



Connecticut Disability Advocacy Collaborative Bulletin

“Enhancing the effectiveness of disability activism by organizing and empowering individuals, families, groups and organizations”

Empowerment! Opportunity! Justice!

December 2006

Need this newsletter in an alternative format?
Please let us know.

To contact the Collaborative please e-mail: collaborative@ct-dac.org
or look on our website at www.ct-dac.org

Other points of contact:

Stan Kosloski, 860-635-0695 or skosloski03@comcast.net
Jayne Kleinman, 203-631-4800 or jjk1009@hotmail.com
Larry Robinson, 203-335-7800 or robinsonlarry2005@yahoo.com.
For archived Bulletins go to www.kleinmanconsulting.com

In This Issue

<i>Topic</i>	<i>Page</i>
December 2006 Calendar	See Attached
Collaborative News	2
SILC and CACIL Select New Directors	2
Changes in Medicare Wheelchair Policies	3
Medicare Health and Drug Policy Updates, and NAMI Offers Part D Workshops	3
Road to Freedom Tour to Visit Connecticut	5
PLTI Classes, Disabilities Center Survey, Black & Latino Male Conference, and ASRC Workshops	6
News from P&A & November 7 Election Results	7
State to Receive \$5.1 Million for Employment!	8
Nursing Home Reform Events	8
Stem Cell Grants Awarded	9
National News of Note: Gallaudet Ousts President-Elect, FCC Fines TV Station, NFB Sues Target, Currency Lawsuit Decided, EEOC Sues Starbucks, and a Housing Victory in Pittsburgh	9

This Bulletin is supported by a grant that the Disability Advocacy Collaborative has received from the Connecticut Council on Developmental Disabilities. In addition, in-kind support is being provided by the UConn Center on Disabilities, and Communitas, Inc. serves as the project's fiscal agent. To all three we extend our deep appreciation.

Update on Disability Advocacy Collaborative Activities

With the success of the Disability Convention in September and a get-out-the-vote campaign in October, the Disability Advocacy Collaborative is moving ahead with activity on two fronts:

- The 2007 state legislative session begins January 3, and the Collaborative is on the alert for legislative proposals that address the six Priority Areas identified in our Disability Agenda (i.e., transportation, housing, education, health care, community involvement and employment). The Collaborative plans to increase its visibility at the State Capitol this year, testifying on bills that address the six areas. We are also planning to produce and distribute regular status reports on a limited number of legislative proposals and we invite disability advocacy organizations to inform us of bills they are working on so we may spread the word. If you are a part of an advocacy organization that has a legislative agenda, please send your priorities to Stan Kosloski at skosloski03@comcast.net.
- The further development of Regional Advocacy Networks is also a priority for the Collaborative in 2007. The Network in southwest Connecticut will next meet on January 13 at 9 am, the Network in the Waterbury area will next meet on January 10 at 3 pm, and the North Central Region will next meet on December 18 at 10 am. For more information about the regional meetings, or to get involved in the Network in your part of the state, contact Carol Kana if you live in southwest Connecticut (203-637-4304 or pkana@snet.net), Mike Valuckas at Independence Northwest if you live in the Waterbury area (203-729-3299 or mike.valuckas@independencenorthwest.org), and Candace Low at Independence Unlimited if you live in the Hartford area (860-523-5021 or clow@independenceunlimited.org). Other networks are forming in the Danbury area, New Haven area, Bridgeport area, southeastern Connecticut and northeastern Connecticut.

Watch for regular updates about a unique 50 state disability tour that will arrive in Connecticut for three days next October (see related article below) as well as an updated and dynamic web site (www.ct-dac.org) and an ever-improving monthly newsletter (the "Bulletin").

SILC and CACIL select new Directors

The State Independent Living Council (SILC) and the Connecticut Association of Centers for Independent Living (CACIL) have each announced the appointment of new Executive Directors. Thom Condon will head up the SILC and Gary Waterhouse is

CACIL's new Director. The Collaborative congratulates both on their appointment and welcomes them into the advocacy field.

