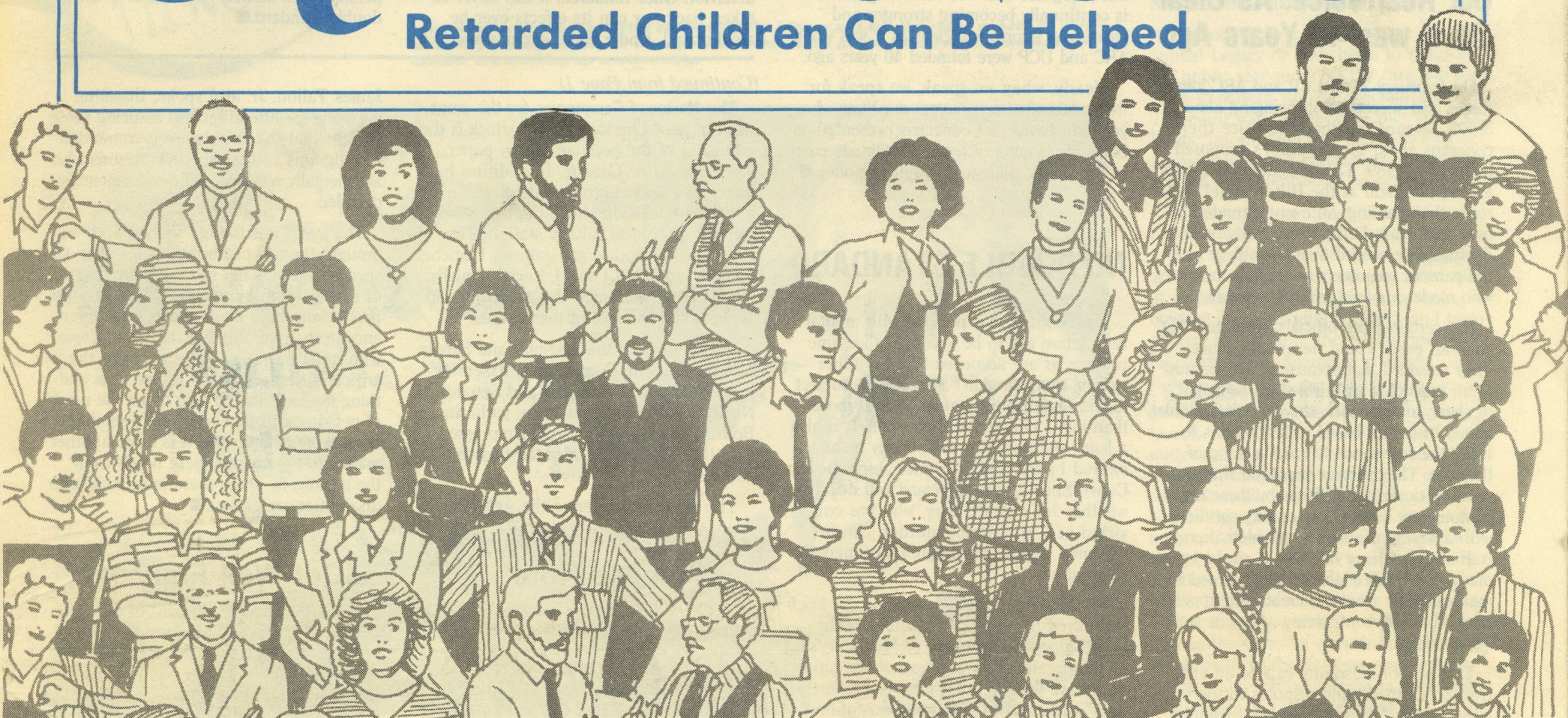


# OUR Children's Voice

## Retarded Children Can Be Helped



## ARC-UCP Legislative Day Brings 3,000 Individuals to Albany

*Two statewide parent organizations join forces to respond to proposed New York State budget. Legislature turns out for reception.*

The proposed 1989 New York State budget presents an unprecedented challenge to the system of services for persons with developmental disabilities. The budget terminates residential development for community-based individuals, allows further deterioration of the not-for-profit work force, and proposes the elimination of a wide variety of local assistance funded services.

In order to counteract this devastating change in the direction of the State policy, the New York State Association for Retarded Children, Inc. (NYSARC) and the United Cerebral Palsy Associations of New York State, Inc. (UCP) joined forces and held a lobby day in Albany on February 28, 1989.

Both NYSARC and UCP agreed that as parent-based organizations, we must join together to exert our unique influence over

the coming months to ensure that the legislature enacts an equitable and humane budget.

From all across New York State over 3,000 individuals representing the families of ARC and UCP travelled to Albany on February 28th. Individual meetings were held with Assemblypersons and Senators throughout the day and on March 1st.

On Tuesday evening a reception was held in the Hilton Ballroom in downtown Albany, New York. Close to 3,000 individuals packed the Ballroom and adjacent hallways to meet and greet the Legislature. It was estimated that 60 percent of the entire membership of both Houses attended. As the Majority leader of the Assembly, James Tallon, Jr. noted, "I have never seen this room so packed."

(Continued on Page 2)

## Proposed Executive 1989-90 New York State Budget: Unjust and Inadequate

*New residential placements for persons living at home would become virtually non-existent; Local Assistance programs targeted for cuts; Unified Services funding to be phased out; and SEP Exempt Income to be reduced.*

On Tuesday, January 17, 1989, The Executive Budget for New York State (April 1, 1989-March 31, 1990) was submitted to the legislature by the Governor. Not unexpectedly the proposed budget was extremely tight. In presenting his budget request, the Governor told the legislature that we must have "the courage to deny ourselves some of the things we want so that we can have more of the things that we need. We will have to make structural changes rather than one-shot accommodations in our expenditure patterns. And we will have to tighten our management and increase our efficiency and accountability."

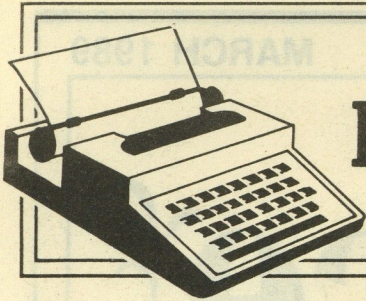
The Executive Director of NYSARC, Inc., Marc N. Brandt, commented that the pre-

liminary review of the proposed budget was "distinctively two (2) sided. On the one hand, programs including ICF/MRs, day treatment and, to some extent, community residences would incur little fiscal strain. On the other hand certain areas that reflect fundamental values long held by our Association would be devastated. Community residential development for persons living at home would be terminated effective April 1, 1990. Many Local Assistance funded programs could be badly shaken and some sheltered workshops would be forced to fold their operations. Our ability to recruit decent employees would be further diminished."

Mr. Brandt further stated that "there are thousands of persons with severe developmental disabilities now living at home. Considerable effort has gone into the care of these individuals by parents and other family members. This in-home care has saved the State millions of dollars

(Continued on Page 4)





# EDITORIALS

## Our Real Voice: As Clear As It was 40 Years Ago

On February 28th, UCP and ARC joined forces and succeeded in bringing almost 3,000 persons to Albany to voice their concerns about the Governor's proposed budget for 1989. The day culminated with a reception held at the Hilton Hotel Ballroom that evening; an event attended by over 130 State Legislators. Notably, the driving force behind this assemblage were the parents, volunteers and family members who made our field what it is today.

But certain State officials presumed that such an event could never take place. They reasoned that because of age, because of an expanded state role and because of sheer complacency, the once formidable ability of parent-based organizations to make their presence felt was a thing of the past. They further reasoned that the recent articulation of issues by these organizations was due to "personality conflicts" with a few "professional troublemakers;" individuals whose livelihood could be maintained only if they could succeed in manipulating events to create the appearance of public controversy when, in fact, none existed.

This line of reasoning can be an effective tactic. Attributing disputes to "personality conflicts" and "professional troublemakers" is an obvious way of downgrading the importance of issues. In such instances, Legislators and other decision makers are likely to look the other way. A dispute, whether it is the adequacy of care in D.C.'s or the need for salary enhancement, cannot be a legitimate issue unless it has a constituency and clearly a few troublemakers are not a constituency.

But increasingly this tactic has not been working. A few troublemakers did not trick both Houses of the Legislature into unanimously passing legislation creating an Ombudsman, mandating a D.C. Staffing Study, authorizing voluntary participation in the state "Health Services Corps" and requiring reform of OMRDD Quality Assurance. Rather these actions were the result of an outpouring of concern expressed by thousands of persons but especially by the parents who are the backbone of our organization and others like it. They speak with a special eloquence derived from a special experience. Their voice has always been unmistakable.

We are hopeful that the unprecedented turnout of February 28th will finally shatter the myth that the ability of parents to meaningfully participate in the formulation of public policy is a thing of the past and that our concerns are an illusion propped up by the activities of a few "professional troublemakers." We think that that was obvious to the 130 Legislators that appeared at the Hilton Hotel Ballroom that night. We think it should also be obvious to other unelected State officials also present. All of these persons cannot help

but recognize that the voice of parents is continually becoming stronger and clearer; as strong and clear as it was when ARC and UCP were founded 40 years ago.

Clearly, when we speak, we speak for thousands of persons across our State who yearn to have their concerns presented as bona fide issues which are a legitimate part of the public dialogue on public policy. ■

## NO DOUBLE STANDARD

If we believe that persons with mental retardation are to be accorded the same rewards as are accorded to every other citizen, then shouldn't they also be subject to the same punishments? This is more than just a philosophical question. It is also a legal question that will shortly be answered by the United States Supreme Court. Specifically, the court will decide whether John Paul Penry, who was convicted of a brutal rape-murder, can be executed despite his diagnosis of mental retardation.

NYSARC is an amicus curiae on the brief submitted in Mr. Penry's defense. The brief argues that because of Mr. Penry's mental retardation, he does not, by definition, have the level of "moral blameworthiness" sufficient to justify his execution under the provisions of the United States Constitution. If the court agrees with this argument, then, legally, no person with mental retardation can attain the level of "moral blameworthiness" necessary to incur the ultimate penalty.

The brief in Mr. Penry's defense goes on to state that "mental retardation has placed an upper limit on a defendant's attainment of full moral reasoning." Does this mean that to protect the persons we serve we must admit that they are not capable of being as "good," in the moral sense, as every other person?

Indeed, opposition to an absolute prohibition on the death penalty for persons with mental retardation has focused on what is seen as a double standard: one that justifies the right of persons with mental retardation to enjoy all of societies rewards but would preclude them from suffering from all of societies punishments. This is no small subject of discussion, not just because the Penry case is considered to be one of the major cases before the Supreme Court this session, but also because of the stature of some of the individuals taking an interest in the case. Pat Buchanan, Ex-Director of Communications for the Reagan Administration and currently the host of "Crossfire," a nationally televised program on CNN, suggested that misguided advocates are depriving persons with mental retardation of their dignity as complete human beings by trying to deny them the responsibility for the full consequences of their behavior, both good and bad.

We disagree with Mr. Buchanan. We know that persons with mental retardation can be as good or bad as anyone else. We obviously subscribe to the notion that they are entitled to the same dignity accorded every other citizen and we do not think that taking away their "right" to be executed in any way lowers their status as human beings.

We believe this because as the courts have said "death is different;" it is a much more extreme punishment for bad behavior than any reward can ever be for good behavior. Once rendered, it can never be taken back nor can its effects ever be ameliorated. Under these circumstances it

(Continued from Page 1)

The Master of Ceremonies for the event was Mr. Alan Chartock. Mr. Chartock is the publisher of the popular Albany paper, *The Legislative Gazette*. In addition he serves as a political commentator and has a weekly television show, Capitol News Report, on a local Albany station. The Presidents of both organizations, Blanche Fierstein (NYSARC) and J. Kevin Menielly (UCPA/NYS) welcomed the gathering and spoke about the role of the parents.

Chairpersons of the Assembly and Senate Mental Hygiene Committees, Assemblywoman Elizabeth Connelly and Senator Nicholas Spano addressed the gathering. Both legislators were visually impressed with the turnout and pledged their ongoing support.

The Majority leader of the Assembly,

is not unreasonable to conclude that even the slightly reduced capacity of an individual to plot, commit and appreciate the nature of a horrible crime is enough to preclude them from receiving a punishment that only a very small minority of persons convicted of similar crimes ever get.

Death is different. There is no comparable reward for good behavior or punishment for bad behavior which is as extreme and that is why it is rarely meted out to any "normal" citizen convicted of a capital crime. Opposing the death penalty for persons with mental retardation is not a double standard. ■

James Tallon, Jr. also spoke, thanking everyone for attending and assuring those present that the Legislature is committed to programs and services for persons who are mentally retarded and developmentally disabled.

The event was a huge success and brought the two organizations together. Of special note was the extraordinary degree of participation by parents. These are the people who have made the critical difference in the past; they are the same people who must be relied upon to make the critical difference in the future. It is one thing for legislators to hear about the needs of persons with developmental disabilities from professional staff; it is quite another matter to hear about these needs from the persons to whom these individuals with disabilities are closest. ■

## Please Note

In the December 1988 issue of OCV a picture which appeared on page 1 of Senator Daniel Patrick Moynihan should have listed Mr. Eric Gross, Feature Editor of *The Putnam Courier*, Carmel, New York as the photographer. ■

## Get Well Frances

Frances Reville, past Board of Governor member and past President of our Welfare League Chapter, had an accident and broke her hip. Frances was in the hospital but now is home. From all of us throughout our Association, we wish you well and a speedy recovery. ■

## NEW YORK STATE ASSOCIATION FOR RETARDED CHILDREN, INC.

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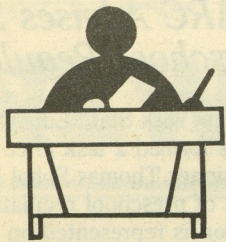
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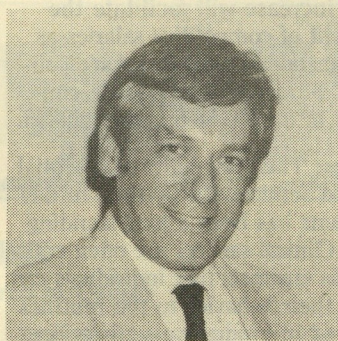
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## From The Executive Director's Desk



by Marc N. Brandt  
Executive Director

## The Difficult Questions and The Confused Answers

It seemed obvious to almost everyone at this year's OMRDD hearing before the legislative fiscal committees that one of the big losers in the Governor's proposed budget are individuals with developmental disabilities who live at home. It also seems clear that the needs of these persons for residential care will be entirely sacrificed in order to keep the State's closure and deinstitutionalization policies moving forward. The numbers are straightforward. By 1990, if the Governor has his way, residential development will be slashed from 1,600 "beds" per year to 800 "beds" per year. These remaining beds will be used solely to remove persons from "institutional settings": from developmental centers, from out-of-state facilities and from other inappropriate settings.

At the hearing both Senator Spano and Assemblywoman Connelly reminded the Commissioner that the State's proposal to eliminate new residential placements for persons residing at home breaks his commitment that closure would not take place at the expense of these individuals. Assemblywoman Connelly further asked: "What do we tell these families?"

Certainly, this wasn't an easy question. Nor was the Commissioner's responsibility for answering it enviable. After all, Assemblywoman Connelly was speaking on behalf of thousands of parents; persons who themselves are too elderly, sick or disabled to continue to expend the enormous emotional and financial resources necessary to care for a family member who is developmentally disabled. She was asking the Commissioner to explain why these persons, who have in fact saved the State an enormous expense through their efforts, will be told to forget about even the possibility for placement by 1990 even though their need to find such care has become a matter of desperation.

