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*Texas Governor's Committee
on People with Disabilities*

"As Texas strives to become a beacon state that competes in a global economy, it is important to utilize all of our resources. Employees with disabilities play an important role in our state's success. All Texans benefit from their talents, skills, and accomplishments."

—GOVERNOR GEORGE W. BUSH^a



GEORGE W. BUSH
GOVERNOR

STATE OF TEXAS
OFFICE OF THE GOVERNOR
COMMITTEE ON PEOPLE WITH DISABILITIES

Dear Fellow Texans:

Today's challenge is to work smarter for better results. For 3.6 million Texans with disabilities this could mean increased employment and increased opportunities to do what other Texans do.

Texas now ranks second among the 50 states in population and employment. With the addition of more than 900,000 new jobs, Texas remains first in the nation in the number of new jobs added. Are more people with disabilities being hired?

In 1994, the fastest growing sector of the Texas economy was construction. The value of non-residential building permits increased by 30 percent. Government grew slower than private sector employment for the first time since 1985. During the past 10 years, service-oriented employment increased from 20 to 26 percent of all statewide jobs. Are we adequately preparing Texans with disabilities for the jobs of the future?

A recent statewide survey by a commercial pollster indicated that 94 percent of Texans believe that persons with disabilities should have the opportunity to participate in all aspects of society—jobs, schools, entertainment, shopping, and government. Is this near-universal acceptance of people with disabilities being reflected in public events and individual lives? This report attempts to answer these questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph M. Jarke".

Joseph M. Jarke
Chairman

Small Businessman. Parent. Volunteer. Person with a Disability. Traveler. Tennis Player.

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TEXAS GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES

Human Resources Code, Title 7 Section 115.009

— Functions of the Committee—

The Committee Shall:

1. coordinate and monitor the state's compliance with the federal Americans with Disabilities Act (Pub.L. No. 101-336) and other federal and state statutes relating to rights and opportunities for persons with disabilities;
2. provide information and technical assistance to public and private agencies and businesses to promote and facilitate implementation of the federal Americans with Disabilities Act (Pub.L. No. 101-336) and other federal or state statutes relating to rights and opportunities of persons with disabilities;
3. by December 31 of each year, report to the governor, the lieutenant governor, and the speaker of the house of representatives on the state's compliance with federal and state laws pertaining to rights and opportunities for persons with disabilities and make recommendations to achieve compliance where noncompliance exists;
4. serve as the state's liaison agency in working with the President's Committee on Employment of People with Disabilities and other public or private associations or groups promoting or providing services for persons with disabilities;
5. develop and work with a statewide network of volunteer community-level committees to promote dissemination of information about and implementation of federal and state laws addressing rights and opportunities for persons with disabilities;
6. promote the development of efficient and effective coordination of services for persons with disabilities;
7. make recommendations to the governor on programs, policies, and funding that promote the independence for persons with disabilities;
8. collect and monitor data on employment of persons with disabilities by state agencies;
9. work with legislative committees and with state agencies on the development of laws and policies that affect persons with disabilities;
10. monitor and promote the implementation of the long-range state plan for Texans with disabilities and prepare a biennial review and revision of the plan for official submission in January of each odd-numbered year to the governor, the legislature, the Legislative Budget Board, and appropriate legislative committees and state agencies;
11. promote the compilation and publication of state laws relating to persons with disabilities and make recommendations to the governor and the legislature about appropriate changes in state laws relating to those persons;
12. promote a demographic survey for the accurate identification of persons with disabilities and the effective use of the survey results in establishing service priorities; and
13. issue awards and other forms of recognition to persons and organizations making outstanding contributions to the employment of persons with disabilities and to public awareness of issues impacting persons with disabilities.

ABOUT THE COMMITTEE

A summary from the Executive Director

The Texas Governor's Committee on People with Disabilities (GCPD) consists of 12 volunteer members appointed by the Governor (seven of whom must be persons with disabilities) and four ex officio members representing state agencies serving people with disabilities. The Committee meets at least quarterly and is supported by a staff of six.

The GCPD's charge is to promote the implementation of the Americans with Disabilities Act (ADA) in the public and private sector; recommend positive change in disability policies, programs, and funding; and provide non-financial support to local volunteer committees on people with disabilities.

The Committee adopted 15 policy recommendations for the 1996-97 biennium related to implementation of the ADA, community services, education, employment, and health care. These policy recommendations, which appear in the 1995 revision of the *Long-Range State Plan for Texans with Disabilities: Toward a State Disability Policy*, have gotten a positive response. The 1995 Texas Legislature passed 1,101 bills, 95 of which have particular impact on the 3.5 million Texans with disabilities. Many of the 95 disability-related bills address issues in a way that is consistent with the intent of the Committee's policy recommendations. For example, Committee members and staff worked with the Legislature which passed bills to improve parking for people with disabilities and to ensure access to telecommunications services.

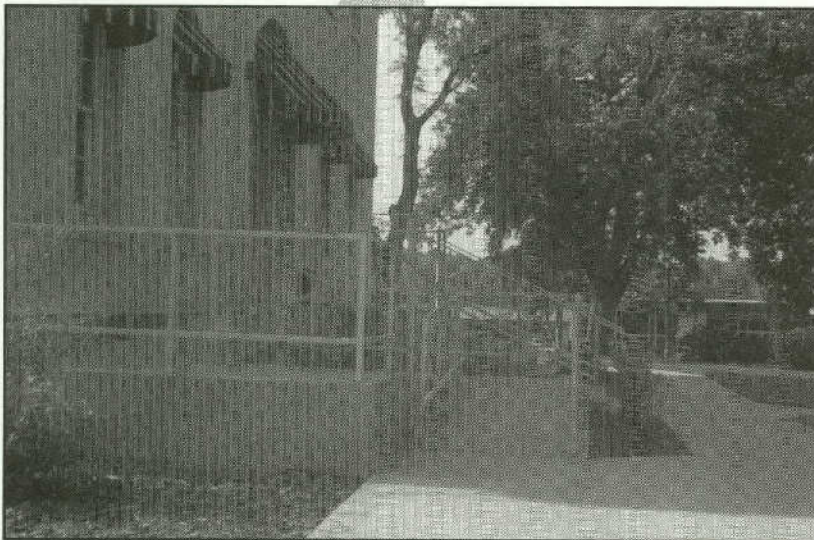
The 15 policy recommendations are broad and continue to be relevant to the lives of people with disabilities. Along with some additional, more specific, recommendations to enhance ADA compliance, these policy recommendations will continue to provide direction for Committee activity until reviewed and revised by the Committee for the 1997 session of the Texas Legislature.

Monitoring compliance with the ADA is a major function of the Governor's Committee. Through periodic surveys and other means the Committee can report that increasing numbers of entities in Texas are taking steps to comply with the ADA. Thus far over 92 percent of 131 state agencies report having done a self-evaluation of their policies and programs as required by the ADA.^b

ADA monitoring at the local level now shows that 74.6 percent of 343 cities returning surveys in 1995 and 97 percent of 99 counties returning surveys reported having built ramps. Also, 75.8 percent of the 343 cities reporting and 89.9 percent of the 99 counties have reviewed job application forms and procedures to remove questions relating to disability.

In the private sector, the Governor's Committee Business Leaders' Network (BLN) assisted the national Better Business Bureau Foundation in publishing three industry-specific guides for creating greater access for customers with disabilities. BLN members also published articles about the ADA for their organizations and sponsored training sessions for workers and members.

Committee members and staff spoke to more than 52 audiences about the ADA and other related disability topics reaching 2,579 persons. Audiences ranged from the Texas Society of Association Executives to the President's Committee on Employment of People with Disabilities, the Texas Recruiters Association, the Bell County Judge and Commissioners' Committee on People with Disabilities, and the Coalition of Texans with Disabilities.



The Governor's Committee held its quarterly meeting in Jasper at the beautifully restored accessible County Courthouse.

Summary of Policy Recommendations for the 1996-97 Biennium

Implementation of the ADA

- ▼ Strengthen ADA compliance and consistency of state laws
- ▼ Increase availability of interpreters for people who are deaf or hearing impaired
- ▼ Promote access to the Information Superhighway

Community Services

- ▼ Increase public understanding of the ability of people with disabilities to live in the community
- ▼ Increase and improve community services
- ▼ Increase and improve transportation services

Education

- ▼ Increase compliance with laws relating to education of people with disabilities
- ▼ Monitor changes in educational funding weights to increase inclusion
- ▼ Promote inclusion of people with disabilities in a manner that meets their individual needs

Employment

- ▼ Increase entrepreneurial opportunities for people with disabilities
- ▼ Organize business leaders to promote employment opportunities
- ▼ Improve transition, job training, and support services

Health Care

- ▼ Promote accessible, affordable health care as a "right" for all people
- ▼ Increase availability of Medicaid providers and community services by reforming Medicaid
- ▼ Promote improved collection of data about health insurance needs of Texans with disabilities

Staff responded to 1,868 individual requests for information regarding the ADA, employment, services, financial assistance, and a wide variety of other issues impacting people with disabilities.

When totaled—speeches, individual requests, newsletters, updates to targeted audiences, materials distributed at conferences, and reports—20,396 people received information from the Governor's Committee during FY 1995. Governor's Committee information used by media sources reached an audience estimated at 700,000.

This past year the Governor's Committee supported a network of 28 local volunteer committees by providing information and program and policy guidance. The Committee also worked closely with the Texas Association of Mayors' Committees for People with Disabilities (TAMC). The community-level committees report an estimated 904 volunteers. These volunteers contributed approximately 32,668 hours of time with a projected dollar value of \$343,994.^c Local effort produced progress in transportation, appointments, career fairs, scholarships, parking, community services, ADA implementation, and more. Seventeen communities expressed interest in developing a mayor's committee.

State government, along with all other sectors of society, must work smarter for better results. We can achieve better results—increased employment and independence for Texans with disabilities now and in the future by maximizing collaborative efforts among employers, people with disabilities, local and state officials, and service providers.

Virginia Roberts
Executive Director

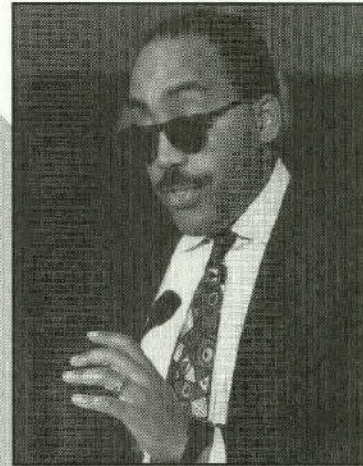
ABOUT THIS REPORT

This Report provides a series of snapshots of the status of several disability issues in Texas. The Governor's Committee selected five issues as being the most important for the 1996-97 biennium: ADA, community services, education, employment, and health care.

The Report devotes a section to each of the identified issue areas with the addition of a section on the media and other disability issues. An overview describing what has happened this fiscal year, September 1994 - August 1995, opens each section. The overview relates events to the general public then addresses the particular effects on people with disabilities. Following the section overview are highlights of events that had particular impact in the issue area. The last portion of each section identifies accomplishments of the 28 local volunteer committees as related to the issue area.



During a National Council on Disabilities (NCD) ADA Town Meeting in Arlington, held to gather ADA success stories, Governor's Committee Chairman Joseph M. Jarke accepts testimony, as does Mary Matthews-Rather and Mark Quigley of the NCD.



Employer Brian Smith of NationsBank speaks out on the benefits of hiring and accommodating people with disabilities.



Tarrant County Commissioner Marti VanRavenswaay talks about ADA policies and practices.



