

the Independent

A Publication of Freedom Resource
Center for Independent Living, Inc.

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Issue 03

Presenting Freedom services and stats, 2007

By Nate Aalgaard,
Executive Director

OK, this might be taking the easy way out, but we're publishing this newsletter issue instead of an annual report. Proof that this is a good idea: Not one single person of the 134 or so who attended our Annual Meeting on Sept. 13 asked, "Where's your Annual Report?" In essence, we're saving time and energy for other things. Anyway, that's my story and I'm sticking with it.

We want to be accountable to the taxpayers and donors who fund our organization, therefore, we need to periodically tell you what we are doing and accomplishing with our money. It's hard to measure or put a dollar amount on something like independence or quality of life, but that is the bottom line. We want to make

a difference for people with disabilities, both individually and collectively. To help paint a picture of that, there are several stories in this issue that deal with our core services: Information and Referral, Independent Living Skills Training, Peer Mentoring, and Advocacy. We have also included some statistics, and highlighted a couple of other activities such as our leadership program.

Some of the basics about our Center are that we have 12 full-time and one half-time employees; offices in Fargo, Jamestown and Fergus Falls; and a budget for the 2007 fiscal year of about \$665,000. We receive almost equal amounts of funding to serve our Minnesota counties as the ones in North Dakota. With the resources we have, we feel we can provide our full array of services in Cass and Stutsman counties in North Dakota and Clay, Wilkin and Otter Tail in Minnesota. That doesn't mean nobody else should call. We can always provide information; and many other services are available

on a short term or less time - intensive basis.

We have some new staff members within the past year. This presents both opportunities and challenges, as we continue to try to do the best job we can in working toward equality and inclusion for people with disabilities. Please take a look at the contents of this issue of *the Independent*. Let us know if you have comments or questions. We want to be responsive to your needs and concerns. ■

During the 2007 fiscal year, 42 people received vocational services from Freedom Resource Center. These services complement those of other employment-related agencies.

What's Inside

- What's Wrong with this Picture
- Peer Mentoring
- Individual and Systems Advocacy
- Annual Meeting
- Statistics, and More....

What's Wrong with this Picture?

The object on the upper right is a power door opener. The fact that this restroom has a power door opener, although it is not required by law, is good. The placement of the opener is strange, but even so, there are standards in the ADA that apply.

Maximum Forward Reach over an Obstruction

The maximum level forward reach over an obstruction with knee space below is 25 inches (635 mm). When the obstruction is less than 20 inches (510 mm) deep, the maximum high forward reach is 48 inches (1220 mm). When the obstruction projects 20 to 25 inches (510 mm to 635 mm), the maximum high forward reach is 44 inches (1120 mm). (4.2.5, 4.25.3).



Independent Living Skills

By Cyndi Collins, *Independent Living Advocate*

Independent living skills are a natural part of life. Cooking, cleaning, taking a walk, or driving a car are natural experiences. But what happens when things that come naturally to some people stop, and start feeling unnatural and not normal? We might ask ourselves, "What is normal and what is a normal life?" Is it reading a book or going to the movies? Is it hanging out with friends or driving a car? Normalcy is being able to participate in life with little or no obstacles. But if you experience obstacles in your everyday life, how do you live independently?

Freedom Resource Center assists individuals with disabilities with independent living skills training. Our services are free and

confidential. In the past, Freedom has facilitated a variety of trainings, from short to longer term, for both individuals and groups. When appropriate, Freedom uses peer mentors as a first available teaching resource and advocate.

Examples of training are: utilizing public transportation; organizing and time management; budgeting; meal planning, grocery shopping, and cooking; hygiene skills; and social skills. Independent living skills training can also include other areas depending on the person's goals.

Currently, we have scheduled a driver's training class for Minnesota residents for Dec. 4, 2007 from 5:00-6:30pm. This class will be continued on following the Tuesday night. If you are interested in signing up for the class, please call me by December 1st, at (701) 478-0459 or 1-800-450-0459. Space is limited. Also note any

reasonable accommodations needed for your participation.

If you need support learning an independent living skill or you're unsure if we can provide assistance, please give Freedom Resource Center a call. Our goal is to aid individuals with disabilities with life skills and empowerment to become more involved and integrated within the community. ■

Freedom provided direct services to 421 people during the 2007 fiscal year. Of that number, 37% reported having physical disabilities, 24% reported having multiple disabilities, 18% had mental-health disabilities, and 16% reported cognitive disabilities. Direct service means that people have formally applied for services, and have been working to achieve independent living goals.

