

ADAP

Alabama Disabilities Advocacy Program



APRIL 2006



From the desk of
Ellen B. Gillespie, Ph.D.

ADAP Executive Director

ADAP is an organization that is always embracing change, and this month we are making a change in our newsletter that may be of interest to you. We want to find out more about some of the interesting people in the Alabama disability movement, so we are beginning a series of interviews of these individuals as part of the newsletter. For the first interview, we selected one of my favorite people, Scott Renner, who is the Director of the Montgomery Center for Independent Living. I asked James Tucker to conduct the interview, and, for fun, I told him I would like him to do an Oprah magazine-type interview with Scott. Although James was a little puzzled about the Oprah reference, he did a great job, as he does on any task. If you have suggestions about persons we might feature in future newsletters, please let us know at adap@adap.ua.edu.

Our work at ADAP in the past three months has emphasized coalition-building, as we worked together with the ARC of Alabama
(Continued on Page 2)

Scott Renner

An Interview with an Alabama Leader

By: James A. Tucker
ADAP Litigation Director

JT: *Scott, it's a thrill to be here and to visit with you. We've done a lot of work together. This is the first interview in a series that we would like to start in the ADAP newsletter. Maybe you can tell us a little bit about your work at the Montgomery ILC and the mission of the ILC.*

Scott: The Montgomery Center for Independent Living is based in the Chamber of Commerce Incubator. We are a satellite of the Birmingham Independent Living Center. We started in March of 2003. The mission of the Montgomery Center for Independent Living is to empower people with disabilities to fully participate within their community. The Center provides education and independent living skills training, peer support, advocacy, getting individuals involved with disability issues, and supporting them to live more independently and to reach the goals they want to accomplish.

JT: *For someone living in the community who might have a disability who is not currently involved in the disability rights*

movement, as a practical matter, what will they experience if they come down and meet you and get involved?

Scott:

I think that they would be able to feel like they are being empowered, that they are able to get involved in the community and see what issues they are facing. They also would see cross-disability issues, and not just issues facing them in their own lives, but issues facing all individuals with disabilities. I think that they can feel a part of a Center as a place where they can contribute.

JT: *So it would be a part of a movement in the state as well?*

Scott: That is correct.

JT: *Are there specific services that you provide to individuals, for example, advocacy with housing or employment, or other things? What kinds of concrete services might someone expect in meeting their individual needs as well as the advocacy efforts?*

Scott: The Montgomery Center for Independent Living and all similar centers offer core services. Those core services are:

1) Systems advocacy, in which we
(Continued on Page 3)

**From the desk of
Ellen B. Gillespie***(Continued from Page 1)*

to provide input to elected officials on the waiting list case.

This case, now six years old, was close to resolution in December, when Attorney General Troy King filed a second motion to have the suit dismissed, claiming these individuals have no right to sue. The ARC of Alabama took the lead on behalf of over 1400 people with cognitive disabilities already on a long waiting list and others who join the list every month organizing and paying for a special call-in campaign to alert the Attorney General and Governor that it is not acceptable for Alabamians with

significant disabilities to have their needs ignored.

Many of you have also seen letters to the editor in newspapers around the state, as well as feature articles describing the situation of persons who wait for critical services and their families. There have been over 30 letters and articles on the subject since mid-January. The activities led by the ARC and involving many other organizations culminated in a rally in Montgomery on February 15. I admit I am not ordinarily a fan of this type of activity. I have some philosophical problems with big gatherings involving congregation of persons with disabilities. At this rally, however, the ARC had made a special effort to have the event be as much like other

legislative rallies as possible. Consumers, families, and persons who work to support consumers were all dressed in attire appropriate for calling on legislators. The rally was concise; almost everyone had made or carried signs, and the music in the beginning focused on the rights of Alabamians with disabilities as citizens, as Americans.

