

COALITION OF TEXANS WITH DISABILITIES



Winter 1986-87

NEWSLETTER

The Political Process: Using it for Change **CTD's Ninth Annual Convention**

CTD's 9th Annual Convention in Dallas was, by all accounts, a huge success. "I am re-energized" one of the conference attendees said as she left the workshop on Networking, and another was strategizing about CTD's proposed public transit legislation after the workshop on Legislative Lobbying. The Tort Reform and Liability Insurance workshop raised many new issues both for attendees and presentors. "Voting Rights and Voter Registration" focused on ways of enforcing the state and federal legislation.

Resolutions passed covered: funding for human services, handicapped parking fines, deafness designations on license plates, CTD's Long Range Plan; tort reform and insurance reform, retaining TCB, TCD, TSB and TSD as separate state agencies; planning and coordination for services for developmentally disabled persons, public school education and integration, clarifying the transportation component of the Texas Human Resources Code, implementation of the Long Range State Plan for Texans with Disabilities and support for eleven issues identified at the Fourth Symposium on Deafness. The resolutions are included in this newsletter beginning on page 3 and copies can be obtained by sending the CTD office a stamped self-addressed envelope.

Board members elected this convention are: Bob Kafka-President, Steve Johns-Vice President, Alan Meyer-Treasurer, Pat McCallum-Secretary, and Betty Huffman, Jim Parker, Willie Mae Clay, Margaret Robinson and Jerry Zenor-at large Board Members. Due to other commitments Jerry Hassell resigned from the Board. CTD Board members remaining on are: Frank Lozano, Donna McBee, and Kevin Tracy. CTD wishes to thank Jerry Hassell, Tom Morrisson, Tom Kimball and Judy Wingard-Westbrook for their dedicated service on the CTD Board.

CTD thanks go out to several other individuals and organizations without whose help this event would not have been the success that it was. Commendations go to: Association for the Disabled, Steve Johns, and DCIL for coordinating and finding all our help; Holiday Inn Brookhollow for friendly accommodations of our needs; Kris Herron and the other volunteers for



their able assistance, Linda Cavell and Atlantis/ADAPT for their capable handling of the transportation needs; Ann Jones and The "Big D" Barber Shop Quartet Chorus for the fine banquet entertainment; Barbara Ramirez (Parker) for the excellent cover of our program book; Bonnie Day for our most successful exhibit hall; and last but by no means least, CC Davis and the interpreters Chris Mlynek, John Aintablian, Linda Ven Rooy, Kay Branigan, Georgann Pearson and Van Gunn who were, according to the evaluations, the hit of the convention.

Grassroots Save TCD. . .For Now

Sunset Commission Makes Recommendations

"The first recommendation would make the Texas Commission for the Deaf the Texas **Council** for the Deaf and place it within the Texas Rehabilitation Commission. Would anyone like to address this recommendation?" With this question Senator Chet Edwards opened the discussion on TCD at the Sunset Commission meeting on December 18th. Repeating his question two more times, Edwards, (D-Duncanville) Chair of the Commission, was answered only with silence. Finally, just as Edwards was about to move on to the first recommendation

which did not hinge on this key issue, Commission Member Mr. Edmunds came into the Senate Chamber where the Commission was meeting and moved adoption of the staff's first recommendation that TCD be put within TRC.

Rep. Gibson's second of that motion opened the discussion which has been a primary concern to the disability community for several years. During the public testimony given in November, over 30 people testified against combination. Mr. Bill

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CTD AWARDS

CTD Member Organization of the Year

The Association for the Disabled (AD) was awarded the 1986 CTD Member Organization of the Year Award. A.D. reorganized this year and has been working to build the former Association for Individuals with Disabilities (AID) into a strong advocacy group in the Dallas area.

A main advocacy focus for AD has been the fight for accessible public transportation. In recent months AD has attempted to influence the Dallas Area Rapid Transit (DART) in their transportation planning. Members of AD served on the Convention Committee working tirelessly with CTD Board and Staff as host of the 1986 CTD Convention. The AD members serving on the Committee along with the staff at the Dallas Center for Independent Living Center, were instrumental in the planning and arranging of entertainment, coordinating transportation and the volunteer participation. The Dallas Center for Independent Living is a project of AD which serves as the managing board of the Center.

CTD Volunteer of the Year



Mickey Chapman, volunteer at the CTD Central office, was awarded the 1986 Volunteer of the Year Award. Mickey has spent untold hours assisting the CTD staff in getting the computer "on line". He has written programs for the Fun*Run and has instructed the staff in the operation of these programs.

It could easily be said that without Mickey, CTD would not be able to sponsor the Fun*Run as a major fund raising event. He has assisted CTD in acquiring computer

supplies at reduced prices. Without Mickey the computer capabilities of CTD would be greatly diminished.

Public Servant of the Year

Joseph Bruch, State Program Specialist of ACTION, received the 1986 CTD Public Servant of the Year Award. This award was given to recognize a public servant who has made a significant contribution to the independent living and disability rights movement.

Joe served as the program officer for CTD VISTA Program for over four years and was instrumental in CTD obtaining the VISTA program and funding support. He supported the VISTA program through its early developmental days to the last volunteer's termination in May of 1986. Joe went out of his way to see that the volunteers received training and assistance and was always supportive of CTD's efforts to involve individuals with disabilities as volunteers. He has continued to support the disability rights movement by working with the West Texas Association for the Handicapped's VISTA program.

Joe Bruch was unable to attend this year's CTD Convention but his good friend and former co-worker, Norman Hummon accepted the award for Joe and added these comments:

"On behalf of my good friend, Joe Bruch, it's with a great deal of humility and pride that I be the conveyor of this honor from the Coalition of Texans with Disabilities.

No way do I deserve the recognition, however brief and vicarious. For I failed miserably in my mission of last Sunday to go to Austin to tell Joe to be here tonight, but not to tell him why!...

He was so glowing in his comments about this program—extended beyond the normal three years—so innovative and unique, and contributing to the quality of life for the disabled—so long overdue. . .

Thank you from the bottom of Joe's great heart!"

