

*Coalition
of Texans
With Disabilities*
NEWSLETTER



January 1996

Wrap-up on 1995 CTD Strategic Plan Actions

LEADERSHIP DEVELOPMENT - Vision 1 of the CTD membership strategic plan is to build "strong, effective leaders." In 1996, CTD organized to implement the ADA Implementation Campaign conceived by the Advocacy Committee and adopted by Delegates. The PAS Task Force mobilized the grassroots through outreach, advocacy skills training and assistance organizing on local issues. The two efforts developed leadership in 245 Texans with disabilities. Belinda Carlton, Laura Brown, Advocacy Chair Ron Cranston and Intern Dallas Patterson traveled to San Antonio, Harlingen, McAllen, Tyler, Longview, Marshall, Orange, College Station, Caldwell, El Paso, Lubbock, Houston and Austin.

COMMUNICATION - In an effort to keep our membership apprised of critical disability-related issues, CTD mailed or faxed approximately fifteen bulletins or alerts on issues ranging from attacks on the Americans with Disabilities Act to attempts to dismantle Medicaid this year. **CTD established this year a toll-free number (1-800-998-3363) in a step designed to make it easier for those out of Austin to communicate with us.** To communicate with Spanish-speaking audiences, CTD provided Spanish materials and interpreters, when needed.

1995 MEMBERSHIP ADA IMPLEMENTATION INITIATIVE: - Last year, CTD Delegates decided on a statewide, one-year action plan on the Americans with Disabilities Act, focusing on Title III (Public Accommodations) compliance. CTD provided skills training in eight cities to regional ADA leaders and their teams of ten members. These teams have been establishing contacts and building rapport with private businesses in their communities, conducting access surveys and negotiating for ADA compliance. The 1996 Initiative is to complete remaining actions on ADA and add an initiative to conduct a certain number of meetings with media editorial boards to educate them on the CTD's seven priority cross-disability issues. A special CTD newsletter, Champion, will detail the success of the ADA Implementation Campaign and outline the 1996 Initiative adopted by Delegates this past November in Corpus Christi. It is being prepared by Brette Browning, 1996-97 Advocacy Coordinator.

Fifty-plus individuals attended a press conference and celebration of the fifth anniversary of the ADA at the Texas Capitol on July 24th. CTD members in other cities, among them HCIL and LIFE, held events to celebrate. CTD members joined ADA violation lawsuits against Blockbuster Video for broad non-compliance; Alamodome, National Basketball Association and San Antonio Spurs for failure to provide integrated seating, parking and captioning and/or other access to deaf or hearing-impaired individuals. CTD members joined an ADA Title II suit against the Secretary of State for polling place access and provision of secret ballots for visually-impaired voters. The U.S. District Court ruled favorably and will begin January 24, 1996 to decide "appropriate remedies for this decision."

TEXAS ARCHITECTURAL BARRIERS - Attempts in the 1995 73rd Texas Legislature to weaken the state's architectural barriers law were defeated by CTD members. Legislation was passed to require that new churches and renovated churches comply with Texas Accessibility Standards (TAS), which are a mirror of the ADA Accessibility Guidelines. CTD organized members and a broader group, including AARP and stopped an effort by the personal care facility industry to weaken TAS. NOTE: If you believe a building in Texas is not architecturally accessible, you may file a complaint with the Texas Department of Licensing and Regulation Architectural Barriers Office at 1-800-803-9202 (For Complaints Press 2). State law requires the TDLR to investigate.

EMPLOYING TEXANS WITH DISABILITIES - CTD advocated its position that Texas should include people with disabilities in the state's Minority Hiring Practices and set a percentage goal of people with disabilities hired by state agencies based on their availability in the statewide civilian labor force, just as it does with other minorities. Affirmative action came under intense attack, so the CTD Legislative Committee decided to curtail efforts and revisit this issue for the CTD 1997 Texas Legislative agenda.

HISTORICALLY UNDER-UTILIZED BUSINESSES - CTD's position is that the Historically Under-Utilized Business program should be expanded to encompass persons with disabilities who own or control their own businesses. This issue was set-back because a Texas Attorney General opinion regarding the inclusion of people with disabilities was not favorable. State agencies who previously voluntarily included people with disabilities in HUBs ceased. CTD will fight this issue again.

INDEPENDENT LIVING CENTER FUNDING - Before the 1995 Legislature convened, CTD staff and Legislative Committee testified at Legislative Budget Board hearings and visited the chief aides of Lt. Governor Bullock and House Speaker Laney to state that funding to independent living centers should be restored. Over 50 individuals from Texas centers for independent living testified at TRC appropriations hearings. Our combined advocacy resulted in restoration of \$3 million needed to maintain current levels of ILC services.

