

RI Governor's Commission
on Disabilities
(formerly the RI Governor's
Commission on the Handicapped)

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Biennial Report for Fiscal Years 1996 & 1997 and 1998 Activities



Lincoln Almond, Governor

Arthur R. Colby, Chairperson

John Nickerson, Vice Chairperson

Bob Cooper, Executive Secretary



Adopted December 15, 1997

Copies of this report are also available in Braille, large print, audio cassette, and electronic file on computer disk. Contact the Governor's Commission on Disabilities: 401-222-3731 (voice) OR 401- 222-2833 (tty or fax)

TABLE OF CONTENTS

FISCAL YEAR 1996 ACHIEVEMENTS 5

ACCESS TO GOVERNMENT SERVICES	5
<i>The Coordinating Committee on Disability Rights</i>	5
<i>The Commission</i>	5
<i>The Executive Committee</i>	6
<i>The Accessibility Committee</i>	6
<i>The ADA Equipment Committee</i>	6
DISABILITY RIGHTS AWARENESS	7
<i>ADA Coalition of RI</i>	7
<i>Able Too...</i>	8
ADVOCACY FOR THE CONCERNS OF PEOPLE WITH DISABILITIES	8
<i>The Legislation Committee</i>	8
<i>The Executive Committee</i>	8

FY 1997 ACHIEVEMENTS..... 9

ACCESS TO GOVERNMENT SERVICES	9
<i>The Commission</i>	9
<i>Coordinating Committee On Disability Rights</i>	9
<i>The ADA Equipment Committee</i>	9
DISABILITY RIGHTS AWARENESS	9
<i>ADA Coalition of RI</i>	9
<i>Able Too...</i>	11
ADVOCACY FOR THE CONCERNS OF PEOPLE WITH DISABILITIES	11
<i>The Commission</i>	11
<i>The Legislation Committee</i>	11
EXPANDING ECONOMIC OPPORTUNITIES	12
<i>The Handicapped Products Procurement Committee</i>	12
DELIVERY OF SERVICES	12
<i>The Coordination and Consolidation of Services Committee</i>	12
<i>Master Price Agreement Committee</i>	13

FY 1998 ACTIVITIES 14

ACTIVITIES FOR FY 1998	14
<i>Accessibility to Government Services</i>	14
<i>Disability Rights Awareness</i>	14
<i>Advocacy for the Concerns of People with Disabilities</i>	15
<i>Expanding Economic Opportunities</i>	16
<i>Administrative</i>	16
MEETING SCHEDULE FOR CALENDAR 1998	17

APPENDICES.....	18
COMMISSION MEMBERS.....	18
COMMISSION EMPLOYEES, FELLOWS & INTERNS	18
<i>Employees</i>	18
<i>Mary Brennan Fellows</i>	18
<i>G. Frank Hanaway Fellows</i>	18
<i>John E. Fogarty Fellows</i>	18
<i>Edward J. Schroeder Fellows</i>	19
<i>Cable TV Interns</i>	19
COMMITTEE MEMBERSHIP	19
<i>Accessibility Committee</i>	19
<i>ADA Equipment Committee</i>	19
<i>ADA Grant Committee</i>	19
<i>Coordinating Committee on Disability Rights</i>	19
<i>Coordination and Consolidation of Human Services Committee</i>	20
<i>Disability Business Enterprise Committee</i>	20
<i>Legislation Committee</i>	21
<i>Master Price Agreement Committee</i>	21
<i>Executive Committee</i>	21
<i>Personnel Committee</i>	21
ABLE TOO... CABLE TV.....	21
<i>Producer / Director</i>	21
<i>Volunteers</i>	22
RECIPIENTS OF THE JOHN E. FOGARTY PUBLIC SERVICE AWARDS:	22
<i>1995 Legislative Session (presented May 1996)</i>	22
<i>1996 Legislative Session (presented June 1997)</i>	22
RECIPIENTS OF THE JOSEPH VANNI MEMORIAL AWARD.....	23
<i>1995 Legislative Session (presented May 1996)</i>	23
<i>1996 Legislative Session (presented June 1997)</i>	24
RI GENERAL LAW TITLE 42 CHAPTER 51	24
§ 42-51-1 <i>Establishment of commission.</i>	24
§ 42-51-2 <i>Composition of commission.</i>	24
§ 42-51-3 <i>Officers.</i>	24
§ 42-51-4 <i>Term of office.</i>	25
§ 42-51-5 <i>Compensation and expenses.</i>	25
§ 42-51-6 <i>Duties.</i>	25
§ 42-51-7 <i>Gifts, grants, and donations.</i>	25
§ 42-51-8 <i>Transfer of personnel.</i>	25
§ 42-51-9 <i>Definitions.</i>	26
§ 42-51-10 <i>State coordinating committee on disability rights.</i>	27
§ 42-51-11 <i>Mary Brennan fellowship fund.</i>	27

Fiscal Year 1996 Achievements

Access to Government Services

The Coordinating Committee on Disability Rights

revised the ADA/504 Compliance Plan early in the year, and arranged for the:

Department of Administration to issue a policy on Adverse Weather Conditions and Alternative Work Sites;

Department of Transportation to issue regulations on Accessibility of Sidewalks; and

the Office of Personnel Administration to issue regulations on reasonable accommodations, physical examinations, workers' compensation claims, undue hardship, and examination procedures.

The Commission

issued Nondiscriminatory Eligibility Criteria for Services, to ensure agencies comply with the ADA;

revised the **Grievance Procedure (Mediation) Regarding Disability Discrimination Complaints Against State Agencies** regulations, effective 3/12/96.

