



News

March 1988

VICTORY! CIVIL RIGHTS RESTORED

To all of you disabled rights advocates who got involved in the fight to restore our civil rights, CONGRATULATIONS!! You made a difference!

On March 22, 1988 the Senate, by a vote of 74-23, and the House, by a vote of 292-133, overrode President Reagans veto of the Civil Rights Restoration Act. This happened despite a massive campaign by the Moral Majority to defeat the veto override.

The Civil Rights Restoration Act (C.R.R.A.) restored the broad application of the four laws preventing discrimination on the basis of handicap, (Section 504), age, race and sex. This coverage had been taken away by the Supreme Court ruling in Grove City College v.s. Bell in 1984. The ruling stated that the law against discriminating applied only to the specific programs or activities of the organization recieving federal funds and not to the entire organization as the law had been previously interpreted. In other words, if a college received federal funding for their biology department alone, then under the Grove City decision only the biology department was prohibited by law from discriminating. With the passage of the C.R.R.A. the entire

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college is once again prohibited from discriminating on the basis of age, race, sex or handicap.

For people with disabilities this means that Section 504 is once again alive and well! We all need to make it a point to familiarize ourselves with this law and look for ways to apply it and educate others about it. We have been given back one of our most powerful tools in our fight for access. LETS USE IT!

Here's how the Texas delegation voted:

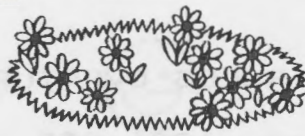
For the bill, to override the Reagan veto -

Sen. Bentsen	(D)
Rep. Chapman	(D)
Rep. Wilson	(D)
Rep. Bryant	(D)
Rep. Brooks	(D)
Rep. Pickle	(D)
Rep. de la Garza	(D)
Rep. Coleman	(D)
Rep. Gonzalaz	(D)
Rep. Bustamente	(D)
Rep. Frost	(D)
Rep. Andrews	(D)
Rep. Leland	(D)
Rep. Ortiz	(D)



Against the bill, to uphold the Reagan veto -

Sen. Gramm	(R)
Rep. Bartlett	(R)
Rep. Leath	(D)
Rep. Hall	(D)
Rep. Barton	(R)
Rep. Archer	(R)
Rep. Fields	(R)



COMMUNICATING WITH TRC'S CONSUMER ADVISORY COMMITTEE

At its November, 1987, meeting, the TRC Consumer Advisory Committee, CAC, adopted a new policy which will require groups who have information they share to submit it in writing to:

Miles O'Loughlin, Chairperson
TRC Consumer Advisory Committee
c/o Kaye Beneke, Staff Coordinator
Texas Rehabilitation Commission
118 E. Riverside Drive
Austin, TX 78704

When possible, groups encouraged to send 25 copies of any material. Clearly state what, if any, action is requested of the committee. It will be the CAC's responsibility to determine the appropriate disposition of the material/information/issues they are presented with. If the CAC feels additional information is needed, they will request such.

Of course, the more time groups can give the CAC to review the material, the better. Requests for time on the meeting agenda should be submitted at least 30 days prior to the meeting date. If you have questions or concerns, feel free to contact Miles O'Loughlin, Chairperson at 806/665-7662, or Kaye Beneke at 512/445-8985.

The CAC sincerely wants to improve communication with you and other advocates in the state, and believes this procedure will help do that.

TRANSIT RULES OVERTURNED

In June of 1986 CTD joined with the Eastern Paralyzed Veterans Association (EPVA) and the American Disabled for Accessible Public Transit (ADAPT) in a lawsuit to strike down the Department of Transportation; regulations that limited to 3 percent the amount of money a mass transit system had to spend to provide transportation services to disabled people.

On January 5, 1988 a Federal district judge in Philadelphia overturned this 3% requirement. Judge Katz called the 3% cap "arbitrary and capricious" and said it denied handicapped individuals "the minimum quality of service mandated by the Congress".

The Department of Transportation (DOT) appealed this ruling in early March and the outcome is still unknown. Disabled protestors closed down the DOT building in Washington D.C. for one day to show the disability community's anger over the actions of the administration.

The 3% cap has heavily restricted the way disabled people can access public transit. In many cities the only way a disabled person could get a ride on public transit is to call at least a week ahead and make a reservation. This kind of service has enraged disabled people all across the country. The ruling was hailed as a major victory for the disabled community.

we will

ride



HI FROM THE NEW GUY

So now you're saying, Yeah, who is this "Alan Meyer"? Well, I guess I would start by saying that I'm a guy who believes very strongly in CTD and its philosophy and goals. I would also say that I realize there is much work to be done and that by working together we can continue to move CTD forward. It is a constant battle to ensure that the voice of disabled Texans is heard amongst the clamor of "power suits and attache cases" as Bob Kafka likes to put it.

The strength of a coalition rests not in any one or two people but in the unity and purpose of its membership. I would like to acknowledge however, that Stephanie and Bob have worked their wheels off for CTD and we should all applaud them for the advances CTD has made because of them. Among state agencies and legislators, CTD is as well known as organizations that have five, ten or twenty-five times our budget. In addition CTD has established an identity as being the spokesperson for the consumer and in many situations its voice has been the only one speaking from that perspective.

Throughout the years CTD has been fortunate to have had the involvement and energy of many dedicated people. I intend to work to ensure that CTD remains a strong and vibrant organization; one that you will continue to be proud to be a part of.



504 DAY IN DALLAS JUSTIN DART TO HOLD FORUM

On April 29th there will be a series of events in Dallas to celebrate the 15th anniversary of the passage of Section 504 of the Rehabilitation Act. The celebration will include a parade starting at Ferris Plaza at 10:30 a.m. which will go down Young Street to City Hall Plaza. At 11:00 a.m. Justin Dart and others will speak followed by a sports exhibition and displays.

