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UNITED STATES OF AMERICA
COMMISSION ON CIVIL RIGHTS
ILLINOIS ADVISORY COMMITTEE

CONFERENCE ON:

CIVIL RIGHTS ISSUES FACING THE
BLIND IN ILLINOIS

May 29, 1998

Ralph H. Metcalfe Federal Building

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Meet.
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1 UNITED STATES OF AMERICA
2 COMMISSION ON CIVIL RIGHTS
3 ILLINOIS ADVISORY COMMITTEE

4 IN THE MATTER OF:

5 CONFERENCE:
6 "CIVIL RIGHTS ISSUES FACING THE BLIND IN ILLINOIS"

7 REPORT OF PROCEEDINGS, taken in the
8 above-entitled cause, taken before MR. JOSEPH MATHEWSON,
9 Chairman of the Illinois Advisory Committee to the United
10 States Commission on Civil Rights, taken on the 29th day
11 of May, A.D., 1998 at the Ralph H. Metcalfe Federal
12 Building, 77 West Jackson Boulevard, Room 331,
13 Chicago, Illinois. Taken at the hour of 9:00 o'clock a.m.

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APPEARANCES:

ILLINOIS ADVISORY COMMITTEE MEMBERS:

CHAIRMAN: MR. JOSEPH MATHEWSON

- COMMITTEE MEMBERS: MR. JAMES SCALES
MR. DORRIS ROBERTS
MR. KENNETH SMITH
MR. HUGH SCHWARTZBERG
MR. PRESTON EWING
MR. THOMAS PUGH
MS. CONNIE PETERS
MS. JANIE KHOURY
MS. ROSEMARY BOMBELLA

INDEX OF SPEAKERS

PAGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

RUBY MOY U.S. Commission on Civil Rights	6
RICHARD ZEBELSKI Illinois Blind Services Planning Council	10
JONATHAN BUTLER Committee on Justice for the Visually Impaired	39
PAUL SCHROEDER American Foundation for the Blind	43
Celeste Davis Equal Employment Opportunity Commission	68
Barbara Knox U.S. Department of Housing & Urban Development	69
PATRICIA LUCAS U.S. Department of Health & Human Services	73
SHIRLEY MASON-CARTER Office of Federal Contract Compliance Programs	80
Don Ray Pollar U.S. Department of Education	85
CAMILLE CAFFERELLI Horizons for the Blind	110
FRANK ZACCAGNINI Horizons for the Blind	122
STEVE BENSON National Federation of the Blind	129
BRIAN JOHNSON National Federation of the Blind	136
JAMES KESTLOOT The Chicago Lighthouse	149
M. J. SCHMITT American Council of the Blind	171

1	RAY CAMPBELL American Council of the Blind	178
2		
3	GLEN CRAWFORD Bureau of Blind Services	198
4		
5	LYLE STAUDER Illinois Parents of the Visually Impaired	220
6		
7	VICTORIA JESKIE Illinois Parents of the Visually Impaired	230
8		
9	MARY COZY DuPage County Center for Independent Living	231
10		
11	DEBBIE STEIN Illinois Parents of Blind Children	237
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

1
2
3
4
5
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CHAIRMAN MATHEWSON: Good morning. My name is Joe Mathewson and I'm the Chair of the Illinois State Advisory Committee to the U.S. Civil Rights Commission.

The Illinois Advisory Committee to the U.S. Commission on Civil Rights will come to order. We are here today to examine civil rights issues facing the blind and visually impaired in Illinois. The proceedings of this meeting are being reported by a court reporter and information received at this meeting will be formally sent in the form of a report to the U.S. Commission for its consideration and submission to the Congress and to the Library of Congress.

The other members of the Committee, the Illinois Advisory Committee who are here at this moment are, on my left, Rosemary Bombella, next is Tom Pugh, next is Preston Ewing. On my right is Director Kenneth Smith and James Scales and other members will be arriving shortly and I will introduce them to you as they take their places here at the table.

We are honored to have with us today a special visitor, she's the staff director of the United States Civil Rights Commission in Washington; Ruby Moy. Ruby was nice enough to sit with me and the chairs of the other state advisory committees in the Midwest yesterday

1 and some of them are here this morning; Alan Weinblatt
2 from Minnesota, Roland Wong from Michigan stayed over and
3 Paul Chase who couldn't make up his mind to root for the
4 Pacers or the Bulls is here from Minneapolis and Gerry
5 McFadden from Wisconsin is also here. I didn't see you.
6 So, we're pleased to have them staying over for a second
7 day. We had a good meeting with Ruby Moy yesterday, which
8 we all appreciated. Ruby is the full time administrative
9 head of the Commission and it's staff and was appointed by
10 President Clinton with the concurrence with a majority of
11 Commissioners and Ruby, I'd be pleased if you could come
12 up and say a word to the meeting before we start.

13 MS. MOY: Thank you, Mr. Mathewson. It's
14 pleasure for me to be here in Chicago where the Bulls are
15 predominant and at your Illinois Advisory Committee and
16 it's meeting concerning civil rights issues facing the
17 blind in Illinois. For those you not familiar with the
18 Commission or its work, the United States Commission on
19 Civil Rights is an independent bipartisan fact-finding
20 agency of the executive branch first established under the
21 Civil Rights Act of 1957. The Commission's charge is to
22 investigate, study, and collect information related to
23 discrimination or the denial of equal protection of the
24 laws under the Constitution because of race, color,

1 religion, sex, age, disability or national origin or in
 2 the administration of justice. The Commission submits
 3 reports, findings and recommendations to the President and
 4 Congress. Historically the Commission has often been
 5 referred as the nation's conscience in discharging its
 6 duties.

7 The Commission relies heavily on the
 8 work of the State Advisory Committees. The Commission has
 9 51 Advisory Committee, including Washington, D.C.. Each
 10 is composed of citizen volunteers familiar with local and
 11 state civil rights issues. State advisory committees
 12 perform a critical role to the Commission. The advisory
 13 committee serves as the eyes and ears, keeping the
 14 Commission informed of civil rights issues on the state
 15 and local level.

16 Today's conference typifies the
 17 importance of your work. Prior to this advisory committee
 18 deciding to examine civil rights issues facing the blind,
 19 no other state advisory committee, nor the Commission in
 20 its 40 year history had ever examined this project. Your
 21 leadership in addressing this important issue has already
 22 served to increase our awareness at the national level.

23 I want to personally express my deep
 24 appreciation to the members of this committee for their

1 selfless service to the U.S. Commission. You serve
2 without any form of compensation and only do so out of a
3 sheer committment to equal opportunity and civil rights
4 for all Americans. I commend you on your dedication to
5 advancing civil rights in the State of Illinois and I also
6 want to commend Constance Davis, Regional Director of the
7 Midwestern Regional office and her fine, dedicated staff;
8 Peter Minarik and Carolyn Whitfield for their outstanding
9 work in support of this committee and other state advisory
10 committees in the region. One not different from this,
11 the Capitols, Washington Capitols won yesterday. The
12 score was 2 to 1. Thank you very much.

13 CHAIRMAN MATHEWSON: I need to make this
14 statement before we begin. During this hearing no person
15 or organization is to be defamed or degraded by any member
16 of this Advisory Committee or any participant in this
17 meeting. Any individual or organization that feels
18 defamed or degraded by statements in these proceedings
19 will be given an opportunity to respond.

20 We are going to maintain our schedule
21 this morning throughout the day. It's a busy schedule.
22 It's very important for us to do so as a courtesy to the
23 participants who are making time for us in their busy
24 schedule. The general procedure will be for the invited

1 guest to make an opening, five minute statement. At the
 2 conclusion of those statements, the balance of the time
 3 for that panel will be afforded to Committee members for
 4 questions. If there's an additional information our
 5 invited guests would like to offer, the record of this
 6 meeting will remain open for 30 days during which such
 7 information may be submitted to this Committee through the
 8 Midwestern Regional Office of the U.S. Commission and that
 9 office is here in Chicago on Monroe Street.

10 To accommodate those not invited to
 11 appear, a session has been scheduled for later this
 12 afternoon at which anyone may comment to the
 13 committee.

14 The Advisory Committee appreciates the
 15 willingness of all participants to share their views and
 16 experiences with the committee.

17 We're pleased to have as our first
 18 participant this morning, Richard Zebelski, by virtue of
 19 appointment by the Governor, Jim Edgar of Illinois, is the
 20 head of the Illinois Blind Services Planning Council.

21 Good morning, Mr. Zebelski.

22 RICHARD ZEBELSKI

23 ILLINOIS BLIND SERVICES PLANNING COUNCIL

24 Good morning. Thank you, Chairman

1 Mathewson and other members of various advisory councils.
2 Blindness is one of the most feared, misunderstood
3 disabilities, distorting public opinion and attitudes of
4 professionals who lack specific knowledge about visual
5 impairment. Five years ago or so, the American public
6 Gallup Poll fear of becoming blind was second only to
7 contracting AIDS. Blind stereotypes abound here. People
8 think a blindness; employers, landlords, government, it
9 looks for ways to avoid dealing with blind and visually
10 impaired, thus discriminating. Barriers exist. Many
11 times the barriers that exist are very subtle. Ask
12 yourself how open-minded are you? What are your
13 experiences with the blind and visually impaired? What
14 pre-conceived ideas do you have of people who are blind?
15 Can you focus on their abilities and black out their
16 obvious disability? Would you employ or rent an apartment
17 to a blind or visually impaired person? Befriend a blind
18 or visually impaired individual? What if your son or
19 daughter married a blind person? Most people cannot
20 conceive of having a visually impairment themselves, thus
21 having to resolve adjusting to that blindness to working,
22 traveling or being happy as a blind person. Consequently,
23 they project those insecurities on the blind person that
24 they interact with. They become judgemental and are

1 reluctant to accept the blind individual as an employee,
 2 co-worker, peer or life mate. Negative attitudes is the
 3 number one most pervasive barriers that enter the blind
 4 and visually impaired population.

5 My name is Richard Zebelski and I am
 6 the Chairman of the Illinois Blind Services Planning
 7 Council. I was appointed to the Council as a parent
 8 representative. Generally my experience have been
 9 developed through my step daughter who is totally blind as
 10 a result of a rare form of cancer called retinal plastoma.
 11 My wife is Director of Children's Programs at the Chicago
 12 Lighthouse for the Blind. So, I hope to share with you a
 13 few life experiences and point to a common sense
 14 system that will be viewed as cutting edge.

15 During the last four years as a member,
 16 now as a Chairman of the Blind Services Planning Council,
 17 I have pushed to expand the influence of the Council.
 18 Advances come hard. In my opinion, the Bureau of Blind
 19 Services should become the repository of expertise to all
 20 of state government. The Bureau of Blind Services being a
 21 state-created agency which administers rehabilitation
 22 services and so on. So, in my opinion, that bureau
 23 should become a repository of expertise to all state
 24 government for all DHS agencies and State Board of

1 Education agencies should instruct the bureau's expertise.
2 Specialized services must be respected and integrated into
3 program development and integration.

4 In my efforts to change the opinions of
5 government officials who many times tell me that it's
6 unnecessary to consult experts in the field of blindness,
7 their program is universally designed. However, too many
8 times the program designers is a generalist and most often
9 design towards the largest number of end users and the
10 most effective cost efficient way.

11 Now, if I were the designer, here's
12 what I would do. First, I would establish the
13 disabilities specific service delivery system for the
14 blind, administered by a separate and identifiable agency
15 recognized by government itself as the repository of
16 expertise. Staffed by personnel qualified and experienced
17 to work with visually impaired, visually impaired
18 toddlers, adults, children and seniors. Continual
19 specialized services from the -- specialized services are
20 a key to design and productivity and independence to
21 people who are blind and visually impaired. In an age of
22 cost cutting, budget slashing, blind and visually
23 impaired people are increasingly concerned that services
24 that best serve their needs will be eliminated and that

1 the only option will be a large all purpose disability
2 health service organization where many times the blind
3 fall through the cracks.

4 For example, in the Manpower
5 Redevelopment Act, the educational philosophy of full
6 inclusion and the bottom line mentality of the government
7 have threatened the viability of specializing programs.
8 Programs run by disability generalist organizations
9 serving all disableds are many times as much as fault.
10 Shockingly, the National Council on Disability in their
11 report of May 18th, 1997 issued a policy statement
12 recommending that Congress eliminate vocational
13 rehabilitation grants to state agencies that only serve
14 people with visual impairments and that independent living
15 service programs for senior blind customers be replaced
16 with programs serving persons with cross disabilities. My
17 system, it will begin at birth and otherwise, at the
18 inception of blindness and terminate at death. It will be
19 a continuance stream of supportive service administered by
20 a disability specific expert familiar with the full
21 continuum of vocational and rehabilitative services offered
22 to the blind or visually impaired. They will partner with
23 educators and other existing service providers. The
24 registration and qualifications for the individual will be

1 frustrated parents of a blind girl enrolled in an
2 educational pre school program asked for my advice. The
3 parents inquired of her educational options. The girl,
4 who is blind, and with no other disabilities, was being
5 educated in a self contained classroom with several
6 mentally challenged students and a deaf girl. Many times
7 the homework assignments involve learning sign language.

8 And the point of importance in this
9 whole explanation is that visual impairments change the
10 way that children and adults obtain information about the
11 world in which they grow and function. And the limited
12 opportunities through observation of visual elements in
13 the school curriculum in an adult life and through and
14 around people around them. This means that in addition to
15 their regular classroom studies, children who are blind or
16 visually impaired need to learn specialized skills from a
17 disability-specific expert who are trained to teach these
18 skills. Certified teachers of visually impaired
19 orientation mobility instructors and the aforementioned
20 service providers that I pointed out. Specialized skills
21 of the visually impaired must include technology, computer
22 proficiency, using computers, telecommunication equipment
23 and software adapted for the blind, literacy, reading and
24 writing with Braille, large print and optical devices or

1 range finding in the effective use of available visual
2 safe and independent mobility using specific orientation
3 mobility techniques, long canes or other mobility tools,
4 social interaction skills, understanding body language
5 other visual concepts. Personnel management and
6 independent living skills, learning specialized
7 technology, personal grooming, food preparation and money
8 management. The current school system fails at every one
9 of those.

10 In the United States today there are
11 approximately four million working aged adults who report
12 some form of uncorrectable vision. Among those working
13 aged adults who are totally blind or who have severe
14 visual impairment, 74 percent are not employed.

15 Specialized services which provide specific
16 employment-related skills make a critical difference in
17 the blind or visually impaired adult to create success for
18 jobs, maintain employment, and advance in the work place.
19 One in six, over 4.9 million Americans age 65 or older are
20 blind or severely visually impaired. The population is
21 expected to more than double in the next 30 years as the
22 last generation of baby boomers reach age 65. Each year
23 only a fraction of those older adults experience
24 age-related vision loss receive the vision-related

1 rehabilitation services to which they are eligible.

2 And finally, once you are liberated
3 from your government services, the blind and -- the blind
4 person has been prepared, fully prepared, does the job get
5 easier? Not really. The visually impaired person still
6 needs effective and aggressive enforcement of the existing
7 civil rights legislation and statutes. Restaurateurs
8 regularly refusing to admit the guide dog. Programs run
9 by generalist disability agencies are sometimes the most
10 insensitive.

11 Now, let me share some of the
12 experiences in raising my own daughter. She's 28 years
13 old and lives in Los Angeles. She's independent, looking
14 forward to competing in the next paraolympic in Sydney,
15 Australia in two years. When I first met my wife and
16 daughter, Cara Dunn, her name is, nearly 24 years ago, I
17 was concerned about her blindness and general health. I
18 focused on her as my child and my daughter. Like every
19 parent, I wanted the best for her and expected the best
20 from her. My expectations were high. They were not
21 compromised by her blindness. During her grammar school
22 years we recognized the shortcomings and short-sightedness
23 of teachers and recreational programs. My wife and I
24 advocated, as best we could. We tutored and coached in

1 areas that were beyond normal. As part of several
2 father-daughter activities, we rode extensively on tandem
3 bicycles and Cara competed in grammar school track events,
4 which she eventually won the presidential physical fitness
5 award. I taught Cara how to ski. At age 11 she won the
6 giant salome championships at the United States Blind
7 National Downhill Ski Championship. She was selected that
8 year to represent the United States in the world
9 championships in Switzerland.

10 We broke the mold, if you will.

11 Envision a blind person traversing the giant salome
12 course, scared many a ski owner. The local Wisconsin ski
13 owner was reluctant to sell us passes. As Cara continued
14 to improve, she trained in the Rocky Mountains. Airlines
15 were rude, seating arrangements were difficult, and
16 special assistance was nowhere to be found. They always
17 had their so-called rules and they were generally not
18 disabled friendly. However, we persevered and learned to
19 turn our ski successes into promotional tours. The school
20 enjoyed publicity and focused on her abilities. She
21 continued to ski with the U.S. Alpine Ski team for eight
22 years, winning ten paraolympics and world championship
23 medals.

24 Academically many teachers refused

1 special consideration and in some cases were outwardly
2 perplexed at the idea of having to teach a blind student.
3 In her case in high school, she was the only blind
4 student. Others were more accepting. We would have to
5 read the assignment to Cara as her textbook and written
6 assignments were not accessible. Most of the time in
7 classroom assignments and board work were not accessible
8 and sometimes she was penalized for it. But through her
9 intelligence, perseverance, and determination, and our
10 homemade support system, Cara excelled academically. Most
11 importantly, she learned to advocate. She graduated from
12 Taft High School, the Chicago Public School system on the
13 northwest side and entered Harvard University. Cara was
14 the only blind undergraduate at that time. It was then
15 that the real challenge began. The Dean of Disabled
16 Students was new to his responsibilities. Braille material
17 were very seldom available. Instructors first published
18 the reading list during the first week of class, others
19 changed their minds or decided on a week to week basis.
20 Harvard Police, student transportation system, which
21 transports kids and students from the library and various
22 places refused access to Cara and her seeing eye dog under
23 the policy of no pets allowed. Living arrangements were a
24 mile or more from campus. Construction obstacles were

1 commonplace. Initially she was denied admission to her
2 Japanese instruction class on the basis that she could not
3 complete the course work; i.e., she could not read printed
4 Japanese nor write printed Japanese. We quickly convinced
5 them that reading and writing was not the essence of
6 learning. Ironically, Cara represented Harvard at a
7 prestigious Japanese-American foundation speaking contest
8 the next year which was held in Washington, D.C. and she
9 placed second amongst the many prestigious colleges that
10 had representatives. She eventually graduated magna cum
11 laude in Asian languages. By her peers she was elected
12 first class marshall.

13 Much to my pleasure, Cara expressed an
14 interest in law. However, the law school admissions
15 council would no offer the admission test in Braille.
16 After extensive investigation and preparation, we
17 threatened to sue and prevent the general use of the
18 examination. While that ultimatum worked in the short
19 term, the examination was administered and poor form. It
20 was not tested for its accuracy and effective. Test
21 graphs and picture which were referred to in the exam
22 didn't exist and so it backfired. And in the admission
23 process many of those schools which had representatives on
24 the law school admission council did not forget who she

1 was. Fortunately, UCLA had a disability and affirmative
2 action policy. Examination results were waived, Cara was
3 accepted on her college grades and reputation. While in
4 law school she went on to compete in the 1996 paraolympics
5 in Atlanta, winning a silver and bronze medal in tandem
6 cycling. Last year at this time Cara graduated from the
7 UCLA law school. However, recently, in fact, just last
8 night she told me of her recent difficulties and
9 challenges. It was in finding an apartment. She told me
10 that yesterday in a fit of desperation, people are afraid
11 to rent to me. Their reasons are idiotic and lame, she
12 said thinking about avoiding latent discrimination by the
13 landlord, she related that she left her guide dog at home.
14 Interview after interview, some weeks and days, the
15 questions always focused on her blindness. Landlords
16 questioned Cara's independence or what the landlords
17 believed was her lack of independence. Most often they
18 directed her questions to the roommate. Are you going to
19 take care of her? You're going to do the cooking, aren't
20 you? If they guessed there was a dog, they would say, are
21 you going to take care of that dog for her? Does she
22 work? Talking about Cara as if she wasn't even present.
23 Then after finding an apartment and having the landlord
24 conditionally accept their application, the landlord

1 attempted to increase the rent based on the fact that she
2 had a dog and the fact that she was going to be a
3 liability in terms of her safety. They wanted to force
4 Cara to sign a liability waiver waiving any liability
5 associated with not complying with the disability
6 accessibility laws. In any potential harm that she would
7 suffer, irregardless of it's cause or nature. So, we've
8 gone through many of those challenges and the next
9 challenge now before her would be employment. I don't
10 know too much about what she wants to do. She certainly
11 is very aggressive and a person who enjoys life. So, the
12 year 2000 Olympics is going to be her goal.

13 I'd like to finish by saying that when
14 I was preparing this, I kind of was taken by a song that
15 was written by Neal Diamond, the song really talks about
16 -- the song's name is Coming to America and it talks about
17 the opportunity of the immigrants that came to America.
18 It talked about how the difficulties in the past were
19 going to be forgotten and the opportunities in the
20 promised land would be offered. So, the real question is
21 where is America for the blind?

22 CHAIRMAN MATHEWSON: Thank you, Mr. Zebelski.
23 Questions? Rosemary.

24 MS. BOMBELLA: Mr. Zebelski, you mentioned

1 that your daughter is still experiencing problems today.
2 In your opinion, do you believe that the passage of the
3 ADA has helped the situation at all?

4 MR. ZEBELSKI: I think the passage of the ADA
5 has provided a framework for opportunity to level the
6 playing field; however, what I would like to see in terms
7 of improvements would be articles and stories and
8 examples of people who have successfully partnered the ADA
9 with employment, with the school system, with other
10 opportunities. I read too many times the negative stories
11 and I don't read the positive stories. We were led to
12 believe that the ADA was going to cost a lot of money in
13 terms of accommodations with respect to employment. Has
14 that really happened, and if it hasn't happened, then
15 there should be studies and reports that would identify
16 that the ADA is not the boogeyman that people perceived it
17 to be, and within the ADA, I would say there's some
18 concerns that people have made architectural improvements,
19 curb cuts and so forth, but for the blind, the real
20 challenge is informational challenge. Say informational
21 accessible or inaccessible and that concept and that fight
22 has yet to be fought. I think many, too many times my
23 daughter will tell me that people don't understand they
24 say what else do you want? We've got a ramp in the front,

1 we've made the doors wide enough.

2 MS. BOMBELLA: Thank you.

3 CHAIRMAN MATHEWSON: Rev. Dorris Roberts?

4 REV. ROBERTS: I'll pass.

5 CHAIRMAN MATHEWSON: Tom Pugh?

6 MR. PUGH: Could you expand a little bit on the
7 issue of -- I hesitate to call it mainstreaming or
8 mainstreaming in the handicapped department? What's
9 happening in respect to the services to the blind? What
10 is happening?

11 MR. ZEBELSKI: Maybe I read the whole thing a
12 little too fast because of my nervousness, but what I see
13 in some situations like, for example, with our group in
14 Illinois, we have the Blind Service Planning, Bureau of
15 Blind Services, excuse me, that state agency really is
16 limited to only administering the federal funds that come
17 through the 1973 Rehabilitation Act. So, we've got
18 approximately \$18 million budget within an agency that has
19 a six plus billion dollar budget. And so how are the
20 other six billion dollar budgeted programs administered
21 and how are they created and how do those programs serve
22 the blind? I'm afraid that what's happening is that
23 because blindness is a low incidence disability and the
24 perception that blind people are cost -- their cost to

1 rehabilitate or the time to involve rehabilitation is
2 disproportionate, that these people are being lost in the
3 system. Right now I have asked the state repeatedly over
4 four years to develop a transition program which will be
5 one part of what I had explained. Apparently there has
6 been a tacit approval of that program and as an offshoot
7 of that program, I'm asking that the rehabilitation go
8 into the schools and provide employment awareness.

9 Employment, pre-employment awareness. And so in my mind,
10 I thought, who better should I be asking would be the
11 State of Illinois. The largest employer in this state.
12 And so in approaching the central management services and
13 pitching that, I had said to them, you know, what we
14 really would like to do would be to have some summertime
15 opportunities for these children. And she came back to me
16 and said, you know, that sounds good, but by the time we
17 would make the accommodation, the summer would be over.
18 It takes us approximately nine months to a year to make
19 accommodations in the computer system and to the work
20 place. There's a barrier. If the technology and Mr. Schroeder
21 from the American Foundation for the blind will really tell
22 you about technology problems and barriers in the
23 technology was accessible off the shelf. People's
24 perceptions of blind individuals using that technology

1 would be minimized. They wouldn't be an issue at the work
2 place. The perceptions of being able to function at the
3 work place would probably be a little looser. Technology
4 is everything today. Of course, when he hears my daughter
5 talk about how people can't understand how she's going to
6 walk the stairs and et cetera, and function by herself,
7 maybe I'm giving people too much because maybe even those
8 issues are even more basic and baron than that.

9 Back to your question about the
10 umbrella agency. I think the systems are way too large.

11 MR. PUGH: Thank you.

12 MR. ZEBELSKI: And that even in the health
13 care system, too, I think HMOs and so forth that the
14 person that runs the HMO or the organization looking to
15 maintain a profit and they probably look at blind people
16 as being counter productive to making a profit. That it's
17 too costly for providing medical services to the blind.

18 CHAIRMAN MATHEWSON: Preston Ewing?

19 MR. EWING: Do you have any information that
20 could give us some of the specifics that the visually
21 impaired students in the public schools of Illinois, some
22 of the specific challenges that they face in order to have
23 equal educational opportunities?

24 MR. ZEBELSKI: Well, since I have been pushing

1 this transition program, I happen to have some of the
2 statistics. Reportedly within the school system
3 technically blind is around 2,500 students. Probably that
4 number should be multiplied by two or maybe even three if
5 you're looking at functionally blind people. There are
6 students who could go to the ophthalmologist and read the
7 eye chart, they just couldn't read it eight hours a day,
8 five days a week, week after week. There are some people
9 who just need those visual aids because to them it's an
10 easier way to learn. So, when it comes to providing what
11 type of services, for example, with the transition program
12 proposal suggests, it would suggest those to partner with
13 education and offering the computer proficiency skills.
14 This is required right now, if you will, in a good spirit
15 of government. And so the Bureau of Blind Services
16 employs people to try to develop the latest interfaces to
17 the Windows 98 and Windows 95 and other programs. They
18 are committed to that. I'm not sure that the educational
19 system has a resource where they're training their
20 teachers to be up on the latest technology. I would guess
21 that they're not. And also the literacy issue. The
22 educator is concerned with the reading, the writing, and
23 the arithmetic, but are they knowledgeable in an age of
24 full inclusion to be able to teach Braille.

1 Do they understand the challenges of a
2 low vision individual? In some situations a low vision
3 individual has it even harder than a totally blind
4 individual because they are not identified as having that
5 kind of severe disability. So, what is most appropriate
6 is the educator in a position to be able to make that
7 assessment and is the parent made, you know, welcomed into
8 the classroom and welcomed into the discussion. I believe
9 I say my transition program, the feature of that would be
10 that the transition specialist work with the parent and
11 also work with the educator. So, when you're sitting at
12 an IEP, individualized education program, why not have the
13 transition specialist and the parent there and when the
14 educator decides what is this IEP going to do for this
15 child over the next year, the rehabilitation specialist
16 can say, but how is that going to help them live
17 ultimately after they're out of this system? What's going
18 to be the practical implication of that type of a service?
19 Is it practical to teach O and M just around the school or
20 is it more practical to teach O & M from school to
21 downtown to the Loop area?

22 The educator is doing it's job, but I
23 don't believe that the educator understands the
24 independent living skills, the need for social

1 interaction, the technology proficiencies and those type
2 of skills. And that's why I believe a joint partnership
3 between rehabilitation and education could only improve
4 the lot. Today Idea is charged with transition. It's a
5 mandated unfunded program.

6 CHAIRMAN MATHEWSON: James Scales?

7 MR. SCALES: I pass.

8 CHAIRMAN MATHEWSON: Kenneth Smith?

9 MR. SMITH: I'm curious. You mentioned the
10 affirmative action program admission program at UCLA.

11 MR. ZEBELSKI: Yes.

12 MR. SMITH: Had you checked other law schools?
13 Did that law school stand out with that policy and do we
14 have such a policy at our University of Illinois Law
15 School?

16 MR. ZEBELSKI: I'm not sure about the
17 University of Illinois. What had happened was Cara had an
18 interest in combining her language skills, she's fluent in
19 japanese and fluent in spanish, with the law. And so we
20 looked for schools that we thought would best make that
21 partnership. And so she applied to Harvard and Stanford
22 and Georgetown and a few of those schools and almost out
23 of pocket was rejected. When I realized, in my mind at
24 least I believe what was happening, then what we did was

1 we wrote a letter and the letter was very simple. It
2 said, I'm blind and I want an application for law school
3 and the only school that wrote back in Braille was the
4 UCLA law school.

5 MR. SMITH: Have you noticed that whether or
6 not there have been any changes in policy in admission
7 since your experience? Has anybody been advocating for
8 what UCLA obviously did, was able to do?

9 MR. ZEBELSKI: I really don't know too much
10 about that. I know that California has changed their
11 affirmative action policy in all of their schools and
12 having read a little bit of the UCLA newspapers and so
13 forth, apparently -- and this is really across both ethnic
14 and disabled groups -- that the admissions are way down to
15 those. So, as to whether the disability affirmative
16 action program is still in existence, I really don't know.
17 It did definitely help Cara. So, you know, it eliminated
18 one of the factors that was unfortunately we were so
19 aggressive in trying to get full accessibility that we
20 kind of, looking back, shot ourselves in the foot.

21 MR. SMITH: It's amazing to me, given her
22 undergraduate record at Harvard and Harvard, a fountain of
23 effort to promote equal justice in the country, would have
24 a law school that would deny her admission.

1 MR. ZEBELSKI: And the funny thing is, I know
2 of an individual that works, Scott Marshall, he graduated,
3 I think he's with AFB, he graduated from Harvard Law
4 School. He's totally blind. And I asked him how he dealt
5 with the exam and I shared with him the fact that Harvard
6 told me that they don't waive the exam and Scott said,
7 well, they waived it for me.

8 MR. SMITH: Did he come after your daughter?

9 MR. ZEBELSKI: Before.

10 MR. SMITH: That makes it even more curious,
11 don't it?

12 MR. ZEBELSKI: Well, I guess if you look at
13 people more aggressive about advocating maybe the school
14 was not, that their library was -- would be a different
15 challenge. Those things are when you're at the cutting
16 edge, ut the opportunity begets more opportunity and while
17 we're moving probably to a greater tolerance of blind
18 people, it's moving so slow and the average person, the
19 landlord, the employer, he just doesn't get it and doesn't
20 want to get it and doesn't feel compelled to get it.

21 MR. SMITH: We call that all deliberate speed.
22 Thank you.

23 CHAIRMAN MATHEWSON: Hugh Schwartzberg,
24 another member of the Committee. Hugh, I know you're

1 basically shy and bashful, but would you like to come up
2 here and sit with us and ask Mr. Zebelski any questions?

3 MR. SCHWARTZBERG: I will not ask a question,
4 but I'll promise to send a letter to the Chairman of the
5 Society of Fellow who happens to be my brother-in-law to
6 figure out what happened.

7 MR. ZEBELSKI: Thank you.

8 CHAIRMAN MATHEWSON: Mr. Zebelski, several of
9 us had the opportunity to visit the Chicago Lighthouse
10 yesterday. A half a dozen members of the Committee went
11 there and had a wonderful tour with the executive
12 director, Jim Kesteloot and we met with Mary who runs the
13 school and it was a very informative session for all of
14 us. And one of the points that Jim Kesteloot made, and he
15 will be here this afternoon, the executive director of the
16 Lighthouse, was that half the people in his experience and I
17 think he was saying in Illinois who are blind or are
18 legally blind also have other disabilities which the
19 Chicago Lighthouse does deal with in a combined way and
20 I'm wondering whether your suggestion about a single
21 specialized delivery agency doesn't conflict with the need
22 for multiple services for a number of people who are blind
23 or visually impaired. I would imagine -- I wouldn't
24 really know the totality of my answer, but my knee jerk

1 reaction, if you will, and it's not that knee jerk because
2 I certainly know Mr. Kesteloot for many, many years and I
3 know of the Lighthouse and my wife has worked there ten
4 years, how it plays out today and I would think it still
5 would play out is that what the bureau does is it
6 contracts with agencies. They don't provide in every
7 situation, direct services, but they are at least in the
8 possession of evaluating who is capable of providing
9 quality services. And so the Chicago Lighthouse for the
10 Blind is an organization that probably in Illinois does
11 the largest number of placements of individuals who are
12 blind and visually impaired within the workplace.

13 Another of their programs is the second
14 floor where they manufacture clocks and other business
15 style activities. So, really what the Lighthouse is is a
16 multifunctional facility. There's a children's program
17 there. In that children's program many of those children
18 are multi disabled, they'll never have a real full
19 functioning employment experience like some of us have.
20 But, also included is the early intervention program.
21 Many of those children are just singly as we could call
22 vena blind. There's the need for those services are to
23 assist the parents, support the parents so as the child is
24 developing, the services and the parents understands the

1 need of the blind. That the child doesn't become so
2 delayed and then the parents support that there's a
3 difficulty and then services come in. But this early
4 intervention program is -- it's proactive, it's not
5 reactive. It's there from the beginning.

6 A short, quick story. Just in that
7 area that Mary related to me was this mother had said, oh,
8 my baby is just the best baby in the world. In the nine
9 months that I've had her, she's never cried, she doesn't
10 fuss, she doesn't have any sort of audible complaints.
11 Well, but what she didn't realize is that the baby didn't
12 recognize that she was even there and so a natural
13 reaction for a baby is to cry out and to develop an
14 interaction with the mother. If the mother didn't go
15 there and pick the baby up, didn't show the contrasting
16 textures, different shapes, the awareness within their
17 space, the baby was being developmentally delayed just by
18 the lack of interaction and the lack of experience. So,
19 we've got the early intervention program. We've got the
20 school program. We've got the employment program. We've
21 got people that are working. So, that's an employment
22 opportunity for many of those people and some of those
23 people, like the Director of Publicity is visually
24 impaired. Jim Kesteloot is visually impaired. So, I

1 don't see that the Lighthouse, the Rockford Center, some
2 of the other facilities throughout the State of Illinois
3 that the Bureau of Blind Services contract with are
4 anything but part of the family. It would seem to me that
5 if we looked at all of the available resources, including
6 the Illinois School for the Visually Impaired, we would
7 make a comprehensive network, we wouldn't duplicate our
8 expertise. We would integrate it's network itself and
9 provide it throughout the state. And so if people wanted
10 to know how to educate somebody who was blind, they would
11 know where to -- if you look in the phone book today, not
12 only can't you find Bureau of Blind Services, you can't
13 even figure out what their phone number is. So, how does
14 the person who wants the service get to and find the
15 expertise that's necessary in order to succeed and more
16 importantly, what does the government think? The
17 government's not asking those questions either. Government
18 is just proceeding. But, if a person wanted to find out
19 that information couldn't.

20 CHAIRMAN MATHEWSON: He or she could do so by
21 calling the Illinois Department of Rehabilitation
22 Services.

23 MR. ZEBELSKI: Right. There's an 800 number
24 now. It's called -- or it used to be called Doors, I've

1 used it myself at times. They either know who Glen
2 Crawford is, the Bureau Director or they don't. They he
3 heard of the Bureau of Blind Services, depending on how
4 you get or they haven't.

5 CHAIRMAN MATHEWSON: But, that's part of that
6 department.

7 MR. ZEBELSKI: It's part of that department.

8 CHAIRMAN MATHEWSON: Hugh Schwartzberg has a
9 question.

10 MR. SCHWARTZBERG: I'm going to be boring
11 people throughout much of the day with a question I'm
12 going to ask each time. There seems to be a void in blind
13 advocacy which is demonstrated by the Braille markings on
14 elevators. Sometimes there's Braille markings on
15 elevators, sometimes there are not. A large part of the
16 state have no Braille markings on elevators. They seldom
17 are in the same place. Sometimes not on the door. Why
18 isn't there consistent pattern of advocacy that has
19 changed that situation?

20 MR. ZEBELSKI: Well, it would seem to me that
21 I didn't talk about advocacy because it is, in my mind, so
22 convoluted. For example, we're an advocacy, volunteer
23 advocacy group, but we're by statute to advise the
24 governor. But when you look at the law, we're a figment of

1 the Bureau of Blind Services. Three or four levels away
2 from the governor. We're just 11 people who meet four
3 times a year for a day or so. The issues are so
4 broad-based and so large and embarrassing that it's mind
5 boggling, especially when we make recommendations and we
6 hear very little in response to whether those
7 recommendations are going to be used or not used or the
8 merits or the difficulties with it. So, where is the
9 advocacy group? I would say that it doesn't exist. If we
10 compare ourselves to other disabled groups, say like the
11 community independent living centers, by statute the
12 community independent living centers are throughout the
13 state. They're funded. They have an executive director.
14 That's where federal money goes to. There really isn't a
15 network of advocacy individuals. There isn't money to have
16 say an executive director. There isn't a resource to
17 suggest that lawsuit could be filed or how to go about
18 filing them or what expertise is needed to proceed. We're
19 basically volunteers, for example, with me, four years in
20 the Blind Services Planning Council and at the end of this
21 year I'm off. I'm not sure what, you know, there needs to
22 be a formalized internal advocacy center or group of
23 individuals, but how that's created and how the importance
24 of that issue is brought before those that could make a

1 difference. I'm just befuddled by that.