This year a Certificate of Award for outstanding achievement in public service was presented to the Texas Department of Human Services Unit 095-29 in San Antonio.

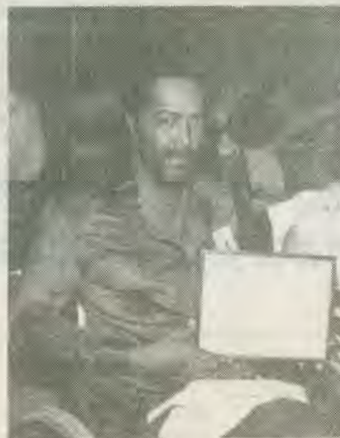


Community Grass-Roots Organizing Award

The 1986 CTD Community Grass-Roots Organizing Award was presented to the American Disabled for Accessible Public Transportation of Texas (ADAPT of Texas). The award was created to recognize outstanding efforts in the area of organizing to advance the disability rights and independent living movement.

ADAPT of Texas, through a grant from the Live Oak Fund for Social Change, held six organizing workshops throughout the state on the issue of accessible public transit. ADAPT's philosophy is to involve people in their local communities in activist activities which has heightened the awareness of the need for mainline accessibility in the state of Texas. Through its bi-monthly newsletter, *INCITEMENT*, ADAPT has informed its members and the general public of activities both nationally and locally that are impacting the accessible public transit issue.

Newsletter of the Year



The CTD Newsletter of the Year Award was presented to *The Independent Times*. Published monthly by San Antonio Independent Living Services (SAILS) and San Antonio Citizens Concerned About Handicappism (SACCH), the *Independent Times* is circulated to over 300 individuals and organizations, reaching a broad spectrum of disabled consumers in the San Antonio and Bexar County area.

The *Independent Times* provides a means of sharing information concerning local events, legislative issues (including local, state and national), educational information, new services and programs including a local calendar of events. The newsletter is commit-

ted to providing information of interest to disabled consumers and organizations and promotes the social, educational, physical and mental well-being of disabled consumers.

This year a Certificate of Award for outstanding achievement in newsletter production was also presented to the *Speedy Gazette* published by the Texas Paralyzed Veterans Association.



Justin W. Dart Meritorious Award

The 1986 Justin W. Dart Meritorious Award was presented to Larry Johnson of San Antonio. Larry was a co-founder of CTD and served on the CTD Board of Directors for many years. In 1982 he was elected as President of CTD and presented the keynote address at the 1983 Rally Day. A very hard working CTD Board member, Larry served as the first editor of the CTD Newsletter, founded the CTD Business Advisory Committee and through his employment with Southwestern Bell, he has advanced the relationship of Southwestern Bell and CTD.

Larry Johnson contributed to the disability rights movement by coining the phrase "Disabled But Able to Vote" which became the slogan for state, local and national organizations promoting equal participation of individuals with disabilities. He also served on the Governors Committee for Disabled Persons. Currently, Larry serves as chair person of the San Antonio Independent Living Services and continues to spend his time in the advancement of disability rights.

RESOLUTIONS

The following is a list of resolutions submitted to the Delegates at the CTD Annual Convention.

AC-86-A1 Passed
Submitter: CTD Board of Directors-1986
Subject: Raising State Revenues to fund human service programs
Whereas Human services in Texas were not adequately funded at '86-'87 levels and are not meeting the needs of those persons who are now eligible, and
Whereas cuts in funding for services will negatively impact many disabled Texans in terms of their ability to live independently, to work, to communicate, to remain healthy, and numerous other tasks of daily living, and
Whereas no funds are specifically dedicated for human services (although funds are dedicated for education, highways and numerous other functions of Texas government,) and
Whereas human services require funding and increased services will require increased funding
Therefore be it resolved that CTD supports no cuts in human service funding and that CTD supports increased

funding for services which increase the independence of disabled persons. BE IT FURTHER RESOLVED that CTD supports revenue generation which may include: increased sales tax, luxury taxes, lottery, paramutual betting, state income tax, corporate income tax as well as other means of revenue generation to continue and increase human services.

AC-86-A-2 Passed

Submitter: Amarillo Disabled Individuals In Action
Subject: Minimum fine for parking in spaces for use by disabled persons
Whereas parking spaces for disabled persons are essential for many disabled citizens and,
Whereas able-bodied persons frequently use those designated spaces leaving disabled persons with no place to park and
Whereas the current minimum fine of \$1.00 is not a sufficient deterrent for violators of the parking law governing those spaces.
Therefore be it resolved that CTD pursue legislative remedy of the problem through a bill or amendment to the current law reinstating the previous minimum fine of \$50.00 for the violation.

AC-86-A-3 Passed

Submitter: Panhandle Council for the Deaf
Subject: Identification sticker for licensed deaf drivers in Texas (Emblem to be used) on Texas motor vehicles and color coded designation indicating deafness as a limitation.
Whereas Texas licensed drivers who are deaf are entitled to the same rights and privileges as citizens of the U.S. and residents of the State of Texas and
Whereas persons who are deaf often do not receive equal treatment when law enforcement officers must deal with deaf drivers during minor infractions of the law as well as during civil, criminal and felony arrests of a deaf licensed driver and
Whereas law enforcement officials in Texas and deaf licensed drivers would benefit from obvious symbols to be placed on motor vehicles to alert approaching law enforcement officials that such person is deaf and
Whereas a color coded, light reflective code designation on the face of the deaf person's driver's license would draw immediate attention to an officer of any deaf licensed driver's limitations for communication,
Therefore be it resolved that CTD support any Texas State proposed legislation or supportive measures to have recognized deaf emblem be made available to deaf consumers to place on the motor vehicles for approaching law enforcement officers, such emblem to be placed on the lower left corner of rear window, and FURTHER BE IT RESOLVED that CTD support legislative measures to give deaf persons in the State of Texas a license which reflects on the face of such license a color coded, light reflective box where such designations are noted.

