

The Source of information for providers of community-based services for people with differing abilities.  
A member service of NYSRA.

### THE SEASON OF THE VETO

By Jeff Wise, NYSRA President & CEO

During August, many of those who can sneak a little time away reach for golf clubs. Or for a fly rod. Or maybe for a brochure to read about a vacation destination being considered. Whether Governor George Pataki has done any of those things is unclear. But we do know that he spent some time this week reaching for his veto pen.

It is, for better or worse, something elected executives do. A famous quote from Harry Truman at a 1948 political rally reminds us it's nothing new: "I wish I could stay longer, but I have to get back to Washington to veto some more bills."

In Albany this week Governor Pataki vetoed 71 pieces of legislation sitting on his desk. The total is now well over 350 this year. More than 200 of those involved budget additions made by the Legislature back during the 2006 budget season. The newest round, however, deals with a great number of policy issues.

We at NYSRA were disappointed to learn of some of them. They represent legislation that we have supported and still would like to see implemented. And though a gubernatorial veto of legislation we want is hardly a good thing, it remains true that the Legislature has the power to over-ride vetoes if it has the momentum to do so. The new round of governor's action is still too fresh for us to be able to gauge whether over-rides could take place. The "veto messages" - memoranda prepared by the governor's staff to explain the reasons behind his disapproval, are not yet published, either. We will, of course, be looking those over when they are released.

Here is a rundown of legislation of interest to NYSRA members that the governor has chosen to disapprove:

Establishment of a community housing waiting list within the Office of Mental Health. This bill would require OMH to keep a waiting list of those seeking housing through OMH-sponsored programs, much as the NYS-CARES program led to a housing waiting list for people with developmental disabilities. OMH strongly opposes this legislation, which had passed the Assembly several times but got through the Senate for the first time this past Session. We have already been in touch with advocacy partners to discuss possible over-ride efforts.

Establishment of two "centers of excellence" by OMH in regard to delivering "culturally and linguistically competent" mental health services. The bill would have provided funding for two centers, which would be collaborations among OMH, providers, academia, communities and government to overcome cultural

and linguistic barriers to delivery of services. The bill was a product of the Mental Hygiene Task Force of the Assembly Committee on Mental Health, of which NYSRA is a member.

Establishment of a process for planning and notification of possible closure or diminution of services at any state facility operated by OMRDD. The bill was ostensibly a blueprint for better planning processes and coordination to ensure that services that are cut can be seamlessly turned over to non-state-entity providers. Such a process is currently in place for OMH facilities, but not for OMRDD facilities.

Clarification of the scope of protections against discrimination on the basis of disability in the area of public accommodations. This legislation would clarify existing provisions of the state Human Rights Law relating to discrimination against people with disabilities and making the state statute consistent with the Americans with Disabilities Act. Certain elements of the Human Rights Law are either not specific, nor do they address, certain aspects of ADA provisions, and litigation has resulted. This bill would align the state and federal laws to avoid additional confusion.

Creation of an interagency council to promote a comprehensive service system and delivery to people who are deaf, deaf-blind, or hard-of-hearing. The council contemplated by the bill, overseen by the State Education Department, would include people with disabilities and coordinate the collection of information on population needs, engage in strategic planning, and assist in development of policy recommendations regarding New Yorkers with hearing impairments.

Exemption of certain income of a person with a disability from Medicaid eligibility determinations when such income is deposited in a trust. This exemption, which largely is rooted in federal law, is not currently codified in state statute. The bill would remove any ambiguities in state law and make it clear that this exemption is also a matter of state statute, thus eliminating appeals of determinations that are sometimes filed under current ambiguous state language.

Requirement of the InterOffice Coordinating Council, created in the Mental Hygiene Law several years ago, to report to the Legislature. This Council of state agencies, which meets periodically to discuss mental health issues including housing and service delivery, was at one time required to report annually to the Legislature. That provision has since been dropped. The bill would reinstate the requirement of a report to the Legislature - the only access to the workings of the council since it does not conduct public discussions.

## BLOOMBERG PROMOTES SAPOLIN TO COMMISSIONER STATUS; MAYORAL ADVOCACY AWARDS PRESENTED TO 5 RECIPIENTS

New York City Mayor Michael R. Bloomberg has announced that Executive Director of the Mayor's Office for People with Disabilities, Matthew P. Sapolin, has been promoted to Commissioner.

The announcement was made as Mayor Bloomberg hosted a reception at Gracie Mansion in celebration of the 16th Anniversary of the Americans with Disabilities Act (ADA).

