



Disability Rights Protesters Force Meeting with Bush Administration

WASHINGTON, DC (July 23, 2008)

Over 200 disability rights advocates from across the country protested outside the U.S. Rehabilitation Services administration (RSA) located at Potomac Center Plaza. The boisterous group chanted until the Assistant Secretary of OSERS, Tracy Justesen, came down and agreed to meet with a delegation from the National Council on Independent Living (NCIL). The NCIL delegation presented the memberships demands to the Assistant Secretary. (See the NCIL Demands of RSA in the box at bottom of this article). Specifically at issue is RSA's recent interpretation of the Rehabilitation Act and the negative impact it will have on the operation of Statewide Independent Living Councils (SILCs). Despite years of accepted operation, RSA has limited the scope of councils so that they function



Mark Derry of West Virginia leads a chant on his megaphone.

Tom Olin photo

according to minimum statutory duties. %n Kansas, by advocating for public policy issues, we have increased the employment rate for people with disabilities by 20%,+stated Shannon Jones of Topeka, Kansas. %These types of advocacy efforts are being thwarted by RSA's narrow interpretation of SILC duties. Once again, people with disabilities will be marginalized because of bureaucratic nonsense.+ RSAs edicts were done internally and distributed to the field without any changes in the law. They have also enforced regulations inconsistently in various State Plans across the country. As a result, some states have had their State Plans delayed until the issues are resolved to RSA's satisfaction.

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[*REMINDER – NYAIL 2008 Conference – September 8 – 10, Desmond Hotel, Albany – To Register go to: \[www.ilny.org/\]\(http://www.ilny.org/\)](#)

One state had their State Plan approved, but was made to substantively revise it according to the recent interpretations.

Our State Plan was approved by RSA last year with very little negotiation, remarked Ann McDaniel of Culloden, West Virginia. Now we have to change several of the goals and objectives in the State Plan due to the limited interpretation of the SILC's role. She added, RSA told us West Virginia has exactly the kind of relationship between the SILC, Designated State Unit (DSU), and Centers for Independent Living (CILs) that they want in every state-but now they want us to change everything!

RSA was initially invited to engage the disability community about the issues at a plenary session of the Annual Conference of the National Council on Independent Living (NCIL), but declined, prompting the group to rally at and present demands at the RSA offices. Other conference participants took advantage of the scheduled plenary session by turning it into a town hall-hearing forum to accept testimony from advocates about their specific difficulties, as a result of RSA's interpretations and other interactions. Advocates hope to make RSA representatives accountable for their recent interpretations and deviation from a law and precedent over 30 years old. In addition, the Independent Living Program has been cut by close to 5% since 2006, and RSA shows no sign of coordinating efforts with NCIL to reverse this trend.

Either RSA needs to cut us some slack, or they need to cut us loose, said Jeff Hughes from Norman, Oklahoma. It is time to pursue our own Independent Living Branch with OSERS that we direct, separate from RSA, during the next Reauthorization of the Rehabilitation Act.

After meeting for more than an hour, RSA agreed to respond in writing to NCIL's demands. While NCIL looks forward to their response, they are concerned about how these restrictions will continue to impede policy related to people with disabilities.

NCIL DEMANDS OF RSA

- 1. Cease the narrow and inconsistent interpretations of the Rehabilitation Act of 1973, as Amended.**
- 2. Ensure that DSUs are properly interpreting regulations and partnering with SILCs.**
- 3. Adopt the existing SILC Standards and Indicators to ensure consistent interpretation and implementation.**
- 4. Issue a consistent set of guidelines under which the SPIL/SILC review will be conducted that is based on the SILC approved Standards and Indicators. Such guidelines shall be given to the site 30 days prior to the review.**
- 5. Contract with NCIL, CILs, and SILCs to conduct in-depth training for RSA staff to interpret and understand IL regulations.**
- 6. Actively recruit people with disabilities in positions at RSA who demonstrate an understanding and commitment to the independent living philosophy, to address the attrition of RSA staff who understand and promote consumer control.**
- 7. Publish actual comments regarding policy and programmatic changes.**

8. Collaborate with NCIL to press for the reauthorization of the Rehabilitation Act of 1973, as Amended.

9. Collaborate with NCIL to help garner increased Federal funding for the IL Program.

10. Coordinate with NCIL's efforts to develop and implement standardized outcome measures for SILCs and CILs.

11. Coordinate with NCIL to better market the IL Program.

NYSILC Housing Update

By T.K. Small

(Editor's Note: This article was written prior to Governor Patterson's call for additional budget cuts of at least \$600 million for 2009, including reductions in expenditures for ILCs and Home Health Care).

Recently, Governor Patterson made a somewhat unusual public announcement concerning the impending financial crisis that New York State will probably experience soon. Naturally, for New Yorkers with disabilities who are already living on the margins of society, the prospects of governmental cutbacks are all that much more troubling.

Among the services that the disability community perhaps needs assistance with most is protecting and supporting accessible and affordable housing. It is still unclear how the current budget crisis will affect issues related to affordable housing. However, given the high priority that the governor has placed on developing policies that address this matter, any budget cuts will be enacted only be after all other options are explored completely.

Evidence of the commitment of Governor Patterson was demonstrated by his statement that, "Affordable housing is critically important for the health and vibrancy of our state. It is an engine for economic development and job creation, helps to strengthen families and communities and improves the quality of life for working families, senior citizens and people living with disabilities."

Governor Patterson, with broad bipartisan support from the Legislature, has promoted two major initiatives worth approximately \$300 million in total. The many landmark housing packages include a \$200 million increase in the traditional funding levels, as well as a statewide affordable housing public awareness campaign. The money will be used in 16 different programmatic initiatives. Some of the affordable housing initiatives that should be of particular interest to New Yorkers with disabilities are:

- \$60 Million for the Housing Trust Fund Corporation, which oversees a variety of programs to create decent, affordable housing by providing loans and grants for the rehabilitation of existing vacant or underutilized housing, as well as the construction of new housing.
- \$36.5 million for the Homeless Housing Assistance Program, which provides capital grants and loans for housing and support services for the homeless. Funds can be used for the acquisition, construction or rehabilitation of housing for homeless persons and families, including special needs populations.

- \$4 million for the Access to Home program, which provides funds to not-for-profit organizations and municipalities to make the homes and apartments of low and moderate income New Yorkers with disabilities more accessible.

Additionally, among the 13 other target areas that New York State will spend in dollars in support of affordable housing and community development, there is a great deal of indirect benefit that will help the disability community. For instance, there is \$5 million for the Infrastructure development Demonstration Program, which provides assistance with the cost of infrastructure improvements, such as sewer, water and utility lines, in association with development of affordable housing.

Despite the overwhelming need for affordable housing throughout New York State, frequently there is opposition to this type of construction and development. In an effort to facilitate community acceptance of affordable housing, Governor

Patterson has promoted a public awareness campaign called %Affordable Housing Works!+ Through a series of radio and television advertisements, the benefits are explained by former professional athletes Mo Vaughn and Tiki Barber. Stay Tuned.

For more information regarding the specifics of the increases to the affordable housing budget, go to:
<http://www.dhcr.state.ny.us/PressRoom/pre ss080410.htm>

For more information concerning the public awareness campaign, go to:
<http://www.dhcr.state.ny.us/PressRoom/news080715.htm> ♦

Congratulations to Stephanie Orlando, director of YOUTH POWER! She is the 2008 recipient of the Diana Vietz Memorial Award, which she received in recognition of her leadership role among young people with disabilities.

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