From Where I Sit

By Nate Aalgaard,
Executive Director

Help wanted: Allies in advocacy

Sometimes I forget to be thankful. The fact is, there are a lot of things in life that can be overwhelming. We can blame the politicians for not passing the laws we want or sending us enough money. We can blame others for not living up to what we think they should be doing, or we can make excuses about how things in our lives prevent us from accomplishing what we want. But what will that get us? Not much.

I'm thankful to be living right here, right now. Sometimes it's easy to forget how far we've come in the disability rights movement. Just 17 years ago we finally got our very own Civil Rights Act – the ADA. Before that, we didn't have the legal right for equal access to privately owned businesses, public transportation, communication, or state and local government services. We're fortunate to live in a good part of the country, unless of course you count the weather. Our politicians are accessible to us. We have a good education system. Our communities are among the safest in the country. People care about each other.

I'm thankful for the opportunity to work in the disability rights movement. Eleven years ago a group of board members and staff had enough confidence to hire me. I'm thankful for my spirit of independence, which keeps me going and fired up to try and make positive change in my community and my world for people with disabilities.

What can you be thankful for? Do you have the talent for writing? Are you good at relating to people? Do you have a talent for research or for organizing things? The fact is that everybody can do something.

We need everybody to be able to make use of their talents and make a positive contribution.

I'm thankful for other people who are allies in this disability rights movement. Recently a couple of incidents happened to me where I experienced frustration in accessing services from businesses. The first one was a few weeks ago when Larry Chial and I went to a local restaurant for lunch. It was middle afternoon and the only area of the place that really had any activity was the bar. So we went in and asked the bartender if we could get a low table in there so we can have lunch. She proceeded to tell us that it just couldn't be done. There were the fire codes, no space, on and on... We tried to convince her that we did indeed have the right to sit in the bar area just like any other customer; and that it was not the same as sitting in the restaurant with no people, and no televisions, and no atmosphere. Eventually we had to ask for the manager to come over, and to his credit he immediately went and got a low table and set it up for us without any hassle. Having Larry there with me getting right into it with the bartender made a big difference for me.

The second one was when I pulled into a gas station where I had been doing business for years. To make a long story short, the owner of the place basically told me that I could only come there before 3 p.m. and not on weekends. Yeah right, I've got nothing better to do than to drop everything and make sure to get over there before 3:00. It pretty much felt like a slap in the face for a person who had been a loyal customer for over eight years. I didn't feel he had the right to arbitrarily pick 3 p.m.; especially being the time I was there at this point was 5:30, and he was there, as well as another employee. It should not have been a problem for one of them to come out and help me while



Nate Aalgaard, executive director

the other one watched the till.

I was at vocational rehab meeting with Ron Sandness, and I told him about this incident. He said he knew this guy's dad, who he had inherited the gas station from, and he would never put up with that. Ron thought that maybe if he got a chance he could communicate this story to him and it would help.

You never know when and where those friends and allies are going to be helpful. I'm thankful for other people who understand the issues of fairness and disability rights and are willing to say something, or do something, about it. Even when times are tough and it seems like we aren't making any progress, we still have a lot to be thankful for and many possibilities if we just keep working together. ■

Of the people receiving direct services, most lived in Cass County (133); followed by Clay County (104); and Otter Tail County (90). Freedom's service area encompasses 10 counties in North Dakota and nine in Minnesota.

Information and referral

By Rikki Trageton

Freedom Resource Center is striving to become the number one source for disability related information in the area. Assisting in that goal are our Information Specialists. Two full-time staff in our Fargo office are devoted to providing disability-related information to consumers, family members, and any other community members. In our satellite offices, in Jamestown and Fergus Falls, staff provide all core services. Information and referral is the only service Freedom Resource Center provides that a person does not have to have a disability to receive.



Amanda & Micara

Information and referral specialists receive a wide variety of calls on a daily basis. Micara, one of FRC's full time I&R specialists, states "no two days are ever the same". Examples of topics people are requesting information on include: accessible housing, ramps, accessible transportation, applying for social security, service animals, Medicare prescription drug coverage, and county benefits. Referrals for individuals to other agencies are also provided when appropriate. Referrals are also made to other FRC staff for individuals to receive other services like advocacy, peer mentoring, or IL skills when appropriate.

