

REPORT OF THE EXECUTIVE BOARD

**NEW YORK STATE
COMMISSION FOR THE BLIND**

2015

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COMMISSION FOR THE BLIND
2015 EXECUTIVE BOARD**

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Table of Contents

2015 Executive Board Membership..... i

Table of Contents..... ii

Executive Summary..... 1

Report of the Executive Board 2015..... 4

 Acknowledgement of to Luis A. Mendez, Esq..... 4

 Introduction 4

 Remarks from the Chair 4

 Infants and Young Children..... 5

 Education Reform: An Urgent Priority 7

 Technology..... 10

 Business Enterprise Program 11

 Services to Older New Yorkers 12

 Conclusion..... 15

Executive Summary

This 2015 report, issued by The Executive Board (The Board) of the New York State Commission for the Blind (The Commission), summarizes The Board's findings on the problems facing the growing and economically vulnerable population of visually impaired and blind New Yorkers. It also identifies deficiencies in the currently available services and programs to that population and recommends improvements that are consistent with the fiscal resources of State, local, public, and private not-for-profit services for blind and visually impaired persons.

The following recommendations are focused on the areas of childhood intervention, technology, the Business Enterprise Program and services for the elderly.

Infants and Young Children

Findings:

- Without meaningful reform in the provision of services to infants and school-aged children, 70% of them will in all likelihood face an adult life marred by unemployment, impoverishment, and economic dependency.
- We need broad-based reforms in State services to these youngest New Yorkers.
- There are dedicated and competent professionals in the State who are prevented from providing essential services to very young blind and visually impaired children because their credentials are not sufficient to satisfy a system that has forgotten to take these children into account.
- While some private initiatives fill the gaps in service to children, private funding will not by itself create genuine systems change.

Recommendations:

1. The State needs to fund and carry out a pilot infant vision screening program, to document the need for such screening to become mandatory.
2. The State also needs to expedite the licensing of credentialed vision rehabilitation professionals so that services to infants and toddlers who are blind or severely visually impaired can be provided consistently throughout the State.
3. Aggressive efforts need to be made by the Governor, the Legislature, and the Board of Regents to adopt and implement the Expanded Core Curriculum in New York State. The Legislature should conduct a series of hearings around the State regarding what works and doesn't work under the current system.
4. The Department of Education should assure that standards for teachers of the visually impaired (TVIs) stress a very high level of proficiency in the acquisition of all braille skills, including the Nemeth math braille code, computer braille, and the Unified English Braille Code.
5. Orientation and mobility training should be provided to all blind students in both school and community settings within time frames that are age-appropriate.

6. Instruction in adaptive technology, including access to electronic braille displays, needs to be provided to blind children at an early age so that they gain and maintain proficiency in the use of these technologies before graduating to middle school.
7. Assistance with daily living skills development should be made available to parents and young children.
8. The Children and Youth Coalition in New York City collaborative model should be encouraged throughout the State.
9. The Governor and the Legislature should establish a separate commission that includes special educators and parent representatives to focus on the health care, rehabilitation, and educational needs of children who are blind, deaf-blind, and/or have been diagnosed with significant vision loss. The mandate of this commission would be to produce specific recommendations for reforms in the provision of rehabilitation and educational services to this population. We recommend that this new commission be vested with the authority to implement agreed upon recommendations.

Technology

Findings:

An extensive audit conducted in 2010 found State websites to be largely accessible and useable. However, the audit did not include the filling out and submission of online forms; there is a multitude of such forms necessary to doing business with the various State agencies. Since that audit, Board members have experienced firsthand the lack of usability with screen readers; the forms are also extremely difficult to use with magnification software.

Recommendations:

1. The Commission, in conjunction with the Office of General Services, should be given the authority and necessary funding to undertake a comprehensive audit of New York State's websites, including a complete analysis of the forms and systems requiring user interaction.
2. This audit should be conducted by one or more firms with a proven track record in evaluating and recommending remediation of electronic forms and other electronic content required for New Yorkers to effectively transact business with the State and its political subdivisions. The ensuing report should include recommended implementation strategies to address this significant barrier to New Yorkers who are blind, deaf-blind or who otherwise rely on assistive technology.
3. The State should add accessibility to the list of mandatory criteria it uses when purchasing software.

The Business Enterprise Program

Findings:

The results of existing efforts and collaboration with the Program are highly encouraging, but The Commission's ability to expand the Program is inhibited because of the high cost currently imposed by the New York State Office of General Services.

