

Meeting of the
EXECUTIVE BOARD
NEW YORK STATE COMMISSION
FOR THE
BLIND AND VISUALLY HANDICAPPED

April 9, 2008

Co-chairman, Charles Richardson called the meeting to order at 8:45AM.

In attendance were:

EXECUTIVE BOARD

Co-chairmen

Alan R. Morse, JD, PhD

Charles Richardson

Members

Tara Cortes, RN, PhD

Christina Curry,

Maria Garcia

Karen Gourgey, EdD

Cantor, Dr. Mindy Jacobsen

Luis Mendez, Esq.

Julie Phillipson

Thomas A. Robertson

David Stayer, LCSW

Absent:

John Bartimole

Carena Collura

COMMISSION FOR THE BLIND AND VISUALLY HANDICAPPED

Brian Daniels, Associate Commissioner

Peter Crowley, Assistant Commissioner

Joseph Nye, Liaison to the Board

Shirley Rose, secretary

Alan reminded the board that the webcast of this meeting, through the Office of Children and Family Services (OCFS), was being done on a trial basis.

The Executive Board discussed the way the minutes of the January meeting were handled on the web site of the Commission for the Blind and Visually Handicapped(CBVH). There was a good deal of concern that they were not easy to find. In addition, they were posted in a PDF file, inaccessible to screen reading software, rather than an MS-WORD file that would have been accessible. CBVH staff said that this problem would be rectified in the future.

Alan informed the board that the committees had met regularly and applauded our efforts.

He then outlined the purpose of this meeting. We will be discussing the work of the committees with an eye toward giving those not on the reporting committee the opportunity to provide input and perhaps insight to the thinking of the committee members. He hopes we can have, at least, the introductory sections of our committee reports completed by early to mid June so that we can begin to submit some completed material to John Bartimole who will be writing our completed first report. Each section should include a discussion that sets up the recommendations. Since there are six or seven committees the report will contain at least that many sections. The recommendations will be based on the given problems, the issues surrounding them, attempted approaches to them, how other states are handling them, and what New York has done with reference to them. Although today's reports will not include the research being done by the committees, all written recommendations will include the evidence on which they are based. Footnotes and style will be handled by John at the time of the final writing.

Mindy gave the report on the State Rehabilitation Council (SRC.) She said that the SRC had been concerned about duplication of efforts, in terms of research and recommendations, hence her position as liaison. Her report would be based on the things that particularly touch both bodies.

The public forums held by CBVH are not always well attended, and CBVH is considering holding them at scheduled events such as National Federation of the Blind and American Council of the Blind conventions and/or chapter meetings, to assist them in obtaining input from the blind community.

Brian spoke about five proposed goals in the state plan.

1. Examine existing quality assistance process
2. Increase competitive employment closures.
3. Increase services to ethnic and racial minorities
4. Pass RSA standards and indicators.

5. Implement a new case management system, scheduled to be rolled out on October 2. CBVH reviewed the state plan with the SRC, and will submit it for legal and budget review by April 14, to Commissioner Carrion by May 15 and to RSA by July 1. RSA has indicated that CBVH could not use section 110 dollars for services to homemakers so those programs will be funded with dollars previously used to serve the older blind.

Mindy addressed the duplication of topics to be covered in our respective reports, with an eye toward minimizing them. She said that she thought it might be difficult to do so in light of the stated goals of the Executive Board at its January 17 meeting and those suggested to the SRC by Brian, at its March 6 meeting.

David commented that because of its mandate, the approaches of the SRC and the Executive Board might be different; the goal of the Executive Board is to evaluate and make recommendations to improve services for blind people. If the SRC chooses to adopt some of the same goals there could be duplication. Luis added that the duplication would not necessarily be as important as the outcome. The SRC's primary responsibility is to generate a report that goes to the RSA that will, hopefully provide the basis for continuing to receive federal dollars, while the mandate of the Executive Board is to make recommendations that, if adopted, could result in significant changes to the legal mandate and state oriented resources of the CBVH.

Mindy asked whether, in her reports to the SRC, she could include the interim comments, suggestions, and findings of each of the committees. Alan answered that since our deliberations are completely transparent, that would be appropriate and that the same would be the case with reference to her reports to the Executive Board on the proceedings of the SRC. He pointed out that the focus of the SRC is, of necessity, more narrow, directed toward the vocational rehabilitation activities and the RSA report. The focus of the Executive Board is, by statute, substantially broader, with vocational rehabilitation less significant because much of that will be covered by the SRC. He believes that neither group need curtail its activities because, even where the recommendations are parallel, there might be some room for divergence, particularly with reference to the possible integration of vocational rehabilitation into education, social services, the homeless blind etc. He said that, although, at the end of the process, there might be some need for integration, the reports will not have to be in coordination with each other.

COMMITTEE REPORTS

TECHNOLOGY -- Mindy Jacobsen reported

The technology committee, Karen Gourgey, Charlie Richardson, and Mindy Jacobsen, suggested possible recommendations on five topics.

1. Accessible information, programs, and services from all State Departments. The recommendation might be that the Governor gives an Executive Order that all programs and information disseminated by state agencies be accessible to the blind and visually impaired.
2. A State Law to parallel Section 508 of the Federal Rehabilitation Act. The committee is considering a recommendation supporting the creation of a statute at the state level that would parallel section 508 of the federal law that mandates that state agencies purchase only accessible products and services.
3. Increasing the level of Outreach. The committee will recommend the use of a professional

ad agency, (with which the state may already have a contract,) to develop ideas, and spokesmen with cache and high credibility across all geographic and demographic divisions of the state to get the message out that the blind and visually impaired can use computers and other technology, and that CBVH can help. It will recommend paid ads so the timing and quality of the presentations can be controlled. It will also recommend an easy to remember 800 number for CBVH and a new domain name for the CBVH site -- easy to remember and/or, to Google. The suggestion will be "visionlossny".

4. Training. The committee would like to see the development of a central and fully accessible database that would contain the names of agencies and private vendors who offer computer training. It would be updated each semester and would include listings of equipment and skill levels taught by each vendor, cost, length of courses, etc. It would also include listings of those who could provide in home training. Through the database, clients could be given the opportunity to be served by different agencies for different courses, should that be their choice.
5. Appeals. The committee will suggest a very specific process for those wishing to appeal the proposed equipment to be purchased to meet a clients' needs. The committee would also like to see choices offered to the clients about which agencies provide services to them. The committee is planning to take under its advisement the following: some means of providing affordable equipment to blind and visually impaired New Yorkers whose lives could be changed through its acquisition. It will also recommend to those providing rehabilitation, the most accessible home appliances. Lastly, the committee will determine whether it should include the question of the danger of quiet cars.

Alan asked whether the database referred to in the report would be maintained by CBVH. Committee members answered in the affirmative, saying counselors at CBVH or private agencies could access the information and provide it to the clients if necessary, but experienced users would also have the opportunity to browse the data. Alan asked Bill Gettman whether such a database would constitute endorsements by the CBVH and therefore present a legal problem. Bill answered that he saw this as a resource and did not see why CBVH should have to wait for the Executive Board's report to implement it. Karen clarified further that the list would consist of agencies and vendors that were funded with CBVH dollars. Alan felt that this was an important point. Mindy and Charlie clarified further that each agency would write its own descriptions and would need to keep them updated.

Randolph Sheppard/Javits-Wagner O'Day, Charlie and Tom reported.

The committee members are Charles Richardson, and Tom Robertson. Tom said that the report would be rather brief because the committee had requested information that was very slow in coming and, as of the date of the Executive Board meeting, was still incomplete.