Parent Renee Connors shares how accessible day care for her daughter enabled her to get a job.

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COMMUNITY SERVICES

Texans want a say in what happens in their own communities and they want the power to design local services to meet local needs. Today, most policy concerning community-based support for people with disabilities is directed from Washington and is tied to funding streams.

According to a Mason-Dixon Texas poll sponsored by The ARC of Texas, 84 percent of Texans polled agreed that funding should be shifted from institutions to make in-home or community care more available. Also, 67 percent of those polled said they would want care provided in their own home if their child were born with or developed a lifelong disability.

According to the 1994 *Management Care Digest*, Long-Term Care Edition, there are 1.5 million beds in the 15,300 nursing homes in this country. The occupancy rate is estimated to be 92.6 percent, which means that approximately 1.45 million persons live in nursing homes. Texas houses about 109,000 persons in nursing homes and other types of institutional settings—one of the highest rates of institutional placements in the nation.

The Texas Legislature recognized the need for community-based services during the 1995 Session. Public awareness increased regarding these issues. There was an important legal ruling supportive of community-based services at the federal level. The Federal Court of Appeals, Third Circuit, ruled that Pennsylvania violated title II of the ADA and ordered the state to admit the plaintiff to the home care program.

State Action

- ▼ The 1996-97 budget for Community Living Assistance and Support Services (CLASS) and Family Care program administered by the Texas Department of Human Services increased by \$49.5 million.
- ▼ The home and community-based services program administered by the Texas Department of Mental Health and Mental Retardation increased by \$9 million.
- ▼ The Health and Human Services Commission (HHSC) submitted a waiver request to the federal government with the potential to reform the Texas Medicaid program and significantly improve community options for Texans with disabilities.
- ▼ The work of a Long-Term Care Task Force, convened by the HHSC, resulted in a law stating a vision and philosophy for long-term care.

Media Interest in Community-Based Services

- ▼ "It's cheaper to get patients out of the hospital and back home, and insurers have realized this. Ten years ago, the Austin telephone book listed 25 home care companies. Today, there are 55 home care agencies in Austin." Seton hospital officials said, "Home care is the fastest growing segment of Seton's service."
—*Austin American Statesman*, June 1995
- ▼ "Not only did the newspaper receive a tremendous response to Ms. Wilson's article, ("A Place for Laurie") but the Texas Legislature doubled funding for deaf-



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blind services, and appropriated more funds for housing to serve people who are deaf and blind.”

—Maggie Balough, Editor, *Austin American Statesman*, March 1993

- ▼ An Austin journalist frequently recognized for investigative reporting of health and human services issues was honored with a Japan Society Fellowship to learn about disability and elderly care service systems in Japan.

Legal Rulings

- ▼ The Federal Third Circuit Court required the Pennsylvania public welfare agency to provide attendant care services in the community rather than in a nursing home. The ruling, which could have implications for Texas if a similar ruling were made in this circuit, stated that the ADA requires services in the most integrated setting appropriate for the individual.
- ▼ In Texas, access requirements in assisted living facilities were upheld after two public hearings, thereby insuring that more accessible units will be available to elderly persons with disabilities.

Transportation Planning

- ▼ Texans with disabilities have expressed concerns regarding inadequate and inaccessible public transportation. Dallas is in the midst of building a light rail system which should increase the amount and accessibility of public transportation.
- ▼ Mesquite and Tyler began para-transit services for persons with disabilities.
- ▼ Responding to constituent concerns, members of the Texas Legislature raised questions related to transportation services for people with disabilities during a presentation by the executive director of the Dallas Area Rapid Transit (DART) authority.



American Airlines hosted a Travelers with Disabilities Educational Conference in the metroplex. Miss America 1995 Heather Whitestone (left) and David Capozzi, Architectural and Transportation Barriers Compliance Board Director of Technical and Information Services (right) accept crystal eagles from George Mueller, American Airlines Vice President of Customer Services.

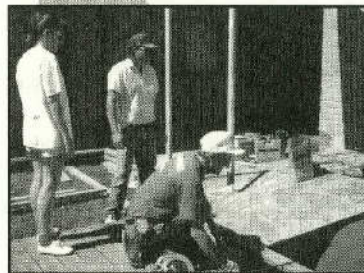
LOCAL VOLUNTEER ACCOMPLISHMENTS

A public-private partnership of 28 local volunteer committees supported by the Governor's Committee reported the following accomplishments in community services, transportation, and housing:

- ▼ Volunteers for Project "RAMP IT" built six ramps for individuals with disabilities, who transitioned from hospital to home
- ▼ Hosted a seminar with the Coalition of Texans with Disabilities on personal assistance advocacy in Bryan/College Station and Longview
- ▼ Worked to obtain a Nursing Home Waiver to allow people to live at home rather than enter nursing homes in Wichita Falls
- ▼ Painted the home of a Bell County resident who is elderly and disabled
- ▼ Coordinated with prison officials for labor to build ramps in the communities of Liberty and Dayton

- ▼ Initiated a support group in Waco for persons with head injuries
- ▼ Organized 400 volunteers to assist persons in Laredo to live independently
- ▼ Published a directory of community services in Longview
- ▼ Held a transportation forum, attended by 60 persons, in Victoria to determine community transportation needs
- ▼ Commented on the city's transportation proposal to promote increased transportation accessibility for citizens in Longview and Tyler
- ▼ Served on housing committees, conducted needs assessments to determine housing needs and then promoted increased accessibility
- ▼ Met with the disability advocacy group ADAPT on housing needs in the Austin area and initiated an awareness service project on housing

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Irving Mayor's Committee Project RAMP II volunteers built six ramps between June and August.

PARTNERS: The Longview Mayor's Committee partnered with the Coalition of Texas with Disabilities to conduct a forum on community services.

EDUCATION

A complete rewrite of the state education code by the 74th Session of the Legislature addressed excellence in a core curriculum of basic subjects, safety, local decision-making, and accountability. Administrative changes in the Texas Education Agency (TEA) decreased state regulations, increased local authority, and reduced staff.

These changes are designed to improve Texas schools—quality of education for all children including more than 412,000 students with disabilities who attend Texas' public schools. Schools are still required to comply with federal law regarding education of children with disabilities, but changes in the state code do have an impact. Schools have increased accountability in the testing and performance of students with disabilities. They are required to use accessible technology in instruction and in the administration of tests. Legislation exempts students with learning disabilities from the Texas Academic Skills Program (TASP) test and does not require this test for students pursuing certificate programs.

In the 1994-95 school year, 3.6 million students attended public schools in Texas. Of this number, 11 percent were students with disabilities who received special education services. Since some students with disabilities make their own accommodations and don't use special education services, this 11 percent figure may under-represent students with disabilities.



Excellence in communication occurred when Veronica Ibarra, a 19-year-old El Paso student who is deaf, won \$1,500 for an award-winning essay titled, "Listen to Me."

According to a 1995 publication of the President's Committee on Employment of People with Disabilities, only 56 percent of the nation's youth with disabilities graduated from high school. Comparable figures are not available for Texas.

A TEA report, "Transition Outcomes and Issues for Students Receiving Special Education Services," indicated vocational education services and transition planning were predictors of employment, post-secondary education resulted in higher wages, most students made between \$3 and \$5 an hour with few fringe benefits, and 85 percent were satisfied with their jobs. Most did not have résumés and had relied on networking to find employment.

Building Awareness in the Schools

- ▼ School administrators in 1,046 Texas districts (6,000 campuses) had the opportunity to learn more about the ADA through an interactive teleconference. The TEA produced the teleconference with assistance from the Governor's Committee.
- ▼ Faculty in 76 Texas colleges had the opportunity to receive training in ADA issues relevant to education including testing accommodations for people with disabilities.
- ▼ This year, Texas A & M University recognized American Sign Language (ASL) as a foreign language, and has agreed to give credit for ASL skills in certain circumstances. They are studying the feasibility of offering ASL classes for college credit.

LOCAL VOLUNTEER ACCOMPLISHMENTS

A public-private partnership of 28 local volunteer committees supported by the Governor's Committee reported the following accomplishments in education:

- ▼ Presented information to high school students about the potential of people with disabilities as part of an effort to educate future leaders and stimulate heightened acceptance of people with disabilities in Fort Worth
- ▼ Worked with the East Texas Transition Coalition to develop a plan to help students with disabilities transition from school to work through coordinated interaction between agencies, schools, and parents
- ▼ Worked with the school district and community colleges to improve transition services in Dallas
- ▼ Produced a 60-page college directory of facility and program accommodations and accessibility provisions for students with disabilities within a 200-mile radius of Houston
- ▼ Worked with schools, school board members, and chambers of commerce to advance education efforts for students with disabilities in Irving

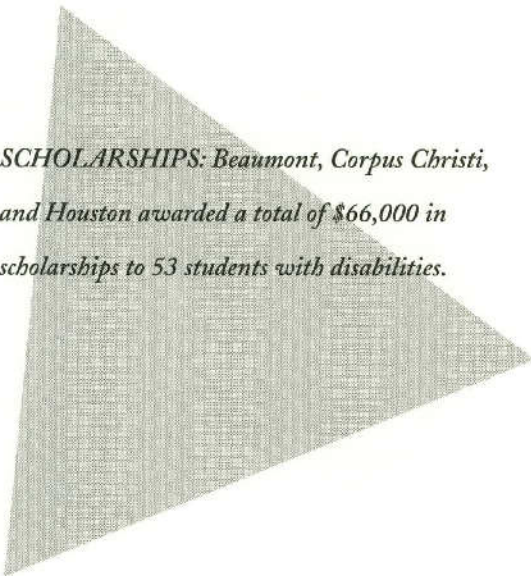


Using a wheelchair is hard because there are always things getting in your way. But in my school they put in an elevator so I could get around and still go to school with my friends.

Computer graphic courtesy of Dana Stanislawski.

"Using a wheelchair is hard because there are always things getting in your way. But in my school they put in an elevator so I could get around and still go to school with my friends," said Dana Stanislawski, an Austin Middle School student.

- ▼ Assisted a college in Lufkin in obtaining funds for adaptive equipment for student use
- ▼ Participated in a TEA teleconference on the ADA in Arlington and Laredo



SCHOLARSHIPS: Beaumont, Corpus Christi, and Houston awarded a total of \$66,000 in scholarships to 53 students with disabilities.

EMPLOYMENT

As the fiscal year ended, Congress was debating welfare and workforce consolidation. Proposed reforms would move decisions about workforce training to the local level and promote closer interaction between public schools, vocational training efforts, community colleges, and higher education. Debated issues included whether persons with disabilities should receive all their vocational services from a one-stop career center or whether they should continue getting specialized services through vocational rehabilitation agencies.

The Texas Legislature communicated its belief that individuals who can, should work. Through its welfare and workforce training reforms, welfare recipients will be required to work, learn, or train. Unemployment beneficiaries will be disqualified if they refuse job assistance services. Expectations for persons with disabilities will be more clearly defined as these laws are implemented. Provisions are made for the exemption of persons whose disabilities prevent them from working.

Affirmative action was debated by the Texas Legislature as were the advantages offered to historically underutilized businesses (HUBs). The Texas Attorney General provided an opinion that the current state law regarding HUBs does not allow businesses owned by a person with a disability to qualify for HUB status.

Finding employment continues to be a problem for people with disabilities. Surveys of people with disabilities by Lou Harris and Associates for the National Organization on Disability (NOD) in 1986 and 1992 asserted that is the truest definition of "disabled, is not working." According to the 1992 Poll, 79 percent of people with disabilities who are not working want to work.