Changes to Medicare Wheelchair Policies

Recently Medicare issued modifications to recent changes in power wheelchair reimbursement levels. Many stakeholders and advocates had raised concerns with their Members of Congress and CMS that the new reimbursement levels were too low and could negatively impact consumer access. The recent modifications increase reimbursement levels for many of the high-functioning, Group 3 wheelchairs that are commonly prescribed for individuals with long-term, severe disabilities. Although it remains too early to fully assess the impact of these modifications, they are clearly a step in the right direction.

However, a major problem with the Medicare wheelchair benefit remains the perpetuation of the discriminatory "in the home" restriction which continues to confine beneficiaries with mobility impairments to the four walls of their homes, and in some instances, to one level of their homes.

ACTION REQUESTED: Although the recent changes to the LCD and reimbursement levels are important changes, we must continue to advocate for a reasonable Medicare wheelchair policy. This policy must reflect the true functional needs of individuals with mobility impairments and recognize the important role of wheelchairs and other assistive devices in the goal of independent living for people with disabilities.

Please call your Members of Congress toll-free at 1-877-224-0041 and ask them to:

1. Support legislation to eliminate Medicare's "in the home" restriction on mobility devices (S. 3677/H.R. 5983). Without enactment of this important legislation, Medicare may continue to utilize this discriminatory coverage restriction which prevents access to appropriate mobility devices for people with disabilities.

2. Contact Health and Human Services (HHS) Secretary Leavitt and ask him to take action on the "in the home" restriction. The agency has the authority to determine how Medicare interprets this language and we need to continue asking the HHS Secretary to modify this policy to reflect beneficiaries true mobility needs, both inside and outside of their homes.

Please contact Emily Niederman at the ITEM Coalition (202)349-4260 with any questions.

Open Enrollment for Medicare Health and Drug Coverage Ends 12/31

Now is the time for Medicare beneficiaries to carefully review their current plan to see how changes may affect your costs and coverage in 2007, and then compare your plan to

other available options. If you are satisfied your plan will meet your needs next year, you do not need to take any action to keep your coverage.

Medicare officials tout Part D coverage for 2007 as having new options, including more plans with zero deductibles. They have added new consumer tools focusing on plan performance. Consumers are able to see how plans are rated along with specific data on how they performed on the following areas of customer service, including: telephone customer service, complaints, appeals, and sharing information with pharmacists.

In addition to the Medicare website enhancements, tools and resources such as the 2007 “Medicare & You” handbook, www.medicare.gov/, and 1-800-Medicare, individuals may contact the state health insurance program, called CHOICES, and set up an individual consultation (1-800-994-9422).

Competition and choice have resulted in the average monthly premium of \$24 for 2007, the same as in 2006, and 83 percent of beneficiaries with stand-alone prescription drug plans will have access to plans that cost less than their current coverage. Nationwide, the average number of drugs included on plan formularies have increased by 13 percent, and there are more plans with coverage for preferred brands and/or generics in the coverage gap, with at least one available in every state. While beneficiaries have until December 31 to change or choose, CMS officials encourage those who plan to make changes or join to do so early to avoid any delay or inconvenience in accessing their coverage in January.

For more Medicare 2007 Open Enrollment information, see:
www.aapd.com/News/medicaredrugcoverage/061121cms.htm

“Medicare and You 2007” Handbook Now Available

The “Medicare & You 2007” handbook is now available in English at CollaborativeBulletinDecember2006.doc and Spanish at www.medicare.gov/publications/pubs/pdf/10050_S.pdf to help people with Medicare review their coverage options and prepare to enroll in a new plan if they choose. This official government handbook contains important information about what’s new, health plans, prescription drug plans, and rights for people with Medicare. You can find 48 geographic-specific versions of the handbook on the website, with drug and health plan comparison charts for particular states or regions. These are the versions that were recently mailed to people with Medicare.

Community Workshops on Medicare Part D

The National Alliance for the Mentally Ill/Connecticut Chapter is offering workshops on Medicare Part D during the month of December. Trained facilitators are now available to conduct small educational workshops for staff members and Medicare Part D beneficiaries.

The facilitators will provide:

- Specific information about what Medicare Part D beneficiaries should expect in the coming months;
- A detailed timeline for enrollment activity and relevant resources;
- Individualized responses to questions and assistance understanding complicated application or enrollment processes;
- Follow up tasks and advice to both staff and beneficiaries regarding next steps.

