

# P&A TidBITS

LEGAL NEWS & other  
Disability-Related info

JANUARY 2021

HAPPY  
NEW  
YEAR



# january

IS

NATIONAL



B R A I L L E

LITERACY  
MONTH

National Braille Literacy Awareness Month is in honor of Louis Braille, who originally developed the Braille code nearly 200 years ago. Braille was born January 4, 1809, and developed the code of raised dots to make text readable for individuals, like himself, who were blind.

braille alphabet

a b c d e f g h i j k l m n o p q r s t u v w x y z

JANUARY 4  
**WORLD**

B R A I L L E  
**DAY**

HOLIDAY  
SCHEDULE

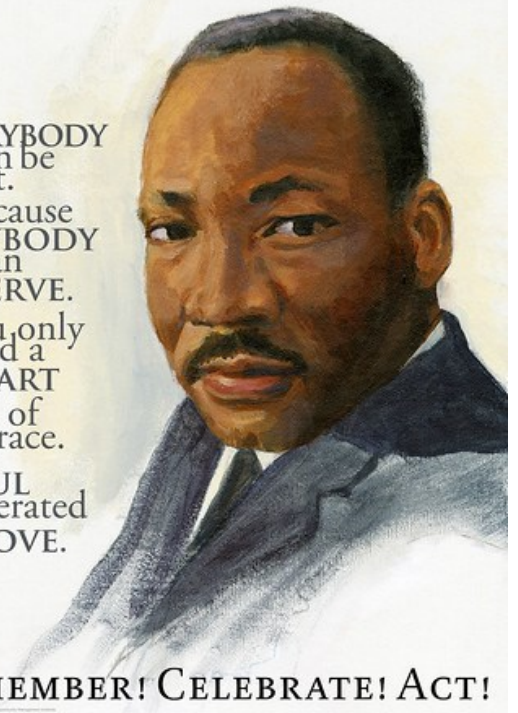
**OUR OFFICE  
WILL BE CLOSED**

FRIDAY, JANUARY 1<sup>ST</sup> FOR THE NEW YEAR HOLIDAY  
AND MONDAY, JANUARY 18<sup>TH</sup> IN OBSERVANCE OF



Dr. Martin Luther King Jr.  
HOLIDAY

EVERYBODY  
can be  
great.  
Because  
ANYBODY  
can  
SERVE.  
You only  
need a  
HEART  
full of  
grace.  
A  
SOUL  
generated  
by LOVE.



REMEMBER! CELEBRATE! ACT!

## PLEASE READ: IMPORTANT MESSAGE

**!** The Talking Book Program is currently operating on a limited basis.

### STATE BUDGET CUTS CREATE GRIM OUTLOOK FOR CONTINUATION OF WYOMING'S TALKING BOOK PROGRAM

Earlier this fall, Protection & Advocacy (P&A) was contacted by the Wyoming Council for the Blind (WCOB) because it had been notified that State's Talking Book Program (Program) was no longer going to be funded as the result of budget cuts at the Wyoming Department of Education in accordance with directives to all state agencies by Governor Mark Gordon. This news prompted the WCOB to reach out to persons and organizations to attempt to curtail this proposed action and the potentially devastating impact anticipated by the loss of services provided by the Program. Eventually, it was ascertained that the Program would be funded until June 30, 2022. However, unless the Wyoming Legislature provides funding for the Program outside of the general fund, or a change in direction by Superintendent Jillian Balow or the Governor, it is unclear whether the Program will be funded after the biennium ending in 2022.

The Program has had a long-standing existence, formally commencing as early as the 1930s under the federal Pratt-Smoot Act (Act), in which the State of Wyoming also implemented a program for eligible Wyoming citizens. The Program provides access to printed material in alternative formats for individuals who are unable to read print. These individuals include persons who have blindness, visual impairments, reading and learning disabilities, physical disabilities, cognitive impairments, or any other condition that prohibits an individual to access printed material.

The Act originally benefitted persons only with visual impairments or blindness. Subsequently, it was recognized that blindness is only one of the disabilities that makes a person unable to read printed media. Some individuals who have lost the use of one or both hands are unable to hold a book or magazine or turn pages. Others whose visual disability does not meet a strict definition of blindness, still cannot see well enough to read standard print. Many persons who had requested talking books were ineligible because the Program originally was specifically limited by law to persons with blindness.

Accordingly, recognizing these other populations and to emphasize the importance of the goals of the Act, Congress amended it four times since its original enactment:

- in 1952, to include blind children;
- in 1962, to include music materials;
- in 1966, to include individuals with physical impairments who are unable to read standard print; and

- in 1981, to include individuals with a reading disability based on a physical dysfunction.