2 MR. SCHWARTZBERG: Well, Mr. Zebelski, at
3 least in the interim I would appreciate it from you and
4 indeed from anyone else, what suggestions you have for an
5 agenda for that kind of advocacy. That is, the specific,
6 doable items that you think have been forgotten. I'm not
7 asking for them with you sitting on one foot, but there's
8 period of time in which materials can be submitted to this
9 Committee and I would appreciate that you do so in your
10 personal capacity and in my personal capacity I would like
11 to receive them.

12 I would say, like my comments before,
13 many times and could be architects, it could be
14 contractors, it could be just the building owners
15 themselves are kind of led to believe that since they put
16 the ramp in front of the building and widened the
17 bathroom doors that they have complied with the
18 architectural guidelines under the 1973 Rehabilitation
19 Act. Informational accessibility is not, that issue is
20 not been fought yet and the recognition of providing
21 greater signage, more accessible information is a very,
22 very, very important one, but it's not been brought to the
23 table. It seems to me that, for example, if you go into
24 the Daley Center, each one of the elevators tell you what

1 floor you're on, not this building.

2 CHAIRMAN MATHEWSON: Okay. It's ten o'clock.
3 We're going to keep on our schedule. Thank you very much,
4 Mr. Zebelski.

5 MR. ZEBELSKI: Thank you very much, and I'll be
6 glad to do that, Mr. Schwartzberg.

7 CHAIRMAN MATHEWSON: We're going to be here
8 now from Jonathan Butler and Paul Schroeder.

9 Welcome, gentlemen. Thank you for
10 attending today. Mr. Butler represents the Committee on
11 Justice for the Visually Impaired. Mr. Butler.

12 JONATHAN BUTLER

13 COMMITTEE ON JUSTICE FOR THE VISUALLY IMPAIRED

14 Yes, our Committee on Justice for the
15 Visually Impaired, we are interested and concerned about
16 transportation. Transportation is a form of independence.
17 What our organization do is we, because we're kind of
18 small, we concentrate on one thing at a time. We
19 considered to taking several things, but in order to
20 efficiently and effectively do the best, we selected one
21 and at this particular time it's transportation. It's
22 form of causing the blind and the disabled to be
23 independent and as a result of the disability that they
24 have. Some have multiple disabilities and some are

1 because of blindness, because of certain accidents,
 2 because of something that has just happened where others,
 3 they ave been blind for a long time. This transportation,
 4 we know it as paratransit, greek word which means help,
 5 and it goes along with the main transportation is
 6 federally funded and it helps. So, that those who cannot
 7 ride the main line can use this service.

8 Part of our job is to go to different
 9 organizations and sit in on their board meetings. We're
 10 an active group first on the RTA, CTA, Pace and Metra and
 11 what we try to do is to see how we can help these
 12 transportation to better meet the needs of the riders who
 13 ride them. This is ongoing because there are problems
 14 that always arise, no matter what you do, no matter what
 15 situation you're involved in. But the goal is still
 16 there. As a result of these transportations, people are,
 17 who formerly were at home can now go to jobs, can go to
 18 school, can get training. They can go visit their friends
 19 and some of these things we take for granted If we do
 20 this all the time. You may come here and after you leave
 21 here you may catch a train or get in a car or go home or do
 22 something. But, if you would just close your eyes for
 23 about two seconds and then realize, oh, as a result of
 24 this you just lost your job, you just lost your family,

1 now what are you going to do? The first thing I have to
2 do is go to the doctor. How you going to get there on
3 your own? So, we can reopen our eyes, but when you
4 realize that these are new issues that have to be dealt
5 with and then you find out now you can get out the house
6 and on your own or even with someone to help you, this has
7 a way of changing your life. We want to encourage this
8 system to continue, although we do realize as a result of
9 everything else, there are budget cuts everywhere, but we
10 do want this service to continue.

11 One of the obstacles that is being
12 worked on is what they call a certification and you have
13 to qualify to get on this service. First of all, do you
14 all understand what I mean when I say paratransit?

15 MR. SMITH: Explain it to us.

16 MR. BUTLER: I don't want to go no further nd
17 then you all wondering what is he talking about? For
18 instance, when you go outside and catch the Pace bus or
19 CTA bus, you can just stand on the bus stop and get on the
20 bus. Paratransit, one of the companies may be CDT,
21 another may be SCR or something like that. What they do
22 is they come to your door and they will pick you up, carry
23 you where you have to go and then come back for you where
24 you designate. For instance, in order to come here I will

1 have to have called yesterday morning at 5:00 o'clock and
2 ask the carrier to come pick me up and come into 77 West
3 Jackson and then the time I'm to return. That's what the
4 paratransit is. Because I can't do this on the regular
5 bus, this paratransit service allows me to get where I
6 have to go. It's important because we have people who
7 formerly had jobs and lost them, formerly had different
8 careers and lost them, formerly went to school and now
9 they can regain their life. It is unlimited on where you
10 have to go because some places that use this type of
11 services are just restricted to medical and in this case
12 you can go anywhere you want to go and that's a blessing.

13 Back to the certification. The
14 certification is an application that explains why you need
15 the service. Right now they're working on re-doing this.
16 And these are some of the things that we are working on in
17 order to see how we can best get what we need. It is
18 amazing how when a person is blind, the world or a lot of
19 people in society has a way of stereotyping them. Some of
20 them were mentioned by the former speaker and some of them
21 are very interesting. For instance, you can even go to a
22 McDonald's or Burger King and you can have somebody with
23 you and you can pay for your food and they'll hand it to
24 the person with you and give them your change and you're

1 sitting there, you're wondering what happened?

2 well, life have a way of disorienting us
3 as a rule of our situation and what we decided to do is
4 say because I may have lost one area don't mean that I
5 have lost everything. And this is another form of
6 regaining it.

7 CHAIRMAN MATHEWSON: Okay, thank you, Mr.
8 Butler. Don't go away, we're going to hear from Mr.
9 Schroeder and then we'll have questions for both of you.
10 Paul, is it Schraeder or Schroeder?

11 MR. SCHROEDER: Schroeder.

12 PAUL SCHROEDER

13 AMERICAN FOUNDATION FOR THE BLIND

14 I represent the American Foundation for
15 the Blind. Good morning, Mr. Mathewson and members of the
16 Committee. I want to thank you so much for taking the
17 time to focus the civil rights agenda for a time on a
18 group of individuals that I think has been in many ways
19 overlooked by the general civil rights community and in
20 some ways by the disabled rights community.

21 I want to say a couple of things.
22 First, I want to just depart or quibble a bit with Mr.
23 Zebelski's otherwise excellent comments to iterate a point
24 that might have been a little bit uncertain in people's

1 minds. There are two very excellent powerful advocacy
2 groups of people who are blind and visually impaired who
3 do excellent work in a number of areas related to rights
4 and other activities. You will hear from representatives
5 of both of those groups this afternoon.

6 The American Foundation for the Blind
7 also certainly styles itself as an advocacy organization,
8 but we are not a consumer organization. We work on behalf
9 of people who are blind and visually impaired and have
10 spent a lot of years working on rights issues, including a
11 number of years working to ensure that the standard for
12 Braille signage are included in the Americans with
13 Disabilities Act accessible guidelines. We spent a lot of
14 time trying to get that right. Trying to make sure that
15 those guidelines were as clear as possible and that
16 individuals wishing to adhere to the Americans with
17 Disabilities Act would, in fact, put signage in the
18 appropriate place. There are reasons why you are not
19 seeing as much signage as perhaps we would all like to
20 see, one of those might have to do with the fact that
21 we're a relatively small population, two to four million
22 perhaps of people with severe visual impairments spread
23 over the country. The other perhaps that's as much
24 advocacy in a particular local community because there

1 aren't as many individuals as there might be in other
2 areas. I think more important than that are the
3 limitations of ADA and if you want later this morning, I'm
4 sure we can get to that, but I think all of us know that
5 the Americans with Disabilities Act, while it's an
6 excellent law, also contains a great deal of exemptions,
7 exceptions and other kinds of provisions that limit it's
8 reach in it's application. I think that's very true in
9 areas such as installation of Braille signage which for a
10 building that is -- was already existing at the time of
11 the Americans with Disabilities Act in a sense is not
12 required. The other issue that or point I want to make is
13 kind of a preface to my overall remarks is related to
14 that, all that is the general public I think in some ways
15 maybe the civil rights community as a whole doesn't
16 perhaps understand as well as it should and I hope we can
17 communicate this today that civil rights for people with
18 disabilities and certainly with people who are blind
19 requires more than merely an open door or a non
20 discrimination policy that is actively enforced. While
21 those two items are very important from an attitudinal
22 perspective, civil rights and if you look through the ADA,
23 the Americans with Disabilities Act. You'll see that this
24 is true, civil rights for people with disabilities

1 requires specific kinds of actions to promote accessible
2 and to ensure accommodations. Disabilities, unlike other
3 forms of statutes, that have required protection over the
4 years is more than merely the attitudes that individuals
5 hold towards disabilities to ensure that equal opportunity
6 for people with disabilities does, in fact, require
7 specific kinds of steps and actions that must be taken.
8 There are three areas that I won't focus very much on all
9 three of these because I think you already heard in some
10 ways and will hear more about some of these, but the three
11 areas that I think are overall critical could be looking
12 at civil rights for people who are blind and visually
13 impaired are protecting and ensuring the existing rights.
14 The second would be ensuring access to service. I think
15 Mr. Zebelski laid out that case in very excellent fashion
16 and the third and the area that I want to pay some
17 attention to and specifically this morning is the right of
18 access to information and especially the technology that
19 underlies information today. That I think is the area
20 that is the least well understood, the least well done in
21 civil rights law at this point in the area that needs the
22 most effort because it probably has the greatest impact in
23 terms of exercising existing rights. I know you have
24 someone here from the EEOC this morning. I'm greatly

1 concerned that people who are blind and visually impaired
2 have not been perhaps as active at running for and
3 advocating for rights under law such as the ADA as we
4 might have hoped. For example, only just over two percent
5 of the complaints issued with the EEOC, Equal Employment
6 Opportunity Commission, had to do with blindness or
7 visually impairment. I think most individuals who are
8 blind or visually impaired are unaware of some of the
9 details of laws such as the Americans with Disabilities
10 Act and the rights that that law and it's implementing
11 regulations afford. Such as the requirement for bus stop
12 calling or the requirement for installation of warnings
13 along the edges of transit platforms in rail systems. I
14 think equally unaware is the general public and those who
15 are required to take action under the ADA of some of the
16 specific needs and obligations, if you will, towards
17 accessibility for people who are blind and visually
18 impaired. Braille signage has already been identified as
19 an area that needs information, effort, and indeed it
20 does, making sure material is available in Braille and
21 tape and large print, perhaps electronic text, access to
22 web sites, all of these things are, in fact, required or
23 can be required under the ADA. But I think there's too
24 little awareness on the part of blind people and certainly

1 too little awareness on the part of entities covered by
2 the ADA of these requirements.

3 One of the things that I think we can
4 do together and I certainly thank the Committee for it's
5 leadership will be and look forward to the report of the
6 U. S. Commission is to publicize, promote, and make
7 awareness a key part of our effort to ensure that
8 individuals who are blind or visually impaired and the
9 general public are aware of the protections afforded by
10 laws such as Americans with Disabilities Act or Section
11 504 of the Rehabilitation Act. I will talk in a little
12 bit about the access to information issue, but certainly
13 we can do a better job of promoting the importance of
14 things like access to information in Braille or tape,
15 promoting the importance of calling bus stops so that all
16 passengers, including passengers who are blind and
17 visually impaired can make better use of transit system or
18 steps that I think we can specifically look at taking is
19 ways to reward employers and others who are, in fact,
20 meeting their obligations under the ADA. I think those
21 kind of incentives are always worth pursuing. Ensuring
22 access to services is the second area, while perhaps not
23 as traditionally understood as civil rights, it is very
24 critical for people who are blind and visually impaired,

1 as Mr. Zebelski has laid out, to have the skills and
2 specific kinds of knowledge that is required to be
3 independent as a blind person.

4 We're very concerned about the trend
5 towards consolidated agencies and closing specialized
6 schools for people who are blind. These are taking away
7 not only an opportunity for people to work and receive
8 services in a setting that is conducive to their needs,
9 but perhaps more important than that, it's taking away the
10 knowledge, experience, and specialized training of staff
11 who must provide the instruction for people who are blind
12 and visually impaired.

13 Beyond ensuring access to these
14 services, there are also other gaps that people who are
15 blind experience, particularly, I would note that the
16 health care system, both federal and private, does not
17 generally fund the services needed by blind people,
18 especially those who are older and that is the majority of
19 the population, people who are blind and over the age of
20 65, does not fund the services that those people need to
21 remain independent as they lose their vision. Once a
22 vision loss has occurred, there is virtually nothing that
23 the health care system funding package has to offer for
24 people who are blind and visually impaired. That is not

1 true of somebody who experiences a physical disability.
2 They are able to receive rehabilitation and other kinds of
3 services to help them live independently with that
4 disability.

5 I want to turn now to and close with
6 the issue of access to information. I think it goes
7 without saying that access to information and modern
8 information technology has emerged as one of the greatest
9 challenges, if not the greatest challenge of people who
10 are blind and visually impaired. You simply cannot be
11 independent in this society, you cannot participate in
12 this society if you cannot use a personal computer. It's
13 just that simple. I cannot begin to describe the anger,
14 the frustration, the depression that I hear about on the
15 other end of a telephone all too frequently from somebody
16 who is blind unable to use their talents simply because
17 Braille or tape or large print material wasn't provided or
18 an accessible computer was not made available. Being able
19 to access and manage and manipulate information is
20 critical to the independent. Being able to use computers
21 and software programs and electronic information is
22 equally critical. The problem here is really two-fold.
23 One of them is to ensure the timely access to alternative
24 format; which is the way we typically style Braille, tape

1 or large print, or audio presentation of something that's
2 visual, we call an alternative format. The second is the
3 design of the technology itself that's creating access
4 barriers. I would simply note here that the graphic user
5 interface made popular by Microsoft through it's Windows
6 operating system and now on the world wide web is one of
7 the greatest problems facing people who are blind or
8 visually impaired trying to use computers. It's simply
9 extraordinarily difficult to navigate a graphic screen if
10 you're a blind person who is relying on the speech output
11 from your computer. If one of those picture icons on the
12 screen is not labeled, there's absolutely nothing for the
13 blind person to understand what's there. There's no way
14 that that icon could be communicated and it's purpose for
15 that blind user. Equally, text that is painted to the
16 screen or made as an image on the screen cannot be
17 conveyed in speech to a blind person through the current
18 means of providing access to computers. I won't go into
19 detail on how blind people are able to use computers and
20 suffice it to say that we can, if the computer has been
21 designed correctly and we certainly could extremely well
22 in the days of ASCII and DOS, the text-based system for
23 personal computers.

24 Over the years blind people have been

1 heavily handicapped by the ocean of printed information.
2 We face more barriers than any other group, I think, in
3 accessing information. And now, as I said, we are seeing
4 the fears of technology innovation, further eroding our
5 independence. Yet I think there's some hope. Information
6 in a digital form or electronic form can be rendered in
7 speech if it's designed properly or Braille as easily as
8 it can be rendered in print for those of you who are
9 sighted. But, the technology has to be designed properly.
10 There are some laws that have helped to move us in the
11 right direction, but I don't think enough has been done.
12 Section 508 of the Rehabilitation Act, yes it was 508 I
13 said, is a separate part of that law that requires the
14 procurement by government of technology who is accessible
15 for people with disabilities; however, it's not ever been
16 enforced to our knowledge and is rarely every used.
17 Section 504 of course we're more familiar with, requires
18 federally funded programs to ensure access and, in fact,
19 the Department of Education has issued over the last few
20 years several excellent findings through it's Office of
21 Civil Rights regarding university's requirements for
22 access; helping their students access information and
23 computers.

24 * The Americans with Disabilities Act

1 we've already talked about some. The Department of
2 Justice has indicated that ADA does, in fact, apply to the
3 world wide web sites, but it says so in a very tepid way.
4 The web site must be made accessible unless the entity
5 Office of Civil Rights regarding university's requirements
6 for access; helping their students access information and
7 computers.

8 The Americans with Disabilities Act

9 we've already talked about some. The Department of
10 Justice has indicated that ADA does, in fact, apply to the
11 world wide web sites, but it says so in a very tepid way.
12 The web site must be made accessible unless the entity
13 that's covered has another means of providing information
14 access for blind or visually impaired persons. I don't
15 think that really reflects the centrality of the world
16 wide web in today's society. And then there's the new
17 Telecommunications Act which included Section 255 that
18 requires telecom equipment and services to be made
19 accessible for people with disabilities and if they can't
20 be made accessible for people with disabilities and if
21 they can't be made accessible indirectly, then they are to
22 be made usable by the assistive technology that people
23 with disabilities use; such as the assistive technology
24 that I brought with me today, which is known as a Braille

1 television. Like it or not, that's where people are.
2 That's where culture is taking place and that's where most
3 people are getting their information. People who are
4 blind and visually impaired watch television as anybody
5 else, but they miss out on a fair amount of anything
6 that's happening on the screen because it isn't described.
7 It's only taking place in a visual fashion. That can be
8 annoying when you've watched a whole mystery show and at
9 the end when the whole story is finally brought together
10 and there's no dialogue and it's all done visually. You
11 miss out on what happened. That's annoying. But when you
12 actually miss out on experience, on information about our
13 society, on weather reports that are scrolled across the
14 bottom of the screen in print, now we're starting to talk
15 about more things that are more than just a nuisance. In
16 fact, they can be life-harming or they can be harming to
17 an individual who needs to be aware of our popular
18 culture, who needs to be able to participate with others
19 regarding what's happening on television or movies.
20 There's a solution, it's called video description. It can
21 be provided. It's currently being provided in a pilot
22 form or in an example form by public broadcasting system.
23 We have tried and made an effort to move video description
24 into a legal requirement as closed captioning is. To

1 people who are deaf or hearing impaired, closed captioning
2 provides access to, of course, the audio portion of a
3 video program. Thus far Congress and the Federal
4 Communications Commission have not decided to give video
5 description a similar treatment as closed captioning. I
6 think that issue needs to have attention. It's high time
7 that we stopped denying access to cultural and
8 entertainment information for people who are blind or
9 visually impaired.

10 I want to close there. Thank you very
11 much for the time this morning.

12 CHAIRMAN MATHEWSON: Thank you for your very
13 thoughtful statement, Mr. Schraeder.

14 Questions, Hugh Schwartzberg?

15 MR. SCHWARTZBERG: One of the aspects of
16 technology is, of course, the Kurtzweil Reader and it's to
17 say the ability of technology to take what is a printed
18 form of material and read it to someone who is blind. Has
19 any state at this point attempted to make that technology
20 widely available to the blind who live within their state?

21 MR. SCHROEDER: Oh, absolutely. It's one of
22 the great stories of success. When I first experienced
23 the Kurtzweil Reader when I was in school some, oh my
24 goodness, almost 15 or 20 years ago, the school purchased

1 a system or got assistance to purchase a system for
2 \$30,000 that could read only the most clearly written,
3 typewritten page and could not do really well with the
4 books. Now, we have scanners that hook to computers with
5 software recognition systems that can read books, that can
6 read pages that are crooked and smudged and they cost
7 anywhere from \$1,500 to \$4,000 or \$5,000. It's a great
8 success story. The state system, such as the
9 rehabilitation program and the schools have done an
10 excellent job getting those reading systems into either
11 institutions where people need them or even into the hands
12 of individuals who need them. So that I think is an
13 excellent story. The downside, of course, is while the
14 cost has come down, it's still an expensive approach to
15 getting access to what most people who can see can get for
16 pennies or virtually nothing, and that is to get access to
17 the printed page. As more things are created
18 electronically, scanners such as Kurtzweil will have a
19 role to play, but their role will likely be reduced if, in
20 fact, we can make that electronic text that most
21 information is created in to begin with something that a
22 blind person can read as an electronic text rather than
23 printing it out first.

24 MR. SCHWARTZBERG: And how much distribution

1 is there to individuals of Kurtzweil type readers in the
2 State of Illinois; individuals as opposed to institutions?

3 MR. SCHROEDER: I don't have the figures on
4 that, but I expect that the rehabilitation system or
5 office of Rehabilitative Services can tell you how many
6 reading systems they have purchased for individuals and
7 I'm sure it's a goodly number or a decent number, given
8 the population they serve.

9 MR. SCHWARTZBERG: I have one other question,
10 if I may. You have tended to emphasize the status of law
11 as it now is; ADA and the like. The first time that the
12 body considered problems of handicapped was with respect
13 to hearing impaired. That was before the ADA. Assuming
14 the ADA were not in existence, one were designing
15 legal structures and the like, this body has the power
16 with or without existing legislation, to look at new
17 legislation, to look at what changes should be made and as
18 I indicated to the last speaker, I would indicate to you
19 and to Mr. Butler that specific suggestions that you may
20 have for changes in legislation or for changes in the
21 structure or for an agenda for change, we would appreciate
22 hearing or at least I would appreciate hearing on an
23 individual basis, submitted to this Committee for that
24 purpose.

1 MR. SCHROEDER: I appreciate that. I know we
2 can give more detail on that over the thirty day period,
3 but the two points I would make on that is; one, I think
4 that both the problems and the promise of ADA is it's
5 complexity. It's a problem because it's complex. It's a
6 promise because the idea was to try to create a law and
7 then a set of regulations that people could actually use
8 to take action to improve opportunities for people with
9 disabilities. It's very hard for somebody who doesn't
10 know anything about disability to try to figure out what
11 it is they're supposed to do to make this facility more
12 usable or to make their material more usable. It's easy
13 for me to understand because I've lived with blindness and
14 I've lived with accessible issues and but if you're new to
15 it, it's very hard. So the promise of ADA certainly
16 should have been and it should continue to be that we
17 provide materials to people in a way that they can use it
18 to make change and know if they can actually take change
19 without having people file complaints against them. That
20 was the other hope, of course, of ADA.

21 The other thing I would say, is
22 I really do feel strongly that Section 255 that I alluded
23 to was a very short paragraph in the telecommunications
24 laws, in an otherwise very long piece of legislation that

1 had really nothing to do with disability acts, except for
2 this one paragraph that says, new telecommunications
3 equipment services should be made accessible. The
4 problem with that is telecom equipment and services has a
5 very specific medium and it only covers those things that
6 are tradition; namely, understood to be telephone-based.
7 I think we need something similar to that that's short,
8 but profound as 255 is that covers computers and software
9 and the internet. I really strongly believe that those
10 sectors of our society are strong enough now that they can
11 withstand a statutory and regulatory action that, in fact,
12 moves accessibility forward. I really don't think that
13 companies like Microsoft can claim any longer that they
14 cannot take action, cannot make an investment in
15 accessibility to people with disabilities. And I will add
16 as a side note that Microsoft has made such investments,
17 but they've done it voluntarily and they certainly had the
18 opportunity to bring out technology that was not
19 accessible when it was in their market interest to do so.
20 We need to stop that. It simply needs to stop and I think
21 that's where the new law approach needs to be going.

22 MR. BUTLER: One of the recommendations that I
23 do recommend and later we can fill in more is how we can
24 connect what we have in order that everyone can use what

1 is needed for a reasonable price; whether it's computers,
2 whether it's transportation. And the reason for saying
3 this is because when you look in the laws, whenever you
4 see something it has an appearance as if the large print
5 giveth, but the small print taketh away. So, therefore,
6 when considering what to do, we have to find out how we
7 can use this so that no matter who uses it, it can be
8 efficient and effective and timely.

9 CHAIRMAN MATHEWSON: Kenneth Smith?

10 MR. SMITH; Mr. Butler, thank you for your
11 biblical inscription. I wanted to ask you in regard to
12 transportation, do you find your appearance before
13 agencies such as CTA and Pace, are they receptive to what
14 you're trying to raise with them and if they're receptive,
15 does anything happen?

16 MR. BUTLER: Sometimes. A lot of times when
17 we go there, we participate there in what is going on.
18 So, some things are accepted, as in life, you win some and
19 you lose some, but it's better to show up than not show
20 up and so, yes. For instance, once of the ways we can say
21 they are accepted is because they listen. Now on some
22 things because of budgetary responsibilities, they may
23 not be able and some other reasons we don't know. So,
24 sometimes they are accepted and we are grateful for that,

1 okay.

2 MR. SMITH: Okay, thank you. Mr. Schraeder,
3 I'm getting to Mr. Schwartzberg's questions about
4 advocacy. I wondered if the American Foundation for the
5 Blind or any other such groups have ever connected with
6 the Leadership Conference on Civil Rights in Washington
7 which is an umbrella, a coalition of many groups that come
8 together to focus on matters of equal justice and civil
9 rights?

10 MR. SCHROEDER: Yes, I know that AFB has been
11 active to some degree with the Leadership Conference and
12 the American Council of the Blind, the consumer
13 organization has been active with the Leadership Council
14 Conference. I think that in many ways the civil rights
15 community was extraordinarily supportive of the work on
16 the Americans with Disabilities Act and I think the
17 Leadership Conference and others really kind of helped
18 make that happen. We, in turn, have attempted to be
19 supportive on other issues that may not have a
20 disability-specific focus and may have only been
21 tangentially related. I don't think there's been, to my
22 knowledge in recent years, a specific discussion of some
23 of these issues related to people who are blind with the
24 Leadership Conference and maybe that's something we should

1 try harder to bring our colleagues into this struggle a
2 little bit more.

3 CHAIRMAN MATHEWSON: James Scales?

4 MR. SCALES: This is directed to either
5 gentleman who wishes to answer. So far all three speakers
6 have covered the issue of mass transportation and the
7 issue of para-transportation, but what about the issue of
8 just personal transportation for the visually impaired? I
9 know there's no drivers license for the blind, what about
10 the visual impaired?

11 MR. SCHROEDER: Since the Act is over here,
12 there's a fair amount of effort underway to help set up
13 laws for people with low vision to drive with specific
14 optical devices. I'm by no means an expert in that. In
15 fact, I've already told you exactly what I know and more
16 than I know about it, so I know there's activity
17 happening. Maybe there are others here today who will be
18 able to tell you more about that type of activity.

19 MR. BUTLER: In a sense, other than that that
20 he just mentioned, those are the personal ways of getting
21 around, especially the para -- and it is interesting
22 because two people can have the same thing, but it can
23 affect them different ways. So, other than that, walking,
24 that deals with training, mobility, how to get from one

1 place to another, they got teachers to do that. And
2 there's other ways that they do; ask their friends, but
3 mainly those two that we've mentioned will help.

4 Now, going from one point to another.
5 What is interesting, for instance, when we went to
6 Massachusetts last year, is to learn how to work with what
7 you have in order to get where you have to go. When we
8 contacted the train for instance, one of the Amtrak, and
9 know how to contact customer service and ask them to help
10 you in advance. Well, some things you can do that when
11 you going across country, but when you doing it just
12 personally in the city, you have to use what you have.
13 What is in developing is good and is on the way, but in
14 the meantime, those are not only commercial, those are
15 personal, in order to do what you have to do.

16 MR. SCALES: Last question. Mr. Butler, the
17 para transportation is that our of pocket expense to the
18 individual?

19 MR. BUTLER: A portion of it. It's a
20 combination. There's a fee you do have to pay and then
21 the majority of the paratransit is supplemented through
22 the federal government. So, that way each one is
23 participating in what they have. For instance, you pay
24 \$1.50 and the federal government will pick up the rest.

1 We don't always know just how much everything is.
2 Sometimes we do, sometimes we don't, but that's how it
3 works and the federal government picks up the rest and it
4 works real well.

5 MR. SCALES: Thank you.

6 CHAIRMAN MATHEWSON: Tom Pugh.

7 MR. PUGH: Mr. Chairman, I noticed the
8 gentleman in the audience with his hand raised a moment
9 ago and I don't know whether it had meaning or not.

10 MR. SMITH: He was saying amen.

11 MR. PUGH: Thank you.

12 CHAIRMAN MATHEWSON: Mr. Roberts?

13 MR. ROBERTS: Number one, I have an apology
14 because there's a gentleman in my community who I know all
15 of you know named Artel Davis and he is not here today and
16 that was part of my oversight, but I don't look at Artel
17 as being blind, first of all, I look at him as being
18 black. He's participated in all of the civil rights
19 marches and everything on the community and when it comes
20 to brother Butler's question or his problem, I was -- it
21 brought back to mind that Artel is a resident in Stateway
22 Gardens and he has a newsstand at 83rd and Cottage Grove
23 and he uses public transportation each day to get back and
24 forth to that newsstand. And I was wondering with his

1 situation -- would his situation help or hurt your case
2 with CTA, RTA?

3 MR. BUTLER: Yes, it's interesting because I
4 have two different situations and it's not an either or,
5 they both can work together and that's something that we
6 rarely hear. It is not the paratransit versus those who
7 can use the main line. It's that it will help him because
8 in his situation that's where calling out the stops will
9 work good; to know what stops to get on, where for someone
10 else who may not be able to, whether they can call the
11 stops or not, they're not able to board the bus for one
12 reason or another, they use the paratransit. So, it's not
13 one versus the other. It's using what you have to get
14 what you need. And so both are good in this perspective.

15 Did I answer your question?

16 MR. ROBERTS: Sure. I'll contact him and I
17 will get that information where you can communicate with
18 him.

19 MR. BUTLER: Sounds good.

20 CHAIRMAN MATHEWSON: Rosemary Bombella?

21 MS. BOMBELLA: I have no questions right now.

22 CHAIRMAN MATHEWSON: All right, gentlemen,
23 thank you both very much for coming here today and
24 participating in such a helpful and thoughtful way in this

1 meeting and again, you do have thirty days if you want to
2 supplement your statements with any materials that you can
3 still provide to us, to the Committee for that period of
4 time.

5 Thank you both for coming.

6 MR. SCHROEDER: Thank you.

7 MR. BUTLER: Thank you for your time.

8 MR. ROBERTS: For the record, Brother
9 Chairman, I will get in touch with Brother Davis, Artel,
10 and have him present to this Committee his recommendations
11 because he has been a very involved person in the
12 community. He is also the founder of Chicago Reading is
13 Fundamental, RIF for Chicago. He's one of the sponsors.

14 CHAIRMAN MATHEWSON: Good. All right, we
15 would welcome that. We're going to take a brief break
16 right now. Our agenda calls for being back in session at
17 10:45. Let's take ten minutes and that would be we'll get
18 going at 10:50.

19 (A recess was taken.)

20 CHAIRMAN MATHEWSON: Let's resume. We're
21 going to hear now from representatives of five federal
22 agencies that provide various services with respect to the
23 blind and visually impaired and our purpose in this part of
24 the program is not so much to get into a debate about

1 federal policies, obviously, but more to hear just what
2 role the federal government currently plays. We have
3 allotted some time for questions, but not a great deal
4 considering that there are indeed five of you and we'll
5 start with Celeste Davis who represents the Equal
6 Employment Opportunity Commission.

7 CELESTE DAVIS

8 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

9 Thank you. The EEOC enforces Title I
10 of the ADA which essentially prohibits employers with
11 fifteen or more employees from engaging in any employment
12 practice which discriminates against a qualified
13 individual with a disability. That is an individual who,
14 with or without a "reasonable accommodation" can perform
15 the essential functions of the job. The ADA protects both
16 employee as well as applicants for employment.

17 With respect to the total number of ADA
18 charge that have been filed for the time period of
19 January, 1996 through May of this year, in our office
20 here in this city out of a total of 2,612 charges there
21 have been 67 or 2.6 percent of those ADA charges dealing
22 with the issue of individuals that are blind. Persons
23 believing that they have a claim against an employer must
24 file a charge with EEOC within 300 days from the date of

1 harm. Once a charge is filed, the EEOC will thereafter,
2 they will thereafter conduct a "investigation" to
3 determine whether or not if there is cause to believe the
4 allegations in a charge. That's essentially a very brief
5 overview.

6 CHAIRMAN MATHEWSON: Can you just briefly, of
7 the 67 complaints that dealt with the blind or visually
8 impaired, how many of them have been resolved or concluded
9 and what the results were?

10 MS. DAVIS: Based upon my investigation, it's
11 my understanding that those 67 charges are open charges.

12 CHAIRMAN MATHEWSON: They're still pending?
13 Okay, thank you.

14 Barbara Knox represents the U.S.
15 Department of Housing and Urban Development. Welcome.

16 BARBARA KNOX

17 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

18 Thank you. Good morning to all of you.
19 My name is Barbara Knox and I serve as Director of HUD's
20 Office of Fair Housing and Equal Opportunity in the
21 Midwest. My office administers a myriad of civil rights
22 laws and authority applicable to HUD programs and to the
23 housing industry at large.

24 I've been asked to speak today about

1 the housing issues that impact on persons with vision
2 impairments. So, I'd like to spend a minute or so talking
3 about how the various laws we administer protecting those
4 person's rights. In 1988 Congress amended the Fair
5 Housing Act of 1967 to include protection against housing
6 discrimination based on disability. Those amendments also
7 gave HUD the power to enforce the Act's provision by
8 making determinations of discrimination and affording
9 complainants legal representation before an administrative
10 law judge or in federal court. Prior to 1988 HUD was
11 already charged with ensuring that it's own funded
12 programs did not discriminate against persons with
13 disabilities under Section 504 of the Rehabilitation Act
14 of 1973. The difference that the Fair Housing Act makes
15 in those protections is that it's coverage extends beyond
16 HUD funded housing to include most public and private
17 housing in this country. It also covers most real estate
18 related transactions, such as homeowner's insurance, home
19 equity loans, and loan packages sold on the secondary
20 market. My office investigates complaints of housing
21 discrimination from individuals and organization in
22 Illinois, Michigan, Ohio, Indiana, Wisconsin and
23 Minnesota. We process about a thousand complaints each
24 year and in fiscal year 1997, 27 percent of the complaints

1 filed with our office were based on disability. 80
2 percent of those based on physical rather than mental
3 disability. In the State of Illinois, 23 complaints were
4 filed during this period, 31 percent based on disability,
5 86 percent of those solely based on physical disability.
6 We estimate that only 4 or 5 complaints each year are from
7 visually impaired individuals or their advocates. Those
8 low figures probably speak more to our failure to do
9 sufficient outreach aimed at blind persons rather than a
10 lack of discrimination against those persons in the
11 housing market. Certainly we've experienced a upsurge in
12 complaints filed by persons with mobility impairment
13 mainly because we've successfully gotten the word out that
14 the new construction developments four units or more must
15 comply with the accessibility requirements that were also
16 part of the Fair Housing Amendments Act of 1988. Many of
17 those requirements do benefit the blind, such as
18 prohibition against steps leading up to dwellings. Most
19 complaints filed with us on behalf of the vision impaired
20 involve assistive or service animals, guide dogs usually.
21 Unfortunately, there's still landlords out there who
22 believe that guide dogs are pets rather than an essential
23 part of a blind person's physical being. Under Section
24 504 we've just concluded an interesting case in Rockford,

1 Illinois involving a HUD subsidized project where a blind
2 tenant wanted management to make it various signs and
3 written materials more accessible to him. After finding
4 in favor of the tenant, we entered into a settlement
5 agreement with the owner to provide tape recorded messages
6 of leases, monthly newsletters and admission information
7 to visually impaired tenants.

8 Finally, if I'm not taking too long, I
9 wanted to include a word or two about our own sensitivity
10 as an agency to make our workplace accessible to persons
11 with vision impairments. For instance, we offer a Braille
12 version of the Fair Housing Act regulations and we provide
13 assistance to visually impaired persons who wish to file
14 complaints with us. A number of our HUD employees also
15 have vision impairments. So we've made every effort to
16 provide these employees with tools to do their jobs and
17 I've got some information on various kinds of tools that
18 we have and that we're using at our work site. As I said
19 before, our problem as a federal agency is not a lack of
20 understanding or sensitivity to the housing concerns of
21 the blind, k we've gone a long way I think towards making
22 ourselves and our programs accessible. Our problem is
23 that we haven't effectively informed them that we're here
24 to protect their rights. Maybe today's hearing is a first

1 step in that direction. Thank you.

2 CHAIRMAN MATHEWSON: Thank you. Patricia
3 Lucus represents the U.S. Department of Health and Human
4 Services.

5 PATRICIA LUCAS

6 DEPARTMENT OF HEALTH AND HUMAN SERVICES

7 Good morning Committee members. I am
8 very glad to have this opportunity to tell you about our
9 office. I am with the Office for Civil Rights in the
10 Department of Health and Human Services and the mission of
11 our office is to assure that all of the programs and
12 facilities that are recipients of money that come through
13 HHS, such as Medicare, Medicaid and many block grant
14 programs that are spent in a non discriminatory fashion
15 and that the services in those facilities are offered in a
16 non discriminatory way to all people.