They will look at the genesis of the Preferred Source statute, Section 162 of the State Finance Law -- its intent, and then how it might best be implemented.

They are also looking at the OCFS designation letter in terms of designating IBNYS to implement the preferred source statute as well as whether or not the document is still relevant, and meets the current needs.

Charlie spoke about the DVD made by CBVH designed as a PR tool and said that many clients who enter the program are finding out about it through friends, but it is not being offered by CBVH counselors as an introduction to the program. They are looking at a possible recommendation that would create an easier means of finding the Business Enterprise Program (BEP) on the internet because, once found, the pages are informative and do include a portion of the DVD. The committee feels that this would highlight the program and help it to grow.

Alan asked whether the report would be indicating the numbers of participants in the program, and how that has changed over time, and Charlie said that it would.

Tom said that the committee would focus on training that they consider key to its success, how CBVH is organized to implement the program of the federal regulations -- what are the base lines, and what is the ability of the agency to be creative within managing the program

Some of the problems they hope to address are the design and construction of new facilities with whatever resources are available, recruitment and how that ties into the vocational Rehabilitation (voc rehab) area, and how to predict the numbers of businesses that are and/or can be in existence as time goes on. He pointed out that the salaries in this program tend to be among the highest of the cases completed, making it a very viable program. This committee would like to work with CBVH to increase its effectiveness and outreach.

Tara asked if there was a cap in the different industries on the number of employees they have, to which Tom answered "no". She asked if there could be vacancies and Tom explained that there is one licensed manager in each facility and that, depending upon its size, there could be any number of employees hired by that manager. CBVH's practice has been to request that, when hiring employees, managers give preference to unplaced program licensees and justify their decisions if they make different choices. The BEP has also begun working with NEW VISIONS to employ people with other disabilities and using the affiliates of the ASSOCIATION OF RETIRED CITIZENS (ARC) as sources for employees.

Luis asked the committee to explain what the training issues are. Charlie answered that the training consisted of two parts -- the academic and on-site. The academic portion covers everything from the original legislation that created the program to regular business issues such as customer service, ordering, inventory, and many others related to managing a facility. Students in the on-site part of the program work in a facility with a licensed manager until it is felt that they are ready to be licensed themselves. Previously there have been several facilities in the program being operated by temporary managers (not in the BEP) where new licensees could begin working but today there might be as few as one of those. This means that new graduates must rely on working managers for work until a facility opens up. There does seem to be a steady flow of managers retiring and many are middle aged but the committee would like to seek some data from which they might project the availability of employment for the future. They believe that the emphasis needs to be on the growth of the program rather than attrition.

Luis asked what the growth issues are. Charlie answered that one serious concern is the downsizing of government in general. He explained that as downsizing occurs, the population working in many buildings that house facilities decreases and, while the facility is allowed to stay opened as long as there is a manager there and the potential salary is at least twelve or thirteen thousand dollars, machines will often be installed and it might then become part of a vending rout. Additionally, the BEP advisory committee recommended, at one point, that cafeterias no longer be included as possibilities for employment because that type of dining experience had become less popular, but the host agencies seem to be favoring "grab and go" sandwich shops now and the

committee and CBVH are beginning to move back in that direction. He pointed out that they would need to seek potential managers who would be interested in the food service industry and that CBVH counselors would need to assist with that task.

In answer to a question from David, Charlie said that more vendors were staying in the program now, and that the only drawback to having counselors promote it more vigorously is that it is currently operating at 99 percent capacity. He clarified, in answer to Tara, that BEP can accept referrals but that the potential is just somewhat less than before.

Luis asked, if it would be possible to share with us what the issues related to expanding the program's capacity to accept new employees and place them in new facilities were. Charlie said that although BEP worked with some post offices around the state, some new ones might be opening up for vendor routs (vending machines would be placed and program participants would fill them periodically) and that new deli type facilities were being considered.

Luis asked if there was anything in the program, as it is currently constructed, that would preclude eventually broadening the scope of the program itself to consider other types of enterprises. Charlie said that the exempted priorities in the current statute governing the program do limit its scope. State universities, correctional facilities, the Thruway Authority, and buildings with populations of less than 400 are precluded. In answer to Luis, Charlie said that these limitations are being discussed and that some of the committee's recommendations might be based on them. In answer to a question from Mindy, Charlie said that the solution to this problem would need to come through legislation.

Tom spoke to Tara's point about the 99 percent capacity issue and noted that the program tries to keep enough vendors in the pipeline to immediately fill in if a facility is suddenly vacated. He said that it was a complex issue though because the promotion procedure had to be considered when placing new licensed recruits or veteran vendors. Further complicating the issue of the capacity of the program is the size of the state. Vendors might be licensed and available in different areas than those where there are opened facilities. Tom pointed out the difficulty of running such a big program but said that its salary level made it extremely important.

Mindy asked whether the promotion process would be a part of the committee's recommendations in light of the fact that other states used very different procedures. Charlie answered that the Executive Board committee would not be looking into it, but that it is a topic that is often entertained in the BEP advisory committee. He is pleased that the change in administration has brought about the opportunity for real "active participation on the part of the advisory committee.

Alan suggested that, in its recommendations, the committee explain the policies and procedures that constitute its thinking as much of its operation is not widely known, and, considerations that are not addressed in this report could well come up again at a later date.

EDUCATION COMMITTEE, Maria Garcia reported.

Education Committee members are Maria Garcia, Carena Collura, John Bartimole, and Mindy Jacobsen.

Maria noted that the education committee is focused on the education of children and that it is trying to narrow its scope to four areas.

1. Braille literacy. Who's being taught Braille -- how much and how often, -- and the attitudes

toward Braille and Braille users.

2. A procedure for identifying blind children at an earlier age so that intervention, including skills for learning Braille, can begin sooner than is the current practice.
3. A good learning media assessment tool, as this is a part of the picture that is being missed. This is primarily the case with children with usable vision who are considered legally blind. The committee is looking into tools being used by other states and determining their best points to be included in its recommendation. There seems to be no standard in the quality and quantity of adaptive technology being taught across the state. A big part of the education of children is the education of their educators so the committee is looking at teachers of the visually impaired (TVI) training and development, the different curricula throughout our state and different parts of the country, as well as orientation and mobility (O & M) instruction -- how instructors are taught, their attitudes and the origin of those attitudes. The committee will recommend that an actual proficiency standard be set and, possibly, a recertification process that requires that that level of proficiency be met on a regular basis.
4. Support of parents -- connecting them to the system and potential assistance and meeting successful blind people in an attempt to help them to elevate expectations of their children. The committee is continuing to review law, data, and best practices. It plans to include recommendations for children in large cities as well as rural areas, English language learners, blind children with additional disabilities and children in families in poverty.

Mindy added that one of the things the committee is discussing is the lack of socialization problem that occurs when children are taught at home, as is often the case with pre-school aged children.

Another topic the committee considered is mainstreaming. Where there used to be resource classrooms in which blind children were taught the basic skills of blindness, as the new model progresses TVI's will visit schools where there are blind or visually impaired children and take over that instruction which frequency will be decreased significantly. She said that principals in the schools that blind children will attend, will be responsible for the purchase, and therefore the quality and quantity of the adaptive learning tools and technology taught to those children. Recommendations regarding this situation might be included in the committee's report.