Mayor Bloomberg also honored five recipients of the Second Annual Mayoral Advocacy Awards. The Mayoral Advocacy Awards honor people and organizations that are raising the quality of life for people with disabilities.

"The passage of the Americans with Disabilities Act was a civil rights milestone," said Mayor Bloomberg. "For more than 50,000,000 Americans living with a disability, some aspects of daily life are still challenging. New York City is working to break down barriers that keep people with disabilities from fully participating in City life. Tonight we honor New Yorkers who are making a difference and making our City more accessible for all, and we congratulate Matt on his well deserved promotion."

Sapolin was appointed Executive Director of the Mayor's Office for People with Disabilities (MOPD) in October 2002. As Commissioner of the Mayor's Office for People with Disabilities, Sapolin will continue to serve as a liaison between the disability community and city government. MOPD works collaboratively with other agencies to assure that the rights and needs of people with disabilities are included in all City initiatives by fostering greater cooperation, communication and coordination of functions and services in New York City.

Prior to his appointment in 2002, Mr. Sapolin served as Co-Executive Director for the Queens Independent Living Center, where he oversaw operations. Previously, he was the Coordinator of the Client Assistance Program for the Center for Independence of the Disabled of New York. Sapolin received his BA at New York University as well as a Masters of Public Health Administration from The Wagner School of Public Service at New York University.

"I am honored to join Mayor Bloomberg in the presentation of our Mayoral Advocacy Awards," said Sapolin of the Mayor's Office for People with Disabilities. "The City has made significant gains to improve the lives of people with disabilities -from Mayor Bloomberg's recent signing of the Disabled Rent Increase Exemption, to improved ferry access, to the enactment of legislation that will increase the number of taxis in our City. It is also fitting that we recognize and pay tribute to our courageous neighbors who are working daily to increase the standard and quality of life for people with disabilities."

Recipients of the Mayor's Advocacy Awards are:

Bear Stearns & Co., Inc. is being honored with a Title I of the ADA Employment Award for its significant commitment to the hiring of employees with disabilities.

City University of New York is being honored with a Title II of the ADA Public Service Award for its contributions as a public entity in providing services to people with disabilities through its Youth Transition Demonstration Program and Graduate Certificate Program in Disability Studies.

Avis Rent-A-Car System, LLC is being honored with a Title III of the ADA Public Accommodation Award for its Avis Cares Program, which provides a full range of products and services for drivers or passengers with disabilities.

IBM is being honored with Title IV of the ADA Telecommunications Award for its commitment to providing increased access to computer technology and communications for people with disabilities. Director of the IBM Human Ability & Accessibility Center Frances West accepted the award on behalf of the company.

Alexander Wood, Executive Director of the Disabilities Network for New York City is being honored with the Frieda Zames Advocacy Award for his overall commitment to helping individuals with disabilities.

At a reception the Mayor and New York City Sports Commissioner Kenneth J. Podziba also announced the publication of the second edition of Exercise Your Ability: The Ultimate Guide to Sports and Recreation for People with Disabilities. This valuable resource for athletic and recreational opportunities provides an expansive list of adaptive sports for athletes with disabilities. To receive a copy of Exercise Your Ability, please call the New York City Sports Commission at 212-487-7120.

## IDEA - PART B REGS

On August 14, 2006, the Department of Education published of the final Individuals with Disabilities Education Act (IDEA) Part B regulations. The 1,705 page document codifies the new IDEA law passed by Congress in 2004. Of particular interest to the ACCSES-DSPA Alliance, the regulations address transition services under IDEA, as well as "highly qualified" teachers, third party payers, and Universal Design.

### Transition Services

"Transition services" are defined in the IDEA Part B regulations as a coordinated plan that is designed to facilitate the child's movement from school to postsecondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living, or community participation. Transition services include instruction, community experiences, and the development

of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and the provision of a functional vocational education. The final IDEA Part B regulations state that transition services must be included as a goal of the Individualized Education Plan (IEP) no later than the first IEP that will be effective when the child turns sixteen.

The final IDEA Part B regulations make no changes from the draft regulations with regard to transition services. However, the Department does respond to several stakeholders' concerns regarding transition services in the IEPs.