Recommendations

1. The Commission should seriously explore whether other options might be available, including reaching out to the private sector, so that it is better able to take advantage of new opportunities as they become available.
2. All parties involved with the Business Enterprise Program should continue to work together to discover additional business opportunities for blind vendors in the areas identified in the law.
3. The Program should be marketed to legally blind constituents so that people can enter training in preparation for the new opportunities that are coming.

Services to Older New Yorkers

Findings:

- Data indicate that approximately 40% of the blind and visually impaired population in New York State is over 65. The vision loss population in general and the over 65 cohort are particular is on the increase.
- We have no pooled data from various sources within the State indicating what percentage of these older individuals have received or are receiving services related to their vision loss. Further, we have no idea what percentage of those people know that vision rehabilitation services exist.

Recommendations

1. Estimate with some accuracy the number of people in New York State that are over 65 and currently receiving any service falling under the rubric of vision rehabilitation. Such an initiative should be coordinated by The Commission, but be undertaken in partnership with the Department of Health, the Office for the Aging, the Vocational Rehabilitation System (Access VR), and the private agencies throughout the State of New York that provide services to people who are aging.
2. The Legislature should convene hearings to examine the rehabilitation needs of New Yorkers 55 or over who are experiencing significant vision loss. The goals of these hearings would be:
 - To determine the prevalence of legal blindness, severe vision loss and medical conditions that are likely to lead to vision problems;
 - To determine the scope of issues and rehabilitation needs of this population; and
 - To examine the fiscal and programmatic resources currently available within the State to provide for these rehabilitation needs and determine how these resources and programs can be more effectively coordinated to provide appropriate and adequate services to this population of New Yorkers.

The Board calls upon the Governor and the Legislature to use their influence and the power of their respective offices to raise and consider the concerns of people with vision disabilities.

We challenge the appropriate legislative committees to take up the issues outlined in this and previous reports from The Board, and to schedule hearings without delay regarding services for both older adults and young children.

Report of The Executive Board 2015

Acknowledgement

The Board owes a huge debt of gratitude to Luis A. Mendez, Esq., who served as Chair from 2010 through spring of 2014. Mr. Mendez devoted countless hours to the work of this Board; he brought his experience as an attorney and as a parent of a blind child, along with his ability to examine and interpret the implications of data and his huge commitment to improving the lives of all people with vision loss. Much of his work is reflected in the pages that follow. We thank Mr. Mendez and wish him continuing success.

Introduction

The Board was established by Part J of Chapter 57 of the Laws of 2007. The enabling legislation directed that The Board “shall meet on a regular basis to discuss and recommend resolution of differences if any, between State or local agencies regarding services and programs provided to blind and visually impaired persons.” (Section 1-A).

In spite of fiscal austerity, The Board must continue to carry out its core statutory mandate by producing periodic reports on the needs of the growing and economically vulnerable population of visually impaired and blind New Yorkers. As specified in its statutory charter, The Board's responsibilities cover identification of problems and deficiencies in services and programs to blind and visually impaired persons and recommendations to improve the coordination of programs and fiscal resources of State, local, public, and private not-for-profit services for blind and visually impaired persons.

Remarks from the Chair

Though comprised of members from diverse backgrounds, often holding differing perspectives, during its brief history The Board has worked to identify areas that adversely impact New Yorkers who are blind. Board sessions have often been characterized by spirited debates on approaches to address the many challenges facing those whom we were appointed to serve. In the end, its members have worked with each other to overcome differences and forge consensus on the issues needing urgent action.

Additionally, The Board has identified practical approaches to address vexing funding and organizational obstacles. The Board can point with pride to notable successes, especially in providing input and supporting The Commission in improving delivery of adaptive technology to The Commission's current clients. The Board can also be proud of its role in focusing attention on the education and rehabilitation needs of blind and severely visually impaired children. Finally, The Board is pleased that The Commission is strengthening its outreach with respect to the Business Enterprise Program, an important source of employment for blind New Yorkers.

Building on this success, The Board has set out an ambitious work plan to address vision-related health care needs of young children, to improve the educational outcome for blind children, to increase employment opportunities through the Business Enterprise Program, and to expand rehabilitation opportunities for New York's growing population of older persons experiencing vision loss. Recognizing

that funding is limited, The Board has recommended that to the extent feasible, these documented and growing needs be met through existing resources. However, the needs are sufficiently urgent that The Board strongly urges relevant departments within the State government (including Health, Aging, and Education), in addition to OCFS, to come together to forge partnerships with the power and resources to respond to these needs.

