**AMERICAN COUNCIL OF THE BLIND**

**1994 RESOLUTIONS**

**Note**

**Resolutions 94-03 and 94-24 were defeated by the membership.**

**Resolutions 94-07 and 94-22were ruled to be out of order.**

**Resolution 94-23 was referred to the Visually Impaired Data Processors International, a special interest affiliate of the American Council of the Blind. A copy of this resolution can be obtained from the ACB National Office.**

**Resolutions 94-30 and 94-31 which commend the host affiliates, the convention hotel and the volunteers who assisted with the convention are not reprinted here. Copies of these resolutions can be obtained from the ACB National Office.**

**Resolution 94-01**

**Requesting Additional Staffing, Training and Improvements in Claims Processing for the Social Security Administration**

**WHEREAS, the Social Security Administration (SSA) is taking an unusually long period of time to determine initial eligibility for disability benefits and to resolve appeals from adverse decisions; and**

**WHEREAS, such delays work hardships on blind applicants and beneficiaries; and**

**WHEREAS, social security district office staff display a lack of knowledge about rules and regulations applicable to blind applicants and beneficiaries; and**

**WHEREAS, social security district office staff reflect a lack of sensitivity to the needs of blind applicants and beneficiaries; and**

**WHEREAS, staffing for the social security offices has been drastically reduced over the preceding years and will probably be reduced further;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 8th day of July, 1994, that this organization ask Congress to remove budgetary restrictions on the administrative funds for the Social Security Administration (which are paid from the Social Security Trust Funds), and approve a significant increase in staffing for the Social Security Administration; and**

**BE IT FURTHER RESOLVED, that this organization urges the Social Security Administration to increase staffing and training to immediately reduce the current backlog and to ensure that applications for disability benefits are acted upon within 90 days from date of application; and**

**BE IT FURTHER RESOLVED, that this organization suggests the following changes in law to ensure that decisions are made by the Social Security Administration in a timely manner:**

1. **If eligibility determinations are not made within 90 days, the applicant shall be put in payment status, and the payments made while a final decision is pending shall not be recoverable by the Social Security Administration;**
2. **Appeals of adverse decisions shall be resolved within 30 days of the filing date for requests for reconsideration, and 90 days for appeals to an administrative law judge; and**
3. **If reconsideration and Administrative Law Judge decisions are not resolved within the suggested time frames, the applicant/beneficiary shall be paid until a final decision is reached at the appeals council level, without such payments being subject to recovery.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-02**

**Access for Dog Guide Users in Vending Facilities**

**WHEREAS, vendors and trainees in the Randolph-Sheppard Vending program using a dog guide as their primary method of mobility are, in some instances, being treated in a grossly unfair manner by not being allowed to take their dogs into vending facilities; and**

**WHEREAS, inaccurate interpretations of regulations contained in "Concessions Management Handbook, US General Services Administration (GSA) PBS P5815.2a, Chapter 5," (promulgated October 27, 1988 and updated in 1993), often result in the dog guide user having to forego the use of the dog guide during commuting and working hours; and**

**WHEREAS, dog guides have accompanied blind vendors and trainees in their facilities for years without major incidents; and**

**WHEREAS, the above cited Federal policy guidelines give too much latitude to building managers, Business Enterprise Program personnel and operators in interpreting the policy, which results in denying access to dog guide users; and**

**WHEREAS, this practice runs contrary to federal and state laws allowing unconditional access by individuals accompanied by dog guides where the general public is allowed, including vending facilities;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization finds this practice reprehensible and asks that such incidents of denial of access to dog guide users be stopped immediately; and**

**BE IT FURTHER RESOLVED, that this organization calls for appropriate modification or interpretation of these federal policy guidelines to ensure compliance with state and federal law; and**

**BE IT FURTHER RESOLVED, that the ACB work in collaboration with its affiliate, Guide Dog Users, Inc., to assure access for dog guides in Randolph-Sheppard Vending Facilities.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-04**

**Enforcement of Free Matter Regulations**

**WHEREAS, the free matter mailing requirement has afforded persons who are blind or visually impaired opportunities to access large amounts of information; and**