Luis asked whether or not there would be a corresponding move to place Braille-trained assistants in the classrooms with the blind children so their educational needs could be met on a daily basis -- hand-outs and other materials Brailled or graphics raised -- if the itinerant model is adopted. Maria answered, "No", and Luis pointed out that this would be a formula for failure. Karen's understanding was that the children were reading along with their sighted peers in the classroom that if they were not, this would be a huge deficiency.

Alan asked what the children were doing during the week when there was no TVI in the room, and if their skill levels were not up to par with the rest of the children, or materials not accessible to them, if their education was not being, de facto, watered down. Mindy said that the TVI's who attended the last meeting regarding this issue in New York City told the group that what each child did was dependent upon his or her skill level. They said that, where there was a para-professional, the blind child might be working on something completely different from the other students, or, where there was not, the youngster might be listening to the lessons being covered along with the sighted children.

Luis pointed out that the itinerant model was prevalent in many parts of the state where there

are not enough qualified TVI's and that, with trained assistants supplementing, on a daily basis, the role that would normally be played by a vision teacher, working with the blind students, it works quite well. In this way, students are able to keep up with the course of study in the classroom. Knowing something about Maria's and Carena's points of view on this topic, he expects that the report will include a very clear set of standards of the deficiencies of the current state of education in New York and what should happen in the future.

Alan reminded the board that we have agreed that our recommendations need to be evidence based but that in some cases actions are taken without evidence that we can access. He gave the example that when the New York City school board wanted go to a model that would teach pre-schoolers at home, The Jewish Guild for the Blind (JGB) worked vigorously to delineate between children under the age of fifteen months old or so, and those sixteen months and older, the premise being that the older group is able to take advantage of socialization opportunities. The Guild provides a combination of home- and center-based education. The Board of Education appeared to be implementing a policy without any evidence base.

Julie commented that in the Buffalo area they use the inclusion model where there is a general education and a special education teacher in each classroom so that the problems of all the children can be addressed. She spoke with a teacher in Connecticut, which has adopted this model, who told her that the necessary cooperation between the teachers does not occur frequently which makes the program less effective than it could be.

Maria said that in New York City that approach is called collaborative team teaching and is not yet available to blind children. She said that the committee would probably recommend that where a student might not be ready for full inclusion, a TVI might work, full time, along with the general education teacher rather than once or twice a week.

Alan said that as he understands that model, a blind student could be placed in a classroom with a special education teacher who is not a TVI, partially because there is currently a shortage of TVI's and partially due to a board of education that does not understand the differences in children with specialized needs. He asked if the committee would be including in its report the fact that because of the small numbers of blind children the school board tends to hire special education teachers who aren't TVI's, assuming that they can work with blind children despite the fact that they have no specific skills of blindness. Maria answered that this was the case. Alan suggested that the committee include this in its report. Maria said that a lot of this discussion is anecdotal without data to back it up because the Board of Education is not forthcoming with information and Alan offered to give the committee some contact sources.

Alan pointed out that these children might be succeeding academically but handed on to the CBVH at age fourteen with no ability to handle themselves because they are lacking in the skills of blindness.

Tom suggested that the committee might be able to use the Braille literacy statute that has been in place for eight or nine years and the ability of the Executive Board to cross communicate with other agencies to seek the type of data we are looking for from the Department of Education. He also raised the question of students having access to the adaptive equipment that would allow them parity. He pointed out that there is no standard for providing it across the state, both in the school and at home.

Maria said that the committee wants to tie a technology assessment into the learning media assessment tool to be given at age two and/or five.

Julie raised the question of early intervention for those living in rural parts of the state and pointed out that children there were not systematically receiving socialization skills training.

Tom asked if the committee was looking into the IDEA statute and how the millions of dollars flowing into it are being used. Maria answered that they are looking into all parts of the education laws and, in particular, at the IDEA in terms of Braille literacy and how it relates to accessing Braille education. They will now, however, add the dollars, both targeted and disgressionary, to their research. He suggested that the committee check into whose responsibility it is to provide assistive technology to schoolchildren under the age of fourteen. He noted that when technology was available to them it was often only during the school day. He questioned how, in that case, homework could be accomplished.

Mindy asked if the AFB directory could be accessed free of charge. From the audience, Cynthia Stuen answered that it needed to be purchased and that the on-line version was an option. Bill Gettman indicated that CBVH would have access to the Directory by the end of the week.

VOCATIONAL REHABILITATION, Tara Cortes reported.

Members are: Tara Cortes, Charlie Richardson, Tom Robertson and Julie Phillipson.

Tara said that the committee had some difficulty working out the framework from which they would begin. They needed to figure out the competencies with which clients would enter the voc rehab program. They decided that they would begin by gathering information on what had happened with those aged fourteen and older, probably the age at which federal dollars can be applied to voc rehab. She said that the committee was still in the information gathering stage so some of the data presented might not be based on absolute fact, but rather on the experiences of committee members.

Tara told the committee that the CBVH provides funding for rehabilitation training to teenagers, for the most part, on Saturdays and during the summers. They learn academic skills, computer training, socialization, resume writing, interview skills, and exposure to work environments through field trips. Some intend to go on to college and some are seeking jobs. For those going to college, the question is: what are the resources available to them in terms of tuition as well as academic support during their time in school. With reference to those seeking jobs right after high school, the question is: what job placement programs are available to them.

Those seeking employment are usually recommended to the private agencies by the CBVH counselors who are also acting as the clients' case managers. The agencies evaluate the clients' skills, provide the necessary training and counseling, and then place them in an employment situation. CBVH pays the agency only when the clients are successfully placed. All eighteen agencies have job placement programs. The types of jobs vary according to the students' skills and aptitudes. There is often a problem getting the necessary technology and equipment in a timely fashion.

Tom added that the committee decided to assume that students entering the voc rehab program would do so with age appropriate blindness and other skills. This would serve as the base line. He said that the committee is very mindful of the problems encountered by clients with multiple disabilities. Although they do not have the answers as yet, they are cognizant of the difference that will be required in the model used with these clients.

Luis said that another issue was, where in the process, people begin to receive vocational

guidance, and are encouraged to develop the resources and the knowledge they will need in order to make an informed decision about how to address work related issues as they relate to blindness and secondary disabilities. He said that one school of thought is that, perhaps there needs to be more focused interaction between the rehab counselor and the client. He said that it is important to recognize the need to educate students and that mentoring would also be an advisable part of the process.

Tara agreed and said that one of the topics that has been addressed by almost all of the committees is the need for standards so that students across the state come to the community with the same basic experiences.

Alan asked whether the need for standards, and what those might be, will be included in the committee's report. Tara answered that they would like to do so but would like to work with some focus groups in order that they might get a more complete picture of what is needed. Alan asked if other states or the federal government had any models that would prove useful.

Luis said that he might be able to inquire about any standards the Veterans' Administration might have.

Karen told us that some of the agencies down state are instituting a relatively new soft skills program, funded by the CBVH, that might lend some ideas to the voc rehab committee. Tara thought that a good idea and possibly a starting point.

Tom said that the committee would like to look closely at CBVH services to college students. They will compare New York's policies to other states. They believe that adaptive technology and higher education are the "keys to the kingdom", so to speak, and so applaud some states that provide funding to students who get into the better schools, at the rate of the tuition of those schools, rather than requiring that they attend school in state. The committee is aware that this recommendation will bear a cost and will look into possible funding sources.

Luis said that the committee will need to study the placement outcomes of those in higher education. They need to know what factors will promote successful placement. He said that the other side of this equation is that it will be important, in light of the sizable investment CBVH will make, that supports, resources and the individual's commitment be there in order to make full use of those resources and it will be essential to develop the competencies he/she will need to address the barriers encountered in his/her chosen profession.