The regulations state that many commenters, including DSPA, expressed disagreement with changing the age at which transition services must be provided to a child with a disability from 14 years to 16 years old. Additionally, many commenters requested further clarification that states may begin transition services earlier than sixteen. The Department essentially states that it is confined by the new statute which places the age requirement at sixteen. Additionally, the final regulations state that the Department supports a state's autonomy to require transition services at an earlier age, however, states would have to identify in writing to its Local Educational Agency (LEA) and to the Secretary that such a requirement is a state-imposed requirement.

Other comments regarding transition services recommended that the Department clarify that schools can use Part B funds to support children in transitional programs on college campuses and community-based settings. The Department responded by stating that such a clarification is not necessary because it is up to the individual's IEP team to determine the special education and related services needed to meet each child's unique needs in order for the children to receive FAPE. If the IEP teams determines that such services best meet the child's needs, than Part B funds may be used to pay for such services.

Another comment requested more accountability for transition services to which the Department responded that the Act has made significant changes to the Part B monitoring and enforcement requirements. To reflect this, sections 300.600 and 300.601 of the regulations require that the primary focus of monitoring be on improving educational results and functional outcomes of children with disabilities. States are required to have a performance plan that evaluates their efforts to monitor priority performance areas.

The regulations require the public agency to invite a child with a disability to attend the child's own IEP Team meeting, if a purpose of the meeting is to consider the child's postsecondary goals and transition services needed to assist the child to reach those goals. In addition, the regulations require the public agency to take steps to ensure that the child's preferences and interests are considered, if the child does not attend the IEP Team meeting. While some commenters requested stronger language to this effect, others commented that such language is too rigid and should be modified to provide flexibility for individual children. The Department states that it believes that such requirements are necessary to assist children to successfully transition from high school and that it is critical for these students to

be involved in determining their transition goals and related services. Additionally, the regulations recognize that children with disabilities may be involved with others agencies that provide transition or postsecondary services and that it is appropriate for representatives from these agencies to be invited to the child's IEP team meetings.

According to the regulations, several comments recommended that evaluations for other institutions such as vocational rehabilitation agencies, colleges and universities, should be required before a child graduates from secondary school with a regular diploma or exceeds the age limit for FAPE. However, several commenters recommended that this not be the case. The Department states that it does not believe that the regulations should require public agencies to conduct evaluations for children to meet the entrance or eligibility requirements of another institution or agency because it would impose a cost on public agencies that is not required by the statute.

Finally, the regulations clarify that if a participating agency, other than the public agency, fails to provide the transition services outlined in the IEP, the IEP team must reconvene to identify alternative strategies to meet the transition objectives for the child. However, this does not relieve any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition services that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of the agency.

### Highly Qualified Teachers

The regulations define "*highly qualified special education teachers*" when used with respect to any special education teacher teaching in a charter school, to mean that the teacher meets the certification or licensing requirements, if any, set forth in the State's public charter school law. However, for public school special education teachers, the regulations add a separate "High Objective Uniform State Standards of Evaluation" (HOUSSE), to allow a State to develop a separate standard for special education teachers, provided that any adaptations of the State's HOUSSE would not establish a lower standard for the content knowledge requirements for special education teachers and meets all the requirements for a HOUSSE for regular education teachers.

The final regulations permit States to develop a separate HOUSSE for special education teachers, which may include single HOUSSE evaluations that cover multiple subjects. Highly qualified special education teacher requirements also do not apply to private school teachers hired or contracted by LEAs to provide equitable services to parentally-placed private school children with disabilities. States have flexibility in developing their HOUSSE evaluations as long as they meet each of the following criteria established in the Elementary and Secondary Education Act (ESEA) (Now, the No Child Left Behind Act):

- § Set by the State for both grade-appropriate academic subject-matter knowledge and teaching skills;

- § Aligned with challenging State academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;
- § Provide objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
- § Applied uniformly to all teachers in the same academic subject and teaching in the same grade level throughout the State;
- § Take into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject; and
- § Made available to the public upon request.

When developing their HOUSSE procedures, States may involve multiple, objective measures of teacher competency. According to the regulations, each evaluation should have a high, objective, uniform standard that the teacher is expected to meet or to exceed. These standards must be consistently applied to each candidate.

With regard to the certification standards, some commenters supported alternative routes to certification programs for special education teachers, often indicating that such programs are necessary to increase the number of highly qualified teachers. However, other commenters expressed concern with alternative certification programs. The Department clarifies that an individual participating in an alternative route to a certification program must (1) hold at least a bachelor's degree and have demonstrated subject-matter competency in the core academic subject(s) the individual will be teaching; (2) assume the functions of a teacher for not more than three years; and (3) demonstrate satisfactory progress toward full certification, as prescribed by the State. The individual also must receive high-quality professional development that is sustained, intensive, and classroom-focused and have intensive supervision that consists of structured guidance and regular ongoing support.

