

CONNECTOR

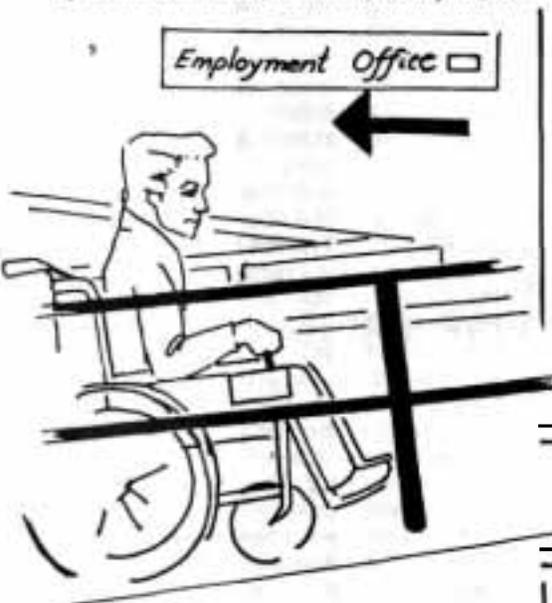
Voice of the Minnesota State Council on Disability

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Governor Recommends \$28 Million to Pursue "Access '92"

By Leslee Ellen Lane; Research, Wendy Brower



tivate "Access '92'."

According to the Department of Administration, monies would be appropriated to "continue correction of deficiencies identified by surveys for handicapped accessibility in order to achieve the goal of 'Access '92'."

The request was based on items identified by the 1984 accessibility study which identified accessibility limitations. The majority of those items which need funding in order to achieve "Access '92" and to comply with provisions for accessibility in the State Building Code, include: interior and exterior ramps, parking facilities,

indicate that elderly persons will comprise the largest age group in the near future." The Department also understands that the request for such funds is in accordance with the Federal Rehabilitation Act of 1973, Section 504, and the rules of Federal Agencies extending aid to State programs.

Implementation

"Access '92" priorities for project selection are established cooperatively by the Council on Disability, the Division of Building Construction, and the agencies or departments for whom the work is being done.

The determination for funding projects is generally based on the following criteria: 1. High public use;

"A barrier-free environment is imperative to those who are disabled or elderly."

entrance door modifications, interior circulation including elevators, restroom facilities, water fountains, telephones, elevator controls, door hardware, door operators, tactile identification, vestibule separations, door widths, handrails and other similar items.

Administration further stated that, "In September 1983, the Governor authorized implementation of the recommendation by the Minnesota State Council on Disability, and in 1984 the Legislature made funds available for statewide handicapped accessibility modifications. The estimated cost to correct identified deficiencies by 1992 was to be approximately \$8.0 million per year."

The Department of Administration understands the impact of statewide accessibility. It states that, "a barrier-free environment is imperative to those who are disabled or who are elderly. Inaction on 'Access '92' would substantially reduce the effectiveness of the program with the result that citizens with disabilities, or elderly, would continue to be excluded from many of the state's public buildings. In addition, statistics

2. High employment opportunity;
3. Building accessibility (size of project scope); and
4. Efficiency - the need to do complete projects and not portions of some buildings.

Originally, the implementation of "Access '92" projects was to occur in the following way:

The commissioner of Administration was to delegate the direct responsibility for design and construction of selected projects to the following agencies or departments:

1. The State Historical Society;
2. The State University System;
3. The Department of Natural Resources; and *(continued on page 2)*

At a press conference held on Thursday, February 11, Governor Rudy Perpich recommended that the Legislature provide \$422 million in additional borrowing authority for buildings and improvements. \$28 million of this total is to make state owned and leased buildings accessible to persons with disabilities. These monies would bring to fruition the Minnesota State Council on Disability's "Access '92" goals which coincide with the end of the "Decade of Disabled Persons."

In 1977 Governor Perpich issued an Executive Order supporting a state policy of maximum independence for disabled and elderly citizens of Minnesota. As a part of his program to meet this goal, the Governor declared that a barrier-free environment must be provided.

After years of slow, but steady progress toward a barrier-free environment in state government, recent budgets have all but halted progress toward this goal. The Governor's \$28 million recommendation would reac-

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\$28 MIL

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4. The Minnesota Community Colleges - except all major remodeling work under the direction of the Division of Building Construction would be the responsibility of the Division.

The project coordination for all other departments and agencies became the responsibility of the Division of Building Construction, Department of Administration:

1. Consultants were to be selected by the Commissioner of Administration; and
2. Some remodeling had consultants assigned under previous work. Existing projects were expanded to incorporate handicapped remodeling.