During FY 96 the Commission provided assistance on 76 disability discrimination complaints. These included 52 employment cases; 12 government services cases; 4 complaints against a government contractor/vendor; 6 public accommodation complaints; and 2 unknown cases (complaint questionnaire had not been received by the end of the fiscal year). By the end of the fiscal year: 6 cases ended with the parties agreeing to continue discussions without the mediators; 5 cases were resolved directly by the parties; 5 cases were resolved by the mediators; 5 cases ended with the complaint being withdrawn; 8 cases were dismissed by the Commission; 8 cases didn't go to mediation because the respondent choose not to use mediation. In 15 cases they were on hold awaiting the return of the questionnaire and in 12 cases the questionnaire was never returned.

retained WGBH's Caption Center to assess the state's needs for real-time captioning services at the: courts; WSBE TV 36; Capitol TV; the colleges; public schools; and at public meetings/hearings. A public hearing was held on June 12th, and well attended by members of the deaf and hard of hearing communities.

retained Audiology Services Limited, of Warwick to assess the state's needs for assistive listening systems at the courts; colleges; and public meeting. The consultant attended the Caption Public hearing, in June. A second public hearing will be scheduled once the research phase has been completed.

assisted the Westin Hotel/Convention Center to develop access to their new health club and swimming pool.

The Executive Committee

arranged for the Dept. of Education to issue a directive on program accessibility and field trips to ensure inclusion of students with disabilities;

contacted the Director of Administration about the failure to ensure all facilities leased by the state were accessible;

commented to the RI Supreme Court's Special Master on the Screening of Candidates for the Bar on Mental Health and Substance Abuse;

issued regulations on Alternative Document Reproduction Procedures and

The Accessibility Committee

reviewed and commented, to the Secretary of State, on access to the new optical scan voting machines;

reviewed two requests from state agencies to waive the accessibility standard for leasing facilities. The Committee met with the Pawtucket Registry of Motor Vehicles and the Department of Environmental Management and their landlords to ensure programmatic and employment accessibility;

revised the state's ADA/504 Transition plan for the removal of environmental and communication barriers at state facilities. During FY 96: 38 projects were finished; 29 were under construction; and 34 projects were being reviewed. The Commission "froze" all handicap access renovation projects in "design" and ordered a reassessment of priorities, because funding needed to complete the removal of environmental barriers has not been identified; and

provided the assistive technology which enables Braille, audio cassette, large print or diskette copies of any government document to be obtained from the document reproduction centers at the Secretary of State's Office and the Department of State Library Services.

The ADA Equipment Committee

was transferred to the Commission in FY 96, after several years with Department of State Library Services. The committee:

issued a "Reasonable Accommodation - Equipment Request Rule, effective 3/27/96;

authored an article on the state's Auxiliary Aids - Reasonable Accommodation Equipment for state employees with disabilities, which appeared in "Personnel Pride".

As a result in FY 96 5 requests for equipment were received; 3 purchases of equipment were made; and 2 requests were denied. These purchases have enabled high

school students with disabilities to participate in mainstreamed employment preparation programs and state employees with disabilities to remain employed and productive.

Disability Rights Awareness

ADA Coalition of RI

The Commission has acted as the Fiscal Agent for the ADA Coalition of RI, Inc., an alliance of business associations and disability organizations supporting the voluntary compliance with the ADA, for their Disability & Business Technical Assistance Center subgrant, about \$30,000 in federal FY 96. That grant has enabled the Commission to:

continue as RI repository for federally approved, ADA materials;

expand its mediation service to the private sector;

conduct ADA trainings in conjunction with organizations such as the RI Realtors' Continuing Education Program;

increase ADA awareness through presentations and exhibits at the Greater Providence Chamber of Commerce Business Expo.

The staff assisted **133** businesses, agencies, and persons with disabilities, comply with the ADA:

- 28 ADA presentations** to literacy directors, employment & training program managers, department directors, educators, realtors & property managers, business owners & managers, students, elderly, professors, parents of children with disabilities, editors & reporters, and personnel staffs;
- 26 access inspections of school departments' services**, assisting in the development of ADA/504 Transition Plan so children with disabilities are included in all educational services;
- 23 surveys of elderly housing, health care facilities, and emergency shelters** improving access by people with disabilities and seniors to all activities provided in their places of residence, proper medical care, and temporary shelter during difficult times;
- 21 surveys of houses of worship, stores, places of employment, and restaurants** improving access by people with disabilities to religious services, shopping, work, and places to eat and drink;
- 14 surveys of city/town and fire district services** improving access by citizens with disabilities to voting, public meetings, and government programs and services;
- 13 surveys of private homes**, improving access to persons with disabilities so they can remain in their own homes;
- 6 complaints regarding access barriers**, were resolved. In one case these wasn't a violation. In all other cases, once the business owner/manager was informed of the problem and a no cost / low cost solution was implemented, avoiding any formal discrimination charges being filed; and

2 surveys of buildings being renovated for families with HIV/AIDS.

Able Too...

The Commission's weekly cable TV program, ABLE TOO... produced 24 program, ranging from enforcement of handicapped parking to cancer and rehabilitation to taxes and people with disabilities.

Advocacy for the Concerns of People with Disabilities

The Legislation Committee

drafted several bills to improve the quality of life of persons with disabilities.

Governor Almond signed bills the Commission supported regarding:

Adoption of the Uniform Handicapped Parking;

Merging of the Department of Employment & Training and the Department of Labor;

Transferring of the Handicapped Products Procurement Program to the Commission;

Replacing a non-user of hearing aids with a user of hearing aids on the Hearing Aid Dealers and Fitters Board;

Exempting access renovations from the Zoning Law; and

Requiring wheelchairs (operating at night on streets) to be equipped with a light and reflectors.

The Governor also signed 14 other bills the Legislation Committee found to be beneficial. None of the bills the Legislation Committee found harmful or that needed to be amended became law.