AC-86-A-4 Passed

Submitter: Jerry Hassell
Subject: Symposium on Deafness Issues
Whereas the Fourth Symposium on Deafness was held to identify legislative issues of importance to deaf persons, and
Whereas the following 11 issues were identified from participant feedback,
Therefore be it resolved that CTD support the following 11 issues: 1. Request the Legislature to support continuance of the Texas Commission for the Deaf (TCD) with appropriate funding. 2. Request the Legislature to continue to recognize and fund post-secondary education programs for the deaf and hearing impaired and support vocational rehabilitation programs which fund post-secondary programs. 3. Request the Legislature to establish and fund a statewide mental health services program to serve persons who are deaf and hearing impaired. 4. Request the State of Texas to recognize American Sign Language as a language. 5. Request the Legislature to clarify eligibility of "qualified interpreters" for civil, criminal and formal governmental proceedings. 6. Request that the message relay services through the Texas Commission for the Deaf be

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Resolutions *continued from page 3*

expanded. 7. Recommend that the Texas Education Agency establish the criterion of deafness as the primary handicap for admission to the Texas School for the Deaf and regional day schools for the deaf. 8. Request the Legislature to fund the Texas Commission for the Deaf to develop essential services for inmates who are deaf at the facilities under the Department of Corrections. 9. Request the Coordinating Board of Texas Colleges and Universities to encourage colleges and universities with teacher training programs for the deaf to require sign language competency courses as part of their curriculum. 10. Request the Legislature to expand the Telecommunication Device for the Deaf (TDD) placement project to assist elderly persons on a fixed income. 11. Recommend the Legislature and Texas Education Agency communicate to federal authorities that the Texas School for the Deaf and regional day schools for the deaf should be considered as viable options within the "least restrictive environment" concept.

AC-86-B-1 Passed

Submittor: Long Range Planning Committee. Marshall Mitchell, Chairperson
Subject: Long Range Plan and CTD Mission Statement
Whereas the Long Range Planning Committee was appointed by the CTD Board of Directors and Whereas Long-Range Planning is essential if CTD is to continue to represent disabled Texans throughout the state and
Whereas the Long-Range Plan has been developed by the Long-Range Planning Committee with input from the member organizations and approved by the CTD Board of Directors and
Whereas the CTD Mission Statement and long-range plan should be approved by the delegates to the 9th Annual CTD Convention
Therefore be it resolved that the CTD Mission Statement and Long-Range Plan brought before this Convention October, 1986 be approved by the delegates to this convention and BE IT FURTHER RESOLVED that the CTD Board of Directors be directed to implement measures necessary to carry out this mission statement and long range plans.

AC-86-D-1 Passed

Submittor: CTD Board of Directors - 1986
Subject: Tort Reform and Insurance Reform
Whereas Recipients of liability insurance coverage are often persons who have become disabled through the fault of another, and
Whereas these individuals will incur large costs due to their disabilities and
Whereas funding for public programs to assist persons with disabilities is limited and not able to meet current needs, and
Whereas programs which serve disabled persons are experiencing problems maintaining liability insurance coverage due to sky rocketing costs and blanket denials of classes of organizations.
Therefore be it resolved that CTD advocate for the rights and needs of persons who become disabled at the fault of another party and BE IT FURTHER RESOLVED that CTD advocate for more equitable insurance coverage for disability programs and organizations.

AC-86-D-2 Passed

Submittor: American Council of the Blind of Texas
Subject: Support for the Texas Commission for the Blind continuing as a separate independent agency.
Whereas History has shown that in states where an agency for the blind has been merged with another agency, the blind people in that state suffer a reduction in services and receive lower quality services, and
Whereas there was an attempt in the last session of the State Legislature to merge the Texas Commission for the Blind with another state agency which we opposed and we

fear other possible initiatives for such an undesirable change, and

Whereas appropriations for the Commission services have been disproportionately reduced in recent years, and
Whereas other organizations and individuals agree with our position and share our determination to protect rights, services and benefits for the blind of Texas.

Therefore be it resolved that this organization reaffirm and strongly emphasize its earlier position favoring the continuation of the Texas Commission for the Blind as a special independent service system. BE IT FURTHER RESOLVED, that this organization take necessary action with other organizations, and enlist support of other disabled groups to achieve our goals.

AC-86-D-3 Passed

Submittor: American Council of the Blind of Texas
Subject: Retaining the School for the Blind and School for the Deaf in Texas
Whereas the Texas School for the Blind and the Texas School for the Deaf have long histories of providing excellent education and training for blind and deaf students in Texas, and
Whereas a large number of graduates have attained the highest level of excellence in their personal life, their adjustment to their handicap and in their chosen vocation, and
Whereas local school districts throughout the state, and especially in small communities and sparsely populated areas are unable to provide adequate special education programs for the blind or deaf, and
Whereas there is a movement in Texas with the goal of closing the School for the Blind and the School for the Deaf. Therefore be it resolved that the Coalition of Texans with disabilities go on record as being adamantly opposed to all efforts to close the Texas School for the Blind and the Texas School for the Deaf. CTD supports the concept of "least restrictive environment" which enables the blind or deaf student to take advantage of the best educational opportunity whether it be in a special education program or in the Texas School for the Blind of Texas School for the Deaf.

AC-86-D-4 Passed

Submittor: Spina Bifida of Texas
Subject: Developmental Disabilities
Whereas the current service delivery system for persons with developmental disabilities is fragmented and
Whereas none of the existing state agencies either individually or collectively adequately provide the range of support services needed by persons with developmental disabilities and
Whereas there are different models of how services to persons with developmental disabilities can be provided and
Whereas the population of persons with developmental disabilities who need community-based support services will be growing in Texas
Therefore be it resolved that the CTD Board of Directors develop a long-range advocacy strategy that would result in the creation of a state wide system that would provide a comprehensive range of community-based services for persons with developmental disabilities.

AC-86-D-5 Passed

Submittor: ADAPT - El Paso
Subject: Transportation
Whereas Transportation is the vital key for all disabled people to be able to move and live freely in places of choice; and
Whereas access to public transportation allows for independent living choices for disabled people; and
Whereas Transportation is a component of the Human Resources Code of Texas; and
Whereas A Texas social services commissioner can request the Texas Attorney General review the Human Resources Code on transportation as to disabled peoples' right to statewide access;
Therefore be it resolved that CTD demand that TRC Commissioner Max Arrell request that Texas Attorney General review the Transportation component of the Texas Human Resources Code.