**WHEREAS, without this requirement these information access opportunities would be lost; and**

**WHEREAS, the United States Postal Service has issued regulations which clearly indicate what types of materials can and cannot be mailed using the free matter mailing policy; and**

**WHEREAS, United States Postal Service employees in various parts of the United States have misinterpreted these regulations in an arbitrary and capricious manner; and**

**WHEREAS, ACB has documented cases of such misinterpretation of these regulations and abuse of authority by local postal officials;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that a letter be sent to the United States Postmaster-General, Marvin Runyon, asking that regulations governing the free matter mailing requirement be interpreted and enforced fairly and equitably throughout the entire nation; and**

**BE IT FURTHER RESOLVED, that along with this letter, ACB provide Postmaster-General Runyon with documentation of cases where Free Matter regulations have been misinterpreted; and**

**BE IT FURTHER RESOLVED, that copies of this resolution and enclosed documentation be sent to the appropriate Congressional committees charged with overseeing the activities of the United States Postal Service.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-05**

**Accessible Documentation for the IRS**

**WHEREAS, the Internal Revenue Service (IRS) has, for many years, provided information about selected IRS forms through libraries; and**

**WHEREAS, the Internal Revenue Service requires that all Americans earning an income complete and return a Federal Income Tax Return; and**

**WHEREAS, the failure to complete and return this document is considered a violation of Federal law — which may subject the individual failing to file the return to criminal proceedings — which may result in fines and/or prison sentences; and**

**WHEREAS, the Internal Revenue Service facilitates this process by (1) making filing documents and informational brochures available early in the filing season, and (2) providing a telephone assistance service to answer questions from taxpayers about their filing; and**

**WHEREAS, neither the informational brochures nor the filing documents are easily accessible to the visually impaired, because they are difficult to locate or the time required to acquire them leaves many blind and visually impaired taxpayers unable to take advantage of having them; and**

**WHEREAS, the regulations implementing the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), require that public entities provide access to programs and services to people with disabilities, including people with visual impairments;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urges the Internal Revenue Service to take the following actions:**

1. **Make all filing forms, including every type of return and schedule, available in braille, large print, cassette tape and computer diskette formats;**
2. **Make selected brochures which provide general filing information to taxpayers available in the same formats;**
3. **Make all of this documentation available upon request no later than December 31 of the year preceding each filing season, the same time as such documentation is available to the general public;**
4. **Ensure that requests for accessible information can be handled via all IRS toll-free information numbers, thus requiring the caller to make no additional phone calls or inquiries; and**
5. **Process all such requests within time periods comparable to the time it takes to process requests from the general public; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Department of Justice, the Secretary of the Treasury, the Commissioner of the Internal Revenue Service and the chairs of Congressional committees who oversee the activities of the IRS; and**

**BE IT FURTHER RESOLVED, that the Directors, staff and affiliates of this organization follow up such letter with actions deemed appropriate.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-06**

**Expression of Outrage at Extension of Suspension of Detectable Warning Requirements**

**WHEREAS, detectable warnings have proven to be an effective and important travel aid providing blind and visually impaired persons with information to enable them to avoid potential hazards such as drop-offs and hazardous vehicular traffic ways; and**

**WHEREAS, the Architectural and Transportation Barriers Compliance Board, the Department of Justice and the Department of Transportation proposed an 18-month delay in the implementation of detectable warnings in environments other than rail transit; and**

**WHEREAS, these agencies subsequently issued a final rule which suspends implementation of this important access and safety feature for 3 years rather than 18 months, despite a lack of evidence to support the alleged concerns about the safety of detectable warnings for people who use wheelchairs or who have other mobility impairments;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization express outrage at the abuse of federal authority by the Architectural and Transportation Barriers Compliance Board, the Department of Justice and the Department of Transportation in acting to postpone implementation of the ADA without just cause; and**

**BE IT FURTHER RESOLVED, that this organization call upon these agencies to complete research on the use of and need for detectable warnings in environments other than rail transit, and act immediately to address the safety and access needs of blind pedestrians by requiring installation of a standardized detectable surface where pedestrian walkways cross hazardous vehicular traffic ways, at reflecting pools and at stairs.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-08**