### Third Party Payers:

Several comments focused on the concept of "third party payers" and the obligation of noneducational public agencies with regard to education-based services. One commenter requested that the regulations require LEAs to bear the ultimate responsibility for providing services, stating that the draft regulations might allow LEAs to discontinue services when there is a dispute with other agencies. The Department responded it is not necessary to further clarify this issue because the regulations already state that if a public agency other than an educational agency fails to provide or pay for the special education and related services in the IEP, the LEA or State agency is responsible.

Other commenter requested that the Department clarify that a student cannot be denied Medicare-supported medical services because they receive education services funded by Medicaid. The Department responded that it believes it is clear that the child's receipt of Medicaid-funded educational services should not deny the child receipt of other services for which he or she may be eligible under

Medicaid and nothing in the regulations relieves an insurer or third party from an obligation to pay for services provided to a child with a disability.

### Universal Design/NIMAS

According to the IDEA regulations, the term universal design is defined in the recently amended Assistive Technology Act of 1998 and refers to a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.

The regulations incorporate the statutory language that allows States to use Part B funds to support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.

Many commenters requested that the definition of universal design be altered to include academic content standards, curricula, instructional materials, and assessments. However, the Department states that the definition is statutory and that the Department does not have the authority to change this definition.

The law and regulations also require States receiving Part B funding to adopt the "National Instructional Materials Accessibility Standard" (NIMAS) in a timely manner (as defined by the State) after the publication of the NIMAS in the Federal Register (July 19, 2006) for providing instructional materials to blind or other persons with print disabilities, or, within two years, revise their procurement and other processes to require publishers to prepare and provide electronic files to the National Instructional Materials Access Centers (NIMAC), or purchase instructional materials from the publisher that are produced in specialized formats.

The NIMAS is the standard established by the Secretary to be used in the preparation of electronic files of print instructional materials so they can be more easily converted to accessible formats, such as Braille. The purpose of the NIMAS is to help increase the availability and timely delivery of print instructional materials in accessible formats to blind or other persons with print disabilities in elementary and secondary schools. In addition to print materials, the NIMAS provides standards for textbooks and related core materials where icons replace text.

A number of comments requested that the Department clarify that providing materials in accessible formats includes changes in the depth, breadth, and complexity of materials. Others stated that it should include language regarding universal design of instructional materials. The Department responded that the statute and regulations focus on providing access to print instructional materials using the NIMAS. While the NIMAS is designed to make print

instructional materials more readily and easily accessible to persons who are blind and persons with print disabilities, it is not intended to provide materials that are universally designed.

**Conclusion:**

This summary represents a preliminary review of the regulations and as further review of the regulations takes place, we will provide you with additional information on areas of concern to the ACCSES-DSPA Alliance. As for now, it appears that, although relatively little has changed from the draft IDEA Part B regulations to the final regulations, the Department comprehensively addressed the over 5,000 comments that were submitted on the 2005 proposed rule. These regulations will take effect on October 13, 2006 and IDEA Part C regulations are expected to be released later this year.

**SEEK CONGRESSIONAL SUPPORT FOR DIRECT-CARE STAFF**

If your Member of Congress is not on the list, below, we believe a letter to him or her in support of the federal Direct Support Professionals Fairness and Security Act is a good way to seek new funds to help recruit and retain staff.

According to the American Network of Community Options and Resources (ANCOR), there are now more than 70 sponsors of this legislation in the House of Representatives. Seven of those are from New York.

With Congress currently in recess, it is a good time to contact your representative's district office to request that he or she agree to be added as a sponsor of the measure.

ANCOR suggests the following model letter or message that can be delivered:

More than 70 of your colleagues have already signed on to support H.R. 1264, legislation intended to stabilize the workforce providing long-term daily supports to Americans with disabilities. I write today to ask you to co-sponsor this important bill.

Direct support professionals, often referred to as personal assistants or home care aides, assist millions of people with disabilities of all ages living, working and volunteering in their communities. Individuals with disabilities build close, trusted relationships with these frontline staffers dedicated to helping them live as independently as possible.

Sadly inadequate wages have led to high turnover and growing vacancies. As many as 75% of all these support positions turnover each year because of poor wages and high job demands while hundreds of thousands of people with disabilities are waiting for services.