Alison's family recently contacted one of Freedom's I & R specialists, Amanda, to have an accessibility survey completed. Alison recently suffered a spinal cord injury while playing at the playground. Alison is a quadriplegic and uses a wheelchair for mobility. Alison is currently in a rehabilitation center and hopes to be back at home with her family by Christmas.

Alison's family knew their home was not accessible. Alison's family was requesting assistance with plans for a ramp so Alison would be able to get in and out of her home. Amanda went to Alison's home, made recommendations for a ramp, and assessed three main areas inside the home. These areas included the bathroom, the doorways, and the aisles or hallways. Amanda wrote a report which included findings from her accessibility survey and recommendations for the most cost effective way to make the home accessible for Alison.

Alison's mom, Julie, reports having the accessibility survey completed was quick and convenient for her and her family. She said it only took a few days from the time she called until Amanda came and completed the in-home survey. The access survey report provided the family with good reference information about the improvements needed to make their home accessible for their daughter. It helped them sort out where to start and what their priorities are. Accessibility surveys are provided by Freedom Resource Center free of charge to individuals with disabilities and for a fee to businesses. ■

Freedom provided outreach services to 985 people during the 2007 fiscal year.

Peer Mentoring

By Scott Burlingame

Peer Mentors are responsible for cultivating independence for people with disabilities by using their personal experiences to empower, assist, educate, and/or advocate. Peer Mentors are encouraged to become active in all of Freedom's leadership, community education and advocacy efforts.

Gin Ohnstad has been a Peer Mentor at Freedom since July of 2005. During that time she has mentored a variety of people in many different areas, including helping during the Social Security application process, developing socialization skills, and other life skills. Gin has been particularly successful in teaching people with traumatic brain injuries the skills they need to live successfully. She has provided mentoring in person, over the phone, and by email.

Freedom has a roster of peer mentors, like Gin, who are looking to assist others in achieving their independence goals. ■



Gin Ohnstad

Civic Engagement

By Scott Burlingame

Justin Dart, an advocate for human rights and people with disabilities once stated, "Justice for all means choices for all, power for all, lives of dignity for all...we must train thousands of new leaders. Let us unite to shout, 'Mr. President, Members of Congress, America, join us in keeping this sacred pledge: one nation under God, indivisible, with liberty, and justice for all!'"

Freedom began to answer Mr. Dart's call by offering a six-part training course called *Becoming a Leader in the Advocacy Movement*. This training is designed to give people with disabilities the tools

they need to find and use their voice in changing society.

Pam Morgan attended Freedom's leadership training in the fall of 2006. She has since been involved in the League of Women Voters, the F-M Transit Advisory Committee, Fargo Community Homes (board of directors), and is a council member at her church. She is also a recently-appointed member of the North Dakota Statewide Independent Living Council. Pam has taken it upon herself to get involved and stay involved in issues that matter to her and to others with disabilities. ■

Individual Advocacy

By Rikki Trageton

The goal of advocacy services is for people to make their own choices and to have input in all aspects of their lives regardless of their disability. Advocates may attend meetings with individuals; teach self advocacy skills; assist in obtaining access to benefits, services and programs; or help them through the complaint process.

Luke is an 11 year old who received advocacy services from Freedom Resource Center during the 2006-2007 school year. He is diagnosed with Asperger's Syndrome. Luke is a bright young man who is full of energy and loves to read. Ruth and Bob, Luke's parents, contacted Freedom because of struggles they had with the special education services he received at school. They had difficulty getting his school to implement an Individualized Education Plan (IEP) for him. Luke had an IEP in place, but his mom states it has often been inadequately written or not followed by teachers and school staff.

Luke was in need of modifications such as shortened assignments, more time to complete his work, directions given one at a time instead of several at a time, quiet space to complete his work, occupational therapy, and speech therapy services. Luke has struggled at times with his behavior in school because of his

disability. According to his IEP, Luke was also supposed to have a behavior plan in place. Bob and Ruth believe the school regularly failed to follow the behavior plan.

Parents can often be frustrated and overwhelmed by the special education process. The laws are technical and complex. "Professionals" in the school system believe they know best about how to educate children with disabilities. Parents often are unsure of their rights and responsibilities. An advocate's role is to educate parents about their rights and responsibilities, be familiar with the law, hold the school accountable for following the law, and support parents and students in speaking out for what they believe they need. The advocate from Freedom attended meetings with Luke and his parents, assisted them in requesting accommodations and testing, advocated on their behalf so that their voice was heard in the system, and provided support through the process, and assisted them in ensuring that the school followed Luke's IEP.