Historically Speaking

In 1984, when the Legislature appropriated \$2 million for "Access '92" projects, new life was breathed into the program; the Division of Building Construction accepted the recommendations made by the Council for funding projects identified in the process previously described, and allocation of the appropriation was made in two segments:

A. Segment No. 1 - July 1985 - In order to validate the information of the initial building surveys, consultants were assigned projects and verified existing conditions. They redefined project needs in accordance with the 1985 State Building Code and also updated the construction cost estimates.

B. Segment No. 2 - October, 1985 — Individual project scope was redefined in Segment No. 1 and it became evident that additional projects would be completed under the same appropriation. This segment incorporated expansion of existing projects and the addition of new.

Then, in 1985, facing a new biennial budget, the Division submitted a new request for \$4.3 million for capital improvement appropriations for Fiscal Years 1986 and 1987. This request was based on information already collected and on previous budget requests. At its January 1985 meeting, the Council on Disability voted to urge an even higher appropriation for the coming biennium, as much as \$10 million, to enable more efficient use of funds, such as spending before additional inflation, and to achieve more access earlier.

However, in the budget process leading up to the 1985-86 session of the Legislature the request for capital improvements for accessibility for the FY '86-'87 biennium was *eliminated by the Executive Branch*, nor was it made by the Legislature. 'Access '92' was definitely put "on hold."

To Date

As of February 1987, six agency projects to increase accessibility had been completed; five were in the final stages of design; and 25 were in various stages of construction. The financial and building status of individual projects was listed in a capital improvement and repair report which is prepared monthly by the Department of Administration.

The Minnesota State Council on Disability continues its role as advocate and technical advisor to all departments and agencies responsible for implementation of accessibility goals and policies and will continue to advocate for the support of the goals for full accessibility to state owned and leased buildings as established by "Access '92."

However, responsibility lies not only with public policymakers and administrators to take active leadership to achieve full integration and participation, but with you, the general public. Policymakers are influenced by you and you must call your legislators to encourage them to support the \$28 million the Governor has recommended to make "Access '92" a reality.

Accessing state owned and leased buildings is not unlike handicapped parking — it is **not** a privilege — it is a necessity in order to provide quality life to Minnesota's persons with disabilities and to those who are elderly.

Governor Appoints and Reappoints Council Members

Each November applications are taken by the Secretary of State's office for candidates to serve as members of the Minnesota State Council on Disability. Members are solicited from each of Minnesota's eleven development regions and half of the members must be disabled or parents or guardians of persons with disabilities. Then, on January 1 of the new year, Council members are announced.

In 1987 seven Council seats came up for expiration. Three new Council members were appointed; four previous members were reappointed. The Council introduces you to those seven members at this time: **New Members** —

Bill Kazee, Faribault, Region 10 — Mr. Kazee is principal of the Minnesota State Academy for the Blind. His primary interest in serving on the Council concerns quality education.

Bonnie Mercer, Rochester, Region 10 — Ms. Mercer is a Disabled Services Coordinator/Instructor for Rochester Community College. Her em-

phasis on the Council is ensuring post-secondary educational needs are met for persons with disabilities. Reappointed **Members** —

Michael Ehrlichmann, Minneapolis, Region 11 — is a private consultant and has been influential in dealings on accessing public buildings and the Regional Transit Board regarding Metro Mobility. He is President of United Handicapped Federation.

Linda Nelson, St. Paul, Region 11 — Ms. Nelson is a counselor in the Hearing-Impaired Health and Wellness Unit of St. Paul Ramsey Medical Center.

Thomas Shaw, St. Paul, Region 11 — Mr. Shaw is self-employed with Shaw's TV. His goals include assisting handicapped individuals realize their own potential and to assist them in becoming independent in all respects.

Clarence Sindt, Farmington, Region 11 — Mr. Sindt is also chair of the Minnesota Jobs and Training Independent Living Council and an active member of the Transportation Handicapped Advisory Committee of the Regional Transit board.

Other persons representing you on the Council include: Susan Aamold, Fergus Falls, Region 4; Gregg Asher, Mankato, Region 9; Peggy Chong, Minneapolis, Region 11; Charles Graig, Embarrass, Region 3; Richard Hirschenberger, Baxter, Region 5; Lester Koep, Spicer, Region 6; Joanne McCarthy, Eveleth, Region 3; Steven Moon, St. Paul, Region 11; Mary O'Hara-Anderson, St. Paul, Region 11; Anita Ortis, Hibbing, Region 3; Rev. David Sams, Redwood Falls, Region 8; Suzanne Steidl, Thief River Falls, Region 1; John Webster, Minneapolis, Region 11; Kathleen Wingen, St. Cloud, Region 7.