The Program also expanded as new technologies emerged to aid people in need. One program, BARD (Braille and Audio Reading Download), is a library service of downloadable braille and audio-reading material for eligible individuals because of visual or physical disabilities. BARD provides access to thousands of special-format books, magazines, and music scores. All files are downloadable as compressed audio or formatted "eBraille" files. BARD is a partnership between the National Library Services (NLS) and its network of cooperating libraries, including the Utah State Library, which provides these and other services and resources to Wyoming citizens. The Utah State Library has been expanded to serve over 10,000 patrons in Utah and Wyoming with cassette, large print, and Braille service. Available needed or requested equipment is provided by the Vision Outreach Services.

If the Program is not funded:

- Individuals with disabilities will not be able to access printed information that is accessible to the general population. These individuals thus will be denied equal access to printed information through those alternative formats.
- Children who are blind or visually impaired will no longer have access to children's stories in Braille or large print. Sighted parents will not be able to read with their children as the Program provides a printed format of Braille books so that they may read with their children.
- Elderly individuals who have lost their sight will no longer have books available in digital, large print, or Braille format.
- Adults with disabilities will no longer have access to printed material being read and discussed by the general population in book clubs, library discussions of books, magazines or other printed material.
- College students will no longer be able to rely on the Program to provide alternative formats for books that may be required for their classes, intruding on their access to equal education and impeding their ability to be successful in their professional pursuits.

Altogether, defunding the Program seriously affects the ability for individuals with disabilities to be informed about current events. P&A joins with the WCOB to accomplish the objectives of the Act and the Program: that **all** individuals should have access to printed material, with or without disabilities, whether they require alternative formats or not, in order to become informed or who simply want to read. Defunding the Program intrudes on the quality of life for individuals with disabilities. Printed material should not be a luxury to anyone. It is a necessity for an individual to have access to printed information in order to live full, functioning lives, no matter the format.

Persons who are interested in learning more or providing assistance in the effort to preserve the Program and its continued funding should contact P&A or the WCOB. The contact information for WCOB is available on its website (<http://www.wyvb.info>) or calling (307) 746-6166. For more information about the Program, go to: <https://library.wyo.gov/services/special-programs/talking-books/> or <https://edu.wyoming.gov/in-the-classroom/special-programs/vision-outreach-services/>.



## That All May Read



National Library Service  
for the Blind and  
Physically Handicapped  
LIBRARY OF CONGRESS



## What People with Disabilities Need to Know about COVID-19



ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES  
THE LEADERSHIP, EDUCATION, ADVOCACY & RESEARCH NETWORK

### Frequently Asked Questions (FAQ): COVID-19 Vaccine Distribution Considerations for the Disability Community

On November 23, 2020, the Association of University Centers on Disabilities (AUCD) published: "Frequently Asked Questions: COVID-19 Vaccine Distribution Considerations for the Disability Community."



This is an FAQ to support state and local disability leaders advocate for the role of individuals with disabilities in the allocation and distribution plans for a COVID-19 vaccine. Includes information on the approval, manufacturing, allocation, and distribution processes for a COVID-19 vaccine, AUCD network vaccine resources, and links to additional federal, state, and local public health resources.

Source: [https://www.aucd.org/template/news.cfm?news\\_id=15111&parent=16&parent\\_title=Home&url=/template/index.cfm](https://www.aucd.org/template/news.cfm?news_id=15111&parent=16&parent_title=Home&url=/template/index.cfm)

To read the FAQs, go to: [https://www.aucd.org/docs/resources/network\\_covid\\_FAQ%2011.22.30.pdf](https://www.aucd.org/docs/resources/network_covid_FAQ%2011.22.30.pdf)



## 24-HOUR DISABILITY SUPPORT LINE



# 1(888)847-3209

With all the challenges happening right now it is easy to feel overwhelmed, stressed, anxious, or a lot of other emotions. If you are a person with a disability, a caregiver, family member or provide support services and are struggling, **CALL NOW!** Counselors are available 24-hours, 7 days a week.



RESOURCE REFERRALS | ASSESSMENTS  
ONGOING WELLNESS CHECKS

An initiative of:



Stony Brook University



Department of Rehabilitation  
Science and Technology  
School of Health and Rehabilitation Sciences

### Wheelchair & Cushion Performance Testing Standards

Using test standards to assess device performance

Welcome!