Only 21 percent of the population with disabilities needing personal assistance services (PAS) is employed, according to a 1994 World Institute on Disability, Rutgers University report.

For people with disabilities who do find work, the average earnings, according to the 1990 Census, are a full 35 percent less than that of workers without disabilities.

Another pair of employer surveys by the Harris organization for the NOD shows only a slight increase in reported hiring of people with disabilities, 2 percent between 1986 and 1994, the proportion rising from 62 to 64 percent. A more positive finding of the 1986 and 1994 surveys of employers indicates an increase in the numbers of employers establishing programs to hire people with disabilities, up 10 percent from 46 to 56 percent over the period. Accommodations by employers for employees with disabilities rose 30 percent, up from 51 percent in 1986 to 81 percent in 1994.

According to the Job Accommodation Network (JAN), Texas moved up from third to second in the nation with a twenty percent increase in calls for information about job accommodations (See Appendix A). JAN's Texas Report also shows:

- ▼ Of the employers in Texas using the free JAN information service 48 percent reported that the accommodation had allowed the retention of a current employee, while 25 percent indicated that the accommodation improved the work environment for an employee.
- ▼ In a 1994 JAN report, eighteen percent of the employers reported the accommodations cost nothing at all, with 78 percent of employers reporting costs of less than \$1,000. A typical accommodation for a company costs about \$200.

U.S. EMPLOYMENT STATUS OF PERSONS 21 TO 64 YEARS OLD 1991-1992⁵

Characteristic	Employed		
	Total	Number	Percent
Total	144,778,000	108,684,000	75.1
With no disability	117,194,000	94,347,000	80.5
With a disability	27,584,000	14,337,000	52.0
<i>Severe</i>	12,568,000	2,921,000	23.2
<i>Not Severe</i>	15,016,000	11,416,000	76.0

The state's two rehabilitation agencies, the Texas Commission for the Blind and the Texas Rehabilitation Commission, successfully assisted 24,396 Texans with getting jobs. Information on the top job categories for people with disabilities in Texas are not available. Nationally, according to the 1991-1992 U.S. Census, the top three occupations for persons with disabilities, 21 to 64 years old, were executive administrative, retail sales and service, and secretarial.

According to the President's Committee, the federal government annually spends 40 times more to support people with disabilities not working than to assist them in finding employment. The lack of labor force participation by Americans with disabilities is estimated to cost our country \$188 billion annually.



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Federal financial benefits for persons claiming a disability are not as easily obtained as the public generally assumes.

For example, in Texas two or more individuals applying for SSDI or SSI are denied for every person allowed into the program.

Social Security Disability Insurance (SSDI)

Children allowed:	1,401	Denied:	1,712
Adults allowed:	25,717	Denied:	89,917

Supplemental Security Income (SSI)

Children allowed:	9,511	Denied:	32,366
Adults allowed:	27,355	Denied:	99,620

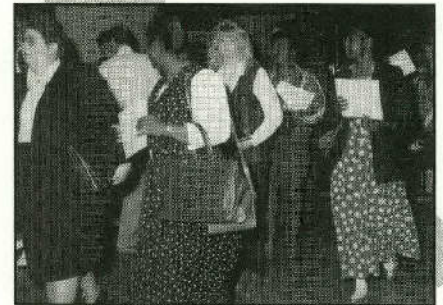
One means of moving persons with disabilities into employment that has not been used much in Texas is the Social Security Administration program called Plan for Achieving Self-Sufficiency (PASS). Colorado has aggressively used the PASS program to enable SSI recipients to work. If Texas matched Colorado's rate of usage, 3,721 SSI recipients would be actively engaged in becoming employed through PASS. As it stands, only 227 Texans are using the PASS program.

Workers' Compensation

Nationally, the value of the average workers' compensation claim has doubled since 1980, now costing \$34,000.

The Sunset Advisory Commission reports that changes made to the Texas Workers' Compensation system in 1991 have resulted in a reduction in workers' compensation insurance rates. There has also been a decrease in workplace injuries from 7.7 to 7.3 per 100 workers as compared to a national increase of 8.4 to 8.9 per 100 workers.

The 74th Session of the Texas Legislature passed a requirement whereby most state agencies must pay part of the cost of their workers' compensation claims and must establish safety and return-to-work programs for injured employees.

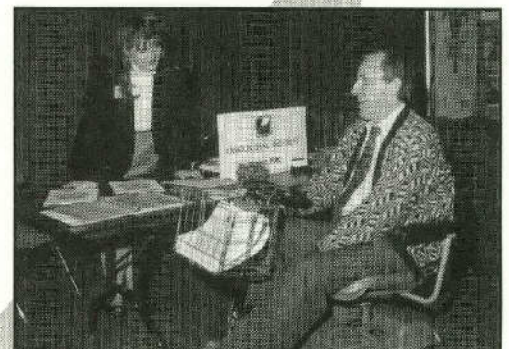


Individuals seek jobs at a Fort Worth Career Fair.

LOCAL VOLUNTEER ACCOMPLISHMENTS

A public-private partnership of 28 local volunteer committees supported by the Governor's Committee reported the following accomplishments in the area of employment:

- ▼ Served on local workforce development committees to promote the needs of workers with disabilities
- ▼ Consulted with a Texas company hiring 3,000 people to develop policies and procedures for recruiting and hiring people with disabilities in Dallas
- ▼ Used a telemarketing service to increase attendance at an employment awards function in Dallas
- ▼ Provided Dallas employers' perspective on supported employment to State Comptroller John Sharp
- ▼ Partnered with the chambers of commerce on membership, ADA training and information, and employer recognition



Applicants learn about job prospects.



The volunteers who made it happen—the Fort Worth Mayor's Committee on Persons with Disabilities.

- ▼ Published a directory on employment assistance services in Longview
- ▼ Developed a supported employment demonstration project in Dallas
- ▼ Published articles and wrote editorials promoting employment and advancement of people with disabilities

OUTREACH: El Paso, Dallas, Longview, Lufkin, and Irving Mayors' Committees conducted outreach efforts to the chambers of commerce, the Hotel & Motel Association, the Better Business Bureau, AMBUCS, as well as Lions, Rotarians, and Kiwanis.

BLAST FAX: The Dallas Mayor's Committee initiated a blast fax job search program that is an informal system of faxing company job postings to 30 agencies.

CAREER FAIRS: Bell County, Dallas, Fort Worth, and Longview held career fairs with an estimated 2,600 job seekers and 213 employers. Longview held a community-wide career exposition.

HEALTH CARE

Hhealth care, health care financing, and insurance remain major issues for Texas and are particular concerns of Texans with disabilities. Nearly half of the people with severe disabilities lack health insurance, according to the U. S. Census Bureau.

The Texas Legislature studied the Medicaid program and directed the state agencies to design and submit a waiver to the federal government. This waiver would change the Medicaid system into a managed care system which holds promise and opportunity for Texas to design its own program to meet Texas needs. As this fiscal year ended, federal debates escalated on total redesign of Medicaid programs.

The Texas Legislature passed bills that increased immunization requirements, promoted disease prevention programs, and required increased safety standards for playground equipment and storage of firearms. The Legislature also modified the small employer insurance program, established a pilot program for children not eligible for Medicaid, and implemented a statewide data collection system.

The Texas Department of Insurance produced and distributed 10,000 booklets to insurance agents and consumers on insurance rights of Texans with disabilities.

The board of the Texas Department of Health (TDH) sponsored a luncheon designed to better connect health officials with disability organizations and the issues facing Texans with disabilities. Governor's Committee staff shared relevant Committee policy recommendations for TDH Board members' consideration.

LOCAL VOLUNTEER ACCOMPLISHMENTS

A public-private partnership of 28 local volunteer committees supported by the Governor's Committee reported the following accomplishments in the area of health care:

- ▼ Participated in a health fair and recruited 50 volunteers to match persons with disabilities' needs in Laredo. Some of the individuals and volunteers are people with disabilities
- ▼ Participated in a health services network speakers' bureau in Waco

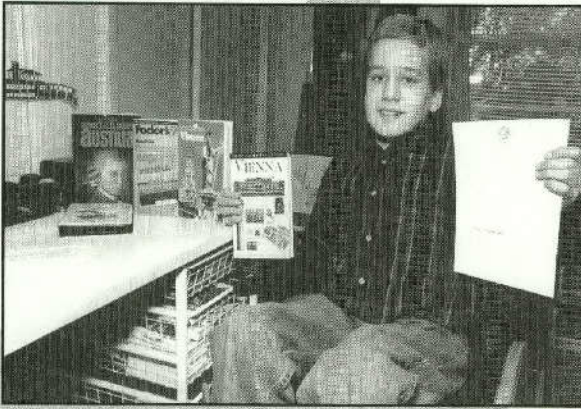
MEDIA AND OTHER ISSUES

In a society influenced by the media, the press has tremendous power in shaping attitudes and public policies. A noticeable paradigm shift occurred when Texans with disabilities moved from feature articles into the news. Coverage of the ADA and related disability topics ranged from comics to editorials, from the nightly newscast to documentaries.

- ▼ A series of "Real Life" shows on universal design, ADA, health care, and the media were produced by the Independent Living Research Utilization program and aired on a Houston PBS station.
- ▼ Fodor published a vacation planner guide featuring access information on hotels, restaurants, and local attractions for travelers with disabilities. "This is the first time that a major publisher has published a travel book for not only Texas but for the whole U.S.A.," said Dr. Michael Quigley, award winner of the 1995 Barbara Jordan award.
- ▼ The Governor's Committee recognized seven media professionals with the Barbara Jordan Award for excellence in communication concerning people with disabilities. Donna Cline, KENS-TV, San Antonio, presented the awards (See Appendix B).
- ▼ The Governor's Committee was studied as a model of public-private partnership to improve the quality of life for people with disabilities in developing countries. Two international students with disabilities attended the LBJ School of Public Affairs at The University of Texas at Austin conducted the study.



Ten disability advocacy organizations reported that they focused their resources this year on: community-based services, social services, education, employment, defending current levels of services, access, health care, housing, and transportation. These issues closely track those chosen by the Governor's Committee.



Student Jason Hose of Tyler represented the State of Texas in Vienna while on a two-week tour hosted by the Austrian government in celebration of the 50th anniversary of the liberation of Austria.

- ▼ The Governor's Committee co-sponsored a White House Mini-Conference in Houston where discussions related to issues on aging of persons with mental retardation were held.
- ▼ Frank Mullican of Lubbock was chosen to represent people with disabilities at the White House Conference on Aging.
- ▼ Teenager Jason Hose of Tyler was selected to participate in a celebration of the 50th anniversary of liberation of Austria.

TEXAS ASSOCIATION OF MAYORS' COMMITTEES ACCOMPLISHMENTS

- ▼ Presented a workshop at the President's Committee annual training conference covering the role of the Association, the Governor's Committee, and local mayors' committees
- ▼ Hosted a leadership conference in Fort Worth, held two regional mayor's committee meetings, and hosted the Governor's Committee Barbara Jordan Awards

LOCAL VOLUNTEER ACCOMPLISHMENTS

A public-private partnership of 28 local volunteer committees supported by the Governor's Committee reported the following accomplishments in the area of media and other disability issues:

- ▼ Conducted an "Eye on Accessibility" media event with 31 participants, many of whom were elected officials experiencing disability simulations for the first time in Bell County
- ▼ Wrote letters to editors about ADA, parking, transportation, and supported publication of other articles about mayor's committee policies and programs
- ▼ Encouraged 24-hour access to Kaleidoscope, America's Disability Channel, programming with local cable operators in Austin
- ▼ Recognized outstanding contributions in the areas of employment and media portrayal of people with disabilities
- ▼ Participated in television public service announcements, feature news stories, radio talk shows, and provided information and local leads on disability issues to the media
- ▼ Placed advertisements in a Dallas newspaper about businesses that have successfully hired and advanced employees with disabilities
- ▼ Utilized cable television, in Arlington, to share committee accomplishments

AN OVERVIEW OF ADA IMPLEMENTATION—STATE FISCAL YEAR 1995

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While a number of laws protect people with disabilities, the intent and spirit of the ADA to integrate and protect people with disabilities is unmatched. The ADA presents unique opportunities and challenges to Texans with disabilities, to government, the business sector, the media, and to the courts.

