

The Coalition of Texans with Disabilities'

CHAMPION

A Quarterly Newsletter of The Advocacy Committee of CTD

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Issue II

CTD 19th ANNUAL DELEGATES ASSEMBLY

We were sure that you would want to know what is happening with the conference so you could begin making plans. As you may recall, the conference was planned for Lubbock in September, but accessible lodging and transportation proved to be barriers impossible to overcome this year. (Believe me, our wonderful advocates in Lubbock tried every possible combination!) We polled member organizations for a remedy and found unanimous support for taking the advantage of the opportunity to visit our state 75th Texas Legislature and advocate for our issues. Of course, more details will follow, but here is a basic shell of the conference in Austin in early 1997.

Doubletree Hotel Austin, 6505 North IH 35 FEBRUARY 8 , 9, 10, 1997 (Saturday - Monday)

SATURDAY-We will kick things off by getting down to the business of the Coalition. We will debate and pass resolutions, elect Board members, pass a budget and set the agenda for 1997. After all the work, we will party.

SUNDAY-- We will start off reviewing how the Texas Legislature works. We will invite some Texas Legislators to come to the Assembly and teach us the dos and don'ts of communicating with legislators. We will brief everyone on the issues before the 75th Legislature and overview our seven priority areas and how they fit into this legislature. In addition, we will have our Annual Awards luncheon.

MONDAY--A rally is planned for the morning at the State Capitol where we will join other disability groups for a joint show of advocacy strength. We will then conduct legislative visits.

EDITOR'S SOAPBOX

I'm sorry that we haven't mailed anything out sooner, but I've been on medical leave since July 26th. I'm still learning my limits (Aren't we all!). The summer and excitement of everything this year kicked me on my @#&*! . Well, I'm back. Earlier this summer, the CTD staff put long hours into developing short briefing papers on our seven priority issues (Personal Assistance, Health Care, Employment, ADA and other civil rights, Transportation, Housing and Advocacy for school-aged children.) We originally designed these to include in a training packet for the Media initiative, but we realized that this would be invaluable information for our entire membership. So, we will be sending you copies soon. In the future, we will organize key information under these same headings. I've also simplified the layout, so that preparing this newsletter in alternative formats is easier. I got the message that the information is what it's all about, not how it looks. So, I will try to be more timely and less presentation-oriented.

Our media trainings have taught me how poorly people with disabilities are understood. There is too much pity and fear from the general public. It is up to us to change public perception! Therefore, I challenge all of our members, **TO RAISE DISABILITY AWARENESS** in a positive way.

UPDATE ON 1996 STATEWIDE DELEGATE ACTION

- DISABILITY AND THE MEDIA INITIATIVE

Here is a reminder of the 1996 CTD Disability and the Media Initiative which was adopted at the 1996 CTD Delegates Assembly in Corpus Christi:

1. Complete the 1995 Statewide ADA Title III Implementation Campaign

Local team leaders of all teams agreed that the 1995 Statewide ADA Title III Implementation Campaign was not finished. ADA compliance was in the negotiation process with several businesses. In order to maintain credibility, the CTD local leaders were unanimous that it was necessary to tie-up any loose ends, and they expected closure by mid-1996.

2. Add a Disability and the Media Initiative to conduct editorial board meetings with the media to increase awareness of CTD's seven priority issues.

Media has the attention of the public. It shapes public opinion and attitude. This was the thinking behind where to go next in our effort to eliminate the barriers to equal and full participation in life for Texans with disabilities. The goal of the initiative is to increase accurate and appropriate media coverage of people with disabilities and CTD's seven priority issues.

3. Build and Strengthen Teams

For the teams that are well-established and making progress, the leaders would try to identify five new members to add to the team. And for the teams that are "floundering" we will make an effort to rebuild them.

- PROGRESS ON 1996 MEDIA INITIATIVE

The media trainings have taken place in San Antonio, El Paso, Lubbock, McAllen, Austin and Houston. First of all, the teams were responsible for finding a location to have the training and then for getting local media persons to commit to participate in an afternoon panel. CTD staff encouraged dialogue to teach how to use the media to win on disability issues and how to arrange an editorial board meeting. The teams then prepared for the panel. The idea was to come up with questions to ask of the panel to learn about how best to get our angle depicted. Then, through a participatory and democratic process the local teams identified, then prioritized questions to ask of the panel to learn how we are perceived and how best to obtain coverage. The teams chose a moderator, timekeeper and listener. CTD trainers then provided an overview of the seven priority issues to the panel and the local team conducted the panel by asking their questions. The team evaluated the panel and made plans for their next action with the media. Building a positive relationship with the media is the beginning. The media have a powerful impact, so it only makes sense that we utilize this tool to raise awareness and break down barriers.