The Executive Committee

initiated a public relations campaign to block RIPTA's proposal to delay ADA Paratransit service to the metropolitan area from Jan. 1997 to Jan. 1999;

authorized legislative action to block attempts to weakening the Assistive Technology Lemon Law and to overturn the RI Supreme Court's decision that the ADA definition of disability does not apply to the RI Fair Employment Practices Act; and

met with representatives of the RI Independent Living Authority to review their proposal to build a residential complex in North Providence for persons with disabilities.

FY 1997 Achievements

Access to Government Services

The Commission

- adopted the proposed amendment to the Commission's Regulation on Transition Plans for the Removal of Environmental and Communications Barriers at State Owned Facilities;
- adopted, in concept, the proposed agreement (attached) on Interim Accessibility to the Veterans' Memorial Auditorium Basement Performance Space; and
- adopted revisions of the State's ADA/504 Transition Plan for \$7,227,000 in "Delaware Funding" from FY 2000 and beyond, to address projects:
 - at the colleges and environmental management facilities based on ensuring program (NOT FACILITY) access to unique programs or activities and
 - at RIPTA to purchase additional paratransit vehicles,
 - in order to immediately renovate 4 residential substance abuse treatment facilities.

Coordinating Committee On Disability Rights

reviewed state's ADA Compliance regarding: Accessibility (Facility) Renovations; ADA Paratransit and Public Transit Services; ADA Equipment Purchases; Alternative Document Reproduction Services; Interpreter Services; Captioning Services; and Assistive Listening Systems.

The ADA Equipment Committee

reviewed 7 applications all were approved, equipment purchased and delivered.

Disability Rights Awareness

ADA Coalition of RI

In FY 1997 the Commission became the contractor, rather than just the fiscal agent for the ADA Coalition of RI, Inc. It contracted directly with NE Disability and Business Technical Assistance Center to be their Rhode Island affiliate to increase the capacity of organizations at the state and local level to provide technical assistance, disseminate information, provide training, and promote awareness of the Americans With Disabilities Act. The NE Regional grantee was changed in October of 1996 to Adaptive Environments, Inc. of Boston which has a five year grant. The Commission

was provided funding of \$17,740 for period 10/1/96 to 9/30/97, that same is in federal fiscal year 1996. Activities undertaken during the state fiscal year included:

training a new class of 12 - 15 disability discrimination mediators;

preparing an advertising supplement was published in the July 22, 1996 edition of the **Providence Business News** in celebration of **the 6th anniversary of the signing of the American with Disabilities Act;**

funding ADA awareness minigrants to organizations in the Hispanic, Laotian, Cambodian, Vietnamese, African American, and Native American communities;

disseminating of materials related to ADA and providing training and technical assistance occurred; and

working in cooperation with the US Department of Education's Regional Office for Civil Rights and the RI Department of Education's Office for Equity and Access, the Commission conducted access inspections of all the facilities in **5 school districts (25 schools)**, identifying the most cost effective methods for complying with agreements between those school districts and the US Department of Education and assisting in the development of their **504/ADA transition plans**.

Access Surveys for undertaken for:

46 substance abuse treatment facilities

44 retail businesses;

14 private residences;

14 municipal buildings;

10 architects;

6 libraries;

4 historical sites; and

3 dental offices

In response to accessibility complaints approximately **20 businesses and residential complexes were contacted**, accessibility barriers identified, and solutions proposed.

ADA awareness trainings/presentations were conducted for: RI Planning Association Conference; RI Supportive Employment Partnership; State Nutrition Center Directors Association; Community College of RI's Special Education Teachers & Aides; Collette Tours; Woonsocket District Dental Society; Providence Chamber of Commerce Expo; RI Department of Education's Comprehensive System of Personnel Development Committee; Grace Church; and the Church of the Messiah Building Committees; RI Aging Conference; Ashaway School Expo; MTTI Maintenance Training Classes; Drug Abuse Treatment Association; Self-Help for the Hard of Hearing; RI Assistive Technology Advisory Committee; and Tech Access: RI.

Able Too...

The Commission's weekly cable TV program, ABLE TOO... produced 21 program, ranging from candidates from US Congress to strokes and rehabilitation to assistive technology.

Advocacy for the Concerns of People with Disabilities

The Commission

signed the FY 97 Memorandum of Agreement Concerning the Dedicated Gasoline Tax Proceeds for Elderly & Disabled, with the RI Department of Transportation, the RI Public Transit Authority, and the RI Department of Elderly Affairs.

\$2.5 million for RIPTA for fixed route elderly fare waiver;

\$1 million for RIPTA for ADA paratransit service;

\$750,000 for DEA to fund specialized paratransit for the elderly; and

\$50,000 for RIPTA to purchase additional paratransit vehicles (state match);

any additional revenue to be retained by DEA for costs relating to elderly/disabled paratransit services.

The Commission also endorsed the National Organization on Disabilities call for the inclusion of President Franklin D. Roosevelt with his wheelchair in a statute at the FDR Memorial.

The Legislation Committee

drafted several bills, of the 8 legislative initiatives the Commission supported, Governor Almond signed 5 into law bills that:

renamed the "Governor's Commission on the Handicapped" the "Governor's Commission on Disability" and replace the words "the handicapped," "handicap person," "handicapped person," and "handicap" with "persons with disabilities," "person with a disability," or "disability" in the antidiscrimination laws;

provided a 10% tax credit for small business taxpayers that pay or incur expenses to provide access to persons with disabilities;

established a fund, known as the "Mary Brennan Fellowship Fund," which will be used to create a fellowship program for college students with disabilities;

replaced the free rides on RIPTA during off peak hours for all senior citizens and persons with physical handicaps, with 1) free rides during peak & off peak hours for low income seniors and persons with disabilities; 2) 1/2 fare rides for all middle & upper income seniors and persons with disabilities during off peak hours and 3) expands coverage of reduced fares to rider with mental and developmental disabilities, and replaces the word "handicaps" with persons with disabilities; and

revised the "Admission of Guide Dogs Law" by extending coverage to assistance "assistance animals" and authorizes the Commission for Human Rights to hear

complaints in public accommodations while retaining the power of the Public Utilities Commission to hear complaints against public carriers.