The Council also has "ex-officio" members which advise the Council but do not have voting rights. These persons include: Alpha Adkins, MN Department of Health; Gerald Blodow, MN Board on Aging; Lucy Gaines, MN Department of Human Rights; Norena Hale, MN Department of Education; Rick Hokanson, State Services for the Blind; Bill Niederloh, Division of Rehabilitation Services; Ed Skarnulis, Mental Health Bureau, Mental Retardation Division; and Colleen Wieck, Developmental Disabilities Council.

Ms. Mary O'Hara-Anderson remains chair of the Council.

COUNCIL NEWS AND NOTES

The Chair Speaks Out

By Mary O'Hara-Anderson

Greetings! Due to the number of phone calls the Council, legislators and I have received due to the changes in the handicapped parking law, I find it necessary to address the issue once again.

Abuses in any program usually create "hardships" on the very people the program was intended to assist. The tremendous abuses in the handicapped parking program spurred the Council to call for "Operation Clean Sweep" in 1987. We were in danger of losing the parking "privilege" that, in actuality, is a necessity for many persons with disabilities.

Recertification every six years is fair. It's fair to the people who will always need the program by putting in place a tool for checking abuse. The \$5.00 fee is really a very low price to pay for six years of parking. The fee equals four cents per month.

It is difficult to understand why people are not respectful of other's rights. But experience has shown us that people would rather pay a fine than respect those rights. The fine is now higher and abuse will be limited. Hopefully, the end result will be handicapped parking privileges which work for those it was intended to serve.

A Call for Better Service

By Barry C. Schade, Interim Director

There is a rising call for improving government services. Inside and outside of government offices, people are searching for new and better ways of delivering public services. For some employees, focusing on customer service is an exciting new idea. For others, it is a frightening change to familiar ways of thinking and acting.

It's easy to remember bad experiences with bureaucracy. Some have had difficulties getting a license, understanding tax forms, obtaining information. Others recall a surly interview with a government worker, a program that ignores people, a string of telephone calls that never seem to reach the "right" person.

Some of that is changing. A growing number of public sector employees are changing the way government works and are pushing for quality service. For them, government service is no longer something done "to" people but something done "for" them. Clients have become customers. Concepts of customer service are being translated from the retail world to the area of public service.

Unfortunately, while many people are excited about these changes, change does not come automatically. There are numerous niches in the public sector where the customer still does not come first. Programs are still protected at the expense of the persons those programs were meant to serve.

Examples of poor service abound in the programs meant to provide service to persons with disabilities. One such issue receiving considerable attention at the moment is the inadequate service given to some persons with transportation needs in the metropolitan area. The problems of Metro Mobility include instances of customers being stranded, customers not being listened to, customers not being able to access the system. In other programs, it's the same story. At a time when so many areas of government are focusing on improved service, some offices which provide services to persons with disabilities are dramatically out of step.

There needs to be a rising demand at all levels of government for improved services to people with disabilities. It is time to remind some government offices that persons are more important than programs. It is time to expect those offices to become more aware of customers' needs and to experiment with better delivery of services. It is time to assert the right to quality service.

RTB Update

On January 19, 1988, the Office of the Legislative Auditor released its report on the Regional Transit Board (RTB) and its operations. One of the chapters in this report deals with Metro Mobility and examines the role the RTB played in restructuring this important transit service for persons with disabilities.

Although commending the RTB for its willingness to undertake the difficult, but necessary task of restructuring Metro Mobility, the report faults its planning with regard to such issues as public involvement during the development of implementation plans, safety and driver training, and computerization. These are the same issues that have concerned many advocacy groups for the past year and a half.

If you are interested in seeing this report, you may obtain a copy by writing the Office of the Legislative Auditor, Veterans Services Building, First Floor West Wing, St. Paul, MN 55155; or call (612) 296-4708.

Stay Tuned!

Remember, *TV Connector* is seen each Tuesday at 6:00 PM on the Twin Cities Regional Cable Channel (6) and on Continental TV in St. Paul. Consult your local cable station for viewing time if you live outside the Twin Cities. March's edition addresses the issue of technology and people with disabilities. Programming is made possible through a generous grant from the Multiple Sclerosis Society, Minnesota Northstar Chapter.

Request for Media Lists

The Council receives numerous calls from individuals, organizations, churches and government agencies requesting information about disability-related film and video presentations which may be available on loan, either free or at a charge. The Council wishes to prepare a master listing of these videos, films and sound/slide presentations which are available throughout the state to use as an information tool for those who inquire.