HEALTH AND HUMAN SERVICES AND PERSONAL ASSISTANCE SERVICES - In 1995, CTD sent out notices of Texas House and Senate budget hearings, and testified on funding needs in each primary disability agency: Department of Human Services, Mental Health and Mental Retardation, Commission for the Blind, Commission for the Deaf and Hard of Hearing, and the Rehabilitation Commission. The PAS Task Force worked diligently to preserve state and federal funding for personal assistance services. Despite the efforts of CTD and others, funding was reduced for many services. Loss of funds has fueled the movement in state agencies toward more "streamlined" service delivery. Texas continues to pursue the conversion of the Medicaid program to a "managed care system" like an HMO via an "1115 demonstration waiver" which we are monitoring and advocating our positions.

Our mission is to eliminate all barriers to equal and full participation in life for Texans with disabilities. In our lifetime there will always be barriers. Take part in or start a local action to eliminate a barrier. Communicate with your public servants at the national, state, city and county level. Hold them accountable.

VOTE. Primary elections are March 12. Register to vote by February 11.

AWARDS



The Justin W. Dart Jr. Meritorious Award was presented to Bill and Peggy Tooke, parents of Scott Tooke, in memory of their son. Scott M. Tooke dedicated the majority of his life and time working to improve the perception and dignity of persons with disabilities. Scott was perceived in Lubbock and around the State as a person who would not wait for the world to become accessible to start living. He traveled to Austin to testify before the legislature regarding issues important to promoting the disability community. He wrote a manual on how to hire and manage personal attendants and voluntarily taught others on a personal basis and for groups through the local

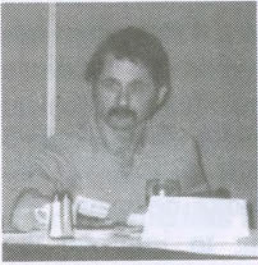
independent living center. With the tremendous support of his parents, he lived life on life's terms and never complained about the barriers to his participation. In August 1995, Scott Tooke died in an accident that was the direct result of the inaccessible world to which he refused to succumb. -- dedication submitted by Craig Wall, director of LIFE Independent Living.



David VanderHee, Director of Valley Association of Independent Living (VAIL) accepted the *CTD Member Organization of the Year Award* for VAIL's continuing efforts to advance CTD's goals and objectives. VAIL's in-kind donations of time and money have been invaluable contributions to CTD in achieving its goals. VAIL has served as co-sponsor for three PAS Task Force outreach meetings, with close to 150 individuals total. The two meetings held in January of this year served as question and answer Forums with area State and U.S. Representatives. VAIL was instrumental in assisting with identifying leaders and supporting the CTD ADA team of the Lower Rio Grande Valley and has maintained a very active ADA team.

This year's *Newsletter of the Year Award* was accepted by Tony Koosis for Houston Center for Independent Living. Editor Sandra Bookman ensures a bi-monthly publication of HCIL's newsletter, "Spectrum", to currently 3,000 individuals. "Spectrum" projects a professional lay-out with the intent of producing stories and current events that provide an informative and entertaining impact on its readers. The newsletter reflects the goals of CTD by updating individuals on issues that carry considerable importance with the cross-disability community. Furthermore, "Spectrum" strives to create an impact on its readers by reminding them of our achievements and spurring them on to the acceptance of these wins by all.





A special award was presented to **Ron Cranston** for his guidance and leadership as the **CTD 1994-95 Advocacy Chair**. His tremendous success began at the 1993 Delegate Assembly when he secured commitments for participation in developing an advocacy team to fulfill some of the goals of the CTD Strategic plan. From there he developed a core advocacy team of nine individuals who conducted a survey of the membership and then developed the 1994 Statewide ADA Implementation Campaign. Ron lead development of the initiative, traveled across the state of Texas developing and providing training to eight teams with sixty-two active CTD leaders fulfilling the CTD Statewide ADA initiative. Ron led development of the 1996 Delegate Initiative and remains active in CTD advocacy, including CTD's Austin ADA team.

The two ADA Champions will be portrayed in the special ADA Champion newsletter coming out soon.

