



Spring 2014

Ohio Connection

American Council of the Blind of Ohio
3805 N. High St., Ste. 305
Columbus, OH 43214
1-800-835-2226

2014 Legislative Update

— *By Katie Frederick & Vicky Prahin*

Each year ACB members from across the country gather in Washington, D.C., for the legislative seminar. The event began on February 22 with the Presidents' meeting. We heard about efforts to use social media to spread the word about what ACB is and does; ideas for getting younger people more involved on all levels; more improvements to ACB radio, including the ability to listen by phone; suggestions for fundraising and budgeting; and an update from Vanda Pharmaceuticals, introducing the drug Hetlioz, the result of their ongoing study of Non-24 Hour Sleep Disorder.

On Sunday representatives from 24 states and the District of Columbia gathered to hear about advocating for transportation funding at all levels of government; analysis of a survey conducted on behalf of ACB, Google, and other agencies to determine how people who are blind and visually impaired use assistive technology; and an update concerning ACB's legal and advocacy efforts since the 2013 conference and convention.

Monday morning's session provided an overview of future updates to the Na-

tional Library Service Braille Audio Reading Download site; traveling via air; and an upcoming service animal conference, courtesy of the Department of Transportation. We heard a presentation from the Rehabilitation Services Administration and an update on the progress of the CVAA.

We focused this year on two bills for our legislative efforts: H.R.3749 and H.R.4040. The first of these, known as the Medicare Demonstration of Coverage for Low Vision Devices Act of 2013, seeks to overturn a ruling in 2008, which contains a provision called the "Low Vi-



Katie Frederick explores the tactile map of the Capitol Hill area

sion Aid Exclusion stating that all devices, regardless of size, technology and form, containing one or more lenses to aid vision or magnification are excluded from Medicare coverage based on “eyeglass” exclusion. Essentially, any low vision device using a lens is excluded from Medicare coverage because it is considered eyeglasses. If Congress passes H.R.3749, a five-year national demonstration project will occur to allow for the reimbursement of \$500 or more for certain low-vision devices as durable medical equipment. Individuals who participate in the national demonstration project must be evaluated by an ophthalmologist or optometrist to determine the medical necessity of a low-vision device.

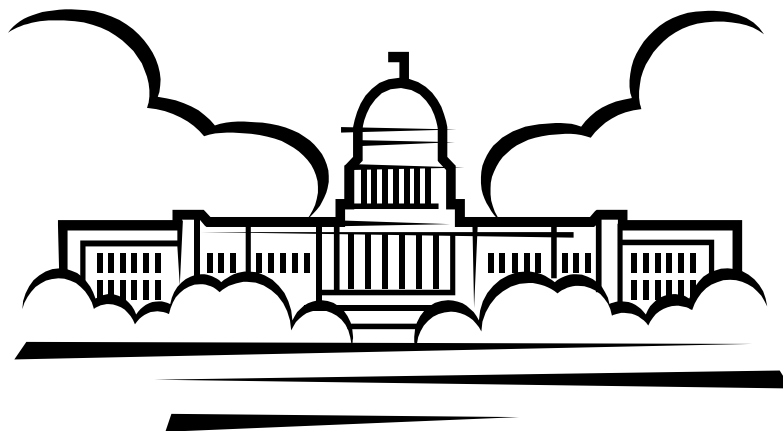
H.R.4040 may be enacted as part of the reauthorization of the Individuals with Disabilities Education Act (IDEA) or as stand-alone legislation. Its enactment will ensure that students with vision loss and any other disabilities are counted and properly served; expect states to write a strategic plan to ensure all students with vision loss obtain the specialized instruction they need for

learning and that such instruction is provided by properly trained personnel; clarify that students with vision loss receive instruction in the Expanded Core Curriculum, consisting of braille, assistive technology, orientation and mobility, and independent living skills; assist parents and educators in keeping up to date through written policy provided by the U.S. Department of Education; and more.

ACBO’s representatives met with a staff member from the office of each Representative and Senator; however, we encourage each of you to take action from home. Please call or write your congressman and senator and urge them to co-sponsor H.R.3749 and H.R.4040, legislation which could positively impact you and/or your family.

You can listen to the meetings in the archives of this year’s seminar on ACB radio or by phone at 231-460-1047. (Note: this is a long-distance call.)

Remember: Advocacy is only as effective as the advocates!