**Expansion of Fax Reader Services**

**WHEREAS, most written materials remain, on an immediate basis, inaccessible to persons who are blind or severely visually impaired; and**

**WHEREAS, reliance on assistance from family and friends to meet reading needs for persons who are blind fosters dependence, lack of privacy, and lack of control in managing vital information; and**

**WHEREAS, scanners and other types of electronic reading machines fail to meet all reading needs in that they fail to read certain fonts, handwriting, or graphic materials;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization supports the concept of the use of fax and (toll-free) telecommunications technology, coupled with volunteer or employed staff, to bring about the availability of rapid response time reading services; and**

**BE IT FURTHER RESOLVED, that this organization notes the existence of a number of successful fax-reader operations throughout the United States, and notes that these operations generally contain the following features:**

1. **Fax equipment is usually provided to blind or severely visually impaired individuals free or at reduced prices.**
2. **Blind individuals may fax documents to a fax-reading center (toll-free) where the materials are read to the blind individual over the telephone; and**

**BE IT FURTHER RESOLVED, that this organization directs its officers and staff, when engaging in educational and public relations activities, to promote the concept of fax-reader services with affiliates and community-based service providers as a viable auxiliary aid for the independence of blind persons; and,**

**BE IT FURTHER RESOLVED, that this organization directs its officers and staff to take a leading role in advocating for federal and private funding to support and expand fax-reader services throughout the United States.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-09**

**Standardized Phone Listings for Paratransit Services**

**WHEREAS, many people who are blind and/or have other disabilities are unable to avail themselves of the use of ADA-required paratransit when visiting other communities because there is no standardized telephone listing for this service;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urge the United States Department of Transportation to require that all providers of paratransit list their telephone number under the information heading, "ADA Paratransit," in addition to listing their number under any other heading such providers may choose to use; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Consortium for Citizens with Disabilities, to the Secretary of Transportation and to such other groups as the officers, Directors or staff may deem appropriate.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-10**

**Commendation to Congressmen Dingell, Markey, Fields and Slattery for Their Efforts to Ensure the Accessibility of the National Information Infrastructure for People Who Are Blind or Visually Impaired**

**WHEREAS, the United States House of Representatives has passed H.R. 3626 and H.R. 3636 which include landmark language requiring telecommunications equipment and networks to be accessible to and usable by individuals with disabilities and embracing the potential inclusion of video description in television programming; and**

**WHEREAS, Congressman John Dingell was instrumental in ensuring that the interests of people with disabilities were included in this legislation; and**

**WHEREAS, Congressman Ed Markey, a tireless advocate on behalf of all consumers, including persons with disabilities, championed the accessibility requirements, and lent deep and profound support for video description as a component in the future of television programming; and**

**WHEREAS, Congressman Jack Fields demonstrated strong support for access language and persuaded his colleagues to recognize the value of video description; and**

**WHEREAS, Congressman Jim Slattery led efforts which resulted in important agreements between individuals with disabilities and representatives of the Regional Bell Operating Companies which helped to bring about the access requirements included in the House bills, and Mr. Slattery has spoken passionately of his support for including Americans with disabilities into the National Information Infrastructure;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization express its appreciation to Congressmen John Dingell, Ed Markey, Jack Fields and Jim Slattery for their advocacy and efforts in bringing down the barriers to information which have kept Americans who are blind or visually impaired from full enjoyment of and participation in employment, education, entertainment and many other aspects of our society.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-11**

**Support for H.R. 794**

**WHEREAS, census data, national polls and other studies have documented that citizens with disabilities are severely disadvantaged socially, vocationally, economically and educationally; and**

**WHEREAS, individuals with disabilities have faced many of the same discriminatory obstacles in developing small businesses as have groups previously recognized as "socially and economically disadvantaged" under the Small Business Act; and**

**WHEREAS, the nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living and economic self-sufficiency for such individuals; and**

**WHEREAS, these goals can be advanced by providing the maximum practicable opportunities for the growth and development of small business concerns owned and controlled by individuals with disabilities; and**

**WHEREAS, H.R. 794, the “Americans with Disabilities Business Development Act of 1993,” would eliminate insofar as possible, discrimination against individuals with disabilities in obtaining capital and other production assistance; and**