COALITION OF TEXANS WITH DISABILITIES

1996 Budget

BEGINNING		EXPENSES	
FUND BALANCE	\$ 50,000	Accounting/Audit	\$ 7,000
 PROJECTED INCOME		Attendant Svcs	2,000
Grants	\$160,000	Computer Purchases	3,000
Membership Dues	5,000	Contract Labor/Consultants	6,000
Convention	10,000	Convention Scholarships	7,000
Corporate Donations	5,000	Convention Food/AV	5,900
Calendar	12,000	Copies/Printing	13,000
Charity Bingo	50,000	Equipment Lease	4,000
Interest Income	4,000	Insurance/Building	500
Fundraising Events	10,000	Interpreters	3,000
	-----	Postage	6,000
TOTAL INCOME	\$256,000	Rent	15,000
 INCOME PLUS		Repairs/Maintenance	1,000
FUND BALANCE	\$306,000	Staff Education	600
		Subscriptions/Dues/Permits	1,230
		Supplies	3,000
		Telephone	7,000
		Staff Travel	4,000
		Board Travel	6,000
		Volunteer Travel	8,500
		T-Shirts/Pins	1,600
		Payroll/Benefits	160,000

		TOTAL EXPENSE	\$265,430
		 INCOME (EXPENSE)	 <u>\$ 40,570</u>

1995 DELEGATE ASSEMBLY REPORT

Minutes of the 18th Annual CTD Delegates Assembly

(Published as required by by-laws.)

The 1995 CTD Delegates Assembly was called to order by President Redge Westbrook at 7:00 PM November 17, 1995 at the Bayfront Marriot in Corpus Christi, Texas. The meeting proceeded according to the agenda with U.S. Congress updates delivered by Bob Kafka of ADAPT and Mark Partin of Advocacy, Inc.

The assembly reconvened Saturday morning November 18, 1995 at 9:00 AM. A quorum was established. The program agenda was followed and after the 1995 Statewide ADA Implementation Campaign and 1996 Statewide Action Proposal the following motion was made:

MOTION: Jerome Wright moved to:

- (1) thank Ron Cranston for his work on the Advocacy Committee,
- (2) accept the work of the committee up to the present date,
- (3) accept the 1996 Statewide Initiative to complete the commitments made on the Statewide ADA Implementation Campaign and add a component to conduct editorial boards,
- (4) accept Brette Browning as new chair of the Advocacy Committee

SECOND by Richard Villa. Motion passed.

On Sunday, November, 19, 1995 at 9:00 AM the general session reconvened. The first order of business was to announce Board election results: President, Mark Hamman; Vice-President, Redge Westbrook; Secretary, Dolores Salazar; Treasurer, Wayne Leavitt; At Large, 1997, Christine Pacetti; At Large, 1997, Victor Ali; At Large, 1997 Bruce James. (A board name and address roster and backgrounds on the board members are included in this newsletter, page)

CTD member organizations considered twelve resolutions, three submitted as emergencies. Resolutions set policy, positions and advocacy priorities for the Coalition. One resolution was tabled and sent back to committee; the remaining eleven were adopted by the Delegates. (The text of the 1996 resolutions and the motions made regarding the resolution are found on pages).

The CTD Budget for 1995-1996 was proposed by Mark Hamman. **MOTION:** Richard Villa (ACB) to accept 1995-1996 proposed budget. **SECOND** by Wayne Spahn. (The budget follows these minutes).

It was announced the 1996 Delegates Assembly is currently scheduled for September 20-22, 1996 Lubbock with member sponsorship by LIFE Independent Living Center. Confirmation will be based upon finding an accessible hotel with 25 guest rooms with bathrooms large enough to accommodate a wheelchair.

ADJOURNMENT: The meeting was adjourned at 12:00 PM Sunday, November 19, 1995. Respectfully Submitted, Dolores Salazar/Marc Salazar CTD Secretary

1995 Delegate Resolution: MEDICAID BLOCK GRANTS

WHEREAS: Medicaid serves as the only source of health care and long-term services for many Americans, including low-income people with disabilities and older citizens; and

WHEREAS: Congress plans to reform Medicaid by removing "entitlement" (meaning if you qualify, you receive services) to services and converting it into a system of block grants to the states; and

WHEREAS: These proposals also include reductions of \$182 billion in the Medicaid program, and would likely result in restricted eligibility with people receiving less services or no services at all; and

WHEREAS: The Medicaid block grant proposals under consideration remove federal protection such as a broad guidelines on the definition of disability and requirements that ensure: 1) comparable services available statewide; 2) a choice of providers, and 3) coverage of at least the same services now offered; and

WHEREAS: Block grants in the area of long-term services have a troublesome history in Texas. One program called Family Care that provides personal assistance services under federal Title XX block grant funds has long waiting lists and is currently on "frozen" status at the Texas Department of Human Services due to their restricted budget;

BE IT THEREFORE RESOLVED: That CTD oppose efforts to convert Medicaid into a block grant unless: 1) appropriate funding is designated to meet the need, 2) access to Medicaid health and long-term services are guaranteed to those eligible, 3) a federal definition of disability emphasizing functional

needs, not medical label is maintained, and 4) broad federal guidelines are kept in place to ensure statewide availability, comparability, choice of providers, and coverage of at least the same services currently being offered; and

BE IT FURTHER RESOLVED: That the CTD Personal Assistance Services Task Force establish a committee to develop a position for consideration by CTD delegates at the next assembly on the definition of disability as it would relate to accessing long-term services.

