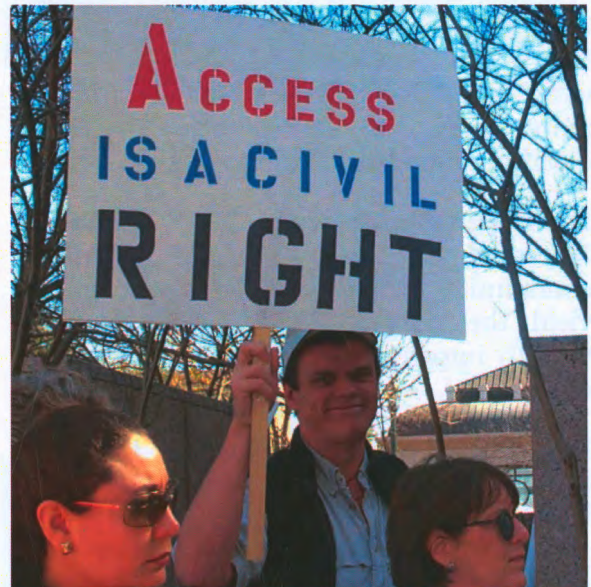
Onerous "voter ID" bill, as well as HB 125 (Brown), that would have effectively suppressed voting by the elderly and people with disabilities.

### **HB 355 (Aycock) NOT PASSED**

This bill along, with HB 419 (Betty Brown), HB 381 (Callegari) and others, attempted to change the Texas Election Code to exempt political subdivisions from having accessible voting machines.

## Diverse Disability Legislation

Some of CTD's most effective work happened in the final weeks of the session when logjams of bills were clogging the House and Senate and holding up several significant disability bills. We got to the right people, pushed for hearings, coordinated testimony, corrected misconceptions and got the bills to the floor, usually at the last possible moment. Plenty of folks told us that these bills were minor, but for workers with disabilities, blind pedestrians, VCFS parents, wheelchair users and users of accessible parking spaces, each of these bills is meaningful.



Gary Guller, the first person with one arm to summit Mount Everest, supporting disability advocacy.

### **HB 155 (Gutierrez) NOT PASSED**

Would have allowed a person with a permanent physical disability to operate a motor vehicle in a protected freshwater area, for recreational access to rivers.

### **HB 236 (Rodriguez) PASSED**

Streamlines the process for obtaining an exemption from the motor vehicle sales tax for motor vehicles driven by persons who have orthopedic handicaps.

### **HB 400 (Herrero) PASSED**

Allows a person cited for illegally parking a vehicle with an expired disabled parking placard to obtain a valid placard within 20 days to have the citation dismissed.



**HB 849 (Strama) NOT PASSED**  
This bill and SB 1150 (Hinojosa) would have waived the state's sovereign immunity to ADA complaints, ending Texas' offensive practice of claiming immunity for its acts of disability discrimination.

**HB 970 (Lucio III) NOT PASSED**  
Would allow people with disabilities to gain a (HUB) Historically Underutilized Business status for the purpose of doing business under that certification with the State.

**HB 978 (Burnam) PASSED**  
Brings Texas Labor Code into alignment with the ADA Amendments Act of 2008 and more fully protects employees from discrimination based on disability.

**HB 1343 (Menendez) PASSED**  
Increased penalties to \$500 and 30 hours of community service for drivers who fail to yield the right-of-way to a disabled or visually impaired pedestrian, causing injury or death.

**HB 1805 (Kuempel) PASSED**  
Legalized the use of laser sighting devices by hunters who are physically disabled.

**HB 3095 (Harless) PASSED**  
Simplifies enforcement and increases the fines for illegally parking in a handicapped parking space to \$500 minimum.

**HB 3325 (Hughes) NOT PASSED**  
"Don't pull the plug bill", would have

changed advanced directives practices and clarified who can make end of life decisions.

**HB 4402 (Martinez Fischer) PASSED**  
Requires a study on the impacts of unauthorized generic substitution on persons with epilepsy, MS and other disabilities requiring precise prescriptions.

**SB 187 (Deuell) PASSED**  
Allows families with children with disabilities whose income is above Medicaid eligibility standards to buy into Medicaid.

**SB 1395 (Zaffirini) NOT PASSED**  
Respectful language bill that would have banned the "R" word in statute and official use.

**SB 1612 (Lucio) PASSED**  
Velo Cardiofacial Syndrome (VCFS) awareness campaign, the second most common genetic disorder after Down Syndrome; information on VCFS would be sent to families when a child exhibits at least two indicators of VCFS.