CTD has strong teams in McAllen, San Antonio, El Paso, Austin, Lubbock and Houston. These teams carried out the mandates of the 1995 ADA Campaign and sent leaders and some team members to the Delegate Assembly in Corpus Christi in November of 1995 to report their success. These teams have experienced success in part because they have the support of a CTD member organization, some accessible transportation and committed individual leadership.

In 1995, teams were established in Tyler/Longview and Bryan/Caldwell but, these teams were not able to stay organized. Re-establishing these teams has been, as yet, unsuccessful because they are not supported by a CTD member organization in their town; they do not have accessible public transportation systems, and/or they are largely rural.

Where strong interest did not exist in 1995, we have eagerness and support of REACH of Dallas/Fort Worth/Denton, after a challenge address in July at their ADA 6th Year Anniversary Celebration. We will provide these two teams with training for both initiatives: ADA Title III Implementation and Disability and the Media. The same process of leadership and team member identification and commitment will be attempted as has been done in the past.

The teams and their leaders will report to the 1997 Delegate Assembly in Austin their success in carrying forward the **Disability and the Media Initiative** and present Media Champion awards to recognize the most responsive media.

- THINGS WE HAVE LEARNED FROM THE MEDIA

All forms of the media are in the entertainment business--and they are in business. We know why our issues are important, but we've got to figure out how to make them newsworthy. As you can see from our seven priority issues, our issues are exactly what everyone in the country is concerned about, so lets start thinking of ways to dovetail what the press is already covering. Let's wake up our "Sleeping Giant"!

STATE AND NATIONAL UPDATES

ACHIEVING INDEPENDENCE

The National Council on Disability (NCD) sponsored a summit on disability policy of the nation's leading disability advocates earlier this year. Our own Belinda Carlton was an invited participant! The report is entitled "Achieving Independence: The Challenge for the 21st Century". The NCD issued "Toward Independence" in 1986 which proposed the enactment of the Americans with Disabilities Act (ADA). The current report's recommendations cover all of CTD's seven priority issues. The document is available on the web at: <http://www.ncd.gov/summit.htm> or, you may write or call the National Council on Disability: 1331 F Street, N.W., Suite 1050; Washington, D.C. 20004-1107; 202-272-2004 (Voice) 202-272-2074 (TT)

Media: Refuse to portray people with disabilities as helpless, pitiful, dispensable or special. Work with us to incorporate the disability perspective in mainstream media.

Advocates: ADA is nothing if we do not use it. We must be persistent and involved in voting, politics and education of candidates and public officials.

U. S. Representative Lloyd Doggett spoke as did Speed Davis, Executive Assistant from the National Council on Disability, who flew down to release "Achieving Independence." Other CTD and local speakers rounded out the celebration! CTD gathered information on ADA Celebrations by Advocates in 14 other Texas towns. **Congratulations! We shall overcome.**



ADA CELEBRATION

On July 26, 1996 CTD celebrated the sixth anniversary of the ADA with over 100 local advocates in Austin. We had a birthday cake, balloons, hats and refreshments before "marching" to the capitol for a press conference. We issued the following challenges:

Business: Hire us. Give us a chance to be taxpayers. We are still unemployed at a rate of 84%.

State and U.S. Legislators: Do not undermine ADA and other civil protections, fund enforcement and assure basic needs to health care, PAS, education, housing, employment and transportation are provided.

ACIRS UPDATE

We did it! The final vote to accept or reject the final draft of the Advisory Commission on Intergovernmental Relation's "Unfunded Mandates" report was on July 23rd and by a vote of 13 to 7, was rejected. As you might remember, this final draft deleted references to the ADA but continued to recommend that the IDEA not be reauthorized. We had to advocate up to the end, but it was well worth it. I'm excited that Austin's own Mayor Bruce Todd voted to reject it. Thanks to everyone who got involved.

McDONALD'S MENU

McDonald's introduced an updated braille menu in more than 11,400 U.S. restaurants in June. They first introduced their braille menu in 1979 and update it regularly. They are currently the only fast-food restaurant to offer a braille menu nationally.

COPYRIGHT ACCESS

President Clinton signed into law a provision that will allow blind and visually impaired persons to get earlier access to books and other reading matter. As a result of an agreement between the publishing industry and advocates for people with disabilities, books can now be converted into alternative formats such as Braille as soon as they appear in print. Prior to this change, organizations that sought to provide these materials had to obtain permission from copyright holders on a case-by-case basis, leading to lengthy delays in access to all types of reading material. Also, a provision was included that encourages the Senate to transfer excess or surplus computers and other educationally useful equipment to public schools at the lowest possible cost.