Katie Frederick with the U.S. Senate seal



Vicky Prahin outside Steve Stivers's office



Vicky Prahin outside John Boehner's office



Chris Schumacher and Katie Frederick outside Bob Gibbs's office



Chris Schumacher and Katie Frederick outside the Senate subway

The Dangers of Limited Thinking

— *By Nolan Crabb*

Because of the open nature of my office at work, I have to use ear buds to hear my screen reader. For months, every ear bud I tried left almost no room for any movement, so short were the wires. I found myself constantly leaning forward or cocking my head at a bizarre angle just to keep peace with the wire and prevent the bud from being pulled out of my ear.

Recognizing the inherent physical drawbacks of pretzel typing, I purchased some Bluetooth ear buds so that there are no longer any wires between my ears and whatever device I'm listening to. Suddenly, I was liberated from those ridiculous Twister game-like poses designed to make a chiropractor chortle. Oddly enough, I didn't feel liberated. With every movement of my chair would come that instant reflexive fear that I was about to yank a wire out of the computer or a bud out of my ear. Even now, weeks after my purchase, I find myself briefly hesitating before pushing back my chair or standing. In short, I've had to unlearn the propensity to limited thinking that has been part of my environment for quite some time. Some part of me just can't eliminate the internalized belief that I was wired for sound and need to be careful. As a result, the fear that I'm going to damage me or my machine still interferes with my ability to move freely in my work environment.

The most dangerous part of limited thinking is the assumptions we create

as a result of it. It's easy, for example, to justify apathy in the legislative arena by assuming that legislators have at least a basic understanding of our issues. We assume that, because of that basic understanding, they will rarely if ever craft legislation that would in some way make our lives difficult from a disability perspective. Some of us even go so far as to assume that a particular party will always have our best interest at heart. I admit to being among the limited thinkers all too often. Imagine the surprise recently when my apathy bubble was broken by the introduction of House Bill 333 into the Ohio General Assembly. (Read more about this bill below.) Suffice it to say that, if it passes, federal and state disability law will be weakened, and your ability to obtain justice in the legal system could be severely impacted.

Like me with my head cocked at an odd angle, many of us have become conditioned to the adage that "you can't fight city hall." In fact, we can, and we can even win if we truly believe in our ability to work smart and present a unified reasoned opposition if necessary. The limited thinkers may assure us that we're simply too small to hope to go up against developers and others who want this bill to pass and win. As I write this, it's too early to tell exactly how we should press forward on this issue, but one thing is clear. We can't afford the kind of limited thinking that freezes us in a posture of giving up

(continued on next page)

Goodbye, Old Betsy!

— *By Carl Kienzle*



There are times in our lives when we must say goodbye to cars, RVs, and other vehicles. Though difficult, these moments can be made a positive thing. You can donate the item to a charity close to your heart. That is why The American Council of the Blind is a designated charity with Donate Car USA. Be sure ACBO gets credit for your donation..

Our family donated two cars to ACBO in 2013, and it was so easy. Donate Car USA was professional and efficient. So if you or someone you know

wants to contribute to ACBO in a unique way and also receive a tax deduction, please contact Donate Car USA at 800-269-6814 or fill out a small application at <http://www.donatecarusa.com/donate/american-council-of-the-blind>.

Pictured is one of the donated cars being towed from our home. Have questions? Feel free to contact ACBO's office at (614) 221-6688 or toll free at (800) 835-2226 (800-TEL-ACBO).

(Limited Thinking *continued*)

and believing we can't change things when we actually have the ability to make a positive difference.

I'm hopeful you will read about House Bill 333 and become part of ACBO's revitalized effort to educate legislators

regarding our concerns. We are bound by limited thinking just as I was tethered unnaturally to that computer, but it doesn't have to be that way.

Ohio House Bill 333

— *By L. Scott Lissner*

Ohio House Bill 333 seeks to require individuals to provide advanced written notice about accessibility concerns before filing lawsuits under state or federal accessibility laws. The bill was introduced by Representative Stinziano on 11/6/13 with Representatives Hackett, Henne, Hood, Mallory, and O'Brien as cosponsors (Contact information for Representatives can be found at <http://www.ohiohouse.gov/members/member-directory>).

In short the bill would require that individuals with complaints about access to buildings and properties based on Ohio or Federal law to provide advanced written notice of the alleged violation to the owner or manager of the property before filing a lawsuit. The property owner would then have 30 days to respond one of three ways. Indicating that:

1. Improvements addressing the complaint have already been made;
2. Improvements addressing the complaint will be completed within 120 days; or
3. Challenging the validity of the complaint by claiming the property is in compliance with access laws.

