

SEP 16 1994

ADA Birthday!

CATCH THE SPIRIT

and pass it on

When the Americans with Disabilities Act became law four years ago, it was touted as one of the most important civil rights legislation in this nation's history. Now that rubber is meeting the road, how much difference has ADA really made in the lives of person with disabilities?

"The progress has been slow but sure," says Ron Trull, TRC ADA director. "Texas is doing better than many states because of active advocacy groups and attention from the media."

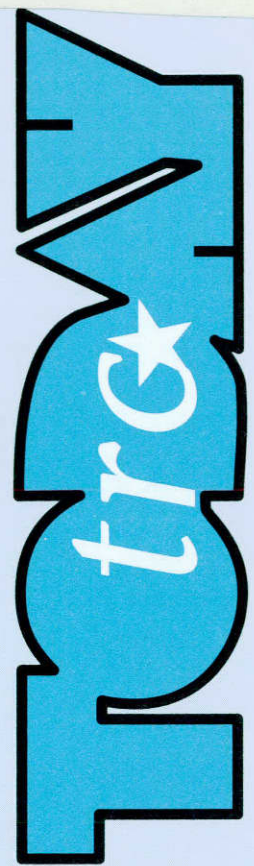
I think that there's still pretty broad non-compliance," says Jim Harrington, regional litigation attorney for Advocacy, Inc., who has put on an organized campaign in Texas for filing complaints against businesses who do not comply with ADA. "The law depends on persons with disabilities or groups representing them to enforce it. Even though ADA is the most comprehensive civil law ever passed, it is not going to have vitality without litigation."

Since the campaign began last year, Advocacy, Inc. filed 88 formal com-

plaints, making it the leading state for such complaints. "We send out four to five times that amount in 'demand letters'— notifying businesses that they are out of compliance," says Harrington. "Most take steps to comply but some disregard the notice and end up in court." The Texas Lottery, Circle K and Diamond Shamrock are examples of those who have ended up in litigation.

Although there is still a large amount of non-compliance, Harrington sees progress — pointing to the proliferation of small businesses formed to remove physical barriers and the inflated prices of ramps as indicators of increased demand and awareness.

"People realize that ADA's here to stay," says Harrington. "The awareness is there and I think that the 'easy' cases, such as those who deal with physical barriers, will be taken care of in the next couple of years. Title I (employment) and lawsuits involving disabilities with a stigma attached to them, such as mental illness, will be litigated for a long time."



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June 1994 State Service Awards

Region I

25 years
Melba Triana

Region II

10 years
Gena Swett
David Freemyer
15 years

William Cupit
20 years
Marlene Owens
Robert Garner
David Burks
25 years
Shirley Penninger

Region III

20 years
Ronona Sellars
25 years
Polly Walton

Region IV

10 years
Cheryl Thomas
25 years
Magda Trevino-Ortega

DDS

10 years
Linda Deason
15 years
Deborah Foy
20 years
Linda Steinhagen

Central Office

10 years
Richard Stankiewicz
Susan Hemphill
20 years
Lester Sanders
Joellen Simmons
Maria Norvell

It's serious business and it's starting early

In March, the TRC Board approved upper-level spending amounts for the FY 96 and 97 Legislative Appropriations Request (LAR) for state general revenues.

In June, they had a much more difficult task in reviewing and approving spending priorities brought about by state leadership instructions to agencies to not ask for any additional funds in the next biennium.

"Level spending actually means taking a loss," says Max Arrell, commissioner. "Currently we have almost 9,000 more active VR cases than we had last year. At this rate, we will not be able to fund all programs we have today so we had to look at three priorities:

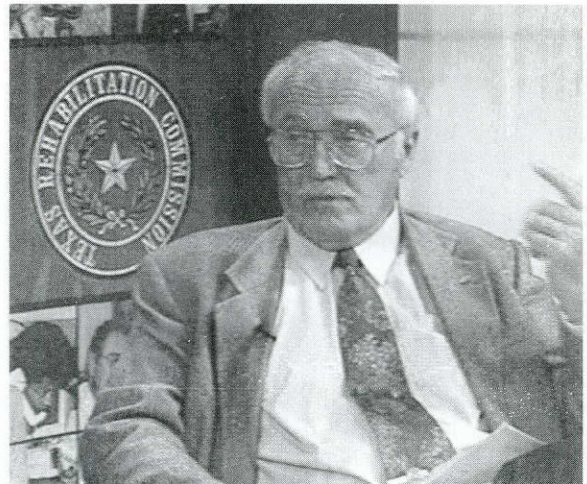
1. maximizing federal funding to serve as many people as possible;
2. salvaging programs with the most hands-on service to clients; and
3. keeping as many programs as possible that result in employment."