The Commissioner's response to this question and others like it consisted of an assortment of answers. Three, in particular, stand out.

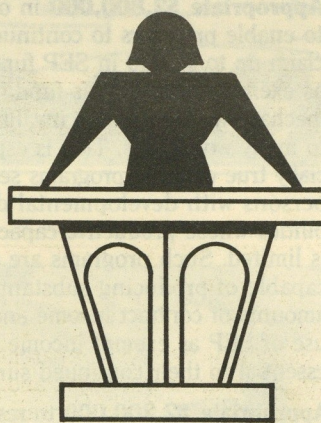
First, the Commissioner stated that the decision to devote all 1990 placements to institutional-based individuals was purely a fiscal decision, not a policy decision. What? Since when is it not a matter of policy to prioritize the needs of one group over the needs of another? Clearly, the object of this response was to divorce this decision from any kind of thought process that is typically associated with "policy making"; a process in which needs, costs and the human consequences of possible decisions are consciously weighed prior to a final determination. Rather, it was intended to cast State decision makers as individuals whose responsibility extends no further than adding up numbers. Not sur-

prisingly, Senator Spano noted that the 1990 placement goals appeared to have been arrived at by an "accountant and not by a Governor." Of course. Who can blame any decision of this gravity on a mere accountant.

The Commissioner's second answer of note was to claim that closure has nothing to do with the reduction of residential services to persons living at home. Quite the contrary. According to the Commissioner, closure in fact has led to a growth of services to persons living at home. On its face this answer makes no sense. Unfortunately, it was an answer that the Commissioner never bothered to explain. If he had it wouldn't have been necessary to attempt to disclaim moral responsibility for the 1990 placement goals by stating that they were not a "policy" decision but instead were an outcome of some mindless fiscal analysis. Rather, the Commissioner could have claimed responsibility for an idea which is so ingenious as to actually lead to the growth of services by cutting services; to create something out of nothing so to speak.

The Commissioner's third answer was to claim that by slashing 1990 development, \$25 million had been saved to preserve the OMRDD base. This wasn't a bad answer. Sacrificing expansion in order to preserve the foundation of the service system is at least a rational way to make decisions in the face of scarce resources. Unfortunately the Commissioner's answer was not all together accurate; it completely ignores almost \$6 million in cuts against the base of local assistance programs. Cuts, which amongst other things, will hit particularly hard on programs like recreation and summer camp; programs which in fact have been providing family support services before the term "Family Support Services" was invented. The confusing manner in which the Commissioner chose to answer this very difficult question is not surprising. Rather it is a logical outcome of attempting to justify a position which is not justifiable by the standards which the current administration has proclaimed for itself when it comes to governments obligations to its most vulnerable citizens.

Senator Spano, exasperated with the proceedings, asked the Commissioner, "Why shouldn't we draft legislation stopping closure until you've fulfilled your commitment to persons living at home?" Hopefully, we won't need such legislation. Hopefully, when the Legislature enacts its final budget for 1989-90 it will have recognized the needs of persons with developmental disabilities who live at home by adding funding for additional development. But Senator Spano's notion of halting institutional closure until the Commissioner



## The President Speaks

We will long remember February 28, 1989, our Albany Legislative Day. From our common memory and outlook we achieved uncommon results. You demonstrated that there is overwhelming strength in our sharing and in our unity of purpose. In this "me" world you have made NYSARC a "we" organization.

We owe special appreciation to Marc Brandt and the Delmar and Albany staff. They expected the best and planned well to make it happen. And to all you parents, friends, staff, this is a salute to you, and a thank you, too.

Kenny Rogers says it for us when he sings—

*"When you put your heart in it It can take you anywhere. Who's to say we can't make it, It's the same dream that we share. Keep on believing."*

We'll keep on believing — and working.

Sincerely,

*Blanche Fierstein*

Blanche Fierstein

keeps his commitment does go to the heart of a policy which New York State has clung to for years: if you have taken it upon yourself to provide total care for your child, your needs will come last regardless of how desperate they are.

In a year in which this unfortunate State policy has reached it's zenith, Senator Spano has done nothing more than suggest the obvious.■

### Position Available Director of Production Services

In a workshop program employing 300 developmentally disabled workers and support staff focusing on assembly/manufacturing subcontract projects. Hands-on individual must have ability to oversee and schedule total production operations including a mailroom. Duties include direct supervisory responsibilities for warehousing, inventory control, transportation, maintenance and clerical functions, heavy customer contact, and providing support to vocational rehabilitation program.

Position requires 5 - 10 years progressively responsible experience in a manufacturing/production environment. Strong supervisory skills a must. Bachelor's degree preferred. Send resume and salary requirements to:

PERSONNEL DIRECTOR  
ASSN FOR RETARDED CITIZENS  
DUTCHESS COUNTY  
P. O. BOX 3489  
POUGHKEEPSIE, NY 12603



(Continued from Page 1)

that might have been otherwise spent on institutionalization.

Unfortunately, now at a time that many parents are simply "too old and perhaps disabled themselves to shoulder this burden, the Governor has submitted a budget which completely eliminates the possibility of out-of-home placements for these persons by 1990. If this proposal is accepted the results will be catastrophic."

After a thorough review of the proposed New York State 1989-90 State budget, NYSARC, Inc. proposed the following recommendations to the Legislature:

**A) Program Development:** While the Governor proposes funding for the development of 1,511 residential placements and 2,700 day placements in FY 89-90, his budget request would reduce by half, similar development in future fiscal years. Accordingly, new residential placements for persons living at home would become virtually non-existent by FY 90-91.

NYSARC takes strong exception to this proposal. Many developmentally disabled persons, who have been maintained at home at considerable savings to the State, are now desperately in need of community residential care. An increasing number of parents are no longer capable of providing in-home care for these family members who are disabled. Long waiting lists continue to attest to the need for both day and residential placements for this population.

#### Recommended Budget Action

1. **Appropriate \$6,000,000** in additional funding for the capital construction of 800 additional community residential placements and 1,300 additional day program placements to come on line in FY 90-91. Such action will maintain existing community service development levels. Budget language should ensure that additional residential placements are utilized to care for individuals in need who are now residing at home.

**B) Local Assistance Funding:** Aid to Localities formula funded programs including Local Services, Chapter 620, Unified Services and Direct Contract funded workshops are the target of severe budget reductions in the Governor's FY 89-90 budget proposal. Though, 4% has been budgeted for inflation, the actual funding for this increase is expected to be generated by cuts in various services funded by these appropriations (i.e. recreation, summer camp, infant stimulation) and through reductions in State aid attributable to reducing the amount of SEP exempt income which providers can claim. The net result is that these programs will be expected to serve more individuals and absorb cost increases due to inflation without any real year-to-year increase in funding.

In addition, the Governor's budget calls for the three-year phase out of Unified Services Funding. For those providers who are impacted by this change millions of dollars in State aid will be lost without any corresponding increase in local funding. This may cause many valuable programs to simply fold.

#### Recommended Budget Action

1. **Appropriate \$2,800,000** in order to enable providers to continue to claim up to \$1,000 in SEP funding as exempt income. This funding mechanism has become invaluable to many workshops. This is especially true of those programs serving persons with developmental disabilities whose productive capacity is limited. Such programs are not capable of producing substantial amounts of contract income and the use of SEP as exempt income is essential to their continued survival.

2. **Appropriate \$2,200,000** to restore planned reductions in recreation, clinics, summer camps, infant stimulation and other Local Assistance funded programs. These programs act as key family support services giving relief to parents burdened with the responsibility of caring for family members who are developmentally disabled. Without such supports, many persons with developmental disabilities will require more intensive and more costly treatment modalities.

3. **Appropriate \$317,000** to prevent the phase out of Unified Services Funding during FY 89-90. If implementation of this phase out is allowed to proceed, providers in Unified Services counties will be subject to the loss of millions of dollars. Such loss will devastate desperately needed services in impacted areas.

#### C) Employee Recruitment and Retention:

One of the major issues for not-for-profit providers for the last four years has been their inability to attract adequate staff. This has largely been a function of limited funding available to these providers for payment of salaries and fringe benefits. Pursuant to language enacted by the Legislature as part of the FY 88-89 State budget, providers and OMRDD convened a task force to explore this problem. The report issued by the task force urged that minimum fringe benefit standards be implemented in order to ensure adequate coverage in essential areas such as health care. The report also recommended that annual inflationary increases accorded programs be sufficient to allow for the rising cost of employee salaries.

#### Recommended Budget Action

1. **Appropriate \$2,500,000** to provide funding for minimum health care benefits to providers of service as recommended by the Task Force On Employee Recruitment and Retention. The request was part of OMRDD's budget request to the Governor but was unfortunately not incorporated by the Governor into his FY 89-90 budget proposal.

2. **Appropriate \$1,600,000** to fund an additional 1.7% for inflationary increases to Local Assistance funded programs. Such increase, when enacted in conjunction with other recommendations made by NYSARC, will accord these programs the same increase for inflation given to rate and fee driven programs.

Such increase will facilitate the payment of competitive salaries as recommended by the task force convened pursuant to language contained in the FY 88-89 State budget.

**D) Clinics:** The availability of essential clinical services for persons in day programs has been a long-standing issue. Clinical services are often critical towards ensuring that individuals can adapt their behavior to the routines required in productive settings (i.e. sheltered workshops). Unfortunately, the Governor's budget request proposed the phased elimination of Rehabilitation Redesign projects which provide on site clinical care.

#### Recommended Budget Action

1. **Appropriate \$1,000,000** in order to establish additional clinical services for persons with developmental disabilities pursuant to Article 31 of the Mental Hygiene Law. Accompanying budget language should direct OMRDD to lift the moratorium which it imposed on the establishment of such clinics.

**E) Ombudsman:** Chapter 57 of the Laws of 1987 established an Ombudsman at each developmental center operated by OMRDD to receive and respond to concerns and complaints from parents and other persons regarding care rendered to residents. Though the Ombudsman was created as an OMRDD employee, the Legislature gave it the explicit authority to take independent action on behalf of developmental center residents. Unfortunately, this arrangement has not worked. OMRDD has used its authority to subvert the purpose of the Ombudsman by taking away the ability of that position to independently respond to concerns and complaints.

#### Recommended Budget Action

1. **Transfer \$800,000 from OMRDD's budget to the budget of the Commission on Quality of Care:** Such action will make the Ombudsman an employee of an agency other than OMRDD thus enabling it to have the independence to take action as originally intended by the legislature. The recommended transfer will support 20 full-time positions and required administrative expenses.

At the time of printing this issue of OCV the legislature has begun to take up the budget and to address many of our Association's concerns. The next issue of OCV will report on the final adopted New York State budget for April 1, 1989 - March 31, 1990. ■

## NYSARC Advises SED on Preschool Regulations

The New York State Education Department has formed a task force to advise Commissioner Thomas Sobol in the establishment of preschool regulations. Our Association is represented on the advisory task force by Mr. John Kemmer of the State Office. The task force is focusing on the Governor's/SED Program Bill #15, the Part 200 Special Education Regulations and the SED Preschool Programmatic Guidelines in drafting what will become the state requirements governing the operation of preschools for children with handicaps. While SED hopes to have the proposed regulations to the Board of Regents shortly after the legislation passes, any changes in the final legislation signed into law would also need to be reflected in the regulations.

NYSARC strongly supports SED's decision to form the advisory task force and to begin working on the regulatory proposal prior to enactment of the legislation. While the preschool legislation has been a top priority in state government, given the threat of loss of \$100 million in federal aid, there still is no certainty that the required legislation will be enacted in a timely fashion. We, therefore, underscore the importance of SED's effort to gear up for its rulemaking responsibilities once the bill passes so as to provide as much lead time as possible to preschool and school district personnel in their role in implementing the requirements.

The task force includes representatives of private and public school programs, teacher and parent representatives and a county representative.

The State office will maintain contact throughout this process with key chapter staff and with the Education Committee to ensure that the concerns and recommendations of our Association are addressed in the regulations. ■

## Oregon Ordered to Improve Training Center

In February of this year the United States Justice Department filed a consent decree in U.S. District Court in Portland, Oregon, requiring the State to make vast improvements at the Fairview Training Center for persons who are mentally retarded. The decree is to ensure that the facilities 950 residents receive proper care and treatment.

Upon approval by the court, the decree will resolve a civil suit filed by the department on July 28, 1986, under the Civil Rights of Institutionalized Persons Act. The complaint was filed against the Governor of the State and other officials because conditions at the Salem Institute caused residents harm, violating the fourteenth amendment.

The decree requires the State to file a plan within 60 days with the court and the Justice Department setting forth specific remedial actions and timetables to ensure that Fairview residents receive adequate routine and emergency medical care, behavior management and training programs and educational services. ■

## In Memoriam Kenneth F. Ford

On December 23, 1988, Kenneth F. Ford passed away. Ken was one of the Board of Governors of our Niagara County Chapter and a past President of the Chapter.

He was extremely active at the Chapter level and involved in numerous community affairs.

We extend to Mrs. Ford our deepest sympathy. ■



# Assemblywoman Elizabeth A. Connelly and Senator Nicholas A. Spano Honored by Association

As reported in the December 1988 issue of OCV, the Delegate Assembly, representing the NYSARC, Inc., 62 chapters and 57,072 member adopted a resolution at their 1988 Annual Convention acknowledging the contribution of Assemblywoman Elizabeth A. Connelly and Senator Nicholas A. Spano.

The resolutions as adopted stated:

**WHEREAS:** Senator Nicholas Spano and Assemblywoman Elizabeth Connelly have shown consistent sensitivity and support for the rights and needs of persons with mental retardation and developmental disabilities and their families, and

**WHEREAS:** Senator Nicholas Spano and Assemblywoman Elizabeth Connelly, through their advocacy efforts both within and without the State Legislature, have consistently focused the attention of the public and key officials, including the legislative leadership and the Governor, on the need to maintain and protect the rights and well-being of persons with mental retardation and developmental disabilities, and

**WHEREAS:** Senator Nicholas Spano and Assemblywoman Elizabeth Connelly have consistently sponsored legislation and budget initiatives endorsed and supported by our Association, and

**WHEREAS:** Senator Nicholas Spano and Assemblywoman Elizabeth Connelly have successfully advocated for the passage and approval of numerous laws and appropriations that have enhanced the well-being and protected the rights of persons with mental retardation and developmental disabilities.

**NOW THEREFORE BE IT RESOLVED:** That the New York State Association for Retarded Children, Inc., honors and commends these two fine legislators for their leadership and outstanding efforts and contributions on behalf of persons who are mentally retarded and developmentally disabled.

The President of NYSARC, Inc., Ms. Blanche Fierstein presented both Assemblywoman Connelly and Senator Spano their resolutions inscribed on a plaque. Senator Spano received his plaque on February 3, 1989 at the meeting of the chapters' Presidents and Executive Directors. Assemblywoman Connelly was presented with her plaque on February 28, 1989 the day of the Legislative Lobby Day. ■



## State Education Department Begins Study for OVR

The Commissioner of the New York State Education Department, Dr. Thomas Sobol, has directed there be a study of the Office of Vocational Rehabilitation, and more broadly a study of the delivery of vocational rehabilitation services to persons with disabling conditions. Since 1984, Governor Cuomo has proposed removing the Office of Vocational Rehabilitation (OVR) out of the State Education Department and into a separate office in the Executive Branch.