Complaints brought by the Ohio Civil Rights Commission Complaints or individuals that can show an "injuries in fact" are exempt from the bill's require-

ments and do not have to serve notice prior to filing suit. In this context an "injury in fact" occurs when an individual with a disability can show that he or she was denied services and/or suffered financial harm because the facility fails to meet the access standards that apply.

The proposed legislation offers additional protections for property owners, including allowing property owners to sue to recover court costs and attorney's fees if an individual does not give the required notice or if an individual files after the owner has shown that improvements have been made to bring the property into compliance with the law and the property is in compliance.

Analysis:

- It is not clear that there is a high volume of frivolous access complaints in Ohio or that the state's existing mechanisms for addressing those that do occur are inadequate
- HB 333 would seek to impose limits on filing complaints under Federal law in Federal Court. It is questionable that the Ohio legislature has that authority to limit federally legislated rights
- The requirements could delay a valid complaint by as much as 150 days during which both the person with the complaint and the property owner would need to engage

lawyers. The requirement could clarify a misunderstanding by either side on what the law actually requires thus resolving issues by voluntary compliance or the withdrawal of the complaint.

- Creating formal notice may discourage complaints by elevating it from “letting the owner know” to a formal legal requirement with likely legal fees attached.
- It is not clear how an individual might demonstrate that he has suffered an injury of fact except by filing a law suit so that there would be a judicial review for standing but would put the individual at risk for not serving notice which would likely discourage legitimate complaints from going forward.

Resources

Bill Text: http://www.legislature.state.oh.us/BillText130/130_HB_333_I_Y.pdf

LSC analysis of HB 333: <http://www.lsc.state.oh.us/analyses130/h0333-i-130.pdf>

DRO web post: <http://www.disabilityrightsohio.org/news/stinziano-bill-hb-333-would-harm-disability-community>

Gongwer News Service, www.gongwer-oh.com , February 5, 2014.

DRO web post: <http://disabilityrightsohio.org/news/rep-stinziano%E2%80%99s-ada-compliance-bill-hb-333-will-discourage-compliance-eliminate-legal-remedies>

Written testimony of Ruth Colker, NCIL and AAPD: <http://www.disabilityrightsohio.org/news/opposition-hb-333-grows>

Ohio Chamber of Commerce testimony <http://www.ohiochamber.com/dococ/PP/--pdf/-Employment/Testimony%20-%20HB%20333.pdf>

ACLU notice: http://salsa3.salsalabs.com/o/50277/p/dia/action3/common/public/?action_KEY=12840

Fortney & Klingshirn Law Firm blog post expressing concern with HB 333: <http://www.fklaborlaw.com/articles/Ohio-House-Bill-333-will-let-Owners-sue-Disabled-People-Seeking-Access-to-Buildings.html>

Daily Legal News/Reporter editorial in support of HB 333: <http://www.dlnnews.com/editorial/9151>

YouTube video in ASL (in opposition, No Captions for the hearing) <http://www.youtube.com/watch?v=z1IlyOmdIVc>

ACB Ohio's Annual Awards

— By Terry Olandese

Every year at our state convention, ACB Ohio hopes to give seven awards. It's hard to give awards without nominations! We need your help. Please think about each of the following awards and nominate someone for each one of them. It's not too early to start thinking about the state convention in October.

The **KEN MORLOCK AWARD** is given to a person who is blind or visually impaired who has worked tirelessly and selflessly for the blind or visually impaired citizens of Ohio. Ken Morlock served in various capacities for our state affiliate for more than 15 years, setting an example for others. Past recipients include 1st vice-president Jill Noble.

The **RUTH DAVIDSON AWARD** is given to a sighted person who has worked to enhance the lives of persons who are blind or visually impaired. Ruth joined ACBO soon after its inception and helped for many years, driving, advocating, and filling in wherever possible. Those who have received this award include Sue Wesley of Cincinnati.

The **ARLENE COHEN ART OF TEACHING AWARD** is given to a blind or visually impaired teacher or to a sighted teacher who has taught blind or visually impaired students. This award commemorates a past president of the affiliate who taught for many years and considered ACB very important. Sandy Foersterling, Cincinnati, and James Duff-



James Duffield (left), recipient of the Arlene Cohen Art of Teaching Award, and Chris Schumacher with his Ruth Davidson Award

field, Pickerington have received this award.

