



Coalition of Texans with Disabilities



2020 Annual Report

During a year that seemed to get stranger and more stressful by the day, CTD is proud that we kept working toward our mission of a barrier-free society for people with disabilities and produced the programs and results that you have come to expect.

Even if the delivery was a little different.

CTD's COVID Response

As the realities of the pandemic began to set in, it became clear that we would need to refocus on certain **policy and practice developments to ensure access to care and oppose discrimination.**

CTD weighed in on multiple practical changes to **support continuity of care**, like extending authorizations and prescriptions and supporting community care. We took the lead on advocating for the **inclusion of certain therapies in telehealth—and got them.** CTD was the central disability group at the table on mass critical care guidelines, **protecting people with disabilities in allocation of scarce healthcare resources.** In December, we provided invited testimony to the Senate Health & Human Services committee with specific recommendations on supporting community living and avoiding congregate settings.

I know you have a lot of work and requests to handle. Just want to say a big thanks! Your help has given healing and hope to many.

Donna Miller, Blue Sky Abilities

In the area of public education, CTD joined the Texas Coalition for Healthy Minds (TCHM) call to Texas Education Agency (TEA) Commissioner Morath to **put student and staff social-emotional needs “front and center”** in state guidance to school districts about operating amid the coronavirus pandemic. We joined partners to advocate for appropriate Education Justice Responses to COVID-19. We also worked with TEA and the US Department of Agriculture to clarify guidance about

eligibility to access meals when COVID hit to ensure that families were aware that their 18+ students enrolled in special education were also eligible to receive meals.

Our **Consumer Directed Services Division** served, without interruption, +700 consumers and attendants while restructuring from an office environment to work at home protocols. We Work for Health Texas named Kit Cuny, Rosie Williams, and Laura Harrell (below, left to right) as Hometown Heroes for exceptional service during the pandemic.



The Consumer Directed Services Team @ TXDisabilities has shown what it means to go above and beyond by ensuring vulnerable Texans don't lose their access to in-home care during the #COVID19 pandemic.

We Work for Health Texas

When times get really tough, encourage your team to remember that your program makes a HUGE positive difference in the lives that you touch.

CDS attendant

Voting during the Pandemic

Early on, the pandemic revealed or made worse systemic problems that the disability community has been working to change for decades. **Voting and elections** were front and center in this trend. In addition to including voting in our grassroots organizing work with REV UP Texas, CTD joined **four legal actions to protect the rights of voters with disabilities.**

- **It remains legal for the state of Texas to reject a mail-in ballot based on mismatched signatures**, without giving voters the chance to cure their ballot. We joined a Texas Civil Rights Project (TCRP) lawsuit to address this, which disproportionately affects voters with certain mobility or visual disabilities. This suit made its way through the courts system, with some victories, but ultimately, the 5th Circuit ruled against us.
- We joined a suit against the state regarding **inaccessibility of paper mail-in ballots** to voters with visual disabilities. All relevant briefings have been completed, the next move is up to the judge.
- We signed on to TCRP's letter to the Bexar County elections office regarding the County's refusal to provide **signage on curbside voting procedures** at its polling places, a violation of the Americans with Disabilities Act. Bexar County also removed the signs placed by volunteers that offered curbside voting information. CTD and TCRP filed an emergency restraining order against Bexar County Elections Commissioner Jacque Callanan, and the court sided in our favor, directing Bexar County to place signs at all 302 polling sites for Election Day.
- We filed an amicus brief to **protect drive-through voting, clearly advantageous to voters with disabilities**, in Harris County. A suit claimed that drive-through voting was actually curb-side voting and that the votes of 127,000 voters should be thrown out. In a photo finish, CTD submitted our amicus brief late on a Friday, and the Texas Supreme court dismissed the case on Sunday.

Finally, prompted by our members, CTD wrote a letter to the Texas Secretary of State to get clarification on the **use of a signature stamp for mail-in ballots**. Many in the disability community, especially those with limited arm function or hand dexterity, use a signature stamp to legally sign all of their documents, and this is how they have signed their voter registration forms in the past.

The Secretary of State's office has not changed their current position: a person who

wants to use a signature stamp on a mail-in ballot application or carrier envelope must have a witness sign the document for the voter pursuant to Section 1.011 of the Texas Election Code.

Particularly when people are isolating from each other, this requirement of a witness presents an additional barrier to casting a private, independent ballot. Signature stamps is among the voting issues in our legislative priorities for 2021.

Shifting to Virtual Events and Organizing

We moved our grassroots advocacy organizing and arts programs into all virtual spaces—and it actually worked out pretty well! We believe virtual gathering is here to stay, and we plan to take full advantage of its possibilities!