**WHEREAS, this bill will amend the Small Business Act by providing a means by which to declare persons with disabilities to be "socially disadvantaged individuals;"**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization supports passage of H.R. 794 and directs its officers and staff to take all appropriate action to achieve this end; and**

**BE IT FURTHER RESOLVED, that this organization instructs those working to implement the passage of this bill to seek to assure that the definition of disability incorporated into this bill is equivalent to the definitions in the Americans with Disabilities Act and in the regulations implementing Section 504 of the Rehabilitation Act of 1973.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-12**

**Access to Public Libraries**

**WHEREAS, the Library Services and Construction Act (LSCA), which is scheduled to be reauthorized by Congress next year, provides public libraries with federal funds for projects or construction; and**

**WHEREAS, individuals who are blind or visually impaired have a right to fully enjoy and use their local public libraries; and**

**WHEREAS, libraries are likely to become one of the centerpieces of the new information infrastructure; and**

**WHEREAS, several steps could be taken to expand collections, ensure access to information and otherwise encourage use of libraries by individuals who are blind or visually impaired;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 8th day of July, 1994, that this organization urge Congress to amend the Library Services and Construction Act as follows in order to ensure that the needs of library users who are blind or visually impaired are addressed:**

1. **Establish standards which ensure that new information technology (from Internet hookups and collection databases to the equipment necessary to use these services) is accessible to and usable by individuals with a variety of disabling conditions;**
2. **Encourage the development of collections which include a variety of resources and media, including audio recordings, large print material, and described videos;**
3. **Foster the provision of information about library and community services to the public through both analog (telephone) and digital (electronic) means;**
4. **Direct that persons with disabilities, including individuals with visual impairments, be included on library advisory committees;**
5. **Ensure that the availability of public transportation is considered in determining a site for the construction or expansion of a public library;**
6. **Develop innovative outreach programs whose express purpose is to encourage participation in the services and activities of public libraries by people with disabilities; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressional oversight committees for libraries, the President of the American Library Association, the National Commission on Libraries and Information Science, and other entities deemed appropriate.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-13**

**Strengthen ALA Standards for Network Libraries**

**WHEREAS, the American Library Association is currently engaged in rewriting the standards that govern service provided by network libraries and by the National Library Service for the Blind and Physically Handicapped (NLSBPH); and**

**WHEREAS, blind and visually impaired people will be substantially affected by the standards adopted that govern the way service is provided at network libraries and through NLSBPH; and**

**WHEREAS, the working group that is preparing these standards is currently seeking comments concerning the second draft of these standards prior to their final rewriting and proposed adoption by the Spring of 1995;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization strongly urges the inclusion of the following elements within the standards:**

1. **A clear and unequivocal requirement that each network library establish an advisory committee of its users which is representative as to geography, ethnicity, gender and disability;**
2. **Clear service standards that set time limits within the library that will govern how quickly applications for service, requests for books or other consumer-related service standards can be expected to be processed;**
3. **Clear and forward-looking technological standards that will require libraries to work toward making on-line catalog functions and access to the information highway elements intrinsic to their future growth and accessible to all users; and**

**BE IT FURTHER RESOLVED, that the officers, Directors and staff of this organization join with their affiliate, Library Users of America, in seeking to assure that these elements be included in the standards; and**

**BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the committee currently at work on setting these standards.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-14**

**Recommending A National Transportation Policy Initiative**

**WHEREAS, it is generally recognized that a major disadvantage faced by blind and visually impaired people is the absence of available, accessible transportation; and**

**WHEREAS, as a result, legislation, regulations and appropriations relating to public transportation are of paramount importance to blind and visually impaired people; and**

**WHEREAS, increased levels of public transportation may significantly expand opportunities for employment for people who are blind or visually impaired; and**

**WHEREAS, the regulations implementing the transportation provisions of the Americans with Disabilities Act are sometimes limiting rather than increasing access to transportation for people who are blind and visually impaired; and**

**WH ERE AS, the Intermodal Surface Transportation Efficiency Act will be reauthorized in 1997 with hearings beginning as early as 1996;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 8th day of July, 1994, that this organization requests the President and the Board of Directors to create and implement a transportation initiative whose objective will be to:**