Consistent with its mandate, The Board is issuing this 2015 report to update the Legislature and the Governor on progress in our continuing efforts to address the previously documented needs of New Yorkers who are blind or visually impaired. In the following pages, we summarize prior work and state current recommendations. Some recommendations will be similar to those in previous reports. This will occur when no action has been taken to date, and when The Board affirms that the recommendations are of the highest import, urgently requiring action.

Infants and Young Children

In the 2010 and 2011 reports, The Board recommended that the Legislature examine the need for infant vision screening to assure prompt referral for early childhood intervention services. The Board also reported on the pressing need to adopt the Expanded Core Curriculum, a focused approach to the education of blind children intended to assure attainment of both academic and age-appropriate developmental milestones.

Over the past two years, advocates, consumer organizations, service providers, and professionals in the field of blindness rehabilitation have come together to form a broad-based effort to promote implementation of the Expanded Core Curriculum and to seek other reforms in the provision of services to the thousands of New York's blind and severely visually impaired children who are striving towards meaningful and productive adulthood.

Requests have been made to the Legislature to convene hearings to address the pressing need for reform in the provision of services to blind infants, preschoolers, and school-age children.

The Commission for the Blind offers a broad array of vocational rehabilitation services to young people, sometimes as young as ten years of age, which continue into adulthood. Nonetheless, without meaningful reform in the provision of services to infants and school-aged children, 70% of them will in all likelihood face an adult life marred by unemployment, impoverishment, and economic dependency.

The Board is in conversation with the State Rehabilitation Council. The Council is the Advisory Board, established by Federal Law to address the vocational rehabilitation needs of older children and adults. We agree that we need broad-based reforms in State services to these youngest New Yorkers.

The Board is pleased to point to several private efforts aimed at addressing these troubling service gaps. In upstate New York, members of the National Federation of the Blind (NFB) with State and national NFB support and major funding from The Commission sponsored a two-week session entitled Braille Education for Learning and Literacy (BELL) in the summer of 2014. The program was held in Syracuse, New York. The Syracuse program had its second cycle in summer 2015, and a similar BELL program ran in New York City in summer 2015.

Also in New York City, a coalition on children and youth was established in 2013 with private financial support from the New York Community Trust, to identify and remediate existing service gaps within and between the education and rehabilitation systems-gaps, which often have frustrated delivery of available services to infants and children.

The Board welcomes these private initiatives to fill in gaps that thus far have proven daunting for the public sector to address. However, we assert that private funding will not by itself create genuine systems change.

Infant Vision Screening

A 2009 study conducted by the InfantSEE Project, with financial assistance from the Centers for Disease Control (CDC), underscores the need for early infant vision screening. In clinical findings developed as an aspect of a broader study to identify strategies to improve voluntary participation in infant vision screening, the study's authors reported that of the 10,151 infants and young toddlers screened, one in six displayed a vision-related cause for concern warranting further referral to an eye care professional. The prevalence of infants and young toddlers exhibiting a need for further intervention climbed to one in four for children born prematurely and for children from minority backgrounds.¹ The study was conducted in eight locations in the United States. While the data appear to be heavily weighted towards three states (West Virginia, Louisiana, and North Dakota), the prevalence of persistent pockets of poverty in rural and urban areas within New York State, as well as the State's ethnic diversity, suggest an urgent need to conduct a pilot infant vision screening program in New York. The program would be used to verify the need for and benefits of mandatory infant vision screening in this State.

Board members have spoken by telephone with Dr. Glenn Steele, Chair of the InfantSEE Project, who provided guidance for the study. Dr. Steele highlighted other factors that support the need for early infant screening. For example, that visual problems discovered during infant vision screening are often indicators of other neurological issues, including autism. Screening also provides an opportunity to educate parents on which clues to watch for that might signal vision-related or other developmental concerns.

The Board urges that The Commission for the Blind engage the Department of Health to determine whether the two agencies can identify funding to carry out a pilot study to document the need for infant vision screening in New York State. If the two entities are not able to come up with a workable plan within six months, The Board will urge the passage of legislation mandating the study and allocating appropriate funding.