Julie voiced some concern about blind or visually impaired high school students, currently counseled by the regular school guidance counselor who doesn't have any idea about what alternative skills would be necessary for various types of employment. She believes that, although it is difficult for counselors to meet with students in less populated areas, specialized counseling is absolutely imperative. Julie said that she felt that the counselor needed to act as a solid support system and guide the student without intimidating him/her or limiting his/her possibilities. She said that she did not meet her CBVH counselor until she was in college.

Alan asked whether or not the committee's report would include analysis of the current system and recommendations on how to improve it -- specifically with regard to guidance and career information? Julie answered in the affirmative.

Christina said that Although Julie's point was well taken, counselors specializing in the skills of blindness and visual impairment need a far stronger presence in the inner city as well as the rural areas because the dropout rate is terribly high in the inner cities. She also pointed out that high school is too late because that is the time career counseling begins for the sighted students. Because

of the high dropout rate, these teens might well be lost by the time they get to high school.

An affirmative effort might need to be made to identify, as early as possible, people who are congenitally blind or who become blind, and then, to quickly and aggressively deliver support and/or mentoring, at any age. The risk for academic failure is great in the rural areas as well as in the inner cities, and since it is clear that efficient support systems need to be set up that include parents and educators, it falls to the Executive Board to make specific suggestions regarding some means of accomplishing that end. Parents need as much guidance and support as do the children. Many members related issues pointing to the general lack of knowledge about the CBVH in the public. Outreach is the first step, but it is also important to know what it is we are offering.

SOCIAL SERVICES COMMITTEE - David Stayer reported.

Committee members are David Stayer, Christina Curry, Julie Phillipson, and Luis Mendez.

David thanked the CBVH for allowing the committee to use its conference calling system. He said that they had tried to get several things from the commission. The committee thought that the SRC had done an assessment, but is now under the impression that it is not yet complete. They also asked for data concerning what the CBVH has done, over the past two years, by way of addressing the needs of underserved populations. The information they received was inadequate because it does not address the question, making it difficult for them to make recommendations in this area. If there are no data on underserved populations CBVH or someone ought to be collecting it.

The committee feels that the CBVH offices are not as accessible as they should be. He gave the example of the office in Nassau County that clients may not enter until 10:00 AM. They believe that there is a disincentive to learning how to travel safely and confidently. They feel that if expectations were higher, and clients were expected to be able to travel confidently from place to place, the student and counselor would benefit. If clients felt comfortable, traveling it would become less necessary for counselors to be out of the office so often and the system more efficient.

The committee feels that CBVH should undertake some kind of sensitivity training in order to prevent abuse and neglect of blind people. For example, if someone comes to the commission who, at first glance, seems not to fit the requirements for service but clearly needs the kind of help that the Commission could give, there should be some kind of presumptive eligibility to cover that need.

Alan asked David to clarify the services to which he was referring and Julie said that the committee meant housing, food stamps, Medicaid, Medicare, etc. They wondered if the clients were eligible and receiving the assistance filling out the requisite forms and managing the systems that would respond to their needs. The committee recommends that the counselors help clients make application to the departments that are responsible for the services in question, even if that means going to the appropriate offices with them.

David gave the further example of a blind person who might be unable to meet the requirement of many shelters where the residents remain outside the shelter all day. He said that this might be unrealistic for some blind people and that different housing might need to be obtained for them. David said that one of the purposes of the sensitivity training to which the committee referred earlier was to familiarize the counselors with this population so that they could obtain the

information indicating a client's need for basic skills that would assist them with their living situations. He understood that if there were children involved the situation might be much more complicated, the training required would be for school situations.

Alan suggested that Julie and David were saying that other departments within the State Government needed to be aware of, and make referrals to the CBVH, and so this wasn't strictly a CBVH problem as much as one of integrating systems.

Luis thought that this was a problem of integration and coordination because we would not expect the CBVH to supplant other agencies. He could envision the CBVH providing training and support to the other agencies so that they might more effectively address a broad range of populations who are blind. This could include the issue of identifying priority housing, making sure that applications are accessible, etc. With reference to presumptive eligibility, he said that it is the committee's understanding that CBVH cannot provide even the lowest tech equipment until the client's eligibility has been established. The application and many of the resources that CBVH has are printed. He said that their thinking was, if there were some kind of presumptive eligibility the client might have access to important reading material and some very low tech equipment such as an inexpensive cassette recorder so he/she might access the information that would directly affect his/her life. The committee felt that that access could make all the difference in the world, regarding the way a newly blinded individual came to see his/her ability to carry on after blindness.

Alan asked Brian the status of presumptive eligibility and Brian said that there is some level in place now, but that he would need to check into it in order to give us information that is more detailed. He also said that if this is a bigger issue than CBVH knows, he would look to this board to let him know.

Although the committee recognized the necessity for limitations here, they felt that it would be important for the prospective client to receive intake materials in an accessible format so as to make him/her feel integrally important to the process, and able to move forward in life from the very beginning. Although newly blind clients wouldn't be reading Braille yet, many would have had access to cassettes and CD's and would be able to play them, given the inexpensive nature of the equipment.

Karen asked whether any thought had been given to simplifying the language of the intake information (particularly with under-served populations in mind, mostly,) in favor of a clear, concise explanation of the options and possibilities available. She pointed out that saying it in a way that will resonate with people, in clear, simple English, or their own language, might be a way of marketing life after blindness to them.

Mindy said that if an intake or promotional CD could be produced, making it available to other state agencies who might encounter blind clients might assist the CBVH with the outreach issue. However, Christina pointed out that a CD would have no use to a prospective client with severe hearing loss. David suggested a multi-media approach would be appropriate.

Julie said that the scope of the CBVH service was limited to vocational rehabilitation and that not every blind person (e.g. senior citizens) needed to be employed. Alan pointed out that what Julie was actually suggesting would constitute expansion of CBVH services and the funding currently available to the agency is earmarked. CBVH, therefore, has to focus primarily on Vocational Rehabilitation. He said that he has always thought that the scope needed to be expanded, and that Julie's point was meaningful – whether New York State should be investing some of its dollars on non-vocational services for blind people whose needs might go beyond

employment and that only four million dollars were currently allocated for services to the senior blind.

David continued with the committee's report, noting that they are considering recommending that the CBVH become involved in planning transportation with various localities so that when job ready clients, obtain a job, problems with "how to get there" don't negate the opportunity. Although this might go beyond the purview of the CBVH, to the extent that it is a commission for the blind, and transportation is an issue, it might, in its interaction with state and local DOT'S and agencies, become an active player in promoting and advocating for planning and development

THE OLDER BLIND COMMITTEE – Tara Cortes reported.

Committee members are Tara Cortes, David Stayer, and Mindy Jacobsen

Tara reported that the first major issue addressed by the committee was the growing number of senior citizens and the fact that as they age, the likelihood of vision loss increases. Safety and independence is first and strongly connected with that is the need for standards that was a frequent topic with this committee.

Understanding that the elderly will bring other illnesses, such as diabetes, and other disabilities to the table, it felt that an electronic tracking system that could allow all agencies working with a given client to be aware of the status of services received would best serve him/her . The committee suggested that the Board look into the Electronic Vision Rehabilitation Record currently being used at the Lighthouse, in Utica, at the Iris Network in Maine, at other locations across this country and at all of the agencies in Canada. The system has the ability to create an international database that could maintain academic as well as voc rehab information.

They also suggest that the Board look into the case management system being installed by CBVH to see how it fits into the current need.