**SB 1804 (Zaffirini) PASSED**  
Requires professional expertise in fitting prescribed wheelchair mobility systems for Medicaid recipients.

**HCR 22 (Burnam) PASSED**  
Permits the Chishty family to sue the State of Texas for serious injury inflicted to Haseeb Chishty while residing in Denton State School.

We have already begun working on initiatives for the 2011 legislative session. Some of the issues returning will be:

- Comprehensive State School reform, working towards consolidation and closures
- Waiving the state's sovereign immunity to its ADA violations
- Changing advanced directives practices and who can make end of life decisions
- Increasing average community direct-care attendants wages to \$10 per hour

We would like to extend our deepest appreciation and thanks to all the CTD members, volunteers, friends, legislators and Capitol staffers who helped us in our mission. Special appreciations to the cross-disability partners at the Capitol everyday: ADAPT, University of Texas Center for Disability Studies and Advocacy, Inc. Thank you to all the disability and senior advocacy groups who collaborated on the budget issues.



## Public Awareness, Professional Services, and Awards

While the 81<sup>st</sup> Legislature took up a lot of our time and energy, CTD managed to make 2009 a big year for public awareness and community involvement. We continued to promote and educate about disability issues using the nationally broadcast documentary of CTD's historic expedition, *Team Everest: A Himalayan Journey*, as well as exploring new projects, efforts, and partnerships.

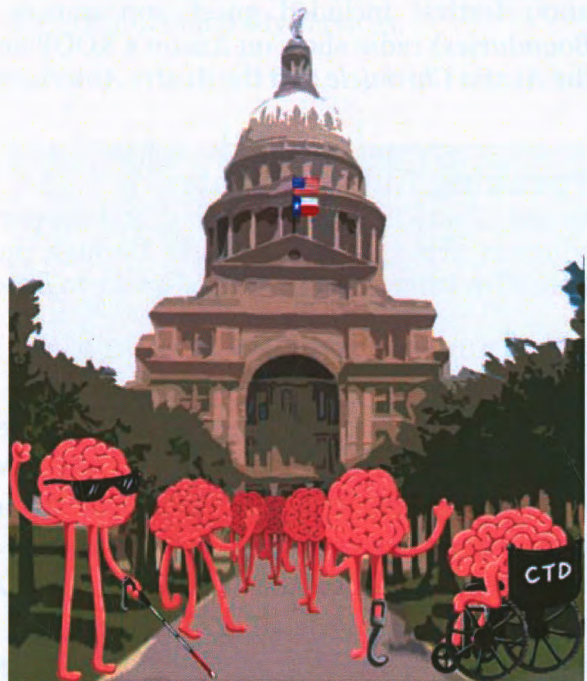


Scene from the film *Team Everest: A Himalayan Journey*

### Public Awareness Events

**Brainstorm!** - On April 5th, in conjunction with our yearly convention (see page 7), CTD's biennial disability rally took place on the steps of the Capitol Building. Speeches were delivered by Rep. Elliott Naishtat and Rep. Abel Herrero, both commenting on important issues and methods for advocacy during legislative meetings.

**2009 ADAPT Fun Run-** On April 25, CTD's IT Extraordinaire William Greer participated in this annual fund-raising event, where donors pledged to donate a certain amount of money per lap. William ran a total of 30 laps in one hour and raised over \$1,500 for CTD and ADAPT each!



Artistic interpretation of "Brainstorm!"



Joe Ploeger, Dennis Borel, William Greer, Bethany Humble, and Chase Bearden at the Zilker Relays.

Will's enthusiasm for running doesn't stop there; he is also the founder of the **CTD Contenders**. The CTD Contenders were organized to demonstrate that there are no barriers to fitness and competition. Their debut event was the Zilker Relays, on September 4; they most recently ran in the St. Stephen's Fun Run in Wimberley on October 24.



**6<sup>th</sup> Annual Cinema Touching Disability Film Festival**- Hosted in early November, the festival is CTD's largest annual awareness and fundraising event.

The sold-out festival ran for two days at the Alamo Drafthouse South Lamar, where audiences viewed the finalists of our Annual Student Film Competition and the documentary *A Possible Dream: The Andrea Friedman Story*. Festival events concluded with the screening of *The Eyes of Me*, a documentary about four teens with blindness that takes place at the Texas School for the Blind and Visually Impaired.



In 2009, we retired the previous film festival logo and replaced it with a logo designed in part by Naked Designs and in part by VISTA Kathy Scanlon.