Early Childhood Intervention

At a commission sponsored town meeting held during a recent American Council of the Blind New York State Convention, concerns were raised by participants over gaps in the availability of blindness and low vision-specific rehabilitation services for blind and severely visually impaired children. These concerns focused on the reported unwillingness by some program sponsors to provide blindness-specific rehabilitation services such as orientation and mobility, as well as to introduce rehabilitation techniques

¹ Report on The InfantSEE Week Project Conducted Pursuant to CDC Grant No. 1H75DD000472, prepared by the A.O.A. Foundation, 01 December 2009 at Executive Summary and pages 21 and following.

that parents might use to promote the acquisition of age-appropriate self-care skills such as dressing. Similar concerns were identified at the Joint Executive Board and State Rehabilitation Council meeting held in 2013.

Although the statutory framework for the Early Intervention Program is intended to address the developmental needs of blind and severely visually impaired children, the financial framework, which focuses on payment for services rendered by currently licensed medical professionals, has been interpreted as precluding reimbursement for blindness-specific rehabilitation services such as orientation and mobility. It also precludes reimbursement for rehabilitation teaching services that should be provided to statutorily eligible blind children. Infants and toddlers with severe vision loss could benefit greatly from sensory stimulation, exposure to techniques that encourage spatial exploration, early work on the activities of daily living, such as working with their parents to teach these children the rudiments of self-care. We have been advised that providers of early childhood services cannot obtain reimbursement for these services under the current financing structure, which requires that services be provided by licensed practitioners deemed eligible for third party medical reimbursement, and in some areas of the State have declined to make such services available to otherwise eligible children.

Recommendations

The Board reiterates the need to require infant vision screening. The Board further recommends that the licensing of credentialed vision rehabilitation professionals be expedited so that services to infants and toddlers who are blind or severely visually impaired can be provided consistently throughout the State. It is unacceptable that in New York we have dedicated and competent professionals who are prevented from providing essential services to very young blind and visually impaired children because their credentials are not sufficient to satisfy a system that has forgotten to take these children into account.

Education Reform: An Urgent Priority

Today, the nation is in an uproar because many of our students underperform on current measures of academic competency and lag far behind children in many other countries in academic skills deemed vital to economic productivity. At the same time, increasing numbers of blind children are becoming functionally illiterate due to an alarming decrease in braille instruction. Competency in braille skills, which enables blind children to gain a level of written and literate proficiency comparable to those of sighted peers able to read print, has declined to less than ten percent of the school-age population of blind children. A similar decline in the literacy rate of all children would no doubt trigger mass protests and demands for radical reform. Yet, because the population of these New Yorkers is small and possibly deemed politically insignificant, (and measures to reverse it are viewed as too difficult), progress towards resolving this problem has been slow.

No one questions that reading is an essential of the common core, and it is one of the first skills addressed in public school, no matter where a child resides in New York State. For a totally blind child, literacy simply does not occur unless braille is taught. Braille instruction needs to be as automatic as instruction in the reading of print but, for many reasons, including fiscal ones, it is not. Braille equals the ability to read for a blind child and without this literacy methodology, access to the written and constructed word is severely compromised. Some have questioned the need for braille since technology has made so much material available in audio formats. No one would consider limiting a sighted child's "reading experience" to audio only. Braille allows the child to "see" spelling, formatting, and

paragraphing, so that she can grasp how sentences, paragraphs and ultimately ideas are formed and expressed. Braille is an essential component, therefore, of the Expanded Core Curriculum, a set of skill areas requiring mastery, if the blind child is to be able to take full advantage of the free and appropriate public education that is her birthright as a U.S. citizen.²

Without meaningful braille instruction by professionals trained to a high level of proficiency in all aspects of braille (including the Nemeth code for braille math and computer braille for effective interaction with electronic devices), the blind student will quickly be placed at a severe competitive disadvantage for her entire life. (See 2011 Executive Board Report, page 6 and following.)

It is, therefore, critical that standards for certification of TVIs in New York State be elevated so that they are at least as rigorous as those of other states known to have model programs for the education of children who are legally blind. For example, in New York State, TVIs are required to teach both literary and Nemeth braille codes to their students, yet they are required to take only one semester of braille, which includes Nemeth code. In other states, including Massachusetts, California, and New Jersey, at least two semesters of braille instruction are required.

²**The Nine Components of the Expanded Core Curriculum**

Compensatory and functional academic skills, including communication modes

Compensatory skills involve the adaptations necessary for accessing the core curriculum, which can include: braille, tactile symbols, sign language, and recorded materials.