17 The laws we enforce are similar to what
18 the other agencies also handle. Title 6 of the Civil
19 Rights Act, Section 4 of the Rehabilitation Act, Title 1
20 of the Americans with Disabilities Act, The Age
21 Discrimination Act and some laws that pertain only to
22 hospitals. The emphasis in our office is on service
23 delivery. Employment is just a tiny part of what we do
24 and the only law that we enforce that covers that directly

1 is Section 4 of the Rehabilitation Act. Our office
2 immediately responds to any complaint that comes in. We
3 literally have no backlog and there's no waiting period.
4 We respond to everything we get, whether we have
5 jurisdiction over it or not. Some of the programs that
6 we've been dealing with a lot lately are HMOs, day care
7 centers, Department of Children and Family Services, all
8 of the services offered through the Department of Human
9 Services, such as mental health. We deal with homes and
10 nursing homes and a wide, just a wide variety; everything
11 you can imagine in the way of health and welfare goes down
12 to day care centers and counseling agencies and the
13 different programs; on and on. With regard specifically
14 to the blind, we also get very few complaints. I think in
15 a way that is a reflection of the fact that the staff and
16 the funding for the enforcement agencies has gone down
17 over the years and we do a lot of outreach, but we don't
18 do as much as we could or should. The kind of complaints
19 that we have gotten over the years were again, guide dog
20 situations, especially from hospitals where an employee
21 might want to use their dog to get to work or visitors
22 coming into the hospital. And again, I think that a lot
23 of the problem is lack of education of the public. They
24 don't understand, like Barbara said, that a guide dog is

1 not a pet and that there are actual rules and laws about
2 that. You know where the dogs can go and where you might
3 not, you know, bring your pet; such as in restaurants. I
4 mean a lot needs to be done to educate people. What we
5 find when we do investigations is that on all kinds of
6 disabilities in other kinds of complaints that we get it's
7 the fact that people are just unaware, they don't know
8 anything about this group of people. We don't think about
9 them, they don't have any contact with them, their
10 problems, they're invisible. They can't think about them
11 because it's not even in their mindset to even consider
12 what the problem could be. So, we do a lot of education.
13 This is the same we had to do with the deaf community.
14 That putting your hand over your ears isn't the same as
15 being deaf. These people don't even know the English
16 language and never heard it. And there's a lot of
17 education to be done on all these types of disabilities.

18 Section 504, the important part of it
19 having to do with employment. There's a requirement that
20 employers accommodate the needs of disabled people unless
21 it constitutes an undue hardship. Now, they have to
22 provide a reasonable accommodation, which enables that
23 person to perform the essential functions of the job.
24 First thing that the employer needs to do is to define the

1 essential functions and many times they think that a lot
2 of the ancillary functions are primary functions, and
3 they're not. So they never really analyzed the job. When
4 it comes down to accommodation, they seem to dismiss it as
5 too complicated, too difficult or they don't know what to
6 look for and they don't know where to go to get the
7 information, and they don't bother. However, there are
8 resources that are available; all of these agencies would
9 be glad to answer people's questions. There's also here
10 in Chicago the Great Lakes Business and Technical
11 Assistance Information Center that provides free
12 assistance to any employer asking any kind of question.
13 And they have all kinds of information about how to
14 accommodate the needs and I'm sure that the Lighthouse and
15 the agencies representing the blind have a great deal of
16 information on technology that can assist people.

17 One of the' cases that we had
18 successfully investigated some years ago was exemplified
19 all of these problems. A gentleman had been employed by
20 one of the welfare departments for some years. He had
21 done well. He wanted to be promoted to a caseworker
22 position and he applied for that and he was among the best
23 qualified, but they simply dismissed him as not able to do
24 the job. They determined, without really any thought or

1 any consultation, that he would not be able to get to the
2 client's homes to do home visits. That he wouldn't be
3 able to keep notes, to keep his cases up-to-date, that he
4 wouldn't be able to fill out the forms and all of these
5 things can be accommodated. They passed him over three or
6 four more times for other similar jobs before he filed a
7 complaint with our office. And it took a long time for us
8 to get this settled because they were quite resistant and
9 say they didn't have any knowledge and they didn't see to
10 be very amenable to learn. But in the end, this took over
11 a year, this man was hired for the job. He had found that
12 there were resources for traveling. He got to work
13 everyday. There are services that are specifically for
14 disabled people. There's public transportation and this
15 man was proficient in traveling. He was also a proficient
16 typist. What he needed was a typewriter. There are
17 typewriters that are set up that will -- you can do forms
18 on. He would be able to use a tape recorder. He would
19 need some clerical support to read incoming mail possibly,
20 things like that or typing that perhaps may need to be
21 perfected, but they did eventually hire the man and we've
22 required them since we have what's called a make whole
23 remedy, you have to get whatever you would have gotten had
24 you not been discriminated against. So, we were asking

1 for back pay, back seniority for this man. He did get
2 higher at a higher level to make up for the higher pay
3 that he had missed out on for a number of years. And we
4 have had recent contact with this agency and this man is
5 still there after ten or fifteen years and they love him.
6 They think he's the greatest employee they've ever had and
7 I think that this is a success story not just for him
8 personally, but for all disabled people because once they
9 have had the experience, the successful experience with
10 one person, I think they are less likely to dismiss out of
11 hand another disabled person who comes to them and needs
12 some assistance to do this job. I think they'll listen
13 better. But, a lot of education does need to be done and
14 with regard to some of the other problems that were
15 described, such as building access. I think I have found
16 that it is best when the laws are enforced at the lowest
17 level possible. That's not at the federal government
18 level and not from Washington because it doesn't seem to
19 reach out and really get to the problem. But building
20 problems with accessible buildings should really be
21 handled at the city level. People who go out inspecting
22 these buildings, those requirements, should be
23 incorporated in the building code. We are always trying
24 with nursing homes and hospitals to get the state, since

1 they do surveys, to incorporate some of our concerns
2 because they're out there every year. They're out at
3 every nursing home every year and every hospital. Our
4 staff, to give you a little history, when I joined HEW 25
5 years ago at that time there were nine people handling
6 health. Due to some lawsuits and other things a few years
7 after I joined, OCR got much larger. We then split into
8 HHA and education. At one time 9, 90. Our office had 50
9 people at least 36 vendors covering the six states in the
10 midwest. As of the close of business tonight, we will
11 have 18 employees. We haven't had an attorney in a couple
12 of years. We will have, at close of business tonight, our
13 last clerical employee is retiring. We have no clerical
14 employees, just professional staff have to open the mail,
15 stamp it in, make up the files, do all the typing, deliver
16 the mail to the mail room. It's time consuming and we
17 only have now 11 vendors to cover six states, every health
18 and welfare facility and program in that and it's just
19 simply impossible to cover everything that you need to do.

20 CHAIRMAN MATHEWSON: Thank you.

21 MS. LUCAS: Certainly.

22 CHAIRMAN MATHEWSON: Shirley Mason Carter
23 represents the Federal Office of Contract Compliance
24 Programs.

1 SHIRLEY MASON CARTER

2 FEDERAL OFFICE OF CONTRACT COMPLIANCE

3 Good morning to the Committee and to
4 the audience. I won't duplicate a lot that's been said
5 because my agency, who is with the U. S. Department of
6 Labor, does similar to HHS. We receive complaints of
7 individuals who have disabilities and investigate it, but
8 one of the other main things that my agency has
9 responsibility for is that any company who provides
10 service to the federal government and has a contract of
11 \$2,500 or more must develop an affirmative action plan for
12 individuals with disabilities stating that they will
13 afford affirmative action, equal opportunity in all their
14 personnel practices, including but not limited to; hiring,
15 promotions, training, recruitment, transfers and any other
16 mobility including to the executive level. Now, this is a
17 written plan that any time we conduct a compliance review,
18 this plan must state or have some main factors in it.
19 One, a schedule of review of their position descriptions
20 to review for physical and mental limitations to assure
21 that they are not excluding anyone who could otherwise be
22 qualified to do jobs. Two, that there are proper
23 consideration of all their qualifications for any
24 individual that applied for a job or promotional

1 opportunity. That whoever is doing the screening or the
2 interviewing is not looking at the limitation of the
3 person before they consider their true qualifications of
4 the person and if there is or if that is happening, then
5 the company has a responsibility to go back and modify
6 their selection procedures. Three, that they must afford
7 reasonable accommodation and again as was stated by the
8 previous speaker, that means that they must provide, in
9 accordance with it doesn't cause any undue hardship to the
10 company, there are two factors that they must provide to
11 us to say explanation when they see that it's an undue
12 hardship. One, it's a business necessity and two, the
13 cost and financial involvement. It's usually the business
14 necessity that calls us to say that it is not an undue
15 hardship because dollars alone doesn't cause the undue
16 hardship. If, in fact, that you need to put in a hundred
17 thousand dollar outside elevator to accommodate
18 individuals with limitations in wheelchairs or hand
19 crutches to get to a job, then that's what you should do
20 because you must provide to the public as well as to your
21 employees and your applicants. Or that the conversation
22 that your are not going to be paid less because you have a
23 disability because you're doing the same job as your
24 counterpart and; therefore, you should be compensated

1 equally. So, we looked at that as well. Five, that the
2 outreach and this is where we rely a lot on agencies just
3 like myself that's sitting at the table as well as the
4 community to let us know who you have available in your
5 pool that we can set up because one of the things that we
6 do with a company is set up linkages. When we find that
7 the company is not taking a positive outreach to recruit
8 when they have openings for positions to companies that
9 can provide blind individuals or individuals in
10 wheelchairs or any other individual because they just
11 don't know about them. Then we set up that linkage
12 between them and the company and a formal agreement that
13 they will use them and contact them anytime they have job
14 opportunities. And then we follow that up in a progress
15 report and monitor it. So, in addition to an individual
16 with a disability being able to come to our agency to file
17 a complaint within a 180 days of the action, as a single
18 complaint, we also look at monitoring and review the
19 company inside before the complaint comes up to ensure
20 that they have mechanisms in place to ensure that their
21 procedure, employment practices are afforded an equal
22 opportunity for individuals with disabilities.

23 CHAIRMAN MATHEWSON: How frequently do you do
24 that?

1 MS. CARTER: Whenever we do everyday we do our
2 compliance reviews; that's automatic, and when we do to
3 executive order which is based on race and sex. There are
4 two other components that we look at, the affirmative
5 action plan for individuals with disabilities and we look
6 at the affirmative action plan for disabled Viet Nam
7 veterans and that's common practice if everyday we do
8 there are 20 compliance officers across the street in my
9 office, I represent the Chicago district office, it's one
10 of ten offices in region 5, we review in Iowa, Northwest
11 Indiana. We have all of Indiana because Indianapolis,
12 Wisconsin, Columbus, St. Louis, Kansas City. We pretty
13 much coast to coast because not just Region 5, there are
14 -- well, we mentioned two others, eight regional offices
15 now and so it's a common practice that again not just to
16 look at -- not wait for complaints to come to us, we try
17 and stay abreast of what's going on in the company before
18 a problem occurs and that's why it's important for us to
19 remain a focal part in the community because we need to
20 know what recruitment sources are available as far as who
21 you have, what type of services they can do, if there are
22 accommodations that you know they need, do they have it?
23 Could you provide it? Does the state have someplace else
24 we can get the basic cost so that the company can contact

1 them each time. It's just not when they're looking for
2 secretaries, not just when they're looking for
3 technicians, but every level of the work force they should
4 be contacting organizations to recruit individuals with
5 disabilities.

6 CHAIRMAN MATHEWSON: And if you find defects
7 in your compliance reviews, defects in their plan, do you
8 bring--

9 MS. CARTER: We cite them. We incorporate it
10 in a formal agreement between that company and my agency;
11 be it a conciliation agreement or a letter of commitment,
12 and we monitor it in what we call a progress report where
13 we find that there might be a setting for reasonable
14 accommodations and they need to make bathroom door
15 handles, ramps, whatever accessible, then we ask them to
16 do a feasibility study because you know those measurements
17 are in accordance with the ADA. We don't tell them how
18 big or wide to make it, we tell them get a feasibility
19 study done in accordance with ADA and then let us know
20 when you're going to do it, how much it's going to cost
21 you and when you expect it to be completed and we may even
22 ask for pictures or we'll go back out and see for
23 ourselves that it was actually done.

24 CHAIRMAN MATHEWSON: Okay, thank you very much.

1 Don Ray Pollar represents the U.S.
2 Department of education.

3 DON RAY POLLAR

4 U. S. DEPARTMENT OF EDUCATION

5 The U.S. Department of Education,
6 Office of Civil Rights enforces five federal statutes that
7 prohibit discrimination in programs and activities that
8 receive federal financial assistance from the Department
9 of Education. Discrimination on the basis of race, color
10 and national origin is prohibited by Title 6 of the Civil
11 Rights Act of 1964. Sex discrimination is prohibited by
12 Title 9 of the Education Amendment of 1972.

13 Discrimination on the basis of disability is prohibited by
14 Section 504 of the Rehabilitation Act of 1973 and Title 2
15 of the Americans with Disabilities Act of 1990 also
16 prohibits discrimination on the basis of disability. Age
17 discrimination is prohibited by the Age Discrimination Act
18 of 1975.

19 The civil rights laws enforced by the Office
20 of Civil Rights extends to all state education agencies,
21 elementary and secondary school systems, colleges and
22 universities, vocational schools, proprietary schools,
23 state vocational rehabilitation services agencies,
24 libraries and museums that receive federal financial

1 assistance from the Department of Education. Programming
2 activities that receive Department of Education funds must
3 be operated in a non discriminatory manner. Since
4 approximately January 1, 1996 we have received 18
5 complaints with respect to discrimination based on visual
6 impairments. The issues or allegations raised and are
7 addressed in those complaints ran from the provision of
8 related aid in services such as books in Braille to
9 modifications to test people with disabilities and
10 specifically visual impairment. As of today, all of these
11 complaints have been resolved. We've either gotten
12 agreements from schools that they will provide the services
13 or the services have been provided.

14 CHAIRMAN MATHEWSON: Okay. Thank you. Connie
15 Peters has joined us here, another member of the Committee.

16 Rosemary Bombella?

17 MS. BOMBELLA: I have a couple of questions.
18 One is basically all the agencies work on the basis of
19 complaints. Do any of you do monitoring outside of the
20 complaint area?

21 MS. CARTER: That's what I was stating. I
22 didn't want to duplicate what had already been started
23 because we do work by complaints, but what we do about the
24 complaints is monitor internally the structure of the

1 company itself in it's employment practices, how it's
2 structured. Again, when we go in and do a review which is
3 constantly, what our 20 compliance officers are doing, we
4 look at that interim, we take a tour of the facility. We
5 look at the jobs they have available. We go in the
6 washrooms. We look at the internal grounds. We go
7 through an interview process with the human resources
8 person to see if we're looking at the position
9 descriptions to what they say on the job regulation. The
10 weight restriction, height, anything and we see there are
11 factors in the position description that are not
12 job-related, then we have them change those position
13 descriptions so that they only are asking for the
14 qualifications of what is related to the duties of the
15 essential functions of the job. So, we do look at size.

16 CHAIRMAN MATHEWSON: Mr. Pollar?

17 MR. POLLAR: Okay, as part of our plan we have
18 what we call proactive activity. What that means we do
19 research and if, in fact, we see areas where there are
20 problems, we can target specific entities for a review if
21 you will. What this simply means is that we can do
22 research and if we see trends or patterns where there are
23 problems, we don't need a complaint to go in and
24 investigate allegations of discrimination. We don't just

1 do complaints, we also, in fact, target recipients for
2 investigation.

3 MS. LUCAS: We do similar type of things. We
4 do initiate outreach activities and reviews in areas that
5 where no problem exists or new programs, HMOs that came
6 in, that's a new area we had to do a lot of work with
7 them, still have a lot to do. Now, with the welfare needs
8 changing, these both programs and these other programs,
9 whatever is new is targeted to help get it off to the
10 right start or find problems and resolve them without a
11 complaint being filed. Sometimes people will call us and
12 they don't want to give the name, but they don't want
13 their name used or attached to the complaint and we will
14 do those either as review or we just initiate what we call
15 outreach activities which our education all we do -- a lot
16 of seminars. We will assist any facility in developing
17 policies and procedures, hook them up with other agencies.
18 We do quite a bit of that. That's our complaint load has
19 been down the last few years nationwide. We're doing an
20 awful lot more of this type of work.

21 MS. KNOX: The Office of Fair Housing and
22 Equal Opportunity is responsible for doing what we call
23 front end reviews of any application that's filed for HUD
24 assistance programs. That I'm sure you're familiar with

1 Community Development Block Grant programs, our public
2 housing programs, so applications for HUD assistance we do
3 perform front end reviews of those applications to assure
4 that that recipient has certified that it will comply with
5 Section 504 of the ADA for instance. But, in addition to
6 that, we do monitoring of those funded programs and even
7 beyond just the HUD funded programs. As I said, the fair
8 housing law extends to the private housing markets. So,
9 we have the opportunity under the Fair Housing Act to do
10 what's called secretary-initiated complaint
11 investigations. We can initiate, based on information
12 that we may get in what we call the fair housing
13 community, private fair housing groups who give us
14 information about discriminatory practices going on in
15 communities so we can initiate our own investigations and
16 initiate what we call our secretary-initiated charge.
17 That would be very similar to a class action complaint.

18 MS. DAVIS: And I would just like to add that
19 EEOC also has something along the same lines as HUD. EEOC
20 also has something along the same lines as HUD. EEOC
21 headquarters in Washington, likes to, shall we say keep
22 it's eye on employers to see if there's possibly a pattern
23 and practice going on. If we feel that they are, there's
24 a procedure whereby a charge can be initiated by an EEOC

1 commissioner.

2 MS. BOMBELLA: But, the case load basically for
3 those with visual impairment is small compared to the
4 others for all agencies. The other question I had was in
5 terms of education. Mr. Pollar, what is the U.S.
6 Department of Education's policy in terms of early
7 intervention and evaluation of children?

8 MR. POLLAR: In terms of --

9 MS. BOMBELLA: In terms of people with visual
10 impairments. One of the things I keep hearing is that,
11 there's a lack of early intervention and a lack of
12 evaluation services. Well, particularly today we're
13 hearing about it, but yet on the national level --

14 MR. POLLAR: Well, basically the Department's
15 policy is generally they have funded several early
16 intervention programs that are specifically geared towards
17 individuals with disabilities and under those laws that we
18 enforce, they're required to evaluate and provide services
19 to these for these early intervention starting from three
20 years old. So, the areas established precedence out there
21 for the provision of services in terms of evaluation and
22 the services for early intervention programs.

23 MS. BOMBELLA: And three years has been judged
24 to be early enough for early intervention?

1 MR. POLLAR: Well, that's how the law was
2 written, so I can't say, you know.

3 MS. LUCAS: I think one of the problems that
4 we face are the restrictions imposed by the laws;
5 education laws generally requires non discrimination.
6 They don't require any affirmative action type of things.
7 We continually get calls about lack of access to medical
8 care and what they mean is there's no hospitals on the
9 soutside of Chicago. But we can't make anybody build a
10 hospital. We can't make a doctor or an office open, we
11 can only require that the facility that exists don't
12 discriminate. We can only require that what is there is
13 operated in a non discriminatory manner. We can't require
14 anybody to create something new. So, I'm sure education,
15 they can't really make someone create a new program. We
16 can't do that. That's just the limitations of the law is
17 why it have to come from possibly talking about new
18 legislation or something like that. But, as I'm not aware
19 of any legal means to bring health resources to the
20 soutside of Chicago. That area between the University of
21 Chicago way out in Roseland there's like nothing.

22 MS. BOMBELLA: There's no way to require
23 services to underserved populations?

24 MS. LUCAS: There's no way we can make a

1 hospital move there. We engaged some years ago in working
2 with hospitals on keeping them from moving out, but we
3 can't make them move in.

4 MR. POLLAR: Yes, as I said in my opening
5 statement, we -- program activities that receive funds
6 must be operated in a non discriminatory manner. The five
7 federal statutes that we enforce nowhere require that you
8 have to create services or you have to go out as she said
9 and take the affirmative step. We can only ensure that
10 the programs and activities that we have funded are
11 operated in an non discriminatory manner and we take a
12 proactive step in doing that. However, I will say if we
13 get information which indicates that there are problems in
14 areas then again we can and we do. We have two teams in
15 our office that do nothing but proactive work. Those two
16 teams in fact research, they contact community groups,
17 community groups contact us. We are currently making a
18 concerted effort to do more technical assistance, to reach
19 out to more organizations. Where we find out there are
20 problems, we will take steps to address them. But, again,
21 we can't pull out there and say, okay, recipients you have
22 to create a program, an early intervention program. We
23 can suggest it. We can recommend it. But, we cannot
24 require an entity to do it.

1 CHAIRMAN MATHEWSON: Dorris Roberts.

2 MR. ROBERTS: Sister Knox, from the Department
3 of HUD. In relationship to the acts for disabilities, is
4 there a concentration on the blind? I mean, as much
5 information we know that we have different facilities that
6 are designed for handicap with wheelchair patients,
7 paraplegic? In relationship to a person that is blind or
8 they are, other than the elevators, signage, is there any
9 other labels that is done in the construction of new
10 buildings?

11 MS. KNOX: If you're talking about the new,
12 what we call the new construction requirements of the Fair
13 Housing Amendment Act, we have got some general guidelines
14 out there, some general accessible requirements, but I
15 would say that we have to depend more on looking at
16 individual circumstances that might be brought up that
17 might be brought to our attention by a person who feels as
18 though they're not being afforded an equal opportunity to
19 enjoy a particular development. But, you know, the
20 accessible requirements do have some guidelines about
21 providing environmental controls and other sort of things
22 that would allow a person with visual impairments to enjoy
23 their unit. But many of the circumstances that come to us
24 show us that needs are often individual, individualized

1 depending on the severity or nature of a person's
2 disability. That's why I wanted to bring forward the
3 particular case that we had in Rockford, Illinois about a
4 person who just requested not just the elevator sign that
5 will just show you where the floor is, but postings,
6 things that you and I might not even think about, that
7 certainly a landlord might not even think about that that
8 landlord has to be more sensitive to making everything in
9 the environment including in common areas accessible to
10 all it's tenants, including those with vision impairments.

11 MR. ROBERTS: That was the focus of my
12 question. Ramps are generally considered in compliance.

13 MS. KNOX: Right.

14 MR. ROBERTS: And seats on the general
15 bathroom area, but as far as the blind is concerned, they
16 may not be necessary, but there are other --

17 MS. KNOX: There are other things, but again,
18 we, as I said, other than the general accessibility
19 requirements that are statutory, we also accept cases that
20 come to our attention where even beyond meeting the
21 general accessibility requirements an individual person may
22 need additional accommodations or what we call
23 modifications if there's structure.

24 MR. ROBERTS: And in relationship to the age

1 limit, you were indicating that three years was the limit
2 of where you considered a person who was blind to be able
3 to receive some assistance from your agencies?

4 MR. POLLAR: The term of the question was
5 about early intervention program. The way the law was
6 written, the age where children begin to enter into the
7 intervention program was three. That was just the way the
8 law was written. And once they reached three years old
9 and they can bring them to a program, they will be
10 evaluated and they should be provided services.

11 MR. ROBERTS: Okay. Ms. Lucas, to the extent
12 that a person, the determination of blindness can be
13 determined I'm sure by 18 months or something, what is
14 there any health assistance that would be given to a
15 parent who distinguishes at 18 months their child is
16 legally blind?

17 MS. LUCAS: In the civil rights office, we do
18 not provide any kind of -- there's no assistance available
19 for people. The only type of thing that we do is to
20 investigate complaints of discrimination within a program.
21 So, we don't actually offer any services; however, the if
22 the person does go to a program and they are treated
23 differently and segregated out or told to come back, it
24 can't be handled and they are turned away, those are the

1 kinds of situations that they would examine and before I
2 order that corrective action be taken.

3 MR. ROBERTS: That would be done basically
4 directed towards the health care provider, right?

5 MS. LUCAS: Health care provider, right.

6 MR. ROBERTS: Children and Family Services. A
7 lot of these people in the population in commerce, DCFS
8 and they're not notified of their rights because they
9 can't read them.

10 CHAIRMAN MATHEWSON: Tom Pugh?

11 MR. PUGH: Various federal agencies provide
12 workshops or technical assistance programs or oftentimes
13 advisory mailings dealing with elements of the program
14 that they are enforcing so and I guess my question is how
15 many of these things do any of your agencies regularly
16 provide dealing with the problems of the visually impaired?

17 MS. CARTER: I guess basically in my agency
18 it's kind of the reverse. We try and establish
19 communication with the community or the recruitment courses
20 or the agencies that will be available to us to stay
21 forward to the companies that we review. So, as what I'm
22 saying is we send out flyers for basically we try to
23 identify through --

24 MR. PUGH: My questions is, do any of those

1 flyers deal with the area of visual impairment?

2 MS. CARTER: They deal with all areas.

3 MR. PUGH: Specifically with the visual
4 impaired.

5 MS. CARTER: Not just.

6 MR. PUGH: They do deal specifically with the
7 visual impaired? Do all of you do?

8 PANELIST: I don't.

9 MR. PUGH: You do?

10 MS. KNOX: I did mention we did have some
11 materials in our office that are in Braille that we make
12 available to people with visual impairments, but in terms
13 of special materials that we put out to organizations such
14 as Lighthouse For The Blind or anything--

15 MR. PUGH: Contractors, anything with HHS.
16 For example, do you, you supervise a lot of factors, a
17 lot of hospitals, a lot of patients, do you ever give
18 information about the law with respect to visual impaired
19 specifically?

20 MS. LUCAS: No, and we don't have a mailing
21 list that would cover all of these places and I would say
22 that we're real lucky to get copies of your regulations
23 printed much less anything else these days.

24 MR. PUGH: I guess the same question is to

1 HUD. do you?

2 MS. KNOX: Do we provide specific information
3 just on visual impairments, no.

4 MS. DAVIS: No.

5 MR. POLLAR: No.

6 MR. PUGH: No one, thank you.

7 MR. POLLAR: Excuse me, I'd like to go back
8 and clarify a statement with respect to the question about
9 aid in terms of three year olds. While that is what the
10 law says. If you have a program and it's providing
11 services to children who are under the age of three, they
12 cannot say because a two year old is blind we're not going
13 to provide him services. No, that's discrimination based
14 on disability and that would not be accepted. So, while
15 the law says three, if a recipient establishes a program
16 and says, okay, in my program I'm going to serve infants
17 and toddlers five months to two years old and then they
18 set it up and they receive federal financial assistance
19 and a two year old or one year old or eighteen month old
20 was disabled, for example, a visual impairment applies for
21 that program, they cannot say no, we're not going to serve
22 you because you're visually impaired.

23 MR. ROBERTS: Then I have a complaint.

24 CHAIRMAN MATHEWSON: Preston Ewing? James

1 Scales?

2 MR. SCALES: Pass.

3 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

4 MR. SCHWARTZBERG: I hear words of outreach.
5 target recipient areas, establish linkages, affirmative
6 action plan, all words I love. I would like to suggest
7 that there are some realities that are being overlooked.
8 Ms. Mason Carter, you work on affirmative action plans.

9 MS. CARTER: Yes.

10 MR. SCHWARTZBERG: If you go to the
11 Lighthouse, they'll supply as many potential switchboard
12 operators on the switchboards say for one of those
13 hospitals as you can place. Special equipment can be
14 supplied from OARS and a population which represents one
15 to two percent of the country is essentially poor and
16 largely unemployed, can be employed that way.

17 MS. CARTER: Yes.

18 MR. SCHWARTZBERG: We set up, as a society, at
19 one point we set up newsstands for the blind and since the
20 time of newsstands, nobody has tried to say here are some
21 other areas where we can set up for blind. The obvious
22 one is where large switchboards still exist, you can plug
23 that into most affirmative action plans and you can set
24 forth perceivable future enough people out of Chicago

1 Lighthouse to place one in every one of the people who
2 come to you with those plans. You have elevators that are
3 being built in public buildings through HUD. There's no
4 public building with a possible exception of the Chicago
5 Civic Center, the Daley Center, which provides something
6 that a blind person can use with any ease.

7 MS. KNOX: I'm talking about housing
8 specifically.

9 MR. SCHWARTZBERG: I understand. Let's talk
10 about housing. You supervise some large buildings that go
11 up. The problems of someone at some point being blind in
12 it should be sufficiently high to make some requirements
13 in advance. A talking elevator actually doesn't cost very
14 much at the point of construction. Retrofitting is a
15 different matter. But, there's no consistency in the
16 Braille identification required at a federal level. At
17 least let's require it at such level as you can supervise
18 so that we can begin to have somewhere a blind person
19 reaches out at the edge of the door, they know what floor
20 they're at or they know what lights have been pushed. It
21 seems to me that in most of the agencies a small group
22 meeting after 5:00 o'clock trying to figure out how do we
23 actually do things for this particular community might
24 help because most of us don't think in terms of the blind.

1 I have a different matter for Ms.
2 Lucas, which is that I'm not certain that if you approached
3 justice you might not find somebody who is going to say
4 that the failure to set up a district, an outreach center
5 by some of the hospitals that had Illinois money or
6 otherwise wouldn't be required where every other hospital
7 in every other portion of the city set up local input
8 areas and it's only those hospitals which are adjacent to
9 the poor areas which don't have those kinds of outreach
10 facilities and that may well be discrimination that the
11 court might well be cognizant of the existing legislation,
12 but as far as I know, that lawsuit has never been
13 investigated. Maybe it's something that your office might
14 suggest an investigation be held for. I admit this is an
15 attitude more than a question, I suppose, the question,
16 are you yourself convinced you were doing the kind of hard
17 looking at the problems of the visually impaired that have
18 to be done to solve these problems?

19 MS. LUCAS: I think one of the problems is
20 that we are enforcement agencies. The places who have the
21 money to set up the programs and what we call the program
22 agencies like Public Health don't have any civil rights
23 people in them or on them. They don't think of it and
24 they don't consult with us and they consider us as a

1 separate part. We only do enforcement of the laws as far
2 as they go. But, we are not integrated into all of these
3 organizations sand communities.

4 MR. SCHWARTZBERG: Are you barred from
5 communicating with them?

6 MS. LUCAS: No, we're not barred from
7 communicating, but they are not receptive. They see us
8 as a problem.

9 MR. SCHWARTZBERG: It seems to me if the
10 letters were sent and the communications were clear that
11 after a certain point the threat to publish those letters
12 would ensure that action occurred in some cases.

13 MS. LUCAS: I don't think so.

14 MR. SCHWARTZBERG: I would like to see the
15 letters written.

16 MS. LUCAS: I'll give you a specific example.
17 You know what the CHIP programs are; Children Health
18 Insurance plans, they are something new. Every state is
19 eligible to have a Children Health Insurance Plan to
20 expand health care coverage to children who don't qualify
21 for Medicaid. We participated with HICFA and other
22 agencies in going over the state plans to see that they
23 didn't discriminate on the basis of race, national origin,
24 handicap, all of these things. At the final moment, they

1 told us that the CHIP legislation does not have a civil
2 rights component; it's not in there when it was passed, it
3 doesn't say you will comply with, you know, the civil
4 rights laws like most other things, so they threw our
5 amendments out, they threw them out and we worked many,
6 many hours and submitted many comments and it was their
7 central office, the headquarters in Washington that
8 decided -- and ours concurred -- that we would have to go
9 on our with the CHIP programs. Those independently got
10 together and to work with them, but the state plan was
11 just the part maybe to do it to give it when the blind
12 start, it would not include any requirements that they
13 have information that's accessible to limited English
14 speaking people. That they -- that redlining not occur.
15 That the HMOs don't skim on their patients. These things
16 were just eliminated, so you have a lot of problems with
17 government itself.

18 MS. KNOX: I would echo what Pat has already
19 said about the limitations of laws themselves and the way
20 laws have been written. Pat said earlier it would be a
21 lot easier to enforce things such as accessible
22 requirements if it were a fabric of local government as
23 opposed to depending on federal enforcement. Even though
24 we have had necessary accessible guidelines published

1 since 1992, the law was passed in 1988. We actually
2 published guidelines and even came out with a real slick
3 looking manual for developers and builders and architects
4 to give them specific guidelines on how to comply with the
5 Fair Housing Act, but even then we know that the vast
6 majority of new construction of four units or more multi
7 family housing, whether it's being sold or rented, we know
8 that the vast majority of that does not comply with the
9 federal law and again we've sought to uncover instances.
10 Some of you might have seen some of the newspaper coverage
11 of efforts that HUD, along with the Department of Justice
12 were -- we're out there suing these developers and owners.
13 But, again, that's after the fact. Congress specifically
14 decided not to require that building codes themselves be
15 amended in jurisdictions to comply with the Act. So, that
16 means the first defense of a developer or architect is
17 going to be, well, I didn't know that that was required
18 and even if I heard about it, I depended on the local
19 building inspector. When he got my permit, I was assured
20 that I was free and clear and in compliance. So, I mean
21 these are the real problems that agencies face everyday
22 with our meager staff resources trying to enforce the law.

23 MS. CARTER: I guess I'm kind of the only one,
24 my hands aren't as tied from what you hear that you're

1 asking me to do and I don't see it as a problem to
2 establish the communication and write the letters to
3 organizations like Chicago Lighthouse. I can visit them,
4 see what they have available and use them and monitor the
5 results of where we have established them as a linkage
6 within the companies to see that even though they're
7 referring them for employment opportunities that they're
8 still not being discriminated against once they get into
9 the door. I don't see that as a problem for my agency to
10 do to open that line of communication. And if there are
11 other sources that we need to kind of establish that kind
12 of communication with, I'd welcome a listing and use that
13 so that again what we'd like to do first is that actually
14 have finance officers not just talk to them on the phone,
15 but go to the facilities and sit down face to face or talk
16 to the individuals that run this organization and get an
17 actual broad list of all the different types, not just for
18 the receptionist, but we know that computer units,
19 computer screens, that's as big as this room now. You can
20 work on and key pad on. There are many other equipment
21 out there today that would help you do more than use and
22 we don't want to put the mindset in our compliance officer
23 that because you said receptionist that that's all we
24 want to use them for something, anything that they can do.

1 If there are other sources, again, I don't see that as a
2 result. We try to do that, but we haven't been doing it
3 to all the appropriate agencies and we'd welcome a listing
4 to take back that and start establishing those that you
5 asked about.

6 CHAIRMAN MATHEWSON: Kenneth Smith?

7 MR. SMITH: Pass.

8 CHAIRMAN MATHEWSON: Connie Peters?

9 MS. PETERS: Yes, I have a question, just for
10 clarification. Do I understand correctly that you deal
11 only with, Celeste, with only work with employers who have
12 15 or more employees?

13 MS. DAVIS: Yes.

14 MS. PETERS: So, there's a signage falls
15 through the cracks if there are only nine employees?

16 MS. DAVIS: There's a large, there's a very
17 large slippage there.

18 MS. PETERS: And then just to continue with
19 that same vein, Barbara would only be working with people
20 and I'm not sure that I got right where there are four or
21 more units.

22 MS. KNOX: If you're talking about the
23 accessible requirements of the Fair Housing Act, yes, but
24 the rest of the act applies to most housing, whether it's

1 single family, multi family.

2 MS. PETERS: New or re-sold?

3 MS. KNOX: Yes.

4 MS. PETERS: Okay. That helps. And Shirley
5 would be working with people who had a contract with the
6 federal government for \$2,500 or more.

7 MS. CARTER: Yes.

8 MS. PETERS: So, if they had no federal
9 contracts or if those contracts were less, those people
10 would then not be scrutinized for the same concerns would
11 not apply?

12 MS. CARTER: Let me clarify. They're only
13 required to have this plan in elements that I say I
14 monitor. They're required to have them in writing with
15 the contract of \$2,500 or more we monitor if they get
16 money from the government, be it prime or sub or sub of a
17 sub, no matter how long it goes through, they're still
18 required to comply with Section 504 of the Rehabilitation
19 Act.

20 MS. PETERS: But they're not necessarily
21 required to of those federal monies coming in?

22 MS. CARTER: Right.

23 MS. PETERS: And Pat, you're dealing with
24 people, I forgot, your area, but you do have some

1 limitation to this. There would be cracks?

2 MS. LUCAS: We cover, yes, the health and
3 welfare areas. Anywhere the money goes, you have the
4 money coming to your state agency like the CFS, it goes to
5 your day care and everything else through them or anything
6 of the welfare money, mental health. We cover a vast
7 variety of literally thousands of places, literally every
8 hospital, nursing home, home health agency and everybody,
9 almost all of the state agencies and everywhere that they
10 contract.

11 MS. PETERS: But if, for example, there were a
12 skilled care agency that just happen to fall into the
13 categories that they don't receive any funds, they would
14 ot be scrutinized?

15 MS. LUCAS: Under Section 504 they would not
16 be covered, though under the ADA. We would have no
17 jurisdiction over state and local health and welfare
18 programs and agencies, whether they get funds or not.
19 It's just only health and welfare is all we deal with.
20 And then when you're dealing specifically with the federal
21 funding that comes through the state or the local
22 governments to schools. So, if indeed this is privately
23 run, no federal reimbursement in the school situation or
24 library situation or museum situation, there's no check up

1 on them.

2 MR. POLLAR: Basically.

3 MS. PETERS: Unless there's a complaint.

4 MR. POLLAR: Basically I'll say this, it's the
5 same as her situation, exactly the same thing.

6 MS. PETERS: I thank you for clarifying that.
7 So, in other words, indeed what you are doing is very to
8 the point, very direct and very helpful, but there would
9 be some areas where really no oversight for the blind and
10 other --

11 MS. LUCAS: There's one hospital in Chicago
12 that doesn't get any federal funds at all. We can't do
13 anything about it.

14 MS. PETERS: Even if there were a complaint?

15 MS. LUCAS: No.

16 MR. POLLAR: For example, we get calls all the
17 time on private schools about issues. We just don't have
18 jurisdiction.