The Committee also reviewed 120 bills and issued an impact assessment on 30: of which it found 19 to be beneficial, 3 to be beneficial if amended, 1 to be harmful, 3 to be harmful unless amended. When the Assembly completed its work, 9 of the beneficial bills were enacted into law, none of the harmful bills, nor any that were not amended as the Committee proposed.

Expanding Economic Opportunities

The Handicapped Products Procurement Committee

and program was transferred to the Commission, by the General Assembly. The Commission adopted regulations outlining the Procedures and Criteria for Certifying Small Disadvantaged Handicapped Business Enterprises and Rehabilitation Facilities. Just prior to the end of the fiscal year the reformed Committee members were appointed.

Delivery of Services

The Coordination and Consolidation of Services Committee

recruited members from the state departments of: Education; Health; Labor and Training; Human Services (Rehabilitation Services), the RI Public Transit Authority; Statewide Planning and the Developmental Disabilities Council, to encourage greater collaboration among state agencies.

The staff completed gathering budget and program information for state departments.

The Committee has identified the following: Individuals with Disabilities Education Act Reauthorization, High Education Reauthorization, ISTE A Reauthorization, Medicare, Medicaid and Welfare Reform for the Governor's Washington Office to track.

A graduate student from RIC's School of Social Work, assisted the Committee through April, making the non-profit service sector and consumers understand their responsibility (in this democracy) of participating in the state's decision making as it relates to the revamping (consolidation, coordinator, and or elimination) of services to people with disabilities.

As a result **The Consumer Alliance**, is a group which was developed to unite people with disabilities and/or chronic illnesses into one advocacy group. The goal was to present a strong voice to the General Assembly and state agencies serving people with disabilities on issues regarding health care.

Attendees identified key issues of interest to focus on such as accessibility to information of health care services. Concern was raised as to the information being available in Braille, on tape and in the major foreign languages spoken in Rhode Island.

A connection was made with the Department of Health's Consumer Information Committee, which is presently working on this problem.

The committee was initially established when it looked as if the Federal funding would be consolidated into a block grant. By the end of the fiscal year the committee members have completed their tasks and the committee was disbanded.

Master Price Agreement Committee

was established by the Commission, at the request of the Office of Purchasing, to coordinate and improve the purchase of assistive technology, therapeutic services, and assessment services relating to people with disabilities. Representatives of the Office of Rehabilitation Services; Veterans' Home; John Donley Rehabilitation Center; Division of Developmental Disabilities; and the Eleanor Slater Hospital, identified common products and services needed by their agencies. The Committee working with the Office of Purchasing established multi-agency, multi-year "Master Price Agreements", that will enable state agencies, municipal governments, and school systems to quickly order and receive equipment and services at a set price, without having to seek bids each time. This procedure will enable agencies to provide equipment and or services within days, rather than weeks or months.

3

FY 1998 Activities

Activities for FY 1998

Accessibility to Government Services

Committees: Accessibility & ADA Grant

Staff: Albert Tardie:

 Polling place access surveys:, January 12th-March 31st;

 School access surveys and transition plan development, April-September

Committee: Accessibility

Staff: Harvey Salvas:

 Access surveys:

 Leased Facilities, January 19th- February 28th;

 Open Meeting Sites, March 9th-April 17th

 Update State Building Codes:

 Open Meeting January 5th-16th;

 Building Code, April 20th-May 16th

 Update ADA/504 Transition Plan (W/ Bob Cooper): April 13th -June 30th

Committee: Coordinating Committee on Disability Rights

Staff: Bob Cooper:

 Coordinate State Compliance: Status report December-January

Disability Rights Awareness

Committee: ADA Grant

Staff: Christine Sullivan:

 Minority Outreach Grant:

 request for proposals, January;

 award grants February;

 grants operate March-June

 Mediation (w/ MB fellow):

Transfer cases from Commission for Human Rights, October-December;
 Marketing Preparation, December;
 Marketing Campaign, January-June

Providence Business News (w/ GFH fellow):

Training Fellow (on business philosophy) - January-February;
 Collect & edit articles, February -May;
 Layout Supplement - June;
 Published & disseminated July 26th

Marketing Training:

Preparation (w/ GFH fellow): January,
 Campaign, February -March

Regional: Monthly documentation and quarterly narrative reports, January, April, & July

Staff: Albert Tardie:

on-site accessibility surveys of businesses, housing, etc. the 5th week of April-September

Staff: Harvey Salvas:

Building Plan reviews: the 5th week of every month

Website (w/ JEF Fellow):

Initial Development, December-January;
 Focus Meeting on ADA Related Activities for listing on Wed Page, February 11th 3pm ;
 Updates, September

Staff: Albert Tardie, Bob Cooper and/or Harvey Salvas:

ADA Awareness Training as requested

Staff: Jeff Hartley (w/ Cable TV intern & volunteers):

1st Tuesday of each month video taping ABLE TOO..., scheduling guests & sending confirmation letters, 3rd week of each month.