The ADA moved disability issues from the feature section of the newspaper to the front page and into editorials as journalists and the public attempted to clarify the often misunderstood law. As the state fiscal year began in September 1994, the ADA was frequently mentioned in the national debate on unfunded federal mandates. The debate was at least partially resolved when Congress clearly exempted civil rights laws including the ADA from consideration as an unfunded mandate.

January 26, 1995, the compliance date for all governments to have completed necessary physical access, received much fanfare nationwide. Some governmental entities proudly reported completion of their obligation to provide full program accessibility. Others tried to explain the reasons for significant unfinished business.

The U.S. Department of Justice reasserted its efforts to provide technical assistance and to settle complaints honoring good faith efforts on the part of governmental entities. Most complaints against governmental entities during FY 1995 involved courthouses, city halls, and communications access, most notably direct access to 911 emergency systems (See Appendix C).

Texas Legislative Action

Legislative support for people with disabilities was evident in action taken by the 74th Texas Legislature. "The 74th Session passed 1,101 bills and with extensive changes in Texas' schools, juvenile and criminal justice systems, and the welfare system," said Governor George W. Bush. Ninety-five of these new laws specifically affect the 3.6 million Texans with disabilities and some have direct impact on access to telecommunications, employment, health insurance, services, transportation, and education.

The 74th Session of the Texas Legislature:

- ▼ Addressed disabled parking by adopting a standardized, escalating fine structure, tightening eligibility, promoting volunteer



Former President George Bush and Houston Mayor Bob Lanier (right) are pictured with Senator Tom Harkin, recipient of the George Bush Medal for contributions to persons with disabilities, at a Houston Mayor's Committee awards ceremony. President Bush holds the Prometheus Unbound Award presented to him by The Institute for Rehabilitation and Research (TIIR).

"... getting this complex legislation [the ADA] passed could not have happened without liberals, conservatives, Democrats, Republicans, all coming together. I am particularly proud of the broad bipartisan support. . . . It's appropriate that we're gathered here in Houston to celebrate the visionary work of trailblazing individuals and companies, because while the ADA has had an influence on the city of Houston, Houston has had a profound effect on the ADA," said President Bush (at Houston Mayor's Committee employment awards luncheon).

"Efforts to inform Texans about the ADA and equal access for people with disabilities have had considerable success, but there is still much work to be done," said Joseph M. Jarke, Chairman of the Governor's Committee.

TEXAS CITIES/COUNTIES REPORTING PARKING MONITORING PROGRAMS

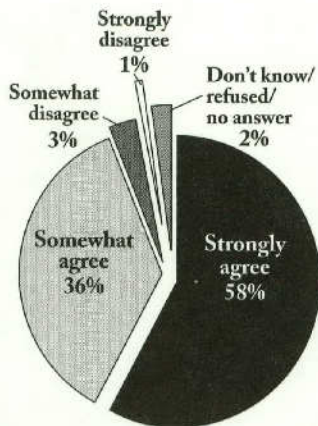
Mayor's Committee Involvement	City/County	Date of Implementation	Fine	Comments	How Revenue Dollars are Earmarked
No	<i>Alvin</i> Mike Merkel 713-388-4390	11/19/95	\$58.00 (first offense); then progressively higher with subsequent violations	<ol style="list-style-type: none"> 1. Violations are documented on a pre-printed card and given to the Police Dept. along with a photo; 2. Total volunteers: 30, majority are people with disabilities; 3. Polaroid cameras provided by private donations; 4. Formal Citizens' Complaint is filed with Court. 	Revenue goes back into the city's General Revenue Fund.
Yes	<i>Arlington</i> Lynda Freeman 817-459-6121	06/13/95	Not less than \$50.00 nor more than \$200.00	<ol style="list-style-type: none"> 1. Tickets issued by Police Dept. 2. Tickets issued to vehicles without proper "Disabled Marker" 3. Tickets issued to vehicles in violation of "Parking Space Designated specifically for the disabled" 	Revenue goes back into the city's General Revenue Fund
Yes	<i>Austin</i> Delores Gonzalez 512-499-3256	02/01/94	\$100.00 \$150.00 (late payment fee)	<ol style="list-style-type: none"> 1. Tickets issued at any time 2. Tickets issued to occupied & unoccupied vehicles 3. Four hours of training 4. Issued 2,702 tickets (2/94 - 7/95) 5. Total volunteers: 35 6. Administered by Public Works Dept. 	Revenue goes back into the city's General Revenue Fund
Yes	<i>Beaumont</i> Richard Chappell 409-880-3106	1988	\$100.00 - up to \$500.00 (based on current legislation)	<ol style="list-style-type: none"> 1. Violation Reports issued to occupied and unoccupied vehicles 2. Issued 401 Violation Reports in 1994 3. Total volunteers: 4 4. No ID cards or badges issued to volunteers 5. Use cameras to assist in court 6. Administered by Public Works Dept. 7. Ready to modify their program 	Revenue goes back into the city's General Revenue Fund
No	<i>Edinburg</i>	1995	\$50.00 (first offense) \$200.00 maximum	<ol style="list-style-type: none"> 1. Tickets issued at any time 2. Tickets issued only to unoccupied vehicles 3. One day of training 4. Total volunteers: varies, but usually 15 5. Administered by Police Dept. 	Revenue goes back into the city's General Revenue Fund
No	<i>Harlingen</i> Andy Anderson 210-423-0735	11/15/89	\$50.00 (first offense) \$200.00 maximum	<ol style="list-style-type: none"> 1. Tickets issued at any time 2. Tickets issued only to unoccupied vehicles 3. One day of training 4. Total volunteers: varies, but usually 15 5. Administered by Police Dept. 	Revenue goes back into the city's General Revenue Fund
Yes	<i>Houston</i> Paul Dugas 713-759-3103	06/29/95	\$100.00 (first violation) volunteer has option to issue warning	<ol style="list-style-type: none"> 1. Tickets issued to occupied or unoccupied vehicles, with emphasis on avoiding confrontation 2. Total volunteers: 19 3. ID cards issued to volunteers, may wear badges or caps 4. Two hours of training, support of coordinators 5. Administered by Municipal Court 	Revenue goes back to city's General Revenue Fund

Mayor's Committee Involvement	City/County	Date of Implementation	Fine	Comments	How Revenue Dollars are Earmarked
Yes	<i>Lufkin</i> Joe Havard 409-639-2559	11/23/93	\$10.00, doubled on 2nd offense	<ol style="list-style-type: none"> 1. Tickets issued only during day time hours 2. Tickets issued only to unoccupied vehicles 3. Four hours of training 4. Total volunteers: 14 5. ID cards issued 6. Administered by Police Dept. 	Revenue goes back into the city's General Revenue Fund
No	<i>McAllen</i>	01/17/95	\$50.00 (first offense) \$200.00 maximum	<ol style="list-style-type: none"> 1. Tickets issued only when a city-approved sticker has been placed on the back of a disabled only parking sign 2. Two hours of training 3. Volunteers must be people with disabilities 4. Total volunteers: 10 5. Administered by Police Dept. 	Revenue goes back into the city's General Revenue Fund
No	<i>Midland</i> Traffic Sargeant Brain Bogart 713-685-7124	09/01/95	\$50.00 Pre-Printed Ticket	<ol style="list-style-type: none"> 1. Titled: Citizens' Police Academy Alumni Association; 2. Volunteers are trained by the traffic sargeant of the police dept.; 3. Total volunteers: 15; 4. Volunteers wear uniforms, and travel in pairs; 5. City furnishes vehicle, camera, and a cellular phone. 	
No	<i>Plainview</i>	02/01/92	\$45.00	<ol style="list-style-type: none"> 1. Tickets issued only during day time hours 2. Tickets issued only to unoccupied vehicles 3. Two days of training 4. Total volunteers: 7 5. Administered by Police Dept. 	
No	<i>Weslaco</i>	1994	\$50.00 (first offense) \$200.00 maximum	<ol style="list-style-type: none"> 1. Tickets issued at any time 2. Tickets issued only to unoccupied vehicles 3. One day of training 4. Total volunteers: varies, but usually 15 5. Administered by Police Dept. 	Revenue goes back into the city's General Revenue Fund
No	<i>Travis County</i> Constable Bruce Elfant 512-473-9100	09/01/95	\$100.00 (first offense) increase \$100.00 for each additional offense \$500.00 maximum	<ol style="list-style-type: none"> 1. Tickets issued where an unobstructed upright handicap parking sign is placed 2. Four hours of training 3. Total volunteers: 20 4. Volunteers also distribute flyers to non-compliant businesses 5. Warning notices used for old placards and those who use Disabled Vet plates 6. Administered by Constable Bruce Elfant, Precinct 5, Travis County 	Revenue goes to Justice Court System

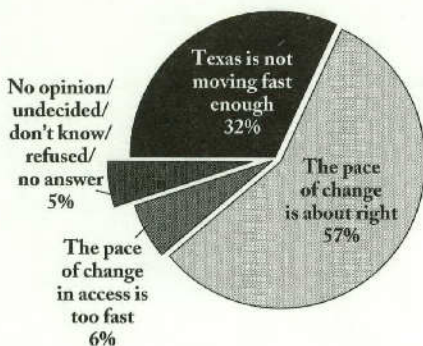
Note: The Rio Grande Valley has a project known as Citizens on Patrol (COP) which enforces handicapped parking ordinances throughout the Rio Grande Valley and South Texas. Cities included in the COP program are Edinburg, Harlingen, McAllen, and Weslaco. The contact person is John Nichol, and may be reached at 210-631-7096.

Note: Although Denton does not currently have a volunteer enforcement program, civilian employees working with the Police Department, as well as Fire Marshalls, are authorized to issue parking enforcement citations.

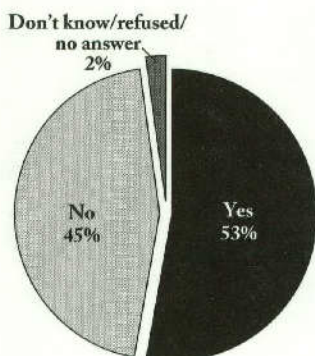
Cities/Counties considering adopting a parking monitoring/enforcement program: Bell County, Bexar County, Corpus Christi, Fort Worth, Liberty/Dayton, Longview, Mission, Plano, Tarrant County, Tyler, Victoria, and Waco.



Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree that persons with disabilities should have the opportunity to fully participate in all aspects of society, such as jobs, schools, entertainment, shopping and government?



In making work places, transportation, and public buildings accessible to people with disabilities, which of the following statements best describes how you feel about the pace of change or the speed at which this is occurring in Texas?