EMPLOYMENT RATE OF PEOPLE WITH DISABILITIES INCREASES

New Federal data now show a rise in the employment of severely disabled Americans. According to a memo with new data analyses from the U.S. Census Bureau's Survey of Income Program and Participation, the percentage of severely disabled Americans with jobs had increased from 23.3 percent in 1991, to 26.1 percent in 1994. For a copy of the news release, contact Sandra Moreno of the President's Committee at smoreno@pcepd.gov, get it on-line at <http://www.pcepd.gov> or contact the Texas Governors Committee at 463-5739 V or (512) 463-5746 TDD.

VIDEO RELAY INTERPRETING (VRI)

Relay Texas is conducting their second video relay interpreting (VRI) trial in 10 Texas cities through November 30. VRI allows a deaf or hard-of-hearing person to go to a local center and communicate through ASL or lip reading using a computer with special TV video equipment. This allows persons who express themselves in ASL to communicate with a certified sign language interpreter and have

real, complete conversations that include emotional nuances that hearing persons express through the tone of their voices.

The centers that have VRI are located in Austin, Houston, San Antonio, El Paso, Big Spring, McAllen, Ft. Worth, Waco, Corpus Christi. Persons with their own equipment may also participate but must meet certain requirements. Call Brandi Rarus of Sprint at: 1-800 578-6275 (TTY) or (512) 973-1000.

SOME 104TH CONGRESS RESULTS

- HUD - \$50 million was dedicated to replace housing for people with disabilities lost to elderly-only designations.
- President Clinton signed the Health Insurance Portability Act of 1996 which makes it easier for workers who change or lose their jobs to retain their health insurance. Insurance companies would no longer be able to deny coverage to workers with preexisting health conditions.
- S2031 - Mental health parity in insurance benefits signed into law. Insurance companies can no longer set lower lifetime caps on treating mental illness than physical illness. (This bill does not fix problems with number of days of coverage, etc.)
- IDEA was not reauthorized due to negotiations over assistive technology needed by students with disabilities. Look for resolution next Congress....
- HR3734 - the welfare reform bill establishes a new definition of childhood disability. A child must have a "medically determinable physical or mental impairment which results in marked and severe functional limitations" of substantial duration. It eliminates the "Individual Functional Assessment."

**FROM THE GOVERNOR'S
COMMITTEE**

ACCESS BOARD The U.S. Architectural Barriers and Transportation Compliance Board (access board) has extended the suspension of the requirements of detectable warnings at curb ramps, hazardous vehicular areas and reflecting pools from July 26, 1996 to July 26, 1998. This will allow for the Access Board to perform a review of the ADA Accessibility Guidelines (ADAAG) during fiscal year 1997. They have also established a committee to address accessibility guidelines for playgrounds.

Texas ADA Cases A mediation case ended in a restaurant agreeing to provide signage at an inaccessible restroom to indicate where an accessible one was located.

In Houston, it was ruled that a 345-pound woman was improperly denied a driving job by Texas Bus Lines of Houston because its management had relied on a doctor's opinion that she couldn't move fast enough in an emergency.

A District Court and then Court of Appeals found that the Fort Worth Caravan of Dreams nightclub did not discriminate against persons with respiratory disabilities by refusing to suspend its smoking policy for two performances saying that this would harm the club financially.

EEOC Between July 26, 1992 and December 31, 1995, the U.S. Equal Employment Opportunity Commission had filed 131 lawsuits under Title I of the ADA.

Enforcing The ADA In the last newsletter, I said that I could get "Enforcing the ADA" out to people. Well, we don't get it regularly, so it would be better if you call the DOJ directly. The number of the ADA Information Line is:

800-514-0301 (voice-Engl/Span)

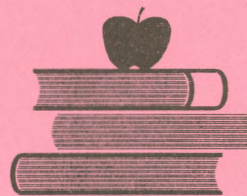
800-514-0383 (TDD-Engl/Span)

Call this # for ADA information, to ask

technical questions, obtain free ADA materials, or ask about filing a complaint.

AUSTIN'S JUDICIAL COMPLEX

Three attorneys with the Texas Civil Rights Project (TCRP) filed suit under the ADA alleging that three buildings within the judicial complex (the Texas Supreme Court building, the Tom Clark building and the Price Daniel Sr. building) were not accessible to persons with physical disabilities or visual impairments. In response, the Texas General Services Commission made various corrective measures including handicapped parking, automatic doors, raised lettering, bathrooms, a braille directory, lighter doors and even lowered counters. TCRP believes that they now meet all ADA and Section 504 guidelines.