Advocacy for the Concerns of People with Disabilities

Committee: Legislation

Staff: Bob Cooper (w/ EJS fellow):

Draft bills, October-January;
 Find sponsors (bills introduced), January;
 Lobby, February -August; Identify, track & determine impact of other bills, January-August

Expanding Economic Opportunities

Committee: Disability Business Enterprise

Staff: Albert Tardie (w/ consultant):

Application form, August-December.;

Rehabilitation agency application review January-April;

Production of product & services list - March;

Publicity April-June

Administrative

Committee: Executive

Staff: Bob Cooper:

GCD Budget Request:

Legislative Hearing - February,

Committee action June-August;

Prepare FY 2000 August 24th-September 30th

Quarterly Budget, Voter Registration, & other Reports - 2nd week of January, April, & July

Evaluation of Unclassified Staff - 1st week in February

Fellow recruitment/selection:

Spring Nov. 7th-Jan.7th ;

Summer April-June 24th;

Fall July 20th-August 26th

Staff Christine Sullivan:

Payroll - every other Friday/Monday;

Reconcile Ledger - 2nd week every month;

End of the Fiscal Year (processing of invoices, payment of bills, etc.) April 25th-30th;
June 15th-July 10th

Committee: Personnel Committee (w/ Bob Cooper)

Evaluation of Staff:

Unclassified Staff - March 16th;

Executive Secretary - May 18th

Interview and selection of Fellows: January 5th; June 22nd & August 24th

*Meeting Schedule for Calendar 1998 **

* Unless otherwise noted, all meetings will be at the Commission Office, 555 Valley Street, 3rd Floor of Building 51, Providence

The Commission - 5 PM Monday April 6th , July 13th , September 28th , and December 14th

The Coordinating Committee on Disability Rights - 2 PM on January 26th

The Legislation Committee - 3:30 PM Monday January 12th , February 9th , March 9th , April 13th , May 11th , June 8th , August 31st , September, 14th & November 9th with its public hearing 5- 7 PM on Wednesday August 26th (in a centrally located meeting facility).

The Accessibility Committee - 2:30 PM on Tuesday January 27th , Monday March 16th , May 18th , July 20th (only if absolutely necessary), September 21st & November 16th.

The Disability Business Enterprise Committee - 2:30 PM on Wednesday January 21st , February 18th , March 18th , April 15th , May 20th , June 17th , September 16th & November 18th (all meetings at the Economic Development Corporation Office, Westin Hotel Office Tower)

The ADA Equipment Committee - 2:30 PM on Wednesday January 21st , February 18th , March 18th , April 15th , May 20th , June 17th , July 15th , August 19th , September 16th , October 21st , November 18th , & December 16th . (Committee only meets if auxiliary aid requests are pending).

The ADA Grant Committee - 4 PM on Monday February 16th , April 20th , June 15th , & October 19th .

The Personnel Committee - on Monday January 5th at 12 noon, March 23rd at 3 PM, May 4th at 3 PM, June 22nd at 12 noon, & August 24th at 12 noon.

4

Appendices

Commission Members

Arthur R. Colby Chair, Charlestown	John Nickerson, Vice Chair, Tiverton
Peggy DaLuz, North Kingstown	Howard M. Fry, Esq., Westerly
John J. MacDonald, Providence	John Thompson, Cranston
George E. Singleton, Providence	Frederick Burke, Scituate
Paul Caranci, North Providence	Christine F. Gorman, Bristol
James E. Healey, Warwick	Patricia Ryherd, Barrington
Dr. Jon A. Mukand, Providence	Isabelle Frost, Charlestown
Beverly St. Pierre, Portsmouth	Joseph Corrente, Cranston
Donna Carlson, Providence	Regina Connor, North Providence
Anne Marie Silvia, North Attleboro, MA	Kathleen Spangler, South Kingstown
Donald Deignan, Providence	Frank Walker, Cranston
Edward J. Schroeder, Cranston*	Edmund Beck, Cranston *
Orestes Monterey, North Kingston *	Nancy Husted-Jensen, Chair., Narragansett *
Deborah Gray-Clukey, Vice. Chair, Warwick*	Richard Rooney, East Providence *
Robert Mullaney, Cranston *	Esther L. Littell, Vice Chair, East Greenwich *
Gabriel Pacheco, Cranston *	
* Was a member FY 1996-1997	

Commission Employees, Fellows & Interns

Employees

Executive Secretary - Bob Cooper	Assistant Administrative Officer - Christine Sullivan
Compliance Coordinator - Harvey O. Salvas	Technical Assistance Coordinator - Albert Tardie

Mary Brennan Fellows

FY 98: Cara McDermott	Amanda Freeman
FY 97: Alice S. Robson	FY 96: Michael P. Reilly

G. Frank Hanaway Fellows

FY 98: Gayle White Antunes	April Levesque
Willa Truelove	Carolyn Lenihan
FY 97: Edwin A. Stapans	
FY 96: Steven Anderson	Christine Gorman

John E. Fogarty Fellows

FY 98: Jonathan Dupre	FY 97: Christine Gorman
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Edward J. Schroeder Fellows

FY 98: Cara McDermott
FY 96: Therese M. Curran

FY 97: Debra Lord

Cable TV Interns

FY 98: Lauren Brill

FY 96: Jed Barton

Committee Membership

Accessibility Committee

John J. MacDonald, Chair.
Debra Altounian
Nelson DeCoteau
James E. Healey
Orestes Monterey
Lorraine Onorato
Arthur M. Plitt
Beverly St. Pierre
John Thompson
Esther L. Littell, Chair. *
Randall Rosenbaum *
John Thorpe *

Peggy DaLuz, Vice Chair.
Howard Brelsford
Joseph Corrente
Mary DuVally
Steve Hook
John Nickerson
Gabriel Pacheco
Kathleen Spangler
James F. Sullivan
Victoria Wilcox
Kevin McCarthy-Barnett *

ADA Equipment Committee

Regina Connor, Chair.
Tom Evans
Susan Bowen
Judi Hammerlind Carlson
Monica Dzialo

Howard Boksenbaum
John Thorpe
Elizabeth Dalton
Frederick Burke
Beth Perry

ADA Grant Committee

Pat Ryherd, Chairperson
Dr. Jon Mukand
Christine Gorman
* was a member FY 1996-1997

Donald Deignan
George Singleton
Frank Walker

Coordinating Committee on Disability Rights

Arthur R. Colby, Chair.
Bonnie Abols
Ocean State Center for Independent
Living
Robert Bromley
Senate
Raymond Carroll
Human Services
Joseph Cirillo
State Building Commission