The committee recognizes the importance of client choices, but feels that a client who has just lost vision does not really know what will be necessary for him/her to lead a safe and independent life. Here again, they harken back to the need for some minimal standards to be integrated with the requests of consumers.

Finally, the committee spoke at length about the needs of those with vision loss spanning what is now considered the visually impaired standard -- 20/70 – 20/200. Tara pointed out that, although many of these clients are not able to function independently, services to them are not reimbursable. She gave the example of a senior whose vision was 20/120 and who needed to continue working. With special lenses and some adaptive technology, he was able to return to work and postpone the need for Social Security benefits.

The committee felt that although services to this population are clearly necessary, and that CBVH should be handling them, funding for the two units should be separate. The funds for the visually impaired unit might be raised through other channels.

Alan said that this topic would be covered later in the day.

Karen expressed some concern about the privacy of clients being protected and that

permission to share data would need to be given. The information available through the database the committee is recommending would be limited to what the client had studied, and with which agencies.

SYSTEMS INTEGRATION COMMITTEE – Karen Gourgey reported.

Committee members are Karen Gourgey, Tara Cortes, Julie Phillipson, and Alan Morse.

Karen said the job of the committee is to see where things are falling through the cracks, to pull them out, and seek a sense of direction toward their solution. She said that the reports this morning have confirmed the committee's conviction that the cracks are pervasive and that her report would attempt to address them to whatever extent possible. Karen told us that in New York State, we don't track the incidents of legal blindness or significant visual impairment so the committee discussed a possible recommendation that would create a system of mandatory reporting by the doctor to either the Department of Health, CBVH or another entity so that the precious time right after diagnosis could be used to provide information and positively impact the lives of those with vision loss. She suggested that even the DMV might be asked to report when a license is revoked due to vision loss. The committee also discussed the possibility of finding out just how early in life vision screening and poor visual acuity could be reported and how a system of seamless integration into the school system and services to the blind and visually impaired could be accomplished.

The committee is concerned that a good learning media assessment be established so that students will be given the necessary tools and skills (everything from Braille literacy and the use of the cane to the correct means of maximizing the child's usable vision) as early in life as possible. They point out that these assessments need to be extremely individualized as one size does not fit all.

Luis asked if the committee was recommending that students with low vision would be encouraged to become, for example, proficient Braille users as well as to maximize their usable vision. Karen believes that what needs to be optimized are available options so that neither Braille nor noticeably thick glasses, for example, become stigmas.

Another thing addressed by the committee was the acquisition of the skills of daily living, such as making a bed or a sandwich that is not currently a part of a blind or visually impaired child's educational experience. Charlie and Alan concurred and added that the education of the children needs to include the education of their parents. Tara gave the example of fourteen year olds coming to the Lighthouse with social skills so poor that they did not know how to eat with normal utensils.

Mindy said that she was expected to perform the same tasks as the sighted children around her and that, although information from the schools for the blind could not hurt, it might be worth considering a routine recommendation to parents that the standards for their blind or visually impaired children match those of the parents with whom they associate. Maria said that she was using this as the standard by which she measured the introduction of skills to her eleven-year-old daughter. She said that the expectations of parents of blind and visually impaired children might be pretty low and not allow for normal development in these areas and that a CD, including success

stories, that could be given to them upon entrance into the system could address this and much more.

Luis asked whether or not any consideration had been given to direct services to parents of blind or visually impaired children.

Alan said that the JGB had a very active program for parents, starting from early intervention and continuing through about age 22.

Tara said that the real problem was finding so many who fall through the net and arrive at age fourteen without requisite skills. She said that the LIGHTHOUSE has some donors who make it possible for some services to children thirteen and under to be granted but transportation for the program was provided only once a month.

Karen told the board that an agreement between CUNY and VESID has just been initiated whereby counselors have been placed on CUNY campuses whose mandate it is to identify students with disabilities, to introduce them to VESID services and then to help them toward careers. She wondered if there was anything like that in place with CBVH, and if not, whether or not it would be possible.

The committee also discussed the fact that there are some eighteen pieces of legislation regarding blindness currently in the cue for consideration by the New York legislators. They would like the Executive Board to review them and determine what the drafters originally intended or whether they would, indeed, be helpful additions to the body of law that currently governs issues related to our constituents. Karen gave, as an example, the act regarding the Patients' Bill Of Rights, which currently states that information must be made available in Braille, rather than in accessible form.

Alan pointed out that there are approximately 133 such bills, and that he had brought 41 of them to us for our preliminary consideration. While many have significant problems and have little chance of passing, the concepts might be worthy of our strong support.

Karen then told the Board that although she didn't think it should necessarily be acted upon by this body, the Donnell Library, a part of the New York Public Library system is scheduled to close, and that the Technical Support Unit housed there in will be moved to the second floor of the Heiskell Library For The Blind, where the brows able Braille collection currently lives. The blind community of New York City fought many long and difficult battles to obtain a "walk-in" library and is now turning its energy toward blocking this threat to blind and visually impaired readers.

(NOTE) The relatively successful end of this story is that, through the joint efforts of the National Federation of the Blind of New York City and The American Council of the Blind of New York, the Donnell Technical Support Unit will be moved to the fifth floor of the Heiskell Library, the Braille collection will be increased, and only some of the master tapes will be moved off site, but will be recoverable within a day if needed.

The morning session was adjourned at 12:20 PM

The committee then met in executive session.

The afternoon session began at 1:20 PM. Next on the agenda was the subject of **residential rehabilitation**.

Alan told the board that as long as eight or nine years ago the subject of residential rehab and schools for the blind in New York State became a hot topic for discussion between some of the private agencies and CBVH. At that time, the Lighthouse had a facility in Queens that might have been used for that purpose as well as another agency that had one in Rockland County, being used at that time, for summer programming. He noted that there were enough people who had thought deeply about this issue that it would be worth the while of the Executive Board to discuss it in detail. There are no bills about which he is aware, pending in the legislature, but we do have a mandate to review the state school at Batavia.

He assigned the research into the education at that institution to the education committee. Should it live or die? He told us that every child there must be returned home every weekend so, since it is a state run school and, therefore the responsibility of the state to provide the transportation for the children to and from their homes all around New York, it is operating a veritable fleet of private executive jets to accomplish this task. Alan noted that the process was headlined on '60 Minutes' about ten years ago. He pointed out that the state school at Batavia, in addition to educating children, is a respite for parents and all kinds of other things. He told us that the consensus around the country is that, generally speaking, the state schools for the blind are providing inferior educational opportunities to their students.

Karen and Luis wondered what those assertions were based on and Alan responded that there were two bright and articulate blind individuals on the scholarship committee of JGB who have pointed out that in every case where an applicant's grade point average was 4.2, his/her SAT scores were very low and that further checking revealed that the student had attended a school for the blind. Karen replied that that view would contradict a lot of the report of the education committee because, given the information provided therein, the public school children are not succeeding. Charlie conjectured that the students to whom Alan referred were the exception rather than the rule. Alan said that the discussion this morning was about blind children in public schools being disadvantaged due resources and other things not being made available to the extent that they are for sighted students. He said that the former commissioner of RSA, Fred Schroeder said, in lengthy discussions between the two, that there is no legitimate educational justification for state schools that are almost always inferior. Karen said that we are making a huge statement about all residential schools and Alan said that at this point he could not defend it. He said, though, that hearing the point of view of someone in Dr. Schroeder's position, and based on the data gleaned from six years and 400 applications of potential scholarship awardees, uniformly, this has been the finding of the JGB committee. He said that of the 70 scholarships awarded, none have been awarded to these graduates because they do not measure up to those of the recipients.