1. **Develop specific legislative outcomes toward which the American Council of the Blind's membership will work as regards amendments to existing laws and regulations or the introduction of new legislation as needed;**
2. **Provide the Board and membership of ACB with an implementation strategy that can be used to work towards the legislative outcomes recommended; and**

**BE IT FURTHER RESOLVED, that the President shall use whatever methods are seen fit to implement this resolution, but shall include progress toward this end as a part of his Presidential report at the 1995 convention of this organization in Greensboro, North Carolina.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-15**

**Urges BANA to Disseminate Information about Unified Braille Code**

**WHEREAS, work on the Unified Braille Code (UBC) is continuing with a timetable that would lead to its completion in just three years; and**

**WHEREAS, the members of the Braille Revival League and the American Council of the Blind are vitally interested in steps now being taken toward the eventual release of a final version of this code;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that the Braille Revival League and the ACB strongly urge Braille Authority of North America (BANA) to take the following actions:**

1. **Since no samples have, as yet been released of either the math or the computer code, that such samples be made widely available within sixty days;**
2. **That information on the progress of the Committee charged with developing this code be made available to periodicals of major consumer organizations of blind people at least each quarter starting immediately; and**
3. **That BANA seriously consider the release of new literary braille samples to reflect changes that have taken place over the last year in the projected Unified Braille Code; and**

**BE IT FURTHER RESOLVED, that this resolution be forwarded to BANA immediately.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-16**

**Require Video Description in Television Programming**

**WHEREAS, television programming is ubiquitous in American households, but much of the education, entertainment and information imparted through the visual elements of such programming is inaccessible to individuals who are blind or visually impaired; and**

**WHEREAS, video description, an audio explanation of the visual elements of a video program, greatly enhances the enjoyment, accessibility and value of such programs for blind adults & children; and**

**WHEREAS, Congress is currently creating communications policy which will likely open up opportunities to expand the amount of televised video programming provided to American households;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urges Congress to require that new video programming be accompanied by video description and to encourage the inclusion of video description in existing programs when feasible; and**

**BE IT FURTHER RESOLVED, that this organization calls upon Congress to expand the amount of federal funds for video description to facilitate the development and production of video description; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to appropriate members of Congress and other interested officials.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-17**

**Support for NIB as Separate Agency**

**WHEREAS, the Javits-Wagner-O'Day Act (JWOD) provides employment opportunities for people who are legally blind; and**

**WHEREAS, National Industries for the Blind (NIB) has the mission to coordinate activities & expand employment opportunities for blind persons under the JWOD Act; and**

**WHEREAS, the current atmosphere of government reform and agency consolidation could threaten the continued viability of NIB as the separate agency responsible for the specialized and separate interests of blind employees under the JWOD Act; and**

**WHEREAS, consolidation could seriously jeopardize employment opportunities and protections available to blind persons;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization express its support for NIB as the separate, specialized nonprofit agency advocating strictly on behalf of employment opportunities and the interests of blind persons working under the JWOD program.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-18**

**Support for Specialized Services and Consumer Choice in Rehabilitation Policy**

**WHEREAS, informed choice is an essential protection provided to consumers in the Rehabilitation Act Amendments of 1992; and**

**WHEREAS, the right of individuals who are blind or visually impaired to be employed by, receive services from, or voluntarily serve in many capacities in specialized agencies for the blind must be maintained; and**

**WHEREAS, many officials are mistakenly interpreting language in the Rehabilitation Act Amendments in order to favor integrated settings over consumer choice regarding services and settings; and**

**WHEREAS, the Acting Administrator of Region X of the Rehabilitation Services Administration has stated in a letter that service-providing organizations which are not deemed to be integrated are ineligible for federal rehabilitation establishment grants irrespective of quality, outcomes achieved by the service-provider, or consumer choice; and**

**WHE REAS, such interpretations are clearly detrimental to specialized services for people who are blind, demonstrate a lack of understanding of the specific needs of individuals who are blind and may contradict consumer choice and empowerment;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization rejects and opposes interpretations of the Rehabilitation Act — or policy guidance based on that Act — which emphasize integration without equal regard to consumer choice, the value of specialized services, and the unique needs of persons who are blind or visually impaired; and**