Bob Cooper, Vice Chair.
Dinez Adenwalla
Commission on the Deaf and Hard of
Hearing
Fred Burke

Sherri Centracchio
Secretary of State
Richard Coffey
General Treasurer

David Darlington
 Executive
 William Inlow
 Public Transit
 Gail Higgins-Fogarty
 Judiciary
 Christopher Labonte
 Lt. Governor
 Dexter Merry
 WSBE TV 36
 Nick Palazzo
 Human Rights Commission
 James Pitassi
 Administration
 Frank Walker
 Elementary & Secondary Education
 Thomas Fitz Simmons
 Public Transit *

Donald Deignan
 Attorney General
 Rep. Nancy Hetherington
 House of Representative
 Steve Hook
 Developmental Disabilities Council
 Marie McGlynn
 Transportation
 Orestes Monterey
 Higher Education
 Theo Toe
 Budget
 Anthony Zompa
 Elderly Affairs
 Beth Perry
 State Library Services *

Coordination and Consolidation of Human Services Committee **

Kathleen Spangler, Chair
 Robert Mullaney
 Anne Marie Silvia
 Raymond A. Carroll
 Office of Rehabilitation Services
 Marie V. Citrone
 Development Disabilities Council
 David Hamel
 Health

Howard Fry
 Edward Schroeder
 Donald Deignan
 George McDonough
 Elementary & Secondary Education
 Mary Demers
 Labor and Training
 David Tonnessen
 Statewide Planning

** committee completed its work in FY 97 and was then disbanded

Disability Business Enterprise Committee

Donna Carlson, Chair
 Providence Center
 Theresa E. Braun
 Blackstone Valley Arc
 Paul Pickens
 Goodwill Industries / Vocational
 Resources
 Robert Gearing
 Economic Development Corporation
 Robert Connor

Jack Amaral
 Dept. of Human Services
 Helen Christy
 Office of Purchasing
 Frank DiMaio
 Mental Health, Retardation & Hospitals

Phillip Janes
 In-Sight Enterprises

* was a member FY 1996-1997

Legislation Committee

Victoria E. C. Ferrara , Chair.
 Edward Schroeder
 Raymond Bandusky
 Greg Goodman
 Rosemary C. Carmody
 John Agboola
 Steve Hook
 Barbara Ridings
 James E. Healey
 George E. Singleton
 Peggy DaLuz *
 Deborah Gray-Clukey, Chair. *
 Susan J. Wilson *

Paul Caranci, Vice Chair.
 Judy Drew
 Joseph Corrente
 Edmund Beck
 Mark R. Therrien
 Raymond Bandusky
 Kathleen Spangler
 Dennis Costa
 John Nickerson
 Anne Marie Silvia
 Stephen J. Dennis *
 Frank Sousa *
 Sen. Eleanor Sasso *

Master Price Agreement Committee

Joseph Farrell, Chair.
 Office of Rehabilitation Services
 Robert L. Geller
 Joyce Varbaro, RN
 Div. Developmental Disabilities
 Mark Malakowski
 Eleanor Slater Hospital
 David Foehr
 Veterans Home

Nancy Campbell
 Div. Developmental Disabilities
 Judy York
 Joanne Grills
 Div. Developmental Disabilities
 E. Jean Severance
 John E. Donley Rehabilitation Center
 Susan Jameson
 Div. Developmental Disabilities

Executive Committee

Arthur R. Colby Chair.
 John J. MacDonald
 Donna Carlson
 Victoria Ferrara
 Kathleen Spangler, Vice Chair *
 Esther L. Littell, Vice Chair *

John Nickerson, Vice Chair.
 Patricia Ryherd
 Regina Connor
 Nancy Husted-Jensen, Chair. *
 Deborah Gray-Clukey, Vice. Chair *

Personnel Committee

John Nickerson, Chair.
 Paul Caranci
 Peggy DaLuz
 Arthur R. Colby
 Frank Walker, Chair *
 Deborah Gray-Clukey *
 * was a member FY 1996-1997

Isabelle Frost, Vice Chair.
 George E. Singleton
 Christine F. Gorman
 Donald Deignan
 Esther L. Littell *
 Nancy Husted-Jensen *

Able Too... Cable TV

Producer / Director

Jeffrey Hartley, Producer/Director

Volunteers

Jim Armstrong	Nelson DeCoteau
Susan Cook	Dana Nelson
Leonard Linhares	Taylor Buckley
Marie N. Younkin	John Mangasarian
Terry Jackson	Nancy Harris
John Bushee	John Souza
Donna McCarthy	Frimette Roberts
James Kelley	Nick Furlano *
Tom Furlano *	Franklin Halliwell *
Jason W. Greaves *	Jessie Mowry *
David J. Johnson *	Jon Mukand *
Donna McCarthy *	Sharon Younkin *
Heidi Ricci *	

Recipients of the John E. Fogarty Public Service Awards:

The Governor's Commission on the Handicapped created the John E. Fogarty Memorial Award to recognize the efforts of members of the RI General Assembly in enacting laws to improve the quality of life of the 172,000 Rhode Islanders with Disabilities. The Commission has been awarding its John E. Fogarty Memorial Award, since 1987.

John E. Fogarty, the US House of Representative member from the 2nd Congressional District of Rhode Island (1940 -1967) was a strong advocate for the rights of individuals with disabilities. Congressman Fogarty was a leader, nationally and in Rhode Island to bring individuals with disabilities residing in large impersonal institutions (such as Ladd Center) to the community. Congressman Fogarty became the nation's leading advocate for children with mental retardation, mental health, health care financing, and international/national health care research.

1995 Legislative Session (presented May 1996)

Representatives Peter N. Wasylyk and Frank J. Anzeveno, Jr. for the enactment of 95 H 6542 substitute A, as amended An Act Relating To Insurance -- Health Insurance Policies, and

Senator Joseph M. Polisena for the enactment of enact 95 S 419 An Act Relating To Consumer Protection -- Assistive Technology Lemon Law.