19 MS. PETERS: Thank you for clarifying that.

20 CHAIRMAN MATHEWSON: Thank you all for
21 participating this morning. If you have additional
22 information you do have thirty days to submit to the
23 Committee. Thank you.

24 We're going to hear from two members of

1 Horizons for the Blind. Good morning. We welcome you for
 2 participating. You have given us each of us have a folder
 3 from your organization describing your activities and se
 4 also want to thank you for putting our program and agenda
 5 for this morning's meeting into Braille form which has
 6 been available here this morning. So, we thank you for
 7 that. Who would like to go ahead?

8 CAMILLE CAFFERELLI

9 HORIZONS FOR THE BLIND

10 Thank you for giving us the opportunity
 11 to come and talk to you today. In a nutshell the purpose
 12 of Horizons for the Blind is to work with companies,
 13 agencies, organizations to make their product or service
 14 more accessible to people who are blind and visually
 15 impaired. In this point we hire about 75 percent of our
 16 staff are people who are blind and visually impaired who
 17 utilize computers and other technology to make an impact on
 18 these services and their access. One of the things I was
 19 thinking of before I came in today is how interesting and
 20 how appropriate it is that we're here on a day like this,
 21 kind of sandwiched in between Memorial Day and 4th of July
 22 in a time that instead of thinking about the three day
 23 weekend, maybe we ought to think about the real meaning of
 24 why these holidays exist and what our country really

1 means. And I guess one of those things that we think
2 about in terms of our country is the rights, the rights
3 that came out actually back in the Declaration of
4 Independence. The inalienable right of life, liberty and
5 the pursuit of happiness. And I guess what I want to
6 focus on on my talk is the second of those liberty of
7 freedom. We think about that and we use the word loosely,
8 but there's a lot of freedoms for people who are blind and
9 visually impaired which aren't quite as free as they
10 should be. And those are the kinds of things that I'm
11 sure we're talking about today and that's those rights of
12 freedom and I want to talk about some of them. I want to
13 tell you about some of the things that we can do and we
14 have done and I'm sure so many of the other organizations
15 and agencies which are working so hard to work with people
16 who are blind and visually impaired are also doing and I
17 want to go into those. And the first thing I want to talk
18 about is finances. As close as you might be to many of
19 your friends, relatives, whatever, most of you will never
20 decide that you're going to divulge all of your finances
21 to somebody else because that's your business.
22 Unfortunately, up until quite recently and even now people
23 who are blind or visually impaired have not been afforded
24 this freedom. The freedom of executing your own finances.

1 That's pretty close to what it all means. That's
2 beginning to change. We now work at Horizons with the
3 major utility companies like Commonwealth Edison, People's
4 Gas, Nicor, many of the downstate utilities as well as
5 Ameritech, and other phone companies in the area to
6 providing utility statements, I'm using the word statement,
7 it's not the bill, it's kind of an addition or a
8 supplement to the bill, but it gives you the opportunity
9 to read that bill, find out what you need to pay, do that
10 page and not have to talk with anyone who can see, who can
11 read that information for you. A friend of mine on
12 receiving her first bill called me and said, you know, I
13 read that first bill and for the first time I found two
14 mistakes in it in the calls that I placed and as a result
15 of investigating the bill in a form that I can read, I
16 could find those errors and I can make that call. I think
17 it's important to point out as we move ahead in our rights
18 of freedom that there are many blind people, visually
19 impaired people who are extremely -- who are poor and who
20 don't have the kind of technology that a lot of us might
21 be fortunate enough to have. That doesn't mean that these
22 people still shouldn't be afforded these rights of
23 freedom. So, we have to think about whatever makes
24 something work for each person and I think that's real

1 important. There's no one solution for everyone.

2 Another right is the ability to use
3 restaurants, public facilities, hotels. A friend of mine
4 related a story to me once that I thought was real
5 important. He had gone to a Board meeting and he was
6 taking somebody for lunch. He went into this restaurant
7 and they had no menus which could be read. Now, since he
8 was taking this person for lunch, he didn't have a clue he
9 was going to pay for that person, but he didn't have a
10 clue what the price structure was. He didn't want to act
11 cheap, but he also wanted to know if he could cover the
12 guy's lunch. This is one of the problems that exists when
13 you don't have a menu that you can read. Remember, of
14 course, that the average person with a visual impairment
15 is able to do the average tasks that anyone else can do,
16 but you have to be given that material with which to do
17 that. So that you can do a good job of that. So anyway,
18 this chap, this friend of mind I guess was put in an
19 awkward situation. He ultimately kind of figured it out
20 by getting some price structure of the restaurant and
21 figuring what he could handle and what he couldn't. And
22 it worked out okay. But, one should never have to be put
23 into that position when having a menu that you can read is
24 a very inexpensive cost for a restaurant. Remember when

1 we go to a restaurant or a hotel wherever we're going,
2 these public places, part of our dollars of menus or hotel
3 stay is meant to pay for the print education of all of
4 this material. So, subsequently, it should also be able
5 to pay for material in an alternative format. Another
6 fun thing happened to somebody that I know who went on
7 vacation awhile back and they went into a hotel whose room
8 numbers were totally flat. There was no raised print.
9 There was no Braille and the person had an extremely
10 difficult time finding, you know, how to locate that room.
11 In effect, there were no numbers on it at all. If you
12 couldn't see the standard print, which way is up really,
13 what these are some of the things that we are changing.
14 We're changing as a result of ADA, but as you could tell,
15 we have a long, long way to go with these. These are the
16 things that people need.

17 Another freedom that we should have is
18 the freedom to use or purchase food or medications and
19 know what they're all about. A friend -- we got one
20 request from somebody a few months ago who wanted to know
21 how to use their bread maker. How to make that work for
22 them. So, that they can know how to process the loaves of
23 bread. We were able, fortunately, to provide the
24 materials for that person, so that the machine could be

1 worked totally independently, but when you get a lot of
2 these appliances and apparatuses, they come with standard
3 print work and more and more it's getting harder to figure
4 them out because of all the touch panels and things. So
5 that you do need to have that materials in a form you can
6 read. I hasten to point out the scary part of what's
7 happening in the drug industry. All the over the counter
8 drugs for which the side effects are not in a form that
9 people can read. Think of that. You take an aspirin or
10 Tylenol or whatever it is that you take and how do you
11 know that maybe you shouldn't be taking that. It
12 certainly isn't that you can't read the standard print.
13 We have worked with some of the insurance providers to make
14 available an accessible format, i.e. Braille, large print,
15 and cassette, insurance policy information on medical
16 insurance, which is a help because it gives people a right
17 to know what's covered and what's not covered. This is
18 another important right that we think that people have.

19 It was pointed out earlier today that
20 one of the issues of access is phones. Cellular phones,
21 utilizing them. We happen to be blessed to be working
22 very closely with one of the major manufacturers of that,
23 the Motorola Company, who is doing a great deal in making
24 the phones and pagers and I guess they make most of them

1 and what we do is actually helping them to research what's
2 going to work in terms of a good phone.

3 Now, what I mean by that is not really
4 to change the structure of the phone, but to make sure that
5 in most cases there might be an audible tone as well as a
6 visual one and to provide the working manual in an
7 accessible format. Now here's a case, and I don't know if
8 anybody really touched on it today, but here's a case
9 where truly accessibility is not accessible for people who
10 are blind or visually impaired, but it works better for
11 everyone else. Think of all the people that are sitting
12 in cars using their cell phones. Everybody is doing that
13 now. Everybody likes to use their cell phones in the cars
14 and what's happening is they're having to look at that
15 visual display. Well, if we had more audio cues on that
16 display, then not only is the product accessible to us who
17 are blind, but it also works better for everyone else,
18 too. So, see that things like that if we work on it in
19 that vein, we create a problem which is just better and
20 easier for everyone else and creating, again, our right of
21 freedom of using the phone.

22 Paul Schraeder talked earlier about
23 cable t.v., audio description and that's a very, very,
24 very interesting and provocative subject. We need better

1 legislation on that. Many of the cable boxes now are
2 devised so that as many as five hundred channels. They're
3 going to be digitally -- work digitally so that you're
4 going to have this display on them which is going to be
5 totally visual and it's hard to be able to know what
6 you're programming and what you're finding on cable. That
7 can be a big detriment to those of us who do not read
8 standard print and it's also something that we have to
9 look at. Furthermore, the issue of descriptive video and
10 audio description is important. Back in the '50s when we
11 used to watch the old movies there was a lot of sound and
12 a lot of verbal dialogue. YOU could know what's going on.
13 Unfortunately now in the '90s more and more of our
14 television material is visual. And you don't know what's
15 going on. Descriptive video needs to be implemented so
16 that people will know what's happening on the screen and
17 they can enjoy the program. The preview channel, if you
18 turn that on it's absolutely no value to anyone who is
19 blind or visually impaired because it's all visual. You
20 don't know what movies are on currently on the t.v. and
21 yet you're paying for that cable service. Somehow that
22 doesn't seem to allow us to use our freedom of the
23 television.

24 A newly formed committee has just been

1 made, the National Committee on Audio Description, which I
2 think will be speaking or addressing some of these
3 issues. I was elected as one of the national members of
4 that committee, but it's just been about two or three
5 weeks ago, so we'll be finding out what happened. We have
6 miles and miles to go on that and the scary part of it is
7 we don't know where telephone is going to go in terms of
8 the interactive t.v. and how accessible that's going to
9 be. That goes into a field of technology, something I'm
10 not going to be talking about today. Another issue is
11 people being able to move about the transportation issue.
12 The freedom to be able to come and go as you please. Not
13 only is it necessary that -- and we all have talked about
14 this. The public transportation and the para
15 transportation, but the car and what that's doing for
16 those of us who don't drive. Currently Horizons provides
17 all Metra and Pace schedules for anyone wishing to have
18 them in alternate formats and we feel this is at least a
19 step in the right direction. But, again, there are many
20 people here who are going to know and be able to address
21 the issues of transportation a lot better and who know
22 more about the laws of what's going to be happening with
23 that in order to make it more a freedom and a right for
24 people who are blind. Non access, I want to get back to

1 these phones and statements. I talk about the phone
2 statements, but another important thing that we're
3 entering into and a service that we do provide to many
4 people is banking account statements. If you have a
5 savings or a checking account or whatever it is probably
6 don't want to share with other people what you have.
7 Along those lines, it is not anyone's business to know
8 what you have in that account. We work with several banks
9 to make their statements accessible, but again we need to
10 re-enforce some of the laws so that it becomes mandatory
11 for this to happen. Some of the banks do have, which is a
12 real plus, a phone system where you can call and get your
13 last five checks or whatever your payments are and that's
14 a plus, except for it doesn't answer the question as to
15 how you're going to keep your records from a year back or
16 take along and see what you've spent and why you've done
17 that. So, this is another important freedom or right that
18 we need to address when we're talking about the needs of
19 people who are blind or visually impaired. Again, as we
20 look at the summer and we look at places to go and things
21 to do, we're real aware of the vast array of cultural and
22 recreational activities that our country affords to us.
23 How accessible these activities are is another question
24 though because when exhibits are behind glass or in cages,

1 when material is strictly a visual in nature, they aren't
2 very accessible to those of us who are blind or visually
3 impaired. We've been working very, very hard with
4 cultural institutions and recreational facilities all
5 across the country as well as providing theater note and
6 visual arts and museums information for -- theater
7 information for the performing arts and museum information
8 for the visual arts to make them accessible to people who
9 are blind and visually impaired. But, we've got a long,
10 long way to go on this.

11 Another very pressing, perhaps the
12 final pressing area with the freedom is the freedom to be
13 employed so that you can make your own money and spend it
14 the way you want to. That, of course, is one of the
15 greatest freedoms that we need to have for our own
16 well being. We at Horizons have done -- first of all, we
17 addressed this issue in two ways; one is wherever possible
18 we hire qualified blind or visually impaired people to do
19 the access problem that is being provided. We feel that
20 the more people we can employ who are qualified, the more
21 people we can get off the federal rolls and plus, and even
22 more important, the more we can use and utilize that real
23 positive resources that they can input into society. The
24 other thing that we have done with many employers,

1 insurance companies, computer training, phone companies,
2 even an individual who was a dispatcher for a cab is to
3 provide me information that they need in a form that they
4 can use quickly to do their job. And in the case of this
5 dispatcher, for example, he had to have a list of all the
6 drivers and how far they were from the Loop. So that when
7 he was dispatching things, he could know how many miles
8 that would be. It's important to provide materials as
9 easy in terms of formats as easy to use as possible
10 because a person who is visually impaired who is employed
11 has got to be able to compete equally in his or her
12 profession in order to keep the profession. And, the best
13 way that we know of doing that or helping people who are
14 employed is to be able to make that material easy enough
15 to find it, submitting the paragraphs, the page
16 numberings, so that it can work as quickly as possible in
17 doing that work.

18 So, we talked about a bunch of freedoms
19 here. We talked about the freedom to utilize and take
20 care of your own finances and get your own food and drugs
21 and the restaurant, the hotels, food, phones, cable t.v.,
22 transportation and culture and recreation and all these we
23 hope you will agree are freedoms that all of us need to
24 have as rights for individuals and doing the best that we

1 can to let these things happen. However, we do need more
2 help in terms of legislation to implement these so that
3 people just don't do the very minimum in order to excuse
4 these freedoms. Thank you.

5 CHAIRMAN MATHEWSON: Thank you very much.

6 FRANK ZACCAGNINI

7 HORIZONS FOR THE BLIND

8 Thank you for allowing me to speak
9 here. One of the things I'd like to follow up with and
10 that was quite a program to follow, is the type of
11 accessible, actually there's three categories;
12 attitudinal, architectural and programmatic. The
13 architectural, of course, you put in a ramp or order a
14 phone or do whatever you have to do is sort of like a one
15 time kind of access and it's important and it needs to be
16 done, but Horizons normally works in the attitudinal or
17 programmatic accessible field. What we're looking at is
18 that if you're going to Braille a menu or Braille some
19 information for a hotel or put something into accessible
20 format, the problem with just doing it and forgetting it
21 is that it needs to be ongoing. We've worked with hotels,
22 we've worked with restaurant owners who say, oh, yeah,
23 that's a great idea and here's my menu, put it in Braille
24 and large print and they change the print menu about three

1 or four times after that and never go back and change the
2 Braille one and they say, well, we have a Braille menu,
3 except it's outdated. It doesn't have the new stuff.
4 Some of the places say I don't want to put prices on it
5 because if I put prices on it, then I have to keep
6 changing it. But, if you're going in there, you want to
7 know how much you're going to spend. You'd like to see
8 the prices on there. So, Horizons tries to work with that
9 kind of problem or situations and the one concern that I
10 have, I worked as a marketing development director at
11 Horizons and the one concern that I have that Camille has
12 not talked about, the cost to both the consumer and the
13 provider. I mean, our consumer is people that are blind
14 and visually impaired and besides the contracts for
15 putting phone bills and all the other kinds of things, we
16 do a lot of transcribing for Kraft cooking recipes, Home
17 Gardening so that people that want to do those kinds of
18 things have the opportunity to be able to do them on their
19 own. If a person is blind or visually impaired, they
20 can't walk into a Michael's Craft Store or a Frank's pay
21 \$.95 or \$1.50 for a pattern to make something. They have
22 to get it in a form that they can read. And because of
23 the cost of transcribing and the computers with the
24 synthesizer and the hundred pound weight paper, it becomes

1 more expensive than just printing a standard print format.
2 So, one of the things that Horizons does and I hope could
3 be done in other places, is we don't feel that that cost
4 should be passed on to the consumer. So, I think what
5 we're looking at is starting to have some kind of form of
6 subsidizing those kinds of costs that a person that is
7 sighted, they could read print material, doesn't have to
8 encourage to do the same kinds of things.

9 As far as the provider, whether it's
10 Horizons or an agency that's represented here or any
11 agency across the country, in order to provide the
12 accessibility, they need to spend more monies on the
13 speech synthesizer and the Braille printers and the
14 scanners and heavy weight paper and all those kinds of
15 things. I don't know where the answers are. I just sort
16 of bringing these up because those are the kinds of things
17 that I see a need for to make sure that the accessibility
18 is on an ongoing basis, especially for people that are
19 blind or visually impaired. It needs to be changed as the
20 print material changes. It needs to be changed as a real
21 exhibit that is shown at a museum or a cultural
22 institution.

23 And the other thing is, and I'm happy
24 to say this, me being at Horizons I'm there as a minority.

1 We have now about 12 or 13 people and I'm sighted. My
2 father is totally blind and he's been blind since I've
3 been born. I've kept score since nine years old. I was
4 a score keeper for blind leagues and secretary and what I
5 was getting at by saying is a lot of people without the
6 visual disability take a lot of things for granted. You
7 go into a hotel room and there's a sign on the thing that
8 says if you want a pizza, call this number. You go
9 somewhere else and there's printed information about what
10 to do, how to do it, how much it costs. If you don't have
11 a visual impairment or you're not used to being amongst
12 them, you take those kinds of things for granted. I think
13 it's very important that people be made aware of some of
14 the situations and some of the forms that Camille Mill talked
15 about, not only in banking, but also in the day-to-day
16 living.

17 I really don't have much more than
18 that.

19 CHAIRMAN MATHEWSON: Thank you both very much.
20 Questions? Connie Peters.

21 MS. PETERS: No questions.

22 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

23 MR. SCHWARTZBERG: Just a reminder to both of
24 you, given that wonderful list that Ms. Cafferelli gave us

1 and even more complete agenda for change, we would
2 appreciate being submitted within the thirty days because
3 Ms. Cafferelli certainly has educated me with what she's
4 provided thus far, and, of course, I'm hungry for more.

5 CHAIRMAN MATHEWSON: James Scales?

6 MR. SCALES: Just for clarification. Your
7 service is you help the employer provide alternative
8 means?

9 MS. CAFFERELLI: We do help the employer
10 provide the alternative means. We strongly urge that the
11 employer is the one who requests those. On the other
12 hand, I have to say and I think you all ought to know this
13 right now, that I've gotten several calls from individuals
14 who were employed who said, look, I don't want to lose my
15 job, but I don't have all this material that I need and
16 it's a private employer. I'll pay for it if you make that
17 available. We really hate to see that happen. When that
18 does happen, we will provide the person, the employed
19 person with the material. But it really should come from
20 the employer.

21 MR. SCALES: My last question is just a
22 rhetorical question because you mentioned awhile ago some
23 of the things that we take for granted like the menus and
24 the preview t.v. and things like that. Has anyone talked

1 to the super store managers about their doors? You know,
2 you have some stores where the -- as soon as you approach
3 them the doors swing and if you're very low vision or not
4 sighted, you get smacked by one of those doors, especially
5 if you turn into an exit instead of an entrance.

6 MS. CAFFERELLI: That's a good point.

7 CHAIRMAN MATHEWSON: I think those should have
8 some audible means of letting you know here, this is an
9 entrance or exit. That's saying that it's an entrance or
10 exit. I notice there hasn't been any litigation or yet in
11 the country. I guess no one has been hit hard enough.
12 But, sooner or later it seems to me that if the super
13 stores are going to learn that it would be more economical
14 to go ahead and pay for voice modulators when they put
15 those doors in.

16 MS. CAFFERELLI: Good point.

17 MR. ZACCAGNINI: I'd like to add too, Mr.
18 Schwartzberg, when you were talking bout the front end
19 work, that's one of the things that Cafferelli mentioned
20 with working with Motorola and we worked with some other
21 large corporations. If you look at some of the research
22 and development right at the front end, a lot of things
23 could be made more accessible a lot less expensive and
24 beneficial to more people. And there's very few large

1 companies or corporations at this point that were sort of
2 taking that kind of look at things until recently. I hope
3 it expands even more that people think about doing that
4 right on the front end.

5 CHAIRMAN MATHEWSON: Preston Ewing?

6 MR. EWING: No.

7 CHAIRMAN MATHEWSON: Tom Pugh?

8 MR. PUGH: Nothing.

9 CHAIRMAN MATHEWSON: Dorris Roberts?

10 MR. ROBERTS: I have a question, probably my
11 own personal information. The acts of disabilities, when
12 you approach a hotel such as the Hyatt chains or one of
13 those chains or the restaurant, does that act help? Do
14 they actually regulate?

15 MS. CAFFERELLI: I would say yes, it does help
16 a lot. I think the approach is -- here's the approach I
17 like to take. If I talk to somebody, I don't like to have
18 to cite -- I don't have to say initially, you know, you
19 have to do it because it's the law because right away
20 you're going to turn them off if they think you're going
21 to be threatening them. I think that once we gotten past
22 that first line of defense where they're thinking of well,
23 maybe should I do this or shouldn't I? And they're asking
24 themselves and they said, well, now it really is a good

1 idea. You do it because it's the law, but yes, it does
2 help, but I feel it should be stronger.

3 CHAIRMAN MATHEWSON: Rosemary Bombella?

4 MS. BOMBELLA: No questions.

5 CHAIRMAN MATHEWSON: All right. We thank you
6 both for coming. We're going to break for lunch now. We
7 are leaving late, but we are going to resume on time,
8 promptly.

9 (A luncheon recess was taken.)

10 CHAIRMAN MATHEWSON: It is now 1:00
11 o'clock and we will resume our meeting. Our next
12 participants are Brian Johnson and Steven Benson of the
13 National Federation of the Blind. Welcome, gentlemen and
14 who would like to go first?

15 MR. BENSON: I'll go first.

16 CHAIRMAN MATHEWSON: All right. You have the
17 mike.

18 STEPHEN O. BENSON

19 NATIONAL FEDERATION OF THE BLIND

20 My name is Stephen Benson. I am the
21 President of the National Federation of the Blind of
22 Illinois, (NFBI). The Illinois affiliate of the more than
23 50,000 member National Federation of the Blind, the
24 largest and oldest organization of the blind in the United

1 States. Our address is 7020 North Tacoma Avenue, Chicago,
2 60646. I'd like to thank you, the Committee, for the
3 opportunity to bring several issues to your attention that
4 we regard as critical to the total integration of blind
5 people into society on a basis of equality. One of the
6 issues that I will talk with you about deals with
7 technology, but before I get into that, there were some
8 items that were raised this morning that I felt as though
9 I should address here before I begin my formal remarks and
10 not the less of which is that we regard attitude towards
11 blindness, negative attitude, misconception and
12 stereotypes about blindness as being the most significant
13 barrier that blind people have to face. Much more
14 significant than the actual loss of sight. And I can go
15 into more detail in questions after I make my remarks.
16 The specific issue with which I want to draw your
17 attention has significance in the areas of education,
18 employment, and public accommodation, that is the
19 challenges blind people face related to the technology and
20 consumer home products industries. You also have in your
21 hands things that the organization has taken within the
22 last year and proposed remedy for the problems that I will
23 describe to you in the nature of the technology bill draft
24 or the model. Public policies and laws affecting blind

1 people have a profound impact on our entire society. Most
2 people know someone who is blind. It may be a friend, a
3 family member or a co-worker. The blind population in the
4 United States is estimated to exceed 700,000 people.
5 50,000 Americans combined each year. These numbers may
6 not seem large, but social and economic consequences of
7 blindness directly touch the lives of millions of people.
8 Public policies and laws that result from misconceptions
9 about blindness or lack of information or the lack of
10 genuine commitment to address issues related to blindness
11 are often more limiting than the loss of sight. Advances
12 in technology have resulted in dramatic and far-reaching
13 changes in business, education, scientific and medical
14 research, recreational activities and daily home life.
15 While most people in our society regard these changes as
16 positive, blind people view them with caution from a
17 thoughtful and critical perspective. Our concern has to
18 do with whether designers/developers of such technology,
19 computers as well as consumer home products, have or will
20 include software and hardware that will allow blind
21 people to use said products without substantial
22 additional costs, extensive and costly training, or undue
23 reliance upon sighted assistance to accomplish routine
24 tasks independently as we did prior to such things as flat

1 screens on microwaves and undefined buttons. Analog
2 technology with discernible buttons and knobs served us
3 very well. During the '80s and '90s blind people
4 experienced some new competitive job opportunities because
5 of the availability of screen reading software that used
6 the text-based MS DOS system word processing data-based
7 management, use of spreadsheets and more were performed
8 with the same facility by blind computer users as by
9 sighted users. Considering the fact that unemployment
10 rate among blind people is in excess of 70 percent,
11 computer access and the increases in job opportunities
12 that it promised was at least encouraging. Some people
13 viewed access to computers as a panacea. Most of us who
14 know something about blindness and how blind people live
15 certainly do not consider and did not consider and will
16 never consider technology as a panacea, the cure for all
17 problems that blind people face.

18 Microsoft marketers of MS-DOS began to
19 design, develop a new operating system called Windows that
20 uses something called graphical users interface or GOSI.
21 Now, the designers of GOSI did not include in the original
22 design any provision for screen reading software that
23 would give the blind computer users. The same screen
24 access as DOS did. They failed to work with the National

1 Federation of the Blind and other organizations of blind
2 and our computer technology team.

3 Blind people whose expertise would be,
4 would have been invaluable. I might point out that at our
5 national headquarters in Baltimore. We have the largest
6 collection of technological devices, printers, readers,
7 computers I have assembled by my organization in our
8 international Braille and technology center. Microsoft
9 also failed to work with screen reading vendors whose
10 expertise would also have been tremendously helpful to
11 them. Negative impact resulting from these failures were
12 blind people were faced with extensive training, costly
13 training in the use of the new system. It was necessary
14 to rely on the assistance of sighted readers more and
15 blind people were faced with the prospect of job loss.
16 While Microsoft has begun to work with the NFB's
17 technology staff and with screen vendors, screen reading
18 vendors, and while Microsoft has assigned a team to work
19 on the accessibility question and while they have
20 designed, developed something they call active
21 accessibility, it must be noted that the results of that
22 system testing have been highly questionable. It has not
23 been widely accepted, nor widely used. Until these issues
24 have been resolved access to computers by blind people will

1 be less effective than it should be. The design of
2 computer operating systems and screen vending software
3 present serious problems for blind computer users, but new
4 technology as it applies to blind people's access to home
5 consumer home products is in software more pervasive and
6 more limiting.

7 A few weeks ago I visited a major
8 appliance store and looked at microwave ovens. I was not
9 pleased with what I found. The control panels of all the
10 units on display were absolutely flat. There was no
11 discernible difference among the touch pad that activated
12 the functions of the microwave ovens. Microwave ovens are
13 not unique by their lack of access to a blind operator;
14 televisions, VCRs, stereo systems, washers and dryers,
15 ATM machines, public information, kioskes, telephones, and
16 more distinguish themselves by their designer and their
17 designers by this bold presentations which are completely
18 inaccessible to blind people. A few manufacturers provide
19 overlays or templates, but these devices have no value
20 when the control panel contains multimodal buttons or
21 touch points that control a variety of functions,
22 depending on what menu screen is displayed. In addition,
23 some prompts are what I call flash displays. IF a blind
24 person has no sighted assistance or no reading device that

1 will capture and store the instructions that has been
 2 flashed, the appliance is not accessible. It is clear
 3 that the only way to ensure that computers and consumer
 4 home products are accessible to blind people is to require
 5 by mandate that the designers, developers of these
 6 products include provisions for such accessibility in
 7 their original designs. Moreover, it is clear that these
 8 same designers, developers must work with the technology
 9 team of National Federation of the Blind and vendors of
 10 hardware and software who design products specifically for
 11 use by blind people. In support of this position, I have
 12 attached or have submitted to you two pertinent
 13 resolutions passed by the National Federation of Blind at
 14 our 1997 convention in New Orleans and a model law that
 15 clearly articulates an appropriate remedy for the problems
 16 I have described. And I'll accept questions as best I
 17 can. I'm not a technical expert, I'm a walking around on
 18 the streets blind person who is befuddled by many of the
 19 things that I encounter that are inaccessible to me.

20 CHAIRMAN MATHEWSON: Okay. Thank you, Mr.
 21 Benson. Mr. Johnson, would you like to proceed then we'll
 22 have questions to both of you. The mike is to your right.

23
 24

BRIAN JOHNSON

1 NATIONAL FEDERATION OF BLIND

2 Thank you, Mr. Chairman, and members of
3 the Committee, my name is Brian Johnson, I reside on the
4 north side of Chicago and am second Vice President of the
5 Chicago Chapter here of the National Federation of Blind
6 and serve also on our state board of directors. I might
7 tell you a little bit about me in less than a minute. I
8 read commercials for a living. I'm a voice over so I use
9 Braille to read scripts and I can either do that out of my
10 home and deliver or send the tapes or take public
11 transportation to the studio to read the scripts. So, I
12 take the regular public transportation. I use the buses
13 and the subways and I try to not use and not apply for the
14 paratransit which is dial a ride which we've heard some
15 about this morning because I feel like I as long as I have
16 two legs and can board the regular train site that I ought
17 to use that, I ought to save that for people who need to
18 use that kind of service.

19 The National Federation of Blind, as
20 Mr. Benson said, has over 50,000 members and one of our
21 primary concerns, if not the most important problem we
22 face is employment. We have in excess of 70 percent of
23 unemployment rate among the blind and what I want to
24 discuss with you today are a couple of things, but they

1 both have to do with training. One is training in
2 adjustment to blindness and another is education training.
3 In the 1980s, for example, more agencies for the blind
4 emerged. Many people around the country, including people
5 here in Illinois prepared to have training at these
6 centers and not in their home state. Now, so far with the
7 exception of a handful, the Illinois Rehab Program refuse
8 to pay the entire bill for customers training regardless
9 of the spirit and the letter of the freedom of choice
10 amendment in the Rehabilitation Act. Illinois
11 Rehabilitation basically says that a customer can choose
12 where he wants to go for training, but will pay for part
13 of it or sometimes not pay for all of it. Furthermore,
14 blindness adjustment from what we can determine is not
15 supposed to be a service under the state means test.
16 I'll talk to the Committee some more about that in a
17 minute. Yet, this practice continues. At this point, I'd
18 like to talk about the difference between a consumer
19 organization and an agency for the blind and provider of
20 service and the key difference comes in the word for and
21 of. We are the National Federation of the Blind, We
22 started in 1940 and we're an organization of blind people,
23 an organization of consumers. So, sometimes although
24 agencies or agencies for the blind and although we are

1 organizations and advocates for the blind, a lot of times
2 the agencies and organizations are not working for the
3 same thing, although they do deal with blindness. In
4 March of 1996 for instance, the Office of the Governor
5 said to us that although rehabilitation would be combined
6 in Illinois into a much larger agency which is now the
7 Department of Human Services which include mental health
8 and public aid and several others. That services for the
9 blind, they told us, would not change in any way. Now I
10 call your attention to resolution 9701 passed last year at
11 the state convention of the National Federation of the
12 Blind of Illinois. There are those who feel and I'm one
13 of them, that the state program for the blind is trying to
14 get out of paying college tuition for eligible blind
15 customers. They're trying to do this by a statute called
16 the relatives responsibility law. It requires all kinds
17 of criteria the rehabilitation customers have to meet
18 first before the state will pay college tuition and
19 housing. The criteria is as following: First of all, the
20 age limit for independence has been changed. The age
21 limit to be independent is now age 24 rather than 18 ad
22 here's some of the criteria if you're under 24. If your
23 are or have been in the military, if you're married or
24 have dependents or if you've been adjudicated by the

1 courts, liberated by the courts. Now, during all of this
2 criteria, customers even considered eligible for
3 rehabilitation services, but rehab will only pay for what
4 most of us consider supportive services such as readers
5 necessary and diagnostic exams. If, of course, the
6 criteria is not met. The rest of it, the main body of the
7 college tuition payment is left up to the customer or his
8 guardian and what's worse is that the rehabilitation
9 program tries to take credit for the service provided,
10 including the ones that are trying to get out of the
11 ones they are trying to get out of paying for, but they
12 don't say it that way. They call this practice similar
13 benefits. This policy, it must be borne in mind was
14 initiated by the General Assembly and the blind
15 themselves. Not even the Bureau of Blind Services which is
16 part of the huge umbrella agency Department of Human
17 Services, had absolutely no input in or very little into
18 the new means test criteria, had no voice at all as to its
19 effectiveness. Mr. Chairman, that's what I have. I'll be
20 glad to take questions. We're glad to have this
21 opportunity to come before you and always sometimes when
22 change is necessary, it must be discussed. We are pleased
23 to have the opportunity to do that. We do have some other
24 documents we'll probably be submitting to you within the

1 next 30 days and I thank you very, very much for your
2 attention.

3 CHAIRMAN MATHEWSON: Thank you very much.
4 Questions? Another Committee member has joined us this
5 afternoon, Janie Khoury. Do you have any questions?

6 MS. KHOURY: Not at this time, thank you.

7 CHAIRMAN MATHEWSON: Dorris Roberts?

8 MR. ROBERTS: I have none.

9 CHAIRMAN MATHEWSON: Tom Pugh?

10 MR. PUGH: No.

11 CHAIRMAN MATHEWSON: MR. Scales?

12 MR. SCALES: No.

13 CHAIRMAN MATHEWSON: Kenneth Smith?

14 MR. SMITH: No.n

15 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

16 MR. SCHWARTZBERG: I have asked a number of
17 the speakers to consider submitting to us in the 30 days
18 after this hearing in their agenda for change their
19 specific policies that they advocate that may have been
20 overlooked either on a personal basis or otherwise, and I
21 would extend that same invitation to you.

22 MR. BENSON: Mr. Schwartzberg, you have
23 several of those in your hand. Before I go get -- I want
24 to point out I sit on the National Board of Directors of

1 the FFB, and one of my colleagues who is also the
2 president of the National Federation of the Blind in
3 Virginia who is blind, did his undergraduate at Harvard
4 and got his JD at Northwestern and there have been lots of
5 blind students at Harvard over the last twenty years,
6 thirty years that I know of. Anyway --

7 MR. SCHWARTZBERG: Including one who was a
8 classmate of mine which was why I wanted to try to get
9 additional information about that. There were those who
10 went to the law school and Harvard has had that and I
11 would be surprised if Harvard had changed a pattern, but
12 people make mistakes, even in the strongest of matters.

13 MR. BENSON: My background, I think you need
14 to know, is I worked in the blind rehab system for twenty
15 years, fifteen as a teacher and five as an administrator
16 and for the last seven years I have worked daily with
17 computers and with reading machines. We treat about 30
18 percent of the material that I give to it as a writer in
19 the press office of Chicago Public Library and Mr.
20 Schwartzberg, you may be interested to know we have
21 talking elevators at the Harold Washington Library. I
22 think that over those twenty years I've been able to
23 observe a number of things, added to my longer experience
24 than I'd like to admit, forty years experience with the

1 Department of ~~Rehabilitation~~ Services and it's predecessor
2 and successor, a number of things I've observed, but one
3 of the most disturbing things that I've seen is the case
4 that Mr. Johnson raised not specifically, but generally
5 and I will raise it to you. A specific case with regard
6 to this relative responsibility situation. I know a
7 student who is going to Northern Illinois University who
8 is twenty years old and doesn't meet all of the criteria
9 that Mr. Johnson described. He's twenty, he hasn't been
10 adjudicated, liberated by the courts and it's unlikely
11 that he will since he is over 18. He's consulted with an
12 attorney and the attorney said like I don't know what to
13 do. You are liberated, you're not dependent on your
14 family, you have your own funds, you work, this and that,
15 and doesn't meet any of the criteria. He's under 24, that
16 criteria in itself could be discriminatory. We are in the
17 process of looking at that. He's not in the military. Has
18 never been in the military and he doesn't have any
19 dependents. They have attached what support they are
20 giving him to his father's income. He hasn't lived with
21 his father for many years. His mother remarried. There's
22 no association at all, but the Department, Bureau of the
23 Blind Services, is recalcitrant in not supporting this
24 guy. He wants to go to a rehab program out of state.

1 They won't support him to do that either. It's a real
2 problem and it makes no sense.

3 MR. SMITH: And their rationale for not
4 supporting him is that--

5 MR. BENSON: He doesn't meet these criteria
6 that I've described and as far as his desire to go out of
7 state. They're saying we have comparable services in
8 Illinois, but we don't. I think I can safely say after
9 the experience that I've had in observing that there is
10 not a single public agency providing service for the blind
11 in this state with the exception of the state library that
12 comes anywhere close to meeting the standard, the kind and
13 quality of training that blind people in this state need.

14 MR. SCHWARTZBERG: I'm being invited by Rev.
15 Smith to ask my elevator question. Why do you think it is
16 that there's no consistent pattern of Braille on elevators
17 and talking elevators on a national basis and why hasn't
18 there been a clear pattern of advocacy for this?

19 MR. BENSON: Some of it is covered under the
20 ADA, under new construction and with respect to
21 reconstruction or remodeling of existing buildings in this
22 state there are certain provisions under the Capital
23 Development Act which apply. I see more and more
24 buildings that have Braille labels on the elevator and on

1 the outside of the doors. Talking elevators I think make
2 good sense for sighted people as much as for blind people.
3 And I think this was called to my attention by a sighted
4 woman I know who is five feet tall. She said when I'm in
5 the back of the elevator and there are people in front of
6 me, I have no way of knowing what floor we're at and so I
7 love the talking elevator.

8 We initiated an effort several years
9 ago along with a couple who is manufacturing talking
10 elevators to get them installed in various asundry
11 facilities of all kinds around the country. But we are a
12 volunteer organization. We don't have any paid staff to
13 go around the country to beat on these buildings to do
14 this and the company with whom we were working didn't have
15 the marketing staff to do it. So, it's just a matter of
16 somebody coming along one of these days and saying, look,
17 I've got a better mousetrap and these, you know, it would
18 be to your advantage to buy this thing.