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CTD Legislative Platform 1986-87

This platform was developed by the CTD Legislative Committee from resolutions of past conventions, further input from CTD member organizations and was approved by the CTD Board of Directors.

CTD PRIORITIES

APPROPRIATIONS ISSUES

Level IV funding (the highest level requested by the agency) **for disability agencies** including: Texas Rehabilitation Commission, Texas Commission for the Deaf, Texas Commission for the Blind, the Human Rights Commission, Texas Department of Human Resources, Department of Mental Health and Mental Retardation, Governor's Committee for Disabled Persons, Architectural Barriers Removal Office, State Library Services for the Blind and Physically Handicapped, Crippled Children's Services and Independent Living Services.

Increased funding for the Architectural Barriers Removal Office to enable the office to investigate and enforce compliance with architectural access codes which are legislatively mandated.

LEGISLATIVE ISSUES

Continuation as **separate state disability agencies**: Texas Rehabilitation Commission, Texas Commission for the Deaf, Texas Commission for the Blind, Texas School for the Blind and Texas School for the Deaf.

Inclusion of **program accessibility in the Sunset Evaluation criteria**, so that disabled persons are able to access services from state programs without architectural, communication and other barriers.

Adoption of a **Public transportation accessibility bill** to require that transit systems in the state of Texas must be accessible to all citizens, including Texans with disabilities.

Adoption of **statewide attendant services bill** which would formalize and expand the TDHS Shared Attendant Program Pilot Project adopted during the last session.

Increased scope of enforcement of architectural barriers legislation to cover public facilities not included in the act and to include counties with populations under 45,000.

CTD ALSO SUPPORTS

APPROPRIATIONS ISSUES

Establishment of a **fund to pay for interpreters for the deaf** during the legislative session.

Development of **four or more Centers for Independent Living** in areas not currently being served with independent living services.

Funding for adult abuse services to include shelter, counseling and respite care as well as investigation.

Inclusion of **insurance anti-discrimination bill** to ensure that insurance and tort reforms will not be made at the expense of people who become disabled at the fault of another party.

Adoption of **statewide Respite Care bill** which would provide services (through TDHS) to families which provide the majority of care to their disabled and elderly family members.



LEGISLATIVE ISSUES

Prevention of Local Measured Service, LMS, telephone service, which would negatively impact many disabled persons who must rely heavily on their telephone to live independently in the community.

Improvement of **coordination of genetic screening services** provided by the state; present services are fragmented and uneven in quality.

Adoption of **In Home and Family Support Bill** which would provide a wide range of support services to families with members who are disabled and assist in mainstreaming them in the community.

Change of **state weights for Special Education funds** within the community public schools to emphasize more integrated placements.

Continuation and improvement of **services to deaf-blind persons** to assist them in achieving independence and involvement in their communities.



NEWS FROM AROUND THE STATE

People First

Representatives of a number of state-wide organizations met Dec. 1st in Austin to announce a campaign to put people first in the considerations of competing needs for scarce state dollars. *People First* is a coalition of health and human services advocacy organizations who have joined in a campaign to make known the following message:

In this time of revenue shortages, we urge the Legislature to address the basic needs of people **first** in the priorities for budget allocations. We affirm the state's unique responsibility to deliver vital services to people in need—people who have no other alternatives to assistance from the state.

Furthermore, we support revenue restructure and enhancement to make it possible to carry out these and other essential state functions.

A wide range of health and human services advocacy organizations have endorsed the campaign, and many more are expected to support the common effort in the coming Legislature. Lin Team, coordinator of the effort, said "we are delighted with the enthusiasm for this campaign. We anticipate the most broadly united effort since many of the same groups banded together to support indigent health care reforms in 1985.

"Everyone knows that these are challenging times, and that we must help the people of Texas to sort out the choices faced by the Legislature when it convenes in January. In a time when we can't have everything, we must affirm our responsibility to be there for those who have no other options if the state does not help them—low income elderly and children, people with various disabilities, people who have no other access to health care—these are the people we say should come first in our allocation of resources."

"We exist solely to educate the legislature and the general public about the vital needs that exist and the lack of alternative resources for meeting them if the state does not exercise its responsibilities," Ms Team said. "We will not displace the normal lobbying efforts of each group, but we know that this is a time when 'normal' efforts are not enough. By joining together, we can put extra resources into the task and have a much wider impact than we could alone."

Marshall Mitchell Elected Chairman of Advocacy, Inc.

The Board of Directors of Advocacy, Inc. elected Marshall Mitchell as Board Chairman for 1986/87. Mitchell is Coordinator of Accessibility Services for Amarillo College, and Past President of CTD.

Since 1976, Advocacy, Inc. has operated the federally funded Protection and Advocacy Program for developmentally disabled Texans. Mandated in the Education For All Children Act of 1975, protection and advocacy programs are required in every state to assist disabled children to obtain a "free appropriate education." In 1984, the Austin-based agency was also appointed by Governor Mark White to operate the newly legislated Client Assistant Program (CAP) for Texas. The CAP assists applicants and clients of vocational rehabilitation agencies to receive the services available to them from these state

agencies and to appeal decisions which they think are unjust. This year, because of federal legislation, Advocacy, Inc. began a protection and advocacy program to assist mentally ill Texans.

Mitchell represents the Coalition of Texans with Disabilities on the Board of Directors of Advocacy, Inc. and is the only representative from the Panhandle. Last year, he served as Vice Chairman of the Board.

Newly Identified Exemplary Programs Highlighted at 1987 RRX Annual Conference

The 1987 Annual Conference of the Southwest Educational Development Laboratory's (SEDL's) Regional Rehabilitation Exchange (RRX) on February 26-27, 1987, will feature programs identified as exemplary during 1986. The new focus in exemplary program identification for this year is **Independent Living Service Programs**, which provide persons with disabilities the skills, resources, and knowledge to maximize control over their own particular life choices.