The study is to address the following issues:

1. Is the Office of Vocational Rehabilitation (OVR) providing the services that are needed by those it serves? Does OVR have a clearly defined mission and set of goals and a capacity to adjust goals and activities in light of changing needs of the population it serves?
2. What is the right mix of services, and should some be emphasized more and others deemphasized? Where should finite available resources be targeted?
3. Is the present distribution of responsibilities between Vocational Rehabilitation and other service providers the optimal one, and if not, what changes should be considered?
4. What recommendations can be made to improve the coordination, timeliness, and efficiency of the vocational rehabilitation service delivery systems both within the Education Department and beyond, to the extent those clients are also served by other agencies?
5. What linkages between vocational rehabilitation, other State Education Department operations, and public/private entities need to be strengthened or developed?
6. What follow-up studies and research should be undertaken to further assess vocational rehabilitation services.

The Executive Deputy Education Commissioner, Thomas Sheldon, who is coordinating the study, reported that twelve individuals have been appointed to a Task Force based on their expertise in training the handicapped. Mr. Alfred Miller, Executive Vice President of the Federation Employment Guidance Service (FEGS) in New York City, Co-Chairs the Task Force with Mr. Sheldon. The Executive Director of NYSARC, Inc., Marc N. Brandt, has been appointed to the Task Force along with Patrick Carroll, Executive Director of the Cattaraugus County Chapter.

The Task Force is planning to conduct several meetings with an April target date for issuing a final report. ■

## In Memoriam Helen Forman

For over 30 years Helen Forman worked in the Department of Mental Hygiene and for the past ten years with the Office of Mental Retardation. Practically every Chapter Development Project went through her office and she developed very special relationships with many members of our Association.

The family has requested that donations be made to the Helen Forman Internship Program in Government Finance c/o: Siena College Internship Program in Memory of Helen Forman Development Office Loudonville, New York 12211

Our entire Association extends our condolences to the Forman Family. ■

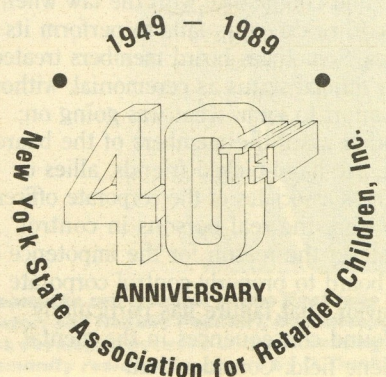
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# GUEST COMMENTARY

(From time to time, OCV will feature a guest commentary. The contents of these guest articles will be reflective of the author and does not necessarily represent the views or opinions of the NYSARC, Inc.)

## The Role of Not-For-Profit Corporations and Boards of Directors in the Mental Hygiene System

by:

Paul Stavis, Counsel New York State Commission on Quality of Care for the Mentally Disabled

(Reprinted with permission from the Commission on Quality of Care - "Quality of Care" Newsletter, Nov. -Dec., 1988 - Issue 38)

### Corporations Providing Care

Corporations are considered artificial persons because whatever legal recognition and powers they have are defined by the laws under which their corporate charters are filed. There are many legal categories of corporations which define the scope of their activities (e.g. for profit, for charitable purposes only, etc.) while usually conferring a special benefit as well (e.g. freedom from taxes). A large subset of the state's corporations are known as "not-for-profit" [NFP] because the law restricts the use of the corporation's profits only to further the corporate purposes (usually charitable or associational) and not to pay dividends to stockholders, nor unreasonable compensation to any employees.

Significantly, since there are many thousands of corporations chartered by the state, the law relies to a great degree, upon the corporate boards of directors to ensure the proper legal and faithful behavior of the corporation in its activities and the activities of the corporate officers and employees as well. Additionally, the Attorney General of New York State is given special oversight and ameliorative powers over NFP corporations.

Increasingly, governments have been utilizing NFP corporations to implement general welfare programs, from family planning to much of the deinstitutionalized mental hygiene system. The respective Offices of Mental Health and Mental Retardation and Developmental Disabilities in New York grant special licenses (called "operating certificates") to such NFP corporations to provide many kinds of care and treatment to persons with mental disabilities.

The Commission has, in numerous studies and investigations, seen how a corporation can be diverted from its purpose and compliance with the law when a board of directors fails to perform its duties. Sometimes board members treated their official status as ceremonial, without any effort to know what was going on; in other cases the members of the board were the hand-picked friends, allies or business associates of the corporate officers, who were the real persons in control. Whatever the reason for the impotence of the board to properly control corporate behavior, that failure has particularly profound consequences in the mental hygiene field. Consider that:

1. the intended clients, having significant mental disabilities, are unlikely to detect or to complain to proper authorities that services are inferior, non-existent or that the corporate officers are profligate or corrupt;
2. the vastness of New York State's service provider system, both numerically and geographically, makes policing NFP corporations very difficult and resource intensive for the respective regulatory agencies;
3. the investigations done by the Commission of certain NFP corporations showed that often large percentages of the corporation's funds went to corporate officers or allies, often amounting to millions of dollars to individuals and their family and friends. This is simply an unconscionable waste of money which is greatly needed for services to mentally disabled people and paid for by taxpayers.

This article will discuss, in general but not in technical terms, the responsibilities of members of NFP boards of directors. It will encourage board members to be active, knowledgeable and faithful to their responsibilities to the corporation and especially the special persons they serve.

### Governance of NFP Corporations

A NFP corporation is required to have a governing board of at least three members, whose names and addresses must be set forth in the certificate of incorporation (corporate charter). In turn, the board must adopt its own rules for conducting its functions and in furtherance of the corporate operation, known as by-laws. These by-laws can provide for how board members will be nominated and selected, in addition to almost any other subject relevant to the law or corporate charter.

### Board of Directors

The members of a board of directors of a NFP corporation have a number of very fundamental obligations. First, the board is responsible for the corporation's setting short and long-term goals consistent with its charter, its operating certificate and law, as well as reasonably monitoring compliance by corporate officers and personnel. The board usually hires the corporate chief executive officer, and sometimes other officers, and defines the scope of their authority.

The board should receive periodic reports from corporate officers for purpose of its oversight function and to maintain the proper conditions required by the operating certificate.

More specific duties of the board of directors are to approve all major financial

transactions and other matters, including a budget and all large assets and property sales and acquisitions; take reasonable steps to protect and preserve the corporation assets through insurance and risk management; and, to maintain relations with government agencies, similar agencies and the community.

### Liabilities of Board Members

Board members must assiduously avoid any conflict of interest or personal enrichment at the unjustified expense of the corporation, because the law imposes a "fiduciary" relationship with the NFP corporation. A fiduciary is obliged to exercise legitimate power solely for the benefit of others. This is a legal principle derived from Roman law. A person so designated has an inherent duty to be trustworthy, and of scrupulous good faith and candor to the corporation. Examples of commonly known "fiduciaries" in our law, in addition to board members, are: attorneys, guardians, executors, brokers and public officials. In lieu of these fiduciary obligations, board members are not personally liable for corporate debt, for corporate contracts or negligence, either of the corporation or from the acts of corporate employees. However, under applicable laws, board members must use the reasonable care, skill and diligence in performance of their legal and corporate duties as would an ordinary and prudent trustee or fiduciary. They can be held responsible for these functions. Thus, excessive absences, failure to be familiar with important information or reports, or failure to reasonably oversee the operation of the corporation, could lead to a finding of board member negligence with resultant liability, removal, or even money damages in certain circumstances.

Protection from such liability can be obtained from two sources. First, any such risk can be minimized as long as a board member attends meetings, votes personally upon knowing the information and issues, avoids any apparent or real conflicts of interest and uses the utmost good faith and honesty in all matters. Second, there is insurance and indemnification which could be made available and paid for by

the corporation itself. Such protection could cover any action of a board member taken within the scope of authority and which was not intentionally or maliciously intended to injure another. These principles have been summarized into five rules in a brochure written by Neil F. Harrigan, Attorney General of the State of Illinois:

1. Be active;
2. Receive no material profit;
3. Avoid conflicts of interest;
4. Exercise judgment in overseeing the organization's affairs;
5. Comply with applicable government regulations.

See, "Clearinghouse Review", July 1986, p. 259.

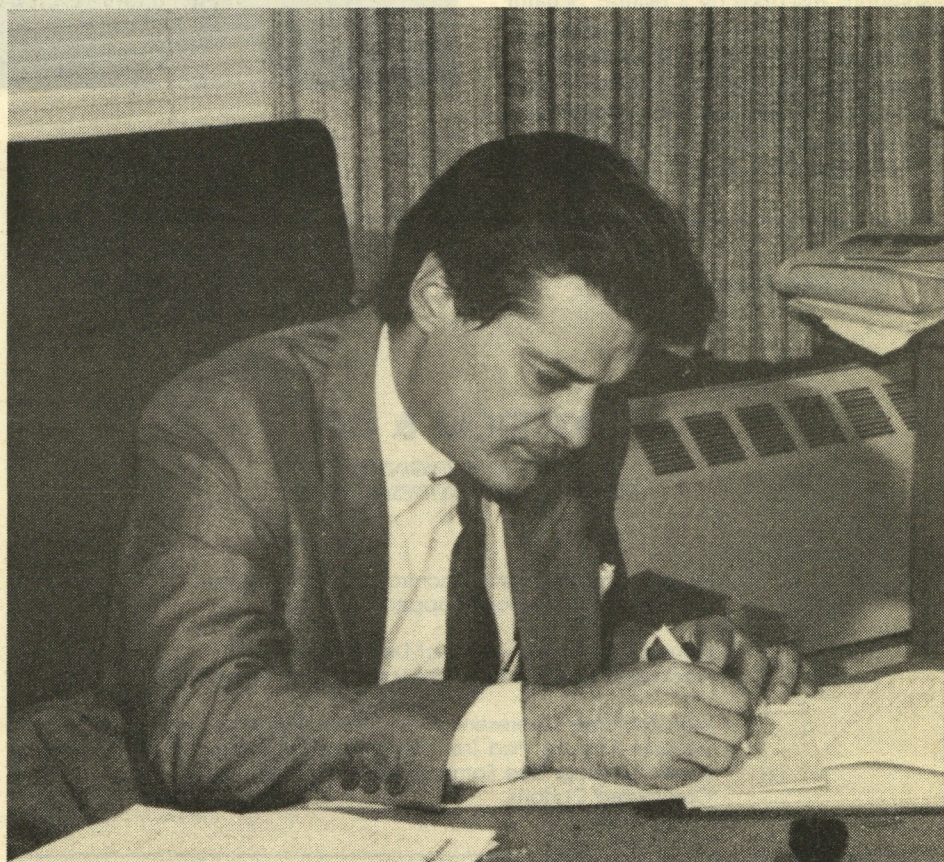
### Conclusion

The advantages offered by licensing NFP corporations to provide care and treatment for mentally disabled persons are very great indeed. It permits associations of persons to pool sufficient amounts of their interests and talent to get the job done without the drag of intensive procedures and legal requirements of government agencies. But to ensure the integrity of such services that are not within the strict scrutiny of government agencies, it is incumbent upon board members to do their job.

NFP corporations, also commonly known as charitable corporations or "the voluntary sector" in public service fields, have been recognized throughout our history as playing a vital role, probably never more important than today.

At least, since Tocqueville it has been widely recognized that in this pluralistic spectrum [of government, private and voluntary], the voluntary, not-for-profit sector is a main source of protection of individual freedom and initiative, of public interest service, of concern for quality of service and quality of life. Undermine the voluntary sector and America's choices are reduced to reliance on the government and the profit makers. There can thus be no question about preserving the integrity, and thus the legitimacy, of the voluntary, not-for-profit sector.

A. Etzoni. & P. Doty, "Profit in Not-For Profit Corporations: The Example of Health Care," 91 Pol. Sci. Q. 433,453 (1976)■





## Presidents and Executive Directors Meet in Albany

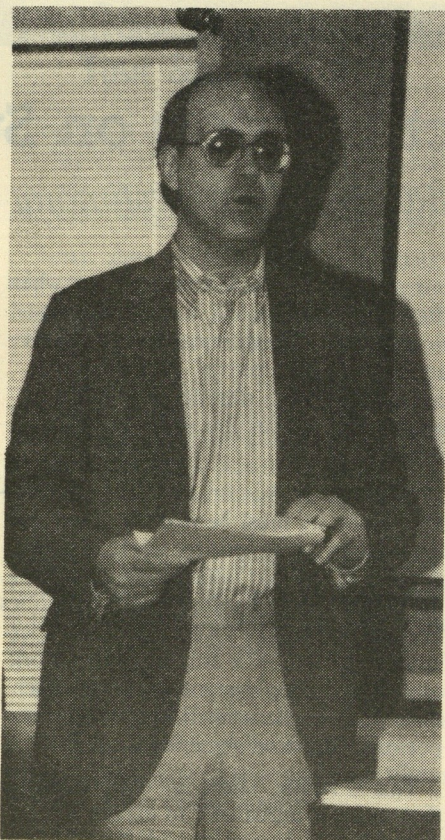
The Presidents and Executive Directors of NYSARC, Inc. met in Albany, New York on February 3rd-4th. Present at the Friday night, February 3, 1989 dinner was Senator Nicholas A. Spano, Chairman of the Senate Mental Hygiene Committee. Senator Spano addressed the gathering and briefly spoke about the proposed New York State budget.

Following the Senator's remarks an analysis and discussion was conducted concerning the proposed 1989-90 New York State budget. A series of recommendations to address the concerns of the Association regarding the proposed budget was reviewed and adopted.

Saturday's meeting included a discussion of the Board of Governors' position paper, "Advocacy in the 1990's." The paper was presented by the NYSARC Adult Services Committee at the November 1988 NYSARC convention. The Board of Governors, after reviewing the paper, voted to adopt the position paper. Mr. David Keymer, Chairman of the Adult Services Committee, led the discussion.

An update of federal and State legislation affecting persons who are mentally retarded and developmentally disabled was given. There was also a discussion concerning Board recruitment and parental involvement.

Newly elected Association President, Blanche Fierstein hopes to conduct additional meetings of chapters' presidents and executive directors throughout the year. ■



David Keymer presenting Advocacy Paper

(Left)  
"Oh No! Not another budget crisis!"

(Right)  
Senator Nicholas Spano presenting to Presidents and Execs Meeting



Patricia Campanella and Mary Canlano partaking in meeting



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# NYS Senate Committees Conduct Hearing on Supported Work

## Five Individuals from NYSARC, Inc. Give Testimony

On Wednesday, March 8, 1989, a joint hearing of the Senate Committees on Education, Finance, Disabled, and Mental Hygiene was conducted on *The Future of Supported Employment in New York State*.

Nationwide, during the past several years, supported employment has increasingly been recognized as a viable employment option for persons with mental retardation and developmental disabilities. As a result, federal dollars, as well as state budgets for mental hygiene and education, are showing a gradual increase in monies being made available to allow for the growth of these programs.

The notice for the public hearing stated that: "Supported work, in New York and in other states, has clearly demonstrated that persons with disabilities are capable of becoming successful employees, earning regular wages and paying their fair share of taxes. Therefore, the Senate Education Committee, the Senate Committee on Mental Hygiene, the Senate Finance Committee and the Senate Select Committee on the Disabled seek to explore methods to enhance supported work opportunities in New York State."