19 MR. JOHNSON: Mr. Schwartzberg, I think in my
20 building where I work I think probably one of the reasons,
21 too, is that there are different kinds of standards. You
22 know, when audio cassette tapes came out, it came out in
23 different shapes and sizes and this might be the way to go
24 with the elevators as well. And the building where I work

1 downtown, consequently we have beeps so you count the
2 beeps up to the floor you're going to go to. After it
3 gets on the 18th floor, you're not concentrating and miss
4 the floor, but that's--

5 MR. SCHWARTZBERG: Maybe my question isn't
6 clear, if you go down to Southern Illinois and you visit
7 Preston Ewing, you'll find that in his City Hall there
8 isn't any Braille. In large parts of this state there
9 aren't event the beginnings. Why hasn't there been a
10 clear voice saying we need a national pattern? We need --

11 MR. BENSON: I know. I think it's a matter of
12 priority. I think you've got to set priorities. What
13 probably is most important and when will you fight which
14 battle? As you will hear in one of my colleagues in the
15 National Federation of the Blind later this afternoon, we
16 have had to fight like crazy to get the school system in
17 the state to teach Braille at all. Currently there are now
18 about nine or ten percent of kids in the schools
19 nationally who are being taught Braille. So, lots of
20 people who can't read Braille. So, some may say well, why
21 should we do this because most blind people can't read
22 Braille, which is true. But I think again, with respect
23 to establishing priorities, reauthorization of the
24 Rehabilitation Act and it's amendments is a priority that

1 we must deal with. Re-linkage of SSDI recipients with
2 retirees is a priority. Employment is a priority. When
3 your unemployment rate is 70 percent, I think you rally
4 must focus on getting people employed. After you get
5 people employed, then maybe we can deal with the peripheral
6 issue of Braille and so on.

7 There are things that people can do on
8 their own to identify floors. They can put a temporary
9 Braille label on a floor. They can ask for people's
10 direction. They can negotiate with a particular building
11 to get labels. It's not always something that requires
12 legislative initiative and a massive campaign nationally
13 or statewide to get things done. I mean, blind people, if
14 we must be anything, we must be creative because in order
15 to live in the world on a day-to-day basis, get from point
16 A to point B and carry on the affairs of our job, we've
17 got to show some creativity to handle the inequity
18 adventures that we're going to meet during the course of
19 our travels.

20 CHAIRMAN MATHEWSON: Connie Peters?

21 MS. PETERS: Not at this time, thank you so
22 much for your presentation.

23 CHAIRMAN MATHEWSON: Tom Pugh?

24 MR. PUGH: Earlier in the hearing this morning

1 comment were made that indicated the federal government
 2 has taken certain actions that are casting into a bigger
 3 agency or bigger group, the services for the blind. It
 4 was mentioned that the Illinois Department of Human
 5 Services has consolidated several agencies, including the
 6 services of the blind and so forth. Is this happening all
 7 over the country?

8 MR. BENSON: Yes, sir, yes, sir.

9 MR. PUGH: Is there a danger?

10 MR. BENSON: Yes. Mr. Edgar and the state
 11 legislature jumped on the bandwagon. It's a national
 12 trend. One of the places it started was in Wisconsin and
 13 everybody else has gotten on the bandwagon. Boy, that
 14 looks like a good idea; me too, me too. We will submit to
 15 you a document that was published quite awhile ago, but it
 16 still applies, that shows very clearly that agencies for
 17 the blind that have a sole purpose and that is adjustment
 18 training for blind people and the peripherals that go with
 19 it, function much more effectively than agencies that are
 20 buried in huge umbrellas. You will have that in your hands
 21 in a week or less. But, there's a way to get around it
 22 right now. Effective training, simply training of blind
 23 people with respect to the skills of blindness, the
 24 alternative skills of planning to travel. Braille,

1 computer technology, daily living skills and more
2 important than all of those in a lot of ways is helping
3 people to develop the confidence, the belief in themselves
4 that they are capable of doing, capable of competing on
5 terms of equality, self reliance. These are extremely
6 important that aren't addressed in most state agencies,
7 including Illinois. And, for example, I worked for the
8 Veterans Administration for fifteen years and those things
9 were not addressed at the VA Hospital here in Chicago in
10 Hines, Illinois, not even close. But, there are three
11 agencies in the country, private agencies, some of which
12 get public support from this state, that address these
13 issues; address them very well. And people who come out
14 of those programs are prepared to enter the job world are
15 prepared to enter daily life as competing adults who
16 happen to be blind.

17 CHAIRMAN MATHEWSON: Anybody else? Gentlemen,
18 we thank you both very much for participating today and if
19 you have other thoughts we can receive them for the next
20 thirty days. Thank you.

21 Welcome. Several of us had the pleasure
22 of visiting Mr. Kesteloot and his agency and it was most
23 rewarding for all of us that were there. Thank you for
24 your courtesy and your time and we will be very pleased to

1 hear your statement.

2 JAMES KESTELOOT

3 THE CHICAGO LIGHTHOUSE

4 Thank you. I have some written
5 comments that I'll leave also. I would begin by thanking
6 the Advisory Committee for looking into issues that have
7 an impact on civil rights of people of visual impairments.
8 Chicago Lighthouse is one of the oldest agencies in
9 Chicago. It was established in 1906 and it was
10 established by blind people. On a given day we have 200
11 blind people in our facility receiving services. Over a
12 given year probably 3,000 deaf/blind people will come into
13 the facility or will receive some field-based services and
14 probably if we would add to that information referral
15 types of contacts, it exceeds probably 13,000 people. We
16 have a governing Board of Directors of 25 community
17 readers, about one third of our board are blind and
18 visually impaired people themselves. We have a staff of
19 115 and between 35 and 40 percent of our staff are blind
20 or visually impaired people and that's at all levels.
21 I'm legally blind. Legally blind my whole life and I'm
22 executive director. There are other totally blind people
23 on our management team. We have program managers that are
24 blind people. We have one of our CPAs is a blind person.

1 Our accounts payable person is a blind person. Our
2 switchboard people, we have clerical staff, maintenance
3 staff, teachers, teacher assistants, we have blind people
4 working at all different levels in our tech facility.

5 I think I'd like to -- I sort of came
6 up with ten areas of concern that have impact on civil
7 rights of blind and visually impaired persons, some of
8 them I'm sure you have heard already today. And the first
9 one that I listed and I think if you ask any blind person
10 what they need, I think the first thing you'll hear is
11 that they want a job. They're interested in a job. They
12 need a job. Probably a closer, maybe even tied for first
13 would be housing and transportation. So, some of the
14 issues that I'm going to cover may seem to focus more on
15 employment because Lighthouse generally tends to focus a
16 little bit more on employment type services and job
17 placement. We have a program for children as well as at
18 the agency we serve families that have infants or toddlers
19 -- from birth to three and those infants and toddlers
20 generally will have other developmental disabilities. We
21 have a program for children from 3 to 21, a State Board of
22 Education approved program that local school districts can
23 choose to use for a child that's blind with other
24 disabilities. Normally a child that's blind without any

1 other disabilities are normally mainstreamed through
2 regular school programs. Our schools serve a child that
3 has four or five primary disabilities; deaf-blindness,
4 orthopedic problems, deafness, neurological problems all
5 in one child. In addition, we have a low vision clinic.
6 We have job placement program, a vocational evaluation
7 program, provide counseling. We have an adult deaf-blind
8 program that serves people with that dual disability. We
9 have a program that serves -- it's an independent living
10 program that serves adults that are blind, but also have
11 additional disabilities, focused on developmental
12 disabilities. We have an industries program and a number
13 of other programs. So, we're a comprehensive service
14 agency in nature, but we do tend to try to focus more on
15 office skills, I mean on job placement services. I
16 forgot to mention we had an office skills program and
17 technology center as well.

18 The ten areas I wanted to touch on, I
19 think first begin with attitude about the nature of the
20 blindness and the age of the blind person and the
21 employability of the blind person. I think that still
22 remains that the major barrier to employment is just
23 attitude of employers and people in our society regarding
24 the nature of the blindness. It tends to be a negative

1 attitude that if you're blind, you're unable to work. So,
2 there needs to be a lot of work done in educating
3 employers and society in general that blind people are
4 capable and can hold jobs, most any type of job
5 occupationally.

6 The second area I wanted to cover, a
7 lot of these I've already heard, has to do with Social
8 Security. There are a number of disincentives in Social
9 Security that discourages people with visual impairments
10 from accepting jobs. There should be that real linkage
11 back with the system available for seniors who are
12 receiving social security. Currently if a person accepts
13 a job or allowed to earn \$1,050 a month and as sometimes
14 goes by, if that person earns more than \$1,050 a month,
15 then they will lose their social security. They're
16 threatened with the loss of their social security. If the
17 job that they have is making \$1,500 a month, it doesn't
18 take much to see that the person's better off earning less
19 than \$1,050 a month. So, they can retain their earnings
20 and their social security together. So, I think Social
21 Security nationally should be looked at and evaluated and
22 reviewed to make sure that there aren't any disincentives
23 if a person earns over that \$1,050 there should be some
24 mutual benefit to social security and to the individual

1 for going to work, say one in every \$3 is then paid back.
2 So, the person can maintain a decent standard of living
3 with both of those sources of income until that earning
4 power is high enough where the social security is actually
5 phased out just by the earning power and the payback.

6 The third area I'd like to mention has
7 to do with manufacturing. If you look at where the jobs
8 are today versus fifteen, twenty years ago, virtually all
9 manufacturing has moved. It's moved to the far east, it's
10 moved to Mexico. The manufacturing jobs are scarce, but
11 there's a segment of our population, both sighted and
12 disabled that that particular type of job is important.
13 It's the job of choice, but it becomes scarce. I think we
14 should always be cautious on doing things on a policy
15 basis, both nationally and locally. That gives an
16 incentive for manufacturing jobs to leave our country
17 because there's a significant segment of our population
18 that do depend on manufacturing jobs. I know at our
19 particular agency as those jobs have disappeared, they've
20 tended to attend to have taken on even a more special kind
21 of value because they are so scarce they may not pay as
22 much. But there's a segment of our population that do
23 depend on that and especially the more severely disabled
24 the person may be, especially if they're developmentally

1 disabled, in combination those jobs have a special value,
2 yet they are shrinking in our society.

3 I think the fourth area I'd like to
4 mention is technology. I think we heard about technology
5 and from a placement standpoint probably our particular
6 agency, if I had to list which program gets the most
7 complaints, it's probable that particular program because
8 it's so difficult to keep pace with all of the changes
9 that are always happening as we bring in finetuning to
10 bring in equipment to train people on, something new comes
11 out and then employers are changing their equipment,
12 people get in jeopardy, we have to always be keeping pace
13 with that and our staff trained and it seems that it's
14 just a flow of change there that whenever you get
15 competent in some of the new equipment and hardware and
16 software that something new comes out. I think we heard
17 some very good comments about the need to make sure
18 equipment as accessible that I think I wanted to point
19 out that can be a barrier as well, just keeping pace with
20 all of those technological changes.

21 Another area I wanted to mention is
22 adequate job placement programs. I think there's some
23 disincentives for agencies to provide job placement
24 services to people who are looking for jobs. I think it's

1 a national problem and I think it's based on cost. I
2 think there's a national trend to reimburse placement
3 programs based on the average cost of the disabled person
4 getting employment. And what that means is the more
5 severe the disability, the higher your cost is compared to
6 that average. So, if you're working with a person who the
7 cost generally is greater than the average, agencies are
8 not going to want to start programs that they can't fund.
9 There's a disincentive to start those programs and to
10 maintain those programs because the funding is not there.
11 It's generally based on the average cost of finding the
12 person a job, so -- and then generally if you're blind,
13 it's probably the cost is over the average. Then if you
14 add deaf-blindness to it or blindness and developmental
15 disability in combination, those costs are escalated even
16 further and there's a further disincentive to provide
17 training programs and job placement programs for people
18 with severe disabilities. At our particular agency it has
19 been true for many, many years that over 50 percent of the
20 people we serve have more than one disability;
21 deaf-blindness or developmental disabilities in
22 combination with that. And if you look at the emerging
23 populations that are coming up, we have two emerging
24 populations, huge populations of seniors, older persons

1 and sometimes there's an additional medical issue going on
2 besides blindness. So, the costs are accelerated. In
3 addition to that, medical advancements and technology
4 related to low birth weight babies that are surviving
5 today that haven't been surviving or didn't survive ten or
6 twenty years ago and though that population was very
7 severely disabled may have four or five primary
8 disabilities. Blindness may not even be the major
9 disability there and as that population grows and reaches
10 age 21, those families and parents are going to be
11 expecting programs for that population. And if the
12 programs are based on average cost and not real cost,
13 we're going to have some unhappy people and you're going
14 to have some poor services.

15 Another area I'd like to talk about is
16 a training of professional staff, especially if we're
17 talking about 70 percent unemployment rate, which I heard
18 a little earlier, I think we need staff who knows how to
19 do placement. Illinois used to be very fortunate, had one
20 of the best programs in the program at Southern Illinois
21 University. Had some federal funds and those funds were
22 dedicated to training rehabilitation staff that focused on
23 finding jobs for blind people, how to contact employers,
24 how to survey the employer's sites, looking at individual

1 jobs, looking at canes; can that job be done with outside
2 or limited amount of. Is that job safe? Is the
3 environment safe? The environment of the job safe and
4 actually how to contact and make referrals and that type
5 of thing. That program was eliminated several years ago,
6 should not have been. Illinois was very fortunate to have
7 that at SIU and a number of states around the country
8 utilized that particular program. I also heard a little
9 while ago about choice. I believe the choice that people
10 should have, the choice of taking advantage of employment
11 opportunities. We heard about the Rehab Act. It says you
12 should have choice, but at the same time, it states you
13 can't choose that. That's not choice. I think that
14 federal legislation should be looked at. I will give an
15 example that has a little bit different twist than we
16 heard earlier. There's a federal law, a federal act,
17 Javity-Wagner-O'Day Act. That Act sets by a method by
18 which an agency for the blind or an agency serving
19 severely disabled people can supply product to -- I see
20 our clock hanging on the wall back here. We supply clocks
21 to the federal government. That Act was created in 1983.
22 The purpose for that Act was to help provide jobs to the
23 blind people. It was true back then that finding jobs for
24 blind people in employment for blind people was difficult,

1 so that Act was really created to facilitate the creation
2 of some jobs for blind and severely disabled people. I
3 believe that that is going to become more important as
4 time goes on because of the emergence of people who are
5 blind with other additional disabilities and I believe its
6 going to become more important in the future because of
7 those scarcity of manufacturing jobs. That
8 Javity-Wagner-O'Day Act, if a person is working making
9 pens for the federal government or clocks and if they're
10 making minimum wage or greater, \$8 an hour, \$10 an hour,
11 as a person would at our particular facility. Because
12 that person's working in an environment that more than 50
13 percent of the people around them are not disabled, he
14 can't count that as a placement. Even though the sighted
15 guy who might be working in that same environment that's
16 counted as a real job. I think it's discriminatory to say
17 to a person that you may be making \$8 or \$10 an hour and
18 you may be supplying the product to the federal
19 government, but because you work in an environment next to
20 other blind people that you're not really as good as
21 everybody else, that can't count. That doesn't count. So
22 I think that really should be taken a look at the rehab
23 like the choice and the Rehab Act is in Congress right now,
24 hasn't been passed, but that's still part of that

1 particular legislation. Choice without choice really is
2 what that is.

3 Another area I'd like to talk about is
4 an affirmative Action. I think it's important to maintain
5 laws that assure that states have obligations for
6 affirmative action. I think you probably see some trends
7 around the country that are trying to exclude that, but I
8 think that's important to have affirmative -- state
9 affirmative action legislation that assures that employers
10 especially if there's State of Illinois or other
11 government organizations or other employers that have
12 state or federal contracts have an obligation to engage in
13 some affirmative action, you know, to see to it that there
14 are jobs there for blind people and disabled people and
15 other minorities.

16 And the last area I'd like to touch on.
17 We heard about that as well was the need to really take a
18 look at the educational system to make sure that Braille
19 is being offered to student, that mobility is being
20 offered to students, that while they're in high school
21 that training on computers and access technology is
22 available in high schools and that there's some kind of
23 program that facilitates training section from high school
24 to work. There are virtually no good programs that need

1 to be really be looked at. So, with that, I'd be happy to
2 take any questions thank you.

3 CHAIRMAN MATHEWSON: Connie Peters?

4 MS. PETERS: No questions. Thank you very
5 much.

6 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

7 MR. SCHWARTZBERG: I simply want to note,
8 first, for the record, that during the break period I was
9 approached by Shirley Mason-Carter of the Office of
10 Federal Contract Compliance Program that she provided me
11 with her name, address and phone number in terms of
12 providing the linkage to the Lighthouse that I had
13 mentioned and in Mr. Kesteloot's absence. She indicated a
14 willingness to set up that program. That I then
15 approached Mr. Kesteloot and gave him that name, address
16 and phone number and Mr. Kesteloot indicated that he would
17 be following through on that. I simply, for the record,
18 wanted to indicate that it appears that there's some first
19 fruits to this discussion today.

20 Let me ask my elevator question in a
21 slightly different service. You yourself are not fully
22 sighted, are elevators a real problem?

23 MR. KESTELOOT: I can see pretty good with
24 this five or six feet. I hate to admit this, but

1 elevators are a nightmare and there's no standard to them.
2 I recall going to a board meeting at Sears Tower and Sears
3 Tower has stainless steel elevators, so you walk in
4 there's like it's like looking in a mirror all the way
5 around and the numbers are stainless steel on buttons that
6 are stainless steel and they don't have voices in the
7 elevator and you go to another building, the lighting, the
8 contrasting may be good, you may have a dark black number
9 on a white background that, but then maybe there's hardly
10 any lighting in the elevator. By the time you get
11 adjusted to the light in the elevator, you've passed your
12 floor. I mean the elevators do have their ups and downs.
13 I hate them.

14 MR. SCHWARTZBERG: Then let me ask this. The
15 other question, do you consider that we should try to take
16 all these problems one at a time or that it might be
17 useful for us to try to educate the country on a broad
18 series of problems of eyesight impairment to try and
19 educate the general population and those who are making
20 decisions to the depth of the problem?

21 MR. KESTELOOT: I also think there are
22 priorities. I do think elevators are probably up there.
23 I think they can make life a little bit more comfortable,
24 but certainly employment issues you know, in my mind also

1 would take the priority. But, I think it's hard I think,
2 to tackle just one thing at a time. So, I would totally
3 be in favor of the some kind of standard on elevators and
4 really probably I know there has been some advocacy on
5 that, but because it's not included in the Americans With
6 Disabilities Act, but they're probably I think in general
7 needs to be a lot more advocacy and I personally would
8 like to see a lot of the national organizations that
9 represent blind people and agencies work closer together
10 on all of those issues. But, I think there has been a lot
11 better job on that because there have been some sort of
12 joint policy statement and advocacy on some of the issues
13 over the last couple of years.

14 MR. SCHWARTZBERG: No questions at this time.
15 And my personal thanks for the courtesies that we were
16 given yesterday.

17 MR. SMITH: Ditto.

18 CHAIRMAN MATHEWSON: Kenneth Smith?

19 MR. SMITH: No, I don't think so.

20 CHAIRMAN MATHEWSON: James Scales?

21 MR. SCALES: Being from Southern Illinois
22 University, thank you for the favorable comments. We also
23 are very upset about losing the program. But the question
24 I have for you is, you've mentioned a low vision clinic.

1 What happens there?

2 MR. KESTELOOT: Low vision clinic, that's a
3 good point. I should have had a 11th point. Typically a
4 person who has nearsightedness or farsightedness can go to
5 their local optometrist and get a conventional pair of
6 glasses and their visual difficulties go from 20/40 or
7 20/110 to virtually normal vision. Whereas, a type of
8 person seen in a low vision clinic has some damage to the
9 eye and regular glasses will not improve the vision
10 significantly will not bring it back to close to normal.
11 The person has maybe an 80 percent loss of sight or
12 greater with the best possible correction and the purpose
13 of low vision clinic would be to take a look at other
14 significant ways of improving the functional vision of a
15 person other than conventional glasses. I use, for
16 example, a high powered microscope set in conventional
17 frames. This little button magnifies print about ten
18 times which enables me -- I can't read anything other than
19 headlines in the newspaper, with this though I can read
20 slowly and comfortably regular size print. But, it's the
21 type of lens that you wouldn't be able to get by going to
22 your regular doctor because the patient that they would
23 see might be one in five hundred that might benefit from
24 that. They won't invest in that kind of inventory. They

1 may not have specialized in that type of service. So, a
2 low vision clinic will generally focus on magnification,
3 microscopic magnification and telescopic lenses.
4 Telescopic, for example, if I wanted to I can see within
5 five or six feet, but with a telescope I could read an
6 address. I would be able to read a number on a bus if i
7 was a few steps. I could sit up front in school and not
8 be able to read the blackboard, but with the special
9 telescope, I wold be able to read the blackboard. So,
10 those types of devices generally are very specialized in
11 nature. It's important to make sure that that's what's
12 going to benefit a person versus surgery or medication.
13 they can help on jobs. The more you can read, the more
14 comfortable you can be on a job, more productive.
15 Sometimes a number of issues there, but one of the big
16 problems with low vision devices is nobody pays for them
17 with the exception of in Illinois and probably in other
18 states the Department of Rehabilitation Services and the
19 Bureau for the Blind pay for that and in Illinois they are
20 leaders in promoting services to blind, legally blind
21 people in Illinois within their own community. All them
22 do I think a really good job of providing technology. If
23 you find a job for a person and say we've never had them
24 say no, I'm purchasing adaptive equipment, computers and

1 that type of thing. But that's not the case with low
2 vision devices. Most people don't really understand what
3 they are and how it works. So, in legislation gets passed
4 on Medicare and Medicaid and things like that, it always
5 is left out. If you're blind, you're poor and it means
6 the higher the professional fee, doctor's fees are
7 expensive. The higher the fee, the fewer the people can
8 afford it. Nobody else is reimbursing it. So, nobody
9 wants to do it. So, it's one of those things that Social
10 Security and Medicare should have a separate category for
11 reimbursing doctors for providing low vision services and
12 the devices they should be eligible for reimbursing and
13 they virtually are not. That leaves it to people who are
14 employees basically to pay for those devices themselves.
15 But, I do give good kudos to the Bureau for the Blind for
16 their generally if it's a job involved, they'll pick up
17 those kinds of costs. But, if you've a senior, a child,
18 that's a problem.

19 CHAIRMAN MATHEWSON: Mr. Ewing?

20 MR. EWING: You mentioned Social Security
21 disability payments and the possible limitations based on
22 income if you were on Social Security disability. My
23 question is, does Social Security draw a distinction
24 between disability for determining the amounts of

1 payments?

2 MR. KESTELOOT: I wish I was more of an expert
3 in Social Security.

4 MR. EWING: The reason I was asking was my
5 follow up question was whether or not there are any
6 expenses that blind or visually impaired people have that
7 would have an increased impact on their income?

8 MR. KESTELOOT: Like I said, I'm not an expert
9 on Social Security. I wish I knew more on that, but I do
10 see lots of people who I know about limit their income
11 because they don't want to lose their social security. And
12 let's say there's a number of people aren't eligible for
13 social security disability insurance because they never
14 worked, because they may be coincidentally blind. We may
15 then try to rely on supplemental security income which was
16 some different sets of incentives for people who were
17 working in ways to write off some expenses. But in my
18 mind, both of those even if a person was receiving the
19 maximum would be pretty close to the poverty level.

20 MR. EWING: Okay.

21 CHAIRMAN MATHEWSON: Tom Pugh?

22 MR. PUGH: No.

23 CHAIRMAN MATHEWSON: Dorris Roberts?

24 MR ROBERTS; None.

1 CHAIRMAN MATHEWSON: Rosemary Bombella?

2 MS. BOMBELLA: You had mentioned the insurance
3 industry. Again, you know, I was curious as to get some
4 further comments from you on -- I know there's -- if you've
5 been changing into a new position is what is the form or
6 you know if you do find employment in terms of insurance
7 for pre-existing conditions. I mean, do visually impaired
8 turn into those issues and what other kinds of things do you
9 feel are issues with the insurance industry?

10 MR. KESTELOOT: A couple of comments. One
11 time started getting referrals from insurance industry and
12 I think at first we were cautious because the motive was
13 perhaps would be in conflict with the person who they were
14 referring for service. A lot of time a person that
15 was being referred for service might have felt like their
16 disability insurance, which might have been coming from a
17 private kind of policy, might have been in jeopardy. If,
18 for example, they go through the evaluation program and a
19 training program and there was a report written that might
20 indicate that this person can get employed, can find a job
21 for the person. There was lots of concern on the part of
22 individuals that some of the motives of the insurance
23 company were basically there to get him off of their
24 disability insurance policy. I was concerned about that,

1 too. And on the referrals. Usually if a private
2 insurance company is referring a person for services,
3 we'll just usually advise the person and the insurance
4 company that that person should also be registered with
5 the Bureau for the Blind and services generally in -- I
6 don't have those kind of concerns because the motives are
7 different, I know. Let's see, a couple of other things we
8 have found though certainly there have been referrals to
9 low fee clinics. There's been advocacy around the country
10 to get HMOs to include in their optometric and
11 ophthalmologic coverages low vision services.

12 I know the New York Lighthouse, for
13 example, is developing an HMO kind of package and part of
14 that package is some documents that try to prove to the
15 insurance companies that it's good business on their part
16 to pay for low vision services because if they do that,
17 the person may not lose their job and then they may not
18 then have to put the person on their social security -- I
19 mean, on their short or long term disability private
20 policy. And I think that's probably turning around and I
21 would think probably in the next three to four years we'll
22 start seeing a lot more referrals at least for low vision
23 services. And that is the private carrier will pick up
24 those cases. I don't know if that answers what you were

1 asking or not. That's the thought that came into my mind.

2 MS. BOMBELLA: Thank you.

3 CHAIRMAN MATHEWSON: Janie Khoury.

4 MS. KHOURY: Mr. Kesteloot, we've heard today
5 several times the lament of not teaching Braille in the
6 school system. I see sort of children signing more and is
7 that a wrong perception that maybe they're getting more
8 education on how to sign rather than learning Braille in
9 any form or fashion in the school system?

10 MR. KESTELOOT: In our particular children
11 programs we may use some sign. We have seven children
12 that are also deaf as well as blind, so in a case like
13 that, we are working on communication, all sort of
14 learning with a total philosophy in trying to use as much
15 as what the child can benefit from. And so some cases
16 that may include signing, but that's because of the
17 hearing impairment that comes sometimes in combination
18 with that visual impairment.

19 Also, you have to feel the signs if the
20 child isn't able to see the sign well enough. I'm pretty
21 good at sign language. I can't see what everybody else is
22 signing. You really do have to learn how to feel the
23 signs to be able to do the communication, but there are
24 also instances where a number of children in our program

1 are profoundly developmentally disabled, profoundly
2 retarded to the point where there's virtually no usable
3 language. So, in trying to provide speech therapy and
4 language, sometimes teachers will try to incorporate some
5 sign language, but usually you would see that where there
6 are profound complications of disability.

7 MS. KHOURY: I think I was a little ambiguous
8 in my question. Let me reask that. I think I was talking
9 about the general public. I think it's much more
10 awareness and I think the children that I see and just--
11 and I totally, I think most people don't really think
12 about Braille education very much, but, you know, we do
13 once in awhile even in the school system, we see somebody
14 up in a performance using sign language.

15 MR. KESTELOOT: Yes.

16 MS. KHOURY: That seems to be more the case
17 rather than the whole notion of Braille and is there some
18 trend that's happened because we accept in Southern
19 Illinois that your educational focus has been pulled and
20 issues of that sort.

21 MR. KESTELOOT: Probably the major trends I
22 would see there would be in older people. More older
23 people losing their vision from macular degeneration or
24 diseases related to aging, diabetes. You may have trouble

1 feeling Braille or you may just not want to learn how to
2 go through a totally different system of reading. You
3 know, starting over and learning. But when you look at
4 congenitally blind students when you don't have those
5 services available to that population, maybe because some
6 other part of the population can't use it or doesn't want
7 to use it. You know, that hurts the whole thing. Those
8 services should be available. A lot of children around
9 who can't read Braille and should be able to read Braille.

10 MS. KHOURY: Thank you again.

11 CHAIRMAN MATHEWSON: Thank you for your
12 testimony. You have 30 days to submit additional
13 material.

14 M. J. Schmitt and Ray Campbell,
15 American Council of the Blind.

16 M. J. SCHMITT

17 AMERICAN COUNCIL OF THE BLIND

18 Well, thank you. I'm happy to be here.
19 We of the American Council of the Blind are indeed
20 grateful for this opportunity to come here and talk with
21 you people today about problems that are near and dear to
22 our hearts that we wish would go away.

23 Who we are is we are the American
24 Council of the Blind and we're a state affiliate of the

1 American Council of the Blind. I currently am state
2 president and a member of the National Board of Directors
3 of ACB. I guess I'll start by saying that it is no secret
4 that the Illinois Council of the Blind was not happy about
5 becoming a part of the huge umbrella agency known as the
6 Department of Human Services. This was made apparent all
7 through the blind community because there just seemed to
8 be no one who was thrilled about going into the large
9 agency. But, that's where we are now and to this point
10 the Bureau of Blind Services seems to remain pretty
11 autonomous and pretty much the way thing were before the
12 merger into the bigger -- into the big agency. I think it
13 can be said with no successful contradiction that blind
14 and visually impaired people need categorical services.
15 Disabled specific services. The generalists say that
16 these services can be transmitted to people in a general
17 agencies, but this, be it everytime there's an overhead,
18 everytime somebody puts something out on a blackboard,
19 that blind guy loses. The blind people need to be
20 rehabilitated and taught by people who have been taught to
21 teach and taught to counsel blind and visually impaired
22 people.

23 The National Council on Disability is
24 most unhappy with us because we feel this way and has come

1 out openly against our feelings. But, the successful blind
2 people in this country are the people who have had a
3 superior education and been taught by people who know
4 where your shortcomings are going to be and your
5 weaknesses are going to be to help you be the best that
6 you can be. I think everybody wants the American dream
7 and some of us have had and feel obligated to be out there
8 trying to see that other people have it. I have been very
9 fortunate in my life. I have had five jobs, all of them
10 in private industry. I retired from Sears in 1993 as a
11 Senior Systems Analyst. I started out as a programmer,
12 was able to work myself up to that position. Now, what
13 that says is that I not only was able to do my job, but
14 that I was able to be upwardly mobile in my job. And
15 that's what blind people need. It does affect the way we
16 live. You know, you can afford to do many more things if
17 you have a good professional job or a good job than you
18 can if you're going along on your SSDI or whatever. And
19 there are many barriers to employment. Of course
20 attitudes are very important. Sometimes in corporations
21 somebody way up high says I think we ought to hire a
22 couple of these blind people. But, what happens is then
23 you get into a job and the person immediately supervising
24 you wasn't consulted about this, doesn't feel a part of it

1 ad it makes it very difficult to work your way in. It
2 becomes almost an individual thing and if you've got the
3 basic skills that you need, how to walk, how to talk a
4 good educational background, good daily living skills and
5 been trained properly which come mainly from an agency
6 where you're getting disability-specific services, you'll
7 not only make it, you'll exceed your expectations.

8 Here in the Bureau we feel that we need
9 more rehabilitation teachers and more counselors to give
10 service because some people are still falling through the
11 cracks and other people have to wait too long for
12 services. I personally have been fighting for us to get
13 some people who are placement specialists. I understand
14 that in the overall department of rehabilitation services
15 there are some who we use, but I still think we ought to
16 have employment specialists who are going to really work
17 just for blind people. I think the Lighthouse and some of
18 these agencies do a pretty good job, but with the
19 employment rate as high as it is, we certainly need more
20 help with that.

21 Then we come to the newest stumbling
22 block and I can't say enough about this one and that's
23 technology. Computers made me able to live a fine life
24 and do all the things, go all the places that I wanted to

1 go and do and now I fear that that's going to be taken
2 away from people. It is true that the developers
3 should have consulted with knowledgeable blind people and
4 with vendors who do screen reading technology and that
5 just wasn't done. Now Microsoft is making an effort,
6 however, there seems to be a little problem about
7 Microsoft, one department of Microsoft talking to another.
8 They have a slight communication problem there and what
9 has happened and is happening now and I'm not being an
10 alarmist, blind people all over this country are losing
11 their jobs and it's not going to be easy for them to find
12 another one. There are some places, some social security
13 offices that are doing pilots with Windows and Windows NT
14 and there's a problem with the interface between the
15 talking programs that the voice synthesizer uses and the
16 Braille interface. If you're a totally blind person,
17 maybe you can do your job with just one or the other, but
18 to really be able to function competitively you need both
19 speech and Braille. I could not have done any of my jobs.
20 I couldn't have raised my kids, I couldn't have done
21 anything for five minutes without Braille. It is so
22 necessary to blind people. And that brings me to the
23 kids. They've been giving children tape recorders and
24 computers and maybe a smattering of Braille and what they

1 need is for these kids to have concentrated Braille. I just
2 can't tell you it would be like taking a piece of paper
3 and a pencil away from you people. When you don't have
4 that, all of the machines in the world aren't going to
5 help you. So, we need desperately to work with the large
6 companies, Microsoft or all of them to make things
7 accessible in the future before they keep going ahead not
8 let us get any further behind. Again, working with a
9 knowledgeable blind community and Braille is essential.
10 You know the inclusionists who believe that the
11 Individuals with Disabilities Education Act should be all
12 inclusive are right. It would be nice if a child -- some
13 may choose to go to a separate school for blind or
14 visually impaired. Some may choose to go to a public
15 school, but the kids who are going to public school need
16 to have the proper support services, and if they don't
17 have that, then inclusion is not a good thing and until
18 and unless there's going to have those services, it isn't
19 going to work. There are many children out in the public
20 school system here in Chicago that are not getting Braille
21 or not getting enough of it. There are plenty of teachers
22 who know Braille, but not plenty of teachers who know how
23 to teach Braille and these are really two separate things.

24 I want to touch on the elderly blind

1 problem with the most recent amendments to the Rehab Act.
2 We find that they concentrate primarily on outcomes,
3 employment outcomes and that's fine, I applaud that, but
4 with macular degenerative retina pigmentosis and similar
5 diseases are still coming along and our population is
6 living longer and we have many, many people coming into
7 the elderly blind program every year and not much money to
8 do anything for them with. The appropriations, well this
9 year is asking for a million for the elderly blind
10 programs and I certainly hope that we get it because these
11 people are getting lost in the shuffle. The state rehab
12 agencies for the blind are having to have to find money
13 from other places in order to give people what they need.

14 I could talk to you about technology
15 forever. I think that's the biggest problem we have right
16 now, but I'll be happy to answer any questions after you
17 hear from Ray.

18 One thing about transportation I worry.
19 Well when we're going to have a day meeting here, we
20 usually end up meeting in Springfield or in Chicago
21 because so many of the other towns are so difficult to get
22 to; one train in, one train out frequently everyday. It's
23 terrible for people in southern Illinois. They don't seem
24 to have any train transportation at all and not much bus

1 transportation either. So transportation is a real
2 problem for those of us who they don't want on the road
3 driving and I think it is something that really does need
4 to be addressed.

5 CHAIRMAN MATHEWSON: Ray Campbell.

6 RAY CAMPBELL

7 AMERICAN COUNCIL OF THE BLIND OF METROPOLITAN CHICAGO

8 I'm going to put this up in front of me
9 so I can read. I've got some prepared remarks. Ladies
10 and gentlemen, Mr. Mathewson, members of the Committee,
11 let me thank you and Mr. Minarik for this opportunity to
12 discuss the issue of civil rights as it relates to people
13 who are blind or visually impaired. My name is Ray
14 Campbell. I'm the President of the American Council of
15 the Blind of Metropolitan Chicago. Here the Chicago
16 Chapter of the American Council of the Blind and also
17 affiliated with the Illinois Council of the Blind. I'm
18 the first Vice President also of the Illinois Council of
19 the Blind. The American Council of the Blind of
20 Metropolitan Chicago has requested that I bring to your
21 attention concerns both of which have a negative impact on
22 the ability of blind or visually impaired people to become
23 gainfully employed. Before I do that; however, I'm going
24 to deviate from my prepared remarks and I'm going to talk

1 about an area that I think needs to be dealt with.
2 Specifically, we've heard a lot this morning about access
3 to technology. Technology to computers, to consumer
4 products and the next and I'm going to talk some more
5 about that. But I think a specific thing that needs to be
6 talked about is access to automatic teller machines. Why
7 do I think this needs to be talked about specifically?
8 Well, it kind of goes back to the better education about
9 what our access needs are. Everybody thinks that if you
10 put Braille on the keys of the ATM machine, even the ones
11 that you drive up to -- I don't know why they do that, put
12 the Braille on there -- and then blind people can use it.
13 Wrong, wrong, wrong. The people who think that way and
14 who designed the Braille on the keyboard, they didn't even
15 think to ask the blind person or put their feet in the
16 shoes of a blind person to say how are you going to read
17 the screen which tells you everything you need to do on
18 the ATM machine? No one thought of that. So what we need
19 to do is we need to have requirements for manufacturers of
20 ATM machines to build in access to the screen of the ATM
21 machine either through speech interface which is probably
22 the easiest way to do it or through Braille display and
23 there are privacy issues, but those can be easily
24 addressed and I can further go into providing some written

1 records on this in the agenda for change that Mr.
2 Schwartzberg will like to see and he will see from our
3 organization. However, just suffice it to say that there
4 are ways with smart cards technology now that you can
5 encode the card to do voice only; come on when a
6 particular card because of the way it is encoded, is put
7 in the machine and you can have a headphone, the blind
8 person has the plug into the machine or handset phone,
9 handset on the side of the machine that could be used.
10 Perhaps a handset can be locked into the machine some way
11 so that when the card is put in, it only comes out when a
12 particular card is put in. These are the kinds of things
13 that need to happen. The Braille on the keyboard is very
14 nice, but if you can't read that screen, you cannot use
15 that ATM machine.