The Council requests you send those presentations which be borrowed from your media library. Please include the following information: type of media, length of production, brief description, cost of rental or purchase (if applicable), and the person to contact.

Council Meeting Schedule for Fiscal Year '88
Thursday, September 17, 1987 *Thursday, March 24, 1988*
Thursday, December 10, 1987 *Thursday, May 26, 1988*
Thursday, January 28, 1988

The Right to Live in a Barrier-Free Society

By John D. Kemp

In 14 short years, since the passage of the Rehabilitation Act of 1973 on September 26 of that year, persons with disabilities have enjoyed some degree of liberty which most other citizens have taken for granted.

Because of the diverse physical, mental and emotional conditions within the definition of disability, the disabled population in the U.S. is not a cohesive social group. As an aggregation of individuals, people with disabilities do, however, have exclusion and denial of access and equal opportunities and benefits in common. Many people with disabilities have been excluded from full social participation due to their disabilities whether caused by functional limitations or stigmatization. This exclusion has kept them from developing a common identity. Interaction among people with disabilities sometimes reflects the stigmatization of disability practiced by the rest of society.

In recent years an ever growing number of people with disabilities have created a community through informal interaction and formal organizations. The common experience of exclusion became a catalyst for shared identity and a target for collective action. Following in the wake of black power, feminism, and other social movements, which also stressed positive self-imagery, increasing numbers of people with disabilities embraced activism and the creation of common interest groups. Factors such as the development of medical technologies, the ideology of deinstitutionalization and normalization in developmental disabilities and mental health, the increasing number of elderly people in society, and the Vietnam War helped focus the consumer rights movement. This social engineering endeavor is further evidenced by the establishment of coalitions and organizations of previously uncoordinated groups, increasing opportunities for independence, and a greater focus on the dissatisfaction that comes from minimal social participation.

A number of governmental programs, such as the Architectural and Transportation Barriers Compliance Board, Vocational and Independent Living Services, a wide range of services to persons with developmental disabilities, Supplemental Security Income, Project Head Start, the Edu-

cation of "Handicapped" Children in appropriate public school settings, and the impact of Section 504 were developed within the context of a growing movement among and on behalf of persons with disabilities. A wide range of governmental services that had been available only to the able bodied population was extended statutory, specifically to include persons with disabilities.

Like activists in other civil rights movements, activists in the disability rights movement have argued that equal opportunity may require more than simply equal treatment but with a different rationale. Most disability rights advocates acknowledge that persons with disabilities generally require, and will continue to require, more services than able bodied persons to have truly equal access and equal opportunity.

It is within this context that persons with disabilities today demand and will continue to demand, architectural access and programmatic access. This cultural and historical approach may help to explain why the cause of civil rights for persons with disabilities was acceptable both in government and among the general public. At the same time, it cannot explain why so many successes in the 70's were achieved in a conservative administration when the very concept of affirmative action programs was increasingly under fire.

Even though the courts are now revisiting 503 and 504 issues, some of the freedoms empowered by those Acts do not appear to be able to withstand the judicious scrutiny. The courts seem unable to determine the specific intent of the creators of the legislation as they vacillate on decisions. With all this, it is still quite clear that equal rights and equal opportunities are wanted, needed and demanded by both people with disabilities and public policy makers.

John D. Kemp is an attorney, a leader in the field of rehabilitation, and a national advocate for persons with disabilities. Mr. Kemp is General Counsel and Director of Development for the National Easter Seal Society in Chicago, Illinois.

Metro MO Hotline Offered

The United Handicapped Federation (UHF) is offering a new service to Metro Mobility users — a 24-hour consumer "Hotline" designed to handle complaints, suggestions and comp-

Council to Celebrate Day May 6 — Vc

As part of its celebration of Bar Council plans to pursue a "bare-t Minnesota's 87 county courthouse the Council needs your help.

If you are willing to volunteer your county courthouse according to please contact Leslee Lane at 296- (Greater Minnesota). Both number

Results will be shared at a press Capitol on May 6.

Thank you in advance.

liments regarding service.

Beginning immediately, Metro MO users may call 649-3000 to discuss concerns.

Data from calls will be distributed to appropriate agencies, and all callers will be guaranteed confidentiality.