Among the 21 individuals giving testimony were five individuals from NYSARC. These individuals were Charles Karsten, Executive Director - Wayne County Chapter, James Flanagan, Executive Director - Rensselaer County Chapter, Dagne Tremblay, Program Coordinator - Essex County Chapter, Jane Kriegler, Director ARC Works Programs - Monroe County Chapter and Marc N. Brandt, Executive Director - NYSARC, Inc.

The following is the testimony given by the Executive Director of NYSARC, Inc.:

### The Future of Supported Employment in New York State

Good morning. My name is Marc Brandt. I am the Executive Director of the New York State Association for Retarded Children, Inc. Our Association is the largest not-for-profit organization serving persons with developmental disabilities in New York State. Through our 62 chapters we provide a wide variety of day and residential services to over 25,000 individuals on a daily basis.

I have, in various capacities, been involved with an array of work-related programs for persons with developmental disabilities for many years. In 1973, as the Executive Director of the Sullivan County ARC I established a sheltered workshop which ultimately served 500 individuals on a daily basis. In Sullivan County we began our first supported work initiative in 1974 and shortly thereafter proceeded to undertake the extensive development of additional supported work initiatives. I am currently a member of the OVR Task Force on Supported Work.

Supported work is a relatively new concept in practice but an old one in theory. Certainly, the aim of every healthy citizen is to be a productive member of

society; a role that provides fulfillment, satisfaction and contributes to the world around us. Typically, this is a struggle for all of us. But for those of us who are disabled this struggle can be of immense and insurmountable proportions.

Our Association is a parent-based organization. For us the concept of supported work takes on special significance. It is the children of so many of our members that have been traditionally written off by society as useless individuals whose survival is totally dependent on the good will of others; individuals forever incapable of making any contribution of their own to the rest of us. Few judgments can pain anyone as much as this.

But that has changed. The growth of sheltered work settings over the years has enabled many persons with developmental disabilities to lead productive lives. The recent emergence of supportive work has led to the promise of individual productivity that was previously inconceivable to us.

Certainly, the promise of supported work, once realized, can be great. Persons with developmental disabilities have the same basic need to be challenged and stimulated as the rest of us. No wonder many of them perform better once they are moved into a more demanding supported work setting from a less taxing sheltered work environment. No wonder that in certain regions of the State our chapters can't satisfy the demand for this kind of labor. As one employer said when asked about the job performance of a group of supported work employees "they're just like anyone else, except they're usually more reliable."

Supported work is a wonderful concept, something we should try to successfully achieve for all of the persons we serve. But I want to use this opportunity to explain why we must not sacrifice prudence and careful planning for enthusiasm. The promise of supported work does not easily nor universally translate into the reality of supportive work. Most practitioners in the field will testify to this. Supportive work depends critically, not only on the willingness and ability of some of our most disabled citizens to cope with a sometimes harsh outside world, but also on the willingness and ability of that world to accept and work with these individuals.

Economics is obviously a major factor in the success of supported work initiatives. Inevitably businesses are interested in our workers because it makes good business sense. Naturally, their interest varies with the regional demand for labor and with regular business cycles. Thus, our chapters have found that in those areas of the State where economic activity is strong, local business solicits them for workers; in areas of the State where economic activity is weak they must solicit businesses for work. Certainly everyone's ability to be employed is affected by this, but I believe that workers with disabilities are the most effected. Not surprisingly it is our experience that when the economy picks up

our workers are the last to be hired; when the economy drops off they are the first to be let go. These economic conditions are beyond our control. Planning and coordination can dampen the negative impact of these circumstances but it can't eliminate them.

The point is that on the basis of economics alone we must be realistic about our aspirations for supportive work. It is not enough to say that unemployment is okay for persons with developmental disabilities because the rest of us occasionally experience it. In fact, with only supportive work available, unemployment would be much more than an occasional experience for persons with developmental disabilities.

This is reality. There are other realities that make it unrealistic to expect all persons with developmental disabilities to engage in supported work all of the time. The persons we serve may have severe behavioral deficits or may be functionally so incapacitated that they cannot engage in the kind of day-to-day routines that supported work requires. Clearly, daily living skills, such as toileting and dressing are critical prerequisites before being thrust into the demands of a regular and integrated work environment. Finally, disruption of social contacts inevitably entailed by transition into supported work, often constitute an obstacle to successful placement.

Again and again I have been cautioned by professionals, parents and advocates in our Association that supported work is not for everyone. Certainly, we should, as an ideal, strive to serve everyone in supported work and eventually in competitive employment. But we should not try to establish a system that forces an individual into supported work because we think we know what's best for them or, worst of all, because we feel that it's an inexpensive way to deal with a complex need. Rather, we must establish a system that facilitates placement into supported work based on individual ability and readiness.

Clearly, we have a long way to go before we establish such a system. Its realization will require substantial planning and cooperation between key organizations. This point brings me to some of the specifics contained in your hearing notice. The central theme of which seems to be: what kind of system is evolving as a result of the MOU signed between OVR, OMRDD, OMH and CBVH?

In a few words the MOU concerns itself primarily with joint planning, funding and programmatic responsibilities by the parties to the agreement. Needless to say, this is no easy task. Coordinating the implementation of supported work is an especially difficult and complex undertaking: local business needs must be melded with the wide range of abilities of our workers; for profit and not-for-profit organizations must communicate across very unfamiliar boundaries; assessment and evaluation results must be shared by a variety of public and private organizations. All of this

must occur against a backdrop of limited experience and all of it must occur between State agencies that historically have not fared well in cooperative efforts in the past. Finally, a piece of paper signed in Albany is one thing; implementing its explicit provisions in a wide variety of localities across the State, under the best of circumstances, is quite another.

Not surprisingly, the results have been very decidedly mixed. Certainly, in some regions, the joint planning review and evaluation between State agencies explicitly called for by the MOU does occur. Some of our chapters have spoken very highly of the cooperative efforts put forth by both OMRDD and OVR. OVR technical assistance and training have contributed to the development of a number of successful proposals while OVR efforts to stabilize supported-work placements have led to the smooth transition of individual workers to longterm support services under the aegis of the OMRDD case management system. This is pretty much in line with the provisions of the MOU but unfortunately this experience appears to be the exception and not the rule.

All too often OVR's role is depicted as one of a passive and uncreative player in supported work efforts. Too often I have heard OVR characterized as overwhelmed by existing case loads and without any strong direction from the top of the organization. Specific complaints cite: the lack of qualified OVR personnel; the insufficiency of OVR funding sources especially for individuals who are severely disabled; a poor understanding of persons who are developmentally disabled; and a rocky transition of individuals from OVR auspices to OMRDD auspices.

In other areas the MOU explicitly calls for OMRDD and OVR to "establish mutually agreeable fiscal responsibilities for costs associated with supported employment start up and administrative overhead." Yet, the insufficiency of funding for these costs is a chronic complaint. Movement of individuals into supported work settings involves new reporting, costing and personnel resources. Further, limitations on the number of individuals that can be placed in any one setting means that the efforts of job coaches, case managers and other personnel can be focused on only a relatively few individuals at a time. Such placement limitations are a function of specific regulations and the ability of any one business to employ more than a few supported work employees. While these limitations help to facilitate the integration of workers with handicapping conditions and non-handicapped workers, they create an expense which is not adequately covered.

Other overhead costs not adequately recognized include transportation and on-site clinical services. Transportation to scattered locations and at hours that are often very different from those which are normally served by our chapters' transportation systems, is necessarily more time



consuming and costly. The need for clinical intervention at supported work locations, especially for individuals who are severely disabled, is another gap in overhead costs which have not been satisfactorily taken into account by either OVR or OMRDD.

Finally, and in all fairness this problem cannot be attributed to either OMRDD or OVR, supported work employees paid minimum wage are no longer qualified for SEP payments; a major source of income to providers. The net impact of all of these fiscal constraints is that supported work grant funding is in fact not sufficient to meet the mandate to serve "severely disabled individuals" as specifically set forth in the MOU. Necessary services to these individuals incur costs that grants generally do not cover.

It is our impression that the object of the MOU, to facilitate coordination and the effective and efficient delivery of services, has yet to be realized on a state-wide basis. Granted, it is still early, but I am skeptical that this result will ever materialize.

But frankly, the MOU is irrelevant to the extensive supported-work activities of many of our chapters. Cooperation between State agencies only becomes an issue for supported work when chapters participate in supported work grant programs. Indeed for many of our chapters such cooperation is a moot issue. These chapters have long paid for supported work through traditional local assistance money provided solely through OMRDD.

This may come as a bit of a surprise to those of us who thought that supportive work formally began as a new program when, just recently, supported work grants came into existence. It didn't. We have been providing supportive work for a long time; again, not through grants but through traditional local assistance.

There is a reason for this. Traditional local assistance offers certain distinct advantages over a mix of grants from different State agencies. First, it is an on-going funding stream that emanates from a single State agency and precludes transitioning individuals between different sets of agency standards. Secondly, it is a flexible funding source especially suitable for the wide and unique array of costs associated with complex supported-work placements. Thirdly, grant funding entails copious and complex record keeping requirements for each State agency; local assistance record keeping requirements are much more straightforward.

There is a startling irony here. Obviously, supported work grant programs were created to encourage the development of supported work. Yet, these grants may not fund supported work as adequately or efficiently as traditional local assistance. Thus, we must ask: to the extent that fiscal decisions are made which constrain local assistance funding in order to enhance grant funding, are we in fact discouraging supported work?

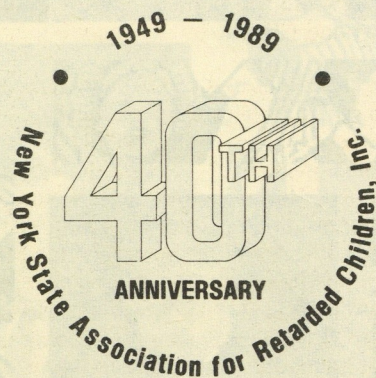
In conclusion, supported work offers us a new opportunity to serve persons with developmental disabilities and perhaps, more than ever before, to integrate them into the mainstream of society. But we must develop supported work carefully; it's not for everyone and it's not a panacea. Yet, clearly, it has not reached all those persons capable of benefitting from it. If we are to maximize the potential of supportive work we must find a way to carry out the intent of the MOU: to make adequate funding, planning and oversight available for our supported work efforts. But frankly, I am not convinced that the MOU is the vehicle that will enable us to reach these objectives. I remain unconvinced that the parties to the MOU can engage in the level of cooperation necessary to fulfill the requirements of that document. I don't know what the ultimate answer to this problem is at this point. But I do have some interim recommendations. They are as follows:

1. Recognize the very important role that traditional OMRDD local assistance funding plays in the whole range of supported work issues.

This includes the funding of sheltered workshops; facilities which are a critical means of preparing persons for supported employment and are essential for providing a safety net for those persons who, for one reason or another, cannot be maintained in their supported work placements. Recognize also that traditional local assistance funds far more supported work projects far more effectively than we have thus far presumed.

2. Carefully, reassess the role of OVR in supported work programs serving persons with developmental disabilities. Again, there is a pervasive sense that this agency is insufficiently responsive or even capable of dealing with the issues before us today. No MOU, regardless of how it is written, may be able to take care of these concerns.

I thank you for this opportunity to testify and hope that my remarks have been helpful. ■



## Financing the Development of New Sites and Programs

One of the various issues being considered by New York State, as a result of the budget deficit, is how to minimize the cost of operating the facilities and programs that provide care to the developmentally disabled.

A necessary and substantial component of operating the aforementioned programs is the cost of acquiring, developing or renovating land and buildings necessary to house residential and training programs. The specific costs relating to the real property are in the form of down payments, debt service for mortgages and capital improvements. In the past, many of these expenditures have been financed through New York State in the form of state aid capital grants, mortgages provided by independent financial institutions or a combination of both.

Experience has shown that, in some cases, the securing of mortgage financing has been difficult and costly. We, as well as others, have spent a significant amount of time educating members of the banking community about the complicated reimbursement methodology. However, a lack of understanding in many instances, has resulted in refusals, as well as agencies paying more than a competitive rate of interest for their financing.

The impact of these and many other problems that accompany program development has not escaped the scrutiny of the state agencies committed to caring for the developmentally disabled.

The New York State Dormitory Authority has recently become involved in successfully organizing a bond issue to cover the cost of developing new projects for provider agencies. The New York State Housing and Finance Agency (HFA), through the Medical Care Facilities Financing Agency (MCFFA) has been charged with the task of developing a package and the necessary legislation to address the problem of financing these capital projects. There has also been some interest expressed by the Industrial Development Authority in various counties. These recent developments could be beneficial to provider agencies and New York State taxpayers as well. The benefits may be realized through lower rates of interest to the agencies and the state and therefore the taxpayer by virtue of tax-exempt bond issues. Another considerable benefit to providers will be the ability to finance the cost of land and equipment. These agencies are knowledgeable organizations specializing in this type of financing and therefore compliment the other state agencies dedicated to providing facilities for the developmentally disabled.

The projected savings in interest costs could be a considerable amount to the state agencies providing the funding. These savings could be used to fund the additional projects or to address the many other funding needs of the providers. Steps should be taken to insure that this is part of the legislation.

Many of the specifics of these recent changes will be forthcoming in the near future. Providers and advocates should be aware of these changes to provide their input and comments.

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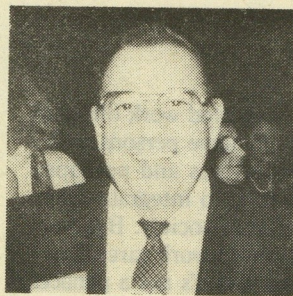


NYS ASSOCIATION FOR RETARDED CHILDREN, INC.  
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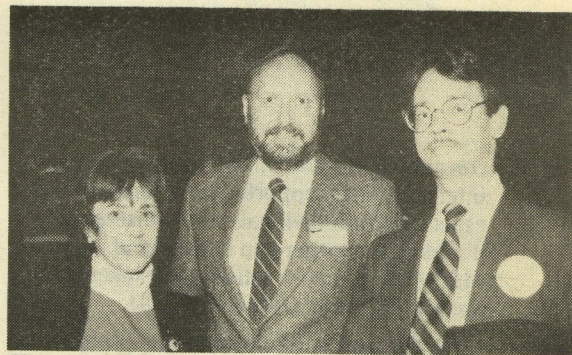
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# PARENTS FIGHTING FOR ESSENTIAL SERVICES

LEGISLATIVE RECEPTION  
FEBRUARY 28, 1989



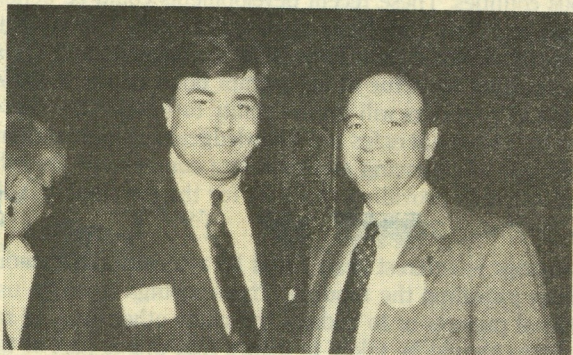
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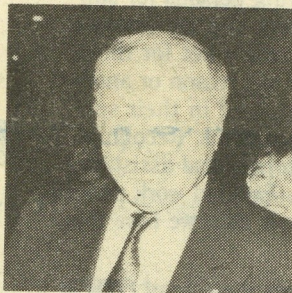
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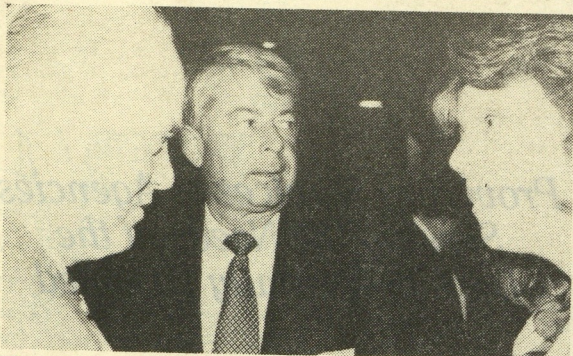
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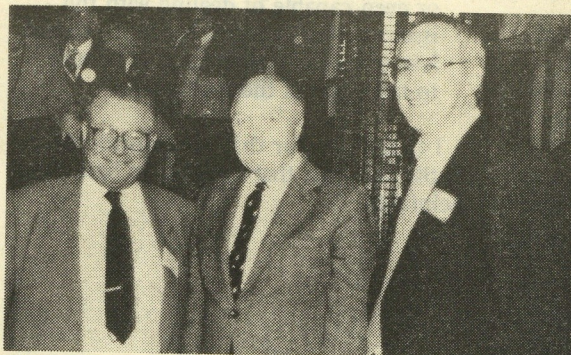
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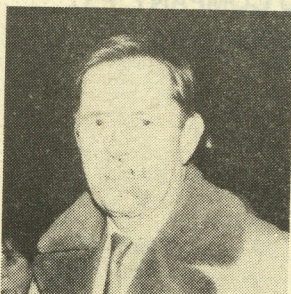
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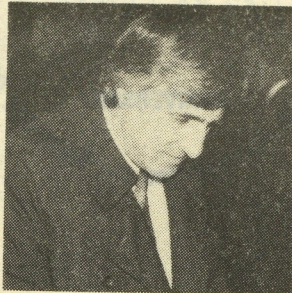
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## URGENT — A

IF WE DON'T ACT  
THE BEGINNING  
SERVICES TO PERSONS WITH

The NYS Executive Budget proposal now under  
the progress toward full services for individuals  
by parents and government 40 years ago.