Please Note: These workshops are offered as a free in-service for groups of 8-15 participants. Contact: Alicia Woodsby, Public Policy Coordinator - NAMI-CT - Phone: 860-882-0236 - Toll Free (800) 215-3021 - E-mail: publicpolicy@namict.org

The Road to Freedom: Keeping the Promise of the Americans with Disabilities Act

On November 15, 2006, the Road To Freedom – a yearlong, cross-country “bus” journey and multimedia exhibit of the ADA and disability history, disability community and accessible technology – was launched from Washington, DC. The Tour will stop in all 50 states (one by air) over the next twelve months, and will visit Connecticut October 14-16, 2007. Beyond the historical significance of the disability rights movement, the mission is to bring mainstream attention to what it means to be living with a disability in America today and to the ongoing struggle for equal access to healthcare, transportation, education, employment and more.

The Tour will include: a Yearlong Presence with more than 50 Stops. Educational and Historical Exhibits: the Tour features photojournalist Tom Olin’s images and other artifacts of the history of the disability movement for physical, educational and economic access. There will be a Focus on Youth Leadership, Accessible Technology Kiosks and a Distribution of Disability Resources. The mobile Tour staff will include a senior nonprofit disability executive and advocate, a media and communications specialist, a former Fortune 500 corporate vice president of online marketing, as well as a photojournalist and social documentarian whose work has been exhibited at the Smithsonian Institution. DC-based staff and interns will support this crew. Joining them on various legs of the tour will be Yoshiko Dart, Bobby Coward, Russ Holt and others.

The Disability Advocacy Collaborative will be coordinating Tour activities in the state. If you are interested in participating or conducting an event (or events) please let Jayne Kleinman know at jjk1009@hotmail.com 1-203-631-4800.

PLTI to Offer Classes in January

The Parent Leadership Training Institute is recruiting now for classes in Waterbury, Bridgeport, Danbury, Meriden, Middletown and Windsor which are scheduled to start in January. A project of the Connecticut Commission on Children, PLTI is entering its fifteenth year in with more than 1500 graduates. It's a great experience for any parent or caring adult who wants to get more involved in their school, neighborhood, or community to the benefit of children. PLTI intentionally draws a broad crowd that crosses race, gender, religion and socio-economic lines. PLTI grads have gone on to become PTO presidents, BOE Members, non-profit Board members, school advocates and several are now serving in the CT General Assembly. CEU's are available through the State Department of Education.

For more information contact: The Connecticut Commission on Children - 18-20 Trinity Street - Hartford, CT 06106 - 860-240-0290 - (860) 240-0085,
www.cga.ct.gov/coc

Disabilities Center to Conduct Survey

The UConn Center on Disabilities is beginning a new research project to learn about the ways adults with disabilities get the health care they need. Twenty minute interviews with adults with disabilities (anyone 18 years old or older) will be conducted, asking if they receive the health care they need, if they face barriers to care, and if they ever delay getting health care. The survey is anonymous and voluntary, and personal information will not be disclosed. To participate, please call the UConn Center on Developmental Disabilities toll-free at (866) 623-1315 extension 1595, or TTY (860) 679-1502 and leave a message with the best time to call.

Addressing the Achievement of Connecticut's Black and Hispanic/Latino Male Students

On March 31, 2007 the Special Education Resource Center (SERC) will host a conference addressing the achievement of Black and Hispanic/Latino male students in Connecticut schools. The conference will be held from 8:00 a.m. to 4:00 p.m. at the Four Points Sheraton in Meriden. The Keynote Speaker will be Rudolph "Rudy" Crew, Ed.D., Superintendent of Schools for the Miami-Dade County Public Schools in Florida. A Pre-Conference session will be held on March 30, 2007 from 4:00 p.m. to 8:00 p.m. with Floyd H. Flake, D.Min. who is the Senior Pastor, Greater Allen A.M.E. Cathedral in Queens, NY and the President of Wilberforce University, Wilberforce, Ohio.

Please contact Nicole M. Vitale, Education Services Specialist, at SERC, (860) 632-1485, ext. 234, or vitale@ctserc.org to be placed on the brochure mailing list for this exciting professional development opportunity. Conference brochures will be made available in early February. Please visit the SERC website at www.ctserc.org.