Have you heard or read anything about a law called the Americans with Disabilities Act (ADA)?

enforcement programs, and allowing free parking in garages and lots operated by government entities

- ▼ Increased access requirements extending them to religious organizations, while exempting places within their buildings which are used primarily for religious rituals
- ▼ Ensured access to telecommunications for people with disabilities by including access requirements in telecommunications reform legislation

Governor's Committee ADA Activity

A July 1995 Texas Poll found that more than nine out of ten Texans agree that people with disabilities should have the opportunity to fully participate in the mainstream of American life.

A majority of Texans, 57 percent, reported that they felt the pace of change in making work places, transportation, and public buildings accessible is about right. But 32 percent reported that the pace of change toward accessibility is not fast enough. Younger people tended to feel the pace of change is too slow in contrast with older Texans. Only 6 percent of households surveyed felt the pace of change is too fast (See Appendix D).

Consistent with its charge, the Governor's Committee monitored and coordinated ADA compliance. Staff collected and developed technical assistance materials which were distributed to volunteer organizations, non-profit professional and trade associations, incorporated cities and counties, state agencies, private businesses, employers, and individuals.

Monitoring shows progress in compliance:

- ▼ Over 92 percent of state agencies have documented performance of a self-evaluation of their policies and programs as required by the ADA.
- ▼ Almost 75 percent of 343 cities and 97 percent of 99 counties reporting have built ramps (one aspect of compliance activity).
- ▼ Almost 76 percent of 343 cities and 90 percent of 99 counties reporting have reviewed job application forms and have removed questions relating to disability (See Appendix E).
- ▼ Committee members and staff spoke to more than 52 audiences reaching an estimated 2,600 people with ADA and other disability-related information. Audiences included the Texas Society of Association Executives, the President's Committee on Employment of People with Disabilities, the Texas Recruiters Association, the Bell County Judge and Commissioners Committee on People with Disabilities, and the Coalition of Texans with Disabilities.
- ▼ Staff responded to 1,868 individual requests for information regarding the ADA, employment, services, financial assistance, and a wide variety of other issues impacting people with disabilities.
- ▼ All totaled, approximately 20,400 people received information from the Governor's Committee during FY 1995.

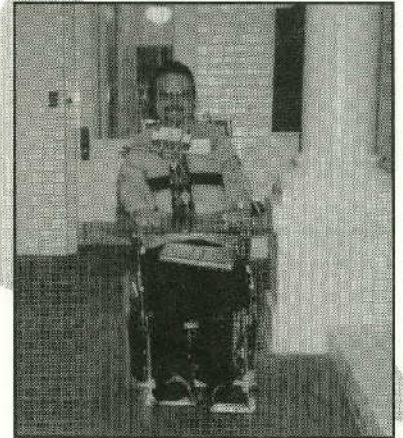
In the private sector, the Governor's Committee Business Leaders' Network (BLN) assisted the national Better Business Bureau Foundation in publishing three industry-specific guides to increase access for customers with disabilities. BLN members also pub-

lished articles about the ADA for their organizations and sponsored training sessions for workers and members.

The Governor's Committee also promoted ADA compliance and disability access through a number of other activities. Results of these activities include:

- ▼ Access improvements at the Governor's Mansion (an accessible restroom on the first floor of the Mansion, a ramp into the patio area, and sloping walks to the front lawn)
- ▼ Notable improvements in access and safety at the State Capitol and Capitol Extension include improved signage, slopes on walks and entry platforms, wheelchair lifts, and electric door openers at the Capitol entry. In addition, the pressure required for opening doors throughout the Extension was adjusted to standard, or closers were replaced. A major challenge was the elimination of an overhead safety threat by the installation of uniquely designed benches installed under open stairwells in the Extension's rotunda
- ▼ A simplified complaint process and better training of inspectors at the Texas Department of Licensing and Regulation
- ▼ Over 60 state, city, and county officials and employees trained in conflict resolution through a partnership with the Dispute Resolution Center of Austin/Travis County
- ▼ Information provided to Congress about how the ADA makes a positive difference in the lives of 150 Texans, through public testimony at a National Council on Disability town meeting hosted by the Governor's Committee and the Arlington and Irving Mayor's Committees
- ▼ Information provided to DOJ and EEOC officials about the concerns of about 200 Texans who gave input about educational and legal access at a town meeting in Houston hosted by local disability organizations and the Governor's Committee

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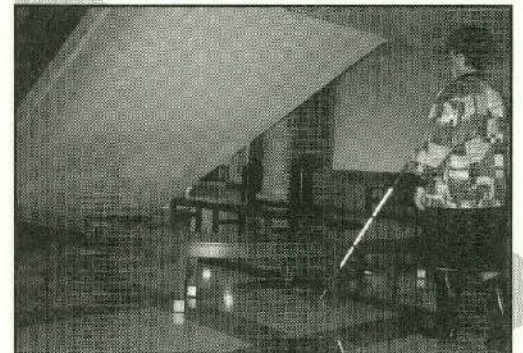


New access features increase participation of persons with disabilities at the Governor's Mansion.

ADA Lawsuits in Texas

Contrary to media charges, the ADA has not triggered a flood of lawsuits. About 650 ADA lawsuits have been filed nationwide, a very small number compared to the 850,000 non-ADA cases in federal courts, and the 650,000 employers covered by the Act. There are 80,000-plus units of state and local governments and six million private businesses who are making their services accessible to people with disabilities. ADA lawsuits in Texas include:

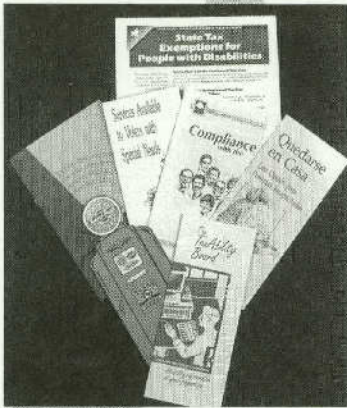
- ▼ A suit alleging inaccessibility of the Texas Supreme Court Building was brought against the General Services Commission (GSC) and the Department of Licensing and Regulation but was dismissed on technical grounds. Even so, the GSC announced plans to improve access at the building by adding automatic doors, some signage, accessible restrooms, and a braille directory and map.
- ▼ A suit against a Fort Worth nightclub, claiming smoking denied access to people with respiratory ailments, was dismissed.
- ▼ The Texas Board of Law Examiners was found to comply with the ADA because the questions asked about applicants' mental health history were deemed to not be overly broad.



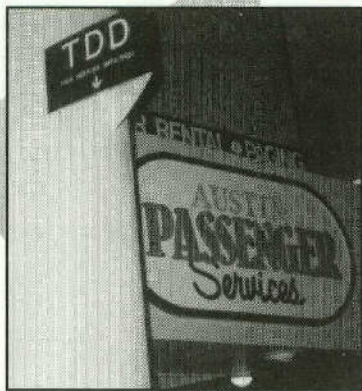
Custom-built benches provide a unique solution to an overhead safety threat for persons with visual disabilities.



Hotels can market access features to persons with disabilities.



State agency brochures should contain an alternate format statement such as, "This publication is available in braille, large print, audio (cassette) tape, or computer disk."



Directional signage helps people with disabilities locate accommodations.

- ▼ Texas Tech University received a favorable ruling from a U.S. District Judge in a civil suit alleging that the plaintiff was unlawfully denied the benefits of the Tech graduate program and that she was excluded from it. The University successfully showed the court that the plaintiff's poor performance and voluntary withdrawal from school were the reasons she was not admitted to the graduate program.

Additional information on ADA lawsuits in Texas is listed on the chart, "Disability Discrimination Settlements."

State Agency ADA Action

"Texas is committed to full compliance with the Americans with Disabilities Act—the most comprehensive civil rights legislation in the world for people with disabilities," said Governor George W. Bush.³

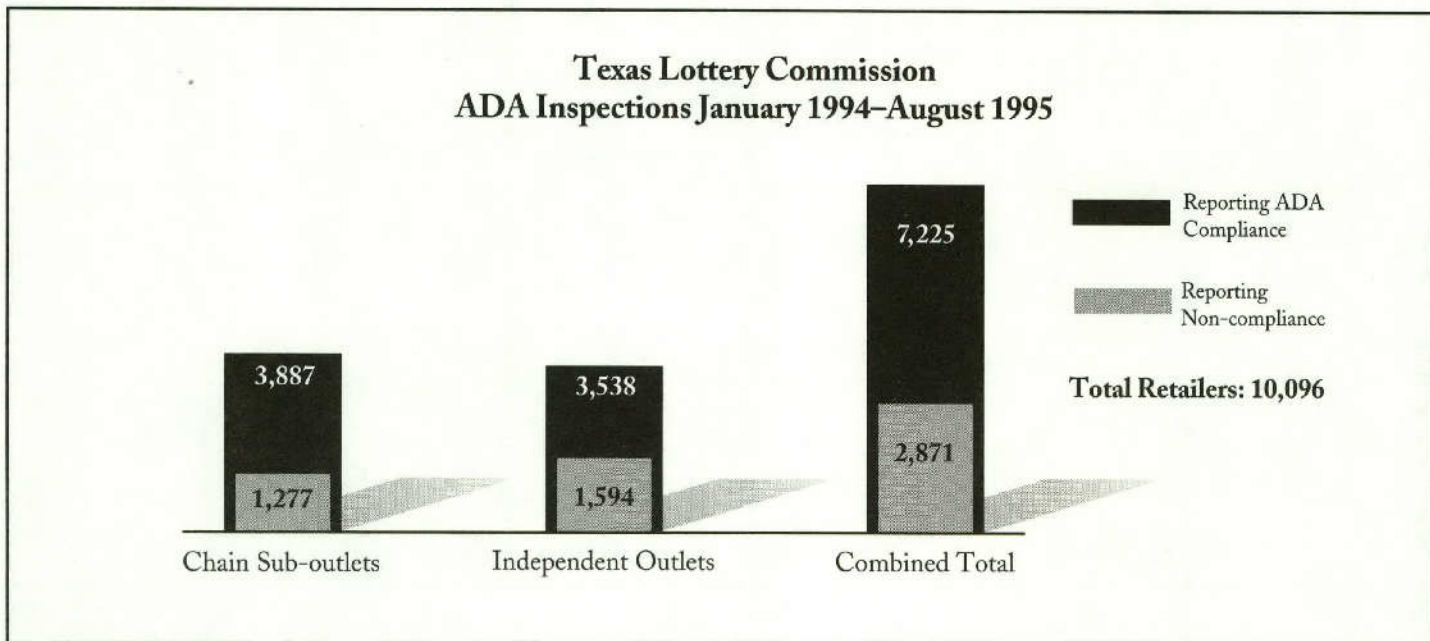
- ▼ 92.3 percent of state agencies have documented development of ADA self-evaluations and have submitted plans to the Governor's Committee.
- ▼ The Texas Historical Commission's Main Street Department and Division of Architecture assisted over 135 property owners and managers improve physical and program access in historic buildings.
- ▼ The Texas Commission on the Arts distributed ADA and Accessible Arts manuals produced by the National Endowment for the Arts to promote art access for everyone. The Commission is developing an Access Advisory Committee.
- ▼ The General Services Commission awarded a contract for priority parking and path improvements in the Capitol complex. The plan, expected to be complete by late spring 1996, enhances access to the Capitol complex for the public and for employees with disabilities.
- ▼ The Texas Department of Transportation (TxDOT) curb cut program is 98 percent complete. Through this program, TxDOT made a major contribution to local access as over 52,000 curb cuts, many in cities and towns, were constructed or modified on the state highway system and at roadside picnic areas. The curb cuts spurred dialogue in four Texas communities. Area newspapers, showing pictures of questionable curb cuts, expressed concern about money spent to benefit so few people. Local citizens rebutted, citing benefits to themselves and family members as well as to non-disabled persons pushing strollers or riding bikes.
- ▼ The Texas Cosmetology Commission and the Texas Funeral Service Commission sought, and successfully used, technical assistance to provide testing accommodations for people with disabilities.
- ▼ The Texas Alcoholic Beverage Commission continues to provide information about ADA requirements and accessibility to licensees as required by state law. The agency achieved an increase of about 70 percent in the number of licensed applicants who were provided ADA information.
- ▼ The Texas Department of Commerce has pursued Internet accessibility and includes a statement of its intent to be accessible to people with disabilities in the introduction to its Internet site.