• DOES OR WILL YOUR CHILD NEED A COMMUNITY  
BUDGET WILL:

Effectively terminate the placement of persons who  
community residential facilities as of April 1, 1990.

• DO YOU WANT YOUR CHILD TO HAVE OR CONTINUE  
TO BETTER THEIR LIVES? IF SO, THE PROPOSAL

Eliminate a wide variety of critical programs that allow  
productive lives.

• DO YOU WANT QUALIFIED, COMPETENT STAFF TO  
BUDGET WILL:

Allow critical staffing shortages to strangle not-for-profit  
Freeze Family Support Services at current levels and se-

• DOES OR WILL YOUR FAMILY MEMBER NEED A STATE  
OR OTHER COMMUNITY SERVICES? IF SO, THE PROPOSAL

Include funding cuts for these programs forcing them to  
day on Tuesday, February 28th or on Wednesday, March

• CAN YOUR FAMILY AFFORD TO PAY FOR SERVICES  
PROPOSED BUDGET WILL:

Expect family to pay fees for community services such as

IF YOU ARE CONCERNED ABOUT YOUR CHILD'S PROGRESS  
ASSOCIATION FOR RETARDED CHILDREN, INC. AND THE  
WE ARE REQUESTING ALL PARENTS AND ADVOCATES  
1989. SPECIFICALLY WE ARE ASKING THAT:

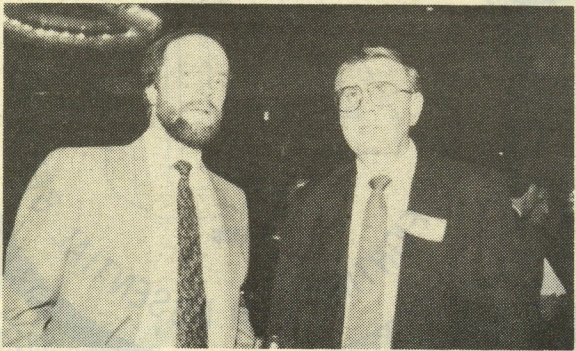
\* You attend a reception for legislators at the Albany Hilton  
on Tuesday, February 28th. You must impress upon your  
that you want them to be in attendance at this event. You  
possible the size and scope of the constituency which  
day on Tuesday, February 28th or on Wednesday, March

It is absolutely essential to maximize the personal attendance of  
28th. Rooms at the Hilton have been reserved for anyone wishing

For further information call the Albany offices of UCP (518) 462-1111  
your local affiliate or chapter.

THANK YOU FOR YOUR





20)

- 1) Senator Caesar Trunzo beams with delight.
- 2) Assemblyman Donald R. Davidsen flanked by Steuben ARC Executive Director, Bernard Burns and Nancy Cox.
- 3) Assemblyman Frank G. Talomie, Sr. greeted by Ontario ARC's Executive Director, William Castiglione and chapter member.
- 4) Assemblyman Michael F. Nozzolio with Cayuga Chapter Exec Anthony Terranova, Jr.
- 5) Senator Eugene Levy enjoying the festivities.
- 6) Senators Hugh T. Farley and Howard C. Nolan, Jr. seen talking with Schenectady County Chapter Executive Director, Linda Lahaie.
- 7) Senator Hugh T. Farley flanked by Montgomery County Chapter's Joel Kaplan and Frank Capone.
- 8) Senator John Daly arriving at reception.
- 9) Senator Suzi Oppenheimer enjoying events.
- 10) Assemblyman Joseph T. Pillittere making his way through the crowd.
- 11) Assemblyman Vincent J. Garber, Sr. with NYSARC staff member Helen Hines.
- 12) Assemblywoman Connelly's Aide Don Robbins seen with Assemblyman Robin Schimminger.
- 13) Assemblywoman Nettie Mayersohn poses for a picture.
- 14) Warren-Washington County Chapter Executive Director, Stephen Holmes with Assemblyman Neil W. Kelleher.
- 15) Senator E. Arthur Gray making his way to the Orange and Ulster Chapters.
- 16) Monroe County Chapter Executive Director, James Mroczek speaking with Assemblyman Gary Proud.
- 17) Assemblyman Thomas M. Reynolds enjoying evening.
- 18) Assemblyman Harold C. Brown, Jr. with other dignitaries.
- 19) Assembly Majority Leader James Tallon, Jr. greeting NYSARC President, Blanche Fierstein and Assemblywoman Audrey Pheffer.
- 20) Seneca County Chapter Executive Director, Kevin Smith speaking with Senator L. Paul Kehoe.

## PARENTS FIGHTING FOR ESSENTIAL SERVICES

### - ACTION NEEDED

**IF WE DON'T ACT NOW, 1989 WILL BE THE BEGINNING OF THE END FOR SERVICES WITH DEVELOPMENTAL DISABILITIES**

Now under consideration by the Legislature, will reverse the trend of cuts in services for individuals with developmental disabilities that was established 10 years ago.

**COMMUNITY RESIDENCE? IF SO, THE PROPOSED BUDGET WILL:**

1) Allow persons who are developmentally disabled now living at home into the community.

**OR CONTINUE TO HAVE PROGRAMS THAT ARE NECESSARY FOR THE PROPOSED BUDGET WILL:**

1) Allow persons with developmental disabilities to lead more independent lives.

**STAFF TO CARE FOR YOUR CHILD? IF SO, THE PROPOSED BUDGET WILL:**

1) Allow non-profit service providers across the state to provide services.

**ART SERVICES? IF SO, THE PROPOSED BUDGET WILL:**

1) Allow levels and serve less than 1 in 4 families caring for an individual with a developmental disability.

**NEED A SHELTERED WORKSHOP PROGRAM, RESPIRE CARE? IF SO, THE PROPOSED BUDGET WILL:**

1) Allow persons to operate at inadequate levels.

**OR SERVICES NOW BEING PROVIDED? IF NOT, THE PROPOSED BUDGET WILL:**

1) Allow services such as respite.

**CHILD'S PROGRAM YOU MUST JOIN US, THE NYS CEREBRAL PALSY ASSOCIATION, INC. ADVOCATES TO RALLY IN ALBANY ON FEBRUARY 28, 1989.**

at the Albany Hilton Hotel Ballroom between 6:00 and 8:00 p.m. Dress upon your own local State Assemblyperson(s) and Senator(s) at this event. We must demonstrate to as many legislators as possible the need for the 1989 budget effects.

Assemblyperson(s) and Senator(s) at their office during the week of February 27, 28, 29, 30, 1989, to make your concerns about the State budget known.

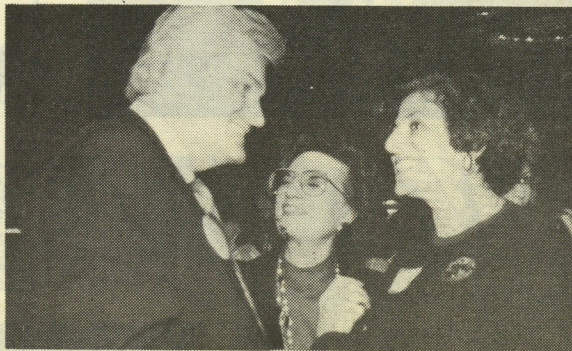
attendance of all interested persons in Albany on February 28, 1989, from 6:00 to 8:00 p.m. Anyone wishing to stay overnight.

for more information call UCP (518) 436-0178 or ARC (518) 439-8311 or write to UCP, 100 State Street, Albany, NY 12242.

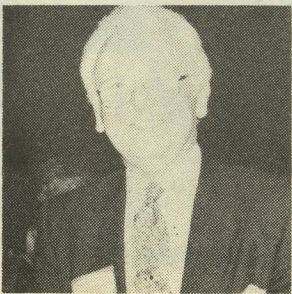
**FOR YOUR SUPPORT!**



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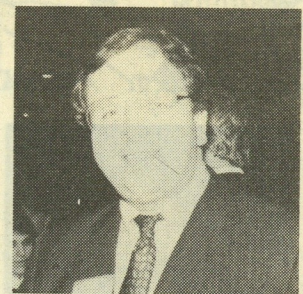
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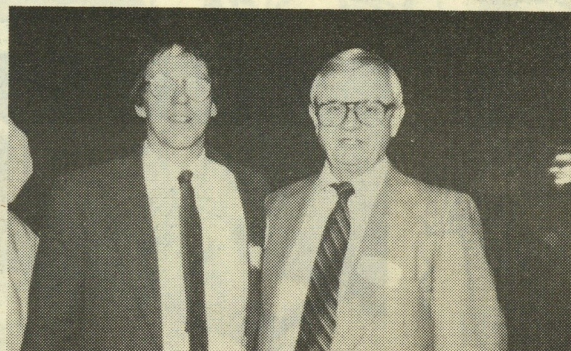
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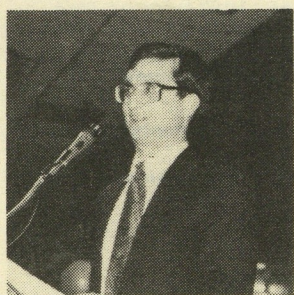
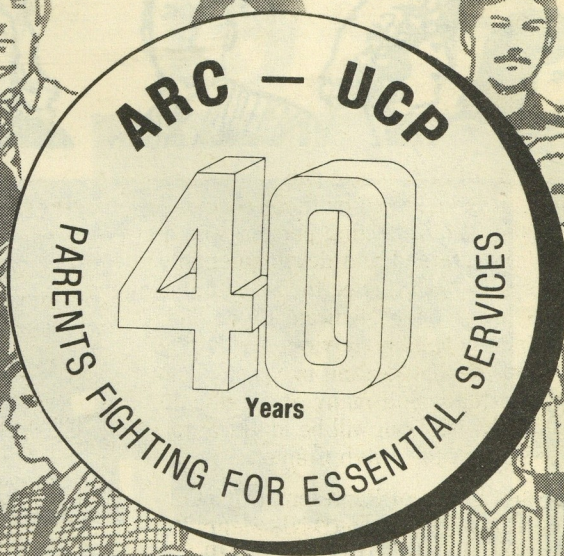


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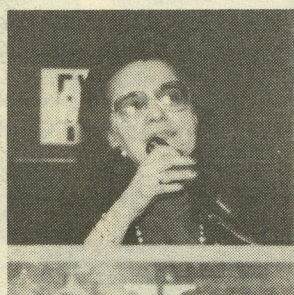
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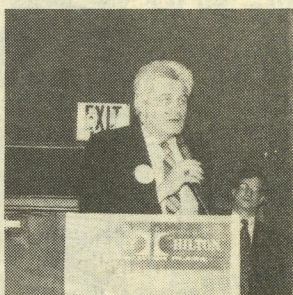
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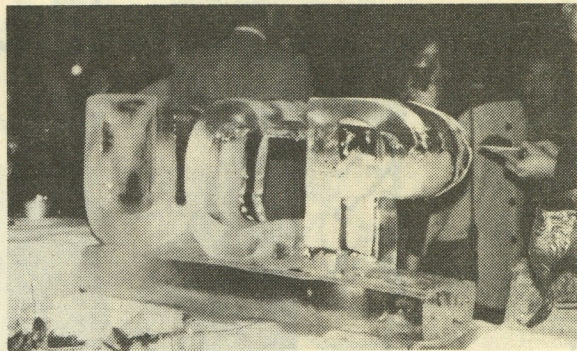
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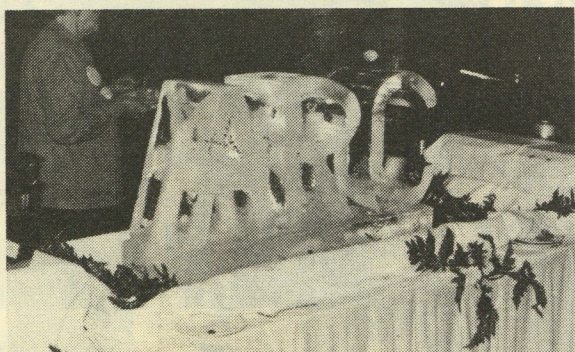
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8)



9)

- 1) Master of Ceremonies Dr. Alan Chartock calls the gathering to order.
- 2) Senator Nicholas Spano and Commisioner Arthur Y. Webb confer on issues.
- 3) NYSARC Executive Director, Marc N. Brandt and Majority Leader James Tallon, Jr.
- 4) NYSARC President, Blanche Fierstein addresses gathering.
- 5) Assembly Majority Leader, James Tallon seen delivering remarks.
- 6) UCP President J. Kevin Menielly
- 7) Assemblywoman Elizabeth A. Connelly addresses the crowd.
- 8) UCP Ice Carving
- 9) ARC Ice Carving



## 1989: The Year of Medicaid Reform?

As the 101st Congress gets underway the question being asked by those concerned with the issues effecting persons who are mentally retarded and developmentally disabled is, "Will this be the year of Medicaid Reform?" The "Medicaid Home and Community Quality Services Act of 1989" is being introduced again by Senator John Chafee (R-RI) and many of his Senate colleagues. The bill will be identical to S.1673 from the 100th Congress.

In the House of Representatives, Congressman James Florio (D-NJ), Henry Waxman (D-CA) and John Dingell (D-MI) have introduced a bill titled, "Medicaid Community and Facility Habilitation Services Amendments of 1989."