CIL Proposals Requested

The Division of Rehabilitation Services, Independent Living Program, is requesting proposals to establish a "Center for Independent Living" in an area of the State not currently served. Counties not served by existing Centers include:

Atkin, Becker, Beltrami, Big Stone, Brown, Carlson, Cass, Chippewa, Chisago, Clay, Clearwater, Cook, Grant, Hubbard, Kanabec, Kandiyohi, Kittson, Koochiching, Lac Qui Parle, Lake, Lake of the Woods, Martin, McLeod, Nicollet, Ottertail, Pine, Pope, Renville, Sibley, Stevens, Swift, Traverse, Watonwan, Wilkin, Wright, Yellow Medicine, Mahnomon, Marshall, Norman, Pennington, Polk, Red lake and Roseau.

Approximately \$75,000 will be available July 1, 1988. Centers for Independent Living are authorized by the Rehabilitation Act of 1978, Public Law 95-602, Title VII, Section 711, Part B and Minnesota Statutes 129A.01 (h) and 129A.10, Section 2, Subdivision 1.

Centers for Independent Living are private non-profit organizations governed by a board of directors, a majority of whom have disabilities. In addition, 50 percent of the staff of the centers must be persons with disabilities.

The Center for Independent Living must provide intake counseling, peer counseling, information and referral

e Barrier Awareness unteers Needed!!

er Awareness Day in Minnesota, the
ines" accessibility survey of each of
This is a very large undertaking and
ur time to complete a survey of your
orm which the Council will provide,
785 (Twin Cities), or 1-800-652-9747
are voice and TDD.
conference to be held at the State

on attendant care, advocacy, and housing and transportation assistance. Other Independent Living services authorized by the above statutes may be provided by the Center.

Meetings will be conducted at various sites where significant interest and participation by the local community, including people with disabilities, are demonstrated. The purpose of such meetings is to provide detailed information and answer questions about the Independent Living philosophy, program concepts and components, and requirements for submittal of a grant application.

For more information, contact Scott Rostron, Director, Independent Living Program at 612/296-5085. Deadline for application is April 8, 1988.

Bemidji, Moorhead Open New Group Homes

The Department of Human Services has given the "go-ahead" to two new group homes for persons with mental illness: one in Bemidji, one in Moorhead. A third home, if given final approval, will be built in Marshall.

Funded through Rule 12 and licensed under Rule 36, the new group homes will be built and operated by Hecal, Inc. The homes are all Category I programs providing intensive treatment and requiring a high staff to client ratio.

The group home in Bemidji, Oxford House, will be located at 718-15th St., NW. It opened January 15.

In Moorhead, the treatment residence is called Gull Harbour Apartments and is located at 1702 Belsly Blvd. It opened in mid-February.

The proposed residence in Marshall would not be ready to open until

June or July of 1988, according to Hecal administrator, John Sauer.

Sauer said that a few people spoke in opposition to opening the programs in Bemidji and Moorhead but he did add that "We had consumers speak on behalf of the programs and they really helped city council members see the impact that programs would have on their lives."

The three new outstate programs will total the licensed mental health group homes in the state to 80. (There are also five state hospitals.) The additions are part of the expanded funding for Rule 12/36 approved during the 1987 legislative session.

For information on the new programs, call: Dell Sand, 1-800-652-0017.

(Reprinted from Mental Health Advocate.)

TACIP Releases Annual Report

The Telecommunications Access for Communication-Impaired Persons (TACIP) Board has released its first Annual Report to the Minnesota Public Utilities Commission (PUC).

Created by the 1987 Legislature, the TACIP Board is an independent state agency charged with the task of establishing and administering special programs to improve telephone access for people with communication-impairments. "Communication-impaired" includes people who are deaf, hard of hearing, speech-impaired, or deaf and blind. The Board consists of representatives from the telecommunications industry, state government, the communication-impairment professions and the communication-impaired population.

The overall goal of TACIP is to make basic telephone service as accessible and valuable to communication-impaired people as it is for people without such impairments. The two major tasks of the program are to distribute adaptive telephone equipment to eligible households and establish an operator assisted message relay service.

The equipment distribution program will provide hearing and speech impaired people with Telecommunication Devices for the Deaf (TDDs) and other equipment such as telephone amplifiers, ring signalers and telebraille machines. To be eligible for a device, a person must be communication-impaired and living in a household with an annual income at

or below the median level in the state.

The TACIP Board's message relay service will be a statewide service to permit communication between TDD users and standard telephone users. Currently, people using TDDs cannot communicate over the telephone network with people using standard telephones. Through the message relay service, both TDD users and voice users will be able to interact over the telephone, thereby removing the basic barrier separating these populations.

The TACIP Board is proposing some changes in the administrative aspects of the TACIP law. These changes will improve the quality and cost-effectiveness of TACIP program delivery.