The **AMBASSADOR AWARD** is given to an ACB Ohio member who has worked tirelessly for ACB Ohio and the blind community. Nolan Crabb won this award in 2012.

The **MEDIA AWARD** is given to a person who has written or reported about blindness or issues that concern blind or visually impaired persons. All nominations for the Media Award must be accompanied by the article, video, or other presentation. We have presented this award to Deborah Kendrick, Cincinnati, among others.

The **EMPLOYER OF THE YEAR AWARD** is given to an Ohio employer who has hired and made accommodations for employees who are blind or visually impaired. We honored the Louis



Nolan Crabb being presented with the 2012 Ambassador Award by Linda Wyman, Sue Wesley and Vicky Prahin

Stokes Cleveland VA Medical Center with this award in 2011.

The **COMMUNITY SERVICE AWARD** is presented to a city, town, or organization for outstanding efforts put forth to enhance the lives of blind or visually impaired people. Past recipients include the Ohio Lions Foundation and the city of Columbus.

In addition, ACBO Greater Cincinnati Chapter (ACBOGCC) presents three awards to individuals or organizations who have promoted the cause of blind and visually impaired people in the Greater Cincinnati area.

The **SUE WESLEY AWARD** goes to someone who is sighted for giving tirelessly of himself or herself to enhance the quality and equality of life for individuals who are blind or visually impaired in the Greater Cincinnati area.

The **BOB KRAUS AWARD** is presented to a person who is blind or visually impaired for giving tirelessly of himself or herself to enhance the quality and equality of life for individuals who are blind or visually impaired in the Greater Cincinnati area.

The **KEN MARRS AWARD** is presented to a group, company, or organization that has made outstanding progress in its programs and services, thus enhancing the quality and equality of life for individuals who are blind or visually impaired in the Greater Cincinnati area.

I'd appreciate all of your help. Send your nominations to Olandese@fuse.net. Put "Ohio award nominations" or "Cincinnati award nominations" in the subject line.

Can't wait to hear from you.

The Recreation Roundup

— *By Chris Schumacher*

I know that everyone is chomping at the bit to find out what is going on with the ACBO recreation committee. During the weekend of the 26th annual Winter Sports Retreat at Punderson state park, There wasn't nearly enough of the cold white stuff; the January thaw put a damper on plan A, cross-country skiing and snowshoeing. When plan A doesn't work out, we go to plan B, which includes activities such as hiking, swimming, reading, shopping in Amish country, visiting the local cheese factory, and playing Euchre, Scrabble or other board games. It was a small group this year, but we did have two new participants. Please consider attending next year if you like good food, good times, and meeting new friends. Look for information regarding the 27th WSR in a future issue of the Ohio Connection.

Our next scheduled event is the Summer Sports Retreat. The tentative dates are August 1-3. We hold the summer sports retreat on seven acres of private property on the Hocking River, in the southeast corner of Ohio, about 30 miles outside Athens. Some participants choose to tent camp; others choose to sleep in the trailer on the property. There is boating, hiking, and tandem cycling. We also have a bonfire and play card and board games. I know some of you are thinking you would like to go but don't have a way to get there. We have some great volunteers, and we will work with people to try to arrange transportation. If we are

unable to provide transportation, we will refund your money.

I know it is cold outside, but now is the time to think about starting to get more active. I have another challenge before the summer sports retreat. I will participate in the Skyline Three-Way at the Cincinnati Flying Pig Marathon. The event includes a 5K, 10K and half marathon. I am doing all three events with ACBO scholarship winner Jenna Karg. She is new to the Cincinnati area and is jumping into the local and state activities with ACBO. She and I will do the 10K (6.2 miles) walk, starting at 8:00 AM Saturday. We will then participate in the 5K (3.1 miles) walk. On Sunday morning we will walk 13.1 miles. Other ACBO members participating in the race include Lori Woodall, Rob Rogers, Executive Director Katie Frederick, Joyce Rogers, and Dave Perry. The Greater Cincinnati chapter uses this event as a fund raiser. If you are interested in donating to ACBOGCC, contact me at acboassist@gmail.com or call 614-636-3222.

I also plan to participate in the Tukandu tandem cycling club, which is active all spring and summer in Cincinnati. The group meets on alternating Saturdays April through September. You can look up information on Tukandu at www.tukandu.org.