Luke's mom states, "I think Freedom Resources has assisted us best by being able to answer our questions about IDEA (Individuals with Disabilities Education Act), understanding our frustrations, and your willingness to go to meetings and make sure that the schools know that there is a law to be followed and they need to follow it. Fortunately we have places

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Information

In an attempt to reduce the cost of mailings please send your email address to freedom@freedomrc.org

If you would like to be removed from our mailing list please call 701-478-0459 or 1-800-450-0459.

Freedom Resource Center and/ or its Board of Directors do not necessarily endorse or support any of the views expressed within the personal testimonies contained in this newsletter, unless approval is specifically mentioned.

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Alternate formats available upon request.

Editorial Board: Nate Aalgaard, Scott Burlingame, Cyndi Collins, and Rikki Trageton

Systems advocacy: The ADA Restoration Act promoted by disability advocates

By Nate Aalgaard, Executive director

In a packed room on October 4, the US House of Representatives Committee on the Judiciary held a hearing on HR 3195, the Americans with Disabilities Act (ADA) Restoration Act of 2007. The purpose of this Act, as introduced by representatives James Sensenbrenner of Wisconsin and Steny Hoyer of Maryland, would clarify the original intent of Congress in passing the ADA. In testimony, Rep. Hoyer stated, "Let me assure you of one thing at the outset of my testimony: The purpose of this legislation is straight-forward and unambiguous. The bill does not seek to expand the rights guaranteed under the landmark Americans with Disabilities Act. Instead, it seeks to clarify the law, restoring the scope of protection available under the ADA; responding to court decisions that have sharply restricted the class of people who can invoke protection under the law; and reinstating the original Congressional intent when we passed the ADA."

In nationwide surveys commissioned over the past 20 years by the National Organization on Disability, the employment rate for all people with disabilities has not risen above 35%, despite enactment of the ADA and other disability rights legislation. One of the prime objectives of the ADA, when enacted and signed by the first President Bush, was to create more opportunities for people with disabilities to participate fully in American life, including access to employment. Two-thirds of people with disabilities who do not have a job indicate they would work if they could find employment. To date, around 97% of all disability discrimination claims are never decided in favor of

the persons with disabilities who filed them. Many times the main issues of the case did not even get attention, because it was thrown out based on the person not meeting the court's definition of a person with a disability. The Supreme Court, in particular, has narrowly defined those who could be covered by the law.

People with conditions like epilepsy, diabetes, HIV, cancer, hearing loss, and mental illness who manage their disabilities with medication, prosthetics, hearing aids, etc. – or "mitigating measures" – are viewed as "too functional" to have a disability and are denied the ADA's protection from employment discrimination. According to Rep. Hoyer, an original sponsor of the ADA, this was certainly not the intention of Congress when they defined disability very broadly.

Cheryl Sensenbrenner, wife of Rep. Sensenbrenner and the Chairperson of the Board of Directors of the American Association of Persons with Disabilities (AAPD), also testified on behalf of the bill. Amongst her many comments, she also reiterated the problems the courts had caused on behalf of people with disabilities seeking enforcement of their discrimination claims. She said, "I offer my testimony today at a most crucial moment for people with disabilities – a time at which U.S. Courts are at complete odds with clear Congressional intent regarding civil rights protections of people with disabilities, and at a time during which you, Congressmen and Congresswomen, can set a landmark civil rights law back on its intended course toward equality for all people.

"In 1990, with tremendous bipartisan support, Congress passed

the ADA, and President George H.W. Bush signed it into law. During its passage, Congress acknowledged that people with disabilities were extremely disadvantaged socially, economically, vocationally, and educationally – this 'political powerlessness' on account of pervasive discrimination, segregation, and exclusion 'resulting from stereotypic assumptions not truly indicative of the individual ability of such individuals to participate in, and contribute to, society'..."

Among other things, the ADA Restoration Act will:

- amend the definition of "disability" so that people who Congress originally intended to protect from discrimination are covered under the ADA;
- prevent courts from considering "mitigating measures" – such as eyeglasses or medication – when determining whether a person qualifies for protection under the law; and
- modify findings in the ADA that have been used by the courts to support a narrow reading of "disability." Specifically, this bill strikes the finding pertaining to "43 million Americans" and the finding pertaining to "discrete and insular minority."