The conference meeting site will be the Holiday Inn Brook Hollow in Dallas. There is no conference registration fee. For more information call SEDL at 512/476-6861.

TACLD to Host 1987 ACLID International Conference

TACLD, a Texas Association for Children and Adults with Learning Disabilities, will host **Growth Toward Independence**, ACLD's 24th Annual International Conference which will be held on February 25-28, 1987, at the San Antonio Convention Center and Hilton Palacio del Rio, San Antonio, Texas. Keynoting the conference will be Henry G. Cisneros, Mayor of San Antonio, and Gilbert Schiffman, Ed.D., Johns Hopkins University School of Continuing Studies. Persons interested in attending should contact TACLD, 1011 West 31st Street, Austin, Texas 78705. (512) 458-8234.

CTD/TRA Legislative Seminar

CTD and the Texas Rehabilitation Association, TRA, are co-sponsoring a Legislative Seminar January 27, 1987. The workshop is designed to give participants a chance to familiarize themselves with legislative issues affecting disabled people as well as brushing up on their advocacy skills. In addition, Lt. Governor Hobby has been invited to give an overview of the economic and political situation in Texas.

The seminar will be held in Austin at the Hyatt Wednesday morning from 9:30 a.m. through lunch, and a reception will be given in the evening, so come along and bring a friend.

If you would like more information contact Stephanie Thomas at the CTD Central Office (512) 443-8252 (v/TDD).



CTD Member Boyce Baker of Gladewater, Texas, using the political process for change, gives Governor Clements a "Disabling But Able to Vote" t-shirt.

ARC/DD Texas Planning Project for Employment-Related Activities

The Texas Planning Project plans to conduct **public forums** at Education Service Centers around the state in the Spring of 1987. The reason for the forums will be to gather input from the general public concerning gaps and barriers to employment-related services for persons with developmental disabilities. General topics of discussion will be existing services, problems with services, needed services, and ideas for ways to improve employment-related services in the state of Texas. The forum for your region is listed below.

- El Paso Tuesday, March 31, 1987
- Lubbock Thursday, April 02, 1987
- Abilene Tuesday, April 07, 1987
- Fort Worth Thursday, April 09, 1987
- Dallas Tuesday, April 14, 1987
- Kilgore Thursday, April 16, 1987
- Edinburg Tuesday, April 21, 1987
- Corpus Christi Wednesday, April 22, 1987
- Houston Thursday, April 23, 1987
- San Antonio Thursday, May 07, 1987
- Austin Wednesday, May 13, 1987

For further information you may contact: R.A. Wade, Project Director, The Association for Retarded Citizens of the United States, 2501 Ave. J, Arlington, Texas 76006, (817) 640-0204.

Resolutions *continued from page 4*

AC-86-D-6 Passed
 Submitter: Peg Nosek, ILRU - Independent Living Research Utilization
 Subject: Implementing the Long-Range State Plan for Texans with Disabilities
 Whereas long-range state planning is the most effective means for ensuring quality and coordination in disability related services and
 Whereas the Long-Range State Plan for Texans with Disabilities was completed and accepted by the governor and legislature in 1983, and
 Whereas disabled citizens of Texas are currently suffering the negative effects resulting from the lack of such planning i.e. severe cuts in services, the weakening of our civil rights protections and reduced opportunities for independent living,
 Therefore be it resolved that the Coalition of Texans with Disabilities strongly urges the governor to establish a working committee to develop an implementation plan for the long range state plan for Texans with disabilities, and that such working body be composed of a majority of persons with disabilities representing the major disability related consumer organizations with the remainder composed of legislators, representatives of employers and others with expertise in the needs of persons with disabilities and in techniques of implementing long range plans.

AC-86-G-1 Passed
 Submitter: San Antonio Independent Living Center
 Subject: To encourage appropriate least restrictive environment for disabled children served by local school districts.
 Whereas P.L. 94-142 was established to require and encourage local school districts to provide appropriate least restrictive environments for disabled students, and
 Whereas not all local school districts are presently providing the necessary resource support to achieve that goal, and
 Whereas CTD stands for equal opportunity for participation of all disabled people to achieve their maximum participation,
 Therefore be it resolved that the Coalition of Texans with Disabilities encourage local public school districts to

implement such programs and services mandated by 94-142 regarding the offering of more integrated forms of public instruction in order to provide the maximum opportunity for participation and equal opportunity in education for those disabled students who wish to choose mainstream public school education. **AND BE IT FURTHER RESOLVED** that CTD demands that TEA direct the Public School Systems in Texas to inact that portion of PL 94.142 dealing with least restrictive environment. This will enable all children with disabilities to be mainstreamed into the public school system as provided for in the law.

Welcome CTD's New Members

Center for Computer Assistance to the Disabled C-CAD
 2501 Avenue J.
 Dallas, Texas 76011
 817/640-6613 Contact: Jack Kishpaugh

Texas Commission for the Blind
 P.O. Box 12866
 Austin, Texas 78711
 512/459-2500 Contact: Pat D. Westbrook, Executive Director

Disabled Ability Resource Environment (DARE)
 8929 Viscount Suite 101
 El Paso, Texas 79925
 915/591-0800 Contact: Dr. Thomas D. Carter

Coalition of Councils Serving Hearing Impaired People
 2500 Lipscomb
 Fort Worth, Texas 76110
 713/796-0520 Contact: Joan Latham/Lucy Chimilak

El Paso Council - Texas Assn. for Children and Adults with Learning Disabilities
 8929 Viscount
 El Paso, Texas 79925
 915/591-8080 Contact: Rita Webber or Betty Deupree
 915/594-4557

CTD Begins Outreach Activities for the Client Assistance Program

Five Outreach Workers have been hired by CTD and placed in the Independent Living Centers in Texas (Austin, Dallas, El Paso, Houston and San Antonio) to begin local outreach activities for the Client Assistance Program. These workers, many of whom have experience as recipients of rehabilitation services, will be working in their communities to spread the word to client and client applicants about the Client Assistance Program.