MOTION: Candi Ware (Texas Advocates) moved to adopt. **SECOND** by Julio Hinojosa (SAADA). Motion passed with one abstention from Mark Partin (Advocacy, Inc.).

1995 Delegate Resolution: PROPOSED U.S. CONGRESS BUDGET CUTS

WHEREAS: Medicaid and Medicare represent for many individuals the only source of health care and long-term services; and

WHEREAS: Home and community-based long-term personal assistance services have been proven to not only be the preferred choice of consumers, but approximately one-third the cost of institutions; and

WHEREAS: Many low income individuals rely on health and human services assistance in areas such as food, housing, job training, child care and much more; and

WHEREAS: Congress is currently planning to cut Medicare by \$270 billion and Medicaid by \$182 billion over seven years, and reduce drastically other health and human services funding such as welfare and housing spending; and

WHEREAS: Such draconian cuts to Medicaid, Medicare and other health and human services will devastate the existing "service safety net" for impoverished people with disabilities of all ages and older Americans;

BE IT THEREFORE RESOLVED: That CTD advocate that Congress address deficit reduction by examining means to eliminate fraud and abuse, reduce profiteering, and non-essential institutional spending; and

BE IT FURTHER RESOLVED: That CTD continue to advocate for the increase of community-based service options and the shift of dollars from institutions to community-based services.

MOTION: Richard Villa (ACB) moved to adopt. **SECOND** by Joe Jackson (PVA). Motion carried with all delegates in favor.

1995 Delegate Resolution: SHELTERED EMPLOYMENT

WHEREAS: People with disabilities deserve the opportunity to work for competitive wages, meaning minimum wage or better, and

WHEREAS: Sheltered workshops are allowed by law to pay less than minimum wage, and use Texans with disabilities as human chattel in segregated, institutional environments,

BE IT RESOLVED THAT: The Coalition of Texans with Disabilities and its members advocate that statutory language that allows for people with disabilities to be paid less than minimum wage be eliminated and that the State of Texas affirm that people with disabilities in the workplace in Texas can be paid no less than minimum wage or above; and,

BE IT FURTHER RESOLVED THAT: That CTD and its members advocate that sheltered employment that pays less than minimum wage be eliminated and the State of Texas assure that all Texans with disabilities have the opportunity and support necessary to work in individualized, competitive employment in the community and have choices about their work and careers.

MOTION: Richard Villa (ACB) moved to accept the resolution. **SECOND** by Jerome Wright (SAADA). Motion carried. One abstention by Kaye Beneke, Texas Rehabilitation Commission.

1995 Delegate Resolution: TEXAS WORKFORCE COMMISSION

WHEREAS: The Texas workforce commission is mandated to assist all unemployed Texans in their preparation and search for work, and

WHEREAS: The specialized agencies which assist disabled Texans in the vocational rehabilitation process do not supply adequate resources to assist all Texans with disabilities

BE IT RESOLVED THAT: All programs of the Texas workforce be made accessible to persons with disabilities, and

BE IT FURTHER RESOLVED THAT: CTD advocates for inclusion of people with disabilities in every program and service provided by the Texas Workforce Commission.

MOTION: A correction was made to the "Be It Resolved" statement to change "Texas Workforce" to "Texas Workforce Commission". Motion to adopt made by Richard Villa (ACB). **SECOND** by Anthony Koosis (HCIL). The motion passed without opposition or abstentions.

**1995 Delegate Resolution:
FUNDING FOR TEXAS CENTERS
FOR INDEPENDENT LIVING**

WHEREAS: Centers for Independent Living are controlled by persons with disabilities and represent persons with all types of disabilities, and

WHEREAS: Centers for Independent Living have effectively provided independent living services for Texans with disabilities for more than 15 years, and

WHEREAS: Centers for Independent Living have successfully used the consumer-controlled, peer support/role model approach in providing independent living skills, advocacy and other services;

THEREFORE BE IT RESOLVED: That CTD will support continued state funding of the Texas Centers for Independent Living and the administration of any designated independent living funds by the centers.

MOTION: Jerome Wright (SAADA) made motion to adopt. **SECOND** by Richard Villa (ACB). Motion was passed by all present. Motion to adopt passed unanimously.