In the LAR, the priorities resulted in a stair-step "watermark" where programs falling below the line would not be funded. They include Independent Living Services and

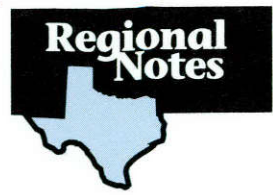
Centers, Transitional Planning for Students, and the Developmental Disability Program in FY 96 in addition to Alternative Sheltered Employment in the ERS program falling below the watermark in FY 97.

"It was the most difficult LAR to produce and most difficult for the Board to vote on," adds Arrell. "I must remind everyone that this is just the beginning step in the next legislative session but I feel that the likelihood of this happening is very real. I urge everyone to work with the Central Office legislative liaison to tell state representatives in their area about TRC, because once they know who we are and what we do, they respond favorably to us."

Conversations with the Commissioner



For those who would like to see a more detailed explanation of the LAR, take a look at the most recent "Conversation with the Commissioner" video — which is available in area managers' offices and regional offices. It is a 30-minute discussion that focuses on recent cost-saving measures and the LAR.



Region I

Roxanne Gross was selected as training officer for Region I.

Region II

Counselor Linda Mitchell transferred from the Dallas Southwest Office to the Dallas Southeast Office.

Francine Todar-Peters, counselor in the Stephenville Field Office, was honored as The Field Instructor of the Year 1993-1994 by the social work faculty of Tarleton State University.

Region III

Marsha Conwell, AST, transferred from the

Bryan East Field Office to the Austin Regional Office as the program support secretary.

Howard J. Marnan, area manager in the San Antonio Field Office West, will retire in August after 24 years of TRC service.

Region V

Lupe Reyna is the new RST in the New Braunfels Field Office. Reyna transferred from the Corpus Christi West Field Office.

Sherry Cruz, RST, transferred from Victoria to the Corpus Christi West Field Office.

Gerard Conway, counselor in the San Antonio Field

Office North, retired after 26 years of service.

DDS

Kurt Lekisch, M.D., died May 27, 1994. Dr. Lekisch was a medical consultant for TRC since 1971.

Central Office

Barbara Ritter, training coordinator for the Development Disabilities Program Unit, was selected to be the Texas Rehabilitation Advisory Council coordinator.

John Morgan, Security Administration director, was awarded the Army Achievement Medal for his outstanding service to the Texas National Guard.

New revelations

Joellen Flores Simmons, deputy commissioner for Rehabilitation Services, recently injured her knee. She says that understanding disability issues is one thing but actually living with a disability brought her new revelations.

"First, the vendor the doctor sent me to for my knee brace was totally in-accessible. Then, they were out of inventory and told me I had to wait 10 days and tried to sell me the wrong item. I left with great concerns about the timeliness of services to clients."

"I also found that I was treated differently in places where I had been a customer for many years. No one said hello, they looked away from me as if they didn't know me, as if I just didn't exist.

"I thought ADA had made a lot of progress, simply because of the way we've reacted in this agency. but others have not responded the way we have. There is still a great fear of disability.

The apathy at the vendor caused me even more concern. Here is a vendor working with people who need braces and has no awareness or concern about the need for that curb cut. That's tragic."

It would be interesting to ask the vendor to go to their own place of business in a wheelchair and see how it works. They would then see what ADA is really about.

"I've learned not to take ADA for granted or to think that the work of ADA is even close to being over. It's really just beginning. I also encourage staff that come into contact with our vendors to think about whether they comply with ADA regulations. We are in a great position to educate people around us."

Go get 'em, Kathleen!

Kathleen Jones, DDS policy administration director, is currently in Baltimore at the request of SSA to serve on Commissioner Chater's Pre-implementation Work Group for

Reengineering. Their task is to flesh out the "what, when and hows" of the reengineering proposal that Chater is currently reviewing. Jones expects to be in Baltimore about 60 to 90 days.

Jones is the only state DDS representative in the nation on the work group. Her duties at DDS as head of the

Texas DDS Reengineering Response Team prepared her well. The Response Team submitted not one but several responses to the SSA reengineering proposal.



REENGINEERING SSA



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