For more information, contact Patrick Wolf, TACIP Program Administrator, (612) 296-0412 (Voice) or (612) 296-9863 (TDD).

Discrimination Info Still Sought

Last summer, *Connector* ran an article in which the Council's Committee on Services to Persons asked readers to inform it about any incidents they know about in which a public service intentionally or unintentionally discriminated against disabled persons.

Both federal and state law generally forbid public agencies to discriminate against disabled persons. This means that programs operated by or on behalf of federal, state, county, or city government must provide both physical and program access to their services, unless doing so should impose an undue hardship. Section 504 of the Federal Rehabilitation Act of 1973 imposes this requirement on federal agencies and on programs or services receiving federal financial assistance. The Minnesota Human Rights Act imposes the same requirement on state, county, and city agencies regardless of their funding source.

As a result of the article, several readers wrote us with information they had. The Committee found this input helpful and wants readers to know that it is still gathering data.

For further information with the committee should contact: Kurt Strom, Community Program Specialist, MN State Council on Disability, 208 Metro Square Building., 7th & Robert, St. Paul, MN 55101; (612) 296-6785, and 1-800-647-9747.

Your Right to Know

By Steve Moon, Attorney-at-Law
Appeals Referee
Department of Human Services

Who has the burden of proof in a claim of employment discrimination based on disability? The short answer is the plaintiff, of course, but how far does that burden go? That question, and the question of when the plaintiff has made out a **prima facie** case sufficient to shift the burden to the defendant, is now before the Minnesota Court of Appeals in the case of **State of Minn., by Khalifa v. Hennepin County**.

This case was originally called *Barta v. Hennepin County*. It began when Mark Barta applied for a job as a correctional officer with Hennepin County Adult Correctional Facility. He passed the written psychological tests and oral examination, but before the County would extend a job offer to him he was required to undergo a pre-employment physical examination. (The 1987 Minnesota Legislature amended the Human Rights Act to require that an employer cannot single out disabled persons for pre-employment physicals but must require them of all job applicants, or of none. See Laws 1987, Chapter 129, section 1.) He was denied the job because the doctor procured by the County said his condition — he walked with a limp and wore an ankle brace as residual impairments from a car accident in which he had broken his neck and back — rendered him "not a candidate for being exposed to physical violence."

He filed a charge of discrimination with the Department of Human Rights, which upon investigation determined there was probable cause for finding discrimination. The case was submitted to an Administrative Law Judge (ALJ) who sustained the Department and rules that Mr. Barta met the definition of disabled within the Human Rights Act, met the minimum qualifications for the job he sought, and was rejected for the job because of his disability. Hennepin County admitted that it rejected Barta because of his disability, resting its defense on its assertion that he did not meet the minimum requirements of the job. The ALJ disagreed on this crucial point, finding that to establish a **prima facie** (Latin, meaning literally, "at first sight") case, Barta need only show that he met the objectively stated qualifications for the job, which based on his training and experience, he did meet.

The ALJ concluded that the coun-

ty's concern about whether Barta could run fast enough to respond to emergencies, or whether he could defend himself in an altercation, were not factors involving minimum qualifications but rather considerations as to the degree of his effectiveness on the job. These were therefore not elements of the plaintiff's case; they were "factors more properly considered under the serious threat of harm defense or bona fide occupational qualification (BFOQ) defense." As affirmative defenses, they are the burden of the defendant to prove by a preponderance (more likely than not) of the evidence. The ALJ found that the defendant failed to prove its affirmative defenses; it failed to show that Barta's disability posed a serious threat of harm to himself or others, and it failed to show what were the standards for how well a correctional officer must be able to run, negotiate ladders, or restrain inmate to be able to do the job safely and efficiently, nor had it adequately tested Barta on any of those issues. The ALJ refused to accept the county's superficial conclusory statements concerning these affirmative defenses. He put them to their proof and the county failed to meet it.

In finding that the County had discriminated against Barta on the basis of his disability the ALJ ordered the County to cease and desist its discrimination against job applicants with disabilities, and to pay Barta \$10,000 in compensatory damages and to pay the State \$3,000 as a civil penalty. The County appealed the case to the Minnesota Court of Appeals and oral argument was heard on December 23, 1987. A decision is due on or before March 22, 1988. Whichever party wins, it is virtually certain to be appealed to the Minnesota Supreme Court.

This case is extremely important to disabled persons for the precedent it will create on the question of whether an applicant must meet only the minimum, objectively stated job qualifications to make his or her **prima facie** case, or whether he or she must also disprove an employer's conclusory assertion of serious risk or harm or "bona fide occupational qualification." If the Court ultimately reverses the Commissioner and rules for the defendant, it might create such an obstacle to disabled discrimination claimants that only legislative action will be able to repair the damage.