**1995 Delegate Resolution:
MOVING FROM INSTITUTIONS
TO COMMUNITY**

WHEREAS: In 1991, the Coalition of Texans with Disabilities' Personal Assistance Services Task Force successfully advocated for the passage of Texas Senate Resolution 887, adopting the CTD PAS Task Force guiding principles stating "That it is the position of the state of Texas that persons with disabilities of all ages can live in the community when

provided appropriate services and support; and that services and supports should:

- 1) Be based on individual functional need;
- 2) Be available to people with disabilities, regardless of age, type of disability, sex, race, religion, political affiliation or sexual preference;
- 3) Serve persons with disabilities and provide support to their families at home, work, in the community, and in school;
- 4) Offer persons with disabilities and their families maximum opportunities for choice and control of personal assistance services;
- 5) Recognize and allow for changing needs and circumstances over time of individuals with disabilities;
- 6) Promote independence;
- 7) Develop incentives that create and maintain self-reliance and productivity;
- 8) Include options for cost-sharing;
- 9) Be available throughout the state, in both urban and rural settings;
- 10) Provide for training of persons with disabilities on attendant recruitment, direction, and management on an optional basis;
- 11) Provide for basic training of personal assistants, and

WHEREAS: Texas Senate Resolution 886 recognized the overwhelming preference of people with disabilities to live in their own homes, rather than in institutional settings, with independence, dignity, choice, and control over their lives; and

WHEREAS: Both Texas Department of Human Services and Texas Mental Health and Mental Retardation have agency positions supporting the development of community services, but there is no consistent policy across all health and human service state agencies; and

WHEREAS: The U.S. Congress and federal agencies do not currently have any policy affirming community-based alternatives over institutions or encouraging the redirection of dollars from institutions to community services;

BE IT THEREFORE RESOLVED: That CTD advocate that the U.S. Congress and the Texas State Legislature:

1) Increase the number of people receiving services in the community and reduce the institutional population by redirecting funds from institutions to community options; and

2) Pass legislation establishing a "Community Impact Statement" to guide all policy and funding decisions of the U.S. Congress, the Texas Legislature and all health and human service agencies, with the goal of ensuring consistent policies across agencies on the development of community options that promote independence and full participation in life. Such legislation must require reporting from state and federal health and human service agencies outlining their progress in decreasing their institutional populations, and steps taken to build community options. This agency report should be submitted with the agency's Legislative Appropriations Request in order to compare progress from one funding cycle to the next.

MOTION: Anthony Koosis (HCIL) moved that the resolution be adopted by the assembly. **SECOND** by David VanderHee (VAIL). A motion to amend the resolution was made by Wayne Spahn (ADAPT) to add: **BE IT FURTHER RESOLVED:** 3) That CTD advocate for 25% of Medicaid monies be designated to community based services instead of nursing homes. A vote to adopt the amended resolution was unanimous.

1995 Delegate Resolution: BENEFITS FOR PERSONAL ASSISTANTS

WHEREAS: There are currently thousands of personal assistants employed by home health agencies or other entities who contract with state agencies such as the Texas Department of Human Services, Texas Rehabilitation Commission, and Texas Mental Health and Mental Retardation to provide persons with disabilities assistance with living activities such as eating, dressing, bathing, and toileting; and

WHEREAS: These personal assistance services (PAS) are considered invaluable to the person with a disability; and

WHEREAS: A 1992 study conducted for the Coalition of Texans with Disabilities' Personal Attendant Services Task Force found that the primary obstacle to recruiting and retaining dependable, quality attendants is low wages, few benefits, and no career ladder;

BE IT THEREFORE RESOLVED: that CTD advocate that 1) The Texas 74th Legislature direct the Texas Department of Human Services and all state agencies providing personal assistance services develop an appropriate and definitive percentage of every unit rate contract to be expended on wages and benefits for direct services staff; 2) Contractors develop an array of benefits, such as, health insurance, sick leave, vacation and bonuses for longevity and outstanding performance; 3) Wages for personal assistants be commensurate to experience and/or training of the personal assistant and the skill level required by the consumer.

MOTION: Dolores Salazar/Marc Salazar (DIO) moved to adopt. **SECOND** by Julio Hinojosa (SAADA). Motion carried (20 in favor, 14 opposed and 4 abstentions).

1995 Delegate Resolution:

ACCESS TO TELECOMMUNICATIONS TECHNOLOGY AND SERVICES

WHEREAS: Access to information and technology is of great importance to the 48 million Americans who have some kind of disability, allowing them to more fully participate in our society, and

WHEREAS: Lack of access to telecommunications is already creating a technology underclass who will be functionally disabled in the information explosion, and

WHEREAS: The State of Texas has passed legislation stating that it will be the policy of the State of Texas to ensure that high quality telecommunications services are available, accessible, and usable by individuals with disabilities, unless making the services available, accessible, or usable would result in an undue burden, including unreasonable cost or technical feasibility, or would have an adverse competitive effect, and

WHEREAS: The U.S. Congress is currently considering telecommunications legislation,

THEREFORE BE IT RESOLVED: CTD and its members will advocate for Texas to implement regulations that ensure the mandates of the bill are implemented, and

BE IT FURTHER RESOLVED: That CTD and its members will advocate for the U.S. Congress to pass legislation and implement regulations that will ensure that high quality telecommunications services are available, accessible, and usable by people with disabilities.