16 As I stated earlier, the American
17 Council of the Blind of Metropolitan Chicago would like me
18 to bring to your attention to two concerns and you've
19 heard quite a bit about them already. But I'm going to
20 talk about two specifically focusing on employment. These
21 concerns are access to technology and the lack of adequate
22 transportation.

23 The use of computers is an essential
24 skill that almost everyone, every adult must have today.

1 Computer technology is constantly changing and making
2 greater opportunities available for everyone except those
3 who are blind or visually impaired. Our community
4 continues to lag behind mainstream computer users in what
5 hardware and special software we can use. Because of this
6 we are not nearly as productive as sighted people who have
7 comparable qualifications. We can not use the
8 applications that both public and private sector employers
9 are using to meet their work -- get their work done.
10 Think about it, as an employer who are you going to hire?
11 You're going to hire that applicant who will give you
12 maximum productivity and who is able to use the
13 applications. Will companies employ us? I mean why
14 should you have to train your support people; your tech
15 support people to support some specialized application
16 when you've got people who could use it? I've got an
17 application and it's working well. Why do blind and
18 visually impaired people lag behind? This is due in large
19 part to Microsoft's failure to provide little more than
20 lip service to it's commitment to making their operating
21 system and application software accessible. I will say it
22 is nice to see they are making some effort at this point.
23 We will just have to wait and see what happens.

24 As you know, Microsoft is the dominant

1 in the market for operating systems and software. While
2 Microsoft has put out standards for accessibility in the
3 past, they don't comply with them. And they don't force
4 other application developers to write software to run on
5 their Windows operating system to comply with them. Right
6 now there are countless blind and visually impaired
7 employees at the Social Security Administration who are
8 scared to death of losing their jobs because this agency
9 has decided to switch to using Windows NT; at least
10 they're piloting that. These employees are not being told
11 what is being done to meet their needs for accessibility.
12 They are being told by supervision that they must be using
13 the system in a wrong way because the supervisors are
14 being told that it is accessible. Because of the lagging
15 behind and lack of commitment by Microsoft I have spoken
16 of, this system, Windows NT is not accessible. Something
17 must be done to help these people and done now.

18 What can be done to help solve this
19 problem? Both federal and state government agencies
20 across the nation must make it clear to Microsoft that
21 they will not purchase software from him until it is fully
22 accessible to all blind and visually impaired people.
23 This means it must work with large print magnification,
24 speech output, in front output equipment. Also private

1 sector employers must be encouraged to take this same
2 action. Microsoft is driven to take action if their
3 bottom line will be adversely affected. Government
4 dollars that don't come to them are companies that would
5 be like them because of their lack of commitment to
6 accessibility will hurt in their bottom line. If no
7 action is taken, blind and visually impaired people will
8 continue to lose jobs. How ironic that is the computers
9 opened up vast new opportunities for our community, now it
10 could take them away if something isn't don't.

11 It will make no difference, however,
12 what is done to make technology on the job more accessible
13 if blind or visually impaired people can't get to the job.
14 Over the years we have seen an erosion in federal and
15 state government support for mass transit. The Chicago
16 Transit Authority just completed the 3rd in a series of
17 devastating service cuts. Also, jobs are moving out of
18 major cities where public transit has always been more
19 plentiful and then into the suburban areas where everyone
20 has two cars and public transit is almost nonexistent. As
21 goes public transit, so goes opportunities for blind and
22 visually impaired people to work.

23 Also blind and visually impaired people
24 lose flexibility in where they can live, go to school, or

1 access community activities. In today's fast-paced jobs
2 employers want people who have the flexibility to work
3 late on occasion. They don't want to hear that someone
4 can't work late just like the rest of the team because of
5 their need to go home at 5:00 o'clock since that's when
6 the only bus that serves the work site goes to the train
7 station. For example, Pace, the suburban bus district of
8 the Regional Transportation Authority is charged with
9 providing mass transit in the Chicago suburbs; however,
10 most of their service is designed to get people to work at
11 a certain time and home at a certain time. This does not
12 allow people, blind and visually impaired people to be
13 flexible in terms of crisis at work itself. It inhibits
14 them from taking classes at work after work to enhance
15 their skills, something many employers all but demand
16 today and it all but prevents them from participating in
17 lunch outings, team building activities and after work get
18 togethers; all of which build comraderie at work with
19 colleagues. Because of this, blind and visually impaired
20 people are shut out from opportunities to network, office
21 conversation, and problem solving. We must advocate for
22 more public transit service, not less. Both safe -- and
23 the private sector must work to find ways to put more
24 funding into the mass transit. Special incentives should

1 be given to agencies like Pace to provide all day fixed
2 route transit to areas that traditionally have been
3 underserved by mass transit, such as the suburbs. Also,
4 lobbying for more funding for highways must be encouraged
5 to work more closely with advocates for mass transit.
6 After all, buses need good roads to travel on as well
7 as do cars. And just a word about inner city transit. As
8 M.J. pointed out and I will just echo that sentiment, it's
9 atrocious here in the State of Illinois. If you want to
10 get to Chicago or want to get to Springfield, there's not
11 much of a problem. But if you want to travel say from
12 Moline to Rockford by bus, you have to go one hundred
13 miles out of your way to Chicago to do that. Now that's
14 ridiculous. The ability to work is what helps people
15 realize the American dream. If blind people do not have
16 access to technology, if they don't have adequate
17 transportation, they will not be able to work and realize
18 the American dream.

19 Thank you very much for listening and I
20 look forward to answering your questions.

21 CHAIRMAN MATHEWSON: Thank you very much, Mr.
22 Campbell.

23 Questions from our Committee.

24 Janie Khoury.

1 MS. KHOURY: No, but thank you very much
2 for the testimony. Thank you.

3 MR. CAMPBELL: Thank you.

4 CHAIRMAN MATHEWSON: Rosemary Bombella.

5 MS. BOMBELLA: No.

6 CHAIRMAN MATHEWSON: Tom Pugh.

7 MR. PUGH: A question about Microsoft.
8 Netscape is their browser. Is it any better for the blind
9 than the Microscope browser?

10 MR. CAMPBELL: Their browser, well their
11 browser is better for the blind. With current technology
12 the situation is, however, it has to run on Windows and
13 Windows the operating system is really where the problem
14 is. And as far as I know, the far of my knowledge, the
15 older versions of Netscape up until recently were really
16 real good for blind. I don't know if they've developed
17 any new versions or software, but we do know about the
18 situation with Internet Explorer that happened. Microsoft
19 had promised to incorporate this active accessibility into
20 it, into it's 4.0 and they did not do that and they had to
21 kind of swallow their pride and release a 4.01 version
22 which did incorporate that active accessibility.

23 To answer your question, yes. In the
24 past is what I have had it, Netscape has been a little bit

1 better for blind people. I do not know if that will
2 continue to be the case as it all depends upon the
3 operating system.

4 MR. PUGH: More to the point, I guess is for
5 public understanding of what we're talking about, perhaps
6 a little bit more about Microsoft than what they do about
7 the blind, but not a hell of a lot. The factors that need
8 to be injected into the Windows is noise, sound--

9 MS. SCHMITT: Getting around icons.

10 MR. CAMPBELL: Yes, exactly. In other words
11 a little bit about this this morning and I want to just
12 kind of reiterate some of these things. What happens a
13 lot of times with and there's a lot of factors that need
14 to be taken into consideration. You need to have the
15 computer of Windows operating system to take a look at
16 that but you also need to take a look at such things as
17 the design of web sites and that sort of thing. To answer
18 your question, basically, icons that appears on a screen
19 they have to have a text label associated with them. You
20 look at the Windows desktop, there's an icon, then it says
21 my computer. So it labels "my computer". The screen
22 reader can the pick that up and realize what that is and
23 say "my computer". So, if I'm navigating around the
24 desktop, I know that is what this is.

1 Those are the kind of things that have
2 to be done. If you have a graphic on a screen, it's very
3 easy to have incorporate a particular label on that
4 graphic that says if it is a button, if it is a dialogue
5 box, what it does and what function it performs. Just
6 something.

7 MR. PUGH: You talk about something that's
8 comparatively simple then.

9 MR. CAMPBELL: It is comparatively simple.

10 MR. PUGH: But the technology is there,
11 they're just not doing it.

12 MR. CAMPBELL: Exactly. That really is the
13 situation basically. It's just -- most of the time it's a
14 very simple addition to what is currently provided that
15 could make things accessible.

16 MR. PUGH: Thank you.

17 MR. CAMPBELL: No problem. CHAIRMAN

18 MATHEWSON: Preston Ewing? James Scales?

19 MR. SCALES: Pass.

20 CHAIRMAN MATHEWSON: Kenneth Smith?

21 MR. SMITH: Could either one of you tell the
22 difference between the two organization that have appeared
23 before us this afternoon?

24 MR. CAMPBELL: Well, I'll let M. J. take that

1 one.

2 MR. SMITH: What essentially distinguishes
3 the American Council of the Blind from the National
4 Federation of the Blind, and to what degree do they cross
5 purpose planing or not cross purpose but cooperative
6 approaches?

7 MS. SCHMITT: That sort of depends on where
8 you are in the country. Well, philosophically they're
9 quite different and I am not saying that we are right and
10 they are wrong or that vice versa, but we do have some
11 philosophical differences. Mostly we want to get the job
12 done. Certainly we agree on technology and on Braille. I
13 think those are the two things that we agree the most on
14 within the past few years.

15 At a national level there has been some
16 working together on some of the major issues, but we sort
17 of went our separate ways about seven years ago. And I
18 certainly have respect for the people in the Federation
19 and them for those of us in the Council, but just like
20 some the Democrats and Republicans, we don't see things
21 the same way. It's too bad because we're a low incidence
22 population, but.

23 CHAIRMAN MATHEWSON: Could you elaborate on
24 that? We're going to ask Mr. Benson if he would to come

1 back and comment also on this question because this is
2 just an informational thing. I hope we're not starting a
3 cat fight here, but we --

4 MS. SCHMITT: I certainly have no intention
5 of taking any issue with Steve and the Federation. That
6 isn't what I came here for and I prefer not to get into
7 this, but if --

8 CHAIRMAN MATHEWSON: How would you describe
9 your purpose in positive terms? What's the principal
10 focus or philosophy that you impress?

11 MS. SCHMITT: Well, as was said by Steve
12 blind is the most important part of our name. We're the
13 American Council of the Blind and we are an organization
14 primarily made up of blind people. We don't discriminate
15 against our sighted friends, we'd like them to join us.
16 We are more of a grassroots organization; whereas, they
17 sort of a more organized group or organization. There's
18 just differences in the way we think. That doesn't mean
19 that one of us is wrong or one of us is right.

20 I'm not going to be drag kicking and
21 screaming into a discussion that's going to be counter
22 productive and I hope Steve won't either.

23 CHAIRMAN MATHEWSON: Mr. Benson, would you
24 like to respond to that question? We would be pleased if

1 you would.

2 MR. BENSON: As I indicated before, we are
3 the oldest and largest organization of the blind. I think
4 the differences are our philosophical. For example, there
5 was a time when the National Federation of the Blind very,
6 very strongly asserted that blind people who work in
7 sheltered workshop, one should have the right to organize
8 a bargaining unit and should earn the federal minimum wage
9 and the ACB opposed those. And if we were pressed we
10 could find correspondence for example to Senator Tsongas
11 from the ACB that indicates we were opposed to blind
12 people in workshops earning the federal minimum wage. But
13 I think one of the things we stand for, we say is that
14 blindness is a physical condition that with proper
15 instruction and genuine opportunity can be reduced to the
16 level of a nuisance. We don't say that it is a minor
17 inconvenience, we say that it can be reduced to a level of
18 a nuisance. With creativity and so on, blind people can
19 compete on terms of equality with sighted people and then
20 my impression is that the ACB differs somewhat on that
21 point. There are some other points with which we differ,
22 but I think for the purposes of this Committee, they're
23 really not all that important. But, M. J. is right, there
24 are Republicans and there are Democrats, there are women in

1 this country who belong to NOW and there are women who
2 oppose NOW and there are men who belong to the NRA and
3 those who don't and there's room for philosophical
4 difference among the general public and there's also room
5 for differences and philosophical differences among blind
6 people as well.

7 CHAIRMAN MATHEWSON: Okay, thank you
8 both.

9 MR. CAMPBELL: I'd just like to say one thing.

10 CHAIRMAN MATHEWSON: Sure, please do.

11 MR. CAMPBELL: I would just say that I'm
12 fairly newly joined to the ACB. I've only been in it
13 about 8 years and I would just say that sometimes I feel
14 that I understand the differences and that sort of thing
15 and they've already been pretty well elaborated on, but I
16 think sometimes that our purposes of things we're fighting
17 for both organizations, I think sometimes we have trouble
18 locating, you know, achieving the end that we're trying to
19 achieve, whether it be in Congress or whatever because I
20 think the divide and conquer approach was used basically
21 saying blind people don't know what they want, so we're
22 not going to give them anything. But I will say this, as
23 a member of the ACB I've had the pleasure of working with
24 members of the NFOB on a number of projects, most notably

1 on the, was the Braille Literacy Bill that was passed in
2 the State of Illinois in '92 and that was a very good
3 experience for me. It was really my first delve into
4 legislation and it was a very worthwhile experience for me
5 and it was a real pleasure to work with some of those
6 folks.

7 MS. SCHMITT: We ought to talk about a Braille
8 bill a little bit. NFB and ACB of Illinois worked
9 diligently to get that bill passed. And as a member of
10 the committee that was set up that was supposed to make it
11 meaningful, I can tell you that we're nowhere, we're
12 absolutely nowhere with this and since Mr. Sagnola has
13 taken over the State Department of Education and abolished
14 special education as we used to know it, we don't know
15 even where to go any more with it to try and make it into
16 a meaningful piece of legislation.

17 I want to say one more thing. We were
18 talking about barriers. One of our future barriers folks,
19 there won't be a blind population if they don't do
20 something about electric cars because if they don't, we're
21 all going to get killed going to work because they will be
22 quiet. Hopefully, you know, if they're going to make them
23 have some kind of an audible warning when they're coming.
24 Thank you.

1 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

2 MR. SCHWARTZBERG: I've heard of the blind
3 leading the blind, but the technologically impaired needs
4 some help here. Let me try to understand the software
5 problem. And I want to -- what I'm going to do is sort of
6 hope that somebody's going to interrupt me when I get it
7 wrong trying to state what I picked up between some
8 questions yesterday and what I've heard today. As I
9 understand it, there's a software language, DOS, that runs
10 and Windows that's being replaced at this point by NT in
11 some cases.

12 MS. SCHMITT: First DOS was replaced by
13 Windows.

14 MR. SCHWARTZBERG: Okay. And I understand
15 Microsoft indicated that 98 is going to be the last of the
16 Windows versions and that from now on we're going to go
17 into NT if Mr. Gates has his way. And it's my
18 understanding from what's been said today that Windows
19 introduced or brought forward certain icons which did not
20 have an access link, did not have a direct character link
21 and that; therefore, you could not move from this icon to
22 speech production.

23 MS. SCHMITT: Yes, that's right. And you
24 can't get around those icons. There's no mechanism set up

1 to say this icon says there's a line of text.

2 MR. SCHWARTZBERG: Now, it is my understanding
3 that the speech production; that is to say the speech
4 output and the Braille output, the large type
5 magnification were available in Windows and certainly in --

6 MS. SCHMITT: Well, were available in DOS.

7 MR. SCHWARTZBERG: Were available in DOS and
8 sort of coming in maybe in Windows, but aren't in this NT,
9 is that right?

10 MS. SCHMITT: Yeah.

11 MR. SCHWARTZBERG: As Social Security moves
12 into the NT, it finds it's using a language where at least
13 for the moment the speech output and the Braille output
14 and the large type magnification are not readily
15 available?

16 MS. SCHMITT: That's correct. They're not in
17 sync with one another.

18 MR. SCHWARTZBERG: Now that's not -- now it
19 might be relatively easy to place on each icon the text
20 which would solve the Windows problem, but I gather it's
21 a more substantial problem to provide the changes which
22 will be necessary to provide the speech output and the
23 Braille output and the large type magnification in the NT
24 situation and that unless that speeds up, the people in

1 Social Security, for example, as it moves into NT, are
2 going to be unable to operate because they can't get the
3 speech output, and the Braille output, speech, and the
4 large type magnification that they need. And that that's
5 in a sense a separate question and not necessarily even a
6 related question to the icon question. Is all that a
7 reasonable summary? I see some shakes of the head yes and
8 I wonder whether someone can straighten me out if I'm
9 wrong or tell me what the situation is?

10 MR. CAMPBELL: Sure. Mr. Schwartzberg, it
11 all relates because you have to have the system, the
12 software system basically. Let me describe this briefly.
13 Kind of what a screen reader, which is the program that
14 takes information from a screen and communicate it to a
15 speech synthesizer. That's what a screen reader is but to
16 communicate itself to a speech synthesizer or a Braille
17 device that can; therefore, make it accessible to the
18 blind or visually impaired person. That's using that
19 screen reader.

20 The problem is is that you have to have
21 the basic system, the basic software system, this NT or
22 whatever it is, has to provide the proper information to
23 that screen or your program. So it, in turn, can provide
24 that to the speech outside or the Braille output. You got

1 that right.

2 The other thing that has to happen is
3 you also talk about, I believe with Social Security, an
4 application software problem. What I mean by that is
5 Windows NT is the operating system, the basic instructions
6 that the computer has to follow in order to do anything.
7 Whatever application is that they use runs under Windows
8 NT it's developed to run in Windows NT. And so all of
9 these software packages have to be able to interface with
10 each other and if the operating system can't provide the
11 proper interface as necessary, the operating system, in
12 this case being Windows NT, then certainly the application
13 software is going to have a problem communicating with the
14 screen reader, the voice synthesizer or whatever case it
15 does a lot of that through the operating system. Does
16 that help? I mean --

17 MR. SCHWARTZBERG: Yes, it does. And I
18 gather what is being said here is that at least for Social
19 Security at which there's a substantial number of blind
20 jobs, this is a major problem and one where if there can
21 be any speeding up of the software preparation here, it
22 can make a major difference for a substantial number of
23 them employed.

24 MR. CAMPBELL: You bet.

1 CHAIRMAN MATHEWSON: Connie Peters?

2 MS. PETERS: No questions, thank you.

3 CHAIRMAN MATHEWSON: We thank you both very
4 much for your information and help in this inquiry.

5 GLEN CRAWFORD

6 BUREAU OF BLIND SERVICES

7 Thank you very much and I appreciate
8 the opportunity to speak before the Illinois Commission on
9 Civil Rights about the programs of the State of Illinois,
10 public programs of the State of Illinois and barriers.

11 I will, to a major degree, try to not
12 repeat what has already been said about the barriers.
13 there are many barriers and just let me say that the
14 barriers that I've heard discussed so far today I could
15 only concur with the opinion that was given by those who
16 were testifying. So with that, let me go to the services
17 that we provide. We talked some, some mention was made of
18 the agency in which the Bureau of Blind Services has gone.
19 To follow the trend of some of the states that have
20 consolidated many programs under one department. We have
21 a department secretary that is in charge of the Department
22 of Human Services for the State of Illinois. Working for
23 this person we have an associate secretary and immediately
24 under that is an associate secretary. There's a division

1 administrator who is the Director of the Division and this
2 person has four programs under her. One of those programs
3 is the Office of Rehabilitation Services. The Bureau of
4 Blind Services is within that Office of Rehabilitation
5 Services. And that gives you some idea of where we stand
6 within the State of Illinois.

7 As for myself, I have been a
8 professional in the work of services for the blind since
9 1966. I have had positions in three different states
10 during that time, fifteen years of that was in a private
11 program working for the Lions Club of Lions International.
12 The remainder of that time was in public programs. I have
13 been in the State of Illinois approximately five years.
14 I've been Head Deputy Director of Blind Services. If you
15 look at the programs that we have available within the
16 state, virtually all of our programs, in fact, all of our
17 programs work with individuals who are older youth and
18 adults. We do not have service programs here for children.
19 We being the Bureau of Blind Services does not have
20 programs for children. It's older youth and adults. One
21 of our specialized programs that we have is a vending
22 position program. In many states you will hear this
23 called business enterprise program. It was a specialized
24 program that was set up by the Randolph Shepard Act that

1 allows blind individuals and agencies for the blind to
2 contract with the federal government or reach agreements
3 with the federal government establishing what was
4 originally food service programs within those federal
5 programs. If you visited the gift shop in this building,
6 that is a vending facility, probably it's not a food
7 service program. But, it's one of the programs under the
8 Randolph Shepard Act. We have expanded beyond federal
9 buildings. We are in state buildings and we're in private
10 industry. We have 145 of these businesses. The state
11 agency contracts with the state, federal, the private
12 business. We establish the location and then the blind
13 individual who has completed about a 12 month training
14 program is placed into that business as a private
15 independent business operator. As I say, we have about
16 145 of these. If you look at how we ranked nationally in
17 terms of earnings, we are 5th in overall earnings in the
18 United States with excess of \$22 million in sales in this
19 industry. We're second in terms of machine sales, vending
20 machine sales, we're second in the nation with those
21 sales. We're developing new programs in this vending
22 facility as well. We're looking at gift shops, card
23 shops, federal government is downsizing, state government
24 is downsizing. We have to look for new industry in which

1 to build these private prices for blind individuals. We
2 have a specialized program here in Chicago that serves the
3 State of Illinois. It's a training center for blind
4 individuals. Blind individuals frequently lose their
5 sight in adulthood rather than being born blind. Now,
6 there's a large number who re born blind also, I'm not
7 saying this doesn't occur, but the majority of individuals
8 lose their sight in adulthood. This training center is a
9 facility center where the individual can go for a period
10 of time to receive training in mobility, how to care
11 for themselves and personal skills we call activities of
12 daily living which include a broad gamut of training
13 skills in the individual self. We they go back home, I
14 have twenty rehab instructors across this state who work
15 with them after they get back home. Our major task is not
16 only to allow these individuals to live a more comfortable
17 life in their community, but employment that we want these
18 individuals back into employment. They want to be back in
19 employment that's a condition of the service and that is
20 what we try to succeed in doing. This program works in
21 conjunction with the vocational rehabilitation program.
22 We have offices scattered across the State of Illinois
23 that provide many services and frequently we're asked well
24 what services do you provide and anything in terms of

1 every one person receiving the same services, that doesn't
2 occur. They can receive training programs, they can
3 receive college education, they can receive trade school,
4 he may go back to the same job in which they had come
5 from because of the services that we were able to provide.

6 So, the services vary a great deal.

7 All of them are geared towards employment. In addition to
8 the vocational rehabilitation program, we have just
9 recently begun a -- not begun, expanded upon our services
10 for older blind. Services for older blind is a very
11 poorly funded program as M. J. indicated earlier. We're
12 asking for \$52 million this year and in a federal budget
13 that's not a lot of money. But, it's not being given.
14 We're currently funded at \$9 million for the entire
15 nation. Older blind --

16 MR. SMITH: How much?

17 MR. CRAWFORD: \$9 million for the entire
18 nation. The older blind population is the largest of the
19 blind population. It's the largest. It and the youth.
20 Children are the poorest funded. Those two programs are
21 the poorest funded. We're asking for \$52 million. I
22 don't know if we'll get it. Congress has yet to decide on
23 that, but we are trying, the State of Illinois, to get
24 \$155,000 for an older blind program. We have done a few

1 things here that have enabled us to put together a
2 program for older blind and it's \$50,000. We were able to
3 do that through our Social Security Administration on the
4 contacts that we have. There we provide vocational rehab
5 services to individuals that are receiving social security
6 disability insurance. If, if we are successful in getting
7 them individual employment and no longer on social
8 security, no longer receiving a SSDI, they reimburse us
9 our expense. The money that comes back to us can be used
10 for-- well, must be used for rehabilitation purposes. It
11 does not have to be used for vocational rehabilitation
12 purposes. So, when we rehabilitate a person on SSDI,
13 we're reimbursed about two years later the expense that
14 we've had and we're taking better than half of that money
15 for the State of Illinois, all of the Office of Rehab
16 Services and putting it into the older blind program. And
17 by doing that, we were able to add another \$900,000 to the
18 \$150,000 that we get. Now, it's tenuous funding. It's as
19 soon as we sign and getting people with SSDI placed and
20 removed from SSA funds. If we're not good at doing that
21 or if SSA changes the way they fund the rehabilitation of
22 recipients, our older blind are in trouble again, and se
23 feel very strongly that we need funding for this older
24 blind group of individuals.

1 If you look at barriers, I would agree
2 with, as I said, most of the people that we have here,
3 employment is a major barrier. I've been in services for
4 the blind professionally services for the blind since
5 1966. My grandfather was blind and he lived with us, so
6 blindness has always been a part of my life. But,
7 professionally, I've been involved since 1966. There has
8 been some changes. A lot of those changes tend to be lip
9 service and I hope some day that it registers somewhere
10 between those ears and not just out of that mouth. Now,
11 let me give you an idea of what I'm talking bout when I
12 say that it's just the committment is not there yet. If
13 you would think of the Gallup Poll that was conducted
14 about five years ago. The Gallup Poll asked individuals
15 what disability would they least like to have and they
16 were free to name any disease they wanted. The first
17 disease that nobody wanted with HIV or AIDS. Nobody
18 wanted it. The second was blindness. The third was heart
19 disease. Blindness before heart disease and a very close
20 second to HIV. That speaks to the attitude of society,
21 employers and employment is part of that society and they
22 are part of that attitude just as we all are. And this we
23 need to work on. It's a major problem. Education is also
24 a problem. We have mentioned here earlier about Braille.

1 Many of us who are sighted look at a computer or look at
2 the technology that's available to us and we say no
3 problem, we'll scan this into the computer and use printed
4 text. We're going to scan it in and it's going to read it
5 back. It doesn't work that way. What if we want a quick
6 reference to something? We can look it up in Braille,
7 scan through it, read it, very quickly in Braille. If
8 you're doing it by computer, you may sit there all day
9 trying to get to the text that you want to refer to.
10 Everything doesn't scan. If you get into charts, charts
11 don't scan. There's many, many things that you cannot
12 scan to a computer, but many people see this as the
13 answer. This is the panacea that's going to replace
14 Braille. Well, it's a long way from replacing Braille.
15 People need to be aware of this. They need to learn this.
16 We need to develop closer working relationships. We,
17 being realization use. With education, many of the
18 individuals, the youth that we can work *woth with our
19 realization funds are not being referred to vocational
20 rehabilitation. We are concerned about them when they're
21 coming out of the schools. We know to be involved with
22 them when they are in school, so we can also work with
23 that child. We can work with the parent and we can start
24 working with whatever industry that they maybe want to go

1 into in informing them of what is going to be required in
2 that industry. Actually setting up a system so that they
3 know themselves what's going to be required of them in that
4 industry and giving them an informed choice as to whether
5 or not they really want to. So, it's many things that
6 need to be done in education. Transportation, public
7 accommodations. There's many, many barriers that you can
8 get into, but as I say, there was already and I will not
9 repeat that.

10 I do have a packet of information that
11 I will be leaving and it will be much more thorough than
12 what I'm doing here today. But, with that, I would invite
13 any questions that you have.

14 CHAIRMAN MATHEWSON: Thank you very much.
15 Connie Peters?

16 MS. PETERS: No questions, but I thank you.

17 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

18 MR. SCHWARTZBERG: You've talked about most of
19 your programs being tied into employment. It's my
20 understanding that certain different blind programs;
21 therefore, run until age 21 and from 21 on there's
22 essentially nothing offered by the state. Is this true
23 and is there hope for something at sometime in the future?

24 MR. CRAWFORD: Let me give you a bureaucratic

1 answer. Yes, and no. Now, let me see if I can be more
2 specific. Deaf-blind within Illinois is not part of the
3 Bureau of Blind Services. It is part of the federal
4 agency and this is true in a few states, but not too much
5 with the blind program. In education you have services
6 through age 21, that's the 21, and that's true with
7 blindness also. You can receive educational services
8 until you're age 21 and then it's got to come from
9 somewhere else. We're one thing with the blind individual
10 as part of vocational rehabilitation. I'm assuming that
11 the general agency with my sister bureau and Office of
12 Rehab Services is working with the deaf-blind vocation.
13 I do know that even though they're not our responsibility
14 here with the Bureau of Blind Services, roughly 50 percent
15 of the deaf-blind served in the State of Illinois are
16 served by the Bureau of Blind Services. If they're
17 referred to us, they have the blindness qualification and
18 we go ahead and work with them. So, we are providing
19 services with -- are we providing good enough services,
20 probably not. I don't think we're providing good enough
21 services for the general program. I don't think we're
22 providing the need service to the blind program.

23 MR. SCHWARTZBERG: Do you have blind services
24 for those deaf-blind over 21 who are not in the file?

1 MR. CRAWFORD: Not employment, yes.

2 MR. SCHWARTZBERG: Is there anything in place
3 that anyone can go if they are deaf-blind over 21 and not
4 employable?

5 MR. CRAWFORD: Within the State of Illinois
6 you have other human services, those services are within
7 the Department of Human Services, the same department I'm
8 in and there are services available to them through other
9 service programs, yes.

10 MR. SCHWARTZBERG: I note that the U.S. is one
11 of the few countries in the world in which whole dollar
12 denominations are the same size. Is there any reason why
13 the blind community hasn't run a major program in a time
14 when money changed to change sizes of bills.

15 MR. CRAWFORD: This has been attempted in the
16 past. It has never been successful. In fact, it only
17 certainly that we have readers that read the denomination,
18 but you know that's something somebody in business might
19 use if individuals is not going to use it, which means
20 they might not always get the change back that they
21 should.

22 MR. SCHWARTZBERG: Adequacy of spread of your
23 programs across the state, do they tend to be concentrated
24 more around metropolitan Chicago and less available for

1 blind persons let's say in far southern Illinois?

2 MR. CRAWFORD: No, I really don't think so.
3 Now, I do have a greater concentration of staff in this
4 Chicago area than I do in other sections of the state, but
5 if you look at it on a per capita basis, I have more staff
6 in the southern part per capita than I do here and I would
7 also say in terms of profession in terms of the number of
8 individuals who are going into competitive employment, I
9 have a higher rate of persons that what we call our
10 outreach, people that were provided services in the
11 community. I have a higher rate of people in the southern
12 part of the state going into competitive employment.

13 MR. SCHWARTZBERG: My last question. The
14 Kurtzfiel reader, to what extent do you make those
15 available on an individual basis on a non employment
16 context?

17 MR. CRAWFORD: In a non employment context,
18 no.

19 MR. SCHWARTZBERG: And when someone
20 discovers that they are going blind, that I take it, comes
21 within your purview and where do they go?

22 MR. CRAWFORD: We receive referrals from many
23 different organizations, individual groups, families. We
24 receive many, many referrals When we receive those

1 referrals, we do check with everyone. Some states ask the
2 individual to come in with blindness and with the
3 transportation barriers that exist. We go to the
4 individual and see them in their home, in their community
5 and work with them there. What we would try to get them
6 involved with the appropriate services, whether it's our
7 service or somebody else. And oftentimes we're working in
8 conjunction with another service program. Sometimes
9 private, sometimes public. But we do try to get the
10 people involved with the service programs that they need.
11 Sometimes we wind up not working with them at all. That
12 varies.

13 MR. SCHWARTZBERG: Final point. I assume
14 from the statistics as to aging that we are about to have a
15 mammoth increase in the aged blind.

16 MR. CRAWFORD: Yes.

17 MR. SCHWARTZBERG: To what extent is this a
18 problem with the national Congress aware of, to what
19 extent is there planning, state or other local areas that
20 deal with what apparently is absolutely unprecedented
21 problem, increasing over the next twenty years.

22 MR. CRAWFORD: I would say that our nation and
23 Congress are totally unprepared for it. It's an open
24 arena where more work needs to be done. As we age, as our

1 population ages, we have an increase in blindness. At one
2 time diabetes was the leading cause of blindness. Today
3 macular degeneration is associated with aging and it's not
4 always aging, it tends to be associated with aging. It's
5 a rapid, very rapidly increasing disability. That's one
6 of the reasons we started, in fact we just started that
7 program. I was talking about with the older blind, the
8 additional 800,000 that we put into the 10th year. We
9 started it because we could see that we're going to have
10 this coming. Now, there's not many states that have the
11 older blind program that we have. In fact, there's only
12 two, Illinois and Ohio. The others have rudimentary
13 programs at best; nowhere near the scale that we're
14 talking about and I can tell you right now the program
15 that we've initiated, unless it expands, is not going to
16 be big enough to handle those jobs and nobody is working
17 towards it and that's why we need, I say, jobs. The blind
18 population is definitely aware of it. The blind
19 population is lobbying Congress and their state
20 legislators trying to get assistance to build these
21 programs and that's why we're asking for \$52 million over
22 that \$9 million that we're currently getting. \$52 million
23 is going to be a drop in the bucket compared to the size
24 of the program that's going to exist in the next two to

1 five years.

2 MR. SCHWARTZBERG: What is that probably in
3 five to ten years in dollar terms?

4 MR. CRAWFORD: In dollars, first you're
5 looking at at least three to five times \$52 million at
6 least. You're going to have older. We're living older.
7 Now you can remember when a person my age was considered
8 old and probably if you're 50, you're old in the same age,
9 right. I intend to live many more years. There's the
10 population is older and it's going to get increasingly
11 older, not less, and now we're going to go to drop the
12 baby boomers in on top of that. I'm one of the early baby
13 boomers. I can tell you there's a lot of people out there
14 and the blindness is increasing.

15 CHAIRMAN MATHEWSON: Kenneth Smith?

16 MR. SMITH: I don't have a question, I think I
17 want to make a comment. I think my colleague to the right
18 probably knew the responses to those questions that he was
19 posing, but I think your last comments are very, very
20 telling. I think you're right about the prediction in
21 terms of your aging, but while that's happening, we're
22 also involved in a cultural war that I'm afraid does not
23 leave much room for compassion or for the vulnerable,
24 whether they're on the front end as infants and children

1 or whether they are other marginal people in our society.
2 That's the nature of the culture in which we find
3 ourselves in. And it's going to be -- it's going to take
4 a lot of what I want to say coalition to the work force
5 through this. We come in the next century with waring
6 camps. I think that's where we're headed. We don't find
7 a way to shift on the cultural wars.

8 CHAIRMAN MATHEWSON: James Scales.

9 MR. SCALES: Pass.

10 CHAIRMAN MATHEWSON: Preston Ewing?

11 MR. EWING: No.

12 CHAIRMAN MATHEWSON: Tom Pugh?

13 MR. PUGH: I'd like to commend on the panel
14 for their comments and thank you.

15 MR. CRAWFORD: Thank you.

16 CHAIRMAN MATHEWSON: Dorris Roberts?

17 MR. ROBERTS: That gives impetus. I think his
18 remarks give impetus to the statement that I have. The
19 question I asked earlier with regard to the young man from
20 the Department of Education, say a family finds in 18
21 months that their child is sightless. What does your
22 agency do to provide for that family or that child?

23 MR. CRAWFORD: Okay, at 18 months?

24 MR. ROBERTS: 18 months.

1 MR. CRAWFORD: We actually provide nothing
2 officially. Unofficially as opportunities exists, my
3 counselors and my teachers might work with that
4 individual, but again, that's as opportunities exist
5 because we pay them to work with individuals that are
6 going into employment. So, officially they don't receive
7 any services. We don't have a record of them ever
8 receiving services with the blind services planning
9 council and you've had some of those individuals here
10 today testifying as part of the group that they represent.
11 They also advise us as to what we need to be doing. One
12 of the things that we're concerned about, major concern is
13 working with the parent and parents of those children.
14 There are so many things that can be done in working with
15 the parents to keep developmental delays from occurring if
16 you start at birth, start when that person is first known
17 to have that visual disability. Those things, those will
18 affect that child at birth, will always continue to affect
19 that child in adulthood and in employment if they're not
20 resolved. There's a desperate need for services for
21 children and beginning adults and there are some
22 educational funds available and I assure you that they're
23 not reaching all of the parents, all of the blind babies
24 that we have in the State of Illinois.

1 MR. ROBERTS: I think he gave me a figure of
2 like three years old.

3 MR. CRAWFORD: There's a three to five, but
4 there's also birth to three. There's a birth to three.

5 MR. ROBERTS: That was the one I was searching
6 for.

7 MR. CRAWFORD: Right, and there were
8 educational dollars from birth to three and they're
9 contracted from. Now, this December or January -- January
10 they were just moved into the Department of Human
11 Services. We're initiating contact with those folks to
12 see if we can't get some modification done to the way
13 services are provided to the parents and children. When I
14 first came to Illinois, I met a young family, they were
15 sighted and as it often happens, that the blind child has
16 sighted parents. First blind child they've ever had
17 contact with. They were devastated because this child was
18 born without eyes. They knew absolutely nothing what to
19 do. They knew nothing about where to go and the
20 educational dollars for this blind child. There were only
21 three places in the State of Illinois at that time, instead
22 of being state wide and they were not in one of those
23 places. And the other three service programs were limited
24 and were -- they could provide this service. That means

1 this is -- parents just lovely individuals, didn't know
2 what to do. They were given brochures about blindness and
3 going to a doctor. Well, they've been to a doctor, they
4 knew this child couldn't see.