The efforts of the Alabama disability community have not ended, but have not yet had any impact on the Attorney General's decision. Please stay tuned as we see how this will be resolved. Alabama is a state that responds to a "squeaky wheel", so let's make our cause known in as loud and squeaky a way as possible!

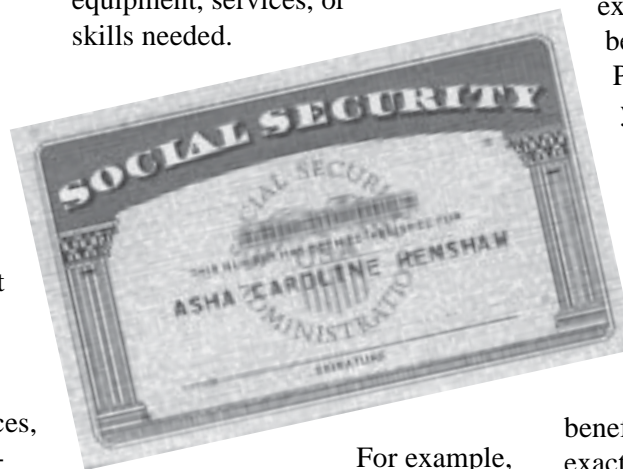
Avoiding Pitfalls with your P.A.S.S.

By: *Alethea Pittman,*
ADAP Staff Attorney

Many individuals eligible for Supplemental Security Income (SSI) and/or SSDI considering work are not aware that a PASS is an option that may make transition back into the work place easier. Using a PASS may allow an individual to have access to more income and resources in transitioning into the work place.

A Plan for Achieving Self-Support (PASS) allows individuals to set aside money for a specified work goal. The purpose of a PASS is to assist you in obtaining items, services, or skills needed to reach your vocational goals. The job that you want should allow you to earn enough to reduce or eliminate your need for Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits.

Under Supplemental Security Income (SSI) rules, any income that you receive may reduce your benefit. But, if you have an approved plan, you can use that income to pay for the items needed to reach your vocational goal. You can use a Plan for Achieving Self-Support to set aside money to use for reaching a specific vocational goal. A PASS can allow you to purchase equipment, services, or skills needed.



For example, a PASS can be used towards going to school for specialized training for a job or to start a business.

Social Security will not count the money that is set aside under a PASS plan when deciding your monthly SSI

benefit. This means you may get a higher SSI payment. You can also qualify to receive SSI with an approved plan. A Social Security Disability Insurance (SSDI) beneficiary can use PASS to set aside all benefits (except for \$20) as a part of the Plan. This can enable you to become eligible for the maximum SSI benefit. With SSDI in PASS, living expenses can only be paid with SSI benefits. To be eligible to use a Plan for Achieving Self-Support you must want to work, be eligible to receive Supplemental Security Income (SSI) because of disability or blindness and have other income and/or resources to complete a work goal, such as getting a job or starting a business.

It is very important that beneficiaries follow their PASS exactly as it is written and work closely with their PASS cadre. Funds intended for a PASS must be deposited into a separate account. PASS money cannot be entered into an account that is used for personal expenses.

Renner

(Continued from Page 1)

seek to change laws,

2) Individual advocacy, in which individuals face transportation, accessibility and housing issues,

3) Peer counseling and peer support - An individual might be new to a disability and have questions. We can help out that person by linking them with an individual with a similar disability who has been successful or has some pointers that they can share with that individual.

4) Independent living skills training - If someone needs to learn how to use the transportation services here in Montgomery, or learn how to do banking or maybe go grocery shopping, pay bills, those types of skills.

5) Information and referral - We have a lot of resources in the community that we can link individuals into.

6) A computer lab - We have a very nice computer lab that has various types of software like Jaws and Zoomtech. We have a Braille printer so we offer Braille printing services to the community. An individual who doesn't have computer skills or who needs assistive technology can use our computer lab, lab voice activation, switches, and other types of assistive technology.

JT: That's a really helpful description of the range of services that is available for individuals in the Montgomery area. Let me ask about a couple of the items that you mentioned that

might illustrate the connection between individual and systems advocacy.