1996 Legislative Session (presented June 1997)

Representative Eugene Garvey for the enactment of 96-H 8055 an Act relating to the Handicapped Products Procurement Program.

Senator Leonardas Raptakis for the enactment of 96-H 8115 Sub A an Act relating to Handicapped Parking.

Senator Thomas Coderre for the enactment of 96-S 2224 as Amended an Act relating to Zoning Ordinances, and 96-S 2882 Sub A as Amended an Act relating to Handicapped Parking.

Representative Wayne Salisbury for his Floor Amendment to 96-H 8783 Budget Article 05 relating to Appropriations for Capital Development, which authorized \$18,000,000 for Asset Protection for the repairs and renovations of state owned facilities "and the acquisition of specialized equipment and renovations at state owned facilities to assure individuals with disabilities accessibility to services and employment opportunities".

Representatives Antonio Pires and Leona Kelley for their floor Amendment to 96-H 9196 as Amended an Act relating to Hearing Aid Dealers and Fitters, to changed the membership of the board of examiners to require a consumer who uses hearing aids be appointed.

Senator Eleanor Sasso for the enactment of 96-S 2448 Sub A an Act relating to Motor and Other Vehicles - Pedestrians.

Senator J. Clement "Bud" Cicilline for the enactment of 96-S 3251 Sub A as Amended an Act Relating to Fair Employment Practice.

Recipients of the Joseph Vanni Memorial Award

In 1993 the Commission created the Joseph Vanni Memorial Award to recognize the role of the average citizen in the enactment and implementation of laws to improve the quality of life of the children and adults with disabilities.

Joseph Vanni was the founding director of the RI Handicapped Action Committee, a social advocacy organization. Mr. Vanni was also a member of the RI Governor's Committee on Employment of the Handicapped, the predecessor agency to the Governor's Commission on the Handicapped, in the late '70s. Mr. Vanni taught individuals with disabilities how to advocate for themselves, through group and individual action. Individuals awarded the Joseph Vanni Memorial Award demonstrate his commitment to social change through individual involvement, the hallmark of a democratic society.

1995 Legislative Session (presented May 1996)

Matthew Caranci and his father **Paul Caranci** for advocating for passage of 95 H 6542 substitute A, as amended An Act Relating To Insurance -- Health Insurance Policies,

Jenna Lynne Nickerson and her mother **Teresa Nickerson** for advocating for passage of 95 S 419 An Act Relating To Consumer Protection -- Assistive Technology Lemon Law,

Esther L. Littell, of East Greenwich for 20 years of service on the Commission, as Vice Chairperson and Chairperson of the Accessibility Committee

1996 Legislative Session (presented June 1997)

to the following Commissioners for their years of service:

- Edward Schroeder**, of Cranston (26 years, 12 as chairperson),
- Robert Mullany**, of Cranston (25 years),
- Edmund Beck**, of Cranston (21 years),
- Patricia Ryherd**, of Barrington (18 years),
- Isabelle Frost**, of Charlestown (17 years),
- Deborah Gray Clukey**, of Warwick (17 years), and
- Nancy Husted-Jensen**, of Narragansett (10 years, 8 ½ years as chairperson).

RI General Law Title 42 Chapter 51

State Affairs and Government: Governor's Commission on Disabilities

§ 42-51-1 Establishment of commission. -

There is hereby established within the executive department a permanent commission to be known as the governor's commission on disabilities, hereinafter referred to as the commission.

§ 42-51-2 Composition of commission. -

The commission shall be composed of a minimum of twenty-four (24) members, and such additional members as the governor may appoint. Insofar as practicable, the commission shall consist of state leaders of industry, labor, business, veterans, women, and federal, state, and local governments, and representatives of religious, charitable, business, labor, industrial, fraternal, civic, educational, medical, legal, veterans, welfare, and other professional groups and organizations.

§ 42-51-3 Officers. -

The governor shall designate one member of the commission to serve as its chairperson during the governor's term of office or until he or she appoints another member of the commission to serve in that capacity. The commission shall elect from its own membership a vice-chairperson, who shall serve until his or her successor is elected, and who is authorized to act as chairperson pro tempore of the commission should there be a vacancy for any cause in the office of the chairperson. The commission shall elect from its own membership other officers as deemed necessary. The commission shall appoint an executive secretary to serve as executive officer and secretary of the commission, who shall be a full time employee. The commission may appoint such other personnel as may be necessary for the efficient performance of the duties prescribed by this chapter.

§ 42-51-4 Term of office. –

Of the number of members appointed originally under this chapter, one-third (1/3) shall be appointed for a term of one year; one-third (1/3) shall be appointed for a term of two (2) years; and one-third (1/3) shall be appointed for a term of three (3) years. Thereafter, vacancies created by expiration of terms shall be filled with appointments for terms of three (3) years. Members whose terms expire may be reappointed to succeed themselves.

§ 42-51-5 Compensation and expenses. –

The members of the commission shall receive no compensation for their services, but may, at the discretion of the governor, be reimbursed for traveling and other expenses actually incurred in the performance of their official duties.

§ 42-51-6 Duties. –

It shall be the duty of the commission to work in cooperation with the national council on disability and other interested federal, state, and local agencies, organizations, and employers in:

- (a) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state;
- (b) Arousing community interest in the concerns of people with disabilities through the utilization of whatever community and state resources the commission may deem necessary to accomplish the maximum in independent living and human development;
- (c) Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies; and
- (d) Providing technical assistance to public and private agencies, businesses, and citizens on complying with federal and state laws protecting the rights of individuals with disabilities.

§ 42-51-7 Gifts, grants, and donations. –

The commission is authorized to receive any gifts, grants, or donations made for any of the purposes of its program, and to disburse and administer them in accordance with the terms thereof.