Norah Schwartz has joined the CTD Central Office staff and is serving as the organizer and supervisor of the five Outreach Workers. Norah has a joint B.A. degree in anthropology and group dynamics from Queens College, City University of New York. She is currently completing her professional report for a M.P.A. from the LBJ School of Public Affairs at U.T., Austin. Her academic interest is in maternal and child health and the prevention of disabilities through proper prenatal care and education. Norah has supervised group homes and taught classes for developmentally disabled adults. She was employed as the data analyst for New Vistas Independent Living Center in Santa Fe, N.M. and recently provided consultant services for ARCIL. Norah speaks Spanish, and in her spare time studies photography.

Mique Davis, working out of the Austin Resource Center for Independent Living (ARCIL), is a professional artist and writer who graduated from U.T. at Austin with a B.S. in Radio/Television Film and a minor in English. Mique uses a mouthstick to do lithographs, pen and ink drawings and acrylics. While he is new to the disability rights movement, he brings with him a tremendous background in social services. He has worked on science projects, basic math, and English skills with developmentally disabled students and has taught language skills to Vietnamese children. Mique has won the Governor's Human Spirit Award for meritorious volunteer service; Volunteer of the Year, Texas State Volunteer School Program; and most recently the National Volunteer of the Month for November 1986.

At the Dallas Center for Independent Living (DCIL) is Kelly Yarbrough. Currently a student at the U.T. Health Science Center in Dallas, she has had six years of experience in social service work, through both employment and volunteer positions. Kelly has worked with the Lion's Club, the Texas School for the Deaf, and TDMHMR. Aside from working part time for CTD and taking nine credits at school, Kelly is doing her school practicum with Steve Johns at the City of Dallas' Handicap

Services office. Kelly speaks sign language, and in her spare time enjoys modeling.

Rey Garcia is working in El Paso at the Disabled Ability Resources Environmental (DARE). Born and raised in El Paso, Rey has an A.A.S. degree from El Paso Community College with a concentration in developmental disabilities studies. He is currently working on a second AAS degree in sociology. A Vietnam Veteran, Rey is a member of Disabled American Veterans and has done volunteer work at DARE and El Paso Mental Health and Mental Retardation. He is bi-lingual, and is looking forward to getting out in the community and talking with people about the Client Assistance Program.

Lee Sanders is at the Houston Center for Independent Living (HCIL). Lee has served as a VISTA volunteer and a board member of HCIL. In fact, HCIL should feel like home to Lee since he's worked there since 1983. Working first as a volunteer receptionist, then as housing co-ordinator and finally as an instructional programs coordinator. Lee is currently active in the Coalition for Barrier Free Living, the Southwest Wheelchair Athletic Association, Houstonians for Community Accessibility, and American Disabled for Accessible Public Transportation. He attended a number of colleges in Texas and has studied sociology, art and business. Lee enjoys doing sculpture in his spare time.

The CTD Outreach Worker at the San Antonio Independent Living Services (SAILS) is Becky Villarreal. She is working on her Master of Social Work degree and is interested in criminal justice and religion. She completed a practicum with the City of San Antonio, where she studied public administration. Becky is bi-lingual, has studied Braille and served as a volunteer receptionist at SAILS during the summer months.

Trainings Planned in ILC Cities

In the coming months the CTD Central Office staff and the Outreach Workers will be utilizing the CTD member organization network and the network already developed through CAP informational/educational programs to disseminate information about the Client Assistance Program. CTD will also be holding staff and client trainings in Austin, Dallas, El Paso, Houston and San Antonio to assist the ILC staff and clients understand rehabilitation services and programs under the Rehabilitation Act. Watch your mail for a notice of the training in your area.

Consumers and Professionals Give Input on Implementation of Rehabilitation Act

One of the most important pieces of disability legislation passed during the 99th Congress was the reauthorization of the Rehabilitation Act. This Act authorizes and funds vocational rehabilitation services, but it does much more. Also covered in this act are independent living services, older blind programs, research and training in rehabilitation and related programs, the National Council on the Handicapped, the Architectural and Transportation Barriers Compliance Board, the Heller Keller National Center and the Presidents Committee on Employment of the Handicapped. Also included are the so called civil rights statutes, Section 504 and related sections of Title V of the Act. These sections forbid discrimination against disabled persons in programs which receive federal funds.

Although the reauthorization is now law, how that law will be interpreted and implemented remains to be seen. This might

seem a fairly straight forward process, however those who were involved with the last reauthorization will remember it took demonstrations by disability advocates across the U.S. before much of the 1965 version was implemented.

In a fairly unique effort to promote consumer involvement, Justin Dart Jr., the new Commissioner of the Rehabilitation Services Administration (RSA) held a series of forums across the U.S. The last, and according to Dart, the best attended of the forums was held in Dallas, December 10th. Over 200 people attended and over 60 testified about how various programs within the Act could assist their constituents. Representatives from all the states in RSAs Region VI (Texas, Louisiana, Arkansas, New Mexico and Oklahoma) spoke on various aspects of the amendments.

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PRESIDENT'S MESSAGE

I want to wish all CTD supporters a happy and peaceful 1987. If '86 was any indication, we need peace in 1987. I also would like to thank an old friend of mine, Nita Weil, from Austin who nominated me for the Governor's Citation for Meritorious Service. Awards embarrass me and this one was no different, but I am glad CTD was recognized for their activism in 1986. Thank you to the Governor's Committee.

The 70th legislative session has begun and the rumors are rampant. Predications of up to a \$4.2 billion shortfall if we don't raise taxes have been made by the Legislative Budget Board. Representative Mark Stiles of Beaumont will be introducing a bill to combine the over 200 state agencies into 26 super agencies. How this will affect disability related agencies is unclear at this time.

Groups across the state, representing various aspects of human services, are joining together to send a message, "People First". It is our responsibility to get this message out on the local level about disability services. We all have a role! We can't let the folks in Austin do it all.

Our legislators are usually in their home district offices on Friday of every week. Friday is a good day to go to their office and let them know your position on disability services. Make Friday the day you write, call or visit your legislator. Your involvement has never been more important. Apathy will mean our services will be decimated. We bitch and moan about what our legislators do, but unless we let them **know** our issues how can we expect them to understand our needs. You are an important part of CTD's advocacy.