Scott: Sure.

JT: For example, you mentioned transportation issues. What are some of the challenges you see for persons with disabilities in the state of Alabama with regard to transportation?

Scott: I think lack of transportation is one of the biggest issues we have right now. We have people we serve in the Tri-county area.

JT: And when you say the Tri-county



area, that would be Montgomery, Autauga and Elmore, is that right?

Scott: That is correct.

JT: So in those three counties, what kind of transportation issues do you see?

Scott: There are consumers in Prattville, and in Elmore and Autauga Counties who have no transportation to Montgomery. Unfortunately, the Montgomery area transit system won't leave the city limits, so we have people in our service area who can't even travel to the Montgomery Center for Independent Living.

JT: So one of the issues is just the lack of available transportation for persons with disabilities in parts of the Tri-county area?

Scott: That is correct.

JT: When transportation is available, what kinds of issues do you see?

Scott: We have the Montgomery area transit system. Unfortunately, they can't serve all the needs here in Montgomery. There are times when we will call to arrange transportation and none will be available. You may have to call two weeks in advance, but

usually you don't know two weeks in advance where you need to go or when you want to go somewhere. I think there are more individuals requesting transportation than the system is able to provide.

JT: You also mentioned housing issues. What kinds of housing challenges do people face in this area?

Scott: Unfortunately, every facility or apartment complex that provides housing for individuals who have low income or accessibility needs has a waiting list that may be as long as six months to a year. A person may fill out an application, and then wait for someone to move out or something like that.

The lack of accessible apartments and housing for individuals in the Montgomery area can't meet the need.

JT: And is that also a statewide issue?

Scott: That is very much a statewide issue. I've worked with the Mobile and Birmingham ILCs, and there are waiting lists as long as a year or two to help persons with disabilities get into their apartments.

JT: Another issue you mentioned is accessibility. Can you talk about some of the accessibility challenges faced by people with whom you work?

Scott: One of the biggest ones was the new intermodal transportation center (Continued on Page 4)

Renner

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in Montgomery. We filed suit in federal court and obtained increased accessibility at the center. Right now one of the biggest issues we have in the Montgomery area, especially downtown, is curb cuts and other physical accessibility issues.

JT: *As we approach 15 years out from the ADA, does it surprise you that there are still issues as basic as a lack of curb cuts in a city the size of Montgomery?*

Scott: Yes it does. It's amazing that we have had the ADA for 15 years, that curb cuts are not ADA compliant, and an individual like me who uses a wheelchair can't even access those curbs because they are not properly installed.

JT: *What are some of the biggest issues that you see facing people with disabilities in Alabama today?*

Scott: I would have to say housing, transportation, and community-based services for individuals. We work with individuals who need community-based services. What I mean by that is personal care attendant services or other types of community supports that will assist an individual to live in the community.

JT: *You also mentioned Money Follows the Person legislation. Can you explain what that is for people who might not be familiar with it?*

Scott: The Money Follows the Person bill is HB 169 in the Alabama Legislature. That would create an avenue by which an individual who was living in a nursing home or an institution could use the money being spent on community based services.

JT: *How did you get into the work that you are doing now, Scott?*

Scott: In 1992, I was quality control manager for Lincoln Mercury in Monroe, LA. On a Saturday after-

noon, I had just purchased a ski boat and I was water skiing on the Quachita River. In a split second, I dove off into some shallow water and ended up with a C3-4 spinal cord injury. Ever since then I have been in the disability field. I worked with a self-determination program at LSU. When I moved to Montgomery, Alabama, I was the assistive technology specialist for the (STAR) State-wide Technology and Access Response program. Then, I was very fortunate to get the executive director position here at the Montgomery Center for Independent Living. I think it's just a mission. My heart is in working with people and knowing that they can do better than the system thinks they can.