DISABILITY DISCRIMINATION SETTLEMENTS

(Based on available data FY 1995)

Amount Paid	Agreed To	Company/ Individual	Discrimination	Disability
\$50,000	Increase medical insurance	Chemtech International	Dismissal due to disability	HIV/AIDS
\$15,000 compensation damages; \$30,000 punitive	N/A—court-ordered payment	Community Coffee Company, Inc.	Disability-related interview questions	Facial disfigurement, visual and hearing impairment
\$65,000	Train management staff, maintain confidentiality, post notice	Gulf Grinding Company	Dismissal and disclosure of disability	HIV/AIDS
\$60,000	Pay medical bills and make donation for AIDS research. Elimination of AIDS cap	Tarrant Distribution, Inc.	Provided less medical benefits	HIV/AIDS
Unknown	Allow person with disability without drivers license to rent a car	Dollar Rent-A-Car	Discriminatory car rental practices	Visual impairment
Unknown	Supply hand controls	Avis Auto Rental	Lack of accommodation	Physical disability
\$10,000	Correct deficiencies	Angelo Community Hospital	Inaccessible facility	N/A
\$1,000 ⁷	Correct deficiencies	Marathon U.S. Realties, Inc.	Failure to correct violations	N/A
\$485,000	N/A—court-ordered payment	American National Insurance Co.	Failure to provide an interpreter, differential treatment and harassment	Hearing impairment
\$100 for Individual and \$1,350 for attorney	Allow service dogs on tours	Spoetzl Brewery	Denying a guide dog user to access tour	Visual impairment
\$30,000	Inform employees about rights of persons with disabilities	PKM Corp. (Cost Cutters of Austin)	Inappropriate dismissal	HIV positive
Unknown	Increase accessibility	Gibsons	Inaccessible facilities	Physical disabilities
Agreed to provide access	Provide greater polling place access	Tarrant and Hidalgo Counties	Lack of voting accessibility	Voters with disabilities
\$845,000 and \$1,500 per family in cash or services	Increase access in rooms and suites, pool area, health club, restrooms, and drinking fountains	Dallas Hyatt Regency Hotel	Inaccessible facility	Customers and employees with disabilities
\$7.1 million	N/A—court-ordered payment	Coca-Cola	Dismissal due to disability, no severance package	Alcoholism

- ▼ The Texas Lottery Commission continued its commitment to enforce access for mobility impaired persons with lottery retailers. The Texas program has been a model for several other states.



- ▼ The Texas Parks and Wildlife Department improved access at its Austin headquarters and the state parks listed below. Most projects included upgraded access in restrooms and bathhouses. Several fishing piers were constructed or modified for accessibility.

- | | |
|-------------|----------------------------|
| Brazos Bend | Kerrville-Schreiner |
| Lake Texana | Inks Lake |
| Caddo Lake | Eisenhower |
| Palmetto | Choke Canyon/Callihan Unit |
| Garner | |



Bernice Klepac learns more about cattails and other wetland plants as she follows the new accessible Creekfield Lake Nature Trail in Brazos Bend State Park.

The state Elimination of Architectural Barriers Act, enforced by the TDLR, creates access equivalent to the federal ADA.

- ▼ The Texas Department of Licensing and Regulation (TDLR) began a program of training and certifying inspectors to do plan reviews and accessibility inspections under the Texas Accessibility Standards. This action reduced the time required to get plans reviewed. El Paso, San Marcos, Dallas, and 28 individuals have contracts with the state to provide plan reviews. The city of San Marcos and 18 individuals have contracted to do inspections (See Appendix F).
- ▼ Other significant TDLR actions in 1995 were: submission of the Texas Accessibility Standards (TAS) to the federal Access Board for certification of equivalency with the ADA, and issuance of the first fine for failure to comply with the state Architectural Barriers Act and regulations.

Business and the ADA

- ▼ The Better Business Bureau (BBB) of Central Texas Consumer Education Foundation reached over 140,000 businesses with a campaign titled "Don't Hang Up on Sales." This campaign targeted chambers of commerce and the Texas Employment Commission's newsletters to inform businesses about TDDs and the Relay Texas service which makes the telephone accessible to people with hearing and speech disabilities.
- ▼ The BBB of Central Texas and the Texas ADA Business Leaders' Network hosted a communication forum on "How to Market to Consumers with Disabilities." Subsequently, three new guides were published to address travel and tour agencies, small shops and services, and professional offices. The guides are available through the BBB.
- ▼ A survey directed to employers participating in job fairs for people with disabilities in Temple, Fort Worth, and Longview indicated that employers have a working knowledge of the ADA. Most receive ADA information from a chamber of commerce, professional association, the media, and their local mayor's committee on people with disabilities. The most often requested ADA information is on employment and reasonable accommodations, tax incentives, adaptive technology, and resources.
- ▼ The Texas Society of Association Executives (TSAE) reached 2,200 associations representing over a million employees across Texas and other states with a series of three ADA articles prepared by the Governor's Committee and published in the TSAE magazine, *Association Leadership*.
- ▼ The Southwest Disability and Business Technical Assistance Center, in Houston, disseminated 64,120 pieces of ADA information in their five-state federal region which includes Texas.

Other ADA Action

- ▼ Governor Bush's Inaugural Committee requested and received access information from the Coalition of Texans with Disabilities (CTD). The swearing-in ceremonies were interpreted for persons who are deaf and an accessible seating area was reserved for persons with mobility impairments.
- ▼ The CTD initiated an ADA Implementation Campaign. Trained teams in eight Texas cities surveyed and worked with local businesses to implement readily achievable barrier removal. No legal action followed the survey and negotiations. In fact, several businesses will receive access awards from CTD as a result of the program.
- ▼ Relay Texas, the state's message relay service for people who are deaf or speech impaired, conducted a successful experimental video relay interpreting project. Video phone technology used in the project is particularly helpful to deaf persons who communicate in American Sign Language but who are not proficient in written English. Relay Texas plans to have six-month trial services in several Texas cities in the coming year.

- ▼ A small business owner in Texas who is deaf has been successfully marketing the message relay system to his 450 hearing clients in order to increase his business and educate clients on the feasibility and ease of using Relay Texas.
- ▼ The disability community is becoming more connected through Internet sites and electronic bulletin board systems and is also getting more sophisticated in its use of them. Sites specializing in advocacy issues, information on services, and chat groups all draw avid participants.

LOCAL VOLUNTEER ACCOMPLISHMENTS

The five-year mark provided an occasion for renewed controversy about the ADA. Nonetheless, public support of the tacit goal of the ADA—equal opportunity for participation in all aspects of society by persons with disabilities—remains strong. A public-private partnership of 28 local volunteer committees reported the following accomplishments related to legal rights, the ADA, and access:

- ▼ Many localities in Texas, including Austin, Crockett, Dallas, and Lubbock celebrated July 26, the fifth anniversary of the ADA
- ▼ Initiated a policy statement to include people with disabilities in selections to local boards and commissions in Austin
- ▼ Hosted National Council on Disability (NCD) town meeting in Arlington to gather positive ADA stories to be shared with Congress
- ▼ Facilitated communication between Dallas businesses, congressional leaders, and the President's Committee on disability and employment issues
- ▼ Communicated with state and federal legislators about the ADA, job consolidation, and Personal Assistance Services issues in Dallas, Irving, and Bryan-College Station
- ▼ Assisted with Congressman Arme's town hall meeting related to ADA in Irving
- ▼ Initiated and expanded volunteer disabled parking enforcement programs
- ▼ Received recognition from the United States Conference of Mayors' for exemplary ADA efforts in Austin
- ▼ Conducted ADA seminars and a disability exposition
- ▼ Participated in start-up of a local group to affiliate with the Coalition of Texans with Disabilities in Longview
- ▼ Assisted with coordination of many curb cut programs for increased access
- ▼ Assisted in surveying accessibility in polling places in Waco
- ▼ Worked with the Texas Lottery Commission on accessibility of convenience stores in Waco
- ▼ Helped display an AIDS quilt in an accessible manner in Waco
- ▼ Alerted local businesses about access problems

- ▼ Assisted in constructing Imagination Station, the only accessible playground in Beaumont
- ▼ Published accessibility directories in Nacogdoches and Waco
- ▼ Worked with the builders association and independent builders on plans for accessible housing in Bryan-College Station and Wichita Falls
- ▼ Assisted in getting an accessible lift for a public pool in Lufkin
- ▼ Consulted with a local church on accessibility in Corpus Christi
- ▼ Reviewed and approved changes at the local zoo and gardens in Fort Worth
- ▼ Monitored access to city facilities in several communities
- ▼ Reviewed city ADA structural accessibility evaluations
- ▼ Worked to make a local park and playground accessible in Longview
- ▼ Assisted the U.S. Forest Service in building an accessible pier in Lufkin
- ▼ Advised a library on specific accommodations in Longview
- ▼ Consulted with the U.S. Army Corp. of Engineers and Miller Spring Alliance to build an accessible outdoor recreation and education facility at Belton Lake (Bell County Judge and Commissioner's Committee)
- ▼ Worked with the Coalition of Texans with Disabilities regarding accessibility of businesses in Longview



1995
ANNUAL
REPORT

COMPLAINTS: The Austin Mayor's Committee responded to 60 citizen complaints.

EXPOSITION: The Beaumont Mayor's Committee held for the first time a disability expo that was attended by 500 people and involved 35 exhibitors. The Expo received good media coverage and \$1,100 was raised to support Mayor's Committee efforts.

PARKING: Thirty-five volunteers in Austin issued 2,702 citations generating \$53,205 (2/94 - 7/95).

ACCESS DIRECTORY: The Nacogdoches Mayor's Committee published an accessibility directory covering city offices, restaurants, department and grocery stores, medical facilities, financial institutions, and places of recreation and entertainment.

APPENDICES

APPENDIX A:

Report on Usage of Job Accommodation Network⁸ by the State of Texas

Grant Year October 1, 1994 - September 30, 1995

Number of Calls Received

October-December '94	1,064
January-March '95	1,139
April-June '95	1,022
July-September '95	1,551
Total	4,776

This ranks Texas as second of all states during this time period with only the state of California having more calls.