Bob Kafka, President of the Coalition of Texans with Disabilities receives the Governor's Citation For Meritorious Service.

CTD will be at the Capitol all session and through the probable special session next summer. We need your local support. If you need information on the issues give us a call. If you need the names and addresses of the legislators give us a call.

WORKING TOGETHER WE CAN.

Federal Disincentives to the Increased Employment of Disabled Persons Removed

By Rep. Steve Bartlett

On November 10, 1986, the President signed into law legislation removing a number of federal disincentives to the increased employment of disabled persons. The bill makes permanent parts of Social Security law which currently allow disabled people to work while still retaining Medicaid benefits they are receiving under the SSI program.

Of the 1.8 million disabled working age SSI recipients, only 7,210 participate now in Section 1619. A key factor for the low participation is that many disabled SSI recipients are either unaware of 1619, or fear participating because the provision has had an expiration date. They also may fear delays in reinstatement if they subsequently lose employment. The new law removes those disincentives.

To summarize briefly, the bill:

- permanently authorizes Section 1619 (a) and (b) of the Social Security Act;
- streamlines reinstatement for those individuals whose income fluctuates and whose physical condition has not improved;

- provides for continued Medicaid coverage for adults disabled during childhood who move from SSI to SSDI;
- provides Medicaid to Section 1619 recipients who live in states without automatic Medicaid eligibility ("209 (b) states);
- allows Section 1619 recipients who are institutionalized to continue to receive benefits for up to 60 days in order to meet their financial obligations in the community; and
- provides for increased notification of SSI eligibles of the Section 1619 provisions.

This law provides persons with disabilities on SSI with the security they need to accept a job and lead independent lives. It also provides cost savings to the Federal Government. For disabled persons who do not work, the government now pays both cash benefits and Medicaid. For every person who participates in Section 1619 (b) who would otherwise receive a full SSI benefit, the Federal Government saves a little over \$4,000 a year in cash benefits.

How Businesses Are "Widening" Their Doors to New Markets and New Tax Savings

Kristine Lorenz, a periodontist in Milwaukee, Wisconsin, renovated her office building and took advantage of a little-known tax deduction available to American businesses.

The South Nassau Clinic in New Jersey made some renovations to their offices and they, too, took a major tax deduction. And they're planning on doing it again next year.

Besides updating and enhancing their physical work-site surroundings, Lorenz and the New Jersey clinic have broadened their client base to include many potential new customers: the renovations they made provide access to the elderly and handicapped.

By making such improvements, they and many other small and medium-sized businesses are taking advantage of Section 190 of the Internal Revenue Code.

This little-known tax incentive allows businesses to make renovations to their business sites which will make their establishments accessible to the handicapped. Vehicles which are used by a business to transport customers, clients or employees can also be made accessible under the tax benefits of Section 190.

Section 190 was created in 1976 and was made a permanent part of the tax code, with no expiration date, as part of the "Tax Reform Act" passed into law this year. As much as \$35,000 annually may be deducted from taxable income.

Qualified expenses include those which remove existing architectural barriers—such as stairs or curbs or narrow doorways, or the installation of such features as handicapped parking, handrails and accessible washrooms. Special renovations for the blind and hearing-impaired also are among the renovations allowed under law.

Dr. Robert Silon of the South Nassau Clinic reports his positive results from architectural changes as, "We're getting special referrals from handicapped groups and we're serving a population who in the past had difficulty getting served before."

In addition, the Village of Rockville Centre, where Dr. Silon's office is located, has put in handicapped parking to accommodate his new clientele.

R. Jack Powell, executive director of the Paralyzed Veterans of America, whose 13,500 members use wheelchairs for mobility, praised the legislation, saying, "Section 190 is a creative solution which joins the goals of accessibility for all citizens with a meaningful tax incentive for businesses. We salute our nation's leaders—in the Congress and in business—who are working to make our great nation accessible to all its citizens."

For more information on the architectural improvements covered under Section 190 write: Section 190 Program, Paralyzed Veterans of America, 801 Eighteenth Street N.W., Washington, D.C. 20006.

Consumers *continued from page 8*

Perhaps the most controversial topic covered was supported employment. This new goal and service concept was designed to encourage employment of severely disabled persons. One often mentioned way to provide supported employment is the use of a "job coach" who, within a competitive work environment, supervises and trains the disabled person and assures quality work is being done. Several persons testifying at the Dallas hearing pointed out supported employment could also cover interpreters for deaf persons, readers and drivers for blind persons and attendant care for people with mobility impairments. Little was said about an underlying concern of many that these services can be paid for with Title I money, the same money, which pays for regular VR services.

The change of the Act's goal from "employment" to "employability" is another controversial aspect. Several people commented that while this better fits an independent living philosophy of providing a person with the tools to achieve a goal rather than giving them the end product, there was concern that clients be adequately prepared to find a job.

The "Impartial Hearing Officer" added to the review of determinations made by rehab counselors received much support, as did the reauthorization's expansion of whom the Client Assistance Program may serve, i.e., all disabled persons.

The revised Rehabilitation Act places additional emphasis on rehabilitation technology and there was quite a bit of testimony on this. Questions were raised concerning who owned and who was responsible for devices purchased for clients by rehabilitation agencies as well as whether "low" or "high" technological aides would be given equal weight. Research and training of rehabilitation professional also received several comments.

Amendments concerning independent living were generally supported. The states' "Independent Living Council" mandated in the new legislation to oversee each state's independent living services received quite a bit of support. Several disability advocates felt the councils should have a majority of consumers and/or center staff. A number of persons concerned with services to the blind in states with separate vocational rehabilitation agencies for blind persons felt there should be separate independent living councils.

The remedies to the erosion of the civil rights statutes were met with much favorable comment. The reauthorization clarified and reinstated congress' intent that disabled people can bring suits against states in Federal Court under Section 504. The Atascadero case recently heard by the Supreme Court had ruled that states were immune under the 11th Amendment, but the new Act reverses this. Some advocates also commented that client Assistance Programs should be permitted to take on 504 and related cases, something they are limited in their ability to do now.