JT: *In terms of the work that you and others do with ADAP, what do you see as some of the challenges for consumers and advocates in Alabama? Where do we go from here?*

Scott: I would like to see organizations and coalitions working on cross-disability issues. We have several organizations and several coalitions in Alabama. I believe we can be more powerful where we can bring these organizations together as one — working on all issues together instead of working on separate issues in our own little groups. I would like to see Alabama grow where we can be involved together. I think ADAP can play a very important role in getting disability organizations to work together in a more cohesive way. I also think voting is where we can show legislators and others that we mean business. But, if we just have each separate entity working on separate things, it's not that powerful. So, I would like to see organizations in Alabama step up to the plate. Let's make contacts and work together to make Alabama a better place to live for people with disabilities.

JT: *That's a powerful observation. We've talked about a range of things*

today. Do you have any last thoughts?

Scott: I would like to work with people in Montgomery, Autauga, and Elmore Counties to make the Montgomery Center for Independent Living stronger. I'd like to get more involvement and have our Center grow like the ones in Birmingham and Mobile. To do that, I need community support. If people want to step up to that challenge, I would like to offer that, and let's see if this Center can be as powerful as the others.

For more information contact:

Scott Renner
Montgomery Center for Independent Living
334-240-2520 (Voice)
711-334-240-2520 (TDD)
www.montgomerycil.org

Outstanding Student



Nicholas Carlisle
 Law Clerk

Nicholas Carlisle, Law Clerk for ADAP, has been selected for the 2006 Outstanding Student Award by the American Association on Mental Retardation,

Southeast Region. Nic is a third-year student at the UA School of Law. He will graduate in May 2006, and has received a prestigious two-year fellowship from Equal Justice Works to work as a Staff Attorney for ADAP. Nic is a tireless worker, and an individual who will certainly have an impact in his career by improving the lives of people with disabilities.

He is very deserving of this special recognition. He will be honored at the joint meeting of AAMR and DMH/MR in Perdido Beach in April.

Advocates Speak Out on Waiting List Suit

By: James Tucker,
ADAP Director of Litigation

While ADAP staff have been working closely with co-counsel to represent the plaintiffs in *Susan J. v. Riley*, the “waiting list suit” for MR services in the community, advocates have rallied to make their needs known to the public.

On February 15, hundreds of consumers, family members, advocates, providers and others thronged the steps of the Alabama State House for the 2006 People Can’t Wait Rally. At the Rally, speakers urged members of the State Legislature and other officials to provide more community services and to eliminate the waiting list. Governor Bob Riley and Lt. Governor Lucy Baxley both pledged to do everything in their power to address the waiting list issue, including the Governor’s announcement that he would release a \$3.5 million conditional appropriation to provide services to persons on the waiting list. The Governor reported that the additional money would reduce the waiting list by 300-400 persons, still leaving more than 1,000 persons on the waiting list.

Organized by the state ARC and other advocates, the People Can’t Wait Rally capped a sustained effort to bring attention to the waiting list. Hundreds of phone calls were

made to the Governor and Attorney General urging them to address the waiting list in the weeks leading up to the Rally. While the Governor’s office received numerous calls on the issue, the Attorney General disconnected a toll-free line set up by the ARC to route calls to the A.G.’s office. As the *Anniston Star* wrote in an editorial on February 7:

“The Attorney General has a lot of explaining to do. We’re disappointed but not surprised that King’s anti-federal government dogma spurs him to drag his feet on the case. His objection to running state government through consent decrees, as King’s spokesman put it, is more important to him than the approximately 1,400 Alabamians waiting for mental retardation services. Blatantly trying to squelch public comment from those advocating for improved mental retardation services is an equally disturbing stance. Neither serves the state of Alabama and its people.”

Newspapers from Birmingham, Huntsville, Montgomery, Tuscaloosa, Florence, Gadsden and elsewhere have provided continuing coverage of the waiting list as well. As we go to press, the State’s latest motion to end the waiting list case is pending in federal court.

In the meantime, people wait for needed services...