As of the date of the House committee hearing, there were 225 cosponsors, including representatives Collin Peterson (MN) and Earl Pomeroy (ND). The AAPD is asking disability advocates to continue to push for more House cosponsors, as well as to ask US Senators to join Senators Harken, Spector, and Kennedy in sponsoring this bill.

* Information for this article was gathered from the AAPD website ■

Annual Meeting Awards



L to R: Joseph Fuchs,
Andrea Nelson, Nick Kurtz

The 2007 Freedom Resource Center Volunteer of the Year award was shared by Nick Kurtz, Joey Walden, and Joseph Fuchs, each of Jamestown, ND. Nick, Joey, and Joseph receive services through Community Options, a community-based services provider that assists individuals with obtaining their personal goals. Among the volunteer activities these three men did during the past year are: meals on wheels, Salvation Army, ringing the bell during holiday season, assist residents at Central Dakota Village, stock at Anne Carlson Center for Children, Humane Society, local church, American Red Cross, FRC, and Jamestown's Mayor's committee. They have also assisted Andrea Nelson, Freedom's Jamestown staff person, with various administrative functions, including helping to keep her office clean, and assisting her with special projects.

The thing that makes these gentlemen stand out is their motivation to improve the quality of life for others. They do this by bringing smiles to the people they meet when delivering meals on wheels, volunteering at CDV, Salvation Army or helping Andrea at Freedom. Volunteering also improves their quality of life, they are able to socialize with others, stay active in their community and above all, have a sense of value in themselves in a society that may not be as clear in other areas of life.

Congratulations to Nick Kurtz, Joey Walden, and Joseph Fuchs for being named the 2007 Volunteer of the Year. ■



Dan Mahli and Nate Aalgaard

Dan Mahli is Freedom Resource Center's 2007 Advocate of the Year. A Senior Planner with the City of Fargo, Dan has been the staff liaison to the Fargo Human Relations Commission since its inception. He is currently heavily involved in the efforts to provide safe housing for people who are homeless in our community, which includes many people with disabilities.

His activities over the years relating to disability rights go above and beyond his job responsibilities. In January 2000, Dan was a founding member of North Dakotans for Human Rights Commission. He has been a board member of the North Dakota Human Rights Coalition since its inception in 2002, and has served as the organization's vice chairperson.

Dan is serving his second term as Co-chairperson of the Metro Area Mayors Committee for Employment of People with Disabilities. In addition, he is a member of the Freedom Resource Center civil and human rights task force, which has been active in working toward accessibility of businesses in our community. ■

Freedom provided community education services to 954 people during the 2007 fiscal year. Education was provided on such topics as the Americans with Disabilities Act, organizing for change, and disability as a Civil Rights issue.



Jessy Breidenbach

Jesutine (Jessy) Breidenbach is the Freedom Resource Center 2007 Youth Advocate of the year winner. Jessy's services at Freedom have included: being a graduate of "Becoming a Leader in the Disability Rights Leadership Movement" training, being a member of the children and youth taskforce, and volunteering as a Peer Mentor. Outside of Freedom, she is an active participant of the legislative working committee, an active participant of Hope, Inc. (a children's sports and recreation group for children with significant impairments in the Fargo Moorhead area), a graduate of the 2006/2007 class of the ND Partners in Policymaking, and she was selected for the Youth Advisory Committee of the National Center on Disability. On top of all this, Jessy graduated from high school this spring and is currently attending Minnesota State University-Moorhead. In addition, at the 2007 Annual meeting, Jessy was elected to the board of directors of Freedom Resource Center.

Jessy represents the future of independent living well, and she has great individual drive and dedication. Everybody at Freedom looks forward to watching her grow into a national leader in the disability rights movement.

Congratulations to Jessy Breidenbach on being named the 2007 Youth Advocate of the Year. ■



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The Mission of Freedom Resource Center for Independent Living is to work toward equality and inclusion for people with disabilities through programs of empowerment, community education and systems change.

We envision a society where ALL individuals are valued, respected and have equal opportunity, access, responsibility, and freedom of choice in all aspects of life.

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like Freedom to help parents negotiate through the system and figure out what their rights and their children's rights are."

The 2007-2008 school year has gotten off to a positive start for Luke. He is in 6th grade and attending a new school. He

has made that transition well. His IEP is being implemented by school staff. He is experiencing success in the classroom. The advocacy efforts of his parents and Freedom have paid off. ■