While the two bills differ, Congressional support for change is now substantial and key members of the committees of jurisdiction have made commitments to address the issue. The Chairman of the Senate Finance Committee, Senator Lloyd Bentsen (D-TX), has agreed to hold a Finance Committee mark-up on the bill and the Senate Majority Leader, Senator George Mitchell (D-ME), is expected to be an original co-sponsor of the Senate bill.

Representative Waxman, Chairman of the House Subcommittee on Health and the Environment, and Representative Dingell, Chairman of the Full Energy and Commerce Committee, both worked with Representative Florio in developing the House bill.

This should prove to be a very exciting year and NYSARC is hopeful that 1989 will be the year of Medicaid Reform. ■

## Well Known Horse Jockeys Tour Saratoga ARC

Terry, an employee at Saratoga ARC's Sheltered Workshops, was pleased to show a Saratoga Bandage to Angel Cordero, Jr., an award winning and well-known jockey.

Terry, along with 80 other individuals who are developmentally disabled, has been making what is described as an innovation in horse bandages.

The new bandage is so unique that it is worthy of a United States patent and has earned the recognition of racing luminaries like Eclipse Award winner Jose Santos and Hall of Fame Jockey, Angel Cordero.

Michael Libertucci of Amsterdam, New York, invented the bandage. Mr. Libertucci is the Saratoga Horsecworks, an arm of the ARC, Product Development Engineer.

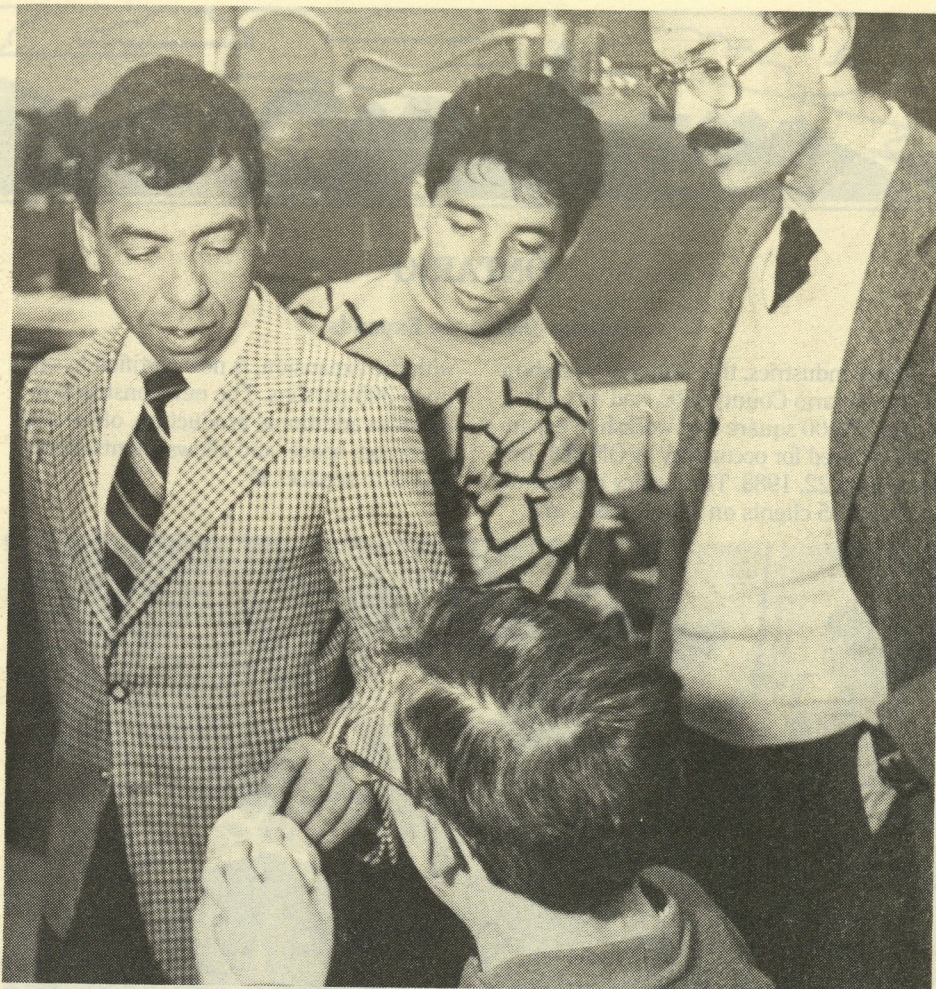
The bandage is specifically designed to support the fetlock joint which is immediately above the horse's hoof and comes with an application of water-resistant silicon beading and a velcro closure.

Both Angel Cordero and Jose Santos visited the ARC factory to accept awards for their work with the employees of the ARC Workshop.

Cordero said that when he was introduced to the bandage, he was somewhat reluctant to try it. "I used it on a pony that I sometimes race," he said. "I saw it stays put on a rainy day, so I tried it on a race-horse and have used it ever since. It really takes to a wet track."

Cordero and Santos toured the factory before accepting their award.

"Anytime I pass near those people and see them working so hard, it makes me happy," Santos said. "I am very impressed about the people who are handicapped."



**HELPING HANDS** — Jockeys Angel Cordero Jr., left, and Jose Santos, center, examine a Saratoga Bandage that is made by clients at the Saratoga Association for Retarded Citizens at its Route 9 headquarters in Malta. Looking on is Michael Libertucci of Amsterdam, the inventor of the special bandage. The Saratoga Bandage is manufactured by the Saratoga Horsecworks of Ballston Spa. Recently, the company also presented Cordero and Santos wooden carousel horses in appreciation of their interest and support of the disabled, announced it was expanding the product into Canadian and European markets and were awaiting approval of a patent for the special bandage.

Gazette Photo By Bruce Squires

When asked about his work with ARC, Michael Libertucci stated "I've worked for major industries. This is considerably more satisfying than working to establish the

position of some company in the stock market. I'm improving the lives of a population (people who are mentally retarded) that doesn't have many opportunities." ■

## NYSARC, INC. SAFETY & RESEARCH MANAGEMENT GROUP ACTION PLAN — CY89

### Management Group

### Regional Training

### Chapter Safety Topics

### Safety Committee Organization

JAN

FEB

MAR

APR

MAY

JUN

JUL

AUG

SEP

OCT

NOV

DEC

1st Group Meeting

\*Distribution of Safety & Health Management Guide\*

Regional Meetings

2nd Group Meeting

\* CONVENTION \*  
Regional Meetings

3rd Group Meeting

Defensive Driving — NTSI

Bus Evacuation  
Professional Risk  
Management

Lifting/Backs

Infectious Disease Control

Off the Job Safety

Fleet Safety

Safety for Supervisors

First Aid

Workshop Safety

Client Safety

Fire Safety

Fleet Safety

Lifting/Backs

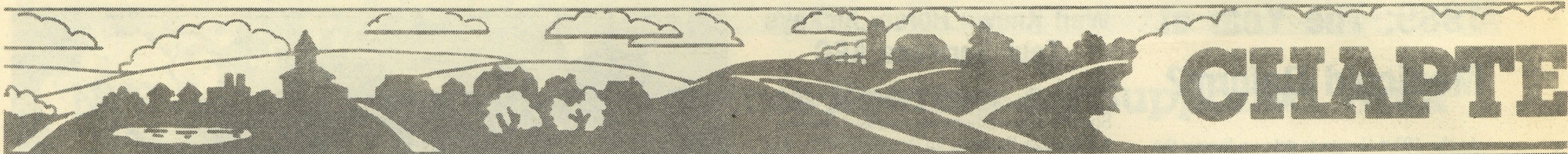
## We Can Help You!

Sponsored by



Continental encourages your participation in these Safety Group Training Sessions, as well as within your own Chapter Safety Committee Meetings.





## ONTARIO

### Abbey Industries Expands

Abbey Industries, the sheltered workshop of the Ontario County ARC, had an additional 18,000 square foot workshop expansion certified for occupancy by OMRDD on December 22, 1988. The agency is presently serving 235 clients on a daily basis, and

with the expansion, is now certified to serve up to 305 persons. The new construction includes additional production, office and classroom space, and allows clients easier access to services. ■



Ontario workshop workers with 15+ years of service were honored at a ribbon cutting ceremony for the expanded workshop facility on December 22, 1988.

## BROOME-TIOGA

### Chapter Celebrates Opening of New Day Treatment Building

On October 18, 1988, an open house was held at the main ARC facility in Binghamton to celebrate the opening of the chapter's new Day Treatment Building.

Over 100 people attended the open house which included a ribbon cutting ceremony, a tour of the new facility, and refreshments.

A number of local and state legislators and representatives of county and state agencies were on hand to celebrate the opening of the new Day Treatment Building, including Mr. Richard Thomasett, Director of Broome Developmental Services; Mr. Carl Young, Broome County Executive; Stephanie Davis, a representative of Assemblyman James Tallon; and John Kowalchuk, a representative of Congressman Matthew McHugh. ■

## SYRACUSE D.C.

### Training Changes at S.D.C.

The staff Development Department has implemented several new training programs for both new and current staff during the past six months. One of the most important is the seven day Preservice Training Program for new employees. Newly hired Therapy Aide Trainees attend the full seven-day program before they begin work. This ensures that they are well trained the important areas of safety, health care, and general orientation topics before they assume their work responsibilities. Other categories of new staff also attend parts of the Preservice Program before assuming their work responsibilities. ■

## SCHOHARIE

### No-Show Testimonial Dinner Well Attended

The Schoharie County Chapter held an unusual event, a no-show Testimonial Dinner. Invitations had been sent to the ARC membership and community people explaining they were invited guests of a no-show dinner. However, upon the realization that testimonial dinners are expensive, time consuming, and often boring, "guests" were encouraged to let the ARC order their choice of pizza from Little Italy in Cobleskill or Schoharie. Gary Morgan Chevrolet and Oldsmobile donated 2-liter bottles of soda, prize chances were included in the RSVP. Copies of speeches provided by Assemblyman Paul Tonko, Senator Charles Cook, and ARC Executive Director, Anthony Alvarez were attached to the soda along with an agency brochure.

Between 4 and 7 p.m. guests arrived at Little Italy to pick up their ordered pizzas and clients from the community residence program greeted them with the soda and speeches. All guests enjoyed the fundraiser and many commented on the uniqueness of the event. It meant no expensive tickets, no babysitting cost, no money spent on extras, no suit to be cleaned, no new dress; dinner was at home and speeches were read rather than slept through.

Winners of the prizes were: Larry Wayman - dinner for two at B.W. Delaneys, Milton and Sandra Lippman - dinner for two at the Bullshead Inn, Roger Ebert - dinner for two at the Parrott House. Grand prize winner of the Break-Away weekend for two at the Desmond Americana in Albany was Sandy Wells.

The event was well attended and the Schoharie County ARC plans to hold the no-show Testimonial Dinner next year with more people "not showing up!" ■

## PUTNAM

### Chapter Sponsors Essay Contest in Celebration of "Legacy of Love"

February 7 through 14, 1989 had been designated by the Putnam Association for Retarded Citizens, in concert with the 62 chapters in New York State, as "the Legacy of Love Awareness Week."

In keeping with this 40 year Legacy of Caring, one purpose of the "Week" is to enhance the awareness of young people regarding handicapped persons.

Information was distributed to participating Putnam County junior and senior high schools for an essay contest in which each school had a first, second and third prize winner.

According to Stuart Greif, Executive Director of the Putnam Chapter, "Participation in this program is a very important link in our attempt to educate the community and communicate to them the love and care our chapter brings to 350 mentally retarded persons young and old."

The subject of the contest, "If I were him/her", included information about who the participant is concerned about in the community. ■

## ULSTER

### Industrial Operations Manager Named

Richard L. Dillinger has been named Industrial Operations Manager for UARC's Pilot Industries Workshop. In this position, Dillinger is responsible for supervising and coordinating production services and the marketing division, assuring that projected contract income is realized for the sheltered workshop.

In describing his new position, Dillinger noted "becoming Industrial Operations Manager of Pilot Industries has given me an opportunity to use my skills and experience in a challenging environment that has not only provided long-term rewards, but daily rewards that come from working with our handicapped clients." ■

## GENESEE

### Chapter to Build ELBA Center

This year, a new \$2 million center will be built by the Genesee County Chapter creating 30 to 40 new jobs in the region.

The proposed day treatment facility will house programs for 100 individuals, who are not able to participate in the ARC workshop. ■

## LIVINGSTON-WYOMING

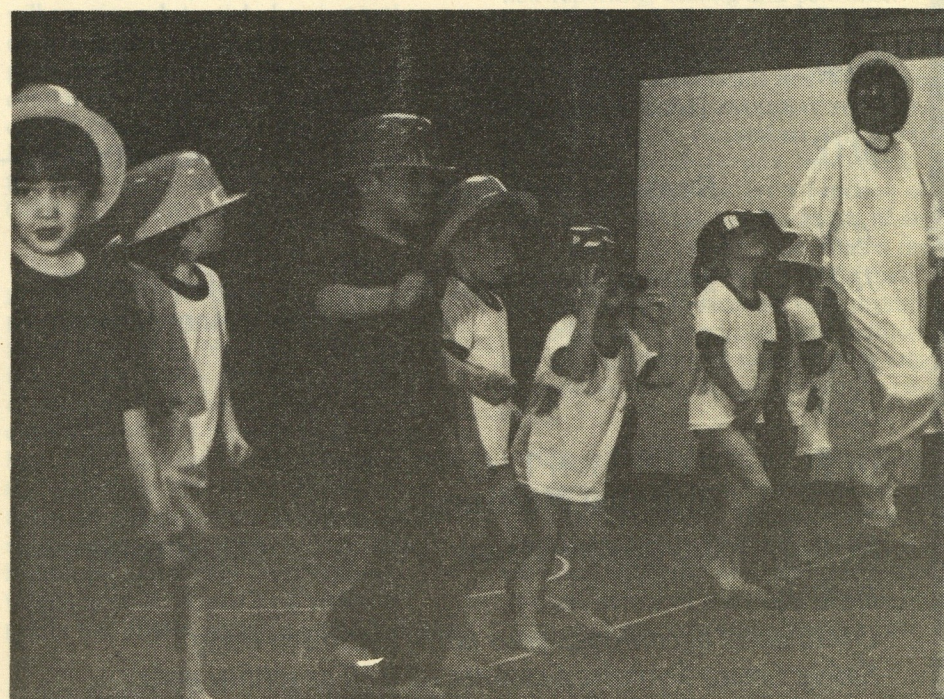
### Genesee Valley Council on the Arts Awards Grant to Chapter

The Genesee Valley Council on the Arts has awarded a grant to Children's Services of Livingston-Wyoming ARC. It will fund a creative movement and dance education class for children involved in the preschool program who have special needs.

Susan Ware, SUNY-Geneseo Dance/Movement Artist, will teach three groups of children who might not have access to these types of experiences. The young dancers who have learning disabilities, mental retardation and speech problems

will present to the community, in costumes and makeup at the Fine Arts Fair in May, 1989.

Valuable learning will undoubtedly take place for the students/dancers, as well as for the teacher. Ms. Ware believes that she has discovered that, "there is an ability of the human spirit to rise above any expectations a person may have." This will be the second year that funding has been granted for this creative movement work. ■



Fred Astaire look out! Children from the Livingston-Wyoming Chapter's Preschool Program, participate in a creative movement and dance education class made possible through a recent grant.