§ 42-51-8 Transfer of personnel. –

All of the personnel and/or employees of the "governor's committee on employment of the handicapped" shall be transferred to the "governor's commission on the handicapped". No person in the classified, non-classified, or unclassified service of the state on May 28, 1985 shall be discharged, separated from service, or downgraded in

service by reason of the enactment of this chapter as provided by law or in the personnel rules and regulations of the state applicable to affected personnel.

§ 42-51-9 Definitions. –

The following words and terms, unless the context clearly indicates a different meaning, shall have the following respective meanings:

(a) "People with disabilities" or "individuals with disabilities" means any person who:

(i) Has a physical or mental impairment, which substantially limits one or more of the person's major life activities;

(ii) Has a record of such an impairment; or

(iii) Is regarded as having such an impairment.

(b) "Federal and state laws protecting the rights of individuals with disabilities" means but is not limited to the Americans with Disabilities Act of 1990, 42 USC § 12101 et seq.; title V of the Rehabilitation Act of 1973, 29 USC § 794; R.I. Const., art. I, § 2; the provisions of chapter 87 of title 42 and §§ 23-6-22, 37-8-15, 37-8-15.1 and 42-46-13.

(c) "State agency" means any department, division, agency, commission, board, office, bureau, council, or authority, either branch of the Rhode Island general assembly or any agency or any committee thereof, or any other agency that is in any branch of Rhode Island state government and which exercises governmental functions.

(d) "Coordinating compliance" means the authority to:

(i) Issue guidelines, directives, or instructions as are necessary to effectuate compliance with federal and state laws protecting the rights of individuals with disabilities;

(ii) Establish a grievance procedure to promptly and equitably resolve complaints of noncompliance with federal and state laws protecting the rights of individuals with disabilities involving state agencies, including the power to investigate possible discrimination and eliminate unlawful practices by informal methods of conference, conciliation, and persuasion;

(iii) Initiate complaints against any state agency that willfully fails to comply with federal and state laws protecting the rights of individuals with disabilities to the appropriate state or federal agency; and

(iv) Develop, make periodic revisions to, and oversee the implementation of a transition plan for the removal of environmental and communication barriers in state owned facilities.

(e) "Providing technical assistance to public and private agencies, businesses, and citizens on complying with federal and state laws protecting the rights of individuals with disabilities" means: information dissemination and training designed to encourage the voluntary compliance with laws protecting the rights of individuals with disabilities; conducting disability accessibility surveys and providing advice on how to overcome any barriers to accessibility; and a mediation service to assist the parties, that voluntarily chose to utilize said service, resolve an allegation of discrimination on the basis of disability.

§ 42-51-10 State coordinating committee on disability rights. –

The commission shall establish a state coordinating committee on disability rights to advise and assist the commission to implement self evaluation and compliance plans as required by federal and state laws protecting the rights of individuals with disabilities. The committee shall be composed of thirteen (13) members who shall be as follows: one representative of each of the general officers of the state, appointed by that general officer; one representative of the house of representatives, appointed by the speaker of house; one representative of the senate, appointed by the senate majority leader; one representative of the judiciary, appointed by the chief justice of the supreme court; one representative of each of the boards of education, appointed by the chairperson of that board; one representative of the public transit authority, appointed by the chairperson of the authority, and such additional representatives as the chairperson of the governor's commission on disabilities may appoint from the executive branch and the general public. Those persons acting as committee members on July 21, 1992 shall continue to so act until their successors are appointed as herein provided. Each member shall serve at the pleasure of the appointing authority. The chairperson of the governor's commission on disabilities shall preside at meetings of the committee. The executive secretary of the governor's commission on disabilities shall serve as vice chairperson of the committee.

§ 42-51-11 Mary Brennan fellowship fund. –

(a) There is hereby established the Mary Brennan fellowship fund, (hereinafter referred to as the "fellowship fund"), which shall be utilized to create a fellowship program for college students with disabilities.

(b) These fellowships shall provide a semester-long, part-time placement with the commission in RI, working on disability policy and research. Each fellow will be assigned to a specific placement, providing assistance to the commission in disability policy. Mentor experiences will introduce the fellows to disability policy issues and actions at the local, state and federal levels. The fellowships will offer students an opportunity to:

(1) Gain perspective on the role and responsibility of the commission;

- (2) Knowledge of national/state disability programs;
 - (3) Policy issues and research;
 - (4) Meet with decision makers, experts and critics in disability and related policy fields and;
 - (5) Develop networks with local, regional, and national based experts, and researchers who can assist in career development and future endeavors.
- (c) The commission will provide each fellow with a stipend of one thousand five hundred dollars (\$1,500) and reimbursement for authorized travel.
- (d) This fellowship program is designed for individuals with demonstrated leadership and expertise in policy and research affecting people with disabilities. Applicants must have:
- (1) Completed at least three (3) semesters of college-level study;
 - (2) Be enrolled as a full or part-time student in an accredited college or university in Rhode Island;
 - (3) Leadership ability;
 - (4) The endorsement of a current or former supervisor;
 - (5) Approval on the part of the college/university to receive credit for the fellowship if selected and;
 - (6) The ability to participate in the semester-long program in Providence for at least two hundred and forty (240) hours during the spring and fall semesters or in the summer.
- (e) The commission shall give preference in its selection of fellows to Rhode Island residents who are:
- (1) College students with disabilities, and then to
 - (2) College students enrolled in a course of study in education and/or human services for persons with disabilities.
- (f) The general assembly shall appropriate ten thousand dollars (\$10,000) for the fiscal year ending June 30, 1998 and annually such sums as it deems necessary to implement the purposes of this section.
- (g) The commission is authorized and empowered to receive donations and grants from sources including, but not limited to, the federal government, governmental and private foundations, and corporate and individual donors; these donations and grants to be deposited in the fellowship fund. The commission may create additional fellowships from available funds.