The Council on Disability is intending to seek status as an **amicus** (friend of the court) to be allowed to submit a written brief in support of the Commissioner of Human Rights

and the ALJ's ruling in this case. The Council has sent letters to other advocacy organizations in the State asking them to join in the effort of informing the Court of the community's deep concern about this case. It is imperative that **State of Minnesota by Khalifa v. Hennepin County** not be decided in a manner that frustrates the purpose of the 1983 amendments to the Human Rights Act, for which the Council and other advocacy organizations had labored so faithfully.

People On The Move

Caryl Barnett, Minneapolis, *JoAnne Jorud*, Robbinsdale, *Tip Ray* (formerly of St. Paul), and *Jeff Pague/s*, Green Bay WI, have been selected to represent Ski For Light International at the 25th anniversary of the Ridderrenn, a disabled cross-country ski event, at Beito, Norway, April 10-17.

Michael Chevrette, *Rick Heimark*, *Jeffrey Lanes*, *Jim O'Brien*, *Les Stern*, *Jone Thompson* and *Stephen Zivkovich* recently graduated from the Twin Cities Computer Training Program for the Disabled sponsored by the MN Division of Rehabilitation Services, Multi Resources Project with Industry, Minneapolis Community College, and the MN Job Skills Partnership.

Harlan Hanson, Mora, was elected Ski For Light International secretary succeeding Leslee Lane, Brooklyn Center.

Dr. Barbara J. Illsley was recently announced as the new executive director of the Minnesota Foundation for Better Hearing and Speech.

Rhonda Maderly has been named executive director of We Can Ride.

Anne Marie Mickelson was crowned Miss Deaf Minnesota 1988 at the annual pageant on November 20. She is from Tracy and is a student at St. Cloud State University.

Bob Norbie, Bemidji, was recently elected president of Ski For Light International succeeding Dr. Raymond "Bud" Keith, Arlington, VA.

Tami Oothoudt, Minneapolis, was named Handicapped Athlete of the Year by the Greater Twin Cities Chapter of the March of Dimes. She is a member of the Courage Rolling Gophers.

Tom Schlenk has been elected a director of the ARC-Mower County board.

O. Andrew Volstad, White Bear Lake, was recently elected as a director of the Ski For Light, Inc. board.

On occasion, the Minnesota State Council on Disability becomes aware of products, services, and literature in which the readers of this newsletter may be interested. This column is designed solely to pass on such information to those readers. References to such products, services, or information in this newsletter are published for that purpose only. The Council has no stake in the sale of or distribution of such items and would decline any if offered. No testing or examination of the products, services or information has been conducted by the Council. Publication in this newsletter is not an endorsement or warranty of any kind regarding any product, service, or information.

Competitions

National Easter Seal Society is calling for entries for its annual "Student Design Competition" focusing on devices and systems to assist people with disabilities. The award winners will be announced in Montreal, Canada, June 25-30. FYI: RESNA, The Association for the Advancement of Rehabilitation Technology, 1101 Connecticut Ave., NW, Suite 700, Washington, D.C. 20036. **Education**

Courage Center administers a scholarship program for people with disabilities. The program offers two \$1,500 scholarships. Selection is based on the applicant's intentions and achievements rather than solely on graduation ranking. FYI: (612) 588-0811.

Reentry Program is a program sponsored by the Anoka-Hennepin School District which provides an avenue for youths aged 16-21 to attain diploma credits or GED. FYI: James Kornov, (612) 755-8220, ext. 272.

Meetings/Seminars

Consumer Case Manager Program is designed to empower, through training and support, adults with developmental disabilities. Sponsored by the Association for Retarded Citizens Suburban, the seminars take place March 19 and 26, 8:30 am - 3:30 pm, at the United Way Multi Service Center, Community Action Building, 14451 County Road 11, Burnsville. FYI: Marijo McBride, (612) 431-3700. (\$20 for ARC members; \$44 for non-members)

Barrier Awareness Day will be celebrated by the MN State Council on Disability, May 6, 11:00 am, at the State Capitol.

Epilepsy Foundation of MN is sponsoring its St. Paul Lecture Series for 1988, Part 1, the first Monday of

the month through June 6, 7 pm-9pm, St. Paul Room, Bethesda Lutheran Hospital, 559 Capitol Blvd., St. Paul. FYI: Logan Frederick, (612) 646-8675.

Journalism Contest Awards will be presented May 3, Room 118, State Capitol, 10:00 am. FYI: Council on Disability, 208 Metro Square Bldg., St. Paul, 55101.

The Minnesota Association for Parents of the Visually Impaired is sponsoring a conference of interest to parents, educators, counselors and other professionals involved with visually-impaired persons and their families April 16, 9 am - 3 pm, Fraser School, Richfield. FYI: Carol Lanari, (612) 866-5223.

MS and Intimacy Workshop for Couples Only will be sponsored by MN Multiple Sclerosis on April 16, 10 am-4pm, Deconess Hospital, 1400 E. 24th St., Mpls. It is geared toward people with MS and their spouses and significant others. FYI: Louann (612) 870-1500, or 1-800-582-5296.

The President's Committee on Employment of the Handicapped will hold its 1988 Annual Meeting May 4-6 at the Washington Hilton Hotel, Washington, D.C. FYI: PCEH, Suite 636 1111 -20th St., NW, Washington, D.C. 20036.

Schizophrenia Association of MN, AMI, will sponsor a program on "Mental Health Services of the Oasis Program," March 21, 6950 France Ave. So., Room 215, SAM/SMI offices. Featured speaker is David Morin, Director of Oasis. FYI: (612) 922-6916.

The Traumatized Child is the third national symposium on issues in child and adolescent psychiatry sponsored by Abbott Northwestern Hospital, April 8-9, Mpls. FYI: Tim Schuh, CME Office, 14201, Abbott Northwestern Hospital, 800 E. 28th St., Mpls., 55407 **Organizations**

Specialized Hearing Impaired Program for chemically dependent persons (SHIP) is a unique program to provide service to hearing-impaired persons who are chemically dependent. FYI: SHIP Director, Chemical Dependency Services, Moose Lake Regional Treatment Center, 1000 Lakeshore Dr., Moose Lake, MN 55767; (218) 485-4411 (V/TDD).

The National Clearinghouse on Women and Girls with Disabilities offers research, services, programs and materials. FYI: Education Equity Concepts, 115 E. 32nd St., New York, NY 10016.

National Theatre of the Deaf runs a summer professional theatre school.

FYI: Hazel E. Stark Center, Chester, CT 06412.

Publications

Focus is the new quarterly newsletter of the National Council on the Handicapped. FYI: 800 Independence Ave., SW, Suite 814, Washington, D.C. 20591. (Free)

MAD LIB, the "Voice of the Ultimate Civil Rights Movement," was launched in July 1987. It is a new, national publication concerning mental illness. FYI: Our Turn, 2711 Connecticut Ave., NW, Washington, D.C. 20008.

Minnesota State Council on Disability has a brochure describing its mission and services. FYI: MSCOD, 208 Metro Sq. Bldg., St. Paul, MN 55101.

The Planner's Guide to Barrier Free Meetings is a standard among meeting planners and organizations providing programs and services to persons with disabilities. FYI: Harold Russell Associates, 8 Winchester Pl., Suite 304, Winchester, MA 01890. (\$14.95)

Raised Dot Computing Newsletter focuses on microcomputer use by people with vision impairments. FYI: 405 S. Baldwin, Madison, WI 53703

Study Guide for the Certified Rehabilitation Counselor (CRC) Examination is a comprehensive study guide covering a wide range of content areas. FYI: Distinctive Ink, PO Box 7153FYI, St. Cloud, MN 56302-7153.

Vitalizing is a publication written by and for adults with physical disabilities. FYI: Helen Grueser, Editor, 217 N. Marion St., PO Box 1169, Ottumwa, IA 53501. **Video's/Films etc.**

Challenge yourself and Change the World is a new slide/tape program outlining options available to people with disabilities in international exchange programs, work campuses and travel. FYI: Mobility International USA, PO Box 3551, Eugene, OR 97403.

Part of Your General Public is Disabled: A Handbook for Guides in Museums, Zoos, and Historical Houses is a 93-page manual and five-part video conceived and developed by the Smithsonian Institution. The manual is available in audio cassette and braille and the video is open captioned. FYI: Smithsonian Institution Office of Museum Programs, Arts and Industries Buildings, Room 225, Washington, D.C. 20560.

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REMINDER!

March
Hemophilia Month
Developmental Disabilities Month
Mental Retardation Month
National Kidney Month
National Nutrition Month
6-12, Save Your Vision Week

April
Cancer Control Month
3-9, World Health Week

May
Better Hearing and Speech Month
Mental Health Month
6, Council Celebration of National
Barrier Awareness Day, State
Capitol, 11 am.
7, National Barrier Awareness Day