MOTION: Wayne Spahn (ADAPT) moved to accept the resolution. **SECOND** by Maria Barrera. Motion passed unanimously.

A background paper on the telecommunications resolution was written by Richard Villa, Chair of CTD Telecommunications Committee and President of American Council of the Blind of Texas. It is available upon request.

1995 Delegate Resolution: INTEGRATED ACCESS TO SERVICE DELIVERY

MOTION TO TABLE and send back to PAS Task Force for revisions and possible resubmission in 1996 was made by Richard Villa (ACB). **SECOND** by Kaye Beneke (TRC).

Emergency Resolution: IMPLEMENTATION OF NVRA BY DISABILITY AGENCIES RECEIVING STATE FUNDS

In response to CTD concerns about implementation of the National Voter Registration Act by disability agencies which receive state funding, the Secretary of State offered his General Counsel to serve as liaison to the Coalition of Texans with Disabilities to identify problems CTD members and other people with disabilities are having in efforts to register to vote, examine those problems and determine what the Secretary of State, in concert with CTD, can do to correct them. **MOTION** by Wayne Spahn (ADAPT) that CTD accept working with the Secretary of State's liaison on the Motor Voter compliance and proceed from there as needed. **SECOND** by Julio Hinojosa (SAADA). Motion carried. Vote was 15 delegates in favor, 12 opposed.

**Emergency Resolution:
SAN ANTONIO VIA TRANSIT
ADA COMPLIANCE**

WHEREAS: VIAtrans is operated by the VIA Metropolitan Transit Authority as a federally mandated special service transportation service for persons with disabilities, and,

WHEREAS: persons with disabilities are entitled to full and equal accessible public transportation, and,

WHEREAS: this service can be provided through either using the same system as the general public with appropriate modifications or a specialized system, or a combination of the two, it is the belief of the members of San Antonio Area Disability Advocates that VIA Metropolitan Transit Authority has failed to provide this mandated service,

NOW THEREFORE BE IT RESOLVED that the membership of the Coalition of Texans with Disabilities join in the support of the membership of San Antonio Area Disability Advocates in their efforts to insure that VIA Metropolitan Transit Authority strictly adheres to the rules, regulations and guidelines of the Americans with Disabilities Act.

**MOTION by Jerome Wright (SAADA).
SECOND by Diana Webster (THIA). Motion
passed with one abstention from Mark
Partin, Advocacy, Inc.**

**Emergency Resolution:
ADA VIOLATIONS BY
BLOCKBUSTER VIDEO
ALAMO DOME/NBA/SPURS**

An emergency resolution was submitted from the floor by Mark Partin of Advocacy, Inc. seeking the CTD's participation in Americans with Disabilities Act lawsuits against: (1) Blockbuster Video for violation of Title III in almost all areas and, (2) Alamodome and National Basketball Association and San Antonio Spurs for ADA violations including lack of integrated seating and interpreting and/or captioning to provide accessibility to deaf and hearing-impaired individuals.

**MOTION by Richard Villa (ACB) that CTD
submit the pleading separately to each
member organization and that they respond
in writing to CTD by January 15, 1996 as to
whether they wish to sign on to the lawsuits.
SECOND by Wayne Spahn. Motion passed
without opposition. The motion was designed
to respond to concerns that if CTD signed on
to the lawsuit, as an organization, all
members would be added by default.**

ACTION: Upon returning from the conference CTD was informed that the final day for adding plaintiffs would be December 19, 1995. Members were sent the pleadings and a cover letter by two-day Express Mail. The following organizations signed on: American Council of the Blind of Texas (ACBT - Statewide), Disabled Ability Resource Environment (DARE - El Paso), Lifetime Independence for Everyone (LIFE - Lubbock) and San Antonio Area Disability Advocates (SAADA).

1996-97 BOARD OF DIRECTORS

BACKGROUND

Mark Hamman, President -- Mark is a graduate of the University of Texas - Arlington with a Bachelor of Arts in Radio/Television Communications. He has remained active in the disability rights movement as a former President of Maximum Mobility, a durable medical company and currently holds a position on the advisory boards of Columbia/HCA Home Health and Concepts of Care Home Health.

Redge Westbrook, Vice President -- Redge who graduated from University of Texas, Austin is an Attorney at law and works for the El Paso Texas Legal Aid Services. Redge currently serves on the Governor's Committee for People with Disabilities, Chairs the CTD Legislative Committee, and sits on the Board of Vaughn House, a residential facility for multi-disabled persons who are deaf.