## DELAWARE

### Chapter's Respite Program Growing

In 1988 the Chapter received its first Family Support Grant. Through the grant, respite/recreation services became available to families with developmentally disabled individuals. Services include: regular day/evening recreation programs, emergency overnight babysitting, referring families to trained babysitters, and networking families

to babysit for each other. The program is operated by volunteers under the direction of Respite Coordinator, Phyllis Wehmeyer.

On parent, Susan Finch, commented, "My son, Tim, really likes the program; it makes all the difference by relieving the stress and strain of everyday problems." ■



**HEY, HEY, HEY, WHAT A GREAT SATURDAY . . .** Jamie Mostert, Garrett Morgan, Holley Coulter (L to R) and Respite Volunteer Terry Brown enjoying a Halloween weekend hay ride as part of the Delaware Chapter's Saturday afternoon respite program.

## BENEVOLENT SOCIETY — WILLOWBROOK CHAPTER

### Luncheon Time 1989

The Benevolent Society's 39th Annual Luncheon will be held at the New York Hilton & Towers at Rockefeller Center at 53rd Street and Avenue of the Americas on Saturday, May 20, 1989, at noon.

Anne and Mannie Barsky, this year's co-hosts, send out a clarion call to all our members and friends to join together and help make LUNCHEON TIME 1989 as joyful and as successful as their Annual Luncheons have been in the past. Join their chapter for a delicious lunch, some fine entertainment and you will help their organization to make this a better world, better for those who cannot always help themselves. Buy a share in their future.

\*Anne and Mannie Barsky may be contacted for information and tickets to the Chapter's luncheon at (718) 451-1256 or (718) 983-5204. ■

## WELFARE LEAGUE

### Welfare League D.C. Celebrates 49th Anniversary

On November 19, 1988, Welfare League celebrated its 49th year of devoted service to the Residents of Letchworth Village.

Rich Lamb, WCBS reporter, was the Master of Ceremonies of the annual luncheon held in the Imperial Ballroom of the Sheraton Center, New York City.

Senator Nicholas Spano, Chairman of the Mental Hygiene Committee of New York State, was given an award for outstanding services to individuals who are mentally retarded.

Leonie Isear was honored for her long-term devoted service to Letchworth Village Residents. She has served on the Welfare League Board of Directors and as Chair of Recreation and Entertainment Committees for many years with the Recreation Department. ■

## SUFFOLK

### Housekeeping Training Program

by: Beverly Geiger

### Work Activities Program Director

The Work Activities Program offers a variety of training options for participating clients. This is particularly valuable because the program meets the diverse needs of a workshop population whose functioning ranges from moderate to mild. Our clients enjoy a wide range of vocational choices. Throughout a client's programming, options always remain available and can be accessed at any time based on the individual's readiness and his or her expressed interest in a specific training area.

Until very recently, training options have included bench assembly and packaging, shipping and receiving, porter-maintenance, printing, mailroom, food service, and floor work. We have now added an adjunct to porter-maintenance called "housekeeping" training.

The housekeeping training program was developed because of the increasing need to meet the housekeeping and cleaning demands of our thirteen community residences (CRS). These house duties were found to be beyond capability and skill of many of our CR residents. However, the Work Activities staff believed that the skills and routines of cleaning a home could be developed in our larger workshop population. We, therefore, believed that a "mobile" work activity would prove to be a beneficial experience for several work activities clients. We saw this program as an opportunity to enhance abilities which might allow for competitive placement in the future.

Currently the housekeeping program provides a unique training experience for five of our workshop clients. On a daily basis, upon arrival at our Bohemia workshop, they meet with their housekeeping instructor and travel to a different community residence. The group is supplied with a van and all necessary house-cleaning supplies and equipment. Supervision is close and training quite intensive.

Needless to say, a 1:5 staff-client ratio is unusual within our traditional workshop

program and the impact has been dramatic. Since this new program has been underway, we have observed a steady increase in the number of tasks completed during each house visit. We credit this to the high degree of training and supervision this program allows, as well as the interest and motivation of the housekeeping crew.

The tasks routinely performed by the clients in the program are extensive and include thorough cleaning of kitchens, bathrooms, living, family, and dining rooms, hallways and stairways. Clients clean appliances, dust and wax furniture, wash and vacuum floors, clean baseboards, windowsills, and so on. An average visit to a residence, depending on location, can last between 3½-4 hours. It is remarkable how much is accomplished during that time. The scheduled visits allow for a different residence to be cleaned each day. During the course of the month, each of the thirteen residences are visited and thoroughly gone over at least twice.

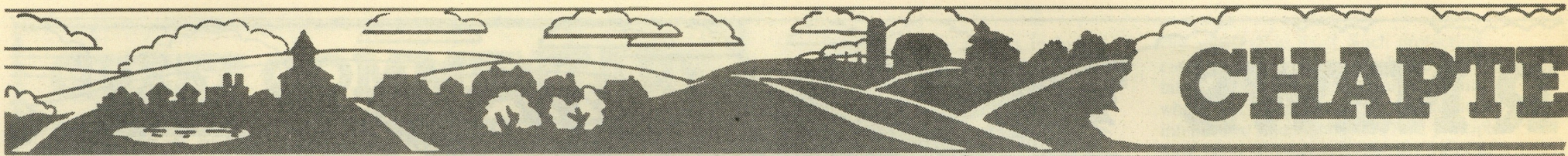
The clients participating in this program are justifiably proud of their accomplishments. At the end of each work day, they have the opportunity to see the satisfactory results of their efforts. They also hear words of praise for their work from our AHRC community residence personnel. Their accomplishments are also evident in their earnings which are now on the average of 50-60% higher than when they first began this program.

We are very proud of our housekeeping crew and their instructor. And their success has not gone unnoticed by other agencies which operate CR's. Many have asked us to consider contracting out our services to them! For now, however, we will maintain our focus on continuing to improve the quality and scope of the program as it relates to tasks performed by our own AHRC residents. ■



**Work activities client Stephanie Brown (right), cleans the refrigerator at the East Islip community residence as Terri Dyer, client coordinator, and Rosalie Pellitieri, housekeeping instructor, look on. The housekeeping program was developed because of the increasing need to meet the cleaning demands of AHRC's community residences. (photo by D. Dunbar)**





## NASSAU

### Nassau Opens New ICF; Expands Residential Program

A new Intermediate Care Facility has been opened by the Nassau Chapter in Plainview, Long Island. That unit accommodates three buildings on a 6½ acre site and when fully operational forty-eight residents will be living at the facility and attending the AHRC Day Treatment Program on the chapter's Brookville campus.

A further expansion of the Nassau Residential Program occurred during the winter when six additional supportive living apartments were opened in the Freeport

area. Nassau is also planning a community residence located in Wantagh.

In spite of the continuing expansion in Nassau's residential program, the chapter now has about four hundred families on a waiting list with many more in need of residential placement who are not on the formal list. Because of this, Nassau has set an accelerated expansion of its Residential Program as a top priority for 1989 and the coming years.■

## HERKIMER

The Recreation Program of Community/Family Services, Herkimer Chapter Association for Retarded Citizens, had a very successful Garden Club this year. It was successful due to the generous donation of land by the Paternosters in Mohawk; the donation of two truckloads of soil; and the hard work of our people, who were very excited about the garden.

The Garden Club met every Monday evening 6:30 p.m. to 7:30 p.m. The first three weeks, the participants spread the soil to prepare for the garden. On the fourth Monday, each individual planted a row of seeds and all of us planted tomatoes.

Throughout the summer, they weeded the garden and with their first harvest being radishes. The radishes were planted twice within a two-week interval, so the Club had quite a yield of radishes.

At the end of August, the remainder of the garden, which included tomatoes, peppers, squash and beans, began to deluge the group. They had tons of tomatoes and all the gardeners were thrilled to see the works of their labor develop before their eyes.

The season ended on September 21 with a party for the gardeners.■

## ONONDAGA

### School-To-Work Transition

Monarch Industries, the vocational division of the Onondaga ARC is successfully operating a School-to-Work Transition Program for high school students who are developmentally disabled. The program places students in their last year of school into jobs and provides support and training for them at the job sites. The students retain the jobs when they exit from high school. Eleven students were placed into jobs during the 1987-1988 school year and eight of them are still employed.

The program also provides training for high school juniors to prepare them for placement. The ten juniors receiving training during the current school year will be placed into jobs in the fall of 1989 and will retain those positions after leaving school in June of 1990.

The Chapter is very excited about the success of this innovative project.■

## SCHUYLER

### ARC Employees Trained by National Traffic Safety Institute

Two employees of Schuyler ARC, Fred Fitch and Carmella Hall have been trained as instructors for the National Traffic Safety Institute's Traffic Survival Workshop.

As a result, all transportation staff along with a majority of residential staff, have received the six-hour training program.

In addition, Schuyler ARC has begun offering this course to the general public from Schuyler and surrounding counties. At the first public session in January, 20 individuals received and successfully completed the course.

In a continuing effort toward safety and safety consciousness, 13 employees of Schuyler ARC received a Passenger Assistance Training Program presented by Bill Drummond of Herkimer ARC in November of 1988.■



## CHENANGO

The Alpha Tau Omega fraternity of Colgate University hosted their thirteenth annual Christmas party for clients of the Chenango ARC. Alpha Tau Omega assisted in their efforts by the lovely sisters

of the Kappa Alpha Theta sorority. The party is the highlight of the holiday season for clients, and a great time was had by all.■

## JEFFERSON

### Chapter Hires Assistant Executive Director

The Chapter is pleased to announce the hiring of Daniel E. Stern as Assistant Executive Director.

Mr. Stern comes to the Agency from Pearle Health Services, Inc., where he most recently served as Regional Manager for the State of New York.

Currently, he is a trustee for All Souls Church, Chairman of the Watertown Correctional Facility Community Advisory Committee, and member of Family Counseling Services of Jefferson County Board of Directors. Additionally, Mr. Stern serves as an examiner for the State Education Department Office of Professional Discipline.

Mr. Stern brings to the Jefferson Rehabilitation Center extensive business, personnel and management experience.■

## DUTCHESS

### Chapter Participates in "Legacy of Love"

In a proclamation made by Governor Mario M. Cuomo, the week of February 7th-14th had been declared Mental Retardation Awareness Week.

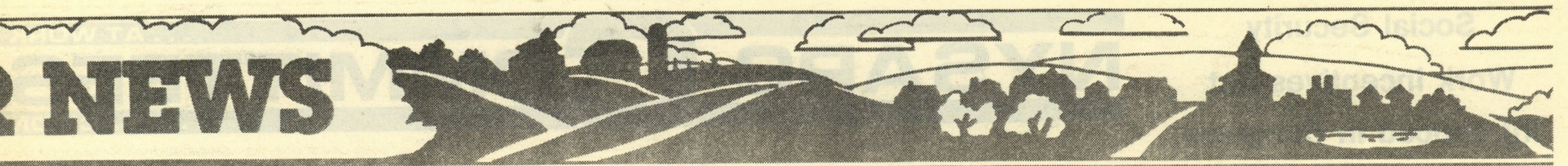
To highlight this special week the Dutchess County Chapter sold Legacy of Love Valentine Wreaths at the Poughkeepsie Galleria Mall on February 11th and 12th.

The proceeds from the event went to the benefit of the Chapter's programs.

Other news... On April 1st, the Chapter will be hosting its 1989 Humanitarian Dinner Dance and Journal. This year's honoree is Catherine Seeberger, who has been a volunteer with the Chapter since it's inception.■







## ESSEX

### Chapter Honored by County

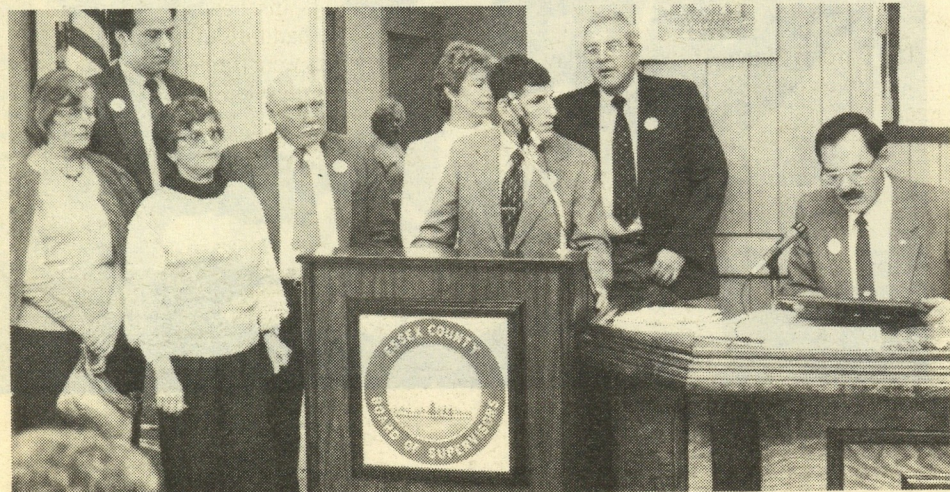
The Essex County Board of Supervisors honored the Essex Chapter for its "humanitarian work" on behalf of the County's citizens who are mentally retarded.

Board Chairman, Donald McIntyre, Westport Supervisor, presented Chapter Executive Director, Charles Hayes, with a plaque

lauding the work done by the ARC.

In addition, the County declared the week of February 7-14 as the Third Annual Mental Retardation Awareness Week.

The Chapter presented Legacy of Love wreaths to each supervisor thanking them for their support. ■



**Legacy of Love:** Essex County Board Clerk, Peter Mends (far right) read dedication on the plaque presented to the Essex County ARC for the caring treatment the Chapter has given Essex County citizens who are mentally retarded. The plaque was presented by Board Chairman, Don McIntyre, (second from right) to (from left) Board member, Emily Nevill; Executive Director, Charles Hayes; Margaret Kolodzey; Gerald Edwards; Staff member, Barbara Merle-Smith and ARC program consumer, Gary Dolan. Photo by M.B. Allen

## NIAGARA

### Niagara ARC Receives Supported Work Grant

The Niagara County Chapter has been awarded a seven month, \$59,800 State Supported Employment Establishment grant from the NYS Office of Vocational Rehabilitation to start an individual placement model Supported Employment Program. The grant, co-authored by Maureen McDonald, Director of Rehabilitation Services and Norma J. Bucelato, Director of Resource Development is the largest grant awarded by OVR in upstate New York this year.

The program will employ two job coaches to provide one-to-one, intensive job training and support services. A Supported Work Coordinator will act as job developer and coordinate the overall case management and follow-along services. The program will also coordinate services with families, significant others, and other service providers, to assure the development of support services needed by each individual.

The program is designed to serve individuals aging-out of the school systems during the 1988-89 school year, and is expected to place up to fifteen supported employees in jobs in the community. The job placements will be a minimum of twenty hours a week, in integrated, competitive employment settings. The requirements of the supported work concept also mandate that the individual be provided with follow-along services which include job analysis, regular retraining at least twice monthly, case management and support services, and direct training and intervention at the worksite. These services are assured by the organization, for their lifetime, not just the lifetime of the initial placement. ■

## CHAUTAUQUA

### Nature's Bounty

Throughout the summer and into the fall, members of The ARC's Recreation Program Garden Club met at the city's public garden plots. The members clad with gloves, hoes, rakes, and chicken wire devised a way to out-smart the rabbits and woodchucks that hampered their harvest last year. The garden was not only bountiful, but beautiful as well, with hundreds of yellow and orange marigolds scattered throughout.