**CTD BOARD
ESTABLISHES
KENNY MURGIA
MEMORIAL
SCHOLARSHIP**

In January, the CTD Board of Directors established a memorial scholarship for \$500 in the name of Kenny Murgia to honor young adults with disabilities. Kenny and his mother Sandra Murgia were at the Texas Capitol advocating for community-based services from his first year of life to this past year when Kenny died a few days shy of 12 years. Kenny was still waiting for services.

Justice Holmes, if he had known Kenny would have said, "Kenny was a child forged in fire, to him it was given to sound a trumpet call lifting us to the angles of our better nature." He lived with a mighty heart and those of us lucky enough to have known him will never forget his engaging personality and great laugh. His mother Sandra Murgia, a Navy Reservist, became disabled after being called up to Desert Storm.

To be eligible for this scholarship a recipient must be a High School Senior with a disability, 22-years of age or younger, and a resident of Texas. The annual scholarship of \$500 must be used for educational purposes, vocational or academic. The applicant must submit an audio, video or written essay of no less than 250 words describing their personal contributions to their community.

MOTOR VOTER

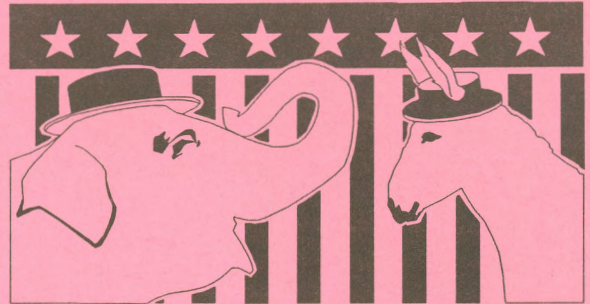
Progress: The National Voter Registration Act (called Motor Voter) has registered 96,049 new voters since January 1995. Texas reports that "agencies receiving state dollars and primarily serving people with disabilities" registered 5,174 and the DMV registered 1,952,097.

A cursory poll by CTD indicates Texas Centers for Independent Living and many other members are registering people to vote. **Congratulations to the CTD members who responded to our own phone challenge to call each of their members/consumers to "Get Out the Vote".**

Many service providers report no knowledge of the law or their obligation to comply with it. Another problem we need to work on is that some of those registering folks are reporting they are offering voter registration to consumers at intake and recertification, but not at the point of service.

Voter Information: The Voter's Self-Defense Guide is available from Project Vote Smart by calling 1-800-622-SMART or their web site at <http://www.vote.smart>. It includes voting records, including a few issues specific to disability. At the web site voters can find out their congressperson by typing in their zip code.

ASKING FOR ACTION!



VOTE, VOTE, VOTE

November 5, 1996 is fast approaching and it is critical that we vote. Our elected officials do have the power to make changes. And our voices are heard as long as we use them. Let your candidates know about our issues and how important they are. It's real easy to complain about the status quo, but this is our chance to give input. **LET'S SHOW THIS YEAR THAT THE DISABILITY VOTE IS LOUD AND STRONG!**

TELECOMMUNICATIONS

The 1996 Telecommunications Act was signed by President Clinton in February. Section 255 states that "telecommunications services and equipment must be accessible to and usable by people with disabilities, if readily achievable." The guidelines for this Act are being drafted by the Access Board, but won't be adopted until the Federal Communications Commission comes out with a Notice on Section 255. Apparently several Commission members are dragging their feet on doing this job because they belong to the anti-regulation movement in Washington. Telecommunications access is in serious jeopardy of being weakened and we need to be calling our congressmen demanding that Section 255 is not weakened and is fully enforced. Congress is the only one that could move this along right now, so don't hesitate to call often.

!!CALL TO ACTION!!

We always need volunteers for our advocacy initiative teams! We've found some great new members, but there's always room for enthusiastic advocates. Everyone has a contribution to give. Whether it be eloquent communications, ideas, insights or making telephone calls. Please recruit anyone who has shown an interest in being an ADA team member and/or who you think would make a good advocate. Please contact me with new members or new ideas and updates of your progress.



AS ALWAYS-A GRACIOUS THANKS!

We want to express our thanks to the organizations that have provided funding or donations for this initiative: The Campaign for Human Development, Southwestern Bell Corporation and the proceeds from the charity bingo CTD conducts at Crossroads Bingo, 8222 McCann Road in Austin. Thank you to the media participants in our trainings. Thanks to stores and restaurants across Texas for donating lunches at our trainings: Red Lobster, Subway Sandwiches, Schlotskys, McDonalds, Burger King, Sam's Wholesale, H.E.B. Grocery, Pizza Hut, Kentucky Fried Chicken.

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