**BE IT FURTHER RESOLVED, that the officers, directors, and staff of this organization ensure that appropriate members of Congress and federal officials in the Department of Education and the Rehabilitation Services Administration are made fully aware of the views of this organization regarding the importance of consumer choice, along with appropriate specialization in employment and provision of services.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-19**

**Amendments to IDEA**

**WHEREAS, Congress will reauthorize the Individuals with Disabilities Education Act (IDEA) in 1995; and**

**WHEREAS, many advocates for children with disabilities are seeking to amend IDEA to implement a philosophy known as “full (or) total inclusion” which would require that all children are educated only in the “regular” classroom without regard to the availability of, or effect on, special education and related services required to meet the unique needs of an individual child who is blind or visually impaired; and**

**WHEREAS, in Resolution 89-05, the ACB expressed the belief that children with disabilities should be provided the intensity and frequency of services necessary to meet the child’s unique academic and social needs; and**

**WHEREAS, in light of the intense debate regarding “full inclusion” and the pending reauthorization of IDEA, it is necessary that the American Council of the Blind speak clearly in defense of high-quality, comprehensive and appropriate education and related services for children who are blind or visually impaired; and**

**WHEREAS, decisions about educational placements of children should not be made merely on the bases of philosophy, budgets, administrative convenience or concerns about socialization; and**

**WHEREAS, the assurance that a free appropriate public education will be provided in the least restrictive environment with a full continuum of alternative placements must remain a central tenet in the rights guaranteed to children with disabilities by IDEA and its implementing regulations; and**

**WHEREAS, ACB is working together with other organizations representing the interests of blind persons to fashion appropriate amendments to IDEA;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urge Congress and the Administration to amend IDEA as follows to ensure that the education and related needs of blind and visually impaired children are guaranteed in federal law:**

1. **Ensure that educational placements will reflect the unique needs of the child and the choice of the parents and students, among a continuum of alternative placement options including the regular classroom with supports, special classes, resource rooms and residential schools;**
2. **Ensure that Braille will be taught and provided to all children for whom it is appropriate;**
3. **Enhance the availability and accessibility of technology for the education and independence of children who are blind or visually impaired;**
4. **Include the provision of orientation and mobility services and daily living skills training, provided by individuals who are specifically trained to work with blind and visually impaired children;**
5. **Ensure that federal funds continue to support training of personnel to provide specialized instruction and services to blind and visually impaired persons;**
6. **Require the use of video description in educational and other videos produced with federal funds and enhance through research the provision of video description and other means of making multimedia material accessible to individuals who are blind or visually impaired; and**

**BE IT FURTHER RESOLVED, that ACB affiliates are urged to work with parents, students and state and local education agencies to monitor and improve educational opportunities and services provided to persons who are blind or visually impaired; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to appropriate members of Congress, the Secretary of the Department of Education and the Administrator of the Office on Special Education Programs.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-20**

**Installation of Detectable Warnings by Washington Metropolitan Area Transit Authority**

**WHEREAS, the American Council of the Blind believes that installation of materials easily detectable underfoot, by cane or with low vision — through the use of contrast in texture, color, resilience or sound on cane contact — can greatly enhance the safety of blind or visually impaired persons by warning that they are approaching a dangerous drop-off or a hazardous vehicular way; and**

**WHEREAS, the U.S. Department of Transportation has issued a final rule requiring installation of such detectable warnings on rail transit platforms in key stations; and**

**WHEREAS, the Washington Metropolitan Area Transit Authority (WMATA) has stated that it considers the design of its rail platforms, which include a flat granite strip and flashing lights along the platform edge, to be unique and safe; and**

**WHEREAS, WMATA also expressed unsubstantiated concern that the detectable warning surface required by the Americans with Disabilities Act Accessibility Guidelines may constitute a hazard for passengers using wheelchairs or other mobility aids, and cited these concerns among the bases for requesting an extension of at least one year in order to conduct research to resolve concerns to WMATA's satisfaction; and**