Then, we packed up our reels for the Road Show portion of the festival. As part of the East Austin Studio Tour, CTD screened various short films at Imagine Art Studio. Publicity for the 2009 festival included guest appearances on *The Common Thread* (formerly *Breaking Boundaries*) radio show on Austin's KOOP and on KUT's *Morning Edition*, as well as articles in the *Austin Chronicle* and the *Austin American-Statesman*.

## Speaking Engagements

In addition to hosting, attending, and supporting public events, CTD also raises awareness and educates about disability issues through public speaking in Austin and across the country. Executive Director Dennis Borel spoke to diverse audiences across the state.

- **Annual Leadership Summit of the National Minority Quality Forum, D.C.**  
Creative Advocacy
- **TX RehabAction Network Employer Symposium, Coastal Bend Chapter**  
The Business Case for Hiring People with Disabilities
- **Texas Rehabilitation Providers Council Annual Meeting, San Antonio**  
Legislative Advocacy
- **State Independent Living Council Annual Conference, Austin**  
Systems Advocacy
- **Disability Rights Press Conference, State Capitol**  
State of Texas and Department of Justice Settlement on State Schools
- **Texas Parent to Parent Annual Conference, Austin**  
Advocacy '09
- **Paralyzed Veterans of America, Texas Chapter**  
Advocacy in 2009
- **Boy Scouts of America, Capital Area Council**  
Scouting for Kids with Disabilities



Dennis Borel speaks to attendees of the Disability Rally at the State Capitol.



## Professional Services and Consulting

**Help America Vote Act-** As a member of Texas' HAVA Committee, CTD has been working closely with the Texas Secretary of State to implement the state's response to HAVA mandates. CTD has continued working to increase voting by people with disabilities by informing communities about accessible voting machines, educating poll workers, and by improving HAVA outreach efforts, including improving the accessibility of the VOTEXAS website.

**Website Accessibility-** Early this year, CTD re-designed and updated the SILC website, making it fully accessible for people with disabilities. CTD also trained SILC staff how to update the website themselves.

**Employment Education and Medicaid Buy-In Outreach-** CTD continues to collaborate with DARS to promote awareness about the Medicaid Buy-In program that allows people with disabilities to work and maintain Medicaid coverage.

**Consumer Directed Services-** Enrollment in CTD's Consumer Directed Services (CDS) is up over twenty-five percent this year! Consumer Directed Services is a Medicaid option for persons receiving community attendant care to employ their own attendants. CDS allows recipients of community attendant care more choice and control over their community services.

## Awards

National Council on Independent Living (NCIL) recognized Dennis Borel with the **NCIL Annual Advocacy Award for Region VI** "for his dedication to promoting the rights of people with disabilities and advancing the Independent Living movement in Region VI.

Chase Bearden, CTD's Director of Advocacy and Community Organizing, was honored this August at the Texas Rehabilitation Association (TRA) 2009 Conference in San Antonio. He received the **TRA Legislative Award** for his work during the 2009 Legislative Session, when he took the lead in efforts to make businesses owned by people with disabilities eligible for Historically Underutilized Business (HUB) status.

This fall, at the American Council of the Blind of Texas (ACBT) Annual State Conference, Dennis Borel was awarded an **ACBT Certificate of Appreciation** "for his outstanding performance and lasting contribution to diligent effort and support of HB1343, thus assuring greater pedestrian safety for blind and other disabled Texans."



SILC Executive Director Regina Blye presents Dennis Borel with the NCIL Annual Advocacy Award.



Chase Bearden receives his award from Terry Murphy, Commissioner of the Department of Assistive and Rehabilitative Services.



## **Strengthening the Foundation of CTD Public Policy Work**

CTD also works on strategies to strengthen the framework of disability advocacy, enhancing resources that can be brought to bear on new and ongoing policy.

### **Annual Convention**

CTD's 2009 Annual Convention, Brainstorm!, was held in partnership with the Brain Injury Association of Texas. Over four days, conference attendees had the opportunity to meet and hear presentations by experts on medical, psychological, advocacy, and veterans issues. Representatives Bryan Hughes, Eddie Lucio III, Eddie Rodriguez, Elliott Naishtat and Abel Herrero, spoke along with *Murderball* star Mark Zupan, who delivered an inspirational address. The conference, attended by over 250 people, also offered opportunities to obtain Continuing Education Units in a variety of subjects.