ASRC Hosting Three Session Series

The Connecticut Autism Spectrum Resource Center (ASRC) is offering a series of workshops geared especially for psychologists and social workers entitled: "How To Work More Effectively With Individuals with Autism Spectrum Disorders." James Loomis, Ph.D., will be conducting the training on January 20, 2007, February 10, 2007 and April 14, 2007, from 9am - 1pm at the High Road Student Learning Center at 29 Village Lane in Wallingford. The cost for the series is \$90. Any questions call ASRC at 203-248-5222.

P&A to hold Public Hearing

The Office of Protection and Advocacy for Persons with Disabilities will hold a Public Hearing for parents, students, advocates and others interested in restraint, seclusion, and the use of "Time Out" rooms in public schools on December 13, 2006 from 10:00 a.m. - 1:00 p.m. in Room 1-A of the Legislative Office Building. Sign language interpreters will be provided. To request a disability-related accommodation please call (860) 297-4307 by December 7, 2006. This is a fragrance-free event.

More from P&A

P&A has a part-time position open for a Social Services Assistant. The preferred candidate will possess experience living with a physical disability, and be knowledgeable about subsidized housing programs and building code requirements. The candidate selected will work 16 hours a week (no benefits).

Experience and training: High School graduation or equivalency OR any experience and training which would provide the necessary skills and abilities. Incumbents in this class may be required to travel.

Send Cover Letter, Resume, and PLD-1 State application by December 15, 2006 to:

Deborah Craig, Human Resources Specialist
Department of Administrative Services
Small Agency Resource Team (SM.A.R.T. Unit)
165 Capitol Avenue, 5th Floor East - Hartford, CT 06106
Fax: 860-622-2827

Elections Change State House and Senate

As a result of the November 7 election, the state Senate retained its split of 24 Democrats and 12 Republicans, and the state House of Representatives became more heavily Democratic. There will be at least 105 Democrats and at least 44 Republicans in the House. These numbers mean that Democrats hold more than 2/3 of the seats in each chamber – often referred to as a super-majority – with enough votes to override a

gubernatorial veto. We now await the announcement of new committee chairs which will likely be made before the General Assembly convenes on January 3.

\$5.1 Million Initiative to Bring Together Employers, People with Disabilities

Connecticut has been awarded a \$5.1 million federal grant intended to help the state boost employment opportunities for citizens with disabilities. The 2007 “Medicaid Infrastructure Grant” (MIG) is aimed at tapping the full employment potential of Connecticut residents who have a physical or mental disability, while reducing costs in the Medicaid health care program.

The plan encompasses both state and community-level initiatives, and seeks to increase the employment rate and earnings of Connecticut citizens with disabilities. Besides employers, the state’s effort will focus on young adults moving from school to post-secondary education or employment, raising the career potential of people with disabilities who are already working, and helping people overcome barriers to get started in the job market. The federal grant will fund a variety of measures, including: public outreach campaigns to attract employers; a central databank about available employees; employer support services; transportation initiatives; peer mentoring; community-based pilots or demonstration, projects to increase employment; work opportunities for students with disabilities; and independent living assistance.

Authorized under the federal Ticket to Work and Work Incentives Improvement Act of 1999, the \$5.1 million MIG was awarded to Connecticut by the Centers for Medicare and Medicaid Services. Connecticut’s successful application was prepared by the DSS Bureau of Rehabilitation Services. The Bureau of Rehabilitation Services can be reached at 800-537-2549; 860-424-4839 (TDD/TTY); or www.brs.state.ct.us/index.html.

Nursing Home Reform Coalition Sponsors Two Events

The Connecticut Citizens Coalition for Nursing Home Reform (CCCNHR) is holding two events regarding nursing home issues on Tuesday, December 12th at the State Capitol in Room 310:

- A breakfast forum will be held from 8:30 am – 10:00 am to discuss issues affecting nursing home residents.
- A fire safety program will be held from 10:30 am – 12:30 pm. Brian McGuire from AARP Tennessee will discuss the steps Tennessee took after a deadly nursing home fire in 2003 – which happened on the heels of Connecticut’s fatal fire. There will be a panel presentation.