The People Can’t Wait Rally on February 15, 2006 capped a sustained effort to bring attention to the waiting list case. Alabama’s ARC organized the Rally and consumers voiced their messages with phone calls, cheers and signs.

Dr. Seuss Meets ADAP



By: Denise Smith
ADAP Interim Associate Director

Oh, the Places You'll Go is the title of one of the books Dr. Seuss wrote to encourage us to find the success that lies within each of us. On March 4, 2006, ADAP staff, volunteers and students went to places all over Alabama to participate in the Read

Across America program in honor of Dr. Seuss' birthday. According to the National Education Association's (NEA) press release, "Read Across America is an annual reading motivation and awareness program that calls for every child in every community to celebrate reading on or around Dr. Seuss' birthday."

ADAP's participation in this project began in 2005 with the idea from Senior Staff Attorney Lauren Carr and the encouragement of Ellen Gillespie. This effort was such a huge success that it has become an annual event. This year, the staff selected the book *Don't Call Me Special, A First Look at Disability* by Pat Thomas. Ms. Thomas helps children explore questions and concerns about disability in a simple and reassuring way.

One of the goals set by the staff this year was to increase the outreach to students and schools over last year's

numbers. During Read Across America 2005, staff read to approximately 725 students in 14 schools. In 2006, 1,865 children, teachers and school personnel in 15 different locations found out what a disability is, and learned how people with disabilities live happy and full lives. Before leaving each school, the book was donated to the school library.

As ADAP's participation continues, the goal each year will be to expand the opportunities this event provides to encourage others to join in to celebrate Dr. Seuss' birthday and learn more about disability awareness. "Oh, the places you'll go" and the people you'll meet and the lives that you'll touch will help others to learn that everyone can find the success that lies within each one of us. For further information about this project, please contact ADAP and join in Dr. Seuss' birthday party in 2007.

ADAP Focus on Recreation

By: Lauren Carr
ADAP Sr. Staff Attorney

People with disabilities across the country spend less time outside their homes enjoying recreational activities. Why? Because numerous barriers still exist, not only physical, but also attitudinal. Data from the National Organization on Disability (NOD) 2000 Harris Survey on Community Participation indicate that people with disabilities spend an average of 5.7 hours a day out of their houses, compared with 8.5 hours for people without disabilities.

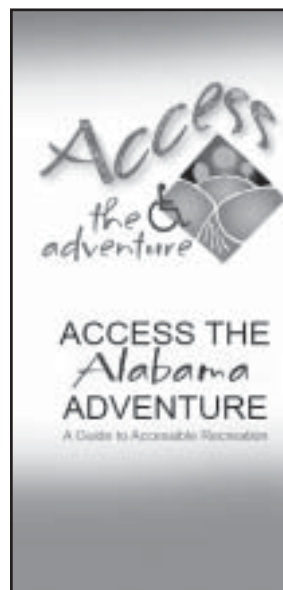
People with severe disabilities spend even less time away from home (an average of 5 hours a day) than individ-

uals with slight or moderate disabilities. Therefore, people with disabilities are usually less involved in their communities, and often feel less connected as full partners in local community life. This can result in feelings of isolation and a sense that here are no opportunities available.

Building design problems continue to be the most frequently reported barrier to participation in community activities. There are still barriers such as steps, door thresholds, inaccessible bathrooms, lack of curb cuts, or sidewalks that are not level. Further, barriers still remain regarding information available, or how to access information to know

where and to whom to request accommodations in recreation activities.

ADAP recently received a generous grant from the Alabama Council on Developmental Disabilities to pursue the development of publications and seminars on accessible recreation in Alabama. The goal of the recreation project is to educate providers of recreation activities for inclusion of people with disabilities in all programs, as well as to identify accessible-friendly recreation areas. ADAP has developed a brochure on accessible



recreation which includes legal requirements for program access. For more information, contact ADAP.