The median wage for these workers is just \$8.86 an hour - well below the median wage for all U.S. workers and comparable workers in the public sector. Even pet groomers and fast food workers frequently earn more and get much

steadier raises than the workers supporting people with disabilities.

We ask you to help ensure that people with disabilities get the quality, consistent supports they deserve by co-sponsoring H.R. 1264, The Direct Support Professionals Fairness and Security Act of 2005. This bill, introduced by Representatives Lee Terry (R-NE) and Lois Capps (D-CA), will provide states with the necessary funds to give private direct support workers assisting people with disabilities more appropriate compensation.

New York Members of Congress already on the bill are:

- Jerrold Nadler (D 8th)
- Carolyn Maloney (D 14th)
- Eliot Engel (D 17th)
- Nita Lowey (D 18th)
- Michael McNulty (D 21st)
- Maurice Hinchey (D 22nd)
- John McHugh (R 23rd)

**OMH ACHIEVING THE PROMIS FOR NEW YORK'S CHILDREN AND FAMILIES**

**RFP for Child and Family Clinic Plus Program Released In New York City**

The New York State Office of Mental Health (OMH) is continuing its statewide implementation of Child and Family Clinic Plus, a confidential, early recognition and intervention program that has the potential to fundamentally transform mental health care for children and adolescents in New York State. Today, OMH released a Request for Proposals (RFP) for mental health providers in New York City to offer the cutting edge program; the RFP is also available on the OMH website at [www.omh.state.ny.us](http://www.omh.state.ny.us)

"Child and Family Clinic Plus is an innovative program that will improve the emotional well-being of thousands upon thousands of children and families in New York State," said Sharon E. Carpinello, RN, PhD, Commissioner of OMH. "Children can and do recover quickly from emotional challenges, and scientific research tells us that if we can identify problems early on and intervene quickly, we are more likely to keep issues from affecting a child's emotional, social and intellectual development. Early intervention and treatment can provide relief from symptoms, improve school performance and social relationships, and possibly prevent long term problems."

Child and Family Clinic Plus works closely with families and caregivers to help identify children with emotional needs as early as possible. Screening is offered at no cost in natural settings like schools, health centers and other community locations. It is voluntary and is available only with the signed consent of the parent or guardian. The results of screening and any recommendations for follow-up are shared only with the parents unless they request that this information be shared with others.

## NEW EEOC PUBLICATION ADDRESSES EMPLOYMENT RIGHTS OF PEOPLE WITH HEARING LOSS

"While some children may be identified by their families, pediatricians, child care providers or teachers as needing help, many are still growing up with untreated needs. Either the signs and symptoms are not seen, their behavior is interpreted as something else, or caring adults just don't know where to turn for help," said Barbara Cohn, OMH Executive Deputy Commissioner.

"Clinic Plus is designed to be proactive and systematic in recognizing emotional health issues early in children, and engaging families with flexible, culturally relevant services that help keep the child on track at home, in school and in his or her community. Parents decide when and if their child is screened, who has access to their child's information, and when and where they receive services," said Commissioner Carpinello. "This commitment ensures that families have the tools they need to succeed in helping their children grow into strong, resilient adults."

If a child is determined to have emotional needs, Child and Family Clinic Plus works with the family to assess the individual needs of the child, and provide access to cutting-edge treatments that have been proven by science to work. Flexible and convenient in-home services are offered to make sure that interventions work in real-world, natural settings. All Child and Family Clinic Plus programs take Medicaid and other insurance payments. No one will be turned away, regardless of their ability to pay.

Lloyd Sederer, MD, Executive Deputy Commissioner, Mental Hygiene Services, NYC Dept. of Health and Mental Hygiene (DOHMH), said: "New York City is the fortunate beneficiary of this significant investment in mental health screening, assessment and treatment for children. My sincere congratulations to Commissioner Carpinello and others at OMH for their success in making this happen."

Mental health providers in Upstate counties have already received instructions on applying to become Child and Family Clinic Plus providers, and Upstate programs are expected to be operational across the State by the end of 2006. Proposals are due from New York City mental health providers by mid-October 2006, bidders will be notified during November, and programs are expected to become operational in early 2007.