Number of Calls Received During Previous Year (10/93 - 9/94): 3,966

Career Progression of the Individual with a Disability

Retention of Current Employee	48%
Improvement of Work Environment	24%
Job-seeking Individual	10%
Hiring of a New Worker	7%
Life Activities Associated with Work	6%
Individual Enrolled in Training Program	4%
Self-employed Individual	1%

Business Type Served

Services	37%
Government	24%
Manufacturing	15%
Transportation/Public Utilities	11%
Finance/Insurance/Real Estate	6%
Wholesale/Retail Trade	5%
Construction	1%
Other	1%

Functional Limitation to be Accommodated

Motor Impairment	43%
Neurological Functioning	18%
Sensory Limitation	13%
Behavioral	11%
Other	15%

APPENDIX B:

TEXAS GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES

Barbara Jordan Award Winners

Presented January 31, 1995, in Austin at The University of Texas, Performing Arts Center

TV Documentary

David Pierce, Kaleidoscope-America's Disability Channel, San Antonio
"Portrait of a Deaf Irish-American: Terrence James O'Rourke"

TV Entertainment

Bill Nichols, Kaleidoscope-America's Disability Channel, San Antonio
"Destination Orlando"

TV News/Feature

Jerome Gray, KHOU-TV, Houston
"ADA and Me"

Audio Visual

William Garrison, Moving Image Production, Austin
"Making Connections"

Print Feature Article

David Dillon, Dallas Morning News
"Declaration of Independence"

Best ADA Show

Lydia Alegria, KSAT-TV, San Antonio
"San Antonio Sunday—Americans with Disabilities Act (ADA)"

Special Contributions—Individual

Hedda Schlosberg, San Antonio
"The One-Handed Way: Living With the Use of One Hand"



APPENDIX B.1:

TEXAS GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES

Employment Award Winners

Presented on October 8, 1994, in Dallas at the Southland Center Hotel

The Governor's Trophy

Lee R. Neal, Handicapped Travel Newsletter, Athens

Large Employer of the Year

Brinker International, Dallas

Small Employer of the Year

Red Lobster Restaurant, Irving

Public Employer of the Year

Austin Automation Center, Department of Veterans Affairs

Public Personnel Employee Award

James L. Handy, El Centro College, Dallas

Distinguished Service Award

Kent Waldrep, National Paralysis Foundation, Dallas

Martha Arbuckle Award

Austin Mayor's Committee for People with Disabilities

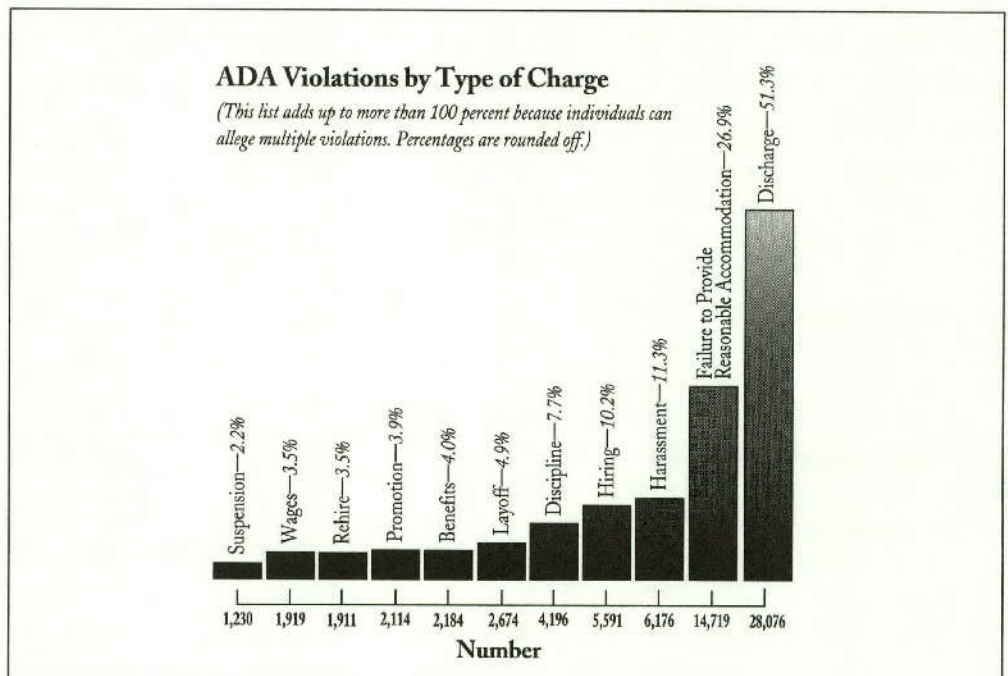
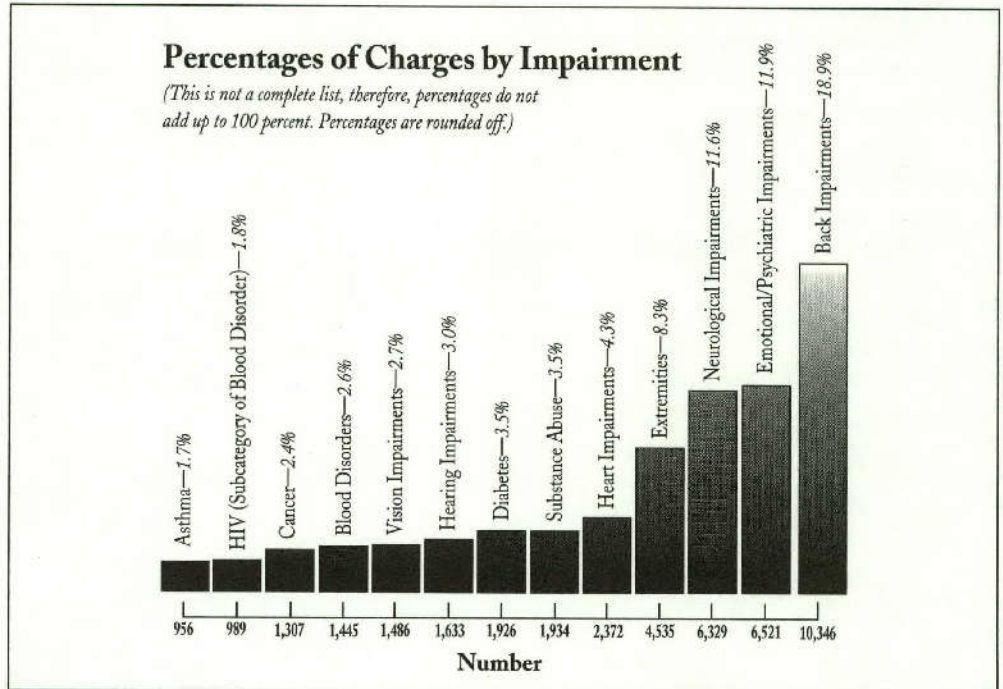
APPENDIX C:

National ADA Data

Title I—Employment

Agency: Equal Employment Opportunity Commission (EEOC)⁹

Total ADA charges received during reporting period: 54,690. THE FILING OF A CHARGE DOES NOT INDICATE WHETHER THE CHARGE HAS MERIT. Data compiled by the office of Program Operations from EEOC's Charge Data System's National Data Base.¹⁰



APPENDIX C: (continued)

TITLE II—Public Entities

Agency: U.S. Department of Justice (DOJ)

Title II Complaints to the DOJ Against Governmental Entities in Texas
October 1, 1994–September 30, 1995

2	Inaccessible Courthouses
1	Lack of Auxiliary Aids in Courthouses
2	Lack of Interpreters in Courtrooms
1	Courthouse – Environmental
4	Inaccessible Services in Government Offices
2	Inaccessible Services in Courts
1	Inaccessible Prison Services
2	Inaccessible Public Buildings
2	Inaccessible Prisons
2	Lack of Interpreters in Law Enforcement Situations
2	Resolved, Withdrawn, or Closed
21	TOTAL

TITLE II and III—Transportation

Agency: U.S. Department of Transportation (DOT)

Twenty-two complaints were filed against transportation providers in Texas during October 1, 1994–September 30, 1995.

During October 1, 1994, through September 30, 1995, complete complaint data are not available. During the year, the U.S. Department of Transportation, Office on Civil Rights, began central tracking of complaints. At least 498 complaints were received. Records show 22 open cases from Texas. Eight were ADA/504 complaints, five were Air Carrier Access Act complaints, seven were title VI/Civil Rights Act complaints, and two were classified as “other.”

The Federal Transit Authority investigates paratransit complaints. Under Part 37 and 38 of the ADA, paratransit systems have until 1997 to become fully compliant with the ADA.

TITLE III—Public Accommodations

Agency: U.S. Department of Justice (DOJ)

Eleven complaints (eight open, three closed) were received from Texas during the period of October 1, 1994–September 30, 1995.¹¹

TITLE IV—Telecommunications

Agency: Federal Communications Commission (FCC)

One of the greatest successes of the ADA is the success of telephone relay services. According to the Texas Public Utility Commission, which has oversight of the Relay Texas message service, there has been a 20 percent growth in the usage of Relay Texas services during FY 1995 over FY 1994, from 2,984,968 to 3,579,722 calls, an increase of 594,754 calls.

The Federal Communication Commission has not received complaints from Texas, and only five complaints were received since Title IV went into effect. Complaints about Telecommunications Relay Services (TRS) are handled first at the state level. Sprint operates the Relay Texas TRS message relay service and receives about 20 complaints a month, all of which have been handled or resolved at the state level.



APPENDIX D:

Texas Poll¹²

More than 9 out of 10 Texans agree that people with disabilities should have the opportunity to fully participate in the mainstream of American life, according to a recent Texas Poll. The Texas Governor's Committee on People with Disabilities used the Texas Poll to survey approximately 1,000 households in Texas. The findings echo those of a 1991 Lou Harris and Associates national survey of *Public Attitudes Toward People With Disabilities* which found over 9 in 10 Americans in support of full participation of Americans with disabilities.

The Texas Poll found that 53 percent of Texas households surveyed had heard of the ADA. This compares with only 18 percent of Americans reporting awareness of the disabilities law in 1991 on a national Lou Harris poll.

While a majority of Texans, 57 percent, reported that they felt the pace of change in making work places, transportation, and public buildings accessible is about right, 32 percent reported that the pace of change toward accessibility is not fast enough. Younger people tended to feel the pace of change is too slow in contrast with older Texans. Only 6 percent of the households surveyed feel the pace of change is too fast.

There is wide consensus that persons with disabilities should have the opportunity to fully participate in all aspects of society, such as jobs, schools, entertainment, shopping and government. Nine in 10, 94 percent, agree with this statement, with over half, 58 percent, agreeing strongly.