Katrina Aid Today

A Case Management Consortium

By: *Elaine Gallien,*
ADAP Sr. Case Advocate

ADAP, as a member of the National Disability Rights Network, was notified in December 2005 of being selected to provide case management services to Hurricane Katrina survivors with disabilities and their families. ADAP, along with protection and advocacy agencies in Louisiana, Mississippi, Texas, Georgia and Tennessee will assist survivors to identify sources of support, develop personal recovery plans, acquire access to services and take appropriate actions to bring the survivors to self-sufficiency.

The Katrina Aid Today initiative is administered by

United Methodist Committee on Relief and is sponsored by the Federal Emergency Management Agency. ADAP staff working with Katrina Aid Today will provide case management services to individuals across the life span affected by Katrina. Services may include such activities as referrals for housing, transportation, employment, mental health, and mental retardation services as well as education IEP's and ISP's. ADAP is also focusing on the unmet need of those individuals with disabilities affected by Katrina through collaborating with the Long Term Recovery Committees in Alabama counties. More information about Katrina Aid Today can be found at www.katrinaaidtoday.org.

If you are a Katrina survivor with disabilities and have needs that ADAP may be able to assist you with, contact ADAP at 1-800-826-1675 (in-state) or 205-348-4928(V/TDD) or e-mail at adap@adap.ua.edu. Please indicate that you and/or your family are Katrina survivors.

ADAP 2006 Social Work Interns

A rousing success! That's how ADAP would characterize the first year of its Disability Practice Clinic for social work students, a new initiative between ADAP and the University of Alabama School of Social Work.

This clinic program succeeded because of the great students we had working with us this year. Meet our most recent cohort of students — we wish them well in their future work!

Anna Bostick

I am interested in working in the field of substance abuse when I finish working on my MSW. At ADAP I am learning more about the dual diagnosis of drug/alcohol addiction with other mental disabilities. ADAP has also shown me that there are multiple ways of advocating for individuals' rights and just how important it is.

Nicolette S. Duke

I hope to gain a better understanding of the many issues that people with disabilities face in their schools, communities and the workplace. This will be an opportunity of personal and professional growth as I will be challenged to advocate for them in



Social Work Interns: Front Row - Haley Watkins, Middle Row - Allison Li, Back Row - (left to right) Robin Huebner, Anna Bostick, Megan Stewart, Nicolette Duke.

meaningful ways.

Robin Huebner

I am currently a first year MSW student with concentration on children and families. My interest areas are in advocacy, education and the effects of parental substance abuse on child welfare. I have realized ADAP's multidisciplinary approach is vital in advocating for the rights of individuals in all areas of social work.

Allison Li

Working at ADAP is a wonderful

opportunity for me to know that how people in this country do the advocacy work for people with disability. It is a difficult job, and I am impressed by the passion and professional knowledge of the staff members. What ADAP is doing is very different from what people do in China, and their advocacy work gave me a lot of ideas of improving the right of people with disability in China.

Megan Stewart

I am a second year MSW student planning to graduate in May. I chose ADAP for my field placement because I am interested in working with children with disabilities and their families. I am impressed with ADAP and its role as a proactive resource for individuals with disabilities.

Haley Watkins

My concentration is children, youth, and families. I am excited to be at ADAP and have the opportunity to work with the staff. I am looking forward to learning about Protection and Advocacy for Individuals with Mental Illness, as I hope to work with persons with mental illness upon completion of my MSW degree.



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ADAP Annual Report



2005 ADAP Annual Report is available online at <http://www.adap.net> or you may receive a copy by contacting our office at:
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Fax: (205)348-3909

27th Annual Mental Retardation Spring Conference

April 17-19, 2006 Perdido Beach
Additional Information contact: MR Spring Conference
c/o MR Region III Attn.: Shirley Patterson
7400 Roper Lane Daphne, AL 36526

2006 ADAP Council Meeting Dates

PADD	May 5
PAIMI	May 12
Joint Council Meeting	Sep. 15

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