More information about Child and Family Clinic Plus is available from your local mental health department, or on the OMH website at [www.omh.state.ny.us](http://www.omh.state.ny.us)

Cari M. Dominguez, Chair of the U.S. Equal Employment Opportunity Commission (EEOC) announced the issuance of a new question-and-answer (Q&A) fact sheet on the application of the Americans with Disabilities Act (ADA) to job applicants and employees who are deaf or who have hearing impairments. The new publication, the sixth in a series of Q&A documents about specific disabilities in the workplace, is available online at [www.eeoc.gov/facts/deafness.html](http://www.eeoc.gov/facts/deafness.html).

"One goal of this fact sheet is to counter the myth that individuals with some level of hearing loss are generally less competent, less productive, or would require more attention and supervision than their peers who do not have hearing loss," said Chair Dominguez, who announced the issuance of the new document at a town hall meeting sponsored by the National Council on Disability in observance of the 16th anniversary of the ADA.

She added: "As our nation observes the anniversary of the landmark Americans with Disabilities Act, we should be mindful that disability does not mean inability, and that every individual deserves the freedom to compete on a fair and level playing field. People with disabilities represent a vast pool of untapped talent for employers."

The new Q&A publication includes many real-life examples that illustrate the kinds of jobs that people with hearing loss successfully perform and the wide range of accommodations available. Topics addressed in the document include:

- When a hearing loss is a disability under the ADA;
- When an employer may ask an applicant or employee about a hearing impairment and what it should do if an applicant voluntarily discloses the impairment;
- What type of reasonable accommodation an applicant or employee with a hearing disability may need; and
- What an employer should do if it has safety concerns about an applicant or employee with a hearing impairment.

According to published reports, between 2000 and 2004, estimates of the number of people in the United States with a self-described "hearing difficulty" ranged from 28.6 million to 31.5 million. A "hearing difficulty" can refer to the effects of many different hearing impairments of varying degrees. The number of individuals with hearing difficulty is expected to rise rapidly by the year 2010 when the baby-boomer generation reaches age 65. As compared to other age groups, the percentage of individuals with hearing difficulty is greatest among those individuals age 65 and above. EEOC's latest ADA publication helps to advance the goals of the New Freedom Initiative, President George W. Bush's

# NYSRA's

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comprehensive strategy for the full integration of people with disabilities into all aspects of American life. The New Freedom Initiative seeks to promote greater access to technology, education, employment opportunities, and community life for people with disabilities. An important part of the New Freedom Initiative strategy for increasing employment opportunities involves providing employers with technical assistance on the ADA.

EEOC enforces Title I of the ADA, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments, and the Rehabilitation Act's prohibitions against disability discrimination in the federal government. In addition, the EEOC enforces other federal laws prohibiting employment discrimination based on race, color, religion, national origin, sex, and age. Further information about the EEOC is available on its web site at [www.eeoc.gov](http://www.eeoc.gov).

## SENATOR CLINTON WELCOMES RESTORATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDING

**NOTE: NYSRA ENCOURAGES MEMBERS TO LOOK AT THIS FUNDING BECAUSE IT DOES OFFER FUNDING FOR JOB DEVELOPMENT AND RETENTION THAT CAN BE USED FOR SERVICES FOR PEOPLE WITH DISABILITIES.**

*Key Senate Panel Rejects President's Budget Cuts to Critical Economic Development Program for New York State. Move will restore \$70-\$80 million in funding for New York Towns and Cities. Nearly 50 towns and cities throughout New York are direct beneficiaries of the CDBG program.*

Senator Hillary Rodham Clinton welcomed approval by the Senate Appropriations Committee on July 21, 2006 of the Fiscal Year 2007 Transportation, Treasury, the Judiciary, and Housing and Urban Development Appropriations Bill, which included \$3.887 billion for the Community Development Block Grant Program (CDBG), one of the most important economic and community development programs in the nation. This funding level basically rejects the President's cuts, and ensures that New York won't see a cut in its CDBG funding.

The President's FY '07 Budget had initially proposed cutting the CDBG program by over 20%, which would have resulted in a loss of over \$70 million to New York. Given that New York receives about 10% of the funding for the entire CDBG program, it would have been one of the most deeply hit states by the cuts.

"The CDBG program has been supporting affordable housing for working families, cleaning up streets and neighborhoods, and creating new jobs and business opportunities in New York for over 30 years. I am pleased that the Senate Appropriations Committee has rejected the President's shortsighted cuts to this critical program for our State, and I will continue to work to ensure that this funding level is maintained as we move forward on FY 2007 funding matters. This is an important win for New York. Restoring these cuts was the right thing to do for all the local communities that use these funds and rely on them to make critical investments for the future," Senator Clinton said.