Orientation and Mobility

Skills to orient children who are visually impaired to their surroundings and travel skills to enable them to move independently and safely in the environment.

Social Interaction Skills

Since nearly all social skills are learned by observation of the environment and people, this is an area where students with vision loss need careful, conscious and explicit instruction.

Independent Living Skills

This area includes the tasks and functions people perform in daily life to optimize their independence - skills such as personal hygiene, food preparation, money management, and household chores.

Recreation & Leisure Skills

Skills to ensure students' enjoyment of physical and leisure-time activities, including making choices about how to spend leisure time.

Career Education

Students with vision loss benefit most from an experiential learning approach. Structured visits to community sites and discussions with people who perform various jobs, enable them to understand concepts and specific skills that are needed to be successful in those jobs. Considering the national rate of unemployment or underemployment of working-age adults who are blind is 70% -75%, this area needs attention throughout the school years to help students with vision loss develop marketable job skills.

Assistive Technology

Assistive technology is a powerful tool that can enable students with vision loss to overcome some traditional barriers to independence and employment.

Sensory Efficiency Skills

Skills that help students use the senses – including any functional vision, hearing, touch, smell, and taste – to access skills related to literacy and concept development.

Self-Determination

Skills to enable students to become effective advocates for themselves based on their own needs and goals.

The Board has found that there is an urgent need for dialog among those State entities responsible for funding, developing, and implementing educational programs for K through 12 students who are blind or visually impaired. Policy inconsistencies and gaps need to be identified and addressed. In addition, there is an urgent need to determine the degree to which school-aged children are developing the age-appropriate competencies associated with the expanded core. Traditionally, many of these skills have been addressed through the rehabilitation system rather than the educational one.

The Board notes and applauds the fact that the New York State Commission has worked with the Federal Rehabilitation Services Administration to allow services to be delivered to children as young as ten. This should help improve service delivery if children and parents are alerted to the fact that these services are available. Nevertheless, the burden of teaching blind children braille and other related skills that will enable them to derive maximum benefit from The Commission's broad array of vocational rehabilitation services should not be delayed until these youngsters become eligible for Commission services. By the time blind children enter the Vocational Rehabilitation System, they should be well equipped to focus on obtaining the education and skills needed to become gainfully employed.

In response to the growing challenge of having to identify and address the needs of blind and deaf-blind children who enter the Vocational Rehabilitation System without having acquired foundational skills, The Commission sponsored two pre-college orientation programs to provide participants with a college experience and training in the use of adaptive technology. The Commission should be applauded for this initiative and for having targeted participation by high school juniors, thereby providing an opportunity for participants to have a year of additional instruction and support before entering college or an occupation.

Recommendations

The Board reaffirms the recommendations of the 2009, 2010, and 2011 Executive Board Reports that aggressive efforts be made by the Governor, the Legislature, and the Board of Regents to adopt and implement the Expanded Core Curriculum in New York State. Specifically, The Board recommends that the Legislature conduct a series of hearings around the State to hear from various stakeholders regarding what is working and what is not under the current system.

The Board further recommends that the Department of Education assure that standards for TVIs stress a very high level of proficiency in the acquisition of braille skills, to include proficiency in the Nemeth math braille code, computer braille, and the Unified English Braille Code, which becomes the standard in January 2016.

The Board further recommends that orientation and mobility training be provided to all blind students in both school and community settings within time frames that are age-appropriate so that children can become proficient, independent travelers in concert with their sighted peers.

The Board also recommends that instruction in adaptive technology, including access to electronic braille displays, be provided to blind children at an early age so that they gain and maintain proficiency in the use of these technologies before graduating to middle school.

The Board recommends that assistance with daily living skills development be made available to parents and young children so that they can grow and develop as children naturally work their way through school.

Finally, The Board is pleased that the focus on the needs of blind children has garnered broad support. We applaud the establishment of the Children and Youth Coalition in New York City. The Board recommends that this collaborative model be encouraged throughout the State.

With the proviso that there be mandatory participation by Commission personnel, pediatric low vision specialists, and representatives from both public and private schools that serve children with blindness and visual impairment, The Board further recommends that the Governor and the Legislature establish a separate commission that includes special educators and parent representatives to focus on the health care, rehabilitation, and educational needs of children who are blind, deaf-blind, and/or have been diagnosed with significant vision loss. The mandate of this commission would be to produce specific recommendations for reforms in the provision of rehabilitation and educational services to this population. We recommend that this new commission be vested with the authority to implement agreed upon recommendations.