**Remember to
stay active!**



A New Challenge

— *By Chris Schumacher*

I am considered sighted, but I have monocular vision. Normally the brain merges the image from both eyes, but, in people with my condition, the brain does not. People with this condition have a dominant eye. I played sports as a child, even into high school, but I didn't do well playing basketball and baseball because of my vision.

In the fall of 2012, I tried a new sport. The Cincinnati Recreation Centers started a club for goalball. For those not familiar with goalball, it is a sport played mainly by visually impaired athletes. According to the International Blind Sports Federation pamphlet:

Goalball is a game played by two teams of three players each, with a maximum of three substitutes for each team. The game is played in a gymnasium on a court measuring 18m x 9m, which is divided into two halves by a center line. Teams remain on their own half of the court during the game. The purpose of the game is for each team to throw the ball by hand, along the floor, with the intent of getting the ball across the opponent's goal line while the other team attempts to prevent this from happening. The goals and nets extend right across the 9m width at each end of the court. The ball is made of hard rubber and has holes in it that allow bells inside the ball to be heard as the ball moves.

I have been playing for about 18 months. Everyone who plays must wear goggles that have been blacked out. When I am wearing the goggles, I cannot see anything, and I find it funny that I still lift my head as if I am looking for the ball.

Now I am taking it to the next level. I am joining USABA and will attend a goalball tournament the first weekend in March. I am excited about this new challenge! I have played in a fund raiser with multiple teams, but these were college students who had very little experience with the sport.

You don't have to play this game, but everyone should try something new. Let us know what your new challenge is this year!

The *Ohio Connection* is a quarterly publication of the American Council of the Blind of Ohio. Please submit your material in print or through e-mail. The next deadline is May 15, 2014. Please include your name, address, and phone number and send to: Vicky Prahin at vicky@hadley.edu.

The Flying Pig! — By Joyce Rogers



You are invited to participate in the 2014 Flying Pig Marathon. Cincinnati will host The event for the 16th year. This very popular event attracts walkers and runners

from dozens of countries and all 50 states annually. It takes place during the weekend of May 3-4. The Greater Cincinnati Chapter, has participated since 2010.

Please join us in this fun, exciting, challenging, and gratifying experience. You may walk or run in a 5K, 10K, half marathon, or full Marathon.

In the last couple of years, Nolan Crabb, ACBO's illustrious president, and Katie Frederick, now our ACBO's talented executive director, have completed a 5K. You can at least match their achievement. Age is no setback. Many of us Flying Pig veterans are over 70, and we can walk with the best of them.

Contact Mary Beth Donelan at donelanmb@yahoo.com or via telephone at (513) 351-5230 and register today. Remember to get out with a partner and get ready to walk.

Spring into Action — By Katie Frederick

As our thoughts turn toward the warmth and sunshine of spring, I want to highlight a few ACB Ohio events.

The second annual regional leadership training conference, known as Crossroads, will take place in Louisville, Kentucky, March 22-23. The weekend's workshops, speakers, and activities promise to benefit emerging and experienced leaders. I hope many of you will join me at the crossroads.

A second event is the annual family seminar. This year, it will take place on Saturday, April 12, at the Ohio State School for the Blind in Columbus. The purpose of the seminar is to bring parents of children who are blind or visually impaired together with one another and with professionals who work with those children. Areas of focus include advocacy, collaboration, technology, and networking.

As I write this, ACB Ohio is looking into holding an Ohio legislative day this spring. We've done important work at the national level; now, we need to let our elected state officials know who we are.

I know it may not feel like it now, but winter will be leaving Ohio soon enough, and in its place, the renewal of spring will follow. I hope as the seasons change, you will get up, get out, and participate, advocate, and continue to help ACBO grow.

Scholarship Opportunities

— *By Vicky Prahin & Terry Olandese*

The American Council of the Blind of Ohio offers five academic scholarships each year, and others are available from related sources. It is amazing how few students apply! If you are a student or plan to go back to school, take advantage of the following opportunities.

ACBO offers the \$2000 MAX EDELMAN and DAVID NEWMAYER scholarships to legally blind undergraduate students in any field of study. If you have a visual impairment, you are eligible, whether you want to become a teacher of the visually impaired or an astrophysicist.

ACBO also offers two scholarships to blind or visually impaired graduate students in the amount of \$2500. The JOANN FISCHER SCHOLARSHIP is awarded to a student in any field of study, and the LINWOOD WALKER SCHOLARSHIP goes to someone in a service-related field, such as teaching, health, or public administration.