This website provides information on wheelchair and cushion safety and performance test standards. Standardized testing helps individuals who use wheelchairs, clinicians, researchers and industry evaluate important characteristics of these devices. The results from standardized testing allows for comparisons between different products and critical safety and performance parameters to be determined.



Cushion  
Performance  
Overview



Caster  
Performance  
Overview



Wheel Rolling  
Resistance  
Overview

### New Wheelchair Standards Website

The Rehabilitation Engineering Research Center (RERC) on Improving Health and Function Through Use of Performance Standards in Wheelchair Selection launched a new website to share research and information about wheelchair and cushion performance. For more information: go to: <https://wheelchairstandards.com/>



## EEOC Issues Revised Publications on the Employment of Veterans with Disabilities

The U.S. Equal Employment Opportunity Commission (EEOC) today issued three revised documents that address the employment of veterans with disabilities, pursuant to EEOC Chair Janet Dhillon's priority of providing robust compliance assistance by delivering up-to-date guidance on the requirements of antidiscrimination laws.

Source: <https://www.eeoc.gov/newsroom/eeoc-issues-revised-publications-employment-veterans-disabilities-0>

THINK POSITIVE  
&  
STAY SAFE

It would be an understatement to say that 2020 was a challenging year. As the pandemic grew to such an extent over the past several months, leaving in its wake unimaginable numbers of deaths, people struggled to find a way to adapt to the so-called "new normal." The recent announcement of a vaccine provides some hope, although the need to take precautions by wearing masks, washing hands and maintaining social distancing will remain for months to come. We might take encouragement that there seems to be light at the end of the proverbial tunnel.

I too wanted to find words to express a positive outlook. I was provided the following quote by Mehmet Murat Ildan:  
*"Sometimes a year has been so disastrous and so terrible that entering a new year will automatically mean entering a wonderful year."*

Yet, it occurs to me that sometimes words are not enough, especially to those who have lost loved ones or jobs. To those businesses that have or will have to close. To those who were deprived of celebrations (like graduations and weddings). It also occurred to me that, like many things, our attitudes often influence outcome.

It is my prayer and hope that 2021 is a better year for all of us and that we all embrace the possibilities of a Happy New Year!

*Robert Walters*

Robert Walters, P&A Staff Attorney



U.S. Department of Transportation

## Final Rule on Traveling by Air with Service Animals

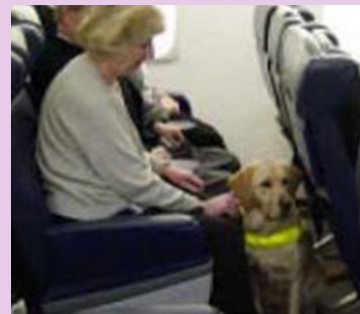
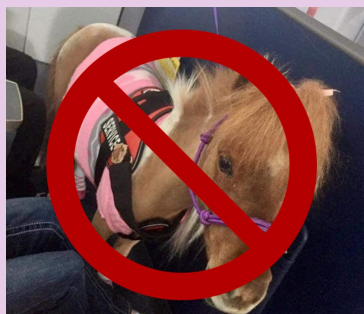
The U.S. Department of Transportation (DOT) announced that it is revising its Air Carrier Access Act (ACAA) regulation on the transportation of service animals. The final rule states that only task-trained service animals need to be permitted on airline flights, and carriers are not required to recognize emotional support animals as service animals. Among other things, the final rule:

- Defines a service animal as a dog that is individually trained to do work or perform tasks for the benefit of a person with a disability;
- Requires airlines to treat psychiatric service animals the same as other service animals;
- Allows airlines to require forms developed by DOT attesting to a service animal's health, behavior and training, and if taking a long flight attesting that the service animal can either not relieve itself, or can relieve itself in a sanitary manner;
- Prohibits airlines from requiring passengers with a disability who are traveling with a service animal to physically check-in at the airport instead of using the online check-in process;
- Allows airlines to limit the number of service animals traveling with a single passenger with a disability to two service animals;
- Allows airlines to require a service animal to fit within its handler's foot space on the aircraft;
- Allows airlines to require that service animals be harnessed, leashed, or tethered at all times in the airport and on the aircraft;

The final rule will be effective 30 days after date of publication in the Federal Register, which was December 10, 2020.

Source: <https://www.transportation.gov/briefing-room/us-department-transportation-announces-final-rule-traveling-air-service-animals> (there is a link for FAQs)

To read the full rule, go to: <https://www.govinfo.gov/content/pkg/FR-2020-12-10/pdf/2020-26679.pdf>



FOR MORE  
INFO

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(Clients Only)

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