Technology

New York State, through its laws and policy statements, has for many years been on record as requiring that State websites be accessible to people with disabilities. Of course, The Board has applauded this fact, since digital technology is so transformative to the level of productivity, independence, and access that blind and visually impaired people can experience on a daily basis.

In 2009, The Board recommended that The Commission undertake an audit particularly at the State level, to ascertain the on-the-ground levels of accessibility of New York State's departmental sites. In 2010, The Commission did, in fact, conduct an audit as per the intent of The Board, using one of their blind employees to examine departmental sites. The audit was extensive, and sites were found to be largely accessible and useable. However, the audit did not include a review of the many forms that need to be filled out and submitted online as one does business with the various State agencies.

The challenge posed by electronic forms that are not accessible by users of adaptive technology became all too apparent when, in the fall of 2013, the nomination process for Board members included appointment forms that Board members who are blind found unusable with screen readers and extremely difficult to use with magnification software.

This incident confirms the experience of screen reader users who find websites to be accessible at a basic level, but when there are forms to be completed or other business to be transacted, barriers still exist. In recent months, Board members have encountered systems within State government that are intended for use by State employees, but that present major barriers to users who are blind. The possibility exists that a blind employee might be prevented from carrying out an essential job function, or, may be prevented from fully taking advantage of online training opportunities, thus limiting opportunities for advancement. Such a situation is directly counter to the mission of The Commission.

Recommendations

The Board, therefore, recommends that The Commission, working in conjunction with the Office of General Services, be provided with sufficient funding and the authority to undertake a comprehensive audit of New York State's websites that includes a complete analysis of forms and any systems that require user interaction, including pages, systems and forms where the end users might be employees of New York State and its political subdivisions. We recommend that this audit be conducted by one or

more firms with a proven track record in evaluating and recommending remediation of electronic forms and other electronic content required for New Yorkers to effectively transact business with the State and its political subdivisions, The firm or firms should also produce a report including recommended implementation strategies to address this significant barrier to New Yorkers who are blind, deaf-blind or who otherwise rely on assistive technology to transact business electronically with New York State and its political subdivisions.

The Board further recommends that the State add accessibility to the list of mandatory criteria it uses when purchasing software. In the past, New York State has been known to purchase software — in particular database software, — that is inaccessible to blind and low vision users. This practice, if allowed to continue, could effectively deprive New Yorkers who are blind or deaf-blind of opportunities for meaningful public employment. The Board recommends that any contract the State enters into for the purchase of software has accessibility as an essential and verifiable component.

Business Enterprise Program

The Business Enterprise Program Expansion created by Chapter 532 of the Laws of 2010, referred to as "The Randolph-Sheppard Program," has increased business opportunities for many blind New Yorkers since its inception in 1938. New opportunities are actively being pursued in particular on several SUNY campuses.

At the State convention of the National Federation of the Blind of New York (NFB) in October of 2013, the director of the Business Enterprise Program (BEP) requested assistance in developing opportunities in the Western New York region. In response, members of the NFB in Buffalo began to probe possibilities with the Niagara Frontier Transportation Authority (NFTA). This also includes the Buffalo Niagara International Airport (BNIA). Over the next several months, meetings were held with officials of each of these entities. At the January 2015 meeting of the NFTA Board of Commissioners, an agreement that was signed by NFTA and NYCB was voted on and passed by The Board. Several vending machines at NFTA headquarters have been replaced with new machines designed to have accessible features; and, they are being operated by a blind vendor. At the BNIA, machines that are owned by the Delaware North company were offered to the program. They are also now being operated by a BEP manager.

In the past several months, the Taste of New York programs that feature machines containing New York State-produced products have been highlighted on the evening news in Albany and Binghamton and in the *Rochester Democrat and Chronicle*. Each of these sites has added to and enhanced the business for several blind vendors and has created employment opportunities for several workers with disabilities around the State.

The Thruway Authority of the State offered a route containing 11 sites between Angola in Erie County and Ramapo in Rockland County. Since a blind manager was not available to accept this route, The Commission bid it out to a company to manage for the next five years. The company will pay The Commission \$10,000 per year, which will go directly into the set-aside fund, used for manager pensions and other employee-related expenses.

It has come to The Board's attention that The Commission is currently inhibited in its ability to open new facilities and pursue other opportunities because of the high cost currently imposed by the New York

State Office of General Services. These charges include design and construction costs and other charges that affect The Commission's everyday work on the BEP.