He said that he was not at all referring to all residential programs, although his finding was that the schools under state sponsorship seem to be consistently inferior in their output to the public school products, but that he had planned to be discussing residential rehab. He said that he would seek further data but that the context was that there seems to be wide ranging interest in residential rehab. He distinguished between residential rehab and residential education saying that in residential education there needs to be a corpus of teachers who meet the same standards, have the same credentials and provide the same level of education as do the public schools. He said that that seems to be where they fail and that there seems to be a high degree of social promotion in those schools. Residential rehab applies to a more intensive rehab experience than many people get in a center where it is provided once or twice a week. He was comparing and contrasting that system to

rehab that included a residential component.

Julie pointed out that the students in the Batavia school are developmentally disabled, would not be able to make it in public schools and are children for whom college would not be an option. Alan said that that was the case with the Guild School as well but college would not be the measure as the educational experience there is completely different.

Alan reminded us that the statute specifically stipulated that we report on the state school at Batavia. Luis felt, then, that we needed to look at the mission of the institution, who they are serving, and to compare the outcomes of that population with similarly situated populations being served in other settings. He thought that we should check the numbers successfully placed in a variety of employment settings vs. the outcomes of students from other types of educational institutions serving the same population.

Alan asked for volunteers to work on this issue, in order to avoid over burdening the Education Committee, and Luis and Karen volunteered to constitute the Residential School Committee.

Mindy asked whether, in light of the wide scope of the statute, the new York Institute and Lavelle should be included in the committee's report. Alan answered that that might be too much to cover effectively during this first year. He asked Luis and Karen to focus on Batavia.

Luis suggested a definition of 'residential rehab': "a facility where a person stays for a certain length of time, where the primary focus of that state is developing skills that are necessary to adapt to blindness" -- specifically activities of daily living, organizational skills, mobility, confidence, technology, computer skills, etc—as well as physical and psychological adjustment to blindness”.

Tara reported the Lighthouse has a summer program where students stay at Columbia University while they learn certain skills during weekdays and go home for the weekends. She almost thinks of this as a camp where they are exposed to some social, career, and academic skills, but having spoken with some blinded veterans, it is her belief that a better service being provided by the Lighthouse is one where students learn during the days at the facility or work with instructors in their own homes, but do not have their entire daily and family lives completely interrupted.

Charlie suggested that we restrict the discussion to the type of residential rehab where students stayed at a center and received instruction there although he understood that not everyone who loses his/her vision has the ability to be away from home for an extended length of time.

Mindy suggested that one of the advantages to residential rehab is that it gives participants the opportunity to work with others who share their situation, to measure themselves against them, to compete against them, and in short to develop a healthy support system. She also commented on the fact that the Carroll Center in Boston is the current recommended site for residential rehab by CBVH. She said that the NFB office had received two calls recently from relatives of students who were neither told, nor given any information about other facilities around the country.

Alan asked Brian what the standards are for a residential rehab site and how decisions are made as to which one a given client will attend. Brian answered that the counselor and client decide together whether or not residential rehab is the best solution for that client and the counselor guides and supports the client in his/her decision about where to go. Brian said that many clients would rather not travel further than the Carroll Center which is closer to New York than other programs and that this was the reason that it was chosen more often than any other facility. He said that if clients were not being offered informed choices he would like to be informed because the system is not supposed to work that way.

Alan asked if there are financial or other restraints that would prevent a client from attending a center other than the Carroll Center should that be his/her choice. He gave the example of some generic facility in Texas (which actually might or might not have one) and asked if a client could go there, and Brian answered that if the program there was deemed to have the capacity to meet that client's needs, he/she could absolutely attend.

Alan said that in other programs in the state there has been an effort, in mental health, for example, to repatriate clients placed in rehab programs outside the state for psychiatric treatment and bring them back. He asked Brian if there is a risk that this would happen with blind clients who wanted to attend programs elsewhere and Brian said that he had answered that question and that Joe, on behalf of CBVH, did a study on the need for or lack thereof of residential rehab in New York. He said that he would make it available to the Executive Board. Joe told us that the study listed the options that CBVH could use for traditional rehab without making value judgments about any one facility. It also includes a list of considerations for counselors to look at prior to making a recommendation to a particular client. Peter told us that the committee also collected data on the number of New Yorkers, over a period of years, who chooses residential rehabilitation, the cost of sending them out of state, and the cost, per person, to a state like NJ where he believes everyone goes to residential rehabilitation.

Peter wondered if, a person who would want residential rehab might be, philosophically, more of a "go getter", or be higher functioning because of the way he/she was driven than someone who might have a more sheltered environment and feel less secure about going away and would therefore choose the community model. He speculated as to whether the comparison would be between "apples and apples" or "apples and oranges" and suggested that it might be too anecdotal to measure effectively. Alan said that we had started a good discussion on residential rehab which would be a better informed one once we have the information we will be getting from CBVH and suggested that we move on to another topic.

Mindy asked if we would be getting the justification for the soul source contract CBVH has with the Carroll Center. Joe said that it was not a "sole source" contract but a "single source" one. Karen and Alan said that it had already been sent, but Mindy thought that the justification received had only been the one for the Helen Keller program and had only included a blank form as opposed to the actual justification for the "single" or "soul" source contract with the Carroll Center. Alan and Joe said that they would look into it and correct it if necessary. Charlie asked if that contract is necessary because it causes confusion with counselors thinking that the Carroll Center is the only choice for their clients.

Alan reiterated that, despite that contract, Brian had said that if a client chooses another program, and if there is a legitimate reason for them to go there, the CBVH has no objection to sending them. Thus, the contract with the Carroll Center does not preclude client choice but there would have to be some justification for the client to go elsewhere. Charlie said that if this is the case, there needs to be a way for clients to know that they have choices. He said that people do not just go blind and automatically know their options so they rely on counselors who do not always provide clear and different options. Alan thought that, due to the concern of the board that choice is not currently emphasized sufficiently and a part of our final report will include recommendations about means and methods of educating consumers, their families, counselors, and teachers about their options.

Tom asked if it would be possible to get some clarification of the difference between "single source" and "soul source" contracts. Alan reiterated that he and Joe would get us the information on the Carroll contract if it indeed had not already been provided.

LICENSURE

Alan then began the discussion of the licensure of rehabilitation (rehab) and orientation and mobility instructors (O & M's). Mindy asked if this discussion was taking place with an eye toward including a specific recommendation in our January report and Alan and Charlie responded that it would be an interim recommendation. Alan said that some of the bills that are pending at present do not actually need our attention but that this one has been around in one form or another for many years and does warrant a discussion. He said that the prior bill was poorly written but that the current one is a much more appropriate piece of legislation in its approach to the problem and that it is written better. It still leaves opened the discussion of the implications of licensure, and whether or not it is a good idea. He said that he had spoken with one state agency director who said that if licensure were ever adopted in his state, they would essentially be out of business because there are no licensed personnel in the state.

Tara remembered a chart that Alan had sent, saying that there are approximately 2,000 certified O & M's in the country, about 500 VRTs, and about 200 certified TVLV's. Alan and Tara said that the numbers for New York are quite low. Tara believes that out of the 2,000 certified O & M's in the country, 44 of them are in New York state, as well as approximately twelve VRTs.