NOLA WEBB-MCKINNEY set up a scholarship through ACBO for any student pursuing a degree in a blindness related area, including special education, rehabilitation, teaching or counseling, orientation and mobility, or concentrating in programs serving persons who are blind or visually impaired. This is another \$2000 scholarship.

The GEORGE COOREY SCHOLARSHIP is awarded by ACBOGCC annually. To be eligible, a student must be a high school senior who has been accepted to attend a post-secondary educational institution; live in Butler, Clermont, or Hamilton County in Ohio, or Boone, Campbell, or Kenton County in Northern Kentucky.

Don't wait; start gathering your references and transcripts today and apply for one of these scholarships! For more information, call the ACBO office.



ACB-O Community Shares Campaign Codes

State of Ohio 19003
City of Columbus 60240
Franklin County 60240
Ohio State University 60240
Columbus State Comm. College 1061

December Delight – *By Lori Woodall*

Have you ever bought that one lottery ticket and thought "I'm gonna be rich now!"? This past year the Greater Cincinnati Chapter of ACBO tried a new kind of moneymaker. We called it December Delight. It offered 31 chances with the purchase of only one ticket.

Don Kalman from the Medina Chapter told us about the idea. We sold 300 tickets for \$10 each, and during the month of December we drew one ticket a day. There were so many happy winners! The longer the month went on, the higher the anticipation grew. It was so exciting each day to hear whose name was pulled. It was lots of fun, and we are planning to do it again this year.



Family Seminar Saturday, April 12

The American Council of the Blind of Ohio, in partnership with the Ohio Lions Foundation, will host the 2014 family seminar Saturday April 12. This year, as in previous years, the event will be held at the Ohio State School for the Blind, located at 5220 North High Street in Columbus. Topics to be covered during the seminar include: literacy for little ones, collaboration, and recreational activities families can enjoy. To register for the 2014 Building Blocks for a Brighter Future family seminar, please visit the ACBOhio website: www.acbohio.org. If you have questions, or need additional information, please call the ACBOhio office.

Contributors ...

Thanks to the contributors: **Nolan Crabb, Katie Frederick, Carl Kienzle, Terry Olandese, Vicky Prahin, Joyce Rogers, Elizabeth Sammons, Chris Schumacher, Lori Woodall.** Send items for the next issue to Vicky Prahin (prahin@hadley.edu) by May 15.

OOD's Home Maker Program

— *By Elizabeth Sammons*

In certain situations, the Opportunities for Ohioans with Disabilities Agency (OOD) can help adults who are not seeking or retaining employment but who would like to keep or increase independence in the home or community. When appropriate, OOD serves eligible participants who have an employment goal of homemaker.

Who is a "Homemaker?"

OOD defines a "homemaker" as the self-manager of his or her home, an individual whose employment outcome is to have primary responsibility to perform the central functions of home management/maintenance, regardless of any disabling condition.

What kind of services can homemakers receive?

- Assessment, counseling, and guidance;
- Training in mobility;
- Daily living skills;
- Adaptive equipment;
- Information and referral to community support resources.

Eligibility for Homemaker Services

Ohioans must qualify based on the following conditions:

- Meet Vocational Rehabilitation eligibility
- Have a significant disability
- Have or would have, with ser-

vices, the primary responsibility for the essential home management functions

- Currently be unable to directly perform at least four of the functional areas listed below because of the functional limitations imposed by the disability
- With the provision of services, be able to directly perform six of these stipulated functional areas.

If you need to learn to manage four or more of the following, consider applying:

- budget/money management
- clothing care (sewing, ironing, etc.)
- laundry
- home maintenance
- meal preparation
- shopping
- cleaning
- child/dependent care

We encourage individuals, family members, and medical providers to call OOD for an appointment at 800-282-4536. An agency representative will talk with potential Homemaker services participants to determine individual needs and how we can help.

For more information, visit the OOD website at www.ood.ohio.gov.



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2014 ACB-Ohio Datebook

**March 21-22:
Crossroads Leadership Conference
Louisville, KY**

**April 12
Family Seminar
OSSB, Columbus, OH**

**April 25-26
Spring Board Meeting
Eastgate Holiday Inn & Suites
Open to all members**

**May 3-4
Flying Pig Marathon
Cincinnati**

**May 15
Deadline for newsletter items**