### **The CTD Messenger**

For over 15 years the Coalition of Texans with Disabilities has published the CTD Messenger, a monthly e-newsletter highlighting current disabilities issues and events. Our statewide distribution list includes thousands of readers who have elected to receive the CTD Messenger and are dedicated to disabilities issues and advocacy. The CTD Messenger reaches people with disabilities, their family members and caretakers, and the organizations and agencies that serve them. To subscribe to the free newsletter, email [newsletter@cotwd.org](mailto:newsletter@cotwd.org).

### **Partnerships**

The Brain Injury Association of Texas and the Texas Chapter of the Paralyzed Veterans of America share office space with CTD, helping to share expenses and to build ties between our related organizations. In addition, our participation in and



Rep. Abel Herrero shaking hands with Bob Kafka, ADAPT organizer, at the CTD rally on the Capitol steps.



Disability advocate supporting community choice at the Capitol rally earlier this year.

cooperation with a variety of other organizations and agencies allows CTD to build and strengthen the key connections we need to accomplish our mission.



## **CTD Appointments and Affiliations**

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CTD works to place its staff and individual members on a variety of committees, workgroups, task forces and boards that have influence over issues of importance to Texans with disabilities. Once at the table, CTD staff and members are active participants in coordinating strategies and resources to improve the quality of life for all Texans with disabilities.

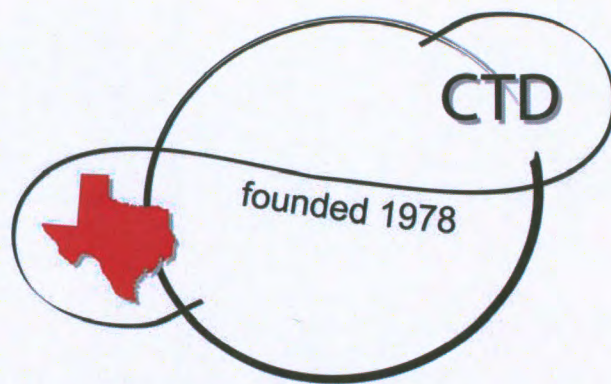
- **CORE Foundation Board**- Non-profit which is working to get an accessible fishing pier on Lady Bird Lake in Austin and also promotes cutting edge research in traumatic brain injury.
- **DARS Medicaid Infrastructure Grant Advisory Committee** – CTD promotes outreach on the Medicaid Buy-In program to promote employment for people with disabilities.
- **Promoting Independence Advisory Council** – CTD is using this policy forum to ensure that Texas’ promoting independence initiative continues to move forward, by HHSC Executive Commissioner Appointment.
- **Home and Community-Based Services Workforce Advisory Council** – Advocating for people who use community-based services
- **Motion for Life Board** – Start-up promoting assistive technology.
- **Governor’s Reception for Texas Paralympians Planning Group**
- **Rehabilitation Council of Texas**- Vice Chair, by Governor’s appointment
- **Superior HealthCare and Evercare Advisory Councils** - CTD advocates for people with disabilities regarding Medicaid managed care issues.
- **Texas Board of Architectural Examiners**- by Governor’s appointment
- **Texas Rowing Foundation Board** – CTD is participating in this organization’s efforts to promote accessible rowing and kayaking to a variety of people with disabilities.
- **State Bar Committee on Texas Lawyers for Texas Vets** – CTD is helping to provide the disability perspective to help veterans obtain much needed legal services.
- **State Independent Living Council**- by Governor’s appointment

## **VISTA Volunteers**

In fall of 2009, four new Americorps VISTA volunteers joined CTD as part of the Engage, Elevate, Emerge (E<sup>3</sup>) project. In their work with CTD they have formed partnerships with Austin schools to promote scholastic filmmaking that addresses disability issues. In addition, VISTAs explored and developed other invaluable partnerships with local organizations in the disability, non-profit, veterans, film, and legal communities.

CTD’s VISTA members continue to promote capacity building, education, and community outreach. Our current VISTAs have, in combination, over 25 years experience in public interest and non-profit organizations, have visited 18 different countries and 31 of the 50 states, speak several languages fluently (including Italian, Spanish, Portuguese, Russian, and Serbo-Croatian), have 13 years of professional writing and editing experience, and have a total of 24 years post-secondary education.





The CTD Staff from left to right: (back) VISTA Laura Perna, Rachel Griffin, William Greer, Dennis Borel, VISTA Kathy Scanlon, VISTA Dyana Limon-Mercado, (front) Chase Bearden, Ted Poynter (Dog), and VISTA Sarah Watkins.

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