Next to the Garden Club's plot was another garden belonging to and cared for by 35 individuals who attended The Chapter's Day Treatment Program. The group started by planting seedlings in window boxes which they had constructed. Then the seedlings were transplanted to the garden area.

After harvesting a variety of fresh vegetables, the group would prepare an assortment of tasty dishes to sample. Each home-grown meal was accompanied by a beautiful centerpiece of hand-raised flowers.

### Other News...

A Family Support Services Grant has been awarded to The Resource Center's Children's Services Program. Pamela Murphy-Cleary, Director of Children's Services announced that a program will be established to serve school-aged developmentally disabled individuals and their families who reside in Chautauqua County.

## CORTLAND



**Ah Food!** — the Great Connector! Cortland ARC employees Jean Myers, Robin Kotas, June Moore and Chris Gratz become guest chefs at the Horizon House, a psycho-social club for people with mental health problems. We cooked lunch as part of a community relations program. Fun and good eating while learning about another agency.

## STEUBEN

### Steuben ARC Micrographics Department Successful

In 1988 Steuben Chapter developed a new Micrographics Department to further expand their Vocational Training programs.

Just after five months since the Micrographics Department began operating, the success story is amazing. Currently the County records from four divisions of the County are being microfilmed. Eleven people who have disabilities are working in the Micrographics Department and space is at a premium. Steuben ARC is

hoping to buy another camera so additional contracts with other County departments and area companies can be obtained. One employee has been transferred to the County Records Center to type jackets for permanent records and she is doing a fine job.

The program had been so successful it has become a showcase for other companies and counties who want to learn about micrographics. ■

## ALLEGANY

### Chapter Dedicates Two New Facilities

On January 6, 1989 dedication ceremonies were held at two new chapter facilities in Wellsville.

The first, a former Super Duper Grocery store which had been donated to ARC,

opened its doors as the Chapters new Madison Street Vocational Rehabilitation Center.

That same day a ceremony was held in honor of the ARC's new Dyke Street Community Residence which will be home to twelve individuals.



**A ribbon cutting ceremony dedicates two new Allegany ARC facilities.** Left to right: Dennis Norton, Kathy Jones, Mayor Robert Gardner, Lisa Waltes, Chris Koehler, Martin Brundage, and Tom Talbett. Photo by Oak Duke.



## Social Security

### Work Incentives Act Introduced in Congress

On January 3, 1989, Representative Steve Bartlett (R-TX) introduced H.R. 8, the "Social Security Work Incentives Act of 1989" in the House of Representatives. The bill had 93 additional original co-sponsors.

The bill proposes the establishment of a "disabled and working" status for people receiving Social Security Disability Insurance (SSDI) who earn above the Substantial Gainful Activity (SGA) level of \$300 per month. Under the bill, when an SSDI recipient returns to work, regardless of whether earnings would place the individual in the "disabled and working" status, his or her monthly benefit would be reduced by \$1 for every \$2 earned, after exclusion of the first \$85 and impairment-related work expenses and eligibility for Medicare benefits would continue.

As long as the person remains disabled, Medicare eligibility would continue indefinitely beyond the 48 months of eligibility in current law for those who work above the SGA level. After the 48 months of current coverage are exhausted, the individual would be allowed to purchase Medicare coverage. For those Title II beneficiaries who meet the SS1 Resource Test and are earning below 150% percent of the poverty level, the Medicaid program would pay for the Medicare premium. People with earnings above 150 percent of poverty level would be able to purchase their own Medicare coverage on a sliding scale.

In introducing the bill, Representative Bartlett urged his colleagues in the Congress to give it their support saying, "It will promote employment among persons with disabilities by removing a major disincentive which currently exists in the SSDI program."

Senator Donald W. Riegle (D-MI) has stated his intention of introducing a companion bill in the Senate.

Passage of this bill would be a critical component in the effort to help many persons with disabilities become more independent. ■

### Exceptional Artworks to Be Held in Albany

The fifth Annual Exceptional Artworks exposition sponsored by the New York State Office of Mental Retardation and Developmental Disabilities will be held on May 16 - 18, 1989 at the Empire State Plaza in Albany.

State and voluntary agencies serving persons with developmental disabilities are invited to display paintings, fine crafts, sculptures, needleworks, jewelry, photography and other creative achievements by individuals in their day, residential and leisure programs. Sale of art and craft items is optional. Viewing hours for the public will be from 9 a.m. until 5 p.m. daily.

In celebration of the fifth anniversary of the EXCEPTIONAL ARTWORKS exposition postcard "mail art" will also be accepted for display.

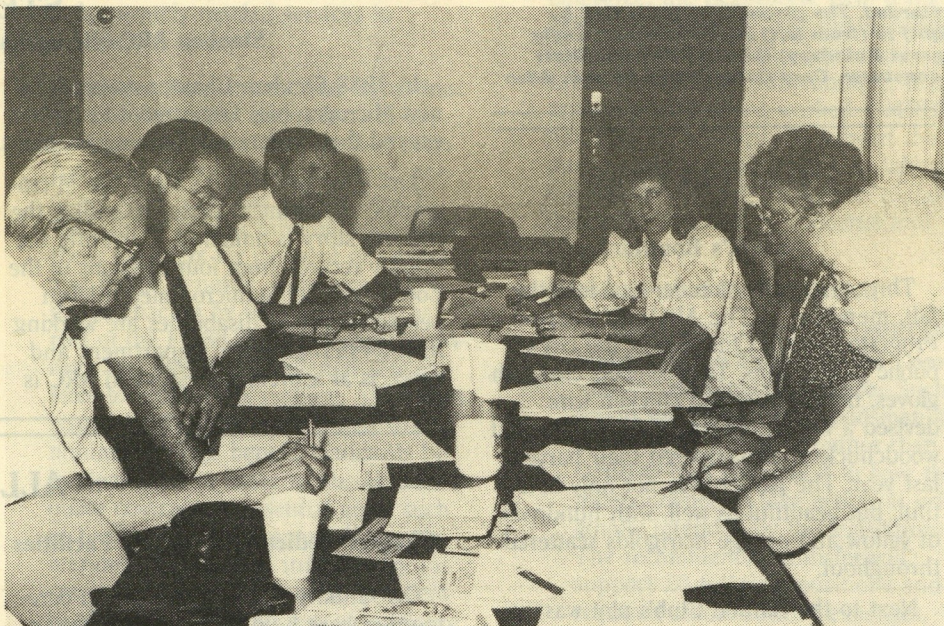
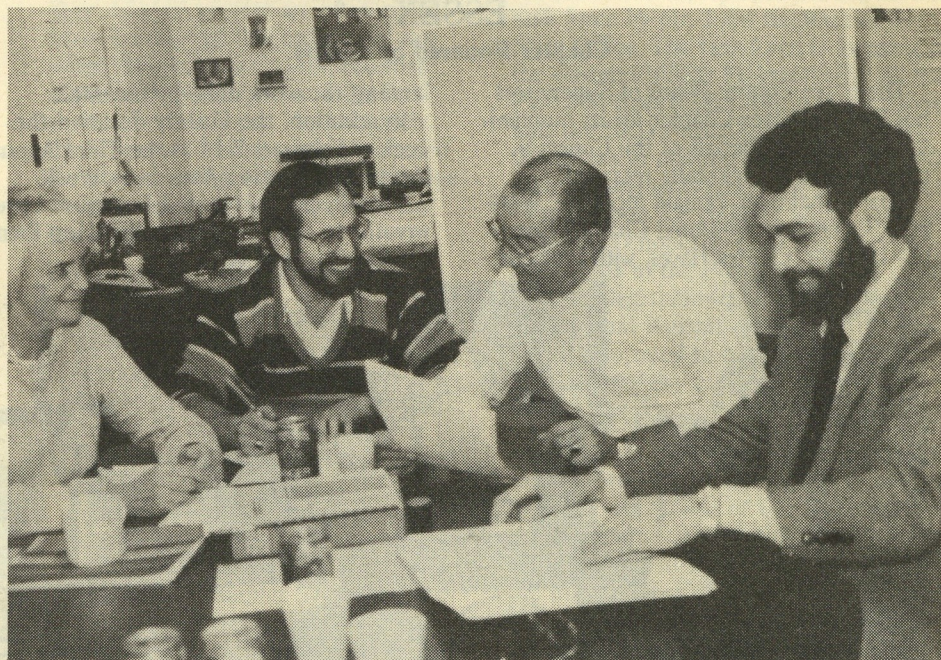
Information regarding mail art, display requirements and exhibit space request forms are available from EXCEPTIONAL ARTWORKS, OMRDD, 44 Holland Avenue, Albany, New York 12229. ■

# NYSARC COMMITTEES

... AT WORK

... IN ACTION

**NYSARC Public Information Subcommittee on Chapter Resource Development, review final draft of materials to be included in a manual, "Take Your Show on the Road", which will be distributed to local chapters this year. Left to Right: Jane Aman, Administrative Director, Schenectady ARC; Gene Allen, Director of Public Relations and Subcommittee Chairperson, Oneida ARC; Jack Decker, Community Development Director, Monroe ARC and Manny Pelligra, Director of Personnel and Program Development, Otsego County Chapter. ■**



**The NYSARC Prevention Committee Meeting, hosted by the Institute for Basic Research in Developmental Disabilities (IBR) review goals for 1988/89. Left to Right-Dr. Robert Guthrie, Dr. Michael Marge, Vincent Colgan, Susan Lyons, Joan Edwards, Chairperson, and Harriett Cooper.**

### ABA Adopts Resolution Against Death Penalty for Persons Who Are Mentally Retarded

The American Bar Association's (ABA) House of Delegates on February 7, 1989 passed a resolution concerning use of the death penalty for persons who are mentally retarded. The resolution states:

**BE IT RESOLVED**, that the American Bar Association urges that no person with mental retardation, as now defined by the American Association on Mental Retardation, should be sentenced to death or executed; and

**BE IT FURTHER RESOLVED**, that the American Bar Association supports enactment of legislation barring the execution of defendants with mental retardation.

### Wills, Guardianships and Conservatorships for Parents of Mentally Handicapped Persons

- Wills & Estates
- Taxes — Corporate & Individual
- Real Estate, Corporate Law & Business Agreements

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## Third Annual Legacy of Love Chalks Up Statewide Success

Records were shattered for the annual Legacy of Love event sponsored by the NYSARC Public Information Committee. Over 20,000 Legacy of Love wreaths were ordered, exceeding by about 5,000 any of

the two previous year's level. The attractive designer wreaths added to the success of the 3rd annual statewide event which received special recognition from Governor Mario Cuomo in a gubernatorial procla-

mation marking February 7th through February 14th as Mental Retardation Awareness Week. In this proclamation the Governor cited the NYSARC chapters for their long history of caring and commitment and paid particular attention to the public awareness activities sponsored by the NYSARC Information Committee.

**Many chapters were displaying and selling the Legacy of Love Valentine wreath as part of the 3rd Annual Legacy of Love special event. In the photo, volunteers of the Nassau chapter are chalking up another sale.**



Symbolized by a red Valentine rose, the annual Legacy of Love helps to remind the public year round of the care and love given to persons who are mentally retarded. The event was conceived by the NYSARC Public Information Committee to anchor a fund raising and public relations activity around the Valentine's Day period.

Participating chapters tied-in with local publicity while using the Legacy of Love wreath to generate additional visibility activities among the chapters included sales of wreaths in shopping centers, banks, bowling alleys, as well as county and town offices. In addition, there were special local advertising tie-ins by chapters.

The Committee, with the success of the 1989 effort behind it, is not resting on its laurels, according to Bob Katz, the Committee's Chair. Chapters have been asked to submit samples of products for possible designation for the 1990 Legacy of Love. Norma Bucelato, a member of the Information Committee, is coordinating that group's product selection and chapter participation in the Legacy of Love. Selection of the 1990 product is set for the Resource Group meeting which the Information Committee sponsors during April in Syracuse. About thirty chapters attend that meeting and will be helping to choose the new Legacy of Love product. ■

New York State Association for Retarded Children, Inc.

### SAFETY GROUP MANAGEMENT COMMITTEE

*The Safety Group would like to acknowledge an individual (staff or client) that has made a significant contribution in the area of SAFETY. If you have an individual in your Chapter that you would like to recognize, please send his or her name to:*

Mr. John J. Sherman  
Assistant Executive Director for Fiscal Management  
New York State Association for Retarded Children, Inc.  
393 Delaware Avenue  
Delmar, New York 12054

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## D.D.P.C. Conducts Statewide Workshops on "Quality of Life"

The New York State Developmental Disabilities Planning Council (DDPC) is holding a series of workshops across New York State on the topic of "Quality of Life." The purposes of these workshops are to gain a better understanding of "Quality of Life" issues as seen by primary consumers, parents and significant others, and to sensitize the service system and community to the abilities of consumers to express their concerns and to participate in decisions about their lives.

The dates and locations of the workshops are as follows:

Date	Location/Region	Address
04/01/89	Buffalo Area	Sheraton Airport Hotel Walden Avenue Chautauqua, New York
04/15/89	Albany Area	Ramada Inn 1228 Western Avenue Albany, New York
04/22/89	Syracuse Area	Syracuse Hilton Hotel (Downtown) 500 S. Warren Street Syracuse, New York
05/06/89	Binghamton Area	Sheraton at Sarbro Square One Sarbro Square Binghamton, New York
05/13/89	New York City	NY University Kraser Dental Center 345 E. 24th Street at Ist Avenue New York, New York
05/20/89	Suffolk County	Royce Carlin Hotel 598 Broad Hollow Road Melville, New York

Individuals with developmental disabilities, parents and relatives are invited to attend these sessions which will discuss issues relating to improving the quality of life in family settings, educational settings, work and day program settings, living situations and cultural/social settings.

The sessions will be held from 9:00 a.m. to 4:00 p.m. There is no registration fee. Locations of the meeting, as well as any additional information, can be obtained by calling the DDPC at (518) 432-8233 and asking for Shirley S. Reynolds or Karen Yanoco.



## ASSOCIATION CALENDAR OF EVENTS

### MARCH

- 18 Executive Committee Meeting Syracuse, New York
- 21 Public Information - PSA Committee Meeting Delmar, New York

### APRIL

- 1 Budget and Finance Committee Meeting Delmar, NY
- 6 Community Residential Service Committee Meeting Onandaga Chapter Syracuse, NY
- 8 Ad Hoc Committee to Review Reaffiliation with National ARC Syracuse, NY
- 13 Governmental Affairs Committee Meeting Delmar, NY
- 14 Family Support and Outreach Committee Meeting Delmar, NY
- 29 Developmental Center Committee Meeting Delmar, NY

### MAY

- 5-6 Board of Governor's Meeting Rochester Convention Center Rochester, NY
- 5 Executive Committee Meeting Rochester, NY

### MAY

- 5 Scholarship and Awards Committee Meeting Rochester, NY
- 5 Ad Hoc Committee to Review the NYSARC 40th Anniversary Convention Rochester, New York
- 5 Family Support and Outreach Services Committee Rochester, NY
- 5 Adult Services Committee Rochester, New York

### JUNE

- 23 Resolutions Committee Meeting Delmar, New York

### SEPTEMBER

- 1 Resolutions Committee Meeting Delmar, New York

### OCTOBER

- 25-29 Board of Governor's Meeting and 40th Annual Convention Kutshers Country Club Monticello, New York
- 25 Scholarships and Awards Committee Meeting Monticello, New York

### NEW YORK STATE ASSOCIATION FOR RETARDED CHILDREN, INC.

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