Dart expects to have finished the writing of rules and regulations for implementation within the required 240 days.

CTD Editor's Note

The CTD Newsletter is edited and published quarterly by the Coalition of Texans with Disabilities, a statewide cross disability consumer group. Any member who wishes to submit future articles for publication should send them to:

CTD, P.O. Box 4709, Austin, Texas 78765

Wells, Executive Director of the Sunset Commission, stated that his staff had received 500 letters from deaf persons opposing the recommendation. No one had supported the combination. Yet as Jerry Hassell, Texas Association of the Deaf Board Member, testified, here again was the hearing community telling the deaf community what was best for them.

TCD had been reviewed by the Sunset Commission during the last regular legislative session and had been recommended for review again this session (rather than the usual twelve year period). Sunset staff and Commission members alike felt that the TCD staff had done a great job of clearing up many of the problems TCD has had in the past. Those who support the umbrella or mega-agency restructuring of state services were suggesting the combination because of administrative efficiency.

After much discussion which centered around autonomy of deaf services versus whether a bigger agency would be able to do more for deaf clients, the recommendation was defeated 4 to 2.

In other recommendations the Sunset Commission voted to: have TCD develop memoranda of understanding with other state agencies which deliver services to deaf people, remove the 25% salary limit, remove the limit of three interpreter evaluations per year, have the Board of Evaluation of Interpreters work with TRC to develop a communication competency evaluation for rehabilitation counselors working with deaf persons, change the prohibition of contracting with ex-employees to a two year moratorium, have TCD charge fees for its publications, allow placement of TDDs in new locations but not allow more purchases, allow TCD to bill for TDD repair, increase interpreter certifications (to \$14-\$21 with \$7 annual renewal fees), change the interpreter training program to a course approval program, modify TCDs reimbursement rates for TCD certified interpreters to jibe with those certified elsewhere, include interpreters' addresses and telephone numbers in TCD's interpreter registry, and allow TCD to use other state agency space for interpreter evaluation.

Another recommendation which received much negative testimony was that TCD should develop a sliding fee scale so that deaf persons who can afford to pay for interpreter services would be required to do so. The deaf community felt that communication access was a human right which should not be limited by income criteria. It was felt that so few deaf people would be able to really afford interpreter services that it would not bring in any significant revenue. However, in keeping with the state's general trend toward user fees, the Sunset Commission adopted this recommendation as well, noting that TCD would set the rates for payment.

Alarming to the audience, was the lack of understanding on the part of some Sunset Commission members of the very different nature of services provided by TRC and TCD. There is a strong tendency to see all disability services as rehabilitation services and to incorrectly imagine these services would best be delivered from a central agency.

One hurdle has been crossed but it is just the start of a start of a long, long course. Disability advocates need to design simple ways to explain the variety of our needs. Then we need to start speaking up!

Additional Agencies Receive Sunset Review

Also under Sunset Review are the Texas Department of Human Services, DHS, and the Texas Department of Mental Health and Mental Retardation, MHMR, and final recommendations on these agencies are being made as this article is being written.

Within MHMR several important changes were made. There had been discussion of transferring the fiscal authority for the ICF-MR program from DHS over to MHMR but the Commission decided DHS should retain this authority and jointly plan for the fiscal aspect of the ICF-MR program with MHMR (which



The New CTD's Board of Directors meets after the Annual Convention to begin plans for future activities.

currently runs the ICF-MR programs). The Sunset Commission also agreed to recommend some type of regionalization of MHMR to improve management. In addition, MHMR was directed to do a study on consolidation of state centers and community centers and develop a plan of implementation by 1989. The Commission directed MHMR to implement a respite service program using a voucher system. They also adopted recommendations that would ensure that at least two members of the Citizens Planning Advisory Committee have consumer or parent advocacy backgrounds, and that MHMR remove the requirement that the Commissioner be a physician. Last, but by no means least, the Sunset Commission voted to retain the six to eight bed limit for small group homes in residentially zoned areas. If the Commission had voted to raise this limit (as was originally proposed by staff), there was a very real possibility that the Zoning Bill ARC, and many CTD members, worked so hard to get would be threatened.

The Sunset Commission recommendations concerning DHS's disability services supported many suggestions CTD made. The Commission recommended the DHS Services to Aged and Disabled Advisory Committee, with support from DHS's office of Strategic Planning, develop a report on the scope and range of services for disabled persons. The report should also suggest ways of changing the organizational structure to improve these services, and it should be used in program planning for the 1990-91 biennium. (Yes, that is a ways down the road, but it is DHS's next step in their planning process).

In addition, the Sunset Commission required DHS to develop Memoranda of Understanding with Texas Rehabilitation Commission, Texas Commission for the Deaf, Texas Commission for the Blind, MHMR, Texas Education Agency and the Department of Health regarding coordination of services to disabled persons. The Commission will also direct the Council on Disabilities (COD) using the resources and assistance of other committees with purpose related to the COD, to review the current array of services provided disabled persons by DHS and make a report to the 71st Legislature. Regarding the DHS Medical Care Advisory Committee which CTD and several other consumer groups testified should be 50% consumer representation, the Sunset Commission required a percentage be consumer representation, but as of this writing they had not settled on a percentage.

The Sunset Commission may adopt CTD's recommendation that the Sunset Act be amended to include program accessibility as a specific criterion in their review of state agencies. This would mean that state programs (including contracted programs) would have to be accessible to disabled Texans.

JOIN CTD — The Coalition of Texans with Disabilities

The Coalition of Texans with Disabilities is a coalition of organizations and individuals committed to cross disability communication, cooperation and coordination. The Coalition promotes social, educational, physical, and mental well-being of disabled Texans. The Coalition of Texans with Disabilities brings together people and

organizations with similar goals in a united effort to represent all disabled Texans to government, the private sector, and general public. Membership in the Coalition enables organizations and individuals to enhance their effectiveness in improving the quality of life for Texans with disabilities.

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