At 2:00 p.m. Justin Dart will hold a Disability Rights Forum at the Dallas Convention Center, rooms 412 & 413, 650 South Griffin. The forum is a chance for advocates from across the state to express their ideas and concerns regarding the struggle of people with disabilities to gain their rights. It should be an exciting and energizing day so BE THERE!

For more information contact:

**In Austin: Kaye Beneke at 512/445-8985
In Dallas: Ralph Rouse at 214/767-4123**

CALL FOR BIDS: '89 CONVENTION

CTD is now accepting bids for the site of the 1989 Convention. If your organization is interested in submitting a bid, contact the CTD central office for an application form.



TRANSITION ISSUES FOR A PERSON WITH A DISABILITY

Effective transition from school to community living and employment is a shared goal of consumers, parents and professionals. All too often, students with disabilities, despite being capable of working, instead "graduate" from school only to watching television or going to day activity centers. The number of students with disabilities that are employed and living independently after graduation is disappointingly low.

The reasons for such disappointing outcomes are varied but can often be traced back to a lack of sufficient advance planning while the person was still in school. It is clear that early planning by representatives of all agencies involved with current and future services is the key to solving many transition problems. There are several state initiatives that focus on transition issues. Among these is the Transition Services Task Force.

The Transition Services Task Force was created by the 70th Texas Legislative Session (C.S.S.C.R. 123). The Task Force membership is composed of consumers, family members, advocates, service providers and legislative representatives.

The Task Force is consumer/advocate based and wants to build grassroots support for transition planning and services. If you would like to be involved with the Task Force and receive our newsletter, or if you have information for the Task

Texas Commission on Human Rights Undergoes Sunset Review

The Texas Commission on Human Rights (H.R.C.) is currently undergoing Sunset review.

The Texas commission on Human Rights Act was mandated by House Bill 14 in 1983. The Act bars employment discrimination on the basis of race, color, handicap, religion, sex (including pregnancy), national origin, or age (40-70).

The H.R.C. is the state agency responsible for receiving, investigating, and reconciling complaints filed under the Act. H.R.C. handles employment discrimination complaints deferred from the Equal Employment Opportunity Office.

The Sunset review staff recently met with consumer and advocacy organizations to get input on the structure, operations, and/or policies of the H.R.C.

At this meeting, all groups were in strong agreement that the H.R.C. recommended that the H.R.C. be granted additional authority and funding to enable the H.R.C. to more effectively enforce employment anti-discrimination laws.

Currently, the state law covers all employers within the state that have at least 15 employees. It was recommended that the definition of "employer" in the state act be expanded to include state agencies and political subdivisions with fewer than 15 employees.

SIX BED RULE UNDER ATTACK



The Texas Department of Mental Health and Mental Retardation (TDMHMR) has temporarily halted its program to fund new community homes for mentally retarded people who would also collect Medicaid ICF-MR dollars. This came about because of the attorney general's criminal investigation that some homes are double dipping by accepting the state payment of \$55.60 on top of the Medicaid rate which pays \$59.04. Some providers of these services to the mentally retarded contend that homes under the six bed rule cannot operate with only the current Medicaid dollars.

The concern of disability advocates is that the state legislature, rather than raising the Medicaid rate, will attempt to raise the six bed limit to twelve beds. There are many who feel that this size facility will be legitimizing mini-institutions and will arouse negative reactions from local communities. The battle for the six bed rule was fiercely fought two sessions ago and is based on the philosophy that most family settings are no bigger than six people. The investigation by Attorney General Jim Mattox has brought this issue to the forefront and will in all likelihood be a major issue during the next legislative session.

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Force, please write to Mary Faithfull, Transition Services Task Force, c/o Advocacy, Inc., 7800 Shoal Creek Blvd., #171-E, Austin, TX 78757 (effective 2/26).

CAP CONSUMER ADVISORY COMMITTEE FORMED

The Client Assistance Project which is administered by Advocacy Inc. now has a Consumer Advisory Committee. The committee is meant to be a new forum for consumer recommendations to the CAP Program so we urge you to contact its members and share any comments, concerns, or needs regarding CAP that you have.

The members and their cities of residence are:

Rand Metcalfe	Austin
Claire Roffino	Dallas
Frank Lozano	Dallas
Beth Hermesmeier	Amarillo
Lisa Owens	Austin
Jackie Mason	Austin
Steve Baldwin	Denton
George Bolden	Houston

If you wish to communicate with any of these people call the Advocacy office at 1-800/223-4206 (local calls 454-4816) and they can tell you how to get in touch with them.



GET INVOLVED

The CTD Legislative Committee is gearing up once again and is looking for people who want to join the committee or be a part of the legislative network. If you and/or someone you know is interested please call or write Alan Meyer at the CTD office P. O. Box 4709 Austin TX 78765. Phone: (512) 443-8252 V/TDD.

CTD is also looking for members for its other committees: Membership, Development, Public Relations and Education.



NEW TDD PHONE NUMBERS

**Texas Comptroller of Public
Accounts Assistance number -**

**TDD only 1-800/248-4099
or (512) 463-4621**

**State Law Library
for legal reference needs -**

Voice/TDD (512) 463-1723

**State Highway Department
for information on road dangers -**

TDD only (512) 463-6635



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Rep. Sweeney	(R)
Rep. Slenholm	(D)
Rep. Combest	(R)
Rep. Smith	(R)
Rep. De Lay	(R)
Rep. Armey	(R)
Rep. Boulter	(R)

Not voting -

Speaker Wright	(D)
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Coalition of Texans with Disabilities

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(512) 443-8252

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