5 MR. ROBERTS: Precisely.

6 MR. CRAWFORD: But no services were available.
7 It's got to change.

8 CHAIRMAN MATHEWSON: Rosemary Bombella.

9 MS. BOMBELLA: Which kind of leads into my
10 question. What I was curious about was within the Bureau,
11 what kind of services and what dollars are being spent for
12 those with limited English speaking abilities?

13 MR. CRAWFORD: If you look at the ratio of our
14 population, you know, in terms of the individuals that are
15 from various minority groupings, you will find that we
16 have a much larger number of individuals, regardless of
17 what group that they may represent, we have a much larger
18 number than the population is that we're serving. With
19 people who are hispanic, for example, we have a ratio of
20 certain individuals actual double the ratio of our service
21 programs.

22 MR. CRAWFORD: The people who are in our
23 service programs doubles the population ratio. So we have
24 a large group there. We're also providing services, we

1 sort of special service program. We started a special
2 service program here in the Chicago area that was to
3 provide services, particularly to three groups of
4 individuals and that was the African American, the
5 Hispanic American and the Indian American populations here
6 and that would be to provide professional scale
7 rehabilitation services. This is a special program. We
8 did not receive any special grant funds for it. We simply
9 started that program out of our own case service dollars
10 and ourselves. I'm talking about the Bureau of Blind
11 Services, the individuals who would all be blind or
12 severely visually impaired. So, we're starting these
13 kinds of programs, too. We do have individuals on our
14 staff who do speak other languages; predominant ones would
15 be Spanish and we do try to concentrate our staff hiring
16 of, you know, so that we have alternate language
17 available in the areas where the people tend to live. And
18 they do it statewide; employ the other language occurs
19 statewide, yes. But, we do try where we have our larger
20 populations to seek at meeting those needs in terms of
21 actual dollars. I can't tell you because I don't know. I
22 can tell you our service, total service dollars, I can
23 tell you we've done studies that would tell us about male,
24 female, by race, what kind of dollars that were spent in

1 terms of percentage of the case service dollars and again
2 it tends to be slightly higher in these populations than
3 it does in white populations. There's one thing that
4 disturbs me that came out of these studies is not part of
5 your question. We saw -- we did a longevity study on
6 those that had been employed and it went to three years,
7 this one did, and we looked at the retention of the
8 employment. The retention of employment was really quite
9 good, but it was higher than the white -- in the white
10 population than it was in our other populations.

11 Retention rate was higher. It was like 85 percent in the
12 white population and it was like 79 percent or something
13 like that in our other populations. And that disturbed
14 me. Maybe I wanted to look to see if -- is it a factor of
15 our society or is it a factor of our services not being
16 inadequate so that the retention rate could not be the
17 same or near the same. And we're currently looking into
18 that right now.

19 MS. BOMBELLA: Yes, I have one other quick
20 question and that is, you've talked about all the services
21 you provide, what about the service providers,
22 community-based kind of -- are there sufficient number of
23 service providers who can provide services to limited
24 English--

1 MR. CRAWFORD: I would say probably no,
2 there's not I do know that those that we contract with, we
3 require that they either have this amount on staff or that
4 they hire someone who could do interpretation.

5 Interpretation is not as good as having the ability to
6 speak the language, work immediately with the individual.
7 I'm sure you're aware of that. We're also working with a
8 group of individuals here in Chicago where we have
9 customers go to this group that are teaching leadership
10 training. We hope to build a group of individuals not
11 just leadership, but they're looking at the individual and
12 how they'd deal with them, trying to build this self worth
13 that everybody must consider in order to succeed. And
14 we're trying to build upon that and then from there let's
15 go into an educational program and then let's get the
16 people educated. And I know we've got some hiring we can
17 do and we are doing that and we have also encouraged some
18 of the customers that we have to go into these educational
19 programs and of course we've paid for it for them to go if
20 they wish to do so and we've also hired many of them as
21 well after they have graduated. So, we're taking steps in
22 that direction, too. But, are we completely covered, no,
23 ma'am, we're not.

24 CHAIRMAN MATHEWSON: Janie Khoury?

1 MS. KHOURY: I'll pass.

2 CHAIRMAN MATHEWSON: Mr. Crawford, thank you
3 very much. It's been very informative session with you.

4 We have now not only come up to our
5 break, but past our break by about fifteen minutes. So,
6 I'm going to suggest that we sort of take a five minute
7 stretch. Don't go too far away and we'll resume with the
8 remainder of our scheduled participants in five minutes.

9 (A brief recess was taken.)

10 CHAIRMAN MATHEWSON: Our next panel.

11 MS. JESKIE: My name is Victoria Juskie. I'm
12 the Regional Vice President of the Illinois Parents of the
13 Visually Impaired and I'm with Lyle Stauder our President
14 of the organization in order to better present our
15 information to you.

16 LYLE STAUDER

17 ILLINOIS PARENTS OF THE VISUALLY IMPAIRED

18 Good afternoon, ladies and gentlemen,
19 I'm Lyle Stauder and I'm Visually Impaired. I have two
20 school-age children who have visual impairment. I'm
21 President of the Illinois Parents of the Visually
22 Impaired, a non-for-profit organization founded in August,
23 1986. We are a charter in a part of the National
24 Association of Parents of Visually Impaired which is a

1 national organization. IPVI, Illinois Parents of the
2 Visually Impaired believes in a climate of an opportunity
3 for all children, blind or visually impaired at home,
4 school, and in the community. We believe that we should
5 work for communication and coordination between federal,
6 state and local agencies and organizations and we also
7 would like to see some and believe in advocating and
8 working with agencies who advocate for blind or visually
9 impaired individuals in the State of Illinois on a
10 statewide basis. Our organization believes that with a
11 lot of good transition services available to visually
12 impaired and blind individuals that our students can be
13 and will be successful in living skills, work areas at all
14 times. And this is what our children want to do is to be
15 successful in life.

16 At this time I'm going to let Victoria
17 take over and then I'm going to present the points that
18 the parents felt are important after that.

19 MS. JESKIE: John Dewey, the philosopher and
20 educator once wrote: "To find out what one is fitted to
21 do and to secure an opportunity to do it is the key to
22 happiness." The blind and visually impaired young people
23 wish to live full and successful lives and with proper
24 transition programs, many can. Because blindness or

1 visual impairment is the lowest of the low incident
2 handicaps, it is necessary for us to protect the rights of
3 this smallest minority. Also note according to a Prevent
4 Blindness America report, by the year 2030, twice as many
5 people will be blind as there are today.

6 It is important to note at this time
7 that visually impaired does not mean learning disabled.
8 Provide the right medium, blind and visually impaired
9 students can successfully compete against sighted students
10 in the academic and adaptive vocational areas. Too many
11 well-intentioned people underestimate the abilities of
12 blind or visually impaired children. Harm occurs when
13 aids do more for the child than make sure one can see the
14 assignment, thereby making him more dependent and robbing
15 one of self-confidence.

16 Another unique quality of this minority is
17 that blind and visually impaired children usually do not
18 have blind and visually impaired parents. So the parents
19 need training and support as well as the children, even
20 though the parents and the caregivers are the resident
21 experts on the abilities of their children.

22 According to a study conducted under
23 the direction of the Illinois Department of Human
24 Services, there are currently 2,254 blind or visually

1 impaired youth identified within the State of Illinois in
2 need of transition services. Currently transition
3 services for students who are blind or visually impaired,
4 enter vocational rehabilitation services and employment
5 are virtually non existent in the State of Illinois.

6 At present vocational rehabilitation
7 services for youth who are blind or visually impaired
8 graduating from high school are greatly delayed because of
9 the lack of a formal transition program continuing all
10 through high school. It is important that VR services
11 should begin earlier during high school to avoid delays in
12 receipt of VR services after school and in achieving self
13 reliance. It is necessary for the blind or VI youth and
14 their family to explore career paths long before
15 graduation. States such as Oregon, Florida, Indiana and
16 Texas have in place successful transition programs which
17 result in better services, jobs, knowledgeable self
18 advocates, and achievement of competitive outcomes. These
19 programs should be reviewed and considered with the best
20 points adopted so as to avoid beginning from ground zero.
21 The better we assist the blind and visually impaired in
22 transitioning to productive members of society, the better
23 society becomes.

24 We took a poll of our parents' group

1 and Lyle is going to bring about the major points of
2 interest with regard to what parents of blind or visually
3 impaired children face when sending their children to
4 school.

5 MR. STAUDER: First of all, I feel we should
6 start at the beginning and that is one of the first
7 concerns that some of the parents have brought to my
8 attention and I totally agree with this. That we have a
9 shortage; number one, of visually impaired teachers in the
10 State of Illinois. Number 2, the problem then occurs when
11 these teachers are off for personal illness, maternity
12 leave and these types of things. The school districts
13 have no qualified individuals to take and work with those
14 individuals on those days that those teachers are out.
15 So, therefore, there's a delay in the learning ability of
16 those children. And we need to have a better system in
17 place so that on those days the visually impaired/blind
18 child does not have a delay in their educational system.

19 Number 2, another problem we run across
20 is that we have a shortage of Braille instructors at the
21 educational level and again, what has happened in several
22 school districts is if you have a visually impaired
23 instructor who does know Braille and does not have a
24 student who has had Braille for several years and all of a

1 sudden receives one, their Braille skills are not up to
2 par and so; therefore, they are not able to do as good a
3 job of teaching Braille to that individual as the should
4 be. So, those types of things need to be looked at.

5 Number 3, there's a lack of adaptive
6 equipment to be available to all students in the different
7 grade levels at the public school system. If you have a
8 resource room, for example, where children go at the same
9 time for some skills to be learned, such as Braille, and
10 also to be taught map learning skills and this type of
11 thing and you have one student working with a visually
12 impaired instructor and the others in there need to use
13 the closed circuit t.v. and the computer, you only have
14 one of each, one of these items, they cannot use the same
15 piece of equipment at the same time; so, therefore, one
16 child ends up not being able to do his or her type of
17 learning experience they should have at that time. This
18 equipment is very expensive, we realize that, but at the
19 same time, it's better to have the equipment and teach the
20 child so that they can become more successful and
21 productive individuals in society later on.

22 The other problem occurs if you do have
23 the computers to make them totally adaptable where
24 whenever they go to the Internet to look for a report or

1 information. Yes, there's a lot of information out there
2 on the Internet such as classic books that can be
3 downloaded off of the Internet, but if a student has to
4 get some more current information about some present
5 writers and that type of information, in order to get that
6 information, you have to go through APH a lot of times and
7 pay \$3.00 a page. Can you imagine what it would cost for
8 a book such as Moby Dick to be uploaded at \$3.00 a page at
9 Internet? Therefore, there is not equal opportunity for
10 the visually impaired/blind student as it is for any other
11 child that is totally sighted.

12 And another problem that occurs is the
13 lack of equipment. Not enough CCTVs being available for
14 students ta home for those who are high powered partial
15 individuals and those who are medium partial individuals
16 and use closed circuit t.v.s all the time and have to do
17 map type work at home and they're not able to do that
18 without some parental assistance or some sighted
19 assistance from *womewhere. So, those need to be provided
20 also. Again, you're talking big dollars for those types
21 of things.

22 Another problem has been presented as a
23 lack of tape recorders that are in proper working order to
24 be used for recording of books and this type of thing.

1 You can get recording of the blind books for your subjects
2 and your materials, but again, if you don't have the tape
3 recorders to read those materials to you, why then you
4 have a problem.

5 Another issue that was brought to our
6 attention was telling the teachers at the end of the
7 school year do not forget to get the proper book
8 assignments for the next school year for the students so;
9 therefore, by the time they order the books for the next
10 school year for the students, the student does not receive
11 his or her Braille or large print book for the school year
12 to begin and maybe two to three months into the school
13 year before that child receives that book. Then we looked
14 at the problem again of delay in the child's learning
15 ability because of this type of thing. A lot of times the
16 teachers, the regular classroom teachers do not get the
17 assignments to the visually impaired instructors to get
18 those Braille books out for the students twenty-four hours
19 in advance so they can have them on the day they're going
20 to receive the worksheet or enlargement and; therefore,
21 there's another problem because the child again is delayed
22 in 24 hours to get their work sheet done and materials
23 handed in in a timely manner.

24 Then we have a lack of communication

1 occurs occasionally between services, coordination of
2 services between organizations and communities. In one
3 situation in the Chicago suburb why a parent was telling
4 me the other night that he lives on the boundary line of
5 two co-op agencies and one co-op said that they was not
6 the one who was to provide services for his child, it was
7 up to the other co-op. And the other co-op says, no,
8 you're more on the boundary line of the other co-op. So,
9 therefore, we're not going to provide the services and he
10 had a big problem to get this straightened out so he could
11 get services for his child which, again, caused a delay.

12 Another problem that we run into is
13 that again, early childhood and birth services for
14 families and I agree totally and concur, agree totally
15 with Mr. Crawford's comments in regard to this. There's
16 not enough services available in the State of Illinois for
17 parents who have children that are born visually impaired
18 and need services for that child immediately and also for
19 the parents to learn how to work with this child from that
20 point on as they grow older and go into school age so that
21 they can be right on target with their peers at
22 Kindergarten level.

23 The other problem is lack of mobility
24 accessibility. There's a problem with that because

1 when all individuals who should be present are able to
2 attend. So, therefore, it can cause a delay in how that
3 child receives services during the school year. And if the
4 parent is not totally knowledgeable of what their rights
5 are, they're not totally understanding their rights, they
6 do not realize they can go back and have that IEP
7 re-evaluated and looked at again and properly done the
8 next time within a couple of months after it's been done
9 the first time.

10 So at this time I'm now going to let
11 Victoria conclude with what we have to present.

12 VICTORIA JESKIE

13 ILLINOIS PARENTS OF THE VISUALLY IMPAIRED

14 Successful transition programs involve
15 a commitment from the community as well. Many
16 school-to-work transition programs such as Bridges, that
17 have strong education, training, and support components
18 achieve successful employment for young people with
19 disabilities.

20 Our children want and deserve to have
21 their civil rights protected. As Americans who hold the
22 belief that our society can provide its citizens with
23 opportunities to pursue happiness, which is clearly
24 spelled out as one of our unalienable rights set down by

1 Thomas Jefferson in the Declaration of Independence, we
2 implore you to maintain the civil rights of the blind and
3 visually impaired and require mandatory transition
4 programs be available to them.

5 On behalf of the IPVI and all blind and
6 visually impaired individuals in Illinois, thank you.

7 CHAIRMAN MATHEWSON: Thank you very much.
8 Let's proceed and hear the others on this particular
9 panel. Next is Mary Cozy who represents the DuPage
10 County Center for Independent Living.

11 MARY COZY

12 DU PAGE COUNTY CENTER FOR INDEPENDENT LIVING

13 Thank you. I'm Mary Cozy from
14 the DuPage Center for Independent Living and I work as an
15 information and referral advocacy coordinator for this
16 center which primarily serves people with disabilities in
17 DuPage County. So, I'm a person with a visual impairment
18 and I serve a lot of consumers who are blind or visually
19 impaired. I really appreciate the opportunity to come
20 today to address the Illinois Committee from the U. S.
21 Commission on Civil Rights because I think that it is very
22 good that you all are giving us the time to express our
23 concerns.

24 My issues today regard public

1 accommodations. And the need for public accommodations
2 for people who are blind or visually impaired. And they
3 kind of fall into a few areas and that is, signage,
4 unobstructive path of travel, alternative formats, and
5 communication, and basically what I'm going to call
6 disability awareness. Public accommodations are for both
7 government and private entities so they include
8 everything, libraries, parks, schools, restaurants,
9 hotels, places of travel, other destinations. So, it's a
10 very broad range of public life and when we talk about
11 people who are blind or visually impaired, we don't want
12 special treatment, we don't want segregated services.
13 People who are blind or visually impaired want to be
14 included into everyday life and we have a lot of different
15 roles where parents, as you have here today, we're
16 teachers, we're service providers, we're churchgoers,
17 we're volunteers, we're leaders and we want to participate
18 in our community. And in order to do that, we really need
19 the same kind of accommodations that will allow us -- and
20 policies that will allow for the accommodations that will
21 enable us to participate in everyday life. So, simple
22 things such as signage, signs on bathrooms. Now that's a
23 really important one if you need a bathroom. You need to
24 know if it's a bathroom or a storage room or a stairway or

1 elevator and you need signage to be accurate and
2 consistent. Consistent being in the same place so that
3 persons who are blind or visually impaired can find it and
4 accurate because if you take the top to letters off of
5 women's, it becomes men's in Braille and that's not a good
6 thing if you're looking for a bathroom. So, it's really
7 important to have signage that's there and consistent. It
8 makes the difference between me going to a hotel and being
9 able to get around totally independently. We've all seen
10 the Braille and large print signage on elevators that say
11 the numbers. It's even more important to have that
12 signage at the floor so I know that this is the 4th floor
13 and not the 5th floor makes a big difference if you're
14 late for a meeting and you're trying to find that room.
15 so, signage is very, very important and it's a very simple
16 accommodation.

17 Unobstructive path of travel is very
18 important. So they talk about cane detectible
19 obstructions so if you've got something that's protruding
20 out of a wall, if you put a flower pot under it, another
21 very simple accommodation. A person who is blind or
22 visually impaired is not going to run into it. There's
23 such things as detectible warning that is a strip at the
24 top of a flight of stairs that gives you that extra cue so

1 that you can be safe in your path of travel. Very simple
2 accommodations that makes it possible for us to have equal
3 access to the community.

4 I want to talk a little about alternate
5 formats. The inclusive readers of large print, Braille,
6 audio cassettes and computer disks and a lot of people
7 think that all printed information needs to be in all
8 formats. That's not necessarily true, but it should be in
9 formats that makes it usable to more people and the type of
10 format that you need depends on the preference of the
11 person, the complexity of the printed material that you're
12 trying to communicate. For example, if it's a meeting
13 agenda, it's a good idea to have that in Braille for me
14 because I'm going to be sitting at this meeting and so I
15 need to know what time I'll be speaking or what time my
16 item is on the agenda. If it's a hand out that you're
17 going to take home, then it is best for me to have a
18 computer disk so I can take it home and read it with a
19 Braille output device or speech synthesizer device which
20 you heard about earlier. All people do not read Braille
21 as we've talked about today, so only from what I've heard
22 about 12 percent. It's not a good idea to have the only
23 alternate format be Braille. Sometimes you can just read
24 something to someone; a job application, a piece of

1 information that's immediately needed. The other
2 alternate format is to put something on the audio cassette
3 and there's a lot of places that can easily and quickly do
4 that. In other centers we put our newsletter on audio
5 cassette, in Braille and in large print and I did bring
6 one copy of our newsletter which I'll leave here and our
7 brochure for the Committee. So, it's really important to
8 consider if I have information in alternate format that I
9 can go to a meeting in my community and have access to the
10 same information and participate at the same level as
11 everyone else in my community. Also, many consumers call
12 me on my job, is an informal referral coordinator at the
13 DuPage Center and ask about how they can participate in
14 all walks of their community and for example, one person
15 might want to know where she can get music enlarged so
16 that she can sing in her church choir. She doesn't have
17 to sing in a choir of people who have visual impairment,
18 she wants to sing with everybody else. Another person
19 called me because she wanted to volunteer at her chamber
20 of commerce, but she needed the information, such as the
21 phone numbers of chamber members, put into Braille so she
22 could independently call all the members of the chamber to
23 remind them of meetings or help them with different
24 projects. So, these are very, very simple accommodations

1 that enable people who are blind or visually impaired to
2 participate in all walks of life. And sometimes
3 accommodations are very simple. Sometimes they're just a
4 piece of velcro or a strip of rough materials on something
5 that marks it to say this is the button I want to push or
6 on a remote having the fast forward button directly
7 towards the right and the rewind directed towards the left
8 with arrows that pointed that direction. Very simple
9 designs that make it much more able for us to be
10 independent.

11 And, finally, I want to talk a little
12 bit about public education, which is really the most
13 important thing that helps us be participants in our
14 community. For example, knowing the laws that guide dogs
15 can go in everywhere even today in this day and age people
16 with guide dogs are still be prohibited from going into
17 some restaurants and some taxicabs are refusing rides and
18 we're all citizens and we don't want special treatment,
19 we just want equal access and that's what everyone here
20 has advocated for today. It's also really important for
21 people to be educated in just how to work with people who
22 are blind or visually impaired. As Mr. Stauder said,
23 teachers, they need to know how to work with people. So,
24 very simple things such as speaking directly to the

1 person, not to the companion. Using person first
2 language. I'm a person who is blind. I'm a person who is
3 visually impaired, not the sightless or the handicapped.
4 Those are -- we need to think in terms of we're all people
5 first and so simply disabled awareness training makes a
6 big difference in how people can participate in their
7 community.

8 So, I want to thank you for the
9 opportunity and I know there's more speakers and I'll be
10 happy to answer any questions at the end.

11 CHAIRMAN MATHEWSON: Okay. Thank you. Debbie
12 Stein is here representing the Illinois Parents of Blind
13 Children and is the person with you from your organization
14 as well, is that right? There's another person whose name
15 we don't know.

16 MS. GREGORY: Yes, I'm Patty Gregory,

17 CHAIRMAN MATHEWSON: Thank you.

18 DEBBIE STEIN

19 ILLINOIS PARENTS OF BLIND CHILDREN

20 Okay. My name is Debbie Stein, I'm a
21 board member of the Illinois Parents of Blind Children
22 which is the division of the National Federation of the
23 Blind and for the past seven years I've worked with
24 parents of blind children in Illinois helping them track

1 down resources, listening to their problems, advocating
2 for them at IEP meetings at schools, mentoring children
3 and organizing workshops and seminars. So, I've been in
4 contact probably with a couple of hundred parents over the
5 last seven years and was asked to make this presentation
6 by the parents who are leaders in the organization.

7 Blind children in Illinois face two
8 distinct forms of civil rights violations. On one hand
9 these children sometimes meet out and out discrimination
10 that bars them from participation in a program or denies
11 them access to a public accommodation. Secondly, blind
12 children are excluded from equal opportunity in education.
13 This lack of educational opportunity is a form of
14 discriminatory treatment to which these children would not
15 be subject if they were fully sighted. So we consider it
16 a civil rights violation as well. The most glaring
17 instance of what's normally thought of as a civil rights
18 violation in Illinois that I've encountered occurred in
19 the area of commercial day care. Many day care facilities
20 have a policy not to accept blind children, a stated
21 policy where they will tell parents, no, we do not accept
22 children who are blind. We do not accept children who are
23 disabled. As a result, working parents of blind children
24 often have severe problems finding adequate child care.

1 I'd also like to talk, as I said, about
2 inequities that blind children face in getting an
3 education. Under federal law blind children are
4 guaranteed an education in the least restrictive setting
5 possible. This is usually understood to mean that blind
6 children are to be integrated as fully as possible into
7 the regular classroom unless there's clearly a reason for
8 a child to be in a more specialized program. In many
9 Illinois school districts blind children are automatically
10 retained in resource rooms. Ideally resource rooms should
11 be just what the name implies, it should be a place for
12 blind children can avail themselves of special resources on
13 an as needed basis as the child learns Braille, typing,
14 some other skills. Then the resource room should
15 gradually be phased out of his educational plan. But,
16 unfortunately, many school districts are holding blind
17 students in the resource room setting. Evidently it
18 becomes the child's home base. It becomes the place where
19 she or he spends most of the day and the result is that
20 blind children are isolated and stigmatized. They're not
21 treated as full members of school community. Illinois
22 state law and sections of the federal education
23 legislation ensures that blind children will not be denied
24 training in the use of Braille. Nevertheless, many blind

1 children in Illinois receive little or no Braille
2 instruction. Children with some remaining sight, no
3 matter how little sight they have have, are urged to use
4 print exclusively. By 4th or 5th grade, as reading load
5 increase, these legally blind children are struggling
6 desperately to keep up with their classmates. The signs
7 of frustration and failure that results can be severely
8 damaging to these children. Even if the child is clearly
9 unable to survive as a print reader, teachers are often
10 reluctant to consider Braille instead. Parents are told
11 that the child can get by with books on tape. Now, I ask
12 you, would a teacher of sighted children dare to say to
13 parents that it is all right for their sons and daughters
14 to get by with anything? Recorded materials are certainly
15 an invaluable tool for people who are blind and blind
16 children need to learn to use recorded materials
17 effectively, but tapes have very difficult limitations.
18 I'd like to give you a quick scenario. Imagine this
19 committee is making a record of today's proceeding and
20 imagine if that record would be available only on audio
21 cassette. Imagine a Congressional intern is trying to
22 research today's record purely by working the fast forward
23 and rewind buttons on a tape recorder and then imagine
24 further that this intern is only able to synthesize the

1 results of his work by making another oral report on yet
2 another tape. Picture members of the Congress reviewing
3 that taped report in order to create legislation. I don't
4 think that any sighted person would find such a system
5 acceptable. And yet, that is the system which blind
6 children are being taught to use by well-meaning or
7 uninformed teachers. Some children in Illinois are
8 successfully being taught both print and Braille. These
9 fortunate few who have the option of using whichever
10 reading method is going to serve them best in a particular
11 situation. This double media approach should be practiced
12 much more widely than it is because it is proving very
13 successful for the children who have it.

14 For people who are blind, Braille
15 provides the same advantages that sighted children get
16 from print. It is a direct hands on method for gaining
17 access to information. It enables blind students to learn
18 proper spelling and punctuation, to get a special sense of
19 how mathematical problems are arranged and to take notes
20 from lectures or tapes. So, why are teachers so reluctant
21 to teach it? For one thing, their own knowledge of the
22 Braille code is often weak due to their own poor training
23 in special education training programs. Many teachers do
24 not really believe that Braille is an efficient reading

1 method. As an end result, blind children are finishing
2 school without being fluid in either Braille or print.
3 They are, in effect, illiterate.

4 In many other areas children are cut
5 off from the opportunity and experiences that sighted
6 children take for granted. When the child is lucky enough
7 to learn Braille and to have a supply of Braille books,
8 those books rarely, if ever, have raised pictures, maps or
9 diagrams. And for blind children, having raised
10 illustrations is as important really for sighted
11 children without visual limitations. Sighted children
12 learn a great deal about the world by visiting museums,
13 but most museums are behind glass or chains, they're
14 totally off limits to blind children. Computer literacy is
15 another crucial area in which blind children are often
16 excluded. A wide array of adaptive technology is
17 available to blind people as we've been discussing
18 earlier, yet school districts in Illinois are often
19 unwilling or unable to purchase these costly devices and
20 as a result, few blind students can access the computers
21 that their sighted classmates are using. This is an
22 increasing problem since more schools are beginning to use
23 computer rooms and computer programs to teach general
24 subjects such as geography, history, math and so forth.

1 So, computer access is important throughout the school
2 curriculum.

3 In addition to the full range of
4 academic subjects, blind children need training in the
5 alternative techniques of blindness. They need to learn
6 how to travel independently with a long white cane. They
7 need to learn effective methods of cooking, cleaning,
8 sweeping, doing home repairs and often the best people to
9 teach such techniques are blind adults; people who use
10 these skills everyday. Illinois will not certify blind
11 people to work in the field of orientation and mobility;
12 that is to teach cane travel. And also few vision
13 teachers make any effort to be blind mentors for their
14 pupils, thus the blind child often grows up in the complex
15 absence of blind role models. Neither the child nor the
16 parents have a chance to develop healthy positive attitudes
17 about blindness and to learn the full range of
18 possibilities for the future.

19 I'd like to talk about just a few
20 suggestions of things that can be done. For one thing, I
21 feel that families need a greater range of resources and
22 needs greater awareness of their rights under the law to
23 help them fight direct discrimination as in the case of
24 day care centers that refuse to enroll blind children. A

1 classic suit against one of the contract day care services
2 could probably put an end to these kinds of civil rights
3 violations.

4 With regard to the education system, I
5 think we need to work on many front teacher training
6 programs should be improved so that their graduates are
7 truly prepared to teach Braille. Teachers and student
8 teachers should be strongly encouraged to network with
9 blind adults, using them as a resource. Blind people
10 should have the right to become certified as teachers of
11 cane travel. Overall, schools and other programs should
12 make a real effort to provide blind children with the same
13 experiences as they offered to sighted children. Blind
14 students should have the opportunity to benefit from all
15 classroom activities, including laboratory experiments,
16 art classes, physical education, music and computer work.
17 If an activity is strictly visual, then the teachers
18 should find ways for the blind child to have a comfortable
19 experience through hearing and touching. This commitment
20 to equality means that blind children should be allowed to
21 the fullest possible participation in at least particular
22 drama days, service clubs and other activities; whether
23 those activities re sponsored by the school or by outside
24 organizations. In order for such a commitment to be deep

1 and lasting, it must have a strong philosophical
2 foundation. It must be based on the belief that getting
3 by is never enough. Blind children deserve the same
4 opportunities that sighted children are given. We have to
5 remember that investing in them is investing in the
6 future. Thank you.

7 CHAIRMAN MATHEWSON: Thank you.

8 PATTY GREGORY

9 I'm not going to give a full
10 presentation. I'm really here to answer questions, but I
11 did want to give you my background and add something to
12 what Mrs. Stein said. I'm a blind person myself. I'm
13 partially sighted. I have a degree in special education,
14 so I've taught blind kids. I'm not an attorney, so I
15 think I know what most of the laws are and I'm a parent.
16 The one thing that I would like to stress that I don't
17 think any panel member has stressed yet is that a Braille
18 bill in Illinois really needs some teeth in it, or the
19 school districts need to go back and find some teachers
20 who are not teaching Braille. I just got off the phone a
21 couple of days ago with a parent who has in the IEP
22 Braille teaching. It is supposed to be provided three
23 times a week for an hour a day. The teacher has outright
24 refused to provide any Braille training to this young

1 child and the superintendent has done nothing. It is in
2 the IEP. The parents have done what they can thus far.
3 They're going to have to request a hearing. But we've got
4 to see some specific action and sanctions taken on this
5 particular issue, if nothing else comes out of this
6 committee.

7 CHAIRMAN MATHEWSON: Okay, thank you.

8 Questions from the members of the Committee?

9 Janie Khoury?

10 MS. KHOURY: Yes. Mr. Stauder, you mentioned
11 that by the year 2030 that the population of the blind
12 will double. What are some of the factors -- I know we
13 did talk about aging in the previous panels -- what are
14 some of the factors that will cause this increase in
15 population?

16 MR. STAUDER: I think not only with aging, but
17 also there's more congenital type eye diseases that's
18 occurring and I know several families, for instance, who
19 neither parent is visually impaired and there's no vision
20 problem in the family and all of a sudden the child will
21 be born with a vision problem and the parents are not sure
22 where this is coming from. And so I think that has been a
23 big increase that I have seen, heard about, and this is
24 occurred a lot that I've heard about in the Chicago

1 metropolitan area. And so, therefore, I think this is
2 going to be part of it and along with diabetes, possibly I
3 think that's where there's going to be a large increase.

4 MS. KHOURY: It just seems like the needs of
5 this community is just insurmountable in testimony after
6 testimony. Dr. Kenneth Smith, he is not here, but he
7 mentioned earlier talking about coalition building in
8 order to get what you need. Does your community build
9 coalitions, purposeful coalitions to go out and to voice
10 your opinion and actually to get better funding and get
11 access to some of these benefits out there?

12 MR. STAUDER: That's what my organization has
13 been trying to do for the last three years since I've been
14 president. I've been trying to get the word out more to
15 parents as to what their rights are, their children's
16 rights are and if they should be fighting for those things
17 and they should be getting more of the equipment that is
18 needed and also I've been working with my own school
19 district in trying to help them determine where they can
20 possibly get grants at to possibly fund some of the
21 technology that they would need and encourage them to go
22 out looking themselves, even for other grants if they
23 cannot get all the funding from the federal and state
24 government.

1 MS. KHOURY: Thank you.

2 CHAIRMAN MATHEWSON: Rosemary Bombella?

3 MS. BOMBELLA: I'd like to see if I can get
4 some clarification from you all and see if you have points
5 of agreement. One is mainstreaming is not an issue? I
6 mean, that's something that everyone is kind of in favor
7 of, am I to understand that?

8 MR. STAUDER: I'm in favor of it, yes.

9 MS. BOMBELLA: Ms. Stein?

10 MS. CHANG: I'll take it. I guess up to a
11 point, that's true. I think that largely IPHPSC is in
12 favor of mainstreaming. The only hesitation I have in
13 giving you a wholehearted answer is there are cases where
14 mainstreaming on a full time basis is not appropriate.
15 The important thing to understand is that you put the
16 child in a least restrictive environment for them and that
17 doesn't necessarily mean the last room, the resource room
18 and sometimes the least restrictive environment is a
19 residential school away from the family.

20 MR. STAUDER: Can I make a comment?

21 MS. BOMBELLA: Sure.

22 MR. STAUDER: In addition to that, I totally
23 agree with Mrs. Stein on that remark that each child is
24 their own individual person and so at times it is best that

1 they possibly be put to a residential school versus a
2 mainstream situation. I think you'll have to look at the
3 whole picture versus -- each child versus just what you
4 know one individual's child says okay, this is the best
5 for all. And you have to look at the whole picture of
6 each child.

7 MS. COZY: I'd like to make a comment, too. I
8 believe that mainstreaming only works if you then have the
9 services that you need to make the mainstreaming work.
10 So, if you just stick blind kids into classrooms and not
11 give them those services, such as the teaching of Braille
12 and the mobility and integrating them fully into the
13 classes, it is not going to work and you need, you really
14 need a continuum of services and you also need adult
15 mentors. As Debbie said, you need adult mentors for these
16 children so that when they grow up, they don't think
17 there's no job for them to do because they've never seen
18 another blind adult.

19 MS. BOMBELLA: I have another question. In
20 terms of since such a small population actually reads
21 Braille, is that, is the teaching of Braille accepted or
22 is there some discussion on that? As you know, I'm
23 Hispanic and there's a lot of discussion in the Hispanic
24 community in terms of bilingual versus not bilingual. Is

1 the teaching of Braille then an accepted standard in the
2 community?

3 MS. STEIN: I guess I can answer that. I
4 think the issue about teaching Braille, a lot of it has to
5 do with the teacher's attitude and sometimes with parent's
6 attitude, based on what they've been told. Most of the
7 organizations of blind people are very much in favor of
8 the Braille. The teachers, on the other hand, often, as I
9 said before don't have adequate instruction in Braille
10 and so as a result they go out into their jobs and don't
11 really feel competent to teach it. And if they aren't
12 feeling comfortable with teaching it, then when they have
13 a child who is sort of borderline who does have some
14 vision, they're inclined to say let's go with print, let's
15 go with things we understand how to deal with.

16 MS. COZY: And because most of the print
17 population re older adults, they have this myth that
18 Braille is too hard to learn and everyone concurs with that
19 and discourages them from learning Braille. I can't tell
20 you how many support groups I've been to where I tell
21 older adults, you can learn some functional Braille right
22 away so that you can play a game of cards, so you can
23 label your can goods, so you can label your microwave and
24 they're amazed and they're all ready to sign up for

1 Braille classes. People think that unless you're totally
2 Braille literate, you can't learn any Braille and that's
3 wrong. I learned Braille when I was 18 and fortunately I
4 was encouraged to learn it.

5 MS. CHANG: Along the same lines, I think what
6 happens a lot is that people are not given the full story.
7 You get kids who when I was in first grade I could read
8 this okay. Now I look at this piece of paper and I can
9 tell you it's got print on it, but that's it. I could not
10 begin to read it. And I think that parents are often told
11 by doctors and teachers that whatever vision level this
12 child has will be the vision level that is retained. That
13 is almost never true. Most partials lose vision as they
14 get older. So, the need arises not early on, but later
15 when you're trying to be employed and another statistic
16 that I don't know that you've been told about today or
17 not, but most employed blind people, if you look at the
18 correlation between Braille reading and non Braille
19 reading, there's where you will see the difference.
20 People who are employed -- more people who re employed
21 read Braille than don't and it isn't 12 percent any more.
22 The people who end up employed -- and I don't have the
23 number in front of me -- maybe Mr. Benson does--

24 MR. BENSON: About 80 percent.

1 MS. CHANG: 80 percent he's telling me in the
2 back, of the people who are employed who are blind read
3 Braille. That's very telling.

4 MS. COZY: And it definitely has to do with
5 public policy because in Europe most blind people read
6 Braille and use Braille on a daily basis.

7 MS. KHOURY: If I'm not mistaken, Braille is
8 also multi lingual. You spell the word out in Braille the
9 way you spell the word out in your language.

10 MS. CHANG: Spanish language is the double "r"
11 and the double "l" I've learned Spanish Braille and I
12 barely speak Spanish.

13 MS. STEIN: There's even a Braille system in
14 Chinese, even languages that don't use the western
15 alphabet have a Braille system.