Senator Clinton joined an effort earlier this year to restore the CDBG funds for New York. Since the President's budget containing these cuts was released earlier this year, Senator Clinton has cosponsored and supported several amendments to the FY '07 budget to restore this funding and has lobbied her colleagues on the Appropriations Committee to oppose the President's cuts.

The CDBG program, begun in 1974, is designed to allow communities to develop affordable housing, neighborhood revitalization activities and economic opportunity, principally aimed at low and moderate income persons. In New York CDBG empowers cities and towns to provide affordable housing, social services, neighborhood revitalization and job development programs.

## NEWS FROM NYSRA MEMBER AGENCIES

### PEOPLE INC 5TH ANNUAL GOLF TOURNAMENT

People Inc. has had a busy year with its ongoing branding project, new logo, 35<sup>th</sup> anniversary, and now, its golf tournament!

**Here is some information about People Inc.'s 5<sup>th</sup> Annual Drive For Disabilities Golf Tournament, which is taking place Monday, August 28, 2006, at East Aurora Country Club.** This fund raising event will benefit the People Inc. Foundation and the building of new specialty group homes for people with multiple disabilities like Prader Willi syndrome, Deafness, Autism, and Mental Retardation. **There are several ways that businesses and community members can get involved!**

**1. Enjoy a day of golfing.** Golfers are greeted by People Inc. program participants during registration, which always goes smoothly. The tournament is held at East Aurora Country Club. Golfers are treated to perks throughout the day, have a lovely lunch on the patio, and a delicious dinner. Our evening program and auctions are fun, and attendees will see a two minute video introducing People Inc.'s new look. From WIVB-TV Channel 4, Dennis Williams and Kevin O'Neill, "The Why Guy," will be the evening emcees. Enjoy a Silent and Chinese Auction!

**2. Donate an item for the Silent or Chinese Auction.** From tickets to certificates, to sports memorabilia, novelty items, and something new this year, a Jewelry Showcase, People Inc. welcomes in-kind donations! People Inc. staff would be happy to pick up your items!

**3. Promote your company through a Hole Sign.** Display your company name out on the greens for only \$200 or two for \$350.

**People Inc. would be happy to customize sponsorships.** For more information, please contact People Inc. Foundation and Corporate Affairs Director Denise Paszkiewicz at (716) 817-7470 or email [denisep@people-inc.org](mailto:denisep@people-inc.org).

**Thank you for your consideration of supporting People Inc.'s 5<sup>th</sup> Annual Drive Fore Disabilities Golf Tournament! People Inc. is pleased to serve the community for 35 years!**

## FUNDING OPPORTUNITY MULTISYSTEMIC THERAPY

**Bid Profile Name:** Multisystemic Therapy

**Application Due Date:** 9/15/2006

**Estimated Funds Available:** NA

**Objective:** OCFS is providing funding opportunities for providers to submit a bid on the evidence-based program, Multisystemic Therapy (MST). MST is an intensive family and community based treatment that addresses the known determinants of serious antisocial behavior in juvenile delinquents.

**Eligible Applicants:** Non Profit 501(c)(3) (Not Higher Ed.), For Profit (Other than Small Business)

**Announcement Notes:** Applicants may only submit questions in writing by either hard copy or email to Judy Goldman. Questions will be accepted until 8/30/06. A Question and Answer document of all questions received will be posted to the OCFS online Bidders List by 9/8/06. <https://ocfsws.ocfs.state.ny.us/obl/>

**More Information:** To view the complete Bid Profile and the solicitation document for this Bid Solicitation, if you have Internet access, go to: <https://ocfsws.ocfs.state.ny.us/obl/index.asp?menu=28&grantid=231>. If you do not have Internet access you may instead contact Judy Goldman at (518) 474-7979 or [judy.goldman@ocfs.state.ny.us](mailto:judy.goldman@ocfs.state.ny.us)

### FALL 2006 BEST PRACTICES SERIES IN GERIATRIC MENTAL HEALTH

MODELS OF MENTAL HEALTH SERVICES IN NATURALLY OCCURRING RETIREMENT COMMUNITY-SUPPORTIVE SERVICE PROGRAMS (NORC-SSPS)

**September 18, 2006 from 3:00-5:00PM**

Hunter College School of Social Work - Auditorium  
129 East 79<sup>th</sup> Street, NYC  
(Between Lexington and Park Avenues)