We took our annual participation in the **ADAPT Fun * Run for Disability Rights** into the streets of Austin and onto social media. Each person on our team of staff and CTD members, ran their own course through South, Central, and North Austin, posting photo updates along the way. While we missed our friends from ADAPT of Texas, we had a great time—and our runners raised over \$8,000 for ADAPT and CTD!

With our partners at Art Spark Texas, we took our monthly **Lion & Pirate inclusive open mic** into the virtual space in April. This allowed us to connect with artists and audiences near and far, including many **Pen 2 Paper creative writing contest** winners and finalists in other states and countries. Read all 2020 finalists and winners at txdisabilities.org/pen-2-paper. Note that we are pausing Pen 2 Paper in 2021 and hope to bring it back in 2022.

Our **Raise Your Voice! Advocate Connection Program (RYV)** kicked off over the summer.

I wanted to reach out and tell you how wonderful the RYV presentation was last week. It was such a pleasant and motivating experience!

RYV participant

We exceeded our original goals of educating hundreds of Texans about a range of disability issues, connecting participants not only with CTD staff, but also with each other, and

gathering input from Texans with disabilities, which will inform our advocacy work in 2021. With the shift to virtual programming, we were able to hold 12 events total (7 more than we had planned for in person), reaching hundreds of individuals from every corner of the state. *Opposite: guest speaker Cathy Cranston of the Personal Attendant Coalition of Texas (PACT) gives an overview of attendant wages.*

It's a similar story for our annual **Cinema Touching Disability Film Festival**. Early in the year, we were unsure whether we'd be able to produce an in-person Festival in the fall. But instead of backing off from programming, we doubled down and presented not one, but two cinematic events celebrating disability.

During this time when none of us can gather and enjoy movies the way we enjoy doing, this festival was a welcome change, to see movies and still feel like we were all in the same room!

Cedric Hill, Director 2020 non-documentary winner NOISY

Between CTDF: Online! (Aug. 15-Sept. 15) and the regularly scheduled Cinema Touching Disability Film Festival (Oct. 16-18), we brought 1 feature film and 16 shorts to hundreds of fans throughout Texas and all over the world, connecting filmmakers with our audience members along the way. Full wrap up at ctdfilmfest.org!

Continuing Work in Progress

While the pandemic prompted changes in our areas of focus and strategies for 2020, we also continued work on many priorities that have concerned our membership for years prior to COVID.

We continued to represent you at the political poker table, serving on many **critical workgroups and advisory boards** (right). CTD was the sole disability advocate to participate in the **Texas Department of Transportation's Connected and Autonomous Vehicle (CAV) Task Force** meetings, advising on accessible transportation development, including autonomous vehicles. CTD was the lead advocate to work with **Texas Workforce Commission (TWC)** executives on a thorough examination of the vocational rehab vehicle modifications program and improving access to those needing vehicle modifications.

We worked with our many partner organizations to achieve real results on pressing policy developments. This summer, CTD led efforts to stave off proposed cuts to **Early Childhood Intervention (ECI) respite services**. Later in the year, a state agency quietly approved the **repeal of anti-discrimination policy** that would allow social workers to turn away clients on the basis on sexuality, gender identity or expression, or disability. Partnering with the **National Association of Social Workers – Texas Chapter**, we pushed back—and won.

Major Workgroups & Advisory Boards

Texas Board of Architects
Subcommittee – Legislative Review
Committee

Medicaid CHIP Advisory
Committee Chair Coordination
Meetings

TxDOT – Stassney Campus
Accessibility Focus Group

THECB Advisory Council on
Postsecondary Education for
Persons with Intellectual and
Developmental Disabilities (IDD)

Co-chair- Special Education
Stakeholder Roundtable

ECI Coalition

Texas Coalition for Healthy Minds

Texas Legislative Education Equity
Coalition

Texas Oral Health Coalition

Drug Utilization Review Board

Star Plus Pilot Programming
Workgroup

United Healthcare National
Advisory Board

Texas Rowing for All Board



Looking Ahead

2021 is a year the Legislature meets, and while preparations and guidelines have begun to roll out, it's still anyone's guess what policy-making, advocacy, and civic engagement will actually be like amid the pandemic.

CTD has prepared our staff and membership to play an active role, regardless of how the next five months play out. We've laid groundwork to position our priorities for success—and noted hints from legislators and the state about what's to come. A few high level plans and observations:

Regarding the **state budget**, the word from leadership is belt-tightening, so don't come asking for much. We are not dissuaded. CTD exists to advocate for people with disabilities rain or shine. In addition, even in good years, the Legislature is not inclined to positive disability policy. So, we're not backing down. We understand that some state revenues are down; but Texas has a robust Rainy Day Fund, has received and can expect more federal stimulus dollars, and can close some tax loopholes and open new revenue streams. Texas can seriously look at creating new jobs while expanding access to health care primarily funded by federal sources. More than most, this is a year for the Legislature to meet the needs of its citizens.