Dolores Salazar, Secretary -- Dolores is a graduate of the University of Texas - El Paso with a Bachelor's Degree in Social Work. Dolores has served as President and Treasurer for CTD member organization Dignidad, Igualidad, y Oportunidad (DIO) and, also serves on the Board of Disabled Resource Environment (DARE). Both are local advocacy organizations for people with disabilities.

Wayne L. Leavitt, Treasurer -- Wayne works in marketing and sales for Variety Wheelchair Arts & Sports Association. His reason for serving as a member of the board is to better the lives of people with disabilities. Wayne feels that his experience as a financial manager and fund raiser, coupled with his knowledge of state and federal programs will aid CTD towards its goals for disability rights.

Richard Villa, At-Large thru 1996 -- Richard is the current President of the American Council of the Blind (ACB) of Texas, and board member of the ACB - National. He has been involved in advocacy and service for over 20 years and believes cross-disability effort is essential. A computer programmer and consultant for 25 years, he is concerned with the information superhighway being accessible.

Angel Ramos, At-Large thru 1996 -- An active member of the Texas Deaf Caucus, Angel received ADA training from the Disability Rights Education and Defense Fund. His vision for CTD is two-fold: to develop leadership skills among younger people with disabilities and active advocates and to see all groups of people with disabilities working together toward a common goal, not against each other.

Joe Jackson, At-Large thru 1996 -- Joe Jackson is a 43-year-old native Texan. He joined the Paralyzed Veterans Association in 1988 and has become increasingly active over time. He is currently a member of the CTD Board of Directors and serves as the advocacy director of the Lone Star Chapter of PVA. His primary area of interest is advocacy and enacting change.

Christine Pacetti, At-Large thru 1997 -- Christine has been an "activist" for the past 16 years. During that time she married, had two children, and served as the first President of the San Antonio Citizens Concerned about Handicapism (SACCH) which later grew into the San Antonio Independent Living Services (SAILS). She earned her MSW in 1993.

Bruce M. James, At-Large thru 1997 -- Bruce James holds a B.B.A. in Accounting, a B.S. in Computer Science and an M.B.A. in Management. Bruce currently serves as President for SETLIFE, Inc. and also for the Texas Disabled Sports Association, Inc. His vision for CTD is to further its goals in South East Texas.

Victor Ali, At-Large 1997 -- Victor has a BA in Rehabilitative Services from U.T. Pan American. His vision for CTD is to further educate Texans about the needs for access to public and private facilities for Texans with disabilities so that they can function more independently within their community. Victor would like to see CTD be the voice for Texans with disabilities by creating more access for persons with disabilities to participate in the political process.

1996-97 BOARD ROSTER

Executive Committee

Mark Hamman - President

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At-Large Positions thru November 1997

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NEWS FROM AROUND

COREY LYNN BROWN 1981-1995

In the fall of 1993, after an emergency resolution submitted at the Delegate Assembly, CTD joined in what we considered a successful battle against the placement of a "Do Not Resuscitate" order (DNR) on 12-year old Corey Brown in the Lewiston, Maine, school system. Dr. Richard Marsh, presented his argument for the DNR's as a "right-to die" issue. Those of us opposed argued that, since Corey (who had cerebral palsy and scoliosis) was not terminally ill, and since Corey (who was non-verbal and who had not been given access to assistive communication technology) was not asked her opinion on the matter, it was a "quality of life" judgment. After two months of debate the "no-CPR" order was removed from Corey's school file.

Corey Brown died on December 7, 1995, at the age of fourteen, after a three day stay at St. Mary's Hospital in Lewiston. The local medical report the cause of death as pneumonia, but also note that the DNR in the hospital had been "honored."

"It was my hope that the 1993 battle had succeeded in educating our community about the differences between disability and terminal illness, the distinction between 'right to die' issues and 'quality of life' judgements, and rights of children (and adults) with disabilities to equal protection under state and federal law. Perhaps, though, we succeeded only in protecting children during the hours and days in school," said Elaine Makas, Lewiston, Maine.

"I deeply mourn the death of Corey Brown, whose name we knew and whose smile we saw on TV and in the print media. Her life had great value, and I pray that her death will have

great value, too, by unifying our efforts to protect the children 'waiting in the wings' here in Lewiston, and there in your hometown -- the children whose names we do not know and whose smiles we have not yet seen." concluded Ms. Makas. (*Justice for All*)

VCO/HCO With Privacy

Relay Texas newest feature started December 11, 1995. The change will allow VCO and HCO users conversations to remain private. (VCO means voice carry over for people who are deaf. HCO means hearing carry over for people who are speech-impaired.) You set up the call the same way, but once the call switches into relay mode, your end of the conversation is private. For questions contact Sprint TRS at 1/800/587-6275 TTY or via Relay 512/873-1000.