APPENDIX E:

TEXAS GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES

Local Government Survey Results

October 1995

Description of Survey Respondents

Total Number of Surveys Mailed in 1995:	1,428	
Cities	1,174	
Counties	254	
Total Number of Entities Responding to 1995 Survey:	442	(100%)
Cities	343	(77%)
Counties	99	(23%)
Total Number of Entities Responding to 1993, 1994, and/or 1995 Survey(s):		
Cities	568	(48.4%)
Counties	179	(70.5%)
Town/City Type of Jurisdiction	Total Results	
Small Town	161	(41.8%)
Medium-sized Town	110	(28.6%)
Large Town	34	(8.8%)
Small City	41	(10.6%)
Medium-sized City	20	(5.2%)
Large City	19	(4.9%)
County Type of Jurisdiction	Total Results	
Mostly Rural County	140	(77.7%)
Mostly Urban County	31	(17.2%)
Urban County	9	(5%)

APPENDIX E: (continued)



Respondents Answering "YES" to Survey Questions

Survey Questions	Total Results	County Only	City Only
Completed a transition plan which is available for public view	154 (34.8%)	50 (50.5%)	104 (30.3%)
Completed a self-evaluation plan which is available for public view	201 (45.8%)	54 (54.5%)	147 (42.9%)
Reviewed ordinances regarding non-discrimination	274 (62%)	62 (62.6%)	212 (61.8%)
Reviewed rules regarding non-discrimination	319 (72.2%)	88 (88.8%)	231 (67.4%)
Reviewed personnel policies	367 (83%)	91 (91.9%)	276 (80.5%)
Reviewed job applications and procedures to remove questions relating to disability	349 (82.8%)	89 (89.9%)	260 (75.8%)
Reviewed job descriptions to determine essential job functions	303 (68.6%)	75 (75.8%)	228 (66.5%)
Implemented grievance procedures related to disability for employees	200 (45.3%)	63 (63.6%)	137 (39.9%)
Updated grievance procedures for resolving complaints from the public	179 (40.5%)	50 (50.5%)	129 (37.6%)
Provided sign language interpreters at public meetings, upon request	146 (33%)	39 (39.4%)	107 (31.2%)
Provided materials in alternate format, upon request	123 (27.8%)	33 (33.3%)	90 (26.2%)
Included a statement of accessibility in public meeting notices	217 (49.1%)	35 (35.4%)	182 (53.1%)
Began barrier removal for physical and communication access	290 (65.6%)	79 (79.8%)	211 (61.5%)
Has a plan for barrier removal available for public view	107 (24.2%)	37 (37.4%)	70 (20.4%)
Installed one or more curb cuts	301 (68.1%)	74 (74.8%)	227 (66.2%)
Provided tactile signage	173 (39.1%)	56 (56.6%)	117 (34%)
Installed one or more ramps	352 (79.6%)	96 (97%)	256 (74.6%)
Modified one or more restrooms	271 (61.3%)	85 (85.6%)	186 (54.2%)
Made doors easier to open	245 (55.4%)	73 (73.8%)	172 (50.1%)
Improved accessible (disabled/handicapped) parking	340 (76.9%)	97 (98%)	247 (72%)
Inspected facilities and found no changes needed	103 (23.3%)	19 (19.2%)	84 (24.5%)
Has phone(s) with augmented headset(s)	50 (11.3%)	12 (12.1%)	38 (11.1%)

APPENDIX E: *(continued)*

Survey Questions	Total Results		County Only		City Only	
Funds used for ADA compliance						
General Revenues	371	(95.3%)	96	(96.9%)	275	(80.2%)
Bonds	24	(5.4%)	8	(8.3%)	16	(4.7%)
Grants	26	(5.9%)	7	(7.1%)	19	(5.5%)
Volunteers and Non-Profit Agencies	19	(4.3%)	4	(4.0%)	15	(4.4%)
Community Development						
Block Grants	26	(5.9%)	3	(3.0%)	23	(6.7%)
Public/Private Contributions	7	(1.6%)	1	(1.0%)	6	(1.7%)
Collaborative funding with other government agencies	10	(2.3%)	4	(4.0%)	6	(1.7%)
Involved people with disabilities in planning	151	(34.2%)	44	(44.4%)	107	(31.2%)
Has a program for returning injured employees back to work	156	(35.3%)	40	(40.4%)	116	(33.8%)
Trained elected officials about the requirements of the ADA	161	(36.4%)	68	(68.7%)	93	(27.1%)
Trained supervisors about the ADA	234	(52.9%)	57	(57.6%)	177	(51.6%)
Trained line staff about the ADA	145	(32.8%)	28	(28.3%)	117	(34.1%)
Used the Relay Texas TDD/Voice relay system	79	(17.9%)	16	(16.2%)	63	(18.4%)
Used the free Job Accommodation Network (JAN)	32	(7.2%)	4	(4.0%)	28	(18.4%)
Used the ADA technical assistance products of the U.S. Department of Justice, Equal Employment Opportunity Commission, and/or Disability and Business Technical Assistance Centers	112	(25.3%)	27	(27.3%)	85	(24.8%)

APPENDIX F:

Texas Department of Licensing and Regulation Architectural Barriers Activity Summary

Fiscal Year 1995		
Projects Logged		4632
Public	1621	
Private	2632	
State Leases	0379	
Construction Documents Reviewed		3086
Approved	0615	
Disapproved	2471	
Documents Reviewed by Others		0957
Approved	0543	
Disapproved	0414	
Variations Processed		0601
Approved	0248	

APPENDIX F: (continued)

Disapproved	0245	
Postponed	0079	
Mixed Results	0029	
Appeals Processed		0058
Approved	0026	
Disapproved	0020	
Postponed	0009	
Mixed Results	0003	
Projects Scheduled for Inspection		2415
Public	not available	
Private	not available	
State Lease	not available	
Inspections Performed		2088
Approved	0624	
Disapproved	1464	
Projects Closed/Approved		0877
Complaints Received		0075
Administrative Hearings		0000
Penalties/Fines		0001



APPENDIX G:

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Americans with Disabilities Act
U.S. Charge and Resolution Statistics for FY 1992-FY 1995**

	FY 1992 ¹³	FY 1993 ¹⁴	FY 1994	FY 1995 ¹⁵	Cumulative Total 7/26/92-6/30/95
ADA CHARGES					
Receipts	999	15,096	18,848	19,750	54,690
Resolutions	28	4,340	12,654	19,148	36,168 (100%)
RESOLUTIONS BY TYPE					
Settlements	6	421	747	818	1,992 (5.5%)
Withdrawals w/Benefits	7	587	1,128	1,219	2,941 (8.1%)
Administrative Closures	13	1,832	5,737	8,256	15,837 (43.8%)
No Reasonable Cause	1	1,399	4,686	8,381	14,468 (40.0%)
Reasonable Cause	1	101	356	474	930 (2.6%)
Successful Conciliations	(0)	(33)	(121)	(141)	(295 — 0.8%)
Unsuccessful Conciliations	(1)	(68)	(235)	(333)	(635 — 1.8%)
MERIT RESOLUTIONS					
	14	1,109	2,231	2,511	5,863
MONETARY BENEFITS					
	\$18,448	\$1,958,590	\$30,039,165	\$39,108,655	\$71,124,858

ENDNOTES

- a Source: Disability Employment Awareness Month Proclamation, September 12, 1995.
- b Does not include colleges and universities and some small, often unstaffed, boards and commissions.
- c The figure of \$10.53 per volunteer hour is suggested by the National Office of Volunteers, Points of Light, in calculating the dollar value of volunteer committee members.
- 1 U.S. Census
- 2 Texas Health Care Association
- 3 Council on Offenders with Mental Impairments
- 4 Texas Mental Health and Mental Retardation
- 5 McNeil, John M. U.S. Department of Commerce. Economics and Statistics Administration. Bureau of the Census. *Americans With Disabilities: 1991-92*. Washington: GPO, 1993.
- 6 Penalty for violations of the state Elimination of Architectural Barriers Act
- 7 The Job Accommodation Network (JAN) is an international consulting service that provides free information about job accommodation and the employability of people with disabilities.

(JAN is a service of the The President's Committee on Employment of People with Disabilities.)
- 8 Note: The EEOC no longer reports title I complaint statistics by state.
- 9 Note: EEOC's computerized Charge Data System is continually updated as data are submitted to EEOC headquarters by the field offices around the country; therefore, statistics may change slightly over time.
- 10 Complaints by city are not available for 1994 or 1995 because the DOJ no longer tracks complaints by city or by state.
- 11 The Harte-Hanks Texas Poll conducted August 3-15, 1995, for Harte-Hanks Communications, Inc., by the Office of Survey Research of The University of Texas at Austin. The Poll surveyed 1,001 adult Texans by telephone in a systematic random sample of active telephone exchanges statewide. Margin of error for whole sample + or - 3 percentage points; slightly larger for subgroups. Responses are given in percentages, rounded to the nearest whole number. Errors due to rounding are rolled into the "don't know" category unless otherwise stated.
- 12 EEOC began enforcing title I of the ADA on July 26, 1992.
- 13 FY 1993 represents the first full year EEOC enforced title I of the ADA.
- 14 FY 1995 statistics include charge receipts from October 1, 1994 - June 30, 1995.

Texas Mayors' Committees on People with Disabilities

This public-private partnership of 28 committees supported by the Governor's Committee on People with Disabilities addresses the issues of community services, education, employment, health care, and ADA implementation.



Estimated number of volunteers:	904
Estimated volunteer hours:	32,668
Estimated dollar value of volunteer hours:	\$343,994.04*

Citizens in the following 17 communities have expressed interest in developing a mayor's committee: Bellmead, Crystal City, Del Valle, Galveston, Garland, Georgetown, Jasper, Lake Worth, Plainview, Plano, San Marcos, Seminole, Texarkana, Texas City, the Valley, Weatherford, and White Settlement.

The Texas Governor's Committee develops policy recommendations and long-range state plans impacting persons with disabilities and assists in building community partnerships.

The Texas Association of Mayors' Committees is a unifying force: developing leadership skills, mentoring, and advancing policies and programs organizationally.

Mayor's/County Committees are the doers: taking a nuts and bolts approach to customizing and implementing policies and plans locally.

Texas Governor's Committee on People with Disabilities

Virginia Roberts, Executive Director

512/463-5739 (Voice)

512/463-5746 (TDD)

512/463-5745 (FAX)

Cindy Counts, Community Outreach and Program Coordinator

512/463-5740

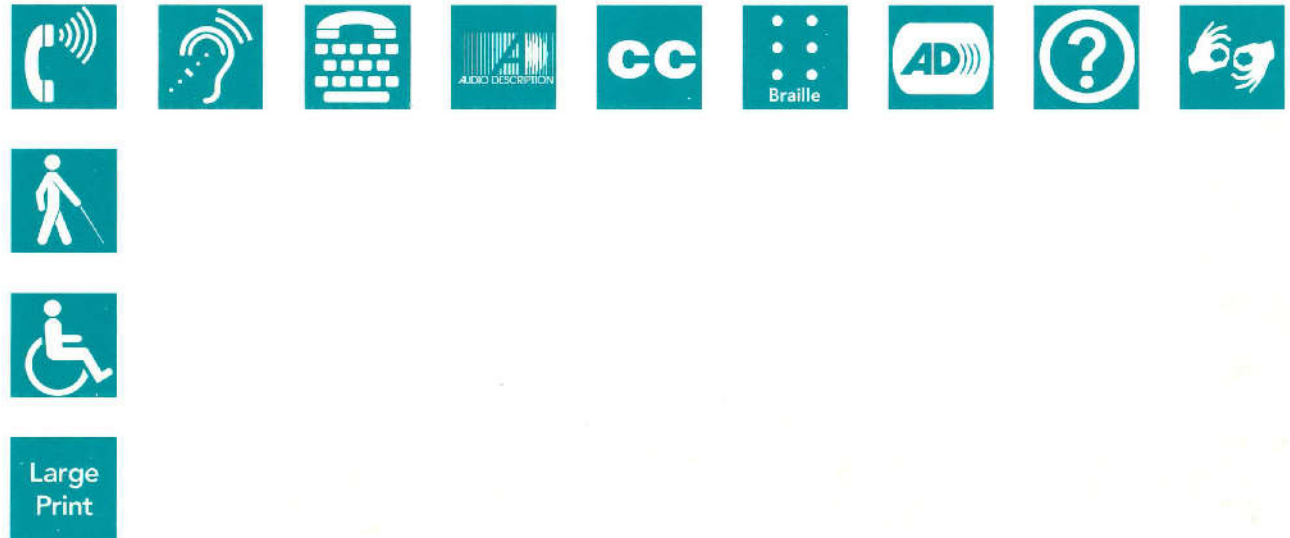
Texas Association of Mayors' Committees for People with Disabilities

Rosine Runyon, Chairperson

800/456-9077

Texas Governor's Committee on
People with Disabilities
P.O. Box 12428
Austin, Texas 78711

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