### DIAGNOSIS AND TREATMENT OF LATE-LIFE BIPOLAR DISORDER

**Tuesday, October 24, 2006 from 3:00-5:00PM**

Weill Cornell Institute of Geriatric Psychiatry  
21 Bloomingdale Road - Auditorium  
White Plains, NY 10605

### MENTAL HEALTH SERVICES IN NURSING HOMES

November 2006  
(Date and location to be confirmed shortly)

**Attendance is free, but pre-registration is required.**

**Refreshments will be served.**

**To make a reservation call 212-614-5753 or email [center@mhaofnyc.org](mailto:center@mhaofnyc.org)**



74-20th Street  
Brooklyn, NY 11232  
Phone: 718-499-6757  
[www.hireDS.com](http://www.hireDS.com)

# Opportunity for Success Ride



*On October 1, 2006 Hire Disability Solutions in partnership with Monster will be embarking on a 300 mile bike ride from New York City to Washington D.C. to promote the employment of Individuals with disabilities.*

*Visit [www.hireDS.com](http://www.hireDS.com) to find out ways to show your support and become involved in the ride.*



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today's the day™



Together Making a Difference

## EMPLOYMENT OPPORTUNITIES

## EXECUTIVE DIRECTOR

Livingston-Wyoming ARC is seeking an Executive Director to join our progressive and expanding organization in the beautiful Finger Lakes area. Our non-profit, family-based organization provides a broad range of services to children and adults. Programs include Head Start & Pre-School for Children, Residential & Vocational Services for Adults and Day Habilitation Programs for Seniors. Candidates should possess the following qualifications:

- Master's degree in public or business administration or related field with a minimum of 10 years experience in the human services field, 5 of which must be in a leadership capacity.
- Strong background in financial, operations and human resources management, fundraising and marketing.
- Strong leadership experience with a proven track record of establishing strategic vision, implementing vision and getting results.
- Excellent organization and communications skills.
- Experience working with people with OMRDD.
- Experience working with a volunteer board of interested and concerned parents.

Please send resume and salary requirements by September 1, 2006 to: LWARC, Search Committee, C/O Brent Lefler, 18 Main Street, Mount Morris, NY 14510 or [blefler@lwarc.org](mailto:blefler@lwarc.org). EOE



PHOENIX FRONTIER, INC.

Quality Assurance Coordinator: - FT. BA w/2 years experience working in the OMRDD field; 6 month experience doing QA preferred. EOE. Resume to Phoenix Frontier - SH, 100 Ave., Buffalo, NY 14214

## 2007 DISABILITY POLICY SEMINAR

*Lexington*

## Safety Administration Manager

If you have been searching for the "Career of a Lifetime" you would most likely find it at Lexington. Located in upstate New York, we are a true human services career experience. Lexington is a thriving, half-century-old, non-profit organization that has been built on the honored commitment that "people come first." With programs located throughout historic Fulton County, in the foothills of the Adirondacks, our mission is to serve adults and children with disabilities, and our dedication to providing the highest quality services ranks second-to-none. We are 1300 employees and \$60 million dollars strong, and are preparing for a major expansion of services over the next three years. In preparation, we are searching for the best and the brightest individuals to add to our Management Team to help shape our future.

Because Safety is a Top Priority at Lexington, we are developing a Safety Administration Manager position designed to provide leadership and guidance across the organization. This important position will promote a standard of excellence in all areas of safety administration including OSHA compliance, worksite evaluation, best practice and policy development, and the assurance of a safe workplace. This position will report to the Director of Human Resources and work collaboratively to implement/improve safety practices in concert with Lexington's Mission.

**QUALIFICATIONS:** The successful candidate will have a strong foundation in safety administration, experience managing Worker's Compensation programs; ability to efficiently problem-solve and drive new initiatives; and demonstrate a proven ethical and professional work approach. Candidate must have exceptional listening, verbal and written communication skills, as well as organizational and analytical skills. Must be able to effectively interface with management and staff at all levels. Bachelor's Degree in a relevant field and at least two years management experience is required.

Lexington offers a competitive salary and generous benefits plan along with an opportunity to work in a nurturing, team-centered environment. To be considered please submit cover letter and resume to:

Lexington Center  
Human Resources Department  
127 East State Street, Gloversville, NY 12078  
(518) 773-7931 Fax: (518) 775-1333  
Email: [hr@lexcenter.org](mailto:hr@lexcenter.org)  
[www.lexingtoncenter.org](http://www.lexingtoncenter.org)