Interested persons are asked to contact Denice Brown at LARCC by Dec. 8th. She can be reached at (860) 278-5688 ext. 10 or e-mailed at dbrown@larcc.org.

Stem Cell Research Moves Forward

Governor M. Jodi Rell announced in November that University of Connecticut scientists will receive the lion's share of Connecticut's first round of research grants into the mysteries of stem cells, claiming a little more than \$12 million of the state's \$19.8 million total for this year. Yale University was awarded about \$7 million, and Wesleyan University received almost \$900,000.

The 21 grants were culled from about 70 that survived a review of a science committee composed of non-Connecticut experts and then judged to have merit by the state Stem Cell Advisory Committee. The system is intended to avoid favoritism in awarding grants.

Previous Bulletin Items Worth Repeating

Extra Winter Heating Aid for Low-Income Families: On September 8 Governor Jodi Rell announced that Connecticut's home-heating assistance program will provide increased benefits to low-income families for the second straight winter. Families and individuals can call Infoline at 2-1-1 to be referred to the nearest application point. The Governor has also designated a contingency heating assistance program for eligible households with incomes too high for the regular energy assistance program. Recipients can receive up to \$300 in basic benefits, as well as crisis assistance.

Change DMR's Name and Mission? The state Council on Developmental Disabilities has replaced its "Renaming the Department of Mental Retardation" blog (www.ctcdd.org) to "Change DMR's Name and Mission". The Council is considering proposing state legislation to change both the name (and mission) of the Department of Mental Retardation (DMR) to the Department of Behavioral and Developmental Services. The public is invited to comment on the Council's draft proposal by responding to the blog. For more information contact Council Director Ed Preneta at ed.preneta@po.state.ct.us.

State Launches Long Term Care Needs Assessment: This past legislative session the state General Assembly authorized a comprehensive long-term care needs assessment, to be implemented in consultation with the Long Term Care Advisory Council, the Connecticut Commission on Aging, and the Long Term Care Planning Committee. This is the first time in twenty years that such a comprehensive study has been attempted'. An important part of the assessment will be mail, telephone, internet, and in-person surveys of 15,000 Connecticut residents. To participate in the survey, contact Irene Reed at the UConn Health Center (860-679-2089) or via e-mail at ireed@uchc.edu.

Gallaudet Board Ousts Fernandez

The governing board of Gallaudet University revoked the appointment of the school's incoming president in late October, giving in to the demands of students, faculty and others whose protests had kept the nation's premier school for the deaf in turmoil for

several weeks.

The board, meeting in a special session, voted to "terminate" Jane K. Fernandez's position as president-designate and said she would not take over for President I. King Jordan as planned Jan. 1. The board issued a statement saying the decision was made with "much regret and pain."

Gallaudet students, staff and alumni had raised a variety of objections to Fernandez since she was appointed in the spring, saying she was a divisive figure and the process that selected her was unfair. Fernandez has long been a controversial figure at Gallaudet. Some objected to the way she was appointed provost by Jordan six years earlier and others said she had alienated too many staff and faculty members in her 11 years at the school.

Student leaders had taken over an academic building for several days in early October. Then members of the football team joined the protests, and all entrances to the campus were blocked. The campus was shut down until more than 130 protesters were arrested. The faculty voted to ask Fernandez to resign or be removed, and alumni joined the tents dotting the lawn. The week-end before the Board's decision to revoke Fernandez estimated 2,000 people marched to the U.S. Capitol.

Gallaudet, founded in 1864, has a student body of about 1,800 students, and its campus also includes a high school and elementary school for deaf and hard-of-hearing students. Because of the school's status, its president is often seen as a national leader in the deaf community -- a symbolic importance that makes selecting a president there an even more complicated process than it is on most college campuses.

FCC Fines TV Station for Violation of Accessibility Rules

In mid-November the Federal Communications Commission's Enforcement Bureau announced that WTTG-TV (FOX Channel 5) in Washington, DC was found in violation of its rules for making emergency information accessible to people with hearing disabilities. A Consent Decree calls for WTTG to pay a \$12,000 fine within 30 days to the U.S. Treasury.