16 MS. KHOURY: Okay.

17 CHAIRMAN MATHEWSON: Rosemary Bombella, other
18 questions?

19 MS. BOMBELLA: No.

20 CHAIRMAN MATHEWSON: Dorris Roberts?

21 MR. ROBERTS: Pass.

22 CHAIRMAN MATHEWSON: Tom Pugh?

23 MR. PUGH: No.

24 CHAIRMAN MATHEWSON: Preston Ewing?

1 MR. EWING: As I sat and listened, I'm a
2 person who for 23 years was an advocate for children in
3 special education programs. I did impartial due process
4 hearings in every state except North Dakota and I'm
5 hearing from you the same things that I heard in 1976 when
6 I began this process and I got out of it because state
7 agencies were no longer committed to the duties of
8 enforcing local school districts to comply with the laws
9 with respect to exceptional children; special education
10 and things of that nature. I got out, to me I had a good
11 winning record because I was able to do individual
12 service to individual children and absent that it's very
13 difficult to force schools to do things and I also found
14 that many parents were reluctant to use the rights that
15 they had; namely, impartial due process hearings and even
16 the appeal process.

17 MS. CHANG: Absolutely.

18 MR. EWING: Because school districts would
19 then engage in some subtle reprisals against the parents
20 and the student. So, there's a provision in the law that
21 requires school districts to make funds available to train
22 people to know what their rights are and it is out of that
23 can grow many a parent group which can become informed in
24 order to intelligently secure for their children the kinds

1 of things that they should have. Because I found that in
2 through this system many parents knew more than the school
3 did about the school's responsibilities to provide
4 programs and services to the students. So, it's a tough
5 situation. I don't know to what degree I know I did work
6 in Illinois, I could find a few parent groups, but there
7 were no funding groups in an ongoing way that provided
8 advocacy services. I was part of a legal services program
9 that served 62 counties in Illinois, but I think they have
10 about abandoned doing impartial due process hearing for
11 special education because of funding cuts on their part.
12 So, it's a tough job that even though you get rights
13 written into the law and enforcing them against
14 institutions that to this day are not happy with the
15 mandate to provide the services to the handicapped that
16 the law requires.

17 Mine is more a statement than a
18 question. But, if you're involved in this as I was
19 involved in it, I felt sort of hostage to that. I had no
20 choice but to give all that I could to children that I was
21 involved with and I'm sure that that's the same thing that
22 you have, the same mandate that you have.

23 CHAIRMAN MATHEWSON: James Scales?

24 MR. SCALES: I have a couple of simple

1 questions for Mr. Stauder and I want to -- I'm confused
2 about the Braille Bill issue, but for Mr. Stauder, you
3 mentioned the tape recorded issue. Aren't tape recorders
4 still free by the Talking Book Center?

5 MR. STAUDER: Yes, they're free, but a lot of
6 times the school district do not access those and so or if
7 they do, they're broke down a lot of times and they are
8 not returned as fast and speedily as they should. So that
9 has been an issue. This wasn't a personal issue, this is
10 an issue made by another family.

11 MS. CHANG: Those are also not recorders,
12 those are players and when you're a student, a recorder is
13 what you need.

14 MR. STAUDER: A recorder is what you need and
15 a lot of students, again, who are high partials and it's
16 not written in the IEP because of one reason or another,
17 why the parent doesn't want it in there or why the
18 teachers, you know, isn't doing it, why the student uses
19 it for note taking in class or if the student again is
20 just a beginning Braille student, they can take the note
21 master that was on the tape recorder, taking it home and
22 Braille the notes off of that and they've got access to it
23 then in Braille. So, that's one of the reasons they need
24 the tape recorders. Plus, getting the recording for the

1 blind tapes and a lot of students that use the recording
2 for blind tapes on master tapes is simply because, again,
3 they're beginning vision Braille students and as a result
4 they're not that fast of readers.

5 CHAIRMAN MATHEWSON: Excuse me, Mrs. Stein,
6 can you pass the mike over to Mr. Stauder, please? Thank
7 you. I'm sorry we only have one mike.

8 MR. STAUDER: Again, a lot of the students who
9 use the tape recorders are possible for recording of the
10 blind with books on tape which they have as subject books
11 and they take those home overnight and they listen to
12 those books on tape simply because they're beginning
13 Braille students. So, they are not that fact at Braille
14 reading and it's faster for them to do the reading of the
15 book that way. And then also to take notes off of that
16 tape and you need a regular tape recorder in order to use
17 those books and if you're medium partial, even why it
18 saves the eyesight also. Again, if you're a beginning
19 Braille student, you can save your vision that way.

20 MR. SCALES: The reason why I was asking is
21 because well I think throughout the day I have been
22 cheating, so I'll let the rest of you folks in on it. I'm
23 sight-restored and listed as visually impaired and at the
24 time that I had low vision, I was issued both a recorder

1 and two different types of players. That's the reason I
2 was wondering if that's no longer being done.

3 MR. STAUDER: No, that's not being done. All
4 my children are getting is just the players and that's it,
5 as all my sons have talking book systems.

6 MR. SCALES: I'll move on to the next one in
7 the career area. You said there were four states that had
8 programs.

9 MR. STAUDER: Yes.

10 MR. SCALES: Do you happen to know how those
11 are being funded?

12 MR. STAUDER: I do not because Mr. Crawford
13 can tell you because he gave us that information to be
14 perfectly honest and he attended a board meeting recently
15 and gave us the information about those four states and
16 how successful they are with the transition program they
17 have in place. And I've heard a lot of other things, good
18 things about the Texas program from other individuals
19 besides Mr. Crawford. And so I know that they do have a
20 good program down there in place and I do feel that we
21 should take the items that they've used that's been very
22 successful in those states and put them together to come
23 up with a mandated transition program. And I honestly
24 feel that this transition program should start at a lot

1 earlier age than high school level and these students
2 should be identified as early as elementary or junior high
3 school level and classes taught as to independent living
4 and that type of thing. This could be done in the
5 summer, if nothing else. And some knowledge be brought to
6 these children during summer-type programs. And also
7 working with again the parents. And a lot of times in the
8 IEP situation and the Braille issue, it's parents who are
9 not totally acceptable. Sometimes the totally sighted
10 parents are not totally acceptable of the vision problems
11 of their child. So; therefore, they're not willing to
12 give in and accept the fact that their child sometimes
13 does need the Braille and they're very reluctant about
14 having that item put in the IEP until a later time.
15 So, it's not always the educator's fault. It's sometimes
16 the parent's fault.

17 MR. SCALES: Well, I'm not going to ask a
18 question, I'm going to make a statement so we can move on.
19 The issue of the Braille bill, I think I've heard all
20 afternoon, even this morning also about educators not
21 being well-trained, so forth and so on. I guess I share
22 the same thoughts as Mr. Ewing. These are certified
23 people and I mean they're supposed to be certified in what
24 they do and; therefore, the parents need to back each

1 other. They need to form some groups or the organizations
2 also need to -- and the coalition, to get the bill. They
3 need to stay in coalition in terms of enforcing it. If a
4 teacher has passed a certification test to teach Braille,
5 then that person is obligated to teach Braille.

6 MR. STAUDER: Just a second, Debbie, if I
7 could. On that item, I had personally dealt with that
8 situation and my community and I have very much pushed for
9 the instructors to get their Braille skills improved and I
10 have even told her superior that and I know that next year
11 she's going to have to be a lot more knowledgeable of
12 Braille, she's got two new students that's coming into her
13 classroom that she will have to teach Braille to. What I
14 would like to see done is a mandate that every so many
15 years a vision instructor be given a test to see how
16 knowledgeable they are about Braille and at that point in
17 time if their knowledge is not a very high percentage
18 rate, then they must take a review course in Braille. And
19 I think that should be a re-certification of Braille for a
20 vision instructor every two to four years and I feel that
21 probably what I'm hearing today, I would get some
22 cooperation and.

23 MS. CHANG: It's already in the bill.

24 MR. STAUDER: I wasn't aware it was in there.

1 Someone is not enforcing that. I'm sorry, that part of
2 the bill I did not remember was in there. I will say that
3 I was ignorant about that issue because I do remember the
4 Braille bill being passed, but it's been several years
5 since I totally read the Braille bill. But, I did not
6 remember that being in there. I'll pass the microphone to
7 Debbie.

8 MS. CHANG: It's Patty. I was looking for the
9 floor. And being a lawyer, I probably don't need it. I
10 just wanted to respond for a minute. I think it's a
11 little naive to expect the parents to go up against a
12 district on a teacher and here's why. I've talked to many
13 parents whose child is the only Braille reader for that
14 particular district. Therefore, they're the only parents
15 who are grouching about this particular teacher because
16 maybe she or he is perfectly good on every other issue and
17 the retaliation factor comes in again. My feeling would
18 be, and I do agree that we need to give out coalition past
19 the regs under the Braille Bill, but you can't expect
20 parents to go after particular teachers. My suggestion
21 would be to make these teacher preparation programs
22 better. Here's why. I went through one. Do you know how
23 much Braille I had? Ten weeks. I come out of Michigan
24 State University with ten weeks of Braille training, one

1 test and that's it. Now, if I were, for example, being
2 trained as an interpreter or the teacher of a spanish
3 language I wouldn't get away with ten weeks. There's no
4 way you'd take ten weeks of training. So, we need to
5 develop better training programs for the teachers; number
6 one. And i think that the competency tests has to be done
7 and it has to be enforced and that's where we need to go
8 back and get the regulations passed. But, you cannot
9 expect parents to do this. It's just not going to happen.

10 MR. SCALES: I think you're misunderstanding
11 me. We're not asking for you to go after individual
12 teachers. You had a coalition, a national or state
13 coalition that came up with a bill, in that bill you have
14 the method for enforcing it, why doesn't that same
15 coalition stay together to enforce the enforcement? So
16 that no single teacher out there thinks that a single
17 community is coming after him or her.

18 MS. CHANG: That's already happening anyway.

19 MR. SCALESL: That's what I think you need to
20 be doing.

21 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

22 MS. STEIN: Can I make another comment?

23 CHAIRMAN MATHEWSON: Sure, go ahead.

24 MS. STEIN: The Braille Bill does, as we've

1 said, require teacher competency. Teachers are supposed
2 to a pass a competency test to prove they're able to teach
3 Braille and to keep that up-to-date. However, there has
4 been a lot of controversy within the State Board of
5 Education about what test the teachers should take,
6 whether it's fair to ask a teacher to take a test.
7 There's been a lot of resistance within the State Board of
8 Education about working out the regulations by which this
9 would be enforced and who is going to pay for it's
10 administration. It sort of goes on and on. And then
11 there's even a lot of resistance about getting together
12 and having meetings and, you know, this one and that one
13 doesn't want to get together that day and so this has been
14 going on for the past four years trying to get regulations
15 that we can try to enforce. It just hasn't happened.

16 CHAIRMAN MATHEWSON: Okay. All set, Hugh?

17 MR. SCHWARTZBERG: I pass.

18 CHAIRMAN MATHEWSON: Connie Peters?

19 MS. PETERS: I'll pass.

20 CHAIRMAN MATHEWSON: Tom Pugh?

21 MR. PUGH: Just to clarify one point. Did I
22 understand that Illinois doesn't teacher cane travel in
23 our schools in this state with football fields everywhere,
24 soccer fields everywhere, doesn't teach cane travel?

1 MS. STEIN: We teach cane travel. What I said
2 is the state does not allow blind people to teach cane
3 travel. Blind people as cane instructors can't get
4 certification to teach, so the instructors who are
5 teaching cane travel to children are all sighted in
6 Illinois.

7 MR. PUGH: No experience.

8 MS. STEIN: That's right. They have no real
9 world experiences.

10 MR. PUGH: It's not in the law?

11 MS. STEIN: The Association of Education
12 Rehabilitation controlled the certification process for
13 blind mobility instructors. Throughout the country this
14 has been a very big issue.

15 MR. PUGH: Thank you.

16 CHAIRMAN MATHEWSON: Thank you all very much
17 for appearing this afternoon and waiting for a long time
18 to come to the table. This has been very helpful to us.
19 Again, if you want to add anything to your remarks or
20 your comments, the record remains open for thirty days.
21 Thank you very much.

22 Jim Ferneborg, President of the Blind
23 Service Association. Welcome

24 JIM FERNEBORG

1 BLIND SERVICE ASSOCIATION

2 You folks have had a long day--

3 CHAIRMAN MATHEWSON: I should tell you and
4 everybody I'm afraid the building maintenance is telling
5 us we must be out by 5:45, not 6:00 o'clock. So, we have
6 just a half hour and we have two public witness
7 participants who are not scheduled who want to make
8 statements. So I think if you could keep it brief that
9 will be very helpful. Please go ahead.

10 MR. FERNEBORG: Well, my name is Jim Ferneborg
11 and I am the Assistant Director of Blind Services
12 Association that serves people who are blind or visually
13 impaired in the six county area here around Chicago. We
14 are your classic, I think, private non-for-profit
15 organization that lives almost entirely on private
16 fundings, bequests, endowments, things of that nature and
17 we are the area leader in reading and restoring to people
18 who cannot access the printed page. We have a very small
19 staff but we have a very large and I think the best
20 volunteer staff in the area of four hundred volunteers
21 that put in over 17 thousand hours to people who needed
22 reading and customized recordings. We also do a
23 tremendous amount of scholarships and I'm going to bring
24 something up here that I hope I echo several times while

1 it's my opportunity to speak and that is, that I think and
2 Blind Services Association thinks that the best judge of
3 what's best for blind people are blind people themselves.
4 This is why in our organization we have blind consumers
5 participating and generating, being the architects of and
6 the administrators of all the programs that we have. One
7 of the programs that I run in the summer is a program for
8 kids. It runs jointly with the Chicago Public Schools and
9 the Chicago Park District. I generally have 17 to 20 kids
10 in that program every summer. They range from 7th and 8th
11 grade on through all the high school years. I'm delighted
12 that you have Debbie Stein up here talking and Debbie, if
13 you will allow me, m going to piggyback on some of the
14 things that you said. Every summer when I have my kids
15 program, I notice that the adult daily living type of
16 skills training has gotten worse. These kid's daily
17 skills training is poor. Their Braille has deteriorated,
18 their mobility has gotten worse every year and I think
19 it's time that we put blind people in the business of
20 delivering services to other blind people. It's all well
21 and good to have people who are certified in this or
22 certified in that, but sighted people really don't have
23 much of an investment in this, unless they have a close
24 relative or a child who is blind. Blind people have an

1 investment in seeing that other blind people prosper,
2 succeed, and are independent. I can recall a few months
3 ago being at a meeting of area teachers. There must have
4 been 50, 60 people in the room. They were resource
5 teachers. They were intinerate teachers, they were
6 orientation and mobility instructors and I had come to
7 this meeting and the person I was with was sighted and I
8 myself asked the person to give me an account in the room
9 of approximately how many people there were and next would
10 you please look for some white canes and for some dogs to
11 tell me how many blind people there were in the room. The
12 answer came back one, you. I'm not entirely sure that
13 that is acceptable. And It is no mystery to me that blind
14 kids don't get the proper cane travel and the cane
15 technique that they need and the Braille skills that they
16 need and the tips and tricks that only blind adults can
17 give them who can become role models for them and can show
18 them how to live successfully as blind person. I don't
19 think that's happening. It's very easy for a kid to go
20 through the entire school system and never see a
21 functioning blind person. How do we expect a kid to do
22 that as well? Well, I'm just one blind guy, but because
23 our organization is consumer-based and consumer driven,
24 when I got the notice that this hearing was going to

1 transpire on this day, I thought I might go around and ask
2 the people in our organization, the people who, consumer
3 services, the people who we consult, the people whose
4 wisdom we lean on when we have a problem and after talking
5 to a substantial number of blind folks, adults about
6 barriers, I have to say that the main complaint centered
7 mainly around the delivery of services from our vocational
8 rehabilitation system. It ranked everything from lack of
9 money for school, for lack of vocational training
10 programs. And I know that Mr. Crawford had mentioned
11 earlier that he has about 20 teachers in the State of
12 Illinois who are rehabilitation teachers who actually go
13 into the home to show people things. If my figures are
14 correct, about four or five of them are blind or visually
15 impaired. I don't believe in the greater Chicagoland area
16 there's any rehabilitation teacher who is blind or
17 visually impaired. This is what I hear. This is what my
18 consumers tell me they want, they want their teachers who
19 come to the home who teach them things that they
20 themselves, the teachers, have learned in a particular
21 book, but not used themselves; things that blind people
22 have to live with day in and day out. They wonder why
23 it is that when they take orientation and mobility
24 instruction it's always a blind person. I think this is

1 criminal. There is only one program that I know of right
2 now in the United States that allows a blind individual to
3 learn or to get a Masters in orientation and mobility and
4 that is presently being run through the joint venture of
5 Louisiana Institute for the Blind and Louisiana Tech
6 University and I'm proud to sit here and tell you that
7 Blind Services Association is assisting one individual
8 right now to go down there and learn to become an
9 orientation and mobility instructor and a totally blind
10 fella. But, the question becomes, when he comes back to
11 Illinois, is anybody going to allow him to work because he
12 has to pass through a certification that screens out blind
13 people? Well, who is better at teaching a blind person to
14 travel than a blind person. I can't think of anyone else.
15 But, yet, people who need orientation and mobility ask for
16 the help from the state. They get a person who is
17 supposedly certified and that person teaches them with all
18 the inadequate tools such as the wrong cane, how to travel
19 and then get in their car and goes away. I believe that
20 there are about 18 or 20 counselors in the state,
21 counselors who plan people's life to help them plan their
22 education, plan their job search, plan career training,
23 plan job placement for them. This is very important stuff
24 and of the 18 I think there are about four or five who are

1 blind or visually impaired. And I have been in and around
2 the state system for about ten years now and I can tell
3 you that the trend is that every time a blind person
4 retires from that system, it looks as if a sighted person
5 is hired in their place. Once again, it is the lack of
6 role models. I don't know how long the deaf communities
7 would tolerate vocational counselors counseling the deaf
8 who did not know sign language, but yet we have counselors
9 in the State of Illinois assisting people in planning
10 their whole future who don't even know Braille. And yet
11 the blind can tolerate that.

12 We are in a situation starting where
13 we're being told at least that we're in the best economic
14 growth since the post war period. We supposedly have the
15 lowest unemployment in the last 30 years and yet blind
16 people are not benefiting from this, at least the ones I
17 talk to. Our unemployment rate is still up in the 70
18 percent area. The purpose of the rehabilitation system,
19 the vocational rehabilitation should be to help people
20 find jobs. If that isn't the purpose of the vocational
21 rehabilitation system, then I don't know what is. And yet
22 there was a time when we had marketing and employment
23 specialists for the blind. We no longer have those, I
24 don't believe, and we wonder why it's -- there aren't

1 enough options for them with regard to job placement to
2 help them once they're through school, and once they're on
3 the job. And once again this is what I hear from my
4 consumers. They have to wait months and months and
5 months and months for equipment to come to them, equipment
6 that they need on the job, technical equipment. I know
7 that students have to wait a long time for these things
8 and that shouldn't be happening either. As a matter of
9 fact, I don't notice of all the blind people that I talk
10 to, I don't notice that we're finding jobs. I'm seeing
11 that we're losing jobs. We're losing jobs because we can't
12 keep up with the shifting technologies as was mentioned
13 earlier in the case of the people over at Social Security.
14 so, the system has to function on employment and there's a
15 feeling out there among a lot of people that it's simply
16 not doing that. Once again, I go back to the theme that
17 the people who know what's best for blind people are blind
18 people and there's some very strong feeling out there that
19 what we need in this state is a commission from the blind,
20 commission that is built from the ground up with the
21 active support and participation of blind people because
22 they're the ones who eventually are consuming the services
23 and who better to assist in the delivering of those
24 services than blind people themselves.

1 Any questions?

2 CHAIRMAN MATHEWSON: Thank you. Questions
3 from the committee? Connie Peters?

4 MS. PETERS: No. I thank you.

5 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

6 MR. SCHWARTZBERG: Pass.

7 CHAIRMAN MATHEWSON: James Scales?

8 MR. SCALES: Pass.

9 CHAIRMAN MATHEWSON: Preston Ewing?

10 MR. EWING: No.

11 CHAIRMAN MATHEWSON: Tom Pugh?

12 MR. PUGH: No.

13 CHAIRMAN MATHEWSON: Dorris Roberts?

14 MR. ROBERTS: Pass.

15 CHAIRMAN MATHEWSON: Rosemary Bombella?

16 MS. BOMBELLA: No.

17 CHAIRMAN MATHEWSON: Janie Khoury?

18 MS. KHOURY: Well, you outlasted us all it
19 looks like.

20 MR. FERNEBORG: Does this mean I got an A,
21 nobody asked me anything.

22 CHAIRMAN MATHEWSON: Thank you for a couple of
23 novel thoughts there that despite the length of the day
24 that they're novel at least in this hearing and one that

1 maybe the state could use a commission for the blind and
2 the idea of utilizing blind more effectively in training
3 the blind. Those ideas I think come through crystal clear
4 and I thank you for suggesting them to the committee.

5 MR. FERNEBORG: If you lose your sight and you
6 had to completely return your life, you had to learn a
7 whole new language, you had to get all new retraining, you
8 had to think about everything differently, you had to
9 learn everything all over again, what would be more
10 credible to you; sitting in the office of a sighted person
11 who had learned about it in a graduate program or a blind
12 person who had succeeded and was doing it?

13 CHAIRMAN MATHEWSON: You make your point very
14 well. I think it's very well taken. So thank you for
15 your testimony.

16 MR. FERNEBORG: Thank you.

17 CHAIRMAN MATHEWSON: I show that we have
18 completed our scheduled agenda of the scheduled
19 participants and we are now commencing -- it's going to
20 have to be a short public session at which anyone who
21 would like to say something to the Committee is welcome to
22 do so.

24

PUBLIC COMMENT SECTION

1
2 CHAIRMAN MATHEWSON: People who have asked to
3 make statements: Ann Brash and Terry Gorman and I would
4 appreciate if you would both come forward now and take
5 seats at the table and we'll hear from you one right after
6 the other and perhaps follow up with questions.

7 Since the mike is near her, why don't
8 we ask Ann Brash to speak. Could you tell us who you are,
9 please, and --

10 ANN BRASH

11 My name is Ann Brash, I'm a claims
12 representative with the Social Security Administration.
13 Last August our office converted to a new computer system,
14 Windows NT. I now use speech software manufactured by
15 Henry Joyce and a Braille display made by Tel-Sensory
16 Systems, Inc., Philly Systems. Although SSA and Henry
17 Joyce have made significant improvements in the system
18 since August, there are still a number of serious problems
19 remaining that make it extremely difficult for me to
20 provide either the quantity of service or the quality of
21 service to the public that Social Security expects and
22 that I used to be able to provide using my previous
23 equipment. First, the speech and the Braille frequently
24 do not work together. The speech reads several lines

1 above or below here the Braille is reading and in many
2 instances neither of them tells me where I actually am on
3 the screen. It's very easy to fill in information on a
4 form in the incorrect places. Often the Braille and the
5 speech are so incompatible that the computer keys lock up
6 totally.

7 Secondly, the speech is out of sync
8 with the screen. I can be in one part of a program and it
9 will be reading information to me from another part of the
10 program, making it almost impossible for me to concentrate
11 on what I'm doing or to know where I really am on the
12 screen. Sometimes the speech stops altogether and the
13 Braille disappears entirely.

14 Thirdly, there are applications which
15 are still not easily accessible, such as our research
16 documents. Through a complicated process of using
17 different key combinations, I can eventually get to the
18 section I need to read. But, this requires so many steps
19 and is so slow that my claims processing time is
20 significantly increased.

21 Fourth, problems result from the
22 multiple uses of certain keys. For example, the insert
23 key and the control key are of great importance in
24 Microsoft Word and in SSA's mainframes, but they are also

1 of primary importance in allowing the speech program to
2 operate correctly. When the issues of these key
3 conflicts, which is often, the system freezes. Finally,
4 these problems do not occur consistently. Those I work
5 with, therefore, believe that this system works fine. As
6 a result, I'm notice given access to the technical support I
7 need in order to do my job. Additionally, those who don't
8 use this software cannot understand the emotional impact
9 that this system's instability, this constant disappearing
10 and reappearing of problems can have. For the past year
11 I've tried to create within SSA a blind computer user's
12 network where solutions to problems could be exchanged.
13 But I have not been able to obtain agency support for this
14 effort. My goal is to do the best job I can as a claims
15 representative and to be able, as I used to, to
16 concentrate not on the computer, but on the needs of the
17 public whom I serve.

18 With the growth of technology, speed is
19 becoming all important on the job as is increased
20 productivity with fewer employees. Our previous DOS-based
21 computer system had its emphasis on the written word; did
22 much to shrink the gap between what we as blind
23 professionals could do on the job and what our sighted
24 co-workers could accomplish. Now, however, the Windows

1 environment is widening that gap again. Technology may
2 make jobs easier for those who can see, but for those of
3 us using technology that is simply struggli9ng just to
4 keep up, it's causing us to lose all of the gains we have
5 made. Those of us who have worked so hard for so many
6 years to reach this point in our career, may be forced out
7 of the job market. I'm sure that you do not want this to
8 happen and all of us who are blind would appreciate
9 sincerely your support and your assistance. Thank you.

10 CHAIRMAN MATHEWSON: Thank you very much.

11 Terry Gorman, would you like to identify yourself, please?

12 TERRY GORMAN

13 Thank you. I appreciate the
14 opportunity to make a short statement. My name is Terry
15 Gorman. I'm a tax law specialist at the Internal Revenue
16 Service and certainly express some of my concerns. I
17 wanted to speak to issues that involve just personal life,
18 not necessarily our work life, but just things that
19 involve our functioning and our enjoyment of life. And
20 there are two issues that came to mind -- and I have to
21 tell you that I learned about the Committee meeting today,
22 so I don't have a highly prepared set of remarks. But the
23 first one is in one of the wonderful things about living
24 in a city like Chicago is the opportunity that people have

1 to go into places and enjoy let's say the restaurants in
2 Chicago and also the art services that are available in
3 Chicago. And in that regard, I would like to point out
4 that blind people are actually physically barred from the
5 enjoyment of some of these things and here's an example
6 that will illustrate my point. Let's say I would like to
7 go to a Chinese restaurant. Well, let's not even make it
8 Chinese, let's make it Vietnamese. Let's make it somewhat
9 farther afield. Let's say the restaurant has 150 items on
10 the menu and let's say that at this Vietnamese restaurant
11 no one really speaks english. What's going to happen is
12 that I'm going to go into that restaurant either on my own
13 or perhaps even with a blind acquaintance and we're not
14 going to be able to get served. What actually is
15 specified, as I understand it, in the ADA rules is that
16 what you haven an actual right to in a situation of that
17 sort is that someone should, if you wish, read all of the
18 items on the menu to you. Actually what frequently
19 happens in restaurants situations is people will come to
20 you and say what would you like to have and they will, you
21 know, avoid their obligation to really inform you of the
22 menu and let's say that the could read all 150 items on
23 the menu. How many of them could you read and what sort
24 of an experience is it like to have someone read a lengthy

1 listing of such items. So I would like to point out that
2 there's a physical bar to actually going into some of the
3 most enjoyable places in our city and some of the more
4 affordable ones economically, too, because when you go
5 into foreign restaurants like Asian restaurants, the
6 prices of food are some of the most affordable. So, those
7 of us who -- those blind people, let's say, who are
8 economically deprived don't even have the possibility of
9 enjoying these more affordable kinds of restaurants.

10 Now, some of you might say, what's the
11 solution? Well, I think the solution is some sort of a
12 law mandating at some level that when a person expresses
13 an interest or a group of people express an interest that
14 a restaurant be required to provide some sort of a Braille
15 menu. And the method by which this can be accomplished
16 may be unclear at this point, but menus are often,
17 especially and here again in the foreign restaurants the
18 menus don't even change. I can go to an Indian restaurant
19 and the menu -- I can think of an Indian restaurant like
20 Gandhi's, where the menu hasn't changed in four years.
21 So, one can't even argue that the economic cost of keeping
22 a menu like this up-to-date is even great because it
23 actually isn't great. These restaurants are not trendy
24 restaurants like Lettuce Entertain You restaurants that

1 might do their menus quarterly and change them. There are
2 places that keep their menus in existence for long periods
3 of time. This is an area where going back to what a
4 previous speaker said, blind people can work for
5 ourselves. We have the ax to grind here. We know Braille
6 and we can produce Braille. So, that's my point on the
7 restaurant issue and to remind you that there is an actual
8 physical bar to the enjoyment of these places.

9 Art organizations similarly. I've been
10 doing the programs for an art group in Chicago, Cadlis
11 Majestic on Clark, but most other groups don't have any
12 organized programs for people to come and hear and
13 librettos or texts to things.

14 Going back to the restaurant issue just
15 for a moment. Several years ago Lettuce Entertain You did
16 an experiment with a tape recorder where they would have a
17 recorded menu. And I think the problem with that is that
18 the piece of equipment that they gave -- first of all,
19 it's going to be an unfamiliar piece of equipment. It's
20 not going to be similar to what you use and when you get
21 handed a piece of equipment like this is your first
22 reaction is what are the controls? Where's the play back?
23 Actually the recorder they had didn't have a rewind
24 feature, it had a play and fast forward button and no

1 rewind feature. But, still you have this issue and even
2 if you say that the method of provision of this menu
3 should be a tape, you still have the issue of, you know,
4 having someone's unfamiliar piece of equipment. Perhaps
5 a piece of equipment that's broken on the particular day
6 that they want to arrange their visit. And I
7 philosophically feel it's problematical when a million
8 dollar infusions such as in many restaurants and entities,
9 even in this downtown area which is a very public
10 accommodation area, don't have any profession for these
11 kinds of services and they could hire blind people to do
12 these things.

13 My last item then is in a similar vein,
14 but and that is that if you buy a piece of equipment and
15 you would like the manual available to you or if you have
16 to make a decision, let's say about insurance at work or
17 medical insurance or some other things in manuals and
18 lists of manuals in terms of equipment and lists in terms
19 of insurance or things are produced and we know that
20 someone's sitting down at a computer and typing these
21 things. They're not sitting at an old manual typewriter
22 years ago like they used to, but yet we can't, we don't
23 have any legal right to request even magnetic copies, even
24 computer copies of these manuals. And what I think is

1 needed is something where when you, as I was faced
2 recently with joining a HMO and then since this 200 page
3 book which listed all kinds of physicians and I should
4 have the option of contacting saying send me a magnetic or
5 computer disc copy of this book. I have a life to live,
6 lots of insurance and I can't be, you know, arranging or
7 the transcription and recording of every little piece of
8 thing that we have to use and it just goes through, you
9 know, all areas of life and I guess those are the points I
10 wanted to make.

11 CHAIRMAN MATHEWSON: Okay. Thank you very
12 much. Questions from the Committee? Connie Peters?

13 MS. PETERS: No, I thank you, both of you.

14 CHAIRMAN MATHEWSON: Hugh Schwartzberg?

15 MR. SCHWARTZBERG: Actually I want to thank
16 you, the first speaker, for making personal a problem that
17 we are aware of and sometimes it hits to have it made
18 personal. As to Terry Gorman's comments, I'd like to ask
19 the question. There are volunteers who will read thins
20 into recordings and you might well be perfectly willing to
21 read menus if they had a reasonable shot at believing they
22 would be used. It would seem to me that while your
23 Lettuce Entertain You doesn't have economic problems, most
24 of the ethnic restaurants that you mentioned to, if the

1 requirements were voluntary, I bet you could get nearly
2 all of those restaurants to agree to supply the menus from
3 a voluntary reading group. Then the question would be
4 whether or not a gourmet group of the blind would be
5 willing to have these transcribed from the original to the
6 written. And then he has to be the first user who supplies
7 that where the requirement is that they have to advise
8 what the difference in price from the date of the Braille
9 preparation. That sounds more complicated, but it's the
10 kind of thing where the restaurant would probably agree to
11 it and everything involved in the process would agree to
12 it. And I just wonder whether you thought it would work
13 or be too complicated to work?

14 MR. GORMAN: It would be somewhat difficult to
15 deal with the original transcription I suspect that
16 probably these menus are produced in an electronic form.

17 MR. SCHWARTZBERG: Most of them.
18 Unfortunately, in the ethnic restaurant, unfortunately
19 most of them are hands down.

20 MR. GORMAN: So you think they are not
21 actually inputting them on electronic keyboards?

22 MR. SCHWARTZBERG: Clearly not and I eat at
23 almost all of them.

24 MR. GORMAN: Well, the point here is to point

1 out to you that there's a real bar and a barrier and the
2 method of solution is probably somewhat complex, but I
3 think there needs to be an improvement and there needs to
4 be an improvement and there needs to be a recognition that
5 this is a real barrier to the enjoyment of our city.

6 People know, I think, overlook these sorts of things
7 ordinarily and don't really realize that, you know, just
8 as a place can be inaccessible because it has stairs, you
9 know, to someone who has the inability to walk and who
10 might use a wheelchair, but these places are inaccessible
11 to us because they, you know, the people that are
12 operating the places maybe don't speak english and don't
13 have an available process and there are probably many
14 methods perhaps of even an organization that just does
15 this. Maybe the restaurants shouldn't be the entity
16 that's directly involved. Maybe there needs to be some
17 other kind of entity that, you know, takes it upon itself
18 the production of some of these menus. But, anyway, just
19 to make a point to you, that this is a barrier.

20 MR. SCHWARTZBERG: Thank you very much.

21 CHAIRMAN MATHEWSON: James Scales

22 MR. SCALES: Just a comment, no question. I
23 guess what I'd like to say is I wish the two of you, plus
24 the gentleman that went ahead of you, the last three of

1 you had gone first. I guess the problems for me is -- and
2 I think everybody had something legitimate to say today,
3 but I think we get so enameled in doing battle with the
4 system and trying to pass laws and make changes, we forget
5 that that takes so ungodly long that our kids and us still
6 are not being afforded our civil rights. And I think what
7 I applaud most out of three of you, you're looking at not
8 only changing the system down the road, but something
9 needs to be done right now.

10 Ms. Brash, I think it's the fact that,
11 yeah, let's start a group and let's start looking at what
12 we can do about these problems while we're fighting with
13 SSI about bringing in this awful software. The issue with
14 the menus, yeah, there needs to be some changes made.
15 It's going to take awhile before the City of Chicago gets
16 around to it. I'll be willing to interpret some of those
17 menus. Those are the kinds of things we need to think
18 about looking at. We've got some poor teachers out there,
19 we need to bash them over the head, but that's not going
20 to teach any kids Braille right now. Maybe we need to be
21 more proactive and start some study groups to do that.
22 so, I want to applaud the three of you for looking at not
23 only as a down-the-road situation, but what we going to do
24 now because the kids are still coming through this

1 different system that we're trying to fix.

2 MR. GORMAN: And if we put out the Braille
3 menus and other things, then people will have a reason to
4 learn the system and we'll be in demanding, I want to
5 learn it because these are the things that are available to
6 me if I learn it.

7 MR. SCALES: I think that's a good statement
8 also because I don't see that much Braille, why would I
9 want to learn it? Thank you.

10 CHAIRMAN MATHEWSON: Preston Ewing?

11 MR. EWING: I have no questions.

12 CHAIRMAN MATHEWSON: Tom Pugh?

13 MR. PUGH: At the conclusion of the hearing, I
14 don't have any questions, but I want to make a statement
15 before we conclude any questions.

16 CHAIRMAN MATHEWSON: Dorris Roberts?

17 MR. ROBERTS: To Ms. Brash. I just wanted to
18 identify your work location, you're with the Social
19 Security Administration.

20 MS. BRASH: Yes.

21 MR. ROBERTS: Do you feel that there is -- do
22 you feel like there would be any reprisals against you for
23 making a statement?

24 MS. BRASH: I hope not.

1 MR. ROBERTS: Thank you.

2 CHAIRMAN MATHEWSON: Janie Khoury.

3 MS. KHOURY: Your personal stories, I
4 appreciate it. Thank you both for coming. You have added
5 to this hearing. Thank you very much for waiting. We
6 appreciate it. You, too, can add to your statements in 30
7 days. We'll have the record open for another 30 days if
8 you want to add anything. Thank you for coming.

9 CHAIRMAN MATHEWSON: All right. We have heard
10 all of the schedules and now unscheduled public
11 participant in this hearing. Does any member of the
12 Committee desire to say something? Tom?

13 MR. PUGH: I'd just like to commend Connie
14 and Peter for the excellent preparation that went into
15 this hearing. I was a little bit surprised that you
16 couldn't do a better job of balancing it by finding some
17 people who are against blind people? But, seriously, let
18 me underline, I'm deadly serious, we have had an
19 excellent, an excellent panel of people presented to us
20 and our complements to both of you very much.

21 CHAIRMAN MATHEWSON: Very well done. Anybody
22 else?

23 Without objection, this meeting is
24 adjourned. Thank you all.

(The meeting is adjourned at 5:45 p.m.)

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1 STATE OF ILLINOIS)

2 COUNTY OF COOK)

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4 I, VERNITA HALSELL-POWELL, a Certified
5 Shorthand Reporter and Notary Public within and for the
6 County of Cook, State of Illinois, hereby certify that I
7 reported in shorthand the testimony given at the
8 above-entitled cause, and state that this is a true and
9 accurate transcription of my shorthand notes so taken as
10 aforesaid.

11
12 WHEREUPON, I have set my hand and affixed my
13 seal this 1st day of July, 1998.

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16 -----
17 VERNITA HALSELL-POWELL, CSR, RPR
18 CSR NO. 084-001831
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