We are continuing forward with our work to **add a dental benefit to non-HCBS Medicaid programs** serving adults with disabilities. After several sessions of steady progress, we engaged in a variety of activities to promote awareness and continuing building the case

around this issue.

Community attendants' role in keeping Texans with disabilities and seniors healthy and in their own homes has only become more critical in the pandemic. But even before 2020, this workforce was at risk of a major collapse: due to demographic and economic forces, TWC reports community attendants as the state's largest growth occupation, but cannot address recruitment and retention because the low wages do not meet federal minimum measures of livability. We will work to raise it.

The **Medicaid waiver list**, at 165,000+ unduplicated individuals as of August 2020, also took a shocking hit during the interim. In their budget request, the Health and Human Services Commission (HHSC) set aside funds to reduce the list by 1,756 slots per year. On average, a Texan joining the interest list at #165,000 would be looking at **a wait of 93 years** to receive services!

2021 will be another opportunity for the Texas legislature to address long-time problems in **public education and services to children**. In October, the US Department of Education (DOE) cited Texas for **noncompliance with IDEA Part C- Early Childhood Intervention (ECI)**. Specifically, HHSC failed to ensure that:

- local ECI programs are appropriately

maintaining records to provide ECI services to infants and toddlers with disabilities in a timely manner;

- it has a comprehensive child find system in place that is able to appropriately identify infants and toddlers with disabilities for IDEA Part C services;
- IDEA Part C resources are available for all geographic areas in the State.

DOE pointed out that Texas' historical underfunding has resulted in noncompliance with federal requirements under IDEA to serve all eligible kids.

Later in October, DOE sent TEA another letter, demanding **additional proof of progress on serving kids with disabilities**. Although legislation eliminated the 8.5% cap in 2017, what this letter tells us is that Texas is still not serving public school students with disabilities in accordance with federal law.

The pandemic is certain to take center stage at the Capitol—as well it should—but legislators

have a responsibility not to ignore other systemic, far-reaching problems. Fortunately, CTD strengthened our advocacy team this year, with the addition of **Advocacy Director Jolene Sanders-Foster** and **Mental Health Peer Policy Fellow Jennifer Toon** (below, left to right).



CTD learned long ago that the secret to our success is self-advocates plus our team, and we have already seen significant wins from these dogged and respected advocates in the areas of education, ECI, and mental health and discipline in public schools.

Congratulations to Dennis Borel on being a finalist for the National Rare Voice Award for Patient Advocacy, from the EveryLife Foundation

Texas Politics Today, Arnold Public Affairs

As we look back on such a difficult year, we notice that the things that make CTD unique and effective are the same things that enabled us to adapt to and survive 2020: our passionate staff and board; our broad network of brilliant partners and generous funders; and our dedicated membership. Within a community focused on a barrier-free Texas, we can't help but feel some sparks of optimism as we look forward to 2021.

In memoriam

We mourn the passing of our friend and colleague **Jeff Kyser**, who lost his battle with COVID-19. Jeff was a member of the CTD team for seven years as our IT specialist. Quiet, well-liked, and competent, Jeff was the architect of much of the technology used by our CDS Division, as well as broad tech support throughout CTD. We miss his skills; more importantly we miss him.





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Board of Directors

CTD’s Board reflects the population of Texas in terms of types of disability, geographic representation, ethnicity, and income level.

Executive Committee

President: Kenneth Semien, Sr.*
Vice President: Crystal Lyons* **
Secretary: Judy Telge
Treasurer: Jet Schuler

At Large Members

Region 1: Rick Razo
Region 2: John Curnutt*
Region 3: Darren Bates*
Region 4: Darrell Wilson*
Region 5: Marshall Burns*
Region 6: Francis Key*
Region 7: Gene Whitten-Lege
Region 8: Sean Pevsner*

Staff

Executive Director: Dennis Borel
Deputy Executive Director: Chase Bearden*
Chief Operating Officer: Denise Ellison**
Advocacy Director: Jolene Sanders-Foster**
Communications Director: Laura Perna
Film Festival Director: William Greer*
Editor/Researcher: Susie Angel*

Mental Health Peer Policy Fellow: Jennifer Toon*
CDS Director: Kit Cuny
CDS Payroll Administrator: Rosie Williams
CDS Claims Analyst: Laura Harrell

* Person with a disability
** Parent of a child with a disability

CTD is a 501(c)3 nonprofit organization with Federal Tax ID #74-2071160. CTD is a social and economic impact organization benefitting Texans with all disabilities of all ages. CTD is a membership organization controlled by people with disabilities.

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