CONGRESS WORKS ON IDEA REAUTHORIZATION

Both the House and Senate continue working on draft reauthorization bills for the Individuals with Disabilities Education Act (IDEA). There are significant differences between both versions.

Both include some good proposed changes. The House has excellent provisions related to assistive technology and the Senate includes excellent overall policy direction for the law.

The debate over discipline of students with disabilities has become the defining issue of the

IDEA reauthorization. This debate could negate other aspects of proposed changes which have wide support. Many feel the IDEA law creates a double standard in its differential treatment of students with disabilities. Current IDEA law contains a statutory provision prohibiting schools from indefinitely suspending, expelling, or changing the placement of a student with a disability except with the consent of the student's parents or guardians or by a court order. This was enacted to insure that children with disabilities would not be unilaterally denied an education. Both the Senate and House versions add new but different language about discipline. Both allow removal to an alternative educational setting; the House by a hearing officer, the Senate by a school agency (i.e., principal). Both allow education to cease under certain circumstances.

Action: Use this time to continue to educate members of Congress about why IDEA is important and why Congress must not weaken the protections it affords children with disabilities. (Information from *Washington Watch*, Volume 1, Issue 34, December 19, 1995).

ACCESS STANDARDS APPLY TO SALES OFFICES

Homebuilders' on-site sales offices are required to meet the Texas Accessibility Standards (TAS) for people with disabilities. The fact that these structures start out temporary does not exempt them.

TAS became effective in 1994 and replaced standards adopted in 1989. TAS mirrors the ADA Accessibility Guidelines and the State of Texas has submitted TAS for "ADA equivalency certification" from the federal government.

ADAPT FREE OUR PEOPLE

Annual Gathering of Disability Activists

Houston - May 1996

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Attendant Programs Today**

WHAT'S CONGRESS DOING WITH VOC REHAB AND EMPLOYMENT PROGRAMS?

Both the House and Senate have proposed consolidating over 100 independent job-training programs in an attempt to streamline services. The House bill, the CAREERS Act (H.R. 1617), and the Senate bill, the Workforce Development Act (S. 143), both consolidate job-training programs into block grants, but each bill takes a different approach.

At this point, the bills are in Conference Committee which will identify and resolve the differences in the two bills. The bills have taken back seat to more pressing budget issues, and a resolution on this issue is not expected until spring of 1996.

The initial House bill included vocational rehabilitation services for people with

disabilities in the consolidation, stirring up fears that specific needs would be lost in a "generic system." Texas Congressman Gene Green was successful in getting an amendment to remove the Vocational Rehabilitation program from the CAREERS Act, although Texas disability advocates are divided on the issue. Some feel the current vocational rehabilitation system is failing to meet its goals.

Advocates has United Cerebral Palsy liked the CAREERS Act proposal to let people with disabilities receive vouchers to purchase vocational rehabilitation services.

The Senate's Workforce Development Act by Senator Kassenbaum has been considered more acceptable to some vocational rehabilitation advocates because it essentially maintains the current vocational rehabilitation service system, with an additional requirement that VR coordinate with the generic job-training program.

U.S BUDGET TALKS AN OPINION

Last year Congress was debating how to bring health care to all Americans. Congress and America agreed that our nation's health care system was inadequate and inaccessible. Less than a year later Congress is trying to convince us that no one will be hurt if we slash at least \$154 billion from Medicaid and Medicare.

At the same time, these greedy mercenaries want to give a \$185 billion tax break to the wealthy and cut the earned income tax credit for the working poor. The attempt is to shift even more tax revenue responsibility from the wealthy to the middle class and below.

We are being held hostage by individuals who were heard to say they hadn't seen anybody suffering because of the Government shutdown; who got paid and prepared to leave for European trips, while federal workers cut back

on groceries and continued to serve their country without pay.

Our esteemed public servants have once again stopped budget talks and are talking about partial funding of government from now until the election. They are saying they do not believe they can pass a budget before the next election. They are on break fundraising for their election campaigns.

Congress narcissism is not acceptable to me. I hope it is not acceptable to you. I hope you **HOLD YOUR PUBLIC SERVANT RESPONSIBLE.** I hope you demand **ETHICS AND CAMPAIGN FINANCE REFORM.** I hope you **GET INVOLVED IN ELECTORAL POLITICS.** I hope you **VOTE.** *Belinda Carlton.*

CTD MEMBER AUTHORS THE ONE-HANDED WAY

The One-Handed Way was written in 1994 by CTD member, Hedda Schlosberg, a stroke survivor and is available from the American Heart Association's Stroke Connection (1-800-553-6321). It is an excellent resource.

CTD MEMBER TEACHES ONE-HANDED PIANO

Austin resident, JoAnne Koepke, at 512/444-6388, offers one-handed piano lessons. She tells CTD she offers very low rates.

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