**WHEREAS, WMATA has offered representatives of ACB an opportunity for input into the design of this proposed research, and a promise to install the material selected for detectable warnings on platforms in all stations, not just key stations;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization emphasize to WMATA that it include detectable warning material in its research which meets all requirements of the ADAAG, including contrasts in texture, color, resiliency or sound on cane contact, and agree to install an ADA-compliant surface if this surface continues to prove to be the most detectable by persons who are blind or visually impaired as well as safe for other passengers; and**

**BE IT FURTHER RESOLVED, that this organization call upon WMATA to agree to present a comprehensive plan no later than January 26, 1995 for prompt installation of effective detectable warnings in all stations within its rail system; and**

**BE IT FURTHER RESOLVED, that this organization urge the Department of Transportation to continue to vigorously seek compliance by all transit rail systems in installing detectable warnings; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the General Manager of WMATA, the Secretary of the U.S. Department of Transportation and any other appropriate public official and Members of Congress.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-21**

**Asking American Blind Golfers Association to Extend Services to People with Low Vision**

**WHEREAS, the American Blind Golfers Association has, for many years, offered totally blind people many opportunities to acquire skill, self-confidence and enjoyment by providing assistance and sponsoring tournaments; and**

**WHEREAS, many people with low vision could benefit significantly from being able to participate in the activities of this organization;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization calls upon the American Blind Golfers Association to expand its highly valuable programs so that they can provide the same satisfaction and enjoyment to people with low vision as they do to individuals who are totally blind.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-25**

**Opposing Consolidation of Job Training Funds**

**WHEREAS, a number of legislative initiatives have been introduced in both houses of the U.S. Congress which promote massive consolidation of programs such as welfare and job training programs for the poor; and**

**WHEREAS, many of these legislative· proposals have specifically included programs that serve blind people; and**

**WHEREAS, consolidation is directly antithetical to the principles of categorical services for blind people which the American Council of the Blind has long espoused;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization joins with its affiliate the Randolph-Sheppard Vendors of America in expressing our vehement opposition to any initiatives that have the effect of commingling job training programs specifically targeted to serving blind people such as the Randolph-Sheppard Vending Facility Program with other programs designed to serve other populations; and**

**BE IT FURTHER RESOLVED, that the officers, directors and staff of this organization are directed to join with our RSVA affiliate to vigorously oppose all efforts to consolidate job training programs that may have the effect of seriously jeopardizing the future identity**

**and very survival of the Randolph-Sheppard Vending Program.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-26**

**Opposes Loss of Choice in Workshops**

**WHEREAS, at least one regional office of the United States Department of Education, Rehabilitation Services Administration, has rendered a written interpretation of the Rehabilitation Act which suggests that the Act does not permit the use of establishment grant funds for development of facilities which are part of the National Industries for the Blind (NIB) network; and**

**WHEREAS, this opinion is based on the reasoning that it was the intent of Congress to use establishment grant funds only for programs which provide employment in integrated settings; and**

**WHEREAS, it was further the regional office's finding that NIB programs fail to meet the above specified criteria, reasoning that while the office agrees that NIB facilities provide competitive employment, the settings could not be considered as anything other than segregated in nature;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization expresses its strong disagreement with the above cited legislative interpretation, and reminds the Rehabilitation Services Administration of the following points:**

1. **As the unemployment rate among working age blind and severely visually impaired remains quite high, an estimated 65 to 70 percent, virtually any program providing competitive, gainful employment facilitates a means by which persons who are blind may become more integrated with others in their community;**
2. **A significant number of NIB positions are indeed high profile in nature and require considerable contact with the general public;**
3. **The term "segregated" suggests no choice but to be excluded, or exclusion by force, where the term "integrated" simply suggests one's right to choose those settings in which one may wish to operate — and, since NIB offers an employment option which does not force persons who are blind into its cooperating programs, but rather offers these programs as one of many employment options which a blind individual might pursue, the criteria of integration is met;**
4. **While integration in the workplace is a major precept of the reauthorization of the Rehabilitation Act, an even more basic concept is that of a disabled individual's right to make choices — thus, if economic disincentives are sanctioned against employers who happen to employ a high percentage of persons who are blind, such employers lose opportunities for growth, and a blind individual who chooses to work in a setting with other blind peers is deprived of this basic right of choice; and**