Recommendations

The Board recommends that The Commission seriously explore whether other options might be available, including reaching out to the private sector to seek bids on design and construction and other costs, so that The Commission is better able to take advantage of new opportunities as they become available.

The Board recommends that all parties involved with the BEP continue to work together to discover additional business opportunities for blind vendors in the areas identified in the law.

The Board further recommends that consumer groups and others market the program to their legally blind constituents so that people can enter training in preparation for the new opportunities that are coming.

Services to Older New Yorkers

The Board has repeatedly emphasized the need for additional data to ascertain the true number of older New Yorkers with significant vision loss, including those who qualify as legally blind and those who are severely visually impaired.

In 2014, the American Foundation for the Blind (AFB) published estimates of the number of blind and visually impaired people nationally and then broke the numbers down by states as well as by age. According to the AFB report, in 2013, the total number of blind and visually impaired people in the State of New York was reported to be 397,536; of that number, 175,087 were over the age of 65 (www.afb.org/info/blindness-statistics/state-specific-statistical-information/new-york/235).

Plus, the recently released American Community Survey for 2014 conducted by the U.S. Bureau of the Census shows a significant increase of 15% in one year.³ The fact that we now have firm numbers represents an important step. However, we have no pooled data from various sources within New York State indicating what percentage of these individuals have received or are receiving services related to their vision loss. Further, we have no idea what percentage of those people know (or don't know), that vision rehabilitation services including training in assistive technology, even exist.

Recommendations

The Board recommends an initiative be undertaken in which efforts are made to estimate the number of persons over 65 currently receiving any service falling under the rubric of vision rehabilitation. This initiative should be coordinated by The Commission, but should be undertaken in partnership with the Department of Health, the Office for the Aging, the Vocational Rehabilitation System (Access VR), and the private agencies throughout the State of New York that provide services to people who are aging.

³ American Community Survey of the United States Census: 2014 NYS self-reported "blind or inability to read print even wearing glasses (all ages 416,123 65 and older 186,292).

The results of this work should allow the State to estimate with some accuracy the number of people who are in all likelihood under-served.

In addition, The Board reiterates and calls for action on critical recommendations from previous reports.

We recommend that the Legislature convene hearings to examine the rehabilitation needs of New Yorkers who are 55 or over and who are experiencing vision loss, with the goals of:

1. Determining the scope of issues related to vision loss and the rehabilitation needs of this population;
2. Directing the appropriate agencies/departments to undertake a statistically valid statewide survey of New Yorkers over age 55 to determine the prevalence of legal blindness, severe vision loss, and medical conditions in this population reasonably likely to lead to severe vision loss and/or blindness. The Legislature should provide financial support to cover the costs of this study; and
3. Examining the fiscal and programmatic resources currently available within the State to provide for these rehabilitation needs and determining how these resources and programs can be more effectively coordinated to provide appropriate and adequate services to this population of New Yorkers.

We take the liberty here of inserting the text of an appendix prepared by Board member Cantor Mindy Jacobsen that presents snapshots of older individuals coping without services and contrasting them with one or two individuals who have received a level of service that has “given them their lives back.”

“I have been working with seniors who are losing vision for some 14 years and haven't seen great change in their needs and wants. Many of these needs go unmet indefinitely, and those are the ones on which I shall concentrate.

Most of the groups I work with are connected with the University Without Walls, DOROT USA, Bikur Cholim, an agency in Brooklyn that reaches out to seniors in the Jewish Community, with emphasis on Holocaust survivors, and Visions Services for the Blind and Visually Impaired, in New York City, an agency that deals with rehabilitation for the blind on many levels. At Visions, I teach them to write on computer keyboards, and I facilitate support groups for people who are losing vision or have lost all their vision, at the other two agencies.

The first common trait, prevalent in almost all of those is prolonged depression over the loss of their vision and perceived inability to accomplish even the smallest of tasks.

When seniors receive services from the agencies for the blind, they are typically given a large print copy of their address books, the opportunity to have their microwave ovens marked, some simple kitchen aids and appliances, talking clocks, watches, large print playing cards, marker pens, and canes, along with some rudimentary instruction in their use, but they are not being taught the psychological value of these things -- the reality that they can be the beginning of a return to normalcy.

Many of the seniors aren't that interested in computers, but would need some kind of reading solution to feel a connection, either with their past or the world of the present. This inability to read contributes to a lot of the depression I see and, very often, they find listening to the books and magazines available through the National Library Service limiting. It can be difficult to develop the selective listening skill required for reading through listening.

Mr. F. is 99 years old and in complete possession of his faculties and his mind. He told me that, without being able to read or work with the jewelry that was his profession, he couldn't figure out how to fill his days. They drag on, as he puts it, into eternity and he can't see why his life is being spared. He says that listening to books and/or newspapers doesn't fulfill his need to actually read. Braille isn't an option for him because there are no dollars available to teach retired individuals braille unless they are planning on becoming employed. It does take several months to teach braille to seniors, but some do master it. It should be a real option, given the importance of reading in our society.

The answer here isn't easy because the devices that would either enlarge the print to the point necessary for the different eye conditions exhibited by the print-handicapped community or read text aloud are extremely expensive, costing on average two to three thousand dollars.

The other big issue for seniors who are losing vision is one that affects the blind community at large. That is transportation. Suddenly, after driving or using mass transit regularly, these folks are rendered helpless — prisoners in their own homes. For some, the poorest or richest among them, home health aides are available, but most are left lonely, not trained well enough to feel comfortable walking outside without sighted assistance. Mrs. L. received four or five lessons in the use of the cane she was given, but doesn't feel confident enough to use it, so it stays in her closet. It generally takes several months to become familiar with the sounds, smells and the feel of the pavement that are the landmarks by which blind travelers determine their position in space.

Those who do get assistance in their homes come to feel that they cannot leave their homes unless the aids are with them. The real effect of this dilemma is that our older New Yorkers have come to feel that they are a burden to their relatives and society when, with enough thorough training, a significant number could, indeed, be integrated into their communities as are their younger counterparts who are eligible for full courses of rehabilitation in preparation for employment. They could, in fact, travel freely with the use of canes or dog guides and would be eligible for the procurement of reading solutions that would really work for them.

For some seniors, accessible computers and training on them would make a substantial difference in their ability to interact with their families and friends. Mrs. C. was given an iPad for Christmas last year. This device comes with built-in hardware and software that makes it possible for it to speak its screens aloud, but since she wasn't able to get sufficient instruction in its use, she has, to date, been unable to communicate with her family who bought it for her. She feels like a failure when a little consistent training could have given her the skill and confidence to have interacted with her community in a meaningful way.

Mr. R. loved to play computer tennis when he could see the computer. When he found out that there were other sports games that are accessible, such as golf or bowling, a great deal of his depression

lifted. He had personal resources to pay for additional training, and so, at age 89, he became a computer geek.

At about age 90, Mrs. R. began losing vision rapidly. She had been a writer and felt that, without being able to write, she had little reason to continue living. She took to dictating her ideas into a tape recorder and had them transcribed but felt that she didn't have enough control over the text, so she finally bought an accessible computer. It has taken some time for her to acclimate to the voice, but, at age 93, she has begun to write again and is working on a new book. She had the personal financial resources to support her extended training.

But, most seniors can afford neither a computer nor the training it would take to get them literate and facile with the device. Once again, the money that would be required to make this kind of equipment and training available to them has no funding source.

The unfortunate truth is that most senior citizens in our great State suffer indignity and real emotional pain when they lose vision. The agencies for the blind are doing their best to provide as much service as possible, but helping blind or visually impaired older adults to fit back into their communities is time consuming and expensive. Moreover, as noted above, we do not yet know the number of seniors who have had no agency contact and who are unaware of services that might be made available to them. “

Conclusion

July 26, 2015 was the 25th anniversary of the signing of the Americans with Disabilities Act. This law is often referred to as the civil rights law for persons with disabilities. The word civil, as in civil rights, comes from the word civitas in Latin meaning citizen. This, of course, includes people who are blind or visually impaired. However, perhaps because of our small numbers, our concerns all too often remain in the shadows; they continue to go unaddressed. The Commission for the Blind is clearly committed to providing its mandated services to the population of legally blind New Yorkers. But, The Commission is not mandated to serve young children and its mandate to serve older people who do not have employment as a goal is strictly limited, as is current funding for this population. The Board calls upon the Governor and the Legislature to use their influence and the power of their respective offices to raise and consider the concerns of people with vision disabilities. We challenge the appropriate legislative committees to take up the issues outlined in this and previous reports from The Board, and to schedule hearings without delay regarding services for both older adults and young children.