The action is the result of a complaint filed by a person with a hearing impairment alleging that the station did not provide visual information during a thunderstorm/tornado watch in the Washington, DC Metropolitan area on May 25, 2004. What information was provided visually did not tell how severe the storm was, the locations affected, and what should be done to remain safe.

In the Consent Decree, WTTG also agreed to these policies and practices:

- To close caption all emergency information broadcast outside a regularly scheduled newscast if the information is conveyed via the Station's audio.

- To make the critical details of the emergency information accessible by other visual means, such as crawls, scrolls, or handwriting on a blackboard, whiteboard, or other display and will continue to do so until captioning begins if captioning services are not immediately available or if caption services cannot be immediately secured. Emergency information will include any information relating to an imminent or ongoing emergency, intended to protect life, health, or property.
- To incorporate the Station's Emergency Visual Presentation Policy into the Station's regular news employee training session.
- To promptly begin captioning, or contact its captioning service, before or contemporaneously with any broadcast coverage of a pending or imminent emergency that endangers viewers and make its best reasonable efforts to ensure that coverage of the emergency is captioned as soon as possible.
- To caption the newscast or breaking news report, make the critical details of the emergency information accessible by other visual means, such as crawls, scrolls, or handwriting on a blackboard, whiteboard or other display during any time that captioning is not immediately available.
- To maintain a dedicated captioning computer that is remotely accessible by the News Desk that has direct internet access to all of its captioning services captioners nationwide so that Master Control Operators and personnel at any News Desk computer can:
 - (1) initiate emergency captioning by pressing one key,
 - (2) order future captioning by accessing and clicking on an icon on the computer,
 - (3) verify that captioning has come on line and
 - (4) converse with captioners via internet.
- To maintain visible postings on television monitors in the Station's newsroom that remind employees to promptly contact the Station's captioning service during emergency events, and giving the phone number for that service.
- To provide special weather text graphics, as circumstances warrant, in addition to captioning, for hearing disabled viewers to receive shelter-at-home tips during coverage of tornado, severe thunderstorm, flash flooding or other weather emergencies. This is in addition to providing emergency information in an accessible format while waiting for captioning to commence.

NFB Sues Target

Bruce Sexton, 24, who lives in Berkeley, Calif., and the National Federation of the Blind are suing Target on behalf of the 1.3 million blind people in the USA. The suit alleges that the giant retailer discriminates against people with visual impairments by not providing an accessible web site.

The case draws national attention because it could have implications for virtually every retailer and business in the USA that operates a website. The case also fuels a wider debate starting to play out in courtrooms: whether anti-discrimination laws apply to the

Internet.

In the Target case, the retailer contends that the federal Americans with Disabilities Act and two California laws cited by Sexton apply only to its brick-and-mortar stores and do not extend to the Internet. Last month, a federal judge disagreed with Target and rejected its bid to dismiss the suit. The case is proceeding toward trial, but no court date has been set.

The Americans with Disabilities Act requires stores, restaurants and other businesses to provide access to people with mental and physical disabilities. Since the Internet emerged, several lawsuits have focused on what site owners should be required to do to make their pages accessible to the disabled. A lawsuit filed by the National Federation of the Blind against America Online in 1999 was dropped after AOL agreed to design new versions of its software to accommodate users with disabilities.

Access to Paper Currency for People with Visual Disabilities

In 2002 the American Council of the Blind filed suit against the Department of the Treasury alleging that the Department of Treasury violates section 504 of the Rehabilitation Act of 1973 by its failures to design and issue paper currency that is readily distinguishable to blind and visually impaired people. Recently, U.S. District Judge James Robertson ruled that "it can no longer be successfully argued that a blind person has 'meaningful access' to currency if she cannot accurately identify paper money without assistance."

In response to the government's suggestion that any changes to the currency would "significantly complicate any effort to add a tactile feature to U.S. currency," Judge Robertson wrote: "This suggestion is unsupported argument, and it is utterly unpersuasive. The government offers no reason to think that the addition of a tactile feature would render U.S. currency more vulnerable to counterfeiting, and indeed the use of foil and raised print on the Euro is considered a security feature, as is the micro-perforated number on a Swiss banknote." And in response to the argument that any "drastic or sudden" changes to the currency could undermine international recognition and acceptance of U.S. currency "as a common medium of exchange throughout the world," he stated that the contention was not only "unsupported, but, on its face, is fairly absurd."