**BE IT FURTHER RESOLVED, that this organization therefore calls upon the national office of the Rehabilitation Services Administration to overturn, through implementing regulations, disproportionately rigid regional office interpretations; and**

**BE IT FURTHER RESOLVED, that copies of this resolution be sent to Fred Schroeder, Commissioner, Rehabilitation Services Administration; Judith Heumann, Assistant Secretary Office of Special Education and Rehabilitative Services and to the ten Regional Offices of the Rehabilitation Services Administration.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-27**

**Detectable Warnings at Level Track Crossings**

**WHEREAS, the United States Department of Transportation (DOT) and the Architectural and Transportation Barriers Compliance Board (Access Board) issued a final rule implementing the Americans with Disabilities Act, September 6, 1991, which requires detectable warnings at transit platform edges; and**

**WHEREAS, the DOT acknowledges that having adequate detectable warnings is a vital safety matter for transit passengers and pedestrians; and**

**WHEREAS, there is now a considerable body of research and practical evidence that detectable warnings at level transit platforms do not unduly affect the ease and safety of travel for persons having physical disabilities; and**

**WHEREAS, level transit tracks are often difficult or impossible to detect even for individuals who have had extensive training with the white cane or other mobility aids and techniques; and**

**WHEREAS, current research being undertaken by the Access Board is unrelated to the issues surrounding detectable warnings at level transit platforms;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urges the Department of Transportation to issue forthwith a rule requiring the installation of detectable warnings which comply with the "Americans With Disabilities Act Accessibility Guidelines" (4.29.2) along each side of a track for the entire length of any pedestrian area where such level tracks are in use.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-28**

**Appreciation to the National Council of State Agencies for the Blind**

**WHEREAS, the National Council of State Agencies for the Blind has been responsible for facilitating a national conference for Randolph-Sheppard program vendors and state licensing agency directors and representatives of the Rehabilitation Services Administration; and**

**WHEREAS, this March 1994 conference held in Washington, D.C. was the first ever to bring Randolph-Sheppard vendors, state licensing agencies and rehabilitation-related governmental officials together for a productive working session; and**

**WHEREAS, this conference is anticipated to have been the beginning of an ongoing national effort to protect and expand the Randolph-Sheppard program;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization joins with its large national affiliate, the Randolph-Sheppard Vendors of America, in thanking the National Council of State Agencies for the Blind for its meritorious work toward improvement of blind vending programming on a nationwide basis; and**

**BE IT FURTHER RESOLVED, that a copy of this resolution shall be conveyed to the National Council of State Agencies for the Blind.**

**Adopted.**

**Patricia L. Price, Secretary**

**Resolution 94-29**

**Increased Funding for RFB**

**WHEREAS, textbooks on tape are extremely important to elementary, secondary and post-secondary education for blind and severely visually impaired children; and**

**WHEREAS, the development and dissemination of computer­based electronic text is vital to the future education of blind and severely visually impaired students — both children and adults; and**

**WHEREAS, the Americans with Disabilities Act requires the provision of auxiliary aids such as providing printed material in accessible media for people who have disabilities; and**

**WHEREAS, taped texts, alternative format books and other information must be included in the national plan for the development of an information superhighway; and**

**WHEREAS, the American Council of the Blind, and other organizations, have petitioned the Congress to increase funding for Recording for the Blind Inc. to record and provide taped textbooks for blind and severely visually impaired students, from $3.5 million to $4.5 million for fiscal year 1995; and**

**WHEREAS, the President's budget would deleteriously affect the education of thousands of blind and severely visually impaired students by reducing Federal support for textbooks;**

**NOW, THEREFORE, BE IT RESOLVED, by the American Council of the Blind in convention assembled at Chicago, Illinois, this 9th day of July, 1994, that this organization urges the Senate Appropriations Committee and the Congress to agree to an appropriation of $4.5 million for fiscal year 1995 for Recording for the Blind, Inc. to provide taped texts for blind and severely visually impaired students as well as to produce other electronically-based texts and engage in other advanced projects.**

**Adopted.**

**Patricia L. Price, Secretary**