In an attempt to be fair to both sides of the issue, Alan pointed out that on one side, absent any reasonable standards, performance measures, licensure or certification requirements, blind people some argue that being placed in peril because their instructors may or may not be qualified or competent. On the other side is the feeling that since there are so few people certified or licensed, if certification or licensure were required, CBVH would have to require it, and due to the lack of certified or licensed teachers, many people would have to go without instruction once the bill was enacted. Karen said that the answer would be to phase the requirements in while giving personnel the necessary time and support to get the process started.

Karen asked what standards the Commission had in place for people who are providing rehab teaching and O & M? Brian said that Joe reviews the credentials of those who are the service providers. Joe said that CBVH's standards are basically in line with national standards but that our state requires a bachelor's degree from a CBVH approved program that includes certain courses and internships. This leaves it open for other colleges to meet the standards. They have left it relatively opened due to the shortage of professionals in the field.

Charlie believed that the current bill would allow current staff to be grand fathered in and wondered how licensure would change the field in light of that. Karen said that one thing would be that they would be eligible for a higher salary. Charlie wondered how, in light of the standards required by CBVH, blind people would be placed in danger.

Luis asked how licensure will ultimately help to alleviate the nation-wide shortage of instructors in the field of blindness. Karen answered that she thinks people have the sense that fields that require licensure can be marketed better to the community, to college people, and to prospective career seekers than those that do not. She speculated that professionals licensed by the state would be able to take private cases. Charlie asked if this was factual or opinion and Karen answered that she was giving voice to the perception of many people that a license gives recognition of the qualifications of creative arts practitioners Occupational Therapists, etc. Alan said that this was true, but that it has not worked in New York, evidenced the small numbers of

programs in the state – Hunter College, and Dominican College where the offer of licenses to teachers has not brought that many people in. He believes that one reason is that TVI's can only work in the field of blindness while the more generic special education teachers have a wider range of job possibilities. He does not feel that it will help much with the shortage.

Tara found the statistics regarding the numbers of programs and people serving in the field and said that as of March 22, 2008, there were 523 certified vision therapists in the United States and seven schools preparing them. She said that the programs are getting smaller and that there are not new ones on the horizon. She said that the argument she often hears for licensure for VRTS and O & M's is reimbursement and she said that just because they are licensed, that does not mean they will be reimbursed. In 2002 it became possible for professionals such as Occupational Therapists, Optometrist, ophthalmologists, O & M's, VRTS or Physical Therapists in the field of blindness to be reimbursed for vision rehabilitation through Medicare, and, by extension, other insurance companies,

Luis said, that in a market-based economy, the fact that there are so few people certified, suggests to him, that the field itself is not being viewed as lucrative. So he said, "If licensure is going to go forward, or if not, depending on the determination in either case, what parallel efforts need to be taken to make this profession more lucrative?" Tara concurred that this was indeed the question and the reason she has not spoken in favor of licensure. She said that the point is "How do we get reimbursement from them through some means?" She added that this is where we need to direct our efforts rather than counting on a license because the license does not make the person a professional. It is the body of knowledge that does that and the people in this field are professionals by virtue of that body of knowledge. She pointed out that the people who do nails have licenses and that there is a difference. She says that it is time for our energies to go toward assisting the professionals in our field to obtain the reimbursement they deserve.

Alan said that he had worked with CMS and had gotten them to accept rehabilitation of the blind to the same degree as people with any other disability. The program memorandum became, de facto, the nationwide standard. Alan feels that the field, at this moment, is in extraordinary disarray, that we are very poorly set up going forward, and he said that, from a personal perspective, the one thing he has not been able to figure out is O & M. He said that VRTS, physical and occupational therapists can be evaluated by virtue of their licenses but that he knows of nothing that governs O & M instructors.

Tara took issue with this saying that although O & M's do not have licenses, they do have a defined body of knowledge and Alan accepted that assertion. Karen pointed out that O & M's, Rats and rehab therapists have been saying for years that they are professionals, and that the proponents of licensure are not disputing that, but that a license is widely accepted by the public as proof that the licensee has met a set of standards that says they are qualified to practice. She does not understand why there is a problem with the Rats and O & M's having the opportunity to get recognition of their qualifications through a state licensing board.

Mindy asked why licensure was necessary in the face of the demonstrated qualifications of the professionals in the field. Karen asked, rhetorically, why we bother to license teachers or OTs and asserted that we do it because our culture dictates that we do and the state has a responsibility to say to its citizens, this person is certified. She said that the license is a way of doing that.

Alan pointed out that a license does exclude all other people from practicing, absent the license. He said that, in essence, after those in the field are grandfathered in, (one of the provisions of the current bill) the field enhances and maintains its own professional status, thereby closing it to

any accept people who think and work along the same lines.

Maria said that, as someone who holds multiple certifications as a medical professional, who has to re-test and show proficiency periodically, she is curious about why licensure is necessary. She said that it seems that the repeated certification to which her field is subjected is somewhat higher than what she is hearing because it is incumbent upon her to prove her proficiency on a regular basis rather than receiving one license and being done for life.

Luis said that the crux of the issue is that professionals in this field need, bottom line, to have the ability to communicate and impart knowledge and information in a non-visual way and to be able to make and assist in the adaptations of the environment to a non-visual life style. He believes that that aspect of professional development is critical to making sure that blind people and people with low vision are being well served. He hopes that, however this discussion comes out that this board will go on record supporting the concept that professionals working to provide rehabilitation to blind people are highly skilled in non-visual instruction and adaptation methods.

Tara agreed and said that at Lighthouse., a team of many professionals including Occupational therapists, come together, each bringing his/her knowledge to the table and that it is the team approach that makes for their success.

Mindy asked if outcomes should have a place in the discussion of licensure and Alan suggested that it might come up again when next we take on the topic.

Alan said that it was not his intention to cover this topic fully at this time, or to come to a conclusion today, but to open the discussion. He wanted to get it into our minds because he believes that we should issue supporting or opposing memoranda to bills regarding blindness that might effect the action taken by the legislature. He would like us to have thought about this issue so that a full discussion and some action can take place at our next meeting.

Office of the Blind

The next piece of legislation discussed was the Office of the Blind bill. Mindy said that the purpose and intent of the Office of the Blind bill has been misunderstood and therefore publicized incorrectly within the blind community. She said that it was never intended to throw out the CBVH and/or its staff. Because all services to the blind would have been brought under one rubric, it would have addressed the very issues being discussed by this Executive Board. CBVH, under the title of Office of the Blind, would have served the blind from cradle to grave so, for example, young children could be served with the same attention currently given to clients in the Voc Rehab program. Though CBVH staff would not have changed, the address labels would have to have reflected the new name. The idea was that funding would have been sought through other state agencies that serve small pockets of blind people as a part of their regular programs.

Karen asked where that funding would come from and Charlie said that the Department for the Aging, and State Ed, would be some of the sources.

Julie said that the Office for the Blind would concentrate exclusively on the blind and Charlie spoke about how specialized this field is. He pointed out the line in the bill that says that all of the services provided by the CBVH would be carried out by the Office of the Blind. It would expand to chart its new course through funding from some of the agencies mentioned above and others. He said that if the bill had been worded to reflect the fact that all of the laws of 1913 that applied to

CBVH would remain, it probably would not have caused such a stir among the blind community. He said that it was quite a misunderstanding and that with controversy comes a point where compromise has to follow and that is why we are where we are now.

Charlie asked that this topic be placed on the agenda for the September meeting because of the Assembly hearings of last year where they asked very specific questions that included whether or not the Executive Board would be able to do enough to bring about the necessary changes. The other reason he thought this should be on the agenda is that we need to think about whether or not it should be introduced again. Alan said that if all the bill would do would be to change the name of the CBVH, there would be no point in moving forward with it but that as he sees it, the intent of the bill is to bring everything related to blindness into the mission of the agency. He said that this would include services of the department of health, OMRDD, State Ed where services to students are inconsistent, and that it would be great if private agencies for the blind didn't have to be experts at all of the rules and regulations for each department within the state government.

Alan said that several of the bills we would be discussing would need modification and that prior to the next meeting, at which we discuss them again, board members would have studied them and be prepared to make suggestions regarding improvements.

REGISTRY FOR BLINDNESS AND LOW VISION

[The Assembly versions of the bills were considered, but the comments refer to both the Senate and Assembly versions of the bills, below].

Alan said that at a meeting between Bill Gettman, Charlie and himself, he brought up the subject of a registry for the blind. Charlie said that such a service would have saved a year and a half of his life. This it might be more efficiently handled by the Department of Health since it is better set up for that type of record keeping. He said that one of the bills he would soon be speaking about has to do with vision screening for children and that that would form a natural segue. A motion was made, seconded, and carried, eleven to zero, with one abstention. In support of the bill

There is a bill [] requiring ATMs to use both audio and visual output to communicate with the blind and visually impaired. Karen asked how this would address the needs of the deaf-blind and if it would help Christina. Christina responded that she must use the assistance of a teller and that neither audio nor large print screens would help her, and by extension, other deaf-blind consumers. There was no strong sense of support for the bill.

A bill [] that would require telephone companies to provide essential equipment including voice dialing, to consumers with disabilities as considered. Charlie felt that it was not important enough for us to consider, Karen thought that that was being done, but Luis and Mindy wanted to discuss it. Mindy said that people with vision as well as hearing loss needed to know about the equipment that is available as soon as they register their disabilities with the phone companies. Charlie asked, "At the phone company's expense?" Luis said that phone companies are not particularly good at facilitating access, no matter who is paying for it. Karen suggested that we look into the context of the bill as Verizon does quite a bit, while Luis said that Verizon wireless does not. Alan summarized that this was a bill we need to review further.

The board decided that the next bill, the Accessible Electronic Information Act [] would require some further discussion, at a later date.

The next bill, [A], would require that HMO's cover glycated hemoglobin testing four times

a year for diabetics. This would apply to all carriers. Alan said that it would be an important preventative tool because, unlike standard blood glucose tests that are snapshots of a patient's current condition, the glycosylated hemoglobin test measures the glucose on the hemoglobin and is an indicator for about three months. The board recommended unanimous support.

A5078, would require the Commissioner of Health to create regulations to do special things for people who are visually impaired or legally blind including having physicians council them, refer them to services etc. This is currently a one-house bill. Alan and Tara thought it might be a good idea to couple it with the bill about the registry and recommended further discussion by the board.

A5768 provides for menus to be printed in eighteen-point type. Tara likes the idea but feels that every restaurant should have a Braille menu available as well. Charlie said that it would be difficult for small concerns to comply. Alan believes that there is a statute requiring large chain restaurants to make accessible menus available and that restaurants that change their menus daily would experience a difficult burden. No vote was taken.

A6303a clarifies the scope of protection against discrimination based on disability. Alan asked the board to study the bill and be prepared to discuss them at our next meeting.

A7196 provides that ballots for all elections shall be made available in Braille upon request. Charlie said that Braille is a difficult term and would rather see the language to read "accessible form" because a high percentage of blind people do not read Braille. Tara would love to know what the real percentage of blind people who read Braille is. Charlie said that although he is a Braille reader, situations like reading a Braille menu would be very slow. (NOTE: His implication was that his experience would be representative among those who do read Braille.)

A7355a would allow service dogs to be in public places during training. This bill has failed several times. Tara asked where these animals would be socialized and trained if not in public places. Bill Gettman thought that this bill referred to the first year of life, prior to the beginning of formal training. Alan pointed out the need for full socialization of the dogs before formal training begins. The board is very much in favor of supporting the bill but would like to review its language prior to sending a recommendation to the Assembly.

A7683 provides for personal income tax deduction for all expenses incurred for services rendered pursuant to an individual plan for employment plan certified by a rehabilitation counselor. Alan gave the example that if a counselor told a client that he/she needed a new suit, it would be tax deductible. The board will review the bill.

The bill that would require accessible electric meters will be further reviewed.

A8608 would require students entering school to present an eye health certificate. Alan and Tara feel strongly about it but Alan believes that the current statute allows testing to be initiated as late as age five, which is far too late. Tara said that it allows for testing at the time the child enters school - - pre-kindergarten, kindergarten, or first grade -- which ever comes first. Maria asked about the nature of the test and Tara said that it is an Enhanced Vision Screening, resulting in a full eye exam if the child fails. The board will review it and recommend improvements.

The Pedestrian Safety Enhancement Act [] was next. Karen asked that the board discuss it further next time we meet because of some details she felt needed more careful review. Her reservation was that the statute would give manufacturers a year to make changes when much more research would be required than could be accomplished during that time. Alan summarized that the board feels that the bill is conceptually good, but would like to review the language further and compare the state and federal acts, hopefully being able to support both.

A10250 relates to establishing a Students with Disabilities School Choice Act so that students would be aware of the state programs and state schools. The board is in favor of the idea but will review the language of the bill.

S7179a would require that health care providers provide blind and visually impaired patients with medical records in an accessible format. The bill refers to hospitals, but outpatient clinics, pharmacies or anyone giving blind people medical information or requiring signatures for the release of medicine or medical services needs to be included in the language of the statute.

The final item on the agenda was the public comment period.

Mike Godino, president of the American Council of the Blind thanked the OCFS and CBVH for recognizing the need for transparency and providing these proceedings with webcasting so that people could participate from all around the state. He also thanked the Executive Board for doing a lot of grueling work and recognized the difficulties we face.

Carl Jacobsen, president of the National Federation of the Blind of New York State spoke last. He also thanked the Executive Board for their work. He said that it was apparent that, since our last meeting, a lot of work had been done. He thought there were several issues that needed our attention.

He spoke about choice, saying that the federal law provides for it and we talk about it all over the state. He said that we speak about choice as do private agencies -- it is the "buzz word" -- but by the time clients learn about choice, their cases are usually closed. He recalled that earlier in the day, it was noted that if a client was not offered choices the administration of the CBVH wanted to know about it. He posited that part of the problem might be that clients are reluctant to bring this to the attention of the administration because they still have to deal with their counselors. A second part of the problem, Mr. Jacobsen thought, might be that the client does not know that he/she has choices at all. He understood the difficulty of keeping track of all of the possible choices, but believed that the philosophy of the person offering them has a lot to do with the options the client receives. He said that the *philosophy de jour* at CBVH has a lot to do with the choices offered to clients. He believes that it behooves a state agency to offer all of the possible choices to all clients. Carl then referred to an earlier discussion about support groups saying that although CBVH is aware of both NFB and ACB activities in this area, parents are not advised about the groups. Here again, he expressed concern about presenting available options is not apparent.

Carl's other concern was about the legislation discussed this afternoon. He said that by the time we meet again the legislature would be in a "get out of Dodge" mode. He suggested that we reconvene, either in person or via conference call in order to have some effect on legislation for this year. He suggested that the quiet car poses a clear and present danger to blind pedestrians in this country and suggests that we discuss it prior to the close of this legislature. He again commended the board on the work we are doing and wished us well.

The meeting was adjourned at 3:45 PM.

Respectfully Submitted,

Mindy Jacobsen

Secretary