Lawsuit Charges Starbucks with Discrimination against Worker with Psychiatric Disabilities

The US Equal Employment Opportunity Commission has sued Starbucks Coffee Co., saying the company discriminated against a female worker with a psychiatric disability. According to the lawsuit, when new management took over the Seattle store, it "almost immediately began discriminating against the worker by decreasing her hours, berating

her in front of customers, and ignoring her requests for help which continued on a near daily basis until she was fired."

A Housing Victory in Pittsburgh

On November 20, 2006, after four years of struggle, the Pittsburgh Three Rivers Center for Independent Living (TRCIL) and the Housing Authority of the City of Pittsburgh entered a Court approved class action Settlement Agreement. This victory follows several losses in court and shows what can be accomplished when local disability advocates vigorously fight for accessible, affordable, integrated housing and when they are truly committed to enforce the civil rights in Section 504 of the Rehabilitation Act.

The Settlement Agreement requires a substantial number of accessible public housing units to be developed by the Housing Authority. Specifically, 321 accessible units will be developed from the Authority's existing housing inventory. These will reflect the full range of both bedroom sizes and geographical locations. These will also result in 10% of the public housing for seniors and 5% for families be fully accessible. It also requires private developers in Mixed-Income Communities receiving public housing subsidies have 10% of their existing units accessible. Further, the Housing Authority's planned new housing shall have 10% of the units accessible, thus increasing the overall public housing inventory to above 8% accessible.

Regarding the Housing Authority's obligations to "maximize the occupancy of accessible units" by individuals needing these units, the Settlement Agreement goes beyond the federal regulations. For example, it provides that persons who need accessible units may apply for the "first available" accessible unit in any of the Authority's projects and be placed on all waiting lists, and information regarding all of the accessible units will be made available.

The Settlement Agreement puts the Three Rivers Center for Independent Living at the table with the Housing Authority and any private developers. For example, if the Authority has an accessible unit and does not know of a person who needs it, the Authority shall notify TRCIL "before leasing such unit" to a non-disabled person "in order to allow TRCIL to locate a person who needs and qualifies for such a unit."

The Housing Authority agreed to work with TRCIL to assure that residents in nursing homes with disabilities are afforded equal access to accessible units.

A word from Steve Gold, Esq.:

There are many, many public housing authorities throughout the country that violate Section 504 of the Rehabilitation Act because they do not have at least 5% of their units accessible and have not maximized occupancy of accessible units. The question is why other Centers for Independent Living and other disability advocates have not accomplished or even tried to achieve these results for persons with disabilities in their

communities, especially since HUD in the spring, 2006 allocated \$2.2 billion for capital improvements.

Steve Gold
www.stevegoldada.com

Please relay this Bulletin to your membership including those who do not have e-mail access. Suggest your membership without e-mail go to the library and go onto www.kleinmanconsulting.com to view or print a copy. If you would like to see previous issues of the Bulletin, read about the background of the Collaborative or if you would like to be added to the mailing list, you may also go to www.kleinmanconsulting.com.

If you want something to appear in the next edition please send it to us – jjk1009@hotmail.com or skoslosk03@comcast.net — or Jayne Kleinman, 55 Corrigan Ave., Meriden, CT 06451, 203-631-4800.

ADDRESS CORRECTIONS AND REMOVALS: If you are not interested in receiving this Bulletin, or you would like this information sent to a different e-mail address, please e-mail Jayne Kleinman at jjk1009@hotmail.com with your request.

How can you find your federal Representatives and Senators? Go to www.congress.org and find the box under the heading “Write Elected Officials.” Type in your Zip code and press the “Enter” key. Then, when the names of your elected officials come on the screen, click on the word “Info” under the name of the elected official you want to contact. The telephone number will be listed on the page that comes up next. You may also call the U.S. Capitol Switchboard at 1-888-818-6641. The best way to contact your Member of Congress is via phone (or ideally in person). The best time to call either in CT or in Washington, D.C. is early in the morning.

For State Legislators, Committee Members and local government officials go to www.ct.gov and click on Government. If you need more assistance please contact jjk